

provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Section, 100 F Street NE., Washington, DC 20549-1090 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the NYSE's principal office. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSEArca-2016-88 and should be submitted on or before July 22, 2016.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>16</sup>

**Robert W. Errett,**

*Deputy Secretary.*

[FR Doc. 2016-15713 Filed 6-30-16; 8:45 am]

**BILLING CODE 8011-01-P**

---

## SMALL BUSINESS ADMINISTRATION

### Interest Rates

The Small Business Administration publishes an interest rate called the optional "peg" rate (13 CFR 120.214) on a quarterly basis. This rate is a weighted average cost of money to the government for maturities similar to the average SBA direct loan. This rate may be used as a base rate for guaranteed fluctuating interest rate SBA loans. This rate will be 2.13 percent for the July-September quarter of FY 2016.

Pursuant to 13 CFR 120.921(b), the maximum legal interest rate for any third party lender's commercial loan which funds any portion of the cost of a 504 project (see 13 CFR 120.801) shall be 6% over the New York Prime rate or, if that exceeds the maximum interest rate permitted by the constitution or laws of a given State, the maximum interest rate will be the rate permitted by the constitution or laws of the given State.

**John M. Wade,**

*Acting Director, Office of Financial Assistance.*

[FR Doc. 2016-15686 Filed 6-30-16; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF STATE

[Public Notice: 9620]

### **E.O. 13224 Designation of al-Qa'ida in the Indian Subcontinent, Also Known as al-Qaeda in the Indian Subcontinent, Also Known as Qaedat al-Jihad in the Indian Subcontinent as a Specially Designated Global Terrorist**

Acting under the authority of and in accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended by Executive Order 13268 of July 2, 2002, and Executive Order 13284 of January 23, 2003, I hereby determine that the organization known as al-Qa'ida in the Indian Subcontinent, also known as al-Qaeda in the Indian Subcontinent, also known as Qaedat al-Jihad in the Indian Subcontinent committed, or poses a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States.

Consistent with the determination in section 10 of Executive Order 13224 that "prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously," I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

Dated: June 10, 2016.

**John F. Kerry,**  
*Secretary of State.*

[FR Doc. 2016-15683 Filed 6-30-16; 8:45 am]

**BILLING CODE 4710-AD-P**

---

## DEPARTMENT OF STATE

[Public Notice: 9621]

### **Foreign Terrorist Organization Designation of al-Qa'ida in the Indian Subcontinent, Also Known as al-Qaeda in the Indian Subcontinent, Also Known as Qaedat al-Jihad in the Indian Subcontinent as a Specially Designated Global Terrorist**

Based upon a review of the Administrative Record assembled in this matter, and in consultation with the Attorney General and the Secretary of the Treasury, I conclude that there is a

sufficient factual basis to find that the relevant circumstances described in section 219 of the Immigration and Nationality Act, as amended (hereinafter "INA") (8 U.S.C. 1189), exist with respect to al-Qa'ida in the Indian Subcontinent, also known as al-Qaeda in the Indian Subcontinent, also known as Qaedat al-Jihad in the Indian Subcontinent.

Therefore, I hereby designate the aforementioned organization and its aliases as a foreign terrorist organization pursuant to section 219 of the INA.

This determination shall be published in the **Federal Register**.

Dated: June 10, 2016.

**John F. Kerry,**  
*Secretary of State.*

[FR Doc. 2016-15680 Filed 6-30-16; 8:45 am]

**BILLING CODE 4710-AD-P**

---

## SURFACE TRANSPORTATION BOARD

[Docket No. AB 1241; Docket No. FD 36040]<sup>1</sup>

### **Newvista Property Holdings, LLC—Adverse Abandonment of the Ironton Branch—In Utah County, Utah; Newvista Property Holdings, LLC—Petition For Declaratory Order**

By petition filed on March 7, 2016, NewVista Property Holdings, LLC (NewVista), seeks waivers of certain Board regulations and exemptions from certain statutory provisions in connection with an adverse, or third-party, application for abandonment it plans to file under 49 U.S.C. 10903. NewVista's petition concerns approximately 1.87 miles of railroad owned by Union Pacific Railroad Company (UP) known as the Ironton Branch. NewVista states that it owns, or controls, nearly all of the industrial property that abuts the Ironton Branch.

On March 28, 2016, UP filed a reply to NewVista's petition, arguing that the petition should be rejected or denied because the Ironton Branch is excepted track under 49 U.S.C. 10906, and thus falls outside the Board's abandonment authority.

On April 7, 2016, NewVista filed a reply to UP's reply (the Surreply). In its Surreply, NewVista requests: (1) Guidance regarding the appropriate procedures to obtain a ruling on whether the Ironton Branch has been removed from the Board's jurisdiction; (2) a declaratory order that the Board "has authority to adversely abandon the

<sup>1</sup> These proceedings are not consolidated. A single decision is being issued for administrative convenience.

<sup>16</sup> 17 CFR 200.30-3(a)(12).

Ironton Branch” or that the Ironton Branch is no longer part of the national rail system and that the Board has no jurisdiction over the Ironton Branch. Additionally, “[i]f the Ironton Branch has been taken outside the authority of the STB because an abandonment already has been consummated, [NewVista] requests a declaratory order so stating.”

