

effective date of 12:01 a.m. eastern standard time on January 6, 2021. The U.S. Trade Representative will continue to monitor the developments in the France DST investigation and the additional DST investigations in considering the trade action in this investigation. If a further modification to the action is appropriate, the U.S. Trade Representative will consider the comments and testimony previously provided.

**Joseph Barloon,**

*General Counsel, Office of the United States Trade Representative.*

[FR Doc. 2021-00425 Filed 1-11-21; 8:45 am]

**BILLING CODE 3290-F1-P**

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Notice of Determination Pursuant to Section 301: Turkey's Digital Services Tax

**AGENCY:** Office of the United States Trade Representative (USTR).

**ACTION:** Notice.

**SUMMARY:** The U.S. Trade Representative has determined that Turkey's Digital Services Tax (DST) is unreasonable or discriminatory and burdens or restricts U.S. commerce and thus is actionable under Section 301.

**FOR FURTHER INFORMATION CONTACT:** For questions concerning the investigation, please contact Thomas Au or Patrick Childress, Assistant General Counsels at (202) 395-0380 and (202) 395-9531, respectively, Robert Tanner, Director, Services and Investment at (202) 395-6125, or Michael Rogers, Director, Europe and the Middle East at (202) 395-2684.

#### SUPPLEMENTARY INFORMATION:

#### I. Turkey's DST

Based on information obtained during the investigation, USTR has prepared a comprehensive report on Turkey's DST (Turkey DST Report). The Turkey Report, which is posted on the USTR website at <https://ustr.gov/issue-areas/enforcement/section-301-investigations/section-301-digital-services-taxes>, includes a full description of Turkey's DST. To summarize, Turkey adopted the operative form of its DST on December 7, 2019. The DST applies to companies that, during the previous calendar year, generated €750 million or more in worldwide revenues and TRY 20 million or more in revenues deriving from the provision of digital services in Turkey. The tax applies as of March 1, 2020.

#### II. Proceedings in the Investigation

On June 2, 2020, the U.S. Trade Representative initiated an investigation of Turkey's DST pursuant to section 302(b)(1)(A) of the Trade Act of 1974, as amended (Trade Act). 85 FR 34709 (June 5, 2020) (notice of initiation). The notice of initiation solicited written comments on, *inter alia*, the following aspects of Turkey's DST: discrimination against U.S. companies and unreasonableness as tax policy. With respect to unreasonable tax policy, USTR solicited comments on, *inter alia*, whether the DST diverges from principles reflected in the U.S. and international tax systems, including extraterritorial application and taxing revenue rather than income.

Interested persons filed over 380 written submissions in response to the notice of initiation. The public submissions are available on [www.regulations.gov](http://www.regulations.gov) in docket number USTR-2020-0022.

Under Section 303 of the Trade Act, the U.S. Trade Representative requested consultations with the Government of Turkey regarding the issues involved in the investigation. Consultations were held on September 29, 2020.

As noted, based on information obtained during the investigation, USTR has prepared and published the Turkey DST Report, which includes a comprehensive discussion on whether the acts, policies, and practices under investigation are actionable under Section 301(b) of the Trade Act. The Turkey DST Report supports findings that Turkey's DST is unreasonable or discriminatory and burdens or restricts U.S. commerce.

#### III. Determination on the Act, Policy, or Practice Under Investigation

Based on the information obtained during the investigation, and taking account of public comments and the advice of the Section 301 Committee and advisory committees, the U.S. Trade Representative has made the following determination under sections 301(b) and 304(a) of the Trade Act (19 U.S.C. 2411(b) and 2414(a)): The act, policy, or practice covered in the investigation, namely Turkey's DST, is unreasonable or discriminatory and burdens or restricts U.S. commerce, and thus is actionable under section 301(b) of the Trade Act. In particular:

1. Turkey's DST, by its structure and operation, discriminates against U.S. digital companies, including due to the selection of covered services and the revenue thresholds.

2. Turkey's DST is unreasonable because it is inconsistent with

principles of international taxation, including due to its application to revenue rather than income, extraterritorial application, and failure to provide tax certainty.

3. Turkey's DST burdens or restricts U.S. commerce.

#### IV. Further Proceedings

Sections 301(b) and 304(a)(1)(B) of the Trade Act provides that if the U.S. Trade Representative determines that an act, policy, or practice of a foreign country is unreasonable or discriminatory and burdens or restricts United States commerce, the U.S. Trade Representative shall determine what action, if any, to take under Section 301(b). These matters will be addressed in subsequent proceedings under Section 301.

**Joseph Barloon,**

*General Counsel, Office of the United States Trade Representative.*

[FR Doc. 2021-00364 Filed 1-11-21; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Notice of Final Federal Agency Actions on Proposed Highway in California

**AGENCY:** Federal Highway Administration (FHWA), Department of Transportation (DOT).

**ACTION:** Notice of limitation on claims for judicial review of actions by the California Department of Transportation (Caltrans).

**SUMMARY:** The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans that are final. The actions relate to a proposed highway project, the Santa Maria River Bridge Replacement Project on State Route 1 at postmile 0.0, in San Luis Obispo County, and north of the City of Guadalupe, in Santa Barbara County, State of California. Those actions grant licenses, permits, and approvals for the project.

