

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions to stay must be filed by August 31, 2018 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 36209, must be filed with the Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Karl Morell, Karl Morell & Associates, Suite 440, 440 1st Street NW, Washington, DC 20001.

Board decisions and notices are available on our website at [www.stb.gov](http://www.stb.gov).

Decided: August 17, 2018.

By the Board.

**Scott M. Zimmerman,**

*Acting Director, Office of Proceedings.*

**Aretha Laws-Byrum,**

*Clearance Clerk.*

[FR Doc. 2018-18125 Filed 8-23-18; 8:45 am]

BILLING CODE 4915-01-P

## SURFACE TRANSPORTATION BOARD

[Docket No. FD 36206]

### Decatur & Eastern Illinois Railroad, L.L.C.—Acquisition Exemption Containing Interchange Commitment—CSX Transportation, Inc.

Decatur & Eastern Illinois Railroad, L.L.C. (DEIR), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire and operate approximately 126.7 miles of track (the Line) owned by CSX Transportation, Inc., (CSXT), consisting of: (1) CSXT's Decatur Subdivision starting near Montezuma, Ind., at milepost BD 192.4 and ending in Decatur, Ill., at milepost BD 277.2; (2) CSXT's Danville Secondary Subdivision from near Terre Haute, Ind., at milepost QSD 72.2 to near Olivet, Ill., at milepost QSD 113.6; and (3) CSXT's Paris Industrial Track located in Paris, Ill. As part of the transaction, CSXT will also assign its trackage rights over Illinois Central Railroad Company (IC) between the Decatur Street road crossing at or near milepost 77.7 and milepost 76.7 on IC's Peoria Subdivision, including IC's connection with CSXT between milepost 30.5 and milepost 28.6 on IC's Peoria Subdivision, and between IC's lead track from its connection to the Green Switch Spur to IC's connection with the ADM Run-Around-Yard at

Decatur, Ill., on IC's Peoria Subdivision, a total distance of approximately 3.6 miles.

This transaction is related to a concurrently filed verified notice of exemption in *Watco Holdings, Inc.—Continuance in Control Exemption—Decatur & Eastern Illinois Railroad*, Docket No. FD 36209, in which Watco Holdings, Inc., seeks Board approval to continue in control of DEIR upon DEIR's becoming a Class III rail carrier.

The verified notice states that DEIR and CSXT will enter into a Purchase and Sale Agreement and a Freight Operating Agreement prior to closing, and that DEIR will be the operator of the acquired rail lines. As required by 49 CFR 1150.33(h), DEIR has disclosed in its verified notice that the Freight Operating Agreement contains an interchange commitment that would require DEIR to pay additional compensation to CSXT if DEIR interchanges traffic with a third-party rail carrier and that the affected interchange points are Decatur, Metcalf, and Tuscola, Ill. DEIR has provided additional information pertaining to the interchange commitment as required by § 1150.33(h).<sup>1</sup>

DEIR certifies that its projected annual revenues resulting from the transaction will not exceed those that would qualify it as a Class III rail carrier. However, DEIR states that its projected annual revenues will exceed \$5 million. Accordingly, in compliance with 49 CFR 1150.32(e), on July 6, 2018, DEIR posted the required 60-day labor notice of this transaction at the workplaces of CSXT employees on the affected Line, served notice on the national offices of the labor unions for those employees, and filed a letter with the Board certifying its compliance with the advance notice requirements.

The transaction may be consummated on or after September 8, 2018, the effective date of the exemption (30 days after the verified notice was filed).<sup>2</sup>

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not

<sup>1</sup> DEIR lists "Canadian National Railway" (CNR) as one of the third-party railroads that could physically interchange with the line sought to be acquired. The Board notes that the correct reference should be to Illinois Central Railroad Company (IC)—the CNR subsidiary over which DEIR will be assigned 3.6 miles of trackage rights (as described above) and the only CNR affiliate operating in the affected region.

<sup>2</sup> The verified notice states that the transaction is expected to be consummated on or about September 6, 2018, however, consummation of the transaction must await the effective date of the exemption.

automatically stay the effectiveness of the exemption. Petitions to stay must be filed no later than August 31, 2018 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 36206, must be filed with the Surface Transportation Board, 395 E Street SW, Washington, DC 20423-0001. In addition, a copy must be served on Karl Morell, Karl Morell & Associates, Suite 440, 440 1st Street NW, Washington, DC 20001.

