

of the proposed information collection; (c) ways to enhance the quality, utility and clarity of the information collection; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Issued in Washington, DC on December 29, 2005.

**Sean M. Moss,**

*Director, Office of Small and Disadvantaged Business Utilization.*

[FR Doc. 05-375 Filed 1-6-05; 8:45 am]

**BILLING CODE 4910-62-P**

## DEPARTMENT OF TRANSPORTATION

[Docket No. OST-2004-19172]

### Office of Small and Disadvantaged Business Utilization and Minority Resource Center; Notice of Request for New Data Collection; Correction

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Notice; correction.

**SUMMARY:** The Office of Small and Disadvantaged Business Utilization and Minority Resource Center published a document in the **Federal Register** on December 30, 2004, concerning request for comments on new data collection for the Short-term Loan Program On-line Application. The document contained an incorrect date in which comments must be received.

**FOR FURTHER INFORMATION CONTACT:** Nancy Strine, Manager, Short-term Lending Program, Office of Small and Disadvantaged Business Utilization, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-5344.

### Correction

In the December 30, 2005, **Federal Register** [69 FR 78519], correct the "DATES" caption to read:

**DATES:** Comments must be received on or before February 27, 2005.

Issued in Washington, DC on December 30, 2004.

**Sean M. Moss,**

*Director, Office of Small and Disadvantaged Business Utilization.*

[FR Doc. 05-376 Filed 1-6-05; 8:45 am]

**BILLING CODE 4910-62-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

#### Qualification of Drivers; Exemption Applications; Diabetes

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

**ACTION:** Notice of denials.

**SUMMARY:** The FMCSA announces its denial of 8 applications from individuals who requested an exemption from the Federal diabetes standard applicable to interstate truck drivers and the reasons for the denials. The FMCSA has statutory authority to exempt individuals from the diabetes standard if the exemptions granted will not compromise safety. The agency has concluded that granting these exemptions would not provide a level of safety that will equal or exceed the level of safety maintained without the exemptions for these commercial motor vehicle (CMV) drivers.

**FOR FURTHER INFORMATION CONTACT:** Ms. Maggie Gunnels, Office of Bus and Truck Standards and Operations, (MC-PSD), (202) 366-4001, Department of Transportation, FMCSA, 400 Seventh Street, SW., Washington, DC 20590-0001. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Background

Under 49 U.S.C. 31315 and 31136(e), FMCSA may grant an exemption from the Federal diabetes standard for commercial drivers with insulin-treated diabetes mellitus for a renewable 2-year period if it finds such an exemption would likely achieve a level of safety that is equivalent to, or greater than, the level that would be achieved absent such an exemption (49 CFR 381.305(a)).

Accordingly, FMCSA evaluated 8 individual exemption requests on their merits and made a determination that these applicants do not satisfy the criteria established to demonstrate that granting an exemption is likely to achieve an equal or greater level of safety than exists without the exemption. Each applicant has, prior to this notice, received a letter of final disposition on his/her individual exemption request. Those decision letters fully outline the basis for the denial and constitute final agency action. The list published today summarizes the agency's recent denials as required under 49 U.S.C. 31315(b)(4) by periodically publishing names and reasons for denials.

Four applicants, Brian J. Carew, Dale R. Gansz, Thomas J. Martin, and Uve Witsch, lacked sufficient recent driving experience under normal highway operating conditions over the previous three years that would serve as an adequate predictor of future safe performance.

Two applicants, James F. Gaab and Armand O. Rondeau, do not have 3 years of experience driving a CMV on public highways with insulin-treated diabetes mellitus.

One applicant from Canada, Norman Peltzer, applied for an exemption. The medical reciprocity agreement between the United States (U.S.) and Canada prohibits U.S. and Canadian CMV drivers who are insulin-using diabetics from trans-border operations. In addition, an exemption from the diabetes standard is valid for operations only within the U.S. It does not exempt the driver from the physical qualification standards of any bordering jurisdiction.

One applicant, Joseph R. Suits, did not hold a license that allowed for operation of a vehicle with a gross combination weight rating over 26,001 lbs. for all or part of the 3-year period.

Issued on: December 28, 2004.

**Pamela M. Pelcovits,**

*Director, Policy, Plans, and Program Development.*

[FR Doc. 05-296 Filed 1-6-05; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

December 30, 2004.

The Department of the Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 11000, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before February 7, 2005 to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-0197.

*Form Number:* IRS Form 5300 and Schedule Q (Form 5300).

*Type of Review:* Revision.

*Title:* Form 5300: Application for Determination for Employee Benefit Plan; and Schedule Q (Form 5300): Elective Determination Requests.

*Description:* IRS needs certain information on the financing and operating of employee benefits and

employers. IRS uses Form 5300 to obtain the information needed to determine whether the plans qualify under Code sections 401(a) and 501(a). Schedule Q provides information related to the manner in which a plan satisfies certain qualification requirements relating to minimum

participation, coverage, and nondiscrimination.

