

it is excluded from review under the Administrative Procedure Act.

**Kevin E. Bryant,**

*Acting Director, Office of Directives  
Management, Department of State.*

[FR Doc. 2022–18504 Filed 8–26–22; 8:45 am]

**BILLING CODE 4710–25–P**

## **SURFACE TRANSPORTATION BOARD**

**[Docket No. FD 36622 (Sub-No. 1)]**

### **Evansville Western Railway, Inc.— Temporary Trackage Rights Exemption—Illinois Central Railroad Company**

On August 16, 2022, the Evansville Western Railway, Inc. (EVWR), filed a request under 49 CFR 1180.2(d)(8) for an additional extension of the temporary overhead trackage rights previously granted in this docket over an approximately 11.7-mile rail line owned by Illinois Central Railroad Company, between Sugar Camp, Ill., at milepost 61.9, and Dial, Ill., at milepost 73.6 (the Line).

EVWR was authorized to acquire these trackage rights over the Line by notice of exemption served in Docket No. FD 36622 on June 8, 2022, and published in the **Federal Register** on June 13, 2022 (87 FR 35,846). These trackage rights were extended in a decision served in this subdocket on July 15, 2022, and published in the **Federal Register** on July 20, 2022 (87 FR 43,369). The purpose of the trackage rights is to allow EVWR to load unit coal trains at the Pond Creek Mine near Dial until EVWR's service at the Sugar Camp Mine can be restored following the mine's closure due to a mine fire and the unrelated relocation of long wall mining equipment. The rights were scheduled to expire on the earlier of (i) August 15, 2022, or (ii) the re-opening of the Sugar Camp Mine "with sufficient production to fulfill the required requested loadings of unit trains of coal." *Evansville W. Ry.—Temporary Trackage Rights Exemption—Ill. Cent. R.R.*, FD 36622 (Sub-No. 1), slip op. at 2 (STB served July 15, 2022). EVWR now seeks to further extend the temporary trackage rights until the earlier of (i) August 31, 2022, or (ii) the reopening of the Sugar Camp Mine "with sufficient production to fulfill the required requested loadings of unit trains of coal." (August 16 Pleading 4.)

Under 49 CFR 1180.2(d)(8), the parties may, prior to the expiration of the relevant period, file a request for a renewal of the temporary rights for an additional period of up to one year, including the reasons for the extension.

Otherwise, no authorization from the Board is necessary for carriers to discontinue temporary trackage rights as of the specified expiration date. EVWR states that the Sugar Camp Mine is expected to remain inoperable for several more weeks and that an extension of the temporary trackage rights will allow it to continue service to its shippers by loading unit coal trains at the Pond Creek Mine until EVWR's service at the Sugar Camp Mine can be restored. EVWR filed a copy of an executed amendment to the temporary trackage rights agreement with its request for an extension.

EVWR did not request the extension before the rights expired on August 15. However, given the short period between expiration of the rights and the request for renewal, the emergency nature of the trackage rights given the fire at the Sugar Camp Mine, and the need to minimize any interruption of rail service, the Board finds good cause to waive the provisions of 49 CFR 1180.2(d)(8) to the extent that they would prohibit an extension of the temporary trackage rights here, and to permit EVWR to seek an extension after the brief expiration of the temporary trackage rights here.

Should EVWR require a further extension, EVWR should make every effort to account for the full period EVWR anticipates will be needed for the Sugar Camp Mine to reopen, so that still further requests will not be necessary. In addition, in light of the Board's regulations, and to ensure continued service without interruption, EVWR is reminded to submit any further extension request *before* expiration of the temporary trackage rights granted here to allow for the Board's timely consideration of the request.

In accordance with 49 CFR 1180.2(d)(8), EVWR's temporary trackage rights over the Line will be extended and will expire on or before August 31, 2022, as explained above. The employee protective conditions imposed in the June 8, 2022 notice remain in effect. Notice of the extension will be published in the **Federal Register**.

