

with the comments, and serve a decision within 60 days of the close of the record that either accepts, rejects, or modifies AAR's railroad-specific tax information. *Id.* If no comments are filed by July 6, 2020, AAR's submitted weighted average state tax rates will be automatically adopted by the Board, effective July 7, 2020. *Id.*

Decided: June 1, 2020.

By the Board, Allison C. Davis, Director, Office of Proceedings.

**Kenyatta Clay,**  
*Clearance Clerk.*

[FR Doc. 2020-12107 Filed 6-4-20; 8:45 am]

**BILLING CODE 4915-01-P**

## **SURFACE TRANSPORTATION BOARD**

[Docket No. FD 36403]

### **Trans Rail Holding Company— Continuance of Control Exemption— Merrimack & Grafton Railroad Corporation**

Trans Rail Holding Company (TRHC), a noncarrier railroad holding company, has filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to continue in control of Merrimack & Grafton Railroad Corporation (MGRC), upon MGRC's becoming a Class III rail carrier.

This transaction is related to a concurrently filed verified notice of exemption in *Merrimack & Grafton Railroad—Change of Operators Exemption—Line of New England Southern Railroad*, Docket No. FD 36405. In that proceeding, MGRC seeks an exemption under 49 CFR 1150.31 to operate over approximately 73 miles of rail line in New Hampshire (the Line).

According to the verified notice, TRHC currently controls five Class III railroads through ownership of their controlling stock: (1) Vermont Railway, Inc.; (2) the Clarendon and Pittsford Railroad Company; (3) Washington County Railroad Company; (4) the New York & Ogdensburg Railway Company, Inc.; and (5) Green Mountain Railroad Corporation.

The verified notice states that: (1) The Line does not connect with any of the tracks of the other five railroads controlled by TRHC; (2) the transaction is not part of a series of anticipated transactions that would connect the Line to any of the tracks of the other railroads; and (3) neither MGRC nor any of the carriers controlled by TRHC are Class I rail carriers. The proposed transaction is therefore exempt from the prior approval requirements of 49 U.S.C. 11323. *See* 49 CFR 1180.2(d)(2).

The earliest this transaction may be consummated is June 20, 2020, the

effective date of the exemption (30 days after the verified notice was filed).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. However, 49 U.S.C. 11326(c) does not provide for labor protection for transactions under 49 U.S.C. 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

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 no later than June 12, 2020 (at least seven days before the exemption becomes effective).

All pleadings, referring to Docket No. FD 36403, must be filed with the Surface Transportation Board either via e-filing or in writing addressed to 395 E Street SW, Washington, DC 20423-0001. In addition, a copy of each pleading must be served on TRHC's representative, Thomas W. Wilcox, GKG Law, P.C., 1055 Thomas Jefferson Street NW, Suite 500, Washington, DC 20007.

According to the verified notice, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b)(1).

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

Decided: June 2, 2020.

By the Board, Allison C. Davis, Director, Office of Proceedings.

**Brendetta Jones,**  
*Clearance Clerk.*

[FR Doc. 2020-12229 Filed 6-4-20; 8:45 am]

**BILLING CODE 4915-01-P**

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

[Docket No. USTR-2020-0022]

### **Initiation of Section 301 Investigations of Digital Services Taxes**

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

**ACTION:** Notice of initiation of investigations, and request for comments.

**SUMMARY:** The U.S. Trade Representative is initiating

investigations with respect to Digital Services Taxes (DSTs) adopted or under consideration by Austria, Brazil, the Czech Republic, the European Union, India, Indonesia, Italy, Spain, Turkey, and the United Kingdom. The Office of the United States Trade Representative (USTR) is seeking public comments in connection with these investigations.

**DATES:** To be assured of consideration, you must submit written comments by July 15, 2020.

**ADDRESSES:** You should submit written comments through the Federal eRulemaking Portal: <http://www.regulations.gov> (*Regulations.gov*). Follow the instructions for submitting comments in section IV. The docket number is USTR-2020-0022. For issues with on-line submissions, please contact the USTR Section 301 line at 202-395-5725.

