

Comments or questions concerning this proposed action and the EIS should be directed to the FHWA, NYSDOT or ECHDC at the addresses provided above. (Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 315; U.S.C. 771.123.

Issued on April 7, 2009.

**Jeffrey W. Kolb,**

*Division Administrator, New York Division,  
Federal Highway Administration, Albany,  
New York.*

[FR Doc. E9-8392 Filed 4-10-09; 8:45 am]

**BILLING CODE 4910-22-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Commercial Space Transportation Advisory Committee—Open Meeting

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

**ACTION:** Notice of Commercial Space Transportation Advisory Committee open meeting.

**SUMMARY:** Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C. App. 2), notice is hereby given of a meeting of the Commercial Space Transportation Advisory Committee (COMSTAC). The meeting will take place on Thursday, May 21, 2009, starting at 8 a.m. at the Federal Aviation Administration Headquarters Building, 800 Independence Avenue, SW., Washington, DC, in the Bessie Coleman Conference Center, located on the 2nd Floor. This will be the forty-ninth meeting of the COMSTAC.

The proposed agenda for this meeting will focus on discussions concerning several critical issues, including:

- The impact of the current economy on the U.S. commercial space transportation industry;
- Space situational awareness, space traffic management, and FAA's role in these areas;
- Identifying the critical issues impacting operations at U.S. federal and non-federal launch sites that the COMSTAC should be considering.

There will also be briefings on the 2009 Commercial Space Transportation Market Forecasts and discussions and activity reports by the chairpersons of the COMSTAC working groups. Subject to approval, a portion of the May 21st

meeting will be closed to the public (starting at 3:45 p.m.).

Interested members of the public may submit relevant written statements for the COMSTAC members to consider under the advisory process. Statements may be concerning the issues and agenda items mentioned above and/or additional issues that may be relevant for the U.S. commercial space transportation industry. Interested parties wishing to submit written statements should contact Brenda Parker, DFO, (the Contact Person listed below) in writing (mail or e-mail) by May 1, 2009, so that the information can be made available to COMSTAC members for their review and consideration prior to the May 21st meeting. Written statements should be supplied in the following formats: one hard copy with original signature and/or one electronic copy via e-mail.

An agenda will be posted on the FAA Web site at <http://ast.faa.gov>. For specific information concerning the times and locations of the COMSTAC working group meetings, contact the Contact Person listed below.

Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should inform the Contact Person listed below in advance of the meeting.

**FOR FURTHER INFORMATION CONTACT:** Brenda Parker (AST-100), Office of Commercial Space Transportation (AST), 800 Independence Avenue, SW., Room 331, Washington, DC 20591, telephone (202) 267-3674; E-mail [brenda.parker@faa.gov](mailto:brenda.parker@faa.gov). Complete information regarding COMSTAC is available on the FAA Web site at: [http://www.faa.gov/about/office\\_org/headquarters\\_offices/ast/advisory\\_committee/](http://www.faa.gov/about/office_org/headquarters_offices/ast/advisory_committee/).

Issued in Washington, DC, April 6, 2009.

**George C. Nield,**

*Associate Administrator for Commercial Space Transportation.*

[FR Doc. E9-8367 Filed 4-10-09; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Ex Parte 680 (Sub-No. 1)]

#### Supplemental Report to the U.S. Surface Transportation Board on Capacity and Infrastructure Investment

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Notice.

**SUMMARY:** The Surface Transportation Board seeks written public comments on the independent study prepared by Christensen Associates, Inc., entitled *Supplemental Report to the U.S. Surface Transportation Board on Capacity and Infrastructure Investment*, released on April 8, 2009 (*Report*). This report supplements an earlier report by Christensen Associates, released in November 2008, *A Study of Competition in the U.S. Freight Railroad Industry and Analysis of Proposals That Might Enhance Competition*.

**DATES:** Comments are due on or before May 8, 2009. Replies to comments are due by May 28, 2009.

**ADDRESSES:** Comments and replies may be submitted either via the Board's e-filing format or in traditional paper format. Any person using e-filing should attach a document and otherwise comply with the instructions at the E-FILING link on the Board's Web site at <http://www.stb.dot.gov>. Any person submitting a filing in the traditional paper format should send an original and 10 copies referring to STB Ex Parte No. 680 (Sub-No. 1) to: Surface Transportation Board, 395 E Street, SW., Washington, DC 20423-0001.

**FOR FURTHER INFORMATION CONTACT:** Timothy Strafford, (202) 245-0356. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at: (800) 877-8339.]

**SUPPLEMENTARY INFORMATION:** In September 2007, the Board awarded a contract to Christensen Associates to conduct an independent study that provides a comprehensive analysis of a wide range of issues including competition, capacity, and the interplay between the two. After the study was released, the Board held a public meeting on November 6, 2008, with Christensen Associates to discuss it.

