

reference material used by analysts in examining foreign route cases (3) reference material used by analyst in examining proposed mergers, acquisitions and consolidations, (4) a means whereby BTS sends a copy of the report to the International Civil Aviation Organization (ICAO) in fulfillment of a United States treaty obligation, and (5) corroboration of a carrier's Form 41 filings.

The Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note), requires a statistical agency to clearly identify information it collects for non-statistical purposes. BTS hereby notifies the respondents and the public that BTS uses the information it collects under this OMB approval for non-statistical purposes including, but not limited to, publication of both Respondent's identity and its data, submission of the information to agencies outside BTS for review, analysis and possible use in regulatory and other administrative matters.

Issued in Washington, DC, on February 22, 2012.

**Patricia Hu,**

*Director, Bureau of Transportation Statistics, Research and Innovative Technology Administration.*

[FR Doc. 2012-4812 Filed 2-28-12; 8:45 am]

**BILLING CODE 4910-HY-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35591]

#### Georgia Department of Transportation—Acquisition Exemption—CSX Transportation, Inc.

Georgia Department of Transportation (GDOT)<sup>1</sup> has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from CSX Transportation, Inc. (CSXT), a line of railroad known as the West End Segment of the L&N Belt between milepost 469.15 and milepost 472.27, a distance of 3.12 miles, in the City of Atlanta, Fulton County, Ga. On February 17, 2012, GDOT filed a supplement to its verified notice of exemption.

GDOT states that CSXT transferred the subject line to GDOT in a quitclaim deed dated December 7, 2001 and that GDOT acquired the line to preserve it for future transportation uses. GDOT now seeks Board authorization for the transaction GDOT consummated 10

years ago without having sought the requisite regulatory authority at the time. GDOT states that its failure to submit any notice, petition for exemption, or application for acquisition at the time of transaction was an oversight on the part of the parties to the transaction.

GDOT certifies that its annual revenues as a result of this transaction will not result in GDOT's becoming a Class I or Class II rail carrier.

The exemption will become effective on March 18, 2012 (30 days after the verified notice was filed).<sup>2</sup>

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 effectiveness of the exemption. Petitions to stay must be filed no later than March 9, 2012 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35591, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Charles A. Spitulnik, Kaplan Kirsch & Rockwell, 1001 Connecticut Avenue NW., Suite 800, Washington, DC 20036.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: February 24, 2012.

By the Board.

**Rachel D. Campbell,**

*Director, Office of Proceedings.*

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2012-4842 Filed 2-28-12; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[Docket No. FD 35596]

#### JP Rail, Inc. d/b/a Southern Railroad Company of New Jersey—Operation Exemption—Rail Line in Salem County, N.J.

JP Rail, Inc. d/b/a Southern Railroad Company of New Jersey (JP Rail), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to operate approximately 18.6 miles of rail line known as the Salem Branch Line

(the Line), which is owned by Salem County, N.J. (Salem), as follows: (1) Between the connection with Consolidated Rail Corporation at approximately milepost 11.0 in Swedesboro, N.J., and approximately milepost 28.4 at Salem, and (2) the Glass House Spur, between mileposts 0.0 and 1.2 in Salem.<sup>1</sup>

JP Rail certifies that its projected annual revenues as a result of this transaction will not exceed those that would qualify it as a Class III rail carrier and further certifies that its projected annual revenues will not exceed \$5 million.

The earliest this transaction may be consummated is March 14, 2012, the effective date of the exemption (30 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 a petition to revoke will not automatically stay the effectiveness of the exemption. Stay petitions must be filed no later than March 7, 2012 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 35596, must be filed with the Surface Transportation Board, 395 E Street SW.,

