

May 22, 2003, in accordance with the agreement of the parties.

**DATES:** This exemption will be effective on May 23, 2003. Petitions to reopen must be filed by June 19, 2003.

**ADDRESSES:** An original and 10 copies of all pleadings referring to STB Finance Docket No. 34345 (Sub-No. 1) must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of all pleadings must be served on BNSF's representative: Michael E. Roper, 2500 Lou Menk Drive, P.O. Box 961039, Fort Worth, TX 76161-0039.

**FOR FURTHER INFORMATION CONTACT:** Joseph H. Dettmar (202) 565-1600 (Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339).

**SUPPLEMENTARY INFORMATION:** Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: Dã 2 Dã Legal Copy Service, Suite 405, 1925 K Street, NW., Washington, DC 20006. Telephone: (202) 293-7776. (Assistance for the hearing impaired is available through FIRS at 1-800-877-8339.)

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

Decided: May 23, 2003.

By the Board, Chairman Nober.

**Vernon A. Williams,**  
Secretary.

[FR Doc. 03-13537 Filed 5-29-03; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF THE TREASURY

### Community Development Financial Institutions Fund

#### Proposed Collection; Comment Request

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

**SUMMARY:** The Department of 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. No. 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Community Development Financial Institutions Fund (the Fund) of the Department of the Treasury is soliciting comments concerning an information collection required by the allocation agreement that will be

entered into by the Fund and allocatees of the New Markets Tax Credit (NMTC) Program. The specific information collection relates to the section of the allocation agreement that requires an allocatee to provide notice to the Fund of the receipt of a Qualified Equity Investment. The Fund will publish a separate notice seeking public comments regarding other information collections contained in the allocation agreement (e.g., use of QEI proceeds).

**DATES:** Written comments should be received on or before July 29, 2003, to be assured of consideration.

**ADDRESS:** Direct all comments to Matthew Josephs, Acting Financial Equity Manager, Community Development Financial Institutions Fund, U.S. Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, Facsimile Number (202) 622-8911.

**FOR FURTHER INFORMATION CONTACT:** A draft of the information collection may be obtained from the Fund's Web site at <http://www.cdfifund.gov>. Requests for additional information should be directed to Matthew Josephs, Acting Financial Equity Manager, Community Development Financial Institutions Fund, U.S. Department of the Treasury, 601 13th Street, NW., Suite 200 South, Washington, DC 20005, or by phone to (202) 622-7373.

**SUPPLEMENTARY INFORMATION:** *Title:* New Markets Tax Credit Program—Allocation Agreement, Notice of Receipt of Qualified Equity Investment.

*Abstract:* Title I, subtitle C, section 121 of the Community Renewal Tax Relief Act of 2000 (the Act), as enacted by section 1(a)(7) of the Consolidated Appropriations Act, 2001 (Pub. L. No. 106-554, December 21, 2000), amended the Internal Revenue Code (IRC) by adding IRC § 45D, New Markets Tax Credit. Pursuant to IRC § 45D, the Department of the Treasury, through the Fund, administers the NMTC Program, which will provide an incentive to investors in the form of tax credits over seven years, which is expected to stimulate the provision of private investment capital that, in turn, will facilitate economic and community development in low-income communities. In order to qualify for an allocation of tax credits under the NMTC Program, an entity must be certified as a qualified community development entity and submit an allocation application to the Fund. Upon receipt of such applications, the Fund will conduct a competitive review process to evaluate applications for the receipt of NMTC allocations. Entities receiving an NMTC allocation must

enter into an allocation agreement with the Fund. The allocation agreement contains the terms and conditions, including all reporting requirements, associated with the receipt of a NMTC allocation. The Fund will require each allocatee to use an electronic data collection and submission system, known as the allocation tracking system, to report on the information related to its receipt of a Qualified Equity Investment.

