

Consistent with the determination in section 10 of Executive Order 13224 that prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously, I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

Dated: February 28, 2017.

**Rex W. Tillerson,**  
*Secretary of State.*

[FR Doc. 2017-06648 Filed 4-3-17; 8:45 am]

**BILLING CODE 4710-AD-P**

## DEPARTMENT OF STATE

[Public Notice 9947]

### **E.O. 13224 Designation of Mark John Taylor, aka Mark Taylor, aka Mohammad Daniel, aka Muhammad Daniel, aka Abu Abdul Rahman, aka Mark John al-Rahman as a Specially Designated Global Terrorist**

Acting under the authority of and in accordance with section 1(b) of Executive Order 13224 of September 23, 2001, as amended by Executive Order 13268 of July 2, 2002, and Executive Order 13284 of January 23, 2003, I hereby determine that the person known as Mark John Taylor, also known as Mark Taylor, also known as Mohammad Daniel, also known as Muhammad Daniel, also known as Abu Abdul Rahman, also known as Mark John al-Rahman, committed, or poses a significant risk of committing, acts of terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States.

Consistent with the determination in section 10 of Executive Order 13224 that prior notice to persons determined to be subject to the Order who might have a constitutional presence in the United States would render ineffectual the blocking and other measures authorized in the Order because of the ability to transfer funds instantaneously, I determine that no prior notice needs to be provided to any person subject to this determination who might have a constitutional presence in the United States, because to do so would render

ineffectual the measures authorized in the Order.

This notice shall be published in the **Federal Register**.

Dated: March 14, 2017.

**Rex W. Tillerson,**  
*Secretary of State.*

[FR Doc. 2017-06652 Filed 4-3-17; 8:45 am]

**BILLING CODE 4710-AD-P**

## DEPARTMENT OF STATE

[Public Notice 9941]

### **Notice of Issuance of a Presidential Permit to TransCanada Keystone Pipeline, L.P.**

**AGENCY:** Department of State.

**ACTION:** Notice.

**SUMMARY:** The Under Secretary of State for Political Affairs issued a Presidential permit to TransCanada Keystone Pipeline, L.P. (“Keystone”) on March 23, 2017, authorizing Keystone to construct, connect, operate, and maintain pipeline facilities at the U.S.-Canada border in Phillips County, Montana for the importation of crude oil. In accordance with Executive Order 13337 (April 30, 2004) and the January 24, 2017 Presidential Memorandum Regarding Construction of the Keystone XL Pipeline, the Under Secretary determined that issuance of this permit would serve the national interest.

**FOR FURTHER INFORMATION CONTACT:** Director, Energy Resources Bureau, Energy Governance and Access, Policy Analysis and Public Diplomacy (ENR/EGA/PAPD), U.S. Department of State, 2201 C St. NW., Suite 4422, Washington, DC 20520.

**SUPPLEMENTARY INFORMATION:** Additional information concerning the Keystone pipeline facilities and documents related to the Department of State’s review of the application for a Presidential permit can be found at <https://keystonepipeline-xl.state.gov/>. Following is the text of the permit, as issued:

#### **Presidential Permit**

#### **Authorizing TransCanada Keystone Pipeline, L.P. (“Keystone”) To Construct, Connect, Operate and Maintain Pipeline Facilities at the International Boundary Between the United States and Canada**

By virtue of the authority vested in me as Under Secretary of State for Political Affairs, including those authorities under Executive Order 13337, 69 FR 25299 (2004), the January 24, 2017 Presidential Memorandum Regarding Construction of the Keystone

XL Pipeline, and Department of State Delegation of Authority 118-2 of January 26, 2006; having considered the environmental effects of the proposed action consistent with the National Environmental Policy Act of 1969 (83 Stat. 852; 42 U.S.C. 4321 *et seq.*), Section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536), and other statutes relating to environmental concerns; having considered the proposed action consistent with the National Historic Preservation Act of 1966 (80 Stat. 917, 16 U.S.C. 470f *et seq.*); and having requested and received the views of members of the public, various federal and state agencies, and various Indian tribes; I hereby grant permission, subject to the conditions herein set forth, to TransCanada Keystone Pipeline, L.P. (hereinafter referred to as the “permittee”), a limited partnership organized under the laws of the state of Delaware, owned by affiliates of TransCanada Corporation, a Canadian public company organized under the laws of Canada, to construct, connect, operate, and maintain pipeline facilities at the international border of the United States and Canada at Morgan, Montana, for the import of crude oil from Canada to the United States.

The term “facilities” as used in this permit means the relevant portion of the pipeline and any land, structures, installations or equipment appurtenant thereto.

The term “United States facilities” as used in this permit means those parts of the facilities located in the United States. The United States facilities consist of a 36-inch diameter pipeline extending from the international border between the United States and Canada at a point near Morgan in Phillips County, Montana, to the first mainline shut-off valve in the United States located approximately 1.2 miles from the international border. The United States facilities also include certain appurtenant facilities.