<sup>1</sup> JP Rail acquired authority to operate the Line in 1995. See *JP Rail, Inc. d/b/a Southern R.R. Co. of N.J.—Notice of Exemption—Operation of Salem Branch Rail Line in Salem County, N.J.*, FD 32700 (ICC served Oct. 10, 1995). JP Rail states that in July 2003 it entered into a 10-year contract with Salem for the continued operation of the Line, and that it assigned its rights and obligations under that contract to Class III rail carrier U.S. Rail Corporation (U.S. Rail) with Salem's consent in October 2009. See *U.S. Rail Corp. of N.J.—Lease Exemption—County of Salem, N.J.*, FD 35310 (STB served Nov. 27, 2009) and *U.S. Rail Corp.—Operation Exemption—U.S. Rail Corp. of N.J.*, FD 35317 (STB served Nov. 27, 2009). According to JP Rail, Salem terminated its contractual relationship with U.S. Rail on January 10, 2012, and reassigned the contract to JP Rail on February 1, 2012.

In the verified notice, JP Rail requests that rail service be permitted to resume as soon as possible because there are shippers on the Line that require rail service. On February 21, 2012, JP Rail filed a petition for waiver of the 30-day period before an exemption can become effective, 49 CFR 1150.42(b), and requested that the notice of exemption be permitted to become effective within 10 days of its February 13, 2012 filing date.

While JP Rail may have assigned its rights and obligations under the 2003 contract to U.S. Rail, the record does not show that JP Rail has ever sought Board authority to discontinue operations over the Line. Similarly, U.S. Rail has not sought Board authority to discontinue operations over the Line. Thus, with two rail carriers currently authorized to provide rail service on the Line, there is no need to rule on JP Rail's waiver petition. This notice of exemption is being issued and published to clarify the status of the parties with respect to the Line and to remove any doubt about JP Rail's authority to operate the Line in the future.

<sup>1</sup> GDOT is department of the State of Georgia organized under Title 32, Chapter 2, of the Official Code of Georgia.

<sup>2</sup> GDOT's verified notice of exemption is deemed to have been filed on February 17, 2012, the date GDOT filed its supplement.

Washington, DC 20423-0001. In addition, one copy of each pleading must be served on John K. Fiorilla, 8000 Midlantic Drive, Suite 300S, Mount Laurel, NJ 08054.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: February 24, 2012.

By the Board.

**Rachel D. Campbell,**

*Director, Office of Proceedings.*

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. 2012-4843 Filed 2-28-12; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Financial Crimes Enforcement Network

#### Agency Information Collection and Reporting Activities; Electronic Filing of Bank Secrecy Act (BSA) Reports; Final Notice

**AGENCY:** Financial Crimes Enforcement Network (FinCEN), Treasury.

**ACTION:** Final notice.

**SUMMARY:** FinCEN is adopting a requirement that all financial institutions subject to Bank Secrecy Act (BSA) reporting use electronic filing for certain reports beginning no later than July 1, 2012. FinCEN will consider limited hardship exemptions in certain circumstances.

**DATES:** Effective date is July 1, 2012.

*Inspection of comments received.* If a financial institution wishes to review comments received in response to the September 16, 2011, **Federal Register** notice they may be inspected, between 10 a.m. and 4 p.m., in the FinCEN reading room in Vienna, VA. Persons wishing to inspect the comments submitted must request an appointment with the Disclosure Officer by telephoning (703) 905-5034 (not a toll free call). Comments received in response to the above notice are not open for further comment. Electronic copies of the received comments may be reviewed at: [http://www.fincen.gov/statutes\\_regs/bsa/bsa\\_data\\_field\\_comment\\_20111118.html](http://www.fincen.gov/statutes_regs/bsa/bsa_data_field_comment_20111118.html).

**FOR FURTHER INFORMATION CONTACT:** The FinCEN Regulatory Helpline at 800-949-2732, select option 7.

#### SUPPLEMENTARY INFORMATION:

*Title:* Bank Secrecy Act Reporting, (31 CFR chapter X).

*Abstract:* The statute generally referred to as the "Bank Secrecy Act," Titles I and II of Public Law 91-508, as amended, codified at 12 U.S.C. 1829b,

12 U.S.C. 1951-1959, and 31 U.S.C. 5311-5332, authorizes the Secretary of the Treasury (Secretary), *inter alia*, to require financial institutions to file reports that are determined to have a high degree of usefulness in criminal, tax, and regulatory matters, or in the conduct of intelligence or counter-intelligence activities to protect against international terrorism, and to implement counter-money laundering programs.<sup>1</sup> Regulations implementing Title II of the BSA appear at 31 CFR chapter X. The authority of the Secretary to administer the BSA has been delegated to the Director of FinCEN.

