

Decided: August 24, 2000.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 00-22191 Filed 8-30-00; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33911]

#### **KBN, Inc.—Control Exemption— Minnesota Northern Railroad, Inc. and St. Croix Valley Railroad Company**

KBN, Inc. (KBN), a noncarrier, has filed a verified notice of exemption to control two Class III railroads, Minnesota Northern Railroad, Inc. (MNR) and St. Croix Valley Railroad Company (SCVR), operating in the State of Minnesota. KBN is proposing to acquire all of the outstanding stock of MNR and SCVR pursuant to a letter of intent to sell by RailAmerica Transportation Corp. KBN further states that signing of a formal agreement is imminent.

The transaction was scheduled to be consummated on or shortly after August 15, 2000.

KBN states that: (i) These railroads do not connect with each other; (ii) the acquisition of control is not part of a series of anticipated transactions that would connect the railroads with each other or any railroad in their corporate family; and (iii) the transaction does not involve a Class I carrier. Therefore, the 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. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Because this transaction involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33911, must be filed with the Surface Transportation Board, Office

of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Thomas F. McFarland, Jr., 20 North Wacker Drive, Suite 1330, Chicago, IL 60606-2902.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: August 24, 2000.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 00-22357 Filed 8-30-00; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33916]

#### **Penn Eastern Rail Lines, Inc.— Acquisition Exemption—Lines of the Commonwealth of Pennsylvania, Acting Through Its Department of Transportation**

Penn Eastern Rail Lines, Inc. (PERL), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire ownership rights in two rail lines from the Commonwealth of Pennsylvania, acting through its Department of Transportation. The first rail line, known as the Perkiomen Branch, extends between approximately milepost 22.338, at Pennsburg, and milepost 38.23, at Emmaus Junction, Emmaus, in Berks, Lehigh and Montgomery Counties, PA. The second rail line, known as the Mount Hope Industrial Track, extends between approximately milepost 0.36 and milepost 1.00, at Manheim, Lancaster County, PA. The total distance of the rail lines to be acquired is approximately 16.53 route miles. PERL will continue as the operator of the two rail lines.<sup>1</sup>

The parties report that they intend to consummate the transaction on or soon after the effective date of the exemption. The earliest the transaction can be consummated is August 25, 2000, 7 days after the exemption was filed.

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of

<sup>1</sup> See *Penn Eastern Rail Lines, Inc.—Acquisition and Operation Exemption—Lines of Lancaster Northern Railway, Inc., Chester Valley Railway, Inc., East Penn Railways, Inc., and Bristol Industrial Terminal Railway, Inc.*, STB Finance Docket No. 33512 (STB served December 1, 1997).

a petition to revoke does not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33916, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Kevin M. Sheys, Esq., Oppenheimer Wolff & Donnelly LLP, 1350 Eye Street, NW., Suite 200, Washington, DC 20005-3324.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: August 23, 2000.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 00-22033 Filed 8-30-00; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### **Departmental Offices; Privacy Act of 1974, as Amended; Systems of Records**

**AGENCY:** Departmental Offices, Treasury.

**ACTION:** Notice of proposed new privacy act system of records.

**SUMMARY:** The Department of the Treasury proposes to add a new Treasury-wide system of records to its inventory of records systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended. This action is necessary to meet the requirements of the Privacy Act to publish in the **Federal Register** notice of the existence and character of records systems maintained by the agency (5 U.S.C. 552a(e)(4)).

**DATES:** The new system will be effective without further notice October 10, 2000, unless comments are received that would result in a contrary determination.

**ADDRESSES:** Comments should be sent to Director, Office of Personnel Policy, Room 6018 Metropolitan Square, Department of the Treasury, Washington, DC 20220.

