

Decided: August 15, 2001.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 01-21036 Filed 8-22-01; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-330 (Sub-No. 3X)]

#### Otter Tail Valley Railroad Company— Abandonment Exemption—in Wilkin and Otter Tail Counties, MN

On August 3, 2001, Otter Tail Valley Railroad Company (OTVR) filed with the Surface Transportation Board (Board) a petition under 49 U.S.C. 10502 for exemption from the provisions of 49 U.S.C. 10903 to abandon a 2.65-mile line of railroad known as the Foxhome branch, extending between milepost 58.8 near French, MN, and milepost 61.45 near Foxhome, MN (the end of the line), in Wilkin and Otter Tail Counties, MN. The line traverses U.S. Postal Service Zip Codes 56537 and 56543, and includes the station of Foxhome.

The line does not contain federally granted rights-of-way. Any documentation in OTVR's possession will be made available promptly to those requesting it.

The interest of railroad employees will be protected by the conditions set forth in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

By issuance of this notice, the Board is instituting an exemption proceeding pursuant to 49 U.S.C. 10502(b). A final decision will be issued by November 21, 2001.

Any offer of financial assistance (OFA) under 49 CFR 1152.27(b)(2) will be due no later than 10 days after service of a decision granting the petition for exemption. Each offer must be accompanied by a \$1,000 filing fee. See 49 CFR 1002.2(f)(25).

All interested persons should be aware that, following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use. Any request for a public use condition under 49 CFR 1152.28 or for trail use/rail banking under 49 CFR 1152.29 will be due no later than September 12, 2001. Each trail use request must be accompanied by a \$150 filing fee. See 49 CFR 1002.2(f)(27).

All filings in response to this notice must refer to STB Docket No. AB-330 (Sub-No. 3X) and must be sent to: (1)

Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW, Washington, DC 20423-0001; and (2) Louis E. Gitomer, 1455 F St., NW, Suite 225, Washington, DC 20005. Replies to the petition are due on or before September 12, 2001.

Persons seeking further information concerning abandonment procedures may contact the Board's Office of Public Services at (202) 565-1592 or refer to the full abandonment or discontinuance regulations at 49 CFR part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis (SEA) at (202) 565-1545. [TDD for the hearing impaired is available at 1-800-877-8339.]

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by SEA will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Other interested persons may contact SEA to obtain a copy of the EA (or EIS). EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition.

The deadline for submission of comments on the EA will generally be within 30 days of its service.

Board decisions and notices are available on our website at "WWW.STB.DOT.GOV."

Decided: August 17, 2001.

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

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 01-21331 Filed 8-22-01; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

August 14, 2001.

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 2110, 1425 New York Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before September 24, 2001 to be assured of consideration.

### Internal Revenue Service (IRS)

*OMB Number:* 1545-0203.

*Form Number:* IRS Form 5329.

*Type of Review:* Extension.

*Title:* Additional Taxes to IRAs, Other Qualified Retirement Plans, Annuities, Modified Endowment Contracts and MSAs.

*Description:* This form is used to compute and collect taxes related to early distributions from individual retirement arrangements (IRAs) and other qualified retirement plans; distributions from education (ED) IRAs not used for educational expenses; excess contributions to traditional IRAs, ED IRAs and medical savings accounts (MSAs); and excess accumulations in qualified retirement plans.

*Respondents:* Individuals or households.

*Estimated Number of Respondents/Recordkeepers:* 1,000,000.

*Estimated Burden Hours Per Respondent/Recordkeeper:*

Recordkeeping—2 hr., 5 min.

Learning about the law or the form—33 min.

Preparing the form—2 hr., 7 min.

Copying, assembling, and sending the form to the IRS—14 min.

*Frequency of Response:* On occasion.

*Estimated Total Reporting/Recordkeeping Burden:* 937,000 hours.

*OMB Number:* 1545-1032.

*Form Number:* IRS Form 8689.

*Type of Review:* Extension.

*Title:* Allocation of Individual Income Tax to the Virgin Islands.

*Description:* Form 8689 is used by U.S. citizens or residents as an attachment to Form 1040 when they have Virgin Islands source income. The data is used by IRS to verify the amount claimed on Form 1040 for taxes paid to the Virgin Islands.

*Respondents:* Individuals or households.

*Estimated Number of Respondents/Recordkeepers:* 800.

*Estimated Burden Hours Per Respondent/Recordkeeper:*

Recordkeeping—2 hr., 44 min.

Learning about the law or the form—19 min.

Preparing the form—1 hr., 1 min.

Copying, assembling, and sending the form to the IRS—20 min.

*Frequency of Response:* Annually.

*Estimated Total Reporting/Recordkeeping Burden:* 3,512 hours.

*OMB Number:* 1545-1141.

*Notice Number:* Notice 89-102.

*Type of Review:* Extension.

*Title:* Treatment of Acquisition of Certain Financial Institutions; Tax Consequences of Federal Financial Assistance.