In August 2008, to supplement this study, the Board called for an analysis of long-term forecasts of freight rail demand, particularly the U.S. Department of Transportation's Freight Analysis Framework (FAF). The Board requested a review of FAF and augmentation of FAF to permit greater incentive-based responses by economic agents and to test the sensitivity of FAF to key inputs, such as fuel prices and rates.

The *Report* compares the FAF commodity flow forecasts to other macroeconomic and commodity-specific forecasts to develop alternative forecast scenarios of future freight rail volumes. The *Report* also analyzes the 2007 Cambridge Systematics study that used the FAF commodity flow forecasts to

estimate the amount of infrastructure investment needed to meet the projected demand for rail service through 2035. The *Report* further discusses the role of public involvement in railroad infrastructure investment.

The Board has made this supplemental report available to the public via its Web site, <http://www.stb.dot.gov>, and now seeks public comments and replies from all interested persons.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Decided: April 8, 2009.

By the Board, Anne K. Quinlan, Acting Secretary.

**Jeffrey Herzig,**

*Clearance Clerk.*

[FR Doc. E9-8317 Filed 4-10-09; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

April 6, 2009.

The Department of the Treasury will submit the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13 on or after the date of publication of this notice. 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 May 13, 2009 to be assured of consideration.

### Financial Crimes Enforcement Network (FinCEN)

*OMB Number:* 1506-0029.

*Type of Review:* Extension.

*Title:* Suspicious Activity Report by Insurance Companies.

*Form:* 108.

*Description:* 31 CFR 103.16 requires insurance companies to report suspicious activities to the Financial Crimes Enforcement Network. FinCEN Form 108 is an aid to this required reporting providing the filer with a guide in completing this reporting requirement.

*Respondents:* Businesses or other for-profits.

*Estimated Total Reporting Burden:* 14,400 hours.

*Clearance Officer:* Russell Stephenson, (202) 354-6012, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183.

*OMB Reviewer:* Shagufta Ahmed, (202) 395-7873, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503.

**Celina Elphage,**

*Treasury PRA Clearance Officer.*

[FR Doc. E9-8306 Filed 4-10-09; 8:45 am]

**BILLING CODE 4810-02-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

April 6, 2009.

The Department of the Treasury will submit the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13 on or after the date of publication of this notice. 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, and 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before May 13, 2009 to be assured of consideration.

### Internal Revenue Service (IRS)

*OMB Number:* 1545-0916.

*Type of Review:* Extension.

*Title:* EE-96-85 (NPRM) and EE-63-84 (Temporary regulations) Effective Dates and Other Issues Arising Under the Employee Benefit Provisions of the Tax Reform Act of 1984.

*Description:* These temporary regulations provide rules relating to effective dates and other issues arising under sections 91, 223 and 511-561 of the Tax Reform Act of 1984.

*Respondents:* Businesses or other for-profits.

*Estimated Total Burden Hours:* 4,000 hours.

*OMB Number:* 1545-1957.

*Type of Review:* Extension.

*Title:* Notice 2005-64, Foreign Tax Credit and Other Guidance under Section 965.

*Description:* This document provides guidance under new section 965

enacted by the American Jobs Creation Act of 2004 (Pub. L. 108-357). In general, and subject to limitation and conditions, section 965(a) provides that a corporation that is a U.S. shareholder of a controlled foreign corporation (CFC) may elect, for one taxable year, an 85 percent dividends received deduction (DRD) with respect to certain cash dividends it receives from its CFC's. Section 965(f) provides that taxpayers may elect the application of section 965 for either the taxpayer's last taxable year which begins before October 22, 2004, or the taxpayer's.

*Respondents:* Businesses or other for-profits.

*Estimated Total Burden Hours:* 250,000 hours.

*OMB Number:* 1545-1671.

*Type of Review:* Extension.

*Title:* REG-209709-94 (Final) Amortization of Intangible Property.

*Description:* The information is required by the IRS to aid it in administering the law and to implement the election provided by section 197(f)(9)(B) of the Internal Revenue Code. The information will be used to verify that a taxpayer is properly reporting its amortization and income taxes.

*Respondents:* Businesses or other for-profits.

*Estimated Total Burden Hours:* 1,500 hours.

*OMB Number:* 1545-1528.

*Type of Review:* Extension.

*Title:* Revenue Procedure 97-15, Section 103—Remedial Payment Closing Agreement Program.

*Description:* This information is required by the Internal Revenue Service to verify compliance with sections 57, 103, 141, 142, 144, 145, and 147 of the Internal Revenue Code of 1986, as applicable (including any corresponding provision, if any, of the Internal Revenue Code of 1954). This information will be used by the Service to enter into a closing agreement with the issuer of certain state or local bonds and to establish the closing agreement amount.

*Respondents:* State, Local, and Tribal Governments.

*Estimated Total Burden Hours:* 75 hours.

*Clearance Officer:* R. Joseph Durbala, (202) 622-3634, Internal Revenue Service, Room 6516, 1111 Constitution Avenue, NW., Washington, DC 20224.

*OMB Reviewer:* Shagufta Ahmed, (202) 395-7873, Office of Management and Budget, Room 10235, New