According to DEIR, this action is categorically excluded from environmental review under 49 CFR 1105.6(c).

Board decisions and notices are available on our website at [www.stb.gov](http://www.stb.gov).

Decided: August 17, 2018.

By the Board.

**Scott M. Zimmerman,**

*Acting Director, Office of Proceedings.*

**Aretha Laws-Byrum,**

*Clearance Clerk.*

[FR Doc. 2018-18119 Filed 8-23-18; 8:45 am]

BILLING CODE 4915-01-P

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket Number USTR-2018-0029]

### Request for Comments To Compile the National Trade Estimate Report on Foreign Trade Barriers

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice.

**SUMMARY:** The Office of the United States Trade Representative (USTR) publishes the National Trade Estimate Report on Foreign Trade Barriers (NTE Report) each year. The Trade Policy Staff Committee (TPSC) invites interested persons to submit written comments to assist the TPSC in identifying significant barriers to U.S. exports of goods and services, U.S. foreign direct investment, and the protection and enforcement of intellectual property rights for inclusion in the NTE Report. USTR also will consider responses to this notice as part of the annual review of the operation and effectiveness of all U.S. trade agreements regarding telecommunications products and services that are in force with respect to the United States.

**DATES:** We must receive all written comments no later than 11:59 p.m. on October 30, 2018.

**ADDRESSES:** USTR strongly prefers electronic submissions made through

the Federal eRulemaking Portal: <http://www.regulations.gov>. The instructions for submitting comments are in section 4 below. The docket number is USTR–2018–0029. For alternatives to on-line submissions, contact Yvonne Jamison at (202) 395–3475 before transmitting a comment and in advance of the relevant deadline.

**FOR FURTHER INFORMATION CONTACT:**  
Yvonne Jamison at (202) 395–3475.

**SUPPLEMENTARY INFORMATION:**

**1. Background**

Section 181 of the Trade Act of 1974, as amended (19 U.S.C. 2241) requires USTR annually to publish the NTE Report, which sets out an inventory of the most significant foreign barriers affecting U.S. exports of goods and services, U.S. foreign direct investment, and the protection and enforcement of intellectual property rights. The inventory facilitates U.S. negotiations aimed at reducing or eliminating these barriers and is a valuable tool in enforcing U.S. trade laws and strengthening the rules-based trading system. You can find the 2018 NTE Report on USTR's website at <http://www.ustr.gov> under the tab 'Reports'. To ensure compliance with the statutory mandate for the NTE Report and the Administration's commitment to focus on the most significant foreign trade barriers, USTR will be guided by the existence of active interest in deciding which restrictions to include in the NTE Report.

**2. Topics on Which the TPSC Seeks Information**

To assist USTR in preparing the NTE Report, commenters should submit information related to one or more of the following categories of foreign trade barriers:

1. Import policies (*e.g.*, tariffs and other import charges, quantitative restrictions, import licensing, customs barriers, and other market access barriers).

2. Trade restrictions implemented through unwarranted standards, conformity assessment procedures, or technical regulations (technical barriers to trade) that may have as their objective protecting national security requirements, preventing deceptive practices, or protecting human health or safety, animal or plant life or health, or the environment, but that can be formulated or implemented in ways that create significant barriers to trade (including unnecessary or discriminatory technical regulations or standards for telecommunications products).

3. Trade restrictions implemented through unwarranted sanitary and phytosanitary (SPS) measures that the country claims to impose for purposes of protecting human, animal, and plant life or health (*e.g.*, SPS measures not based on scientific evidence).

4. Subsidies, including export subsidies (*e.g.*, export financing on preferential terms, subsidies provided to equipment manufacturers contingent on export, and agricultural export subsidies that displace U.S. exports in third country markets) and local content subsidies (*e.g.*, subsidies contingent on the purchase or use of domestic rather than imported goods).

5. Government procurement restrictions (*e.g.*, "buy national policies" and closed bidding).

6. Lack of intellectual property protection and enforcement (*e.g.*, inadequate patent, copyright, and trademark regimes).

7. Barriers to trade in services (*e.g.*, prohibitions or restrictions on foreign participation in the market, discriminatory licensing requirements or regulatory standards, local-presence requirements, and unreasonable restrictions on what services may be offered).

