

### *C. Section 1609: Environmental Reporting*

Section 1609(c) of the Recovery Act requires that Federal agencies report via the President (specifically, to the White House Council on Environmental Quality) every 90 days following enactment of the Recovery Act on the status of projects funded under the Recovery Act with respect to compliance with the National Environmental Policy Act.

To satisfy the purposes of the Recovery Act, grant recipients may be required to provide additional information in response to requests from OMB, the Congressional Budget Office, the Government Accountability Office, or the Department's Inspector General. The Department will inform grant recipients if and when such additional reports are required.

Further information about how grant recipients will be expected to comply with the reporting requirements of the Recovery Act will be provided in the individual grant agreements signed by recipients of TIGER Discretionary Grants.

### **X. Certification Requirements**

As a condition of award, to the extent applicable, grantees must comply with the Certification requirements of the Recovery Act. These include Section 1201 (*Maintenance of Effort*); Section 1511 (*Transparency and Oversight*); and Section 1607 (*Additional Funding Distribution and Assurance of Appropriate Use of Funds*). On February 27, 2009, Secretary of Transportation Ray LaHood sent a letter to the Governors of each State providing guidance and a template for the Certifications required by the Recovery Act, a copy of which is available on the Department's Recovery Act Web site, at <http://www.dot.gov/recovery/>. All applicable Certifications must be submitted to the Department at [TigerTeam.Leads@dot.gov](mailto:TigerTeam.Leads@dot.gov). Certifications may be submitted via e-mail as electronic, scanned copies, with original signed versions to follow via U.S. mail.

#### *A. Section 1201(a): Maintenance of Effort*

By March 19, 2009, State Governors were required to certify to the Secretary of Transportation that the State would maintain its effort with regard to State funding for the types of projects funded by the appropriation, for each amount distributed to a State or a State agency under this program. As part of this Certification, the Governor was required to submit to the Secretary a statement

identifying the amount of funds the State planned to expend from State sources as of February 17, 2009, during the period between February 17, 2009 and September 30, 2010, for the types of projects funded by the appropriation. The maintenance of effort requirement in section 1201(a) applies to any TIGER Discretionary Grant recipient that is a State government (or agency thereof) that planned, as of February 17, 2009, to expend State funds on the project receiving a TIGER Discretionary Grant during the period between February 17, 2009, and September 30, 2010.

#### *B. Section 1511: Transparency and Oversight*

For Grant Funds made available to State or local governments for infrastructure investments, the Governor, mayor, or other chief executive, as appropriate, must certify that the infrastructure investment (1) received the full review and vetting required by law; and (2) that the chief executive accepts responsibility that it is an appropriate use of taxpayer dollars. This Certification must be executed and posted on a Web site and linked to [Recovery.gov](http://Recovery.gov) prior to the recipient of a TIGER Discretionary Grant receiving Grant Funds. If the potential project is a highway or transit project and it is included in the Statewide Transportation Improvement Program (STIP) with the specific information required by Section 1511 (a description of the investment, the estimated total cost, and the amount of ARRA funds to be used), it may be included in the Governor's Section 1511 Certification covering highway and transit projects in a State. One way for the Governor's Certification to satisfy the Section 1511 requirement is for the Certification to state that the project is included in the STIP and therefore has completed the TIP/STIP planning process. In this case, the Governor's Certification must also provide a link to the public web posting of the STIP that includes (or will include) any highway and transit project designated to receive Recovery Act funding. If the project is not included in the STIP, a separate Certification for the potential TIGER Discretionary Grant project must be executed, attaching the relevant information or linking to a public Web site where the information may be obtained. This Certification must include a description of the investment, the estimated total cost, and the amount of covered funds to be used, and must be posted online and linked to the Web site [Recovery.gov](http://Recovery.gov). The Certification must also state that the projects have been properly reviewed

and vetted and are an appropriate use of taxpayer dollars.

### *C. Section 1607: Additional Funding Distribution and Assurance of Appropriate Use of Funds*

Section 1607 required that Governors of States receiving funding under the Recovery Act certify by April 3, 2009, that, for Grant Funds provided to any State or State agency, the State would request and use the funds provided in the Recovery Act and that such funds would be used to create jobs and promote economic growth. Alternatively, the State legislature could have acted to accept such funds by the adoption of a concurrent resolution. States or State agencies ultimately receiving TIGER Discretionary Grant funds must ensure that this Certification has been completed.

#### *D. Submission of Certifications Under Sections 1201, 1511, and 1607*

All Certifications, once executed, shall be submitted to the Secretary of Transportation, c/o Joel Szabat, Deputy Assistant Secretary for Transportation Policy, at [TigerTeam.Leads@dot.gov](mailto:TigerTeam.Leads@dot.gov). Certifications may be submitted via e-mail as electronic, scanned copies, with original signed versions to follow via U.S. mail. As required by the Recovery Act, Certifications under Section 1511 shall be immediately posted on a Web site and linked to the Web site [Recovery.gov](http://Recovery.gov).