*Respondents:* Business or other for-profit, individuals or households.

*Estimated Number of Respondents/Recordkeepers:* 185,000.

*Estimated Burden Hours Respondent/Recordkeeper:*

	Form 5300	Schedule Q (Form 5300)
Recordkeeping .....	41 hr., 7 min.	6 hr., 13 min.
Learning about the law or the form .....	8 hr., 0 min.	9 hr., 14 min.
Preparing the form .....	13 hr., 40 min.	9 hr., 45 min.
Copying, assembling, and sending the form to the IRS .....	1 hr., 20 min.	0 hr., 0 min.

*Frequency of response:* On occasion.

*Estimated Total Reporting/*

*Recordkeeping Burden:* 7,972,750 hours.

*Clearance Officer:* Paul H. Finger (202) 622-3634, Internal Revenue Service, Room 6516, 1111 Constitution Avenue, NW., Washington, DC 20224.

*OMB Reviewer:* Joseph F. Lackey, Jr. (202) 395-7316, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503.

**Lois K. Holland,**

*Treasury PRA Clearance Officer.*

[FR Doc. 05-336 Filed 1-6-05; 8:45 am]

**BILLING CODE 4830-01-U**

## DEPARTMENT OF THE TREASURY

**RIN 1505-AA87**

### Financial Crimes Enforcement Network; Agency Information Collection Activities; Proposed Collection; Correction

**AGENCY:** Financial Crimes Enforcement Network (FinCEN), Treasury.

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

**SUMMARY:** FinCEN published in the *Federal Register* of December 20, 2004, a document (69 FR 76033) inviting comment on an information collection relating to correspondent accounts for foreign banks and foreign shell banks. The document contained a typographical error related to the OMB Control Number.

**DATES:** This correction is effective December 20, 2004.

**FOR FURTHER INFORMATION CONTACT:** Office of the Chief Counsel (FinCEN), (703) 905-3590 (not a toll-free number).

#### SUPPLEMENTARY INFORMATION:

#### Background

The notice and request for comments that is the subject of these corrections relates to 31 CFR 103.177.

#### Need for Correction

As published, the notice and request for comments contains errors that may prove to be misleading and are in need of clarification.

#### Correction of Publication

In the notice and request for comments FR Doc. 04-27747, published on December 20, 2004 (69 FR 76033), make the following corrections.

On page 76034, in column 2, correct line 17 by removing the words “OMB Number: 1505-AA87” and adding in their place the words “OMB Number: 1505-0184”, and on page 76034, in column 2, correct footnote 1 by removing the words “OMB Control Number 1505-AA87” and adding in their place “OMB Control Number 1505-0184”.

Dated: December 29, 2004.

**Cynthia L. Clark,**

*Deputy Chief Counsel, Financial Crimes Enforcement Network, Federal Register Liaison.*

[FR Doc. 05-297 Filed 1-6-05; 8:45 am]

**BILLING CODE 4810-02-P**

## DEPARTMENT OF THE TREASURY

### Presidential Determination Concerning Waiver of Section 901(j) of the Internal Revenue Code With Respect to Libya

**AGENCY:** Departmental Offices, Treasury.

**ACTION:** Notice.

**DATES:** Presidential Determination 2005-12 was issued December 10, 2004.

**SUMMARY:** On December 10, 2004, the President issued Presidential Determination 2005-12. Presidential Determination 2005-12 waives the application of section 901(j)(1) of the Internal Revenue Code with respect to Libya. Section 901(j)(1) imposes restrictions in the case of income and taxes attributable to certain countries. Pursuant to section 901(j)(5), the

President may waive the restrictions of section 901(j)(1) if the President determines that such a waiver is in the national interest of the United States and will expand trade and investment opportunities for U.S. companies in such country, and the President reports to Congress his intention to grant the waiver and the reason for the determination. These statutory conditions were fulfilled by Presidential Determination 2004-48 and the report to Congress issued on October 6, 2004. See 69 FR 61703.

**SUPPLEMENTARY INFORMATION:** The text of Presidential Determination 2005-12 is printed below.

Dated: January 3, 2005.

**Richard S. Carro,**

*Senior Advisor to the General Counsel (Regulatory Affairs).*

#### Text of Presidential Determination No. 2005-12

The White House,  
Washington, DC,  
December 10, 2004.

Presidential Determination No. 2005-12.

Memorandum for the Secretary of the Treasury

*Subject:* Presidential Determination To Waive the Application of Section 901(j) of the Internal Revenue Code With Respect to Libya

By virtue of the authority vested in me by the Constitution and the laws of the United States, including section 901(j)(5) of the Internal Revenue Code (the “Code”), I hereby waive the application of section 901(j)(1) of the Code with respect to Libya.

I hereby authorize and direct you to arrange for publication of this determination in the **Federal Register**.

George W. Bush

[FR Doc. 05-335 Filed 1-6-05; 8:45 am]

**BILLING CODE 4810-25-U**