

DEPARTMENT OF TRANSPORTATION**Surface Transportation Board****[STB Finance Docket No. 34657]****BNSF Railway Company—Trackage Rights Exemption—Union Pacific Railroad Company**

Union Pacific Railroad Company (UP) has agreed to grant overhead trackage rights to BNSF Railway Company, f/k/a The Burlington Northern and Santa Fe Railway Company (BNSF), over: (1) A line of railroad between UP's milepost 1.7 at a station known as Tower 30, on UP's Glidden Subdivision and Strang yard, TX, and UP's milepost 21.5 on UP's Strang Subdivision; and (2) portions of a line of railroad between Tower 30 and Strang yard that are owned by the Port of Houston (PHA), maintained by the Port Terminal Railroad Association (PTRA), and jointly operated by PTRA and UP pursuant to UP's contractual arrangements with PHA and PTRA.¹ The line is located in the State of Texas. The total distance of the trackage rights granted to BNSF is approximately 15.6 miles.

The transaction was scheduled to be consummated on February 1, 2005, and operations under this exemption were scheduled to begin on that date. The purpose of the temporary trackage rights is to allow BNSF access to a limited subset of facilities on the Bayport Loop, southeast of Houston, TX, and BNSF's system trackage in the Houston terminal, including, without limitation, access to BNSF's existing rights between Tower 30 and the East and West Belts.

As a condition to this exemption, any employees affected by the acquisition of the temporary trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it 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. 34657, 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 Sarah W. Bailiff, Senior General Attorney, BNSF Railway Company, P.O. Box 961039, Fort Worth, TX 76161-0039.

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

Decided: February 4, 2005.

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

Vernon A. Williams,

Secretary.

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BILLING CODE 4915-01-P

DEPARTMENT OF VETERANS AFFAIRS**Privacy Act of 1974; New System of Records**

AGENCY: Department of Veterans Affairs.

ACTION: Notice of new system of records.

SUMMARY: The Privacy Act of 1974 (5 U.S.C. 552a(e)(4)) requires that all agencies publish in the **Federal Register** a notice of the existence of and character of their systems of records. Notice is hereby given that the Department of Veterans Affairs (VA) is adding a new system of records entitled "Purchase Credit Card Program—VA" (131VA047).

DATES: To assure consideration, written comments mailed to the Department as provided below must be postmarked no later than March 14, 2005, and written comments hand delivered to the Department and comments submitted electronically must be received as provided below, no later than 5 p.m. Eastern Time on March 14, 2005. If no public comment is received during the 30-day review period allowed for public comment, or unless otherwise published in the **Federal Register** by VA, the new system of records statement is effective March 14, 2005.

ADDRESSES: Written comments concerning the proposed amended system of records may be submitted by: Mail or hand-delivery to Director, Regulations Management (OOREG1), Department of Veterans Affairs, 810 Vermont Avenue, NW., Room 1068, Washington, DC 20420; fax to (202) 273-9026; or e-mail to "VAregulations@mail.va.gov". All comments received will be available for public inspection in the Office of Regulation Policy and Management, Room 1063B, between the hours of 8

a.m. and 4:30 p.m., Monday through Friday (except holidays). Please call (202) 273-9515 for an appointment.

FOR FURTHER INFORMATION CONTACT: Peter Mulhern, Office of Financial Policy (047GC1), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273-5570.

SUPPLEMENTARY INFORMATION:**I. Description of the Proposed System of Records**

The General Services Administration has established a governmentwide charge card service. This service is used as a payment mechanism and is designed to provide better financial and cash management controls over the Federal Government's low dollar value procurements. Individual employees are selected by their agencies to obtain and use the Government's purchase card, called SmartPay, to aid in the employee's procurement responsibilities.

An individual employee obtains a credit card by applying to a private contractor, which currently is Citibank. This application is given to the agency Program Coordinator, who serves as the focal point for coordination of applications, issuance and destruction of cards, establishment of reports, and administrative training. This Program Coordinator also serves as a liaison between the agency and Citibank. Prior to obtaining this account, an employee receives a delegation of authority from his/her agency, which indicates the maximum dollar amount for each single purchase made and a dollar limit for total purchases made with the credit card in a given month. At the close of each billing cycle, each employee receives a "Statement of Account" from Citibank that itemizes each transaction.

In order to successfully participate in the SmartPay purchase card program, VA must maintain certain records on the employees who have obtained a credit card. This information includes name, address, social security number, employment information, telephone numbers, information needed for identification verification, charge card applications, charge card statements, terms and conditions for use of the charge card, and monthly report from contractor(s) showing charges to individual account numbers, balances and other types of account analysis. This information is retrievable by the employee's name. Consequently, a Privacy Act system of records must be established in order to protect this information.

¹ A redacted version of the trackage rights agreement between BNSF and UP was filed with the notice of exemption. The full version of the agreement, as required by 49 CFR 1180.6(a)(7)(ii), was filed under seal along with a motion for protective order on January 28, 2005. A protective order is being served on February 4, 2005.