

stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29 must be filed by March 1, 1999. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by March 10, 1999, with: Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423.

A copy of any petition filed with the Board should be sent to applicant's representative: Thomas J. Litwiler, Oppenheimer Wolff & Donnelly, Two Prudential Plaza, 45th Floor, 180 North Stetson Avenue, Chicago, IL 60601.

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

FMID has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by February 23, 1999. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423) or by calling SEA, at (202) 565-1545. 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), FMID 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 FMID's filing of a notice of consummation by February 18, 2000, 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 website at "WWW.STB.DOT.GOV."

¹ 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 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.

² Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$1000. See 49 CFR 1002.2(f)(25).

Decided: February 12, 1999.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 99-3976 Filed 2-17-99; 8:45 am]

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DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Proposed Renewal of Information Collections; Comment Request

AGENCY: Office of the Comptroller of the Currency (OCC), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The OCC, 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 continuing information collections, as required by the Paperwork Reduction Act of 1995. Currently, the OCC is soliciting comment concerning its extension, without change, of several information collections.

DATES: Written comments should be submitted by April 19, 1999.

ADDRESSES: Direct all written comments to the Communications Division, Attention: 1557-L299, Third Floor, Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219. In addition, comments may be sent by facsimile transmission to (202)874-5274, or by electronic mail to regs.comments@occ.treas.gov.

FOR FURTHER INFORMATION CONTACT: You can request additional information or a copy of the collection from Jessie Gates or Camille Dickerson, (202)874-5090, Legislative and Regulatory Activities Division (1557-L299), Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219. You can inspect and photocopy the comments at the OCC's Public Reference Room, 250 E Street, SW., Washington, DC, between 9:00am and 5:00pm on business days. You can make an appointment to inspect the comments by calling (202)874-5043.

SUPPLEMENTARY INFORMATION: The OCC is proposing to extend OMB approval of the following three information collections:

1. Title: Fiduciary Activities of National Banks—12 CFR 9

OMB Number: 1557-0140.

Form Number: None.

Abstract: This submission covers an existing regulation and involves no change to the regulation or to the information collections embodied in the regulation. The OCC requests only that OMB renew its approval of the information collections in the current regulation.

OCC regulations at 12 CFR part 9 require national banks with fiduciary powers to retain fiduciary records related to an account for three years after termination of the account or of related litigation. Part 9 also requires that national banks note annually in their board minutes the results of fiduciary audits. Part 9 also requires that national banks operate their collective investment funds in accordance with a written plan. The plan is analogous to a prospectus required for registered investment companies by Securities and Exchange Corporation requirements. In order to avail itself of certain regulatory exemptions, a national bank must submit its collective investment fund plan to OCC for approval. Finally, each national bank must prepare an annual financial report on each fund and notify participants of its availability.

The requirements in 12 CFR part 9 are located as follows:

Record retention: 12 CFR 9.8(b).

Noting audit in board minutes: 12 CFR 9.9(a) and (b).

Surrender of fiduciary powers: 12 CFR 9.17(a).

Disclosing plan: 12 CFR 9.18(b)(1).

Preparing/Amending plan: 12 CFR 9.18(b)(1).

Preparing financial report: 12 CFR 9.18(b)(6)(ii).

Disclosing financial report: 12 CFR 9.18(b)(6)(iv).

Requesting special exemptions: 12 CFR 9.18(c)(5).

National banks use these records to establish operational parameters for their collective investment funds and to disclose information to fund participants. Participants and other members of the public use the fund plan and report to obtain information about the fund, including its financial performance. The plan and the annual financial report inform and protect the public. The OCC uses the information in the examination process, to ensure bank compliance with provisions of 12 CFR 9.18, and to ensure bank safety and soundness.

Below are the OCC's current estimates of the paperwork attributable to 12 CFR part 9. These estimates were prepared pursuant to the notice-and comment rulemaking process undertaken in 1995 and were approved by OMB in February 1996.

Type of Review: Extension, without change, of a currently approved collection.

Affected Public: Businesses or other for-profit.

Number of Respondents: 1,000.

Total Annual Responses: 1,000.

Frequency of Response: On occasion/annually.

Total Annual Burden: 17,300 Hours.

2. Title: Recordkeeping Requirements for Securities Transactions—12 CFR 12

OMB Number: 1557-0142.

Form Number: None.