**DATES:** By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before June 11, 2021. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

**FOR FURTHER INFORMATION CONTACT:** For Caltrans: Matt Fowler, Branch Chief,

Central Region Environmental, Caltrans District 5, 50 Higuera Street, San Luis Obispo, CA 93401, 805-542-4603, [matt.c.fowler@dot.ca.gov](mailto:matt.c.fowler@dot.ca.gov), Monday-Friday, 9:00 a.m.-5:00 p.m. PDT. For FHWA: David Tedrick at (916) 498-5024 or email [david.tedrick@dot.gov](mailto:david.tedrick@dot.gov).

**SUPPLEMENTARY INFORMATION:** Effective July 1, 2007, the FHWA assigned, and Caltrans assumed, environmental responsibilities for this project pursuant to 23 U.S.C. 327. Notice is hereby given that the Caltrans, have taken final agency actions subject to 23 U.S.C. 139(I)(1) by issuing licenses, permits, and approvals for the following highway project in the State of California:

Santa Maria River Bridge Replacement Project on State Route 1 at postmile 0.0, in the San Luis Obispo County, and north of the City of Guadalupe, Santa Barbara County. Caltrans proposes to replace the existing Santa Maria River Bridge with a new bridge structure. The replacement of the existing bridge is necessary to remove all traces of alkali-silica reactions present in the concrete components of the existing bridge. The presence of alkali-silica reaction progressively compromises the structural integrity of concrete components. The project will involve construction of a new bridge structure, roadway repaving, guardrail improvements, new pedestrian and bicycle path, vegetation removal and habitat restoration within existing Caltrans right-of-way. Temporary construction easements and permanent new State right-of-way are required for completion of the project. Federal EFIS ID 05-160000074.

The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Final Environmental Assessment (FEA) with Finding of No Significant Impact (FONSI) for the project, approved on December 9, 2020 and in other documents in Caltrans' project records. The FEA, FONSI and other project records are available by contacting Caltrans at the addresses provided above. This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4335]
2. The National Historic Preservation Act (NHPA) of 1966 [16 U.S.C. 470(f) *et seq.*]
3. Native American Grave protection and Repatriation Act (NAGPRA) [25 U.S.C. 30001-3013]
4. Clean Water Act [33 U.S.C. 1344]
5. Federal Endangered Species Act (FESA) [16 U.S.C. 1531-1543]

6. Migratory Bird Treaty Act [16 U.S.C. 760c-760g]
7. Invasive Species Executive Order 11988
8. Farmland Protection Policy Act, 7 U.S. Code 4201-4209

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(I)(1).

Issued on: January 7, 2021.

**Rodney Whitfield,**

*Director, Financial Services, Federal Highway Administration, California Division.*

[FR Doc. 2021-00431 Filed 1-11-21; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2020-0087]

#### Cybersecurity Best Practices for the Safety of Modern Vehicles

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

**ACTION:** Request for comments.

**SUMMARY:** NHTSA invites public comment on the Agency's updated draft cybersecurity best practices document titled *Cybersecurity Best Practices for the Safety of Modern Vehicles*. In 2016, NHTSA issued its first edition, *Cybersecurity Best Practices for Modern Vehicles*, which described NHTSA's nonbinding guidance to the automotive industry for improving vehicle cybersecurity. With this document, NHTSA is docketing and soliciting public feedback on a draft update based on the knowledge gained through prior comments, continued research, motor vehicle cybersecurity issues discovered by researchers, and related industry activities over the past four years. To emphasize NHTSA's safety mission, recommendations in the document focus on cybersecurity best practices that have safety implications for motor vehicles and motor vehicle equipment.

**DATES:** Written comments are due no later than March 15, 2021.

**ADDRESSES:** Comments must refer to the docket number above and be submitted by one of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

- *Mail:* Docket Management Facility, M-30, U.S. Department of Transportation, West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC 20590.

- *Hand Delivery or Courier:* U.S. Department of Transportation, West Building, Ground Floor, Room W12-140, 1200 New Jersey Avenue SE, Washington, DC, between 9 a.m. and 5 p.m. Eastern time, Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366-9322 before coming.

- Fax: 202-493-2251.

Regardless of how you submit your comments, you must include the docket number identified in the heading of this document.

Note that all comments received, including any personal information provided, will be posted without change to <http://www.regulations.gov>. Please see the "Privacy Act" heading below.

You may call the Docket Management Facility at 202-366-9322. For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> or the street address listed above. To be sure someone is there to help you, please call (202) 366-9322 before coming. We will continue to file relevant information in the Docket as it becomes available.

*Privacy Act:* In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to inform its decision-making process. DOT posts these comments, without edit, including any personal information the commenter provides, to <http://www.regulations.gov>, as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at <https://www.transportation.gov/privacy>.

Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.).

**FOR FURTHER INFORMATION CONTACT:** For technical issues, please contact Mr. Robert Kreeb of NHTSA's Office of Vehicle Safety Research at 202-366-0587 or [robert.kreeb@dot.gov](mailto:robert.kreeb@dot.gov). For legal issues, contact Ms. Sara R. Bennett of NHTSA's Office of Chief Counsel at 202-366-2992 or [sara.bennett@dot.gov](mailto:sara.bennett@dot.gov).

**SUPPLEMENTARY INFORMATION:** The evolution of automotive technology has included an increasingly expanded use of electronic systems, software, and wireless connectivity. While this development began in the late 1970s, the pace of technological evolution has increased significantly over the past