This permit is subject to the following conditions:

*Article 1.* (1) The United States facilities herein described, and all aspects of their operation, shall be subject to all the conditions, provisions, and requirements of this permit and any amendment thereof. This permit may be terminated or amended at any time at the discretion of the Secretary of State or the Secretary’s delegate or upon proper application therefor. The permittee shall make no substantial change in the United States facilities, the location of the United States facilities, or in the operation authorized by this permit until such changes have

been approved by the Secretary of State or the Secretary's delegate.

(2) The construction, operation, and maintenance of the United States facilities shall be in all material respects as described in the permittee's application for a Presidential permit under Executive Order 13337, filed on May 4, 2012 and resubmitted on January 26, 2017, the Final Supplemental Environmental Impact Statement (SEIS) dated January 31, 2014 including all Appendices as supplemented, and any construction, mitigation, and reclamation measures included in the Construction, Mitigation, and Reclamation Plan (CMRP), Emergency Response Plan (ERP), Oil Spill Response Plan (SRP), and other mitigation and control plans that are already approved or that are approved in the future by the Department of State or other relevant federal agencies. In the event of any discrepancy among these documents, construction, connection, operation and maintenance of the United States facilities shall be in all material respects as described in the most recent approved document unless otherwise determined by the Department of State.

*Article 2.* The standards for, and the manner of, construction, connection, operation, and maintenance of the United States facilities shall be subject to inspection and approval by the representatives of appropriate federal, state and local agencies. The permittee shall allow duly authorized officers and employees of such agencies free and unrestricted access to said facilities in the performance of their official duties.

*Article 3.* The permittee shall comply with all applicable federal, state, local, and tribal laws and regulations regarding the construction, connection, operation, and maintenance of the United States facilities and with all applicable industrial codes. The permittee shall obtain requisite permits from relevant state and local governmental entities, and relevant federal agencies.

*Article 4.* All construction, connection, operation, and maintenance of the United States facilities under this permit shall be subject to the limitations, terms, and conditions issued by any competent agency of the U.S. Government. The permittee shall continue the operations hereby authorized and conduct maintenance in accordance with such limitations, terms, and conditions. Such limitations, terms, and conditions could address, for example, environmental protection and mitigation measures, safety requirements, export or import and customs regulations, measurement capabilities and procedures,

requirements pertaining to the pipeline's capacity, and other pipeline regulations. This permit shall continue in force and effect only so long as the permittee shall continue the operations hereby authorized in accordance with such limitations, terms, and conditions.

*Article 5.* Upon the termination, revocation, or surrender of this permit, and unless otherwise agreed by the Secretary of State or the Secretary's delegate, the United States facilities in the immediate vicinity of the international boundary shall be removed by and at the expense of the permittee within such time as the Secretary of State or the Secretary's delegate may specify, and upon failure of the permittee to remove, or to take such other appropriate action with respect to, this portion of the United States facilities as ordered, the Secretary of State or the Secretary's delegate may direct that possession of such facilities be taken and that they be removed or other action taken, at the expense of the permittee; and the permittee shall have no claim for damages by reason of such possession, removal, or other action.

*Article 6.* When, in the opinion of the President of the United States, the national security of the United States demands it, due notice being given by the Secretary of State or the Secretary's delegate, the United States shall have the right to enter upon and take possession of any of the United States facilities or parts thereof; to retain possession, management, or control thereof for such length of time as may appear to the President to be necessary; and thereafter to restore possession and control to the permittee. In the event that the United States shall exercise such right, it shall pay to the permittee just and fair compensation for the use of such United States facilities upon the basis of a reasonable profit in normal conditions, and the cost of restoring said facilities to as good condition as existed at the time of entering and taking over the same, less the reasonable value of any improvements that may have been made by the United States.

*Article 7.* Any transfer of ownership or control of the United States facilities or any part thereof shall be immediately notified in writing to the Department of State, including the submission of information identifying the transferee. This permit shall remain in force subject to all the conditions, permissions and requirements of this permit and any amendments thereto unless subsequently terminated or amended by the Secretary of State or the Secretary's delegate.

*Article 8.* (1) The permittee is responsible for acquiring any right-of-

way grants or easements, permits, and other authorizations as may become necessary and appropriate.

(2) The permittee shall hold harmless and indemnify the United States from any claimed or adjudged liability arising out of construction, connection, operation, or maintenance of the facilities, including but not limited to environmental contamination from the release or threatened release or discharge of hazardous substances and hazardous waste.

(3) The permittee shall maintain the United States facilities and every part thereof in a condition of good repair for their safe operation, and in compliance with prevailing environmental standards and regulations.

*Article 9.* The permittee shall take all necessary measures to prevent or mitigate adverse impacts on or disruption of the human environment in connection with the construction, connection, operation, and maintenance of the United States facilities. Such measures will include the actions and obligations agreed to by permittee in the CMRP and other mitigation, control plans, and special conditions found in the Final SEIS, including all Appendices as supplemented, all of which are appended to and made part of this permit, or that are approved in the future by the Department or other relevant federal or state agencies, and any other measures deemed prudent by the permittee.

*Article 10.* The permittee shall file with the appropriate agencies of the United States Government such statements or reports under oath with respect to the United States facilities, and/or permittee's activities and operations in connection therewith, as are now, or may hereafter, be required under any laws or regulations of the United States Government or its agencies. The permittee shall file electronic Export Information where required.