The Secretary was granted authority with the enactment of Title 31 U.S.C., to require financial institutions and other persons to file various BSA reports. The information collected on the reports is required to be provided pursuant to Title 31 U.S.C., as implemented by FinCEN regulations found throughout 31 CFR chapter X. The information collected pursuant to this authority is made available to appropriate agencies and organizations as disclosed in FinCEN's Privacy Act System of Records Notice.<sup>2</sup>

*Current Action:* In support of Treasury's paperless initiative and efforts to make government operations more efficient, FinCEN has chosen to mandate electronic filing of certain BSA reports effective July 1, 2012.

This requirement will significantly enhance the quality of FinCEN's electronic data, improve its analytic capabilities in supporting law enforcement requirements, and result in a significant reduction in real costs to the U.S. government and ultimately to U.S. taxpayers. Specifically, this action makes mandatory the electronic submission of all BSA reports *excluding* the Report of International Transportation of Currency or Monetary Instrument Report (CMIR).<sup>3</sup> Further, the Report of Cash Payments Over \$10,000

<sup>1</sup> Language expanding the scope of the BSA to intelligence or counter-intelligence activities to protect against international terrorism was added by Section 358 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (the USA PATRIOT Act), Public Law 107-56.

<sup>2</sup> FinCEN completed its triennial review of its System of Records Notices. Updated Notices will be published in the **Federal Register** pending the completion of the required comment period.

<sup>3</sup> All CMIRs are filed with the Department of Homeland Security's Customs and Border Protection (CBP) at the port of entry/exit or mailed to the Commissioner of Customs in Washington, DC. There are no electronic filing capabilities at the ports. A CBP contractor keys the data on the completed form into a data tape that is electronically uploaded to the BSA database. FinCEN receives no paper filed CMIRs.

Received in a Trade or Business (Form 8300) may be filed electronically, but because of statutory restrictions that may pertain to this report, which is required under both FinCEN and IRS regulations,<sup>4</sup> electronic filing of Form 8300 will not be mandatory.

*Background:* Since October 2002, FinCEN has provided financial institutions with the capability of electronically filing BSA reports through its system called BSA E-Filing. Effective August 2011, the system was expanded to support individuals filing the Report of Foreign Bank and Financial Accounts (FBAR) report. BSA E-Filing is a secure, web-based electronic filing system. It is a flexible solution for financial institutions or individuals, whether they file one BSA report or thousands. BSA E-Filing is a service that filers can access by using their existing Internet connections regardless of connection speed. In addition, it is designed to minimize filing errors and provide enhanced feedback to filing institutions or individuals, thereby providing a significant improvement in data quality.

BSA E-Filing, which is provided free of charge, offers streamlined BSA information submission; faster routing of information to law enforcement; greater data security and privacy compared with paper forms; long-term cost savings to institutions, individuals, and the government; and ensures compatibility with future versions of BSA reports.

In addition, BSA E-Filing offers the following features not available to paper filers:

- Electronic notification of submissions, receipt of submission, and errors, warnings, and alerts;
- Batch validation;
- Acknowledgement that a batch-filed currency transaction report (CTR) and/or suspicious activity report (SAR) was received;
- Feedback reports to filers;
- Faster acknowledgement to money services businesses of receipt of their registration;
- Ability to send and receive secure messages;
- Use of Adobe forms that allows users to create templates, reducing data entry but still providing for printing paper copies if the filer wants a paper copy for its internal review and approval processes;
- Ability for supervisory users to assign system roles to their staff; and
- Access to training materials.

In 2010, FinCEN initiated a complete redesign and rebuilding of a new

<sup>4</sup> See 26 U.S.C. 6011(e)(2); see also 26 CFR 1.6050I-1(e)(3)(i) and 31 CFR 1010.330(e)(1).