

SafeStat can be accessed through the SafeStat Online portion of FMCSA's A&I Online Web site: <http://ai.fmcsa.dot.gov/SafeStat/SafeStatMain.asp>. The Agency has proposed improvements to the SafeStat system that would simplify the Accident Safety Evaluation Area (SEA), increase the relevance of moving violations in the Driver SEA, include in the Vehicle SEA vehicle out-of-service violations from inspections marked as driver-only, and shorten the data exposure time period considered by SafeStat from 30 months to 24 months. The proposed changes are also consistent with FMCSA's Comprehensive Safety Analysis 2010 (CSA 2010) reform initiative. The ultimate goal of CSA 2010 is development of an optimal operational model that will allow FMCSA to focus its limited resources on improving the performance of high-risk operators. For more information about CSA 2010, visit <http://www.fmcsa.dot.gov/safety-security/safety-initiatives/csa2010listening.htm>.

Revisions to the SafeStat system are exempt from notice and comment under the Administrative Procedure Act because they are both matters "relating to agency management" and "general statements of policy, or rules of agency \* \* \* procedure, or practice" under 5 U.S.C. 553(a)(2) and (b)(A), respectively. Nonetheless, FMCSA encourages the public to review the details of the proposed SafeStat improvements by accessing SafeStat Online, and to submit comments directly to the Web site. The Agency will give careful consideration to all comments received, and provide appropriate notice regarding the changes to its safety measurement system at <http://ai.fmcsa.dot.gov/SafeStat/SafeStatMain.asp>.

Issued on: April 24, 2006.

**William A. Quade,**

*Acting Associate Administrator, Enforcement and Program Delivery.*

[FR Doc. E6-6647 Filed 5-2-06; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

[Docket No. FTA-2006-23636]

#### Notice of Clarification of Effective Date for Guidance on New Starts Policies and Procedures

**AGENCY:** Federal Transit Administration (FTA), DOT.

**ACTION:** Notice of clarification.

**SUMMARY:** This notice clarifies the effective date set forth in the notice of availability and request for comments for the Guidance on New Starts Policies and Procedures published on January 19, 2006, in the **Federal Register**. The Proposed Guidance on New Starts Policies and Procedures did not become effective on April 30, 2006, as stated in the January 19, 2006 notice. FTA will publish an additional notice in the **Federal Register** before new requirements are to become effective.

**FOR FURTHER INFORMATION CONTACT:** Ron Fisher, Office of Planning and Environment, telephone (202) 366-4033, Federal Transit Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590 or [Ronald.Fisher@fta.dot.gov](mailto:Ronald.Fisher@fta.dot.gov).

**SUPPLEMENTARY INFORMATION:** In the notice of availability for the proposed Guidance on New Starts Policies and Procedures issued on January 19, 2006 (71 FR 3149), FTA noted that the proposed changes "will become effective April 30, 2006." With today's notice, FTA seeks to clarify that none of the changes in the proposed Guidance on New Starts Policies and Procedures became effective on April 30, 2006. Further, none of those changes shall otherwise become effective until FTA publishes notice in the **Federal Register**, in accordance with the applicable requirements of 49 U.S.C. 5334(1), responding to comments received and explaining any changes, if appropriate, to the proposed guidance based on those comments.

Issued in Washington, DC this 27th day of April, 2006.

**Sandra K. Bushue,**

*Deputy Administrator.*

[FR Doc. 06-4165 Filed 5-2-06; 8:45 am]

**BILLING CODE 4910-57-M**

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### Voluntary Intermodal Sealift Agreement (VISA)

**AGENCY:** Maritime Administration, DOT.

**ACTION:** Notice of open season for enrollment in the VISA program.

#### Introduction

The VISA program was established pursuant to section 708 of the Defense Production Act of 1950, as amended (DPA), which provides for voluntary agreements for emergency preparedness programs. VISA was approved for a two year term on January 30, 1997, and published in the **Federal Register** on

February 13, 1997, (62 FR 6837).