*It is ordered:*

1. EVWR's temporary overhead trackage rights are extended and will expire on the earlier of (i) August 31, 2022, or (ii) the reopening of the Sugar Camp Mine with sufficient production to fulfill the required requested loadings of unit trains of coal.

2. The provisions of 49 CFR 1180.2(d)(8) are waived to the extent that they would prohibit an extension of the temporary trackage rights here.

3. Notice will be published in the **Federal Register**.

4. This decision is effective on its service date.

Decided: August 23, 2022.

By the Board, Board Members Fuchs, Hedlund, Oberman, Primus, and Schultz.

**Tammy Lowery,**  
*Clearance Clerk.*

[FR Doc. 2022–18505 Filed 8–26–22; 8:45 am]

**BILLING CODE 4915–01–P**

## **OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

**[Docket Number USTR–2022–0012]**

### **Request for Written Comments Concerning China's Compliance With WTO Commitments**

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

**ACTION:** Request for written comments.

**SUMMARY:** The interagency Trade Policy Staff Committee (TPSC) invites interested persons to submit written comments 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). Due to the COVID–19 situation, the TPSC will foster public participation via written questions and written responses relating to the written comments received by the TPSC rather than an in-person hearing. This notice includes the schedule for submission of comments, questions and responses.

#### **DATES:**

*September 28, 2022 at 11:59 p.m.*

**EDT:** Deadline for submission of written comments.

*October 12, 2022 at 11:59 p.m. EDT:*

Deadline for the TPSC to pose written questions on written comments.

*October 26, 2022 at 11:59 p.m. EDT:*

Deadline for submission of commenters' responses to written questions from the TPSC.

**ADDRESSES:** USTR strongly prefers electronic submissions made through the Federal eRulemaking Portal: <http://www.regulations.gov>. (Regulations.gov) The instructions for submitting written submissions are in sections III and IV below. The docket number is USTR–2022–0012. For alternatives to online submissions, contact Spencer Smith at [Spencer.L.Smith2@ustr.eop.gov](mailto:Spencer.L.Smith2@ustr.eop.gov) or (202) 395–2974 before transmitting a submission and in advance of the relevant deadline.

**FOR FURTHER INFORMATION CONTACT:**

Spencer Smith at [Spencer.L.Smith2@ustr.eop.gov](mailto:Spencer.L.Smith2@ustr.eop.gov) or (202) 395–2974 for procedural questions concerning written submissions. Direct all other questions to Alex Martin at (202) 395–3900 or Arthur Tsao at (202) 395–3150.

**SUPPLEMENTARY INFORMATION:****I. 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 (Pub. L. 106–286) (22 U.S.C. 6951), USTR is required to submit, on or about 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/2021USTR%20ReportCongressChinaWTO.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/MIN(01)/3, WT/MIN(01)/3/Add.1, WT/MIN(01)/3/Add.2).

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

The TPSC invites written comments on China's compliance with commitments made in connection with its accession to the WTO, including, but not limited to, commitments in the following areas:

- a. Trading rights.
- b. Import regulation (e.g., tariffs, tariff-rate quotas, quotas, import licenses).
- c. Export regulation.
- d. Internal policies affecting trade (e.g., subsidies, standards and technical regulations, sanitary and phytosanitary measures, government procurement, trade-related investment measures, taxes and charges levied on imports and exports).
- e. Intellectual property rights (including intellectual property rights enforcement).
- f. Services.
- g. Rule of law issues (e.g., transparency, judicial review, uniform

administration of laws and regulations) and status of legal reform.

**h. Other WTO commitments.**

USTR requests small businesses (generally defined by the Small Business Administration as firms with fewer than 500 employees) or organizations representing small business members that submit comments to self-identify as such, so that we may be aware of issues of particular interest to small businesses. In addition, given the United States' view that China should be held accountable as a full participant in, and beneficiary of, the international trading system, USTR requests that interested persons specifically identify unresolved compliance issues that warrant review and evaluation by USTR.

