applications for renewal on their merits and decided to extend each exemption for a renewable 2-year period. They are:

Louis N. Adams	Marshall L. Hood	Anthony G. Parrish
Guy M. Alloway	Edward W. Hosier	Bill L. Pearcy
Lyle H. Banser	Charles F. Koble	Robert H. Rogers
Lloyd J. Botsford	Robert W. Lantis	Bobby C. Spencer
Joseph E. Buck, Sr.	Lucio Leal	Sammy D. Steinsultz
Paul D. Gaither	Terry W. Lytle	Mark J. Stevwing
David L. Grajiola	Earl R. Mark	Frankie A. Wilborn
Walter D. Hague, Jr.	Richard W. Neyens	Jeffrey L. Wuollett

These exemptions are extended subject to the following conditions: (1) That each individual have a physical exam every year (a) by an ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the standard in 49 CFR 391.41(b)(10), and (b) by a medical examiner who attests that the individual is otherwise physically qualified under 49 CFR 391.41; (2) that each individual provide a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (3) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file and retain a copy of the certification on his/her person while driving for presentation to a duly authorized Federal, State, or local enforcement official. Each exemption will be valid for 2 years unless rescinded earlier by the FMCSA. The exemption will be rescinded if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31315 and 31136(e).

Basis for Renewing Exemptions

Under 49 U.S.C. 31315(b)(1), an exemption may be granted for no longer than 2 years from its approval date and may be renewed upon application for additional 2-year periods. In accordance with 49 U.S.C. 31315 and 31136(e), each of the 24 applicants has satisfied the entry conditions for obtaining an exemption from the vision requirements (64 FR 68195, 65 FR 20251, 67 FR 17102, 67 FR 10471, 67 FR 19798). Each of these 24 applicants has requested timely renewal of the exemption and has submitted evidence showing that the vision in the better eye continues to meet the standard specified at 49 CFR 391.41(b)(10) and that the vision impairment is stable. In addition, a review of each record of safety while driving with the respective vision deficiencies over the past 2 years indicates each applicant continues to meet the vision exemption standards. These factors provide an adequate basis for predicting each driver's ability to continue to drive safely in interstate commerce. Therefore, the FMCSA concludes that extending the exemption for each renewal applicant for a period of 2 years is likely to achieve a level of safety equal to that existing without the exemption.

Comments

The FMCSA will review comments received at any time concerning a particular driver's safety record and determine if the continuation of the exemption is consistent with the requirements at 49 U.S.C. 31315 and 31136(e). However, the FMCSA requests that interested parties with specific data concerning the safety records of these drivers submit comments by May 13, 2004.

In the past the FMCSA has received comments from Advocates for Highway and Auto Safety (Advocates) expressing continued opposition to the FMCSA's procedures for renewing exemptions from the vision requirement in 49 CFR 391.41(b)(10). Specifically, Advocates objects to the agency's extension of the exemptions without any opportunity for public comment prior to the decision to renew, and reliance on a summary statement of evidence to make its decision to extend the exemption of each driver.

The issues raised by Advocates were addressed at length in 66 FR 17994 (April 4, 2001). The FMCSA continues to find its exemption process appropriate to the statutory and regulatory requirements.

Issued on: April 8, 2004.

Pamela M. Pelcovits,

Office Director, Policy, Plans, and Program Development.

[FR Doc. 04–8319 Filed 4–12–04; 8:45 am]

BILLING CODE 4910–EX–P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Notice of Funds Availability and Request for Comment To Assist in the Development and Implementation of a Procedure for Fair Competitive Bidding by Amtrak and Non-Amtrak Operators of State-Supported Intercity Passenger Rail Routes

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: Under this Notice, the FRA solicits comments from interested parties on how the Secretary of Transportation, working with affected States, could develop and implement a procedure for fair competitive bidding by Amtrak and non-Amtrak operators for State-supported intercity passenger rail routes. FRA also encourages interested States to submit a Statement of Interest in receiving a grant to support an initiative leading to a fair and open competitive selection of an operator to provide passenger rail service over a specific intercity route that receives or will receive State financial support. Services eligible for funding under programs administered by the Federal Transit Administration are not eligible for a grant under this notice. Responses to this notice are sought on or before May 28, 2004.

DATES: All submissions of Statements of Interest and comments must be received in FRA's offices by close of business Friday, May 28, 2004. The deadline for the submission of applications will be noted in the solicitation from FRA to prospective grantees as a result of the evaluation of the Statements of Interest.

ADDRESSES: Applicants must submit an original and six (6) copies to the Federal Railroad Administration at one of the following addresses:

Postal address (note correct zip code): Federal Railroad Administration, Attention: Alex Chavrid, Chief, Passenger Programs Division (RDV–11),

Mail Stop #20, 1120 Vermont Ave., NW., Washington, DC 20590.

FedEx/courier address (note correct zip code): Federal Railroad Administration, Attention: Alex Chavrid, Chief, Passenger Programs Division, (RDV–11), Room #773, 1120 Vermont Ave., NW., Washington, DC 20005.