Approval is currently extended through September 30, 2007, as published in the **Federal Register** on September 23, 2005 (70 FR 55947).

As implemented, the VISA program is open to U.S.-flag vessel operators of oceangoing militarily useful vessels. Operators include vessel owners and bareboat charter operators if satisfactory signed agreements are in place committing the assets of the owner to the bareboat charterer for purposes of VISA. While tug/barge operators must own or bareboat charter barges committed to the VISA program, it is not required that these operators commit tug service through bareboat charter or ownership arrangements. Time charters of U.S.-flag tugs will satisfy tug commitments to the VISA program. However, participation in the VISA program is not satisfied by tug commitment only. Tug/barge VISA participants must commit capacity of at least one barge to the VISA program. Voyage and space charterers are not considered U.S.-flag vessel operators for purposes of VISA eligibility.

#### VISA Concept

The mission of VISA is to provide commercial sealift and intermodal shipping services and systems, including vessels, vessel space, intermodal systems and equipment, terminal facilities, and related management services, to the Department of Defense (DOD), as necessary, to meet national defense contingency requirements or national emergencies.

VISA provides for the staged, time-phased availability of participants' shipping services/systems to meet contingency requirements through prenegotiated contracts between the Government and participants. Such arrangements are jointly planned with the Maritime Administration (MARAD), U.S. Transportation Command (USTRANSCOM), and participants in peacetime to allow effective and best valued use of commercial sealift capacity, to provide DOD assured contingency access, and to minimize commercial disruption, whenever possible.

There are three time-phased stages in the event of VISA activation. VISA Stages I and II provide for prenegotiated contracts between DOD and participants to provide sealift capacity to meet all projected DOD contingency requirements. These contracts are executed in accordance with approved DOD contracting methodologies. VISA Stage III will provide for additional capacity to the DOD when Stage I and II commitments or volunteered capacity

are insufficient to meet contingency requirements, and adequate shipping services from non-participants are not available through established DOD contracting practices or U.S. Government treaty agreements.

#### **VISA Enrollment Open Season**

The purpose of this notice is to invite interested, qualified U.S.-flag vessel operators that are not currently enrolled in the VISA program to participate in the program. Approved participants' VISA contingency contracts will coincide with the DOD contracting cycle of October 1, 2006 through September 30, 2007. This is the ninth annual enrollment period since the commencement of the VISA program. The annual enrollment was initiated because VISA has been fully integrated into DOD's priority for award of cargo to VISA participants. It is necessary to link the VISA enrollment cycle with DOD's peacetime cargo contracting cycle.

New VISA applicants are required to submit their applications for the VISA program as described in this Notice no later than May 31, 2006. Applicants must provide copies of loadline documents from a recognized classification society to validate oceangoing vessel capability, and U.S. Coast Guard Certificates of Documentation for all vessels in their fleet. If vessels are bareboat chartered or time chartered (applicable to tugs only) by the applicant, charter agreements should be provided along with the application. Bareboat charter and time charter agreements must, at a minimum, be valid from the time of application through September 30, 2007. Bareboat charter agreements must also state that the owner will not interfere with the charterer's obligation to commit chartered vessel(s) to VISA program for the duration of the charter. Approved VISA participants will be responsible for assuring that information submitted with their application remains up to date beyond the approval process. Any changes to VISA commitments must be reported to MARAD and USTRANSCOM not later than seven days after the change. If charter agreements are due to expire, participants must provide MARAD with charters that extend the charter duration for another 12 months or longer.

Alignment of VISA enrollment and eligibility for VISA priority will solidify the linkage between commitment of contingency assets by VISA participants and receiving VISA priority consideration for the award of DOD peacetime cargo. This is the only planned enrollment period for carriers

to join the VISA program and derive benefits for DOD peacetime contracts during the time frame of October 1, 2006 through September 30, 2007. The only exception to this open season period for VISA enrollment will be for a non-VISA carrier that reflags a vessel into U.S. registry. That carrier may submit an application to participate in the VISA program at any time upon completion of reflagging.

