

**DEPARTMENT OF TRANSPORTATION****Surface Transportation Board**

[STB Finance Docket No. 34746]

**Kansas & Oklahoma Railroad, Inc.—  
Acquisition Exemption—Rail Line of  
Union Pacific Railroad Company**

Kansas & Oklahoma Railroad, Inc. (K&O), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire (by purchase) from Union Pacific Railroad Company (UP) a 27-mile rail line between milepost 485.0 at Newton, KS, and milepost 512.0, at McPherson, KS. K&O has leased and operated the line under an agreement with UP since September 2002.<sup>1</sup>

K&O certifies that its projected annual revenues as a result of this transaction will not result in K&O becoming a Class II or Class I rail carrier. K&O also states that its current annual revenues exceed \$5 million. This triggers the 60-day advance labor notice requirement at 49 CFR 1150.42(e). However, K&O requested a waiver of that requirement which was granted by the Board in a decision in this proceeding served on September 15, 2005.

As a result of the grant of the waiver, the earliest this transaction could have been consummated was on or after September 15, 2005, the service date of the waiver decision, because the Board's grant of the waiver had the effect of making the exemption effective on September 15, 2005.

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 a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34746, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on Karl Morell, Of Counsel, Ball Janik LLP, 1455 F Street, NW., Suite 225, Washington, DC 20005.

Board decisions and notices are available on our Web site at <http://www.stb.dot.gov>.

Decided: September 15, 2005.

<sup>1</sup> See *Kansas & Oklahoma Railroad, Inc.—Lease Exemption—Union Pacific Railroad Company*, STB Finance Docket No. 34232 (STB served Oct. 1, 2002).

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

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

[FR Doc. 05-18788 Filed 9-20-05; 8:45 am]

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**DEPARTMENT OF THE TREASURY****Internal Revenue Service****Office of the General Counsel;  
Appointment of Members of the Legal  
Division to the Performance Review  
Board, Internal Revenue Service**

Under the authority granted to me as Chief Counsel of the Internal Revenue Service by the General Counsel of the Department of the Treasury by General Counsel Order No. 21 (Rev. 4), pursuant to the Civil Service Reform Act, I have appointed the following persons to the Legal Division Performance Review Board, Internal Revenue Service Panel:

1. Chairperson, James Carroll, Deputy General Counsel
2. Deborah N. Nolan, Commissioner, Large and Midsize Business
3. Eric Solomon, Deputy Assistant Secretary for Regulatory Affairs

This publication is required by 5 U.S.C. 4314(c)(4).

Dated: September 13, 2005.

**Donald L. Korb,**

*Chief Counsel, Internal Revenue Service.*

[FR Doc. 05-18802 Filed 9-20-05; 8:45 am]

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**DEPARTMENT OF THE TREASURY****Internal Revenue Service****Office of the General Counsel;  
Appointment of Members of the Legal  
Division to the Performance Review  
Board, Internal Revenue Service**

Under the authority granted to me as Chief Counsel of the Internal Revenue Service by the General Counsel of the Department of the Treasury by General Counsel Order No. 21 (Rev. 4), pursuant to the Civil Service Reform Act, I have appointed the following persons to the Legal Division Performance Review Board, Internal Revenue Service Panel:

1. Chairperson, Donald T. Rocen, Deputy Chief Counsel (Operations)
2. William D. Alexander, Associate Chief Counsel (Corporate)
3. Peter Labelle, Division Counsel (Large and Mid-Size Business)
4. Catherine Livingston, Assistant Chief Counsel (Exempt Organizations/ Employment/ Tax/Government Entities)

5. Patricia Donahue, Area Counsel, Division Counsel (Small Business/ Self-Employed) This publication is required by 5 U.S.C. 4314(c)(4).

Dated: September 13, 2005.

**Donald L. Korb,**

*Chief Counsel, Internal Revenue Service.*

[FR Doc. 05-18803 Filed 9-20-05; 8:45 am]

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**DEPARTMENT OF VETERANS  
AFFAIRS**

[OMB Control No. 2900-0556]

**Agency Information Collection  
Activities Under OMB Review**

**AGENCY:** Veterans Health Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-21), this notice announces that the Veterans Health Administration (VHA), Department of Veterans Affairs, has submitted the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden and includes the actual data collection instrument.

**DATES:** Comments must be submitted on or before October 21, 2005.

**FOR FURTHER INFORMATION OR A COPY OF THE SUBMISSION CONTACT:** Denise McLamb, Records Management Service (005E3), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273-8030, FAX (202) 273-5981 or e-mail to: [denise.mclamb@mail.va.gov](mailto:denise.mclamb@mail.va.gov). Please refer to "OMB Control No. 2900-0556."

Send comments and recommendations concerning any aspect of the information collection to VA's OMB Desk Officer, OMB Human Resources and Housing Branch, New Executive Office Building, Room 10235, Washington, DC 20503, (202) 395-7316. Please refer to "OMB Control No. 2900-0556" in any correspondence.

**SUPPLEMENTARY INFORMATION:**

*Title:* VA Advance Directive: Living Will and Durable Power of Attorney for Health Care, VA Form 10-0137.

*OMB Control Number:* 2900-0556.

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

*Abstract:* Claimants admitted to a VA medical facility complete VA Form 10-0137 to appoint a health care agent to