*Description:* Section 597 of the Internal Revenue Code provides that the Secretary provide guidance concerning the tax consequences of Federal financial assistance received by qualifying institutions. These institutions may defer payment of Federal income tax attributable to the assistance. Required information identifies deferred tax liabilities.

*Respondents:* Business or other for-profit.

*Estimated Number of Respondents:* 250.

*Estimated Burden Hours Per Respondent:* 30 minutes.

*Frequency of Response:* Annually.

*Estimated Total Reporting Burden:* 125 hours.

*OMB Number:* 1545-1552.

*Form Number:* IRS Form 8839.

*Type of Review:* Extension.

*Title:* Qualified Adoption Expenses.

*Description:* Section 23 of the Internal Revenue Code allows taxpayers to claim a nonrefundable tax credit for qualified adoption expenses paid or incurred by the taxpayer. Code section 137 allows taxpayers to exclude amounts paid or expenses incurred by an employer for the qualified adoption expenses of the employee which are paid under an adoption assistance program. Form 8839 is used to figure the credit and/or exclusion.

*Respondents:* Individuals or households.

*Estimated Number of Respondents/Recordkeepers:* 27,271.

*Estimated Burden Hours Per Respondent/Recordkeeper:*

Recordkeeping—45 min.

Learning about the law or the form—17 min.

Preparing the form—1 hr., 49 min.

Copying, assembling, and sending the form to the IRS—34 min.

*Frequency of Response:* Annually.

*Estimated Total Reporting/Recordkeeping Burden:* 92,724 hours.

*OMB Number:* 1545-1619.

*Form Number:* IRS Form 8862.

*Type of Review:* Extension.

*Title:* Information to Claim Earned Income Credit After Disallowance.

*Description:* Section 32 of the Internal Revenue Code allows taxpayers as earned income credit (EIC) for each of their qualifying children. Section 32(k), as enacted by section 1085(a)(1) of P.L. 105-34, disallows the EIC for a statutory period if the taxpayer improperly claimed it in a prior year. Form 8862 helps taxpayers reestablish their eligibility to claim the EIC.

*Respondents:* Individuals or households.

*Estimated Number of Respondents/Recordkeepers:* 1,000,000.

*Estimated Burden Hours Per Respondent/Recordkeeper:*

Recordkeeping—52 min.

Learning about the law or the form—7 min.

Preparing the form—1 hr., 11 min.

Copying, assembling, and sending the form to the IRS—34 min.

*Frequency of Response:* Annually.

*Estimated Total Reporting/Recordkeeping Burden:* 2,760,000 hours.

*Clearance Officer:* Garrick Shear, Internal Revenue Service, Room 5244, 1111 Constitution Avenue, NW., Washington, DC 20224.

*OMB Reviewer:* Alexander T. Hunt, (202) 395-7860, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, DC 20503.

**Lois K. Holland,**

*Departmental Reports Management Officer.*

[FR Doc. 01-21233 Filed 8-22-01; 8:45 am]

**BILLING CODE 4830-01-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

August 16, 2001.

The Department of the 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 2110, 1425 New York Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before September 24, 2001 to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-1142.

*Regulation Project Number:* INTL-939-86 NPRM.

*Type of Review:* Extension.

*Title:* Insurance Income of a Controlled Foreign Corporation for Taxable Years Beginning After December 11, 1986.

*Description:* The information is required to determine the location of moveable property; allocate income and deductions to the proper category of

insurance income, determine those amounts for computing taxable income that are derived from an insurance company annual statement, and permit a Controlled Foreign Corporation (CFC) to elect to treat related person insurance income as income effectively connected with the conduct of a U.S. trade or business. The respondents will be businesses or other for-profit institutions.

*Respondents:* Business or other for-profit.

*Estimated Number of Respondents/Recordkeepers:* 500.

*Estimated Burden Hours Per Respondent/Recordkeeper:* 28 hours, 12 minutes.

*Frequency of Response:* Annually.

*Estimated Total Reporting/Recordkeeping Burden:* 14,100 hours.

*OMB Number:* 1545-1615.

*Regulation Project Number:* REG-118926-97 Final.

*Type of Review:* Extension.

*Title:* Notice of Certain Transfers to Foreign Partnerships and Foreign Corporations.

*Description:* Section 6038B requires U.S. persons to provide certain information when they transfer property to a foreign partnership or foreign corporation. This regulation provides reporting rules to identify United States persons who contribute property to foreign partnerships and to ensure the correct reporting of items with respect to those partnerships.

*Respondents:* Business or other for-profit, individuals or households.

*Estimated Number of Respondents:* 1.

*Estimated Burden Hours Per Respondent:* 1 hour.

*Frequency of Response:* On occasion.

*Estimated Total Reporting Burden:* 1 hour.

*Clearance Officer:* Garrick Shear, Internal Revenue Service, Room 5244, 1111 Constitution Avenue, NW., Washington, DC 20224.

*OMB Reviewer:* Alexander T. Hunt, (202) 395-7860, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, DC 20503.

**Lois K. Holland,**

*Departmental Reports Management Officer.*

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