

**FOR FURTHER INFORMATION CONTACT:** Cynthia Pitts, *cynthia.pitts@sba.gov*, (202) 205-7570.

**SUPPLEMENTARY INFORMATION:** As authorized by the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), the Paycheck Protection Program and Health Care Enhancement Act, and the new Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, the Small Business Administration (SBA) has been providing COVID-19 Economic Injury Disaster Loans to provide working capital for small businesses, private nonprofits, and small agricultural enterprises who suffered substantial economic injury as a result of the Coronavirus pandemic. SBA has received more than 16 million loan applications and a small percentage of those applications may be a result of identity theft. In an effort to ensure SBA is taking the appropriate action for individuals who have indicated they have been the victim of identity theft, the individual will need to provide an affidavit to SBA indicating no involvement in the filing of the loan application, and that they did not receive or have knowledge of who received the loan funds. The information will be collected from those individuals (or their representative) who, without their knowledge or authorization, had an application submitted to SBA's Office of Disaster Assistance (ODA) utilizing their personal information. ODA will review the information contained in the affidavit to determine whether there was identity theft involved, and if so, ODA will take the necessary steps to stop all billing statements, release any UCC Security filings, and to ensure that loan information will not be publicly reported in the name of the identity theft victim. In addition, this affidavit will be provided to the Office of Inspector General and other enforcement agencies in any legal action going forward. The SBA requested and received emergency approval under 5 CFR 1320.13 for this information collection.

#### Solicitation of Public Comments

SBA is requesting comments on (a) Whether the collection of information is necessary for the agency to properly perform its functions; (b) whether the burden estimates are accurate; (c) whether there are ways to minimize the burden, including through the use of automated techniques or other forms of information technology; and (d) whether

there are ways to enhance the quality, utility, and clarity of the information.

#### Summary of Information Collection

*OMB Control Number:* 3245-0418.

(1) *Title:* Economic Injury Disaster Loan (EIDL) Application Declaration of Identify Theft COVID-19.

*Description of Respondents:* Individuals who have identified and attest to potential identity theft.

*Form Number:* SBA Form 3513.

*Total Estimated Annual Responses:* 50,000.

*Total Estimated Annual Hour Burden:* 12,500.

**Curtis Rich,**

*Management Analyst.*

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**BILLING CODE 8026-03-P**

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#### SURFACE TRANSPORTATION BOARD

##### Release of Waybill Data

The Surface Transportation Board has received a request from the Chicago Region Environmental and Transportation Efficiency Program (WB21-19-2/10/21) for permission to use select data from the Board's 2018-2019 Masked Carload Waybill Sample. A copy of this request may be obtained from the Board's website under docket no. WB21-19.

The waybill sample contains confidential railroad and shipper data; therefore, if any parties object to these requests, they should file their objections with the Director of the Board's Office of Economics within 14 calendar days of the date of this notice. The rules for release of waybill data are codified at 49 CFR 1244.9.

*Contact:* Alexander Dusenberry, (202) 245-0319.

**Brendetta Jones,**

*Clearance Clerk.*

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#### SURFACE TRANSPORTATION BOARD

[Docket No. FD 36377 (Sub-No. 3)]

##### BNSF Railway Company—Trackage Rights Exemption—Union Pacific Railroad Company

By petition filed on December 28, 2020, BNSF Railway Company (BNSF) requests that the Board partially revoke the trackage rights exemption granted to it under 49 CFR 1180.2(d)(7) in Docket No. FD 36377 (Sub-No. 2), as necessary to permit that trackage rights

arrangement to expire at midnight on December 31, 2021.

As explained by BNSF in its verified notice of exemption in Docket No. FD 36377 (Sub-No. 2), BNSF and Union Pacific Railroad Company (UP) entered into an agreement granting BNSF restricted, local trackage rights over two rail lines owned by UP between: (1) UP milepost 93.2 at Stockton, Cal., on UP's Oakland Subdivision, and UP milepost 219.4 at Eelsey, Cal., on UP's Canyon Subdivision, a distance of 126.2 miles; and (2) UP milepost 219.4 at Eelsey, and UP milepost 280.7 at Keddie, Cal., on UP's Canyon Subdivision, a distance of 61.3 miles (collectively, the Lines). BNSF Verified Notice of Exemption 1 n.1, 2, *BNSF Ry.—Trackage Rts. Exemption—Union Pac. R.R.*, FD 36377 (Sub-No. 2). BNSF further stated that the trackage rights arrangement is intended to permit BNSF to move empty and loaded unit ballast trains to and from the ballast pit located at Eelsey. *Id.* BNSF filed its verified notice of exemption under the Board's class exemption procedures at 49 CFR 1180.2(d)(7), explaining that, because the trackage rights covered by the notice in Docket No. FD 36377 (Sub-No. 2) are local rather than overhead rights, they do not qualify for the Board's class exemption for temporary trackage rights under 49 CFR 1180.2(d)(8). BNSF Verified Notice of Exemption 1 n.1, *BNSF Ry.—Trackage Rts. Exemption—Union Pac. R.R.*, FD 36377 (Sub-No. 2).

In its petition, BNSF asks the Board to partially revoke the exemption as necessary to permit the trackage rights to expire at midnight on December 31, 2021, pursuant to the parties' agreement. (*See* BNSF Pet. 1-2); *see also* BNSF Verified Notice of Exemption Ex. B at 2, *BNSF Ry.—Trackage Rts. Exemption—Union Pac. R.R.*, FD 36377 (Sub-No. 2). BNSF argues that granting this petition will promote the rail transportation policy and that the revocation would be consistent with the limited scope of the transaction and would not have an adverse effect on shippers. (BNSF Pet. 3.) In addition, BNSF asserts that the Board has granted similar petitions for partial revocation to permit temporary trackage rights to expire, including a petition filed last year in Docket No. FD 36377 (Sub-No. 1), involving a prior iteration of the trackage rights agreement at issue here. (*Id.*)

#### Discussion and Conclusions

Although BNSF and UP have expressly agreed on the duration of the proposed trackage rights agreement, trackage rights approved under the class exemption at 1180.2(d)(7) typically