**FOR FURTHER INFORMATION CONTACT:** For procedural questions concerning the submission of written comments, please contact the USTR Section 301 line at 202-395-5725.

For questions concerning the investigation, please contact Patrick Childress, Assistant General Counsel, 202-395-3150; or Robert Tanner, Director for ICT Services & Digital Trade, 202-395-6125.

For questions regarding specific jurisdictions covered by the investigations, please contact: For the EU, EU member States, Turkey, and the United Kingdom: Michael Rogers, Director for Europe, 202-395-2684; for Brazil, Courtney Smothers, Senior Director for MERCOSUR Countries, 202-395-7657; for India, Brendan Lynch, Deputy Assistant U.S. Trade Representative, South and Central Asian Affairs, 202-395-2851; and for Indonesia, Bart Thanhauser, Director for Southeast Asia and the Pacific, 202-395-4088.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Digital Services Taxes**

Over the past two years, various jurisdictions have taken under consideration or adopted taxes on revenues that certain companies generate from providing certain digital services to, or aimed at, users in those jurisdictions. They are referred to as Digital Services Taxes or DSTs. Available evidence suggests the DSTs are expected to target large, U.S.-based tech companies. These jurisdictions include:

*Austria:* In October 2019, Austria adopted a DST that applies a 5% tax to revenues from online advertising services. The law went into force on January 1, 2020. The tax applies only to

companies with at least €750 million in annual global revenues for all services and €25 million in in-country revenues for covered digital services.

**Brazil:** Brazil is considering a legislative proposal entitled the “Contribution for Intervention in the Economic Domain” or CIDE. If adopted, CIDE would apply to the gross revenue derived from digital services provided by large technology companies.

**The Czech Republic:** The Parliament of the Czech Republic is considering a draft law that would apply a 7% DST to revenues from targeted advertising and digital interface services. The tax would apply only to companies generating €750 million in annual global revenues for all services and CZK 50 million in in-country revenues for covered digital services.

**The European Union:** The European Commission is considering a DST as part of the financing package for its proposed COVID-19 recovery plan. The EU DST is based on a 2018 DST proposal that was not adopted. The 2018 EU proposal included a 3% tax on revenues from targeted advertising and digital interface services, and would have applied only to companies generating at least €750 million in global revenues from covered digital services and at least €50 million in EU-wide revenues for covered digital services.

**India:** In March 2020, India adopted a 2% DST. The tax only applies only to non-resident companies, and covers online sales of goods and services to, or aimed at, persons in India. The tax applies only to companies with annual revenues in excess of approximately Rs. 20 million (approximately U.S. \$267,000). The tax went into effect on April 1, 2020.

**Indonesia:** Earlier this year, Indonesia adopted an electronic transaction tax that targets cross-border, digital transactions. Further implementing measures are required for the new tax to go into effect.

**Italy:** Italy has adopted a DST. The measure includes a 3% tax on revenues from targeted advertising and digital interface services. This tax applies only to companies generating at least €750 million in global revenues for all services and €5.5 million in in-country revenues for covered digital services. The tax applies as of January 1, 2020.

**Spain:** Spain is considering a draft DST. The measure would apply a 3% tax to revenues from targeted advertising and digital interface services. This tax would apply only to companies generating at least €750 million in global revenues for all

services and €3 million in in-country revenues for covered digital services.

**Turkey:** Turkey has adopted a DST. The measure applies a 7.5% tax to revenues from targeted advertising, social media and digital interface services. The tax applies only to companies generating €750 million in global revenues from covered digital services and TL20 million in in-country revenues from covered digital services. The Turkish President has authority to increase the tax rate up to 15%. The law went into effect on March 1, 2020.