**III. Public Participation**

Due to the COVID-19 situation, the TPSC will foster public participation via written submissions rather than an in-person hearing on China's compliance with the commitments made in connection with its accession to the WTO. In accordance with the schedule set out in the Dates section above, USTR invites written comments from the public. The TPSC will review the written comments and may pose written clarifying questions to the commenters. The TPSC will post the written questions on the public docket, other than questions that include properly designated business confidential information (BCI). USTR will send questions that include properly designated BCI to the relevant commenters by email and will not post these questions on the public docket. Written responses to questions that contain BCI must follow the procedures in section IV below.

**IV. Requirements for Submissions**

Persons submitting written comments must do so in English and must identify on the first page of the submission 'Comments Regarding China's WTO Compliance.' The submission deadline is September 28, 2022 at 11:59 p.m. EDT. USTR strongly encourages commenters to make online submissions, using *Regulations.gov*. To submit comments via *Regulations.gov*, enter docket number USTR–2022–0012 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'. For further information on using *Regulations.gov*, please consult the resources provided on the website by clicking on 'How to Use

*Regulations.gov* on the bottom of the home page.

*Regulations.gov* allows users to submit comments by filling in a type comment field, or by attaching a document using the 'upload file' field. USTR prefers that you provide submissions in an attached document and, in such cases, that you write 'see attached' in the 'type comment' field, on the online submission form. 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. At the beginning of the submission, include the following text: (1) 2022 China WTO Compliance Report; (2) your organization's name; and (3) whether the document is a comment or an answer to a TPSC question.

An interested party requesting that USTR treat information contained in a submission as BCI must certify that the information is business confidential. For any comments submitted electronically containing BCI, the file name of the business confidential version should begin with the characters 'BCI'. You must clearly mark any page containing BCI with 'BUSINESS CONFIDENTIAL' at the top of that page. Filers of submissions containing BCI also must submit a public version of their comments that USTR will place in the docket for public inspection. The file name of the public version should begin with the character 'P.' Follow the 'BCI' and 'P' with 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 *Regulations.gov*. You must make any alternative arrangements with Spencer Smith at [Spencer.L.Smith2@ustr.eop.gov](mailto:Spencer.L.Smith2@ustr.eop.gov) or (202) 395–2974 in advance of the relevant deadline.

USTR will post comments in the docket for public inspection, except properly designated BCI. You can view comments at *Regulations.gov* by entering docket number USTR–2022–0012 in the search field on the home page. General information concerning

USTR is available at <https://www.ustr.gov>.

**William Shpiece,**

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

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BILLING CODE 3290–F2–P

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[Docket No. FRA–2010–0034]

#### Port Authority Trans-Hudson's Request To Amend Its Positive Train Control Safety Plan and Positive Train Control System

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** This document provides the public with notice that, on August 16, 2022, the Port Authority Trans-Hudson (PATH) submitted a request for amendment (RFA) to its FRA-approved Positive Train Control Safety Plan (PTCSP). As this RFA may involve a request for FRA's approval of proposed material modifications to an FRA-certified positive train control (PTC) system, FRA is publishing this notice and inviting public comment on the railroad's RFA to its PTCSP.

**DATES:** FRA will consider comments received by September 19, 2022. FRA may consider comments received after that date to the extent practicable and without delaying implementation of valuable or necessary modifications to a PTC system.

**ADDRESSES:**

*Comments:* Comments may be submitted by going to <https://www.regulations.gov> and following the online instructions for submitting comments.

*Instructions:* All submissions must include the agency name and the applicable docket number. The relevant PTC docket number for the host railroad that filed this RFA to its PTCSP is Docket No. FRA–2010–0034. For convenience, all active PTC dockets are hyperlinked on FRA's website at <https://railroads.dot.gov/train-control/ptc/ptc-annual-and-quarterly-reports>. All comments received will be posted without change to <https://www.regulations.gov>; this includes any personal information.

**FOR FURTHER INFORMATION CONTACT:**

Gabe Neal, Staff Director, Signal, Train

Control, and Crossings Division, telephone: 816–516–7168, email: [Gabe.Neal@dot.gov](mailto:Gabe.Neal@dot.gov).