#### **Advantages of Peacetime Participation**

Because enrollment of carriers in the VISA program provides DOD with assured access to sealift services during contingencies based on a level of commitment, as well as a mechanism for joint planning, DOD awards peacetime cargo contracts to VISA participants on a priority basis. This applies to liner trades and charter contracts alike. Award of DOD cargoes to meet DOD peacetime and contingency requirements is made on the basis of the following priorities:

- U.S.-flag vessel capacity operated by VISA participants, and U.S.-flag Vessel Sharing Agreement (VSA) capacity held by VISA participants.
- U.S.-flag vessel capacity operated by non-participants.
- Combination U.S.-flag/foreign-flag vessel capacity operated by VISA participants, and combination U.S.-flag/foreign-flag VSA capacity held by VISA participants.
- Combination U.S.-flag/foreign-flag vessel capacity operated by non-participants.
- U.S.-owned or operated foreign-flag vessel capacity and VSA capacity held by VISA participants.
- U.S.-owned or operated foreign-flag vessel capacity and VSA capacity held by non-participants.
- Foreign-owned or operated foreign-flag vessel capacity of non-participants.

#### **Participants**

Any U.S.-flag vessel operator organized under the laws of a state of the United States, or the District of Columbia, who is able and willing to commit militarily useful sealift assets and assume the related consequential risks of commercial disruption, may be eligible to participate in the VISA program. The term "operator" is defined in the VISA document as "an ocean common carrier or contract carrier that owns, controls or manages vessels by which ocean transportation is provided". Applicants wishing to become participants must provide satisfactory evidence that the vessels being committed to the VISA program are operational and that vessels are intended to be operated by the applicant

in the carriage of commercial or government preference cargoes. While vessel brokers, freight forwarders and agents play an important role as a conduit to locate and secure appropriate vessels for the carriage of DOD cargo, they may not become participants in the VISA program due to lack of requisite vessel ownership or operation. However, brokers, freight forwarders and agents should encourage the carriers they represent to join the program.

#### **Commitment**

Any U.S.-flag vessel operator desiring to receive priority consideration in the award of DOD peacetime contracts must commit no less than 50 percent of its total U.S.-flag militarily useful capacity in Stage III of the VISA program. Participants operating vessels in international trade and desiring to bid on DOD peacetime contracts will be required to provide commitment levels to meet DOD-established Stages I and/or II minimum percentages of the participant's militarily useful, oceangoing U.S.-flag international trading fleet capacity on an annual basis. USTRANSCOM and MARAD will coordinate to ensure that the amount of sealift assets committed to Stages I and II will not have an adverse national economic impact. To minimize domestic commercial disruption, participants operating vessels exclusively in the domestic Jones Act trades are not required to commit the capacity of those U.S. domestic trading vessels to VISA Stages I and II. Overall VISA commitment requirements are based on annual enrollment.

In order to protect a U.S.-flag vessel operator's market share during contingency activation, VISA allows participants to join with other vessel operators in Carrier Coordination Agreements (CCAs) to satisfy commercial or DOD requirements. VISA provides a defense against antitrust laws in accordance with the DPA. CCAs must be submitted to MARAD for coordination with the Department of Justice for approval, before they can be utilized.

#### **Compensation**

In addition to receiving priority in the award of DOD peacetime cargo, a participant will receive compensation during contingency activation. During enrollment, each participant may choose a compensation methodology which is commensurate with risk and service provided. The compensation methodology selection will be completed with the appropriate DOD agency.

**Enrollment**

New applicants may enroll by obtaining a VISA application package (Form MA-1020 (OMB Approval No. 2133-0532)) from the Director, Office of Sealift Support, at the address indicated below. Form MA-1020 includes instructions for completing and submitting the application, blank VISA Application forms and a request for information regarding the operations and U.S. citizenship of the applicant company. A copy of the VISA document as published in the **Federal Register** on September 23, 2005 will also be provided with the package. This information is needed in order to assist MARAD in making a determination of the applicant's eligibility. An applicant company must provide an affidavit that demonstrates that the company is qualified to document a vessel under 46 U.S.C. 12102, and that it owns, or bareboat charters and controls, oceangoing, militarily useful vessel(s) for purposes of committing assets to the VISA program. As previously mentioned, VISA applicants must return the completed VISA application documents to MARAD not later than May 31, 2006. Once MARAD has reviewed the application and determined VISA eligibility, MARAD will sign the VISA application document which completes the eligibility phase of the VISA enrollment process.