The history and status of the Ironton Branch is well documented. The Interstate Commerce Commission (ICC) authorized UP’s request to abandon the Ironton Branch in 1977. *L.A. & Salt Lake R.R.—Aban.—Portion of the Ironton Branch in Utah Cty., Utah*, AB 85 (Sub-No. 3) (ICC served Oct. 6, 1977). Subsequently, UP filed a notice with the ICC on December 30, 1977, clarifying that track between Mileposts 0.64 and 0.71 was “retired and removed,” and that track between Mileposts 0.00 and 0.64, and between Mileposts 0.71 and 1.87, was to be retained and reclassified as yard track. The Board confirmed the status of those portions of the Ironton Branch as yard track in *Joseph R. Fox—Petition for Declaratory Order*, FD 35161 (STB served May 18, 2009), *aff’d Fox v. STB*, 379 Fed. Appx. 767 (10th Cir. 2010). In that decision, the Board also confirmed that industrial yard track, while excepted under 49 U.S.C. 10906 from the need to obtain Board authority for construction, abandonment, or operation, is nevertheless subject to the Board’s jurisdiction and is not subject to state or local regulation.

Because yard track is not subject to the Board’s § 10903 abandonment authority, the Board recently explained that yard track is likewise excepted from the Board’s adverse abandonment process. Instead, the proper vehicle for removing the Board’s jurisdiction over yard track is through a declaratory order proceeding. *Pinelawn Cemetery—Pet. for Declaratory Order*, FD 35468, slip op. at 11 n.31 (STB served Apr. 21, 2015). Because the portion of the Ironton Branch remaining under Board jurisdiction is yard track, an adverse abandonment is not appropriate here. Therefore, the Board will deny NewVista’s petition for waiver and will close the abandonment proceeding.

However, NewVista’s Surreply contains a request for a declaratory order in the alternative. The Board has discretionary authority under 5 U.S.C. 554(e) and 49 U.S.C. 1321 to issue a declaratory order to eliminate a controversy or remove uncertainty. Here, a controversy exists as to whether the yard track has been or can be removed from the Board’s jurisdiction. The Board will therefore institute a declaratory order proceeding.

*It is ordered:*

1. NewVista’s petition for waiver in Docket No. AB 1241 is denied.
2. Docket No. AB 1241 is closed.
3. A declaratory order proceeding is instituted in Docket No. FD 36040. All parties must comply with the Rules of Practice, including 49 CFR parts 1112 and 1114.
4. NewVista’s Opening Statement is due August 23, 2016.
5. Replies are due September 12, 2016.
6. NewVista’s rebuttal is due September 22, 2016.
7. Notice of the Board’s action will be published in the **Federal Register**.
8. The decision is effective on the date of service.

Decided: June 23, 2016.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.

**Rena Laws-Byrum,**  
*Clearance Clerk.*

[FR Doc. 2016–15652 Filed 6–30–16; 8:45 am]

**BILLING CODE 4915–01–P**

## DEPARTMENT OF THE TREASURY

### Community Development Financial Institutions Fund

#### Information Collection; Request for Comments

**ACTION:** Notice and request for public comment.

**SUMMARY:** The U.S. Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995. Currently, the Community Development Financial Institutions Fund (CDFI Fund), U.S. Department of the Treasury, is soliciting comments concerning the New Markets Tax Credit Program Certified Development Entity CDE Certification Application.

**DATES:** Written comments must be received on or before August 30, 2016 to be assured of consideration.

**ADDRESSES:** Submit your comments via email to David Meyer, David Meyer, Certification, Compliance Monitoring and Evaluation (CCME) Program Manager, CDFI Fund, at [ccme@cdfi.treas.gov](mailto:ccme@cdfi.treas.gov).

**FOR FURTHER INFORMATION CONTACT:** David Meyer, CCME Program Manager, CDFI Fund, U.S. Department of the Treasury, 1500 Pennsylvania Avenue

NW., Washington, DC 20220 or by facsimile to (202) 653–0375 (not a toll free number). Other information regarding the CDFI Fund and its programs may be obtained through the CDFI Fund’s Web site at <http://www.cdfifund.gov>.

**SUPPLEMENTARY INFORMATION:**

*Title:* New Markets Tax Credit Program Certified Development Entity CDE Certification Application.

*OMB Number:* 1559–0014.

*Abstract:* Title I, subtitle C, section 121 of the Community Renewal Tax Relief Act of 2000 (the Act), as enacted in the Consolidated Appropriations Act, 2001 (Pub. L. 106–554, December 21, 2000), amended the Internal Revenue Code (IRC) by adding IRC 45D and created the NMTC Program. The Department of the Treasury, through the CDFI Fund, administers the NMTC Program, which provides an incentive to investors in the form of tax credits over seven years, expected to stimulate the provision of private investment capital that, in turn, will facilitate economic and community development in low-income communities. In order to qualify for an allocation of tax credits through the NMTC Program, an entity must be certified as a qualified Community Development Entity (CDE) and submit an allocation application to the CDFI Fund. Nonprofit entities and for-profit entities may be certified as CDEs by the CDFI Fund. In order to be certified as a CDE, an entity must be a domestic corporation or partnership, that: (1) Has a primary mission of serving or providing investment capital for low-income communities or low-income persons; and (2) maintains accountability to residents of low-income communities through their representation on any governing or advisory board of the entity.

*Current Actions:* Renewal of Existing Information Collection.

*Type of Review:* Regular Review.

*Affected Public:* CDEs and entities seeking CDE certification, including business or other for-profit institutions, nonprofit entities, and State, local and Tribal entities.

*Estimated Number of Respondents:* 300.

*Estimated Annual Time per Respondent:* 4 hours.

*Estimated Total Annual Burden Hours:* 1,200 hours.

*Requests for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record and may be published on the CDFI Fund Web site at <http://www.cdfifund.gov>.