The Fund has developed the allocation tracking system to, among other things: (1) Enhance the allocatee's ability to report to the Fund timely information regarding the issuance of its Qualified Equity Investments; (2) enhance the Treasury Department's ability to monitor the issuance of Qualified Equity Investments to ensure that no allocatee exceeds its allocation authority, and to ensure that Qualified Equity Investments are issued within the timeframes required by the allocation agreement and the NMTC Program regulations; and (3) provide the Treasury Department with basic investor data which may be aggregated and analyzed in connection with NMTC Program evaluation efforts.

*Current Actions:* Selected allocatees for the NMTC Program.

*Type of review:* New.

*Affected Public:* Business or other for-profit institutions, not-for-profit institutions and State, local and tribal entities.

*Estimated Number of Respondents:* 66.

*Estimated Annual Time Per Respondent:* 1 hour.

*Estimated Total Annual Burden Hours:* 66 hours.

*Requests for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. The specific section of the allocation agreement for which comments are sought is the reporting requirement that allocatees provide notice to the Fund, through the Fund's allocation tracking system, of the receipt of a Qualified Equity Investment. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use

of technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services required to provide information.

**Authority:** Consolidated Appropriations Act of 2001, Pub. L. No. 106-554; 31 U.S.C. 321.

Dated: May 22, 2003.

**Tony T. Brown,**

*Director, Community Development Financial Institutions Fund.*

[FR Doc. 03-13574 Filed 5-29-03; 8:45 am]

**BILLING CODE 4810-70-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Revenue Procedure 2003-38

**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, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Revenue Procedure 2003-38, Commercial Revitalization Deduction.

**DATES:** Written comments should be received on or before July 29, 2003 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 revenue procedure 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:* Commercial Revitalization Deduction.

*OMB Number:* 1545-1818.

*Revenue Procedure Number:* Revenue Procedure 2003-38.

*Abstract:* Pursuant to § 1400I of the Internal Revenue Code, Revenue Procedure 2003-38 provides the time

and manner for states to make allocations of commercial revitalization expenditures to a new or substantially rehabilitated building that is placed in service in a renewal community.

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

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

*Affected Public:* State, local and tribal governments, and business or other for-profit organizations.

*Estimated Number of Respondents:* 80.

*Estimated Average Time Per Respondent:* 2 hours, 30 minutes.

*Estimated Total Annual Burden Hour:* 200.

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.

*Request for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: May 22, 2003.

**Glenn P. Kirkland,**

*IRS Reports Clearance Officer.*

[FR Doc. 03-13580 Filed 5-29-03; 8:45 am]

**BILLING CODE 4830-01-P**

## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0165]

### Agency Information Collection Activities Under OMB Review

**AGENCY:** Office of Management, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C., 3501 *et seq.*), this notice announces that the Office of Management (OM), Department of Veterans Affairs, has submitted the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden; it includes the actual data collection instrument.

**DATES:** Comments must be submitted on or before June 30, 2003.

**FOR FURTHER INFORMATION OR A COPY OF THE SUBMISSION CONTACT:** Denise McLamb, Records Management Service (005E3), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273-8030, FAX (202) 273-5981 or e-mail: [denise.mclamb@mail.va.gov](mailto:denise.mclamb@mail.va.gov). Please refer to "OMB Control No. 2900-0165."

Send comments and recommendations concerning any aspect of the information collection to VA's OMB Desk Officer, OMB Human Resources and Housing Branch, New Executive Office Building, Room 10235, Washington, DC 20503 (202) 395-7316. Please refer to "OMB Control No. 2900-0165" in any correspondence.

**SUPPLEMENTARY INFORMATION:** *Title:* Financial Status Report, VA Form 5655. *OMB Control Number:* 2900-0165.

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

*Abstract:* VA Form 5655 is attached to first collection letters sent to debtors owing VA benefit debts. Submission of the completed form is voluntary on the part of the debtor unless he or she requests waiver of collection, makes a compromise offer, wishes to make installment payments or establish his or her inability to pay the debt under any circumstances. Federal employees subject to salary offset may use Form 5655 to support their contention that the proposed offset schedule would create extreme hardship. The information obtained is used to determine the financial status of the debtors.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information