

**Authority:** 42 U.S.C. 7401 *et seq.*

Dated: September 25, 2019.

**Mary S. Walker,**

*Regional Administrator, Region 4.*

[FR Doc. 2019-22326 Filed 10-11-19; 8:45 am]

**BILLING CODE 6560-50-P**

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

#### 48 CFR Parts 12, 29, and 52

[FAR Case 2018-023; Docket No. 2018-0023; Sequence No. 1]

RIN 9000-AN81

#### Federal Acquisition Regulation: Taxes- Foreign Contracts in Afghanistan; Correction

**AGENCY:** Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Proposed rule; correction.

**SUMMARY:** On September 20, 2019, DoD, GSA, and NASA published a document proposing to amend the Federal Acquisition Regulation (FAR) to add two new clauses that notify contractors of requirements relating to Afghanistan taxes or similar charges when contracts are being performed in Afghanistan. The document heading carried an incorrect Regulation Identifier Number (RIN). This document carries the correct RIN.

**DATES:** Comments for the proposed rule published September 20, 2019, at 84 FR 49502, continue to be accepted on or before November 19, 2019, to be considered in the formulation of a final rule.

**ADDRESSES:** Submit comments in response to FAR Case 2018-023 by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>

Submit comments via the Federal eRulemaking portal by entering "FAR Case 2018-023" under the heading "Enter Keyword or ID" and selecting "Search". Select the link "Comment Now" that corresponds with "FAR Case 2018-023". Follow the instructions provided on the screen. Please include your name, company name (if any), and "FAR Case 2018-023" on your attached document.

- *Mail:* General Services

Administration, Regulatory Secretariat Division, ATTN: Lois Mandell, 1800 F Street NW, 2nd floor, Washington, DC 20405.

**Instructions:** Please submit comments only and cite "FAR case 2018-023" in all correspondence related to this case. Comments received generally will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided. To confirm receipt of your comment(s), please check [www.regulations.gov](http://www.regulations.gov), approximately two to three days after submission to verify posting (except allow 30 days for posting of comments submitted by mail).

**FOR FURTHER INFORMATION CONTACT:** For clarification of content, contact Mr. Kevin Funk, Procurement Analyst, at 202-357-5805 or [kevin.funk@gsa.gov](mailto:kevin.funk@gsa.gov). For information pertaining to status or publication schedules, contact the Regulatory Secretariat Division at 202-501-4755. Please cite "FAR Case 2018-023."

**SUPPLEMENTARY INFORMATION:** On September 20, 2019, at 84 FR 49502, DoD, GSA, and NASA published a proposed rule to amend the Federal Acquisition Regulation (FAR) to add two new clauses that notify contractors of requirements relating to Afghanistan taxes or similar charges when contracts are being performed in Afghanistan. The document's heading contained the incorrect RIN, "RIN 9000-AN68." The correct RIN is "RIN 9000-AN81" and is in the heading of this correction.

**William F. Clark,**

*Director, Office of Government-wide Acquisition Policy, Office of Acquisition Policy, Office of Government-wide Policy.*

[FR Doc. 2019-22282 Filed 10-11-19; 8:45 am]

**BILLING CODE 6820-EP-P**

## SURFACE TRANSPORTATION BOARD

### 49 CFR Part 1039

[Docket No. EP 760]

#### Exclusion of Demurrage Regulation From Certain Class Exemptions

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Surface Transportation Board (STB or Board) proposes to clarify its regulations governing exemptions for certain miscellaneous commodities and boxcar transportation so that those regulations unambiguously state that demurrage continues to be subject to Board regulation. The Board also proposes to revoke, in part, the exemption that currently covers certain agricultural commodities so that the exemption would not apply to the regulation of demurrage, thereby making

the agricultural commodities exemption consistent with similar exemptions covering non-intermodal transportation.

**DATES:** Comments on the proposed rule are due by November 6, 2019. Reply comments are due by December 6, 2019.

**ADDRESSES:** Comments and replies may be filed with the Board either via e-filing or in writing addressed to: Surface Transportation Board, Attn: Docket No. EP 760, 395 E Street SW, Washington, DC 20423-0001. Comments and replies will be posted to the Board's website at [www.stb.gov](http://www.stb.gov).

**FOR FURTHER INFORMATION CONTACT:** Amy Ziehm at (202) 245-0391.

Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** The Board's regulations exempt from the provisions of subtitle IV of title 49 of the U.S. Code the rail transportation of certain miscellaneous commodities (*see* 49 CFR 1039.11) and boxcar transportation (*see* 49 CFR 1039.14). The Board proposes to amend these regulations to state more clearly that the exemptions do not apply to the regulation of demurrage. Although the regulations for these class exemptions have already been interpreted to effectively exclude the regulation of demurrage, the Board finds these regulations would be more easily understood by more clearly stating the demurrage exclusion. Such clarification would also reflect the longstanding court and agency precedent that these exemptions do not apply to the regulation of demurrage.

The rail transportation of certain agricultural commodities is also exempt.<sup>1</sup> Section 1039.10 does not specifically state that demurrage<sup>2</sup> related to the transportation of these agricultural commodities continues to be subject to Board regulation. The Board finds that regulation of demurrage related to the non-intermodal transportation of these agricultural commodities is necessary to carry out the rail transportation policy of 49 U.S.C. 10101<sup>3</sup> and notes that, as

<sup>1</sup> The agricultural commodity exemption under 49 CFR 1039.10 excepts the rail transportation of grain, soybeans, and sunflower seeds, so the rail transportation of those commodities is subject to the provisions of subtitle IV of title 49.

<sup>2</sup> In *Demurrage Liability*, EP 707, slip op. at 15-16 (STB served Apr. 11, 2014), the Board clarified that private car storage is included in the definition of demurrage for purposes of the demurrage rules established in that decision. The Board uses the same definition for purposes of this notice of proposed rulemaking.

<sup>3</sup> This proposed partial revocation is not intended to authorize the regulation of demurrage related to