**The United Kingdom:** The United Kingdom is considering a DST proposal as part of its Finance Bill 2020. The measure would apply a 2% tax on revenues above £25 million to internet search engines, social media, and online marketplaces. The tax applies only to companies generating at least £500 million in global revenues from covered digital services and £25 million in in-country revenues from covered digital services. The bill is in the final stages of adoption by Parliament, and if passed, payments would be due from affected companies in 2021.

## II. Initiation of Section 301 Investigations

Section 302(b)(1)(A) of the Trade Act of 1974, as amended (Trade Act), authorizes the U.S. Trade Representative to initiate an investigation to determine whether an act, policy, or practice of a foreign country is actionable under section 301 of the Trade Act. Actionable matters under section 301 include, *inter alia*, acts, policies, and practices of a foreign country that are unreasonable or discriminatory and burden or restrict U.S. commerce. An act, policy, or practice is unreasonable if the act, policy, or practice, while not necessarily in violation of, or inconsistent with, the international legal rights of the United States, is otherwise unfair and inequitable.

Pursuant to section 302(b)(1)(B), USTR has consulted with appropriate advisory committees. USTR also has consulted with agencies on the Section 301 Committee.

In light of concerns with the DSTs adopted or under consideration by the jurisdictions discussed above, the U.S. Trade Representative has initiated Section 301 investigations with respect to DSTs adopted or under consideration by Austria, Brazil, the Czech Republic, the European Union, India, Indonesia, Italy, Spain, Turkey, and the United Kingdom. Pursuant to section 303(a) of the Trade Act, the U.S. Trade Representative has requested

consultations with the governments of these jurisdictions.

Pursuant to section 304 of the Trade Act, the U.S. Trade Representative must determine whether the act, policy, or practice under investigation is actionable under Section 301. If that determination is affirmative, the U.S. Trade Representative must determine what action to take.

The investigation initially will focus on the following concerns with DSTs: Discrimination against U.S. companies; retroactivity; and possibly unreasonable tax policy. With respect to tax policy, the DSTs may diverge from norms reflected in the U.S. tax system and the international tax system in several respects. These departures may include: Extraterritoriality; taxing revenue not income; and a purpose of penalizing particular technology companies for their commercial success.

In addition to these areas of concern with DSTs, USTR invites comments on other aspects that may warrant a finding that one or more of the covered DSTs are actionable under Section 301.

## III. Request for Public Comments

You may submit written comments on any issue covered by the investigations. In particular, USTR invites comments with respect to:

- Concerns with one or more of the DSTs adopted or under consideration by the jurisdictions covered in these investigations.
- Whether one or more of the covered DSTs is unreasonable or discriminatory.
- The extent to which one or more of the covered DSTs burdens or restricts U.S. commerce.
- Whether one or more of the covered DSTs is inconsistent with obligations under the WTO Agreement or any other international agreement.
- The determinations required under section 304 of the Trade Act, including what action, if any, should be taken.

In light of the uncertainties arising from COVID-19 restrictions, USTR is not at this time scheduling a public hearing in these investigations. USTR will provide further information in a subsequent notice if a hearing is to be held in these investigations.

## IV. Procedures for Written Submissions

All submissions must be in English and sent electronically via [Regulations.gov](https://www.regulations.gov). To submit comments via [Regulations.gov](https://www.regulations.gov), enter docket number USTR-2020-0022. Find a reference to this notice and click on the link entitled ‘comment now!’ For further information on using the [Regulations.gov](https://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 *www.regulations.gov* home page. USTR will not accept hand-delivered submissions.

The *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, it is sufficient to type 'see attached in the 'type comment' field. USTR strongly prefers submissions in Adobe Acrobat (.pdf). If you use an application other than Adobe Acrobat or Word (.doc), please indicate the name of the application in the 'type comment' field.

File names should reflect 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 comment itself, rather than submitting them as separate files.