**SUPPLEMENTARY INFORMATION:** In general, title 49 United States Code (U.S.C.) section 20157(h) requires FRA to certify that a host railroad's PTC system complies with title 49 Code of Federal Regulations (CFR) part 236, subpart I, before the technology may be operated in revenue service. Before making certain changes to an FRA-certified PTC system or the associated FRA-approved PTCSP, a host railroad must submit, and obtain FRA's approval of, an RFA to its PTCSP under 49 CFR 236.1021.

Under 49 CFR 236.1021(e), FRA's regulations provide that FRA will publish a notice in the **Federal Register** and invite public comment in accordance with 49 CFR part 211, if an RFA includes a request for approval of a material modification of a signal and train control system. Accordingly, this notice informs the public that, on August 16, 2022, PATH submitted an RFA to its PTCSP for its Communication Based Train Control System (CBTC) and that RFA is available in Docket No. FRA–2010–0034.

Interested parties are invited to comment on PATH's RFA to its PTCSP by submitting written comments or data. During FRA's review of this railroad's RFA, FRA will consider any comments or data submitted within the timeline specified in this notice and to the extent practicable, without delaying implementation of valuable or necessary modifications to a PTC system. *See* 49 CFR 236.1021; *see also* 49 CFR 236.1011(e). Under 49 CFR 236.1021, FRA maintains the authority to approve, approve with conditions, or deny a railroad's RFA to its PTCSP at FRA's sole discretion.

#### Privacy Act Notice

In accordance with 49 CFR 211.3, FRA solicits comments from the public to better inform its decisions. DOT posts these comments, without edit, including any personal information the commenter provides, to <https://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>. *See* <https://www.regulations.gov/privacy-notice> for the privacy notice of [www.regulations.gov](https://www.regulations.gov). To facilitate comment tracking, we encourage commenters to provide their name, or the name of their organization; however, submission of names is completely optional. If you wish to provide comments containing proprietary or confidential information, please contact FRA for alternate submission instructions.

Issued in Washington, DC.

**Carolyn R. Hayward-Williams,**

*Director, Office of Railroad Systems and Technology.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### Petition for Exemption From the Federal Motor Vehicle Theft Prevention Standard; General Motors, LLC

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

**ACTION:** Grant of petition for exemption.

**SUMMARY:** This document grants in full the General Motors, LLC's (GM) petition for exemption from the Federal Motor Vehicle Theft Prevention Standard (theft prevention standard) for its Buick Envision line beginning in model year (MY) 2023. The petition is granted because the agency has determined that the antitheft device to be placed on the line as standard equipment is likely to be as effective in reducing and deterring motor vehicle theft as compliance with the parts-marking requirements of the theft prevention standard.

**DATES:** The exemption granted by this notice is effective beginning with the 2023 model year.

**FOR FURTHER INFORMATION CONTACT:**

Carlita Ballard, Office of International Policy, Fuel Economy, and Consumer Programs, NHTSA, West Building, W43–439, NRM–310, 1200 New Jersey Avenue SE, Washington, DC 20590. Ms. Ballard's phone number is (202) 366–5222. Her fax number is (202) 493–2990.

**SUPPLEMENTARY INFORMATION:** Under 49 U.S.C. chapter 331, the Secretary of Transportation (and the National Highway Traffic Safety Administration (NHTSA) by delegation) is required to promulgate a theft prevention standard to provide for the identification of certain motor vehicles and their major replacement parts to impede motor vehicle theft. NHTSA promulgated regulations at 49 CFR part 541 (theft prevention standard) to require parts-marking for specified passenger motor vehicles and light trucks. Pursuant to 49 U.S.C. 33106, manufacturers that are subject to the parts-marking requirements may petition the Secretary of Transportation for an exemption for a line of passenger motor vehicles equipped with an antitheft device as standard equipment that the Secretary decides is likely to be as effective in