Abstract: This submission covers an existing regulation and involves no change to the regulation or to the information collections embodied in the regulation. The OCC requests only that OMB renew its approval of the information collections in the current regulation.

Under 12 U.S.C. 92a, the OCC is granted supervisory responsibility for national bank trust activities and, under 12 U.S.C. 24 (Seventh), has general authority relating to securities activities. Further, under 12 U.S.C. 93a, the OCC has authority to prescribe rules and regulations to carry out its responsibilities. The requirements in part 12 are necessary for the OCC to effectively carry out its statutory responsibilities.

The requirements in 12 CFR part 12 are located as follows:

Recordkeeping requirements: 12 CFR 12.3(a).

Notification of transaction to customer: 12 CFR 12.4.

Notification by agreement: 12 CFR 12.5(a), (b), (c), and (e).

Securities trading policies: 12 CFR 12.7(a).

Report by bank officers and employees: 12 CFR 12.7(a) and (b).

Waiver request: 12 CFR 12.8.

The transaction confirmation information provides customers with a record regarding the transaction and provides banks and the OCC with records to ensure bank compliance with banking and securities law and regulations. The OCC uses the required information in its examinations to, among other things, evaluate the bank's compliance with the antifraud provisions of the Federal securities laws.

Below are the OCC's current estimates of the paperwork attributable to 12 CFR part 12. These estimates were prepared pursuant to the notice and comment rulemaking process undertaken in 1995 and were approved by OMB in February 1996.

Type of Review: Extension, without change, of a currently approved collection.

Affected Public: Businesses or other for-profit.

Number of Respondents: 1,047.

Total Annual Responses: 1,047.

Frequency of Response: On occasion.

Total Annual Burden: 56,019 Hours.

3. Title: Community Development Corporation and Project Investments and Other Public Welfare Investments—12 CFR 24

OMB Number: 1557-0194.

Form Number: None.

Abstract: This submission covers an existing regulation and involves no change to the regulation or to the information collections embodied in the regulation. The OCC requests only that OMB renew its approval of the information collections in the current regulation. Twelve U.S.C. 24 (Eleventh) authorizes national banks to make investments that are designated primarily to promote the public welfare, including the welfare of low- and moderate-income families and communities (such as through the provision of housing, services, or jobs) consistent with safe and sound banking practices. The statute requires the OCC to limit a national bank's investment in any one project as well as its aggregate investment in such projects. This regulation requires national banks to make occasional filings to the OCC regarding investment proposals, certain self-certifications, and requests from 3-rated banks to self-certify.

The requirements in 12 CFR part 24 are located as follows:

Investment proposals: 12 CFR 24.4(a) and 24.5(b).

Self-certification letters: 12 CFR 24.5(a).

Letters from 3-rated banks requesting to self-certify: 12 CFR 24.5(a)(4).

The OCC uses the information to determine whether the investment meets the statutory requirements, is likely to impact bank profitability or safety and soundness, or poses a risk to the deposit insurance system. Further, the OCC uses the information in planning bank examinations.

Below are the OCC's current estimates of the paperwork attributable to 12 CFR part 24. These estimates were prepared pursuant to the notice and comment rulemaking process undertaken in 1995 and were approved by OMB in February 1996.

Type of Review: Extension, without change, of a currently approved collection.

Affected Public: Businesses or other for-profit.

Number of Respondents: 400.

Total Annual Responses: 400.

Frequency of Response: On occasion.

Total Annual Burden: 418 Hours.

COMMENTS: Comments submitted in response to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Comments are invited on:

(a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility;

(b) The accuracy of the agency's estimate of the burden of the collection of information;

(c) Ways to enhance the quality, utility, and clarity of the information to be collected;

(d) Ways to minimize the burden of the collection on respondents, including through the use of automated collection techniques or other forms of information technology; and

(e) Estimates of capital or startup costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: February 10, 1999.

Mark Tenhundfeld,

Assistant Director, Legislative & Regulatory Activities Division.

[FR Doc. 99-3891 Filed 2-17-99; 8:45 am]

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

[REG-209106-89]

Proposed Collection; Comment Request For Regulation Project

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 an existing notice of proposed rulemaking, REG-209106-89, Changes With Respect to Prizes and Awards and Employee Achievement Awards (§ 1.74-1(c)).

DATES: Written comments should be received on or before April 19, 1999 to be assured of consideration.

ADDRESSES: Direct all written comments to Garrick R. Shear, Internal Revenue