For any comments submitted electronically that contain business confidential information (BCI), the file name of the business confidential version should begin with the characters 'BCI.' You must clearly mark any page containing BCI by including 'BUSINESS CONFIDENTIAL' on the top of that page and clearly indicating, via brackets, highlighting, or other means, the specific information that is BCI. If you request business confidential treatment, you must certify in writing that disclosure of the information would endanger trade secrets or profitability, and that the information would not customarily be released to the public. Filers of submissions containing BCI also must submit a public version of their comments. 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. If these procedures are not sufficient to protect BCI or otherwise protect business interests, please contact the USTR Section 301 line at 202-395-5725 to discuss whether alternative arrangements are possible.

USTR will post submissions in the docket for public inspection, except BCI. You can view submissions on the *Regulations.gov* website by entering

docket number USTR-2020-0022 in the search field on the home page.

**Joseph Barloon,**

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

[FR Doc. 2020-12216 Filed 6-4-20; 8:45 am]

**BILLING CODE 3290-F0-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Docket No. FAA-2020-0563]

#### Agency Information Collection Activities: Requests for Comments; Clearance of Renewed Approval of Information Collection: Aircraft Noise Certification Documents for International Operations

**AGENCY:** Federal Aviation Administration (FAA), DOT.

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval to renew an information collection. The collection aids to make the aircraft noise certification information easily accessible to the flight crew and presentable upon request to the appropriate foreign officials for international airline operation of U.S. carriers. The information to be collected upholds the U.S. obligations under the Convention on International Civil Aviation and for which FAA policy comply with International Civil Aviation Organization (ICAO) Standards and Recommended Practices to the maximum extent practicable. Thus the FAA has adopted ICAO's Standards and Recommended Practices as US regulations as a means of compliance with Annex 16 and requires noise documentation be carried on board aircraft that leave the United States.

**DATES:** Written comments should be submitted by August 4, 2020.

**ADDRESSES:** Please send written comments:

*By Electronic Docket:*  
*www.regulations.gov* (Enter docket number into search field).

*By mail:* Sandy Liu, 800 Independence Ave. SW, Washington, DC 20591, Attn: AEE-100.

*By fax:* 202-267-5594.

**FOR FURTHER INFORMATION CONTACT:**

Sandy R. Liu by email at: *sandy.liu@faa.gov*; phone: 202-267-4748.

#### SUPPLEMENTARY INFORMATION:

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

*OMB Control Number:* 2120-0737.

*Title:* Aircraft Noise Certification Documents for International Operations.

*Form Numbers:* None. Reference: ICAO Annex 16, Vol.1—Aircraft Noise, Eighth edition (July 2017) Attachment G for format.

*Type of Review:* Renewal of an information collection.

*Background:* On March 2, 2010, the FAA published the final rule Notice No. 91-312, Aircraft Noise Certification Documents for International Operations (75 FR 9327). It requires operators that fly outside the United States, using aircraft subject to ICAO, Annex 16, Volume 1, to carry aircraft noise certification information on board the aircraft. This collection is needed to ensure consistent international compliance with the ICAO, Annex 16, Volume 1, Amendment 8 that requires certain noise information be carried on board the aircraft. This information must be easily accessible to the flight crew and presentable upon request to the appropriate foreign National Aviation Authority (NAA) officials. The collection is mandatory based on U.S. regulations and international standards.

*Respondents:* Operators of U.S. registered civil aircraft flying outside the United States.

*Frequency:* 70 airplanes.

*Estimated Average Burden per Response:* 25 minutes (0.42 hours).

*Estimated Total Annual Burden:* \$25 per airplane × 70 airplanes affected = \$1,750.

Issued in Washington, DC, on June 2, 2020.

**Sandy Lium,**

*Engineer, Noise Division, Office of Environment and Energy, Noise Division (AEE-100).*

[FR Doc. 2020-12208 Filed 6-4-20; 8:45 am]

**BILLING CODE 4910-13-P**