**FOR FURTHER INFORMATION CONTACT:** Hank Reddick, Office of Personnel Policy, (202) 622-0735.

**SUPPLEMENTARY INFORMATION:** The Department of the Treasury Child Care Tuition Assistance Records system will collect family income data from Department of the Treasury employees for the purpose of determining their eligibility for child care tuition assistance. It also will collect

information from the employee's child care provider(s) for verification purposes; e.g., that the provider is licensed. Collection of data will be by tuition assistance application forms submitted by employees.

The new system of records report as required by 5 U.S.C. 552a(r) of the Privacy Act has been submitted to the Committee on Government Operations of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Office of Management and Budget, pursuant to Appendix I to OMB Circular A-130, "Federal Agency Responsibilities for Maintaining Records About Individuals," dated February 8, 1996.

The proposed Treasury Child Care Tuition Assistance Records—Treasury/DO .006 is published in its entirety below.

Dated: August 15, 2000.

**Shelia Y. McCann,**

*Deputy Assistant Secretary (Administration).*

#### **Treasury/DO .006**

##### **SYSTEM NAME:**

Treasury Child Care Tuition Assistance Records.

##### **SYSTEM LOCATION:**

Department of the Treasury, 1500 Pennsylvania Ave., NW, Washington, DC 20220. The locations at which the system is maintained by Treasury components are:

1. a. Departmental Offices (DO): 1500 Pennsylvania Ave., NW, Washington, DC 20220.
- b. The Office of Inspector General (OIG): 740 15th Street, NW, Washington, DC 20220.
- c. Treasury Inspector General for Tax Administration (TIGTA): 1111 Constitution Ave., NW, Washington, DC 20224.
2. Bureau of Alcohol, Tobacco and Firearms (ATF): 650 Massachusetts Avenue, NW, Washington, DC 20226.
3. Office of the Comptroller of the Currency (OCC): 250 E Street, NW, Washington, DC 20219-0001.
4. United States Customs Service (CS): 1301 Constitution Avenue, NW, Washington DC 20229.
5. Bureau of Engraving and Printing (BEP): 14th & C Streets, SW, Washington, DC 20228.
6. Federal Law Enforcement Training Center (FLETC): Glynco, Ga. 31524.
7. Financial Management Service (FMS): 401 14th Street, SW, Washington, DC 20227.
8. Internal Revenue Service (IRS): 1111 Constitution Avenue, NW, Washington, DC 20224.
9. United States Mint (MINT): 801 9th Street, NW, Washington, DC 2022.

10. Bureau of the Public Debt (BPD): 200 Third Street, Parkersburg, WV 26101.

11. United States Secret Service (USSS): 950 H Street, NW, Washington, DC 20001.

12. Office of Thrift Supervision (OTS): 1700 G Street, NW, Washington, DC 20552.

##### **CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Employees of the Department of the Treasury who voluntarily apply for child care tuition assistance, the employee's spouse, their children and their child care providers.

##### **CATEGORIES OF RECORDS IN THE SYSTEM:**

Records may include application forms for child care tuition assistance containing personal information, including employee (parent) name, Social Security Number, pay grade, home and work numbers, addresses, telephone numbers, total family income, names of children on whose behalf the parent is applying for tuition assistance, each child's date of birth, information on child care providers used (including name, address, provider license number and State where issued, tuition cost, and provider tax identification number), and copies of IRS Form 1040 and 1040A for verification purposes. Other records may include the child's social security number, weekly expense, pay statements, records relating to direct deposits, verification of qualification and administration for the child care tuition assistance.

##### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Pub. L. 106-58, section 643 and E.O. 9397.

##### **PURPOSE:**

To establish and verify Department of the Treasury employees' eligibility for child care subsidies in order for the Department of the Treasury to provide monetary assistance to its employees. Records are also maintained so the Department can make payments to child care providers on an employee's behalf.

