

additional exhibitions or venues yet to be determined, is of cultural significance, and, further, that its temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:**

Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

**SUPPLEMENTARY INFORMATION:** The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, Delegation of Authority No. 236–3 of August 28, 2000, and Delegation of Authority No. 523 of December 22, 2021.

**Stefanie E. Williams,**

*Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.*

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**DEPARTMENT OF STATE**

[Public Notice: 12825]

**Notice of Determinations; Culturally Significant Objects Being Imported for Exhibition—Determinations: Exhibition entitled “Art and Life in Imperial Rome: Trajan and His Times” and “Ancient Splendor: Roman Art in the Time of Trajan”**

**SUMMARY:** Notice is hereby given of the following determinations: I hereby determine that certain objects being imported from abroad pursuant to agreements with their foreign owners or custodians for temporary display in the exhibition entitled “Art and Life in Imperial Rome: Trajan and His Times” at the Museum of Fine Arts, Houston, in Houston, Texas, and entitled “Ancient Splendor: Roman Art in the Time of Trajan” at the Saint Louis Art Museum, St. Louis, Missouri, and at possible additional exhibitions or venues yet to be determined, are of cultural significance, and, further, that their

temporary exhibition or display within the United States as aforementioned is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:**

Reed Liriano, Program Coordinator, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: *section2459@state.gov*). The mailing address is U.S. Department of State, L/PD, 2200 C Street NW (SA–5), Suite 5H03, Washington, DC 20522–0505.

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**Stefanie E. Williams,**

*Deputy Assistant Secretary for Professional and Cultural Exchanges, Bureau of Educational and Cultural Affairs, Department of State.*

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**SURFACE TRANSPORTATION BOARD**

[Docket No. FD 36882]

**OmniTRAX Holdings Combined, Inc., and HGS Railway Holdings, Inc.—Continuance in Control Exemption—Sunrise Industrial Rail, LLC**

OmniTRAX Holdings Combined, Inc. (OmniTRAX), and HGS Railway Holdings, Inc. (HGS) (collectively, Omni-HGS), both noncarriers, have filed a verified notice of exemption under 49 CFR 1180.2(d)(2) to continue in control of Sunrise Industrial Rail, LLC (Sunrise), a noncarrier currently controlled by OmniTRAX, once Sunrise is authorized to commence common carrier operations.

This transaction is related to a concurrently filed verified notice of exemption in *Sunrise Industrial Rail, LLC—Lease & Change of Operator Exemption—Railroad Lines of Brookhaven Logistics Center, LLC, in Suffolk County, N.Y.*, FD 36883, in which Sunrise Industrial Rail, LLC, seeks Board approval to (1) lease and operate approximately 0.47 miles of rail line and 14,348 feet of additional track

owned by Brookhaven Logistics Center, LLC, located in Suffolk County, N.Y.; and (2) replace Brookhaven Rail, LLC, as the common carrier service provider.

Omni-HGS states that Sunrise is currently a noncarrier entity controlled by OmniTRAX and that Omni-HGS will continue to exercise control of Sunrise upon Sunrise’s becoming a Class III rail carrier. According to the verified notice, OmniTRAX and HGS are under joint managerial and operational control. See *HGS Ry. Holdings, Inc.—Continuance in Control Exemption—HGS-FCR, LLC*, FD 36180, slip op at 2–3 n. 3 (STB served May 23, 2018). OmniTRAX is a noncarrier holding company that currently controls 24 Class III carriers, and HGS is also a noncarrier holding company that controls two Class III railroads.<sup>1</sup>

Omni-HGS represents that: (1) the line that Sunrise seeks to lease and operate as a common carrier does not connect with the lines of any of the existing rail carriers within the Omni-HGS corporate family; (2) the proposed transaction is not part of a series of anticipated transactions that would result in such a connection; and (3) the transaction does not involve a Class I carrier. Therefore, the proposed transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

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. Accordingly, because this transaction involves Class III rail carriers only, the Board may not impose labor protective conditions here.

The earliest this transaction may be consummated is October 4, 2025, the

<sup>1</sup> Specifically, Omni-HGS states that OmniTRAX currently controls: Alabama & Tennessee River Railway, LLC; Brownsville & Rio Grande International Railway, LLC; Central Texas & Colorado River Railway, LLC; Chicago Rail Link, L.L.C.; Cleveland & Cuyahoga Railway, LLC; Fulton County Railway, LLC; Georgia & Florida Railway, LLC; Georgia Woodlands Railroad, L.L.C.; Great Western Railway of Colorado, L.L.C.; Illinois Railway, LLC; Kettle Falls International Railway, LLC; Manufacturers’ Junction Railway, L.L.C.; Nebraska, Kansas and Colorado Railway, LLC; The Newburgh & South Shore Railroad, LLC; Northern Ohio & Western Railway, L.L.C.; Omni River Ridge, LLC d/b/a River Ridge Railroad; OmniTRAX SBVR, LLC d/b/a South Branch Valley Railroad; Panhandle Northern Railroad, L.L.C.; Peru Industrial Railroad, LLC; Sand Springs Railway Company; Santa Maria Valley Railroad, LLC; Savannah Industrial Transportation, LLC (limited/provisional); Stockton Terminal and Eastern Railroad; and The Winchester and Western Railroad Company. According to the verified notice, HGS currently controls HGS-ATN, LLC, and HGS-FCR, LLC.