### **XI. Questions and Clarifications**

Questions about this notice should be submitted to the TIGER Discretionary Grants program manager via e-mail at [TIGERGrants@dot.gov](mailto:TIGERGrants@dot.gov). The Department will regularly post answers to these questions and other important clarifications on the Department's Web site at <http://www.dot.gov/recovery/ost/>.

Issued on: May 12, 2009.

**Ray LaHood,**  
Secretary.

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## **DEPARTMENT OF TRANSPORTATION**

### **Surface Transportation Board**

[STB Docket No. MC-F-17950]

### **Mayflower Transit, LCC—Pooling Agreement**

**AGENCY:** Surface Transportation Board.  
**ACTION:** Request for comments.

**SUMMARY:** Mayflower Transit, LLC (Mayflower), on behalf of itself and certain affiliated companies, filed an

application with the Board under 49 U.S.C. 14302 for approval of revisions to its pooling agreement. The Board establishes a procedural schedule for the submission of public comments on the proposed revisions, principally the requirement that carrier agents may not transport under their own motor carrier authority any interstate shipments of household goods except, subject to Mayflower policies, shipments for the government. After reviewing any comments received, the Board will determine whether it has sufficient information to decide whether the proposed revisions meet the standard for approval under section 14302 or whether a hearing is necessary prior to such a determination.

**DATES:** Comments on the proposed revisions to Mayflower's pooling agreement shall be filed by July 2, 2009. Mayflower may file a response to any comments by July 17, 2009.

**ADDRESSES:** An original and 10 copies of all pleadings, referring to STB Docket No. MC-F-17950, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, one copy of all pleadings must be served on Mayflower's representative, James A. Calderwood, Zuckert, Scoutt & Rasenberger L.L.P., 888 Seventeenth Street, NW., Washington, DC 20006-3309.

**FOR FURTHER INFORMATION CONTACT:** Julia Farr, (202) 245-0359. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Board's decision, available on our Web site at <http://www.stb.dot.gov>.

Decided: May 12, 2009.

By the Board, Acting Chairman Mulvey, and Vice Chairman Nottingham.

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. E9-11535 Filed 5-15-09; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket Nos. MC-F-4901 and MC-F-6152]

#### United Van Lines, LCC—Pooling Agreement

**AGENCY:** Surface Transportation Board.

**ACTION:** Request for comments.

**SUMMARY:** United Van Lines, LLC (United), on behalf of itself and certain

affiliated companies, filed an application with the Board under 49 U.S.C. 14302 for approval of revisions to its pooling agreement. The Board establishes a procedural schedule for the submission of public comments on the proposed revisions, principally the requirement that carrier agents may not transport under their own motor carrier authority any interstate shipments of household goods except, subject to United policies, shipments for the government. After reviewing any comments received, the Board will determine whether it has sufficient information to decide whether the proposed revisions meet the standard for approval under section 14302 or whether a hearing is necessary prior to such a determination.

**DATES:** Comments on the proposed revisions to United's pooling agreement shall be filed by July 2, 2009. United may file a response to any comments by July 17, 2009.

**ADDRESSES:** An original and 10 copies of all pleadings, referring to STB Docket Nos. MC-F-4901 and MC-F-6152, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001. In addition, one copy of all pleadings must be served on United's representative, James A. Calderwood, Zuckert, Scoutt & Rasenberger L.L.P., 888 Seventeenth Street, NW., Washington, DC 20006-3309.

**FOR FURTHER INFORMATION CONTACT:** Julia Farr, (202) 245-0359. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Board's decision, available on our Web site at <http://www.stb.dot.gov>.

Decided: May 12, 2009.

By the Board, Acting Chairman Mulvey, and Vice Chairman Nottingham.

**Jeffrey Herzig,**

*Clearance Clerk.*

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Notice 2006-05

**AGENCY:** Internal Revenue Service (IRS), Treasury.

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

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Notice 2006-05, Waiver for Reasonable Cause for Failure to Report Loan Origination Fees and Capitalized Interest.

**DATES:** Written comments should be received on or before July 17, 2009 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Glenn Kirkland, Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the regulations should be directed to R. Joseph Durbala at Internal Revenue Service, room 6129, 1111 Constitution Avenue, NW., Washington, DC 20224, or at (202)622-3634, or through the internet at [RJoseph.Durbala@irs.gov](mailto:RJoseph.Durbala@irs.gov).

**SUPPLEMENTARY INFORMATION:**

*Title:* Waiver for Reasonable Cause for Failure to Report Loan Origination Fees and Capitalized Interest.

*Notice Number:* 1545-1996.

*Abstract:* This Notice provides information to payees who receive payment of interest on qualified education loans who are unable to comply with the information reporting requirements under section 6050S of the Internal Revenue Code.

*Current Actions:* There are no changes being made to the notice at this time.

*Type of Review:* Extension of currently approved collection.

*Affected Public:* Business or other-for-profit organizations, Federal Government.

*Estimated Total Annual Recordkeeping and Reporting Burden:* 500.

*Estimated Annual Recordkeeping and Reporting Burden per Respondent:* 10 hours.

*Estimated Number of Respondents:* 5,000.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long