##### **ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

These records may be used to: (1) Disclose pertinent information to the appropriate Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the Department of the Treasury becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation;

(2) Provide information to a congressional office from the record of

an individual in response to an inquiry from that congressional office made at the request of that individual;

(3) Disclose information to another Federal agency, to a court, or a party in litigation before a court or in an administrative proceeding being conducted by a Federal agency, when the Government is a party to the judicial or administrative proceeding. In those cases where the Government is not a party to the proceeding, records may be disclosed if a subpoena has been signed by a judge;

(4) Disclose information to the National Archives and Records Administration for use in records management inspections;

(5) Disclose information to the Department of Justice, or in a proceeding before a court, adjudicative body, or other administrative body before which the Department of the Treasury is authorized to appear, when: (a) The Department of the Treasury, or any component thereof; or (b) any employee of the Department of the Treasury in his or her official capacity; or (c) any employee of the Department of the Treasury in his or her individual capacity where the Department of Justice or the Department of the Treasury has agreed to represent the employee; or (d) the United States, when the Department of the Treasury determines that litigation is likely to affect the Department of the Treasury or any of its components; is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice or the Department of the Treasury is deemed by the Department of the Treasury to be relevant and necessary to the litigation; provided, however, that the disclosure is compatible with the purpose for which records were collected;

(6) Provide records to the Office of Personnel Management, Merit Systems Protection Board, Equal Employment Opportunity Commission, Federal Labor Relations Authority, the Office of Special Counsel, and General Accounting Office for the purpose of properly administering Federal personnel systems or other agencies' systems in accordance with applicable laws, Executive Orders, and regulations;

(7) Disclose information to contractors, grantees, or volunteers performing or working on a contract, service, grant, or cooperative agreement, or job for the Federal Government;

(8) Disclose information to a court, magistrate, or administrative tribunal when necessary and relevant in the course of presenting evidence, including disclosures to opposing counsel or witnesses in the course of civil

discovery, litigation, or settlement negotiations or in connection with criminal law proceedings or in response to a subpoena;

(9) Disclose information to unions recognized as exclusive bargaining representatives under 5 U.S.C. chapter 71, and other parties responsible for the administration of the Federal labor-management program if needed in the performance of their authorized duties.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

Information may be collected on paper or electronically and may be stored as paper forms or on computers.

**RETRIEVABILITY:**

By name; may also be cross-referenced to Social Security Number.

**SAFEGUARDS:**

When not in use by an authorized person, paper records are stored in lockable file cabinets or secured rooms. Electronic records are protected by the use of passwords.

**RETENTION AND DISPOSAL:**

Disposition of records is according to the National Archives and Records Administration (NARA) guidelines.

**SYSTEM MANAGER(S) AND ADDRESS:**

Treasury official prescribing policies and practices: Director, Office of Personnel Policy, Room 6018-Metropolitan Square, Department of the Treasury, Washington, DC 20220. Officials maintaining the system and records for the Treasury components are:

1. a. DO: Director, Office of Personnel Resources, Department of the Treasury, Room 1462-MT, Washington, DC 20220.

b. Office of General Counsel: Administrative Officer, Department of the Treasury, Room 1417-MT, Washington, DC 20220.

c. OIG: Personnel Officer, 740 15th St., NW, Suite 510, Washington, DC 20220.

d. TIGTA: Director, Management Resources & Support, 1111 Constitution Ave., NW, TIGTA: IG:NS:HR, Room 6402, Washington, DC 20224.

2. ATF: Chief, Personnel Division 650 Massachusetts Ave., NW, Room 4100, Washington, DC 20226.

3. OCC: Director, Human Resources Division Independence Square, 250 E St., SW, 4th Floor, Washington, DC 20219.

4. USCS: Personnel Director, HRM, 1300 Pennsylvania Ave., NW Room 2.4a, International Trade Center, Washington, DC 20229.