After VISA eligibility is approved by MARAD and USTRANSCOM, approved applicants are required to execute a joint VISA Enrollment Contract (VEC) with the DOD [Military Surface Deployment and Distribution Command (SDDC) and the Military Sealift Command (MSC)] which will specify the participant's Stage III commitment for the period October 1, 2006 through September 30, 2007. Once the VEC is completed, the applicant completes the DOD contracting process by executing a Drytime Contingency Contract (DCC) with MSC (for Charter Operators) and if applicable, a VISA Contingency Contract (VCC) with SDDC (for Liner Operators). MARAD reserves the right to revalidate all eligibility requirements without notice.

*For Additional Information and Applications Contact:* Taylor E. Jones II, Director, Office of Sealift Support, U.S. Maritime Administration, Room 7307, 400 Seventh Street, SW., Washington, DC 20590. Telephone (202) 366-2323. Fax (202) 366-3128. Other information about the VISA can be found on MARAD's Internet Web Page at <http://www.marad.dot.gov>.

(Authority: 49 CFR 1.66)

Dated: April 28, 2006.

By Order of the Acting Maritime Administrator.

**Joel C. Richard,**

*Secretary, Maritime Administration.*

[FR Doc. E6-6680 Filed 5-2-06; 8:45 am]

**BILLING CODE 4910-81-P**

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

**[STB Finance Docket No. 34864]**

**BNSF Railway Company—Temporary Trackage Rights Exemption—The Kansas City Southern Railroad Company**

The Kansas City Southern Railroad Company (KCS) has agreed to grant temporary overhead trackage rights to BNSF Railway Company (BNSF) over KCS's trackage between Jefferson, TX, and Metro, TX, a total distance of 200.9 miles.

The transaction is scheduled to be consummated on May 15, 2006. The temporary trackage rights will be effective: (1) From May 15, 2006, through May 24, 2006; (2) from May 31, 2006, through June 9, 2006; and (3) from June 15, 2006, through June 22, 2006, and will expire on June 22, 2006. The purpose of the temporary rights is for bridging BNSF's train service while BNSF's main lines are out of service due to certain programmed track, roadbed and structural maintenance.

As a condition to this exemption, any employee affected by the acquisition of the temporary rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980), and any employee affected by the discontinuance of those trackage rights will be protected by the conditions set out in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

This notice is filed under 49 CFR 1180.2(d)(8). If it 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. 34864, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Sidney L. Strickland, Jr., Sidney Strickland and

Associates, PLLC, 3050 K Street, NW., Suite 101, Washington, DC 20007.

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

Decided: April 27, 2006.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. E6-6656 Filed 5-2-06; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF THE TREASURY****Submission for OMB Review; Comment Request**

April 27, 2006.

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, 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 June 2, 2006 to be assured of consideration.

**Internal Revenue Service (IRS)**

*OMB Number:* 1545-1979.

*Type of Review:* Extension.

*Title:* Energy Efficient New Home Credit.

*Form:* IRS 8908.

*Description:* Contractors will use Form 8908 to claim the new energy efficient home credit for homes substantially completed after August 8, 2005 and sold for use as personal residences after January 1, 2006.

*Respondents:* Business or other for-profit.

*Estimated Total Burden Hours:* 512,820 hours.

*OMB Number:* 1545-1380.

*Type of Review:* Extension.

*Title:* (IA-17-90) (Final) Reporting Requirements for Recipients of Points Paid on Residential Mortgages.

*Description:* To encourage compliance with the tax laws relating to the mortgage interest deduction, the regulations require reporting on form 1098 of points paid on residential mortgages. Only businesses that receive mortgage interest in the course of a trade