*Article 11.* The permittee shall provide information upon request to the Department of State with regard to the United States facilities. Such requests could include, for example, information concerning current conditions or anticipated changes in ownership or control, construction, connection, operation, or maintenance of the U.S. facilities.

*Article 12.* The permittee shall provide written notice to the Department of State at such time as the construction authorized by this permit is begun, at such time as construction is completed, interrupted, or discontinued, and at other times as may

be designated by the Department of State.

*Article 13.* This permit shall expire five years from the date of issuance in the event that the permittee has not commenced construction of the United States facilities by that deadline.

*In witness whereof,* I, Under Secretary of State for Political Affairs, have hereunto set my hand this 23rd day of March 2017 in the City of Washington, District of Columbia.

Thomas A. Shannon, Jr.

*Under Secretary of State for Political Affairs.*

End of permit text.

Dated: March 23, 2017.

**Richard W. Westerdale II,**

*Director, Energy Resources Bureau, Energy Governance and Access, Policy Analysis and Public Diplomacy.*

[FR Doc. 2017-06646 Filed 4-3-17; 8:45 am]

**BILLING CODE 4710-AE-P**

## **SURFACE TRANSPORTATION BOARD**

[Docket No. AB 290 (Sub-No. 390X)]

### **Norfolk Southern Railway Company— Abandonment Exemption—in Dayton, Montgomery County, Ohio**

Norfolk Southern Railway Company (NSR) has filed a verified notice of exemption under 49 CFR pt. 1152 subpart F—*Exempt Abandonments* to abandon approximately 6.5 miles of rail line: (a) between milepost ZX 12.1 and milepost ZX 15.4; and (b) between milepost ZQ 0.0 and milepost ZQ 3.2 in Dayton, Montgomery County, Ohio (the Line). The Line traverses United States Postal Service Zip Codes 45402, 45403, 45410, 45432, and 45420.

NSR has certified that: (1) No local traffic has moved over the Line for at least two years; (2) no overhead traffic has moved over the Line for at least two years and overhead traffic, if there were any, could be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the Line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the Line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of a complainant within the two-year period; and (4) the requirements at 49 CFR 1105.7(c) (environmental report), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the

abandonment shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on May 4, 2017, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and interim trail use/rail banking requests under 49 CFR 1152.29 must be filed by April 14, 2017. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by April 24, 2017, with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to William A. Mullins, Baker & Miller PLLC, 2401 Pennsylvania Ave. NW., Suite 300, Washington, DC 20037.

If the verified notice contains false or misleading information, the exemption is void ab initio.

NSR has filed a combined environmental and historic report that addresses the effects, if any, of the abandonment on the environment and historic resources. OEA will issue an environmental assessment (EA) by April 7, 2017. Interested persons may obtain a copy of the EA by writing to OEA (Room 1100, Surface Transportation Board, Washington, DC 20423-0001) or by calling OEA at (202) 245-0305. Assistance for the hearing impaired is available through the Federal Information Relay Service at (800) 877-8339. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

<sup>1</sup> The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Office of Environmental Analysis (OEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Serv. Rail Lines*, 5 I.C.C. 2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

<sup>2</sup> Each OFA must be accompanied by the filing fee, which is currently set at \$1,700. See 49 CFR 1002.2(f)(25).

Pursuant to the provisions of 49 CFR 1152.29(e)(2), NSR shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the Line. If consummation has not been effected by filing of a notice of consummation by April 4, 2018, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our Web site at "WWW.STB.GOV."

Decided: March 30, 2017.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.

**Raina S. Cantee,**

*Clearance Clerk.*

[FR Doc. 2017-06636 Filed 4-3-17; 8:45 am]

**BILLING CODE 4915-01-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Motor Carrier Safety Administration**

#### **Electronic Logging Device Technical Specification Public Meeting**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), DOT.

**ACTION:** Notice of public meeting.

**SUMMARY:** FMCSA announces a public meeting to discuss the technical specifications in Appendix A to Subpart B of part 395, Functional Specifications for All Electronic Logging Devices (ELDs), as published in the "Electronic Logging Devices and Hours of Service Supporting Documents" Final Rule (ELD Rule). This meeting will be a forum for discussion of the minimum requirements for ELDs and is being held to help manufacturers produce ELDs that will comply with the ELD Rule.

**DATES:** The public meeting will take place on Tuesday, May 9, 2017, from 9:30 a.m. to 1:30 p.m., Eastern Time (E.T.). A copy of the agenda for the meeting will be available in advance of the meeting at <https://www.regonline.com/builder/site/?eventid=1953139>.

**ADDRESSES:** The meeting will be held at the U.S. DOT Headquarters Building, 1200 New Jersey Avenue SE., Washington, DC 20590. Those interested in attending this public meeting must register at: <https://www.regonline.com/builder/site/?eventid=1953139> by April 25, 2017. Attendees should arrive at the U.S. DOT Headquarters Building by 8:30 a.m. to allow sufficient time to clear security. FMCSA requests that questions