8. Barriers to digital trade (*e.g.*, barriers to cross-border data flows including data localization requirements, discriminatory practices affecting trade in digital products, restrictions on the provision of internet-enabled services, and other restrictive technology requirements).

9. Investment barriers (*e.g.*, limitations on foreign equity participation and on access to foreign government-funded research and development programs, local content requirements, technology transfer requirements and export performance requirements, and restrictions on repatriation of earnings, capital, fees, and royalties).

10. Government-tolerated anticompetitive conduct of state-owned or private firms that restrict the sale or purchase of U.S. goods or services in the foreign country's markets.

11. Other barriers (*e.g.*, barriers that encompass more than one category, such as bribery and corruption, or that affect a single sector).

Commenters should submit information related to one or more of the following export markets to be covered in the report: Algeria, Angola, the Arab League, Argentina, Australia, Bahrain, Bangladesh, Bolivia, Brazil, Brunei, Burma, Cambodia, Canada, Chile, China, Colombia, Costa Rica, Cote d'Ivoire, Dominican Republic, Ecuador,

Egypt, El Salvador, Ethiopia, the European Union, Ghana, Guatemala, Honduras, Hong Kong, India, Indonesia, Israel, Japan, Jordan, Kazakhstan, Kenya, Korea, Kuwait, Laos, Malaysia, Mexico, Morocco, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, the Philippines, Qatar, Russia, Saudi Arabia, Singapore, South Africa, Sri Lanka, Switzerland, Taiwan, Thailand, Tunisia, Turkey, United Arab Emirates, Ukraine, and Vietnam.

In addition, Section 1377 of the Omnibus Trade and Competitiveness Act of 1988 (Section 1377) (19 U.S.C. 3106) requires USTR annually to review the operation and effectiveness of all U.S. trade agreements regarding telecommunications products and services that are in force with respect to the United States. The purpose of the review is to determine whether any act, policy, or practice of a country that has entered into a trade agreement or other telecommunications agreement with the United States is inconsistent with the terms of such agreement or otherwise denies U.S. firms, within the context of the terms of such agreements, mutually advantageous market opportunities for telecommunications products and services. USTR will consider responses to this notice in the review called for in Section 1377.

We invite commenters to identify those barriers covered in submissions that may operate as "localization barriers to trade." Localization barriers are measures designed to protect, favor, or stimulate domestic industries, services providers, and/or intellectual property at the expense of goods, services, or intellectual property from other countries, including the provision of subsidies linked to local production. For more information on localization barriers, please go to <http://www.ustr.gov/trade-topics/localization-barriers>. Commenters should place particular emphasis on any practices that may violate U.S. trade agreements. The TPSC also is interested in receiving new or updated information pertinent to the barriers covered in the 2018 NTE as well as information on new barriers. If USTR does not include in the NTE information that it receives pursuant to this notice, it will maintain the information for potential use in future discussions or negotiations with trading partners.

**3. Estimate of Increase in Exports**

Each comment should include an estimate of the potential increase in U.S. exports that would result from removing any foreign trade barrier the comment identifies, as well as a description of the

methodology the commenter used to derive the estimate. Commenters should express estimates within the following value ranges: less than \$5 million; \$5 million to \$25 million; \$25 million to \$50 million; \$50 million to \$100 million; \$100 million to \$500 million; or, over \$500 million. These estimates will help USTR conduct comparative analyses of a barrier's effect over a range of industries.

#### 4. Requirements for Submissions

In order to be assured of consideration, we must receive your written comments in English by 11:59 p.m. on October 30, 2018. USTR strongly encourages commenters to make on-line submissions, using [www.regulations.gov](http://www.regulations.gov). On the first page, please identify the submission as "Comments Regarding Foreign Trade Barriers to U.S. Exports for 2019 Reporting." Commenters providing information on foreign trade barriers in more than one country should, whenever possible, provide a separate submission for each country.

To submit comments via [www.regulations.gov](http://www.regulations.gov), enter docket number USTR-2018-0029 on the home page and click "search." The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice and click on the link entitled "comment now!". For further information on using the [www.regulations.gov](http://www.regulations.gov) website, please consult the resources provided on the website by clicking on "How to Use Regulations.gov" on the bottom of the home page. USTR will not accept hand-delivered submissions.

