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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-6 (Sub-No. 433X)]

#### BNSF Railway Company— Abandonment Exemption—in Clay and Norman Counties, MN

BNSF Railway Company (BNSF) has filed a notice of exemption under 49 CFR 1152 subpart F—*Exempt Abandonments* to abandon a 5.40-mile line of railroad between BNSF's milepost 15.60, near Georgetown in Clay County, MN, and milepost 21.00, near Perley in Norman County, MN. The line traverses United States Postal Service Zip Codes 56546 and 56574.

BNSF has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on the line to be rerouted; (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 or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements of 49 CFR 1105.7 (environment report), 49 CFR 1105.8 (historic 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 R. Co.—Abandonment—Goshen*, 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 April 7, 2006, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup>

<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 Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service 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.

formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by March 20, 2006. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by March 28, 2006, with: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to BNSF's representative: Sidney L. Strickland, Jr., 3050 K Street, NW., Suite 101, Washington, DC 20007.

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

BNSF has filed environmental and historic reports which address the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by March 13, 2006. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 565-1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] 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.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), BNSF 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 BNSF's filing of a notice of consummation by March 8, 2007, 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 <http://www.stb.dot.gov>.

Decided: March 1, 2006.

By the Board, David M. Konschnik,  
Director, Office of Proceedings.

**Vernon A. Williams,**

Secretary.

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<sup>2</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,200. See 49 CFR 1002.2(f)(25).

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

March 2, 2006.

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 April 7, 2006 to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-0387.

*Type of Review:* Extension.

*Title:* Application for Filing Information Returns Magnetically/Electronically.

*Form:* IRS Form 4419.

*Description:* Under section 6011(e)(2) (a) of the Internal Revenue Code, any person, including corporations, partnerships, individuals, estates and trusts, who is required to file 250 or more information returns must file such returns magnetically/electronically. Payers required to file on magnetic media or electronically must complete Form 4419 to receive authorization to file.

*Respondents:* Business or other for-profit; Not-for-profit institutions; Federal Government; State, local or tribal government.

*Estimated Total Burden Hours:* 6,500 hours.

*OMB Number:* 1545-0973.

*Type of Review:* Extension.

*Title:* Geographic Availability Statement.

*Form:* IRS Form 8569.

*Description:* The data collected from this form is used by the executive panels responsible for screening internal and external applicants for the SES Candidate Development Program, and other executive positions.

*Respondents:* Individuals or households; Federal Government.

*Estimated Total Burden Hours:* 84 hours.

*OMB Number:* 1545-1049.

*Type of Review:* Extension.

*Title:* IA-7-88 (Final) Excise Tax Relating to Gain or Other Income

Realized by Any Person on Receipt of Greenmail.

*Description:* The final regulations provide rules relating to the manner and method of reporting and paying the nondeductible 50 percent excise tax imposed by section 5881 of the Internal Revenue Code with respect to the receipt of greenmail.

*Respondents:* Individuals or households; Business or other for-profit.  
*Estimated Total Burden Hours:* 2 hours.

*OMB Number:* 1545-1557.

*Type of Review:* Extension.

*Title:* Revenue Procedure 99-39, Form 941 e-file Program.

*Description:* Revenue Procedure 99-39 provides guidance and the requirements for participating in the Form 941 e-file Program.

*Respondents:* Business or other for-profit; Not-for-profit institutions; Federal Government; State, local or tribal government.

*Estimated Total Burden Hours:* 238,863 hours.

*OMB Number:* 1545-1671.

*Type of Review:* Extension.

*Title:* REG-209709-94 (Final)

Amortization of Intangible Property.

*Description:* The information is required by the IRS to aid it in administering the law and to implement the election provided by section 197(f)(9)(B) of the Internal Revenue Code. The information will be used to verify that a taxpayer is properly reporting its amortization and income taxes.

*Respondents:* Business or other for-profit.

*Estimated Total Burden Hours:* 1,500 hours.

*OMB Number:* 1545-1804.

*Type of Review:* Extension.

*Title:* New Markets Credit.

*Form:* IRS Form 8874.

*Description:* Investors use Form 8874 to request a credit for equity investments in Community Development entities.

*Respondents:* Individuals or households; Business or other for-profit.

*Estimated Total Burden Hours:* 87,600 hours.

*OMB Number:* 1545-1528.

*Type of Review:* Extension.

*Title:* Revenue Procedure 97-15, Section 103—Remedial Payment Closing Agreement Program.

*Description:* This information is required by the Internal Revenue Service to verify compliance with sections 57, 103, 141, 142, 144, 145 and 147 of the Internal Revenue Code of 1986, as applicable (including any corresponding provision, if any of the Internal Revenue Code of 1954). This information will be used by the Service to enter into a closing agreement with the issuer of certain state or local bonds and to establish the closing agreement amount.

*Respondents:* Not-for-profit institutions and State, local or tribal government.

*Estimated Total Burden Hours:* 75 hours.

*Clearance Officer:* Glenn P. Kirkland, Internal Revenue Service, Room 6516, 1111 Constitution Avenue, NW., Washington, DC 20224, (202) 622-3428.

*OMB Reviewer:* Alexander T. Hunt, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503, (202) 395-7316.

**Michael A. Robinson,**

*Treasury PRA Clearance Officer.*

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## DEPARTMENT OF VETERANS AFFAIRS

### Disciplinary Appeals Board Panel

**AGENCY:** Department of Veterans Affairs.

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

**SUMMARY:** Section 203 of the Department of Veterans Affairs Health Care Personnel Act of 1991 (Pub. L. 102-40), dated May 7, 1991, revised the

disciplinary grievance and appeal procedures for employees appointed under 38 U.S.C. 7401(1). It also required the periodic designation of employees of the Department who are qualified to serve on Disciplinary Appeals Boards. These employees constitute the Disciplinary Appeals Board panel from which Board members in a case are appointed. This notice announces that the roster of employees on the panel is available for review and comment. Employees, employee organizations, and other interested parties shall be provided, without charge, a list of the names of employees on the panel upon request and may submit comments concerning the suitability for service on the panel of any employee whose name is on the list.

**DATES:** Names that appear on the panel may be selected to serve on a Board or as a grievance examiner after April 7, 2006.

**ADDRESSES:** Requests for the list of names of employees on the panel and written comments may be directed to: Secretary of Veterans Affairs (051E), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420. Requests and comments may also be faxed to (202) 273-9776.

**FOR FURTHER INFORMATION, CONTACT:** Latoya Smith, Employee Relations and Performance Management Service, Office of Human Resources Management and Labor Relations, Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420. Ms. Smith may be reached at (202) 273-9827.

**SUPPLEMENTARY INFORMATION:** Pub. L. 102-40 requires that the availability of the roster be posted in the **Federal Register** periodically, and not less than annually.

Dated: March 1, 2006.

**Gordon H. Mansfield,**

*Deputy Secretary of Veterans Affairs.*

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