

timely and cost-effective acquisition of equipment and materials. In the Appropriations Act, Congress expressly directed the FAA to create the new acquisition system without reference to existing procurement statutes and regulations. The result was the development of the FAA's Acquisition Management System (AMS) and the establishment of the Office of Dispute Resolution for Acquisition (ODRA). Subsequently, Congress enacted the Vision 100—Century of Aviation Reauthorization Act, Pub. L. No. 108–176, 117 Stat. 2490 (2003), which specifies the ODRA as the exclusive forum for the resolution and adjudication of bid protests and contract disputes arising from AMS acquisitions and contracts. Under these statutes, the ODRA is mandated to resolve bid protests and contract disputes in a timely and efficient manner, using consensual alternative dispute resolution techniques to the maximum extent practicable. A final procedural rule that took effect on June 28, 1999 for ODRA bid protests and contract disputes was published in the **Federal Register** on June 18, 1999 (64 FR 34926). Technical corrections to the rule were published in the **Federal Register** on August 31, 1999 (64 FR 47361). The full text of the March 10, 2004 delegation from the Administrator to the ODRA Director provides the ODRA Director with additional authority to act on behalf of the Administrator with respect to ODRA bid protests and contract disputes as follows:

In order to render more efficient the FAA acquisition dispute resolution process, pursuant to 49 U.S.C. § 106(f)(2), 49 U.S.C. 40101, *et seq.*, and 46101, *et seq.*, and 14 CFR part 17, I hereby delegate to the Associate Chief Counsel/Director, Office of Dispute Resolution for Acquisition (“ODRA”) authority to execute and issue on behalf of the Administrator, orders and final decisions for the FAA in all matters within the ODRA's jurisdiction, provided that such matters involve either: (1) A bid protest concerning an acquisition having a value or potential value of not more than five million dollars (\$5,000,000.00); or (2) a contract dispute involving a total amount to be adjudicated, exclusive of interest, legal fees or costs, of not more than five million dollars (\$5,000,000.00). The Associate Chief Counsel/ODRA Director further is authorized to execute and issue orders and final decisions on behalf of the Administrator for any applications made pursuant to the Equal Access to Justice Act for matters within the ODRA's jurisdiction.

The foregoing authority may not be re-delegated.

This delegation supplements and expands the authority previously delegated on July 29, 1998 and supersedes the delegation issued to the Associate Chief Counsel/Director of the ODRA on March 27, 2000. This delegation does not preclude the Associate Chief Counsel/Director of the ODRA from requesting, in any matter before the ODRA, that the order setting forth the final decision of the FAA be executed by the Administrator.

Issued in Washington, DC, on March 10, 2004.

**Andrew B. Steinberg,**

*Chief Counsel.*

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**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Delegation of Authority

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice delegation of authority.

**SUMMARY:** The FAA is giving notice of a specific delegation of authority from the FAA Administrator to the Associate Chief Counsel/Director, Office of Dispute Resolution for Acquisition (hereinafter the “ODRA Director”), in all contests involving Agency actions associated with the FAA's adaptation of Office of Management and Budget (“OMB”) Circular A–76. The delegation was set forth in a memorandum signed by the Administrator dated March 10, 2004. The FAA is publishing the text of the delegation, so that it is available to interested parties.

#### FOR FURTHER INFORMATION CONTACT:

Marie A. Collins, Staff Attorney and Dispute Resolution Officer for the Office of Dispute Resolution for Acquisition (AGC–70), Federal Aviation Administration, 800 Independence Street, SW., Room 323, Washington, DC 20591; telephone (202) 267–3290; facsimile (202) 267–3720.

**SUPPLEMENTARY INFORMATION:** Under the Department of Transportation and Related Agencies Appropriations Act of 1996, Pub. L. No. 104–50, 109 Stat. 436 (1995) (“Appropriations Act”), Congress directed the FAA to develop an acquisition system that addresses the mission and unique needs of the Agency and at a minimum, provides for more timely and cost-effective acquisition of equipment and materials. In the Appropriations Act, Congress expressly directed the FAA to create the new

acquisition system without reference to existing procurement statutes and regulations. The result was the development of the FAA's Acquisition Management System (AMS) and the establishment of the Office of Dispute Resolution for Acquisition (ODRA). Under the AMS, the FAA follows the policies of the OMB Circular A–76, (Revised) Performance of Commercial Activities to the extent that such policies are consistent with FAA's statutory mandate. In accordance with OMB Circular A–76, the subject delegation implements the FAA's policy that directly interested parties may contest certain actions taken in connection with FAA competition, pursuant to contest procedures administered by the ODRA. Rules governing contests are published in the ODRA Web site at <http://www.faa.gov/agc/odra/index.htm>.