The [www.regulations.gov](http://www.regulations.gov) website allows users to submit comments by filling in a "type comment" field or by attaching a document using an "upload file" field. USTR prefers that you submit comments in an attached document. If you attach a document, please identify the name of the country to which the submission pertains in the "type comment" field. For example: See attached comments with respect to (name of country). USTR prefers submissions in Microsoft Word (.doc) or Adobe Acrobat (.pdf). If you use an application other than those two, please indicate the name of the application in the "type comment" field.

Filers submitting comments containing no business confidential information should name their file using the name of the person or entity submitting the comments. For any comments submitted electronically containing business confidential information, the file name of the business confidential version should

begin with the characters "BC". Any page containing business confidential information must be clearly marked "BUSINESS CONFIDENTIAL" on the top of that page. Filers of submissions containing business confidential information also must submit a public version of their comments that we will place in the docket for public inspection. The file name of the public version should begin with the character "P". The "BC" and "P" should be followed by the name of the person or entity submitting the comments.

Please do not attach separate cover letters to electronic submissions; rather, include any information that might appear in a cover letter in the comments themselves. Similarly, to the extent possible, please include any exhibits, annexes, or other attachments in the same file as the submission itself, not as separate files.

As noted, USTR strongly urges that you file submissions through [www.regulations.gov](http://www.regulations.gov). You must make any alternative arrangements with Yvonne Jamison at (202) 395-3475 before transmitting a comment and in advance of the relevant deadline.

USTR will post comments in the docket for public inspection, except business confidential information. You can view comments on the <https://www.regulations.gov> website by entering docket number USTR-2018-0029 in the search field on the home page. General information concerning USTR is available at [www.ustr.gov](http://www.ustr.gov).

**Edward Gresser,**

*Chair of the Trade Policy Staff Committee,  
Office of the United States Trade Representative.*

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**BILLING CODE 3290-F8-P**

#### OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket Number USTR-2018-0030]

#### Request for Comments and Notice of Public Hearing Concerning China's Compliance With WTO Commitments

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice of public hearing and request for comments.

**SUMMARY:** The interagency Trade Policy Staff Committee (TPSC) invites interested persons to submit written comments and participate in a public hearing to assist the Office of the United States Trade Representative (USTR) in the preparation of its annual report to the Congress on China's compliance

with the commitments made in connection with its accession to the World Trade Organization (WTO).

**DATES:** September 19, 2018 at midnight EDT; Deadline for submission of comments, and requests to appear and summaries of testimony at the October 3, 2018 public hearing. October 3, 2018: The TPSC will convene a public hearing in Rooms 1 and 2, 1724 F Street NW, Washington DC 20508, beginning at 9:30 a.m.

**ADDRESSES:** USTR strongly prefers electronic submissions made through the Federal eRulemaking Portal: <http://www.regulations.gov>. The instructions for submitting notification of intent to testify and/or written comments are in sections 3 and 4 below. The docket number is USTR-2018-0030. For alternatives to on-line submissions, contact Yvonne Jamison at (202) 395-3475 before transmitting a comment and in advance of the relevant deadline.

**FOR FURTHER INFORMATION CONTACT:** Yvonne Jamison at (202) 395-3475 for procedural questions concerning written comments or participation in the public hearing. Direct all other questions to Terrence J. McCartin, Acting Assistant United States Trade Representative for China Affairs, at (202) 395-3900, or Philip D. Chen, Chief Counsel for China Enforcement, at (202) 395-3150.

#### SUPPLEMENTARY INFORMATION:

##### 1. Background

China became a Member of the WTO on December 11, 2001. In accordance with section 421 of the U.S.-China Relations Act of 2000 (P.L. 106-286), USTR is required to submit, by December 11 of each year, a report to Congress on China's compliance with commitments made in connection with its accession to the WTO, including both multilateral commitments and any bilateral commitments made to the United States. In accordance with section 421, and to assist it in preparing this year's report, the TPSC is soliciting public comments. You can find last year's report on USTR's website at <https://ustr.gov/sites/default/files/files/Press/Reports/China%202017%20WTO%20Report.pdf>.

The terms of China's accession to the WTO are contained in the Protocol on the Accession of the People's Republic of China (including its annexes) (Protocol), the Report of the Working Party on the Accession of China (Working Party Report), and the WTO agreements. You can find the Protocol and Working Party Report on the WTO website at <http://docsonline.wto.org> (document symbols: WT/L/432, WT/