Due to delays caused by enhanced screening of mail delivered via the US Postal Service, applicants are encouraged to use other means to assure timely receipt of materials.

FOR FURTHER INFORMATION CONTACT: Mark Yachmetz, Associate Administrator for Railroad Development (RDV–1), Federal Railroad Administration, 1120 Vermont Avenue NW., Washington, DC 20590. Phone: (202) 493–6381; Fax: (202) 493–6330.

SUPPLEMENTARY INFORMATION: The demonstration will be supported with up to $2,485,250 of Federal funds provided to FRA as part of the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004 (included as Division F of the Consolidated Appropriations Act, 2004 (Public Law 108–199 (January 23, 2004)). FRA anticipates soliciting one or more grant applications and awarding one or more grants to eligible participants before September 30, 2004. The funds made available under this program will be available for activities related to developing and/or implementing a fair and open competitive process for selecting an operator of a State-supported intercity passenger rail route. FRA anticipates that no further public notice will be made with respect to selecting applicants for this demonstration.

Purpose: From the creation of Amtrak in 1971 until the enactment of the Amtrak Reform and Accountability Act (ARAA) in 1997, the National Railroad Passenger Corporation, better known as Amtrak, had the exclusive right to operate intercity passenger rail service over the routes where it provided service. ARAA eliminated Amtrak's monopoly as the exclusive intercity passenger rail service operator on these routes. Some have argued since enactment of ARAA that competition in the selection of intercity rail passenger service operators could result in improved service and/or lower costs. On June 22, 2002, Secretary of Transportation, Norman Y. Mineta, identified the five principles for intercity passenger rail reform advocated by the U.S. Department of Transportation. Included among these principles are: "Introduce carefully managed competition to provide higher quality rail services at reasonable prices.'' Subsequently, on June 27, 2003, Secretary Mineta submitted to Congress proposed legislation: "The Rail Passenger Reform Investment Act'' that would take this principle and make competitive selection of intercity passenger rail service operators by States the foundation for a new approach to providing intercity passenger rail service in the United States. Since the enactment of ARAA, some States have contemplated using competitive processes to select operators of intercity passenger rail service they deem important enough to support financially. However, to date there has not yet been a successful process through which a fair and open competition has resulted in the selection of an operator other than Amtrak. Section 151 of the General Provisions of the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004 (included as Division F of the Consolidated Appropriations Act, 2004 (Public Law 108–199 (January 23, 2004)) provides as follows: "For the purpose of assisting State-supported intercity rail service, in order to demonstrate whether competition will provide higher quality rail passenger service at reasonable prices, the Secretary of Transportation, working with affected States, shall develop and implement a procedure for fair competitive bidding by Amtrak and non-Amtrak operators for State-supported routes: *Provided,* That in the event a State desires to select or selects a non-Amtrak operator for the route, the State may make an agreement with Amtrak to use facilities and equipment of, or have services provided by, Amtrak under terms agreed to by the State and Amtrak to enable the non-Amtrak operator to provide the State-supported service: *Provided further,* That if the parties cannot agree on terms, the Secretary shall, as a condition of receipt of Federal grant funds, order that the facilities and equipment be made available under reasonable terms and compensation: *Provided further,* That when prescribing reasonable compensation to Amtrak, the Secretary shall consider quality of service as a major factor when determining whether, and the extent to which, the amount of compensation shall be greater than the incremental costs of using the facilities and providing the services: *Provided further,* That the Secretary may reprogram up to $2,500,000 from the Amtrak operating grant funds for costs associated with the implementation of the fair bid procedure and demonstration of competition under this section.'' (**Note:** Section 168 of Division H of the Consolidated Appropriations Act, 2004, imposes an across-the-board rescission of 0.59 percent to all appropriations in the act, thereby reducing the appropriation that is available for costs associated with the implementation of the fair bid procedure and demonstration of competition to $2,485,250.)

Section 151 provides the Secretary of Transportation with significant flexibility and latitude in establishing the referenced "fair bid procedure.'' The purpose of this notice is threefold. First, FRA seeks comment and recommendations on how such a "fair bid procedure'' should be structured, what issues should be addressed in such a procedure, how they could be best addressed, how the available funds should best be used and whether the available funds are adequate for the intended purpose. Second, FRA seeks to identify the extent of interest among the States in competitively selecting operators of State-supported intercity rail passenger service. Finally, FRA wishes to identify the State or States that could implement or make the most progress toward implementing a "fair bid procedure'' in the most timely manner with the available Federal funding.

Authority: The authority for the program can be found in Section 151 of the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004 (included as Division F of the Consolidated Appropriations Act, 2004 (Public Law 108–199 (January 23, 2004)). The Secretary of Transportation's responsibilities under this program have been delegated to the Federal Railroad Administration.