The full text of the March 10, 2004 delegation from the Administrator to the ODRA Director provides as follows:

Under 49 U.S.C. 106(f)(2), 49 U.S.C. 46101, *et seq.*, Pub. L. No. 104–50, Pub. L. No. 108–176, and Pub. L. No. 108–199, I delegate to the Associate Chief Counsel/Director, Office of Dispute Resolution for Acquisition (“ODRA”) authority in all contests involving Agency actions associated with the FAA's adaptation of Office of Management and Budget (“OMB”) Circular A–76, as follows:

- a. To administer individual contests and to appoint ODRA Dispute Resolution Officers and Special Masters to administer all or portions of such contests;
- b. To conduct contest proceedings and to prepare findings and recommendations for the Administrator or the Administrator's delegee, who will issue final decisions in such contests.
- c. To deny motions for dismissal or summary relief which have been submitted to the ODRA by parties to contests;
- d. To grant or deny motions for partial dismissal or partial summary relief submitted to the ODRA by parties to contests, or to order such partial dismissals on its own initiative;
- e. To dismiss contests, based on voluntary withdrawals by the parties which have instituted such proceedings;
- f. To dismiss contests, where the parties to such proceedings have achieved a settlement;
- g. To issue procedural rules and interlocutory orders aimed at proper and efficient case management, including, without limitation, scheduling orders, subpoenas, sanctions orders for failure of discovery, and the like;

h. To issue protective orders aimed at prohibiting the public dissemination of certain information and materials provided to the ODRA and opposing parties during the course of contest proceedings, including, but not limited to, documents or other materials reflecting trade secrets, confidential financial information and other proprietary or competition-sensitive data, as well as confidential Agency source selection information the disclosure of which might jeopardize future Agency procurement activities;

i. To utilize consensual alternative dispute resolution (ADR) methods in accordance with established Department of Transportation and FAA policies;

j. To engage with Agency program offices and contractors in voluntary mutually agreeable ADR efforts aimed at resolving issues relating to potential contests at the earliest possible stage, even before a contest is formally filed with the ODRA;

k. To take all other reasonable steps deemed necessary and proper for the management of the FAA dispute resolution system for the resolution of contests, in accordance with the Acquisition Management System and applicable law and policy.

The Associate Chief Counsel/Director of the ODRA may redelegate the authority set forth above, in whole or in part, to an ODRA Dispute Resolution Officer or to a Special Master.

Issued in Washington, DC, on March 10, 2004.

**Andrew B. Steinberg,**  
Chief Counsel.

[FR Doc. 04-7491 Filed 4-1-04; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34482]

#### Old Augusta Railroad, LLC— Acquisition and Operation Exemption—Assets of Old Augusta Railroad Company

Old Augusta Railroad, LLC (OARLLC), a newly created Class III railroad, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire and operate a short line railroad currently operated by the Old Augusta Railroad Company (OARC). OARLLC indicates that, on February 26, 2004, Koch Cellulose (Koch), the parent corporation of OARLLC, entered into an agreement with Georgia Pacific Corporation (Georgia Pacific) and various subsidiaries of Georgia Pacific to

acquire Georgia Pacific's non-integrated market and fluff pulp operations. In connection with this transaction, Koch will also acquire Georgia Pacific's Leaf River Pulp Mill in New Augusta, MS, and substantially all of the assets of OARC, including OARC's 2.5-mile short line railroad that it currently operates between the Leaf River Pulp Mill and the Canadian National Railway Company interchange. Before the closing of the transaction, Koch will assign to OARLLC its right to acquire the assets of OARC, and, upon the closing of the transaction, OARLLC will acquire and operate OARC's short line railroad.

OARLLC certifies that its projected annual revenues will not exceed those that would qualify it as a Class III rail carrier and will not result in the creation of a Class II or Class I rail carrier.

OARLLC states that it expects to consummate the transaction in the first week of May 2004.

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 transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34482, 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 Raffaele G. Fazio, Senior Counsel, Koch Industries, Inc., P.O. Box 2256, Wichita, KS 67201.

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

Decided: March 23, 2004.

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

**Vernon A. Williams,**  
Secretary.

[FR Doc. 04-7070 Filed 4-1-04; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Form 4952

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent

burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 4952, Investment Interest Expense Deduction.

**DATES:** Written comments should be received on or before June 1, 2004 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Glenn P. Kirkland, Internal Revenue Service, room 6411, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form and instructions should be directed to Carol Savage at Internal Revenue Service, room 6407, 1111 Constitution Avenue NW., Washington, DC 20224, or at (202) 622-3945, or through the Internet at [CAROL.A.SAVAGE@irs.gov](mailto:CAROL.A.SAVAGE@irs.gov).

#### SUPPLEMENTARY INFORMATION:

*Title:* Investment Interest Expense Deduction.

*OMB Number:* 1545-0191.

*Form Number:* Form 4952.

*Abstract:* Interest expense paid by an individual, estate, or trust on a loan allocable to property held for investment may not be fully deductible in the current year. Form 4952 is used to compute the amount of investment interest expense deductible for the current year and the amount, if any, to carry forward to future years.

*Current Actions:* There are no changes being made to the form at this time.

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

*Affected Public:* Individuals or households and business or other for-profit organizations.

*Estimated Number of Respondents:* 800,000.

*Estimated Time Per Respondent:* 3 hours, 23 minutes.

*Estimated Total Annual Burden Hours:* 2,700,000.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.