5. BEP: Chief, Office of Human Resources. 14th & C St., SW, Room 202-13a, Washington, DC 20228.

6. FLETC: Human Resources Officer, Bldg 94, Room E-2, Glynco, GA 31524.

7. FMS: Director, Human Resources Division, PG Center II Bldg, Rm. 114f, 3700 East West Highway, Hyattsville, MD 20782.

8. IRS: Director Personnel Policy Division, 1111 Constitution Ave., Building CP6—M:S:P, Washington, DC 20224.

9. MINT: Assistant Director, Human Resources 801 9th Street, NW, Room 6S34, Washington, DC 20220.

10. BPD: Child Care Assistance Program (CCAP) Coordinator P.O. Box 1328, Room 302, Parkersburg, W. VA 26106-1328.

11. USSS: Chief, Personnel Division 950 H St., NW, 7th Floor, Washington, DC 20223.

12. OTS: Director, Human Resources Division, 1700 G St., NW, 2nd Floor, Washington, DC 20552.

**NOTIFICATION PROCEDURE:**

Individuals seeking access to any record contained in the system of records, or seeking to contest its content, may inquire in accordance with instructions given in the appendix for each Treasury component appearing at 31 CFR part 1, subpart C.

**RECORD ACCESS PROCEDURES:**

See "Notification procedure" above.

**CONTESTING RECORD PROCEDURES:**

See "Notification procedure" above.

**RECORD SOURCE CATEGORIES:**

Information is provided by Department of the Treasury employees who apply for child care tuition assistance.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

[FR Doc. 00-22260 Filed 8-30-00; 8:45 am]

**BILLING CODE 4810-25-P**

**DEPARTMENT OF THE TREASURY**

**Departmental Offices; Privacy Act of 1974; Altered Systems of Records**

**AGENCY:** Departmental Offices, Treasury.

**ACTION:** Notice of Alterations to Twelve Privacy Act Systems of Records.

**SUMMARY:** In accordance with the requirements of the Privacy Act of 1974, as amended, 5 U.S.C. 552a, the Department of the Treasury gives notice of proposed alterations to twelve Privacy Act systems of records. The proposed alterations will update

existing notices and conform them to the requirements of the Office of the Federal Register. The Department also gives notice of the deletion of a Privacy Act system of records.

**EFFECTIVE DATE:** The proposed alterations will become effective without further notice on October 2, 2000, unless comments dictate otherwise.

**ADDRESSES:** Comments should be sent to Disclosure Services, Department of the Treasury, 1500 Pennsylvania Avenue, NW, Washington, DC 20220, or by fax at (202) 622-3895.

**FOR FURTHER INFORMATION CONTACT:** Dale Underwood, Deputy Assistant Director, Disclosure Services, (202) 622-0874.

**SUPPLEMENTARY INFORMATION:** As a result of a compliance review, the Department found that the following eight Privacy Act systems of records notices should be revised by adding a "Purpose(s)" statement to conform the notices to the format required by the Office of the Federal Register.

Treasury/DO .005—Grievance Records;  
Treasury/DO .010—Office of Domestic Finance, Actuarial Valuation System;  
Treasury/DO .060—Correspondence Files and Records on Employee Complaints and/or Dissatisfaction;  
Treasury/DO .149—Foreign Assets Control Legal Files;  
Treasury/DO .156—Tax Court Judge Applicants;  
Treasury/DO .183—Private Relief Tax Bill Files;  
Treasury/DO .193—Employee Locator and Automated Directory System, and  
Treasury/DO .200—FinCEN Data Base.

The list of the bureaus and other components of the Department published in 31 CFR 1.20 was revised on January 14, 2000 (65 FR 2333). Three Treasury-wide systems of records notices (DO .005, DO .210, DO .211) are being updated to make the "system location" consistent with the revision and to add the street addresses to the bureau locations.

The list of the system managers and addresses for Treasury/DO .005—Grievance Records is also being revised due to changes in addresses and reorganizations within the Department, and to reformat the list of the system managers by bureau.

In addition, the notice published on December 17, 1998, did not identify the correct system manager for Treasury/DO .060—Correspondence Files and Records on Employee Complaints and/or Dissatisfaction.

Treasury/DO .190—General Allegations and Investigative Records is amended to change the title to