Funding: The Transportation, Treasury, and Independent Agencies Appropriations Act, 2004, provides $2,485,250 for this purpose. It is anticipated that the available funding could be used for one or more grants. If two grants are awarded, FRA may choose not to award the grants in equal amounts. Additional funding for this or related work may be available in subsequent fiscal years and may be awarded without further competition.

Eligible Participants: Any State that presently provides financial assistance for an intercity passenger rail service operated by Amtrak or any State or group of States that is willing to provide financial assistance for an intercity rail passenger service, the operator of which is selected through a fair bid procedure, is eligible to participate in this program. Comment and recommendations on how such a "fair bid procedure'' should be structured, what issues should be

addressed in such a procedure, how they could be best addressed, how the available funds should best be used and whether the available funds are adequate for the intended purpose are solicited from eligible participants and any other interested party.

Requirements for Statements of Interest: The following points describe the minimum content that is required in Statements of Interest.

1. Describe the service to be subject to fair bid competition, including frequencies of service, schedules for operation, any unique aspects of the service sought by the State, endpoints and intermediate stops and connections to other intercity and commuter rail and transit services, and estimates of annual ridership, revenue and expenses during the period of operation covered by the fair bid competition.

2. Describe the analysis, if any, undertaken regarding the incorporation of this service into State and/or regional transportation plans.

3. Describe the experience or analysis, if any, undertaken by the State regarding competitive selection of passenger service providers, by any mode of intercity transportation, for commuter rail service or for local transit service.

4. Describe how the State or States envision their role and that of the selected operator in defining the key attributes of the service to be provided.

5. Describe the history, if any, of State and other non-Federal financial support for this service and the financial support the State and other non-Federal sources propose during the period of operation resulting from the fair bid competition, clearly indicating the estimated amount and sources for the required non-Federal funds required.

6. Identify the entity that would conduct the fair bid competition. To the extent this entity does not presently have legal authority to undertake such a competition, identify the process and schedule under which this authority would be provided.

7. Describe the route over which the service would be operated, including the owner of the rail infrastructure, the traffic types (including ownership of trains), volumes, and speeds presently involved in operation on the track segment(s) over which the service would operate.

8. Describe any communications between the State and the owner of the rail infrastructure over which the service would operate that addresses the issue of access for passenger service operated by an entity other than Amtrak, including the terms and conditions under which this access would be provided.

9. Describe how the State or States would propose that a fair bid procedure to be implemented by the Secretary should address the issue of access to rail infrastructure.

10. Describe the equipment proposed for use in providing the service, its current ownership, current use and any commitment that the State might have for access to this equipment.

11. Describe how the State or States would propose that a fair bid procedure to be implemented by the Secretary should address the issue of access to rail passenger equipment.

12. Describe the provisions the State or States would make to address the liability of the operator selected under the fair bid competition, the owner of the rail infrastructure and others in the event of an accident.

13. Describe how the State or States would propose that a fair bid procedure to be implemented by the Secretary should address the issue of liability.

14. Describe any other issues that need to be addressed either by the Secretary or by the State or States to implement a fair bid competitive process for selection of an operator of an intercity passenger rail service.

Format: Statements of Interest or comments may not exceed twenty-five pages in length.

Selection Criteria: The following will be considered to be positive selection factors in evaluating Statements of Interest for this demonstration:

1. The contribution the proposed fair bid competitive selection will make to understanding the issues that must be addressed in competitive selection of intercity rail operators.

2. The timeliness of the initiation of the competitive bid process and initiation of the competitively bid service.

3. The ability of the State or States to adequately address the challenges facing a competitive selection of an operator of intercity passenger rail service.

4. Financial commitment from non-Federal sources.

5. Cost to the Federal Government.

6. Past and likely future State commitments to support the service in question.

7. Projected ridership, revenues, expenses and capital needs of the expected service.

8. Likely effects of the competitively bid service on other Amtrak services.

9. Length of the demonstration period and prospects for the service at the end of the demonstration period.

Issued in Washington, DC on April 7, 2004.

Mark E. Yachmetz,

Associate Administrator for Railroad Development.

[FR Doc. 04–8321 Filed 4–12–04; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF THE TREASURY

Submission for OMB Review; Comment Request

April 6, 2004.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Pub. L. 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 May 13, 2004 to be assured of consideration.

Internal Revenue Service (IRS)

OMB Number: 1545–0056.

Form Number: IRS Forms 1023 and 872–C.

Type of Review: Extension.

Title:

Form 1023: Application for Recognition of Exemption Under section 501(c)(3) of the Internal Revenue Code; and

Form 872–C: Consent Fixing Period of Limitation upon Assessment of Tax Under section 4940 of the Internal Revenue Code.

Description: Form 1023 is filed by applicants seeking Federal income tax exemption as organizations described in section 501(c)(3). IRS uses the information to determine if the applicant is exempt and whether the applicant is a private foundation. Form 872–C extends the statute of limitations for assessing tax under section 4940.

Respondents: Not-for-profit institutions.

Estimated Number of Respondents/Recordkeepers: 29,409.

Estimated Burden Hours Respondent/Recordkeeper: