

[FR Doc. 05-9711 Filed 5-13-05; 8:45 am]  
BILLING CODE 4909-60-M

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34687]

#### Patrick D. Broe and BNS Holdings, Inc.—Acquisition of Control Exemption—Nebraska, Kansas & Colorado RailNet, Inc., Illinois RailNet, Inc., and Georgia & Florida RailNet, Inc.

Patrick D. Broe (Mr. Broe) and BNS Holdings, Inc. (BNS Holdings), (collectively, applicants) have filed a verified notice of exemption to acquire control of the Nebraska, Kansas & Colorado RailNet, Inc. (NKCR), Illinois RailNet, Inc. (IR), and Georgia & Florida RailNet, Inc. (G&FR), all Class III rail carriers, operating in Colorado, Florida, Georgia, Illinois, Kansas and Nebraska.<sup>1</sup>

The proposed transaction was scheduled to be consummated on or shortly after May 2, 2005.

Mr. Broe is a noncarrier individual who directly controls BNS Holdings, a noncarrier company that currently controls RN Rail Holdings, Inc. (RN Rail), also a noncarrier. North America RailNet, Inc. (NA RailNet), is a noncarrier holding company that currently controls rail carriers NKCR, IR and G&FR. According to applicants, RN Rail will be merged into NA RailNet whereupon RN Rail will cease to exist and NA RailNet will be the surviving subsidiary of BNS Holdings. Applicants state that once the transaction is consummated, Mr. Broe and BNS Holdings will indirectly control NKCR, IR and G&FR via NA RailNet.<sup>2</sup>

Mr. Broe also directly controls OmniTRAX, Inc. (OmniTRAX), a noncarrier that currently controls 12 Class III rail carriers: Chicago Rail Link, LLC (CRL); Georgia Woodlands Railroad, LLC (GWRC); Great Western Railway of Colorado, LLC (GWR); Great Western Railway of Iowa LLC (GWRI); Manufacturers' Junction Railway, LLC (MJ); Newburgh and South Shore Railroad Limited (NSR); Northern Ohio & Western Railway, LLC (NOW);

<sup>1</sup> A redacted version of the Agreement and Plan of Merger was filed with the notice of exemption. The full version of the agreement, as required by 49 CFR 1180.6(a)(7)(ii), was concurrently filed under seal along with a motion for a protective order. A protective order was served on May 5, 2005.

<sup>2</sup> Applicants state that as soon as the transaction is closed NKCR will be renamed Nebraska, Kansas & Colorado Railway, Inc., IR will be renamed Illinois Railway, Inc., and G&FR will be renamed Georgia & Florida Railway, Inc.

Panhandle Northern Railroad, LLC (PNR); Alliance Terminal Railroad, LLC (ATR); Fulton County Railway, LLC (FCR); Alabama & Tennessee River Railway, LLC (ATN); and Kettle Falls International Railway, LLC (KFR).

Applicants state that: (i) The rail lines operated by CRL, GWRC, GWR, GWRI, MJ, NSR, NOW, PNR, ATR, FCR, ATN, and KFR do not connect with the rail lines operated by NKCR, IR and G&FR; (ii) the transaction is not part of a series of anticipated transactions that would connect the rail lines operated by NKCR, IR and G&FR with any railroad in the OmniTRAX corporate family; and (iii) the transaction does not involve a Class I rail carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Accordingly, the Board may not impose labor protective conditions here, because all of the carriers involved are Class III carriers.

If the 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. 34687, 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 Karl Morell, 1455 F Street, NW., Suite 225, Washington, DC 20005.

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

Decided: May 9, 2005.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 05-9684 Filed 5-13-05; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34694]

#### Union Pacific Railroad Company—Temporary Trackage Rights Exemption—BNSF Railway Company

BNSF Railway Company (BNSF), pursuant to a written trackage rights agreement entered into with Union Pacific Railroad Company (UP), has agreed to grant local trackage rights to UP<sup>1</sup> over a BNSF line of railroad extending from BNSF milepost 11.3 at UP Junction, WA, to BNSF milepost 36.0 near Sprague, WA, a distance of approximately 24.7 miles.

The transaction was scheduled to be consummated on May 3, 2005.

The purpose of the trackage rights is to permit UP to move loaded and empty ballast trains for use in its maintenance-of-way projects.

As a condition to this exemption, any employees affected by the 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. 34694 must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, one copy of each pleading must be served on T. Christopher Lewis, 1400 Douglas Street, STOP 1580, Omaha, NE 68179.

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

<sup>1</sup> The trackage rights are only temporary rights, but, because they are "local" rather than "overhead" rights, they do not qualify for the Board's class exemption for temporary trackage rights at 49 CFR 1180.2(d)(8). See *Railroad Consolidation Procedures—Exemption for Temporary Trackage Rights*, STB Ex Parte No. 282 (Sub-No. 20) (STB served May 23, 2003). Therefore, UP has concurrently filed a petition for partial revocation of this exemption in STB Finance Docket No. 34694 (Sub-No. 1), *Union Pacific Railroad Company—Temporary Trackage Rights Exemption—BNSF Railway Company*, wherein UP requests that the Board permit the proposed local trackage rights arrangement described in this notice to expire on or about December 31, 2005. That petition will be addressed by the Board in a separate decision.

Decided: May 10, 2005.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 05-9740 Filed 5-13-05; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Public Meeting of the President's Advisory Panel on Federal Tax Reform

**AGENCY:** Department of the Treasury.

**ACTION:** Notice of meeting.

**SUMMARY:** This notice advises all interested persons of the location of the May 17, 2005, public meeting of the President's Advisory Panel on Federal Tax Reform. This meeting was previously announced in 70 FR 22758 (May 2, 2005).

**DATES:** The meeting will be held on Tuesday, May 17, 2005, and will begin at 9:30 a.m.

**ADDRESSES:** The meeting will be held at the Georgetown University Law Center, 600 New Jersey Ave., NW., Washington, DC 20001. Seating will be available to the public on a first-come, first-served basis.

**FOR FURTHER INFORMATION CONTACT:** The Panel staff at (202) 927-2TAX (927-2829) (not a toll-free call) or e-mail [info@taxreformpanel.gov](mailto:info@taxreformpanel.gov) (please do not send comments to this box). Additional information is available at <http://www.taxreformpanel.gov>.

Dated: May 12, 2005.

**Mark S. Kaizen,**

*Designated Federal Officer.*

[FR Doc. 05-9786 Filed 5-13-05; 8:45 am]

**BILLING CODE 4810-25-P**

## DEPARTMENT OF VETERANS AFFAIRS

### Veterans' Advisory Committee on Education; Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under Pub. L. 92-463 (Federal Advisory Committee Act) that the Veterans' Advisory Committee on Education will meet on Tuesday, June 7, 2005, from 8 a.m. to 4 p.m., and Wednesday, June 8, 2005, from 8 a.m. to 12 noon. The meeting will be held at the Atlanta VA Regional Office, 1700

Clairmont Road, Decatur, GA 30333-4032. The meeting is open to the public.

The purpose of the Committee is to advise the Secretary of Veterans Affairs on the administration of education and training programs for veterans and servicepersons, reservists, and dependents of veterans under chapters 30, 32, 35, 36 of title 38, and chapter 1606 of title 10, United States Code.

On June 7, the meeting will begin with opening remarks and an overview by Mr. James Bombard, Committee Chair. During the morning session, Committee members will tour regional processing office operations. In the afternoon, they will discuss the total force GI Bill, VA educational assistance program trends, reporting fees, utilization of faith-based funds to support programs, and the Horatio Alger Foundation follow up. On June 8, the Committee will review and summarize issues addressed during the meeting.

Interested persons may file written statements to the Committee before the meeting, or within 10 days after the meeting, with Mrs. Judith B. Timko, Designated Federal Officer, Department of Veterans Affairs, Veterans Benefits Administration (225B), 810 Vermont Avenue, NW., Washington, DC 20420. Oral statements will be heard on Wednesday, June 8, 2005, at 9:15 a.m. Any member of the public wishing to attend the meeting should contact Mrs. Judith B. Timko or Mr. Michael Yunker at (202) 273-7187.

Dated: May 10, 2005.

By direction of the Secretary.

**E. Philip Riggan,**

*Committee Management Office.*

[FR Doc. 05-9652 Filed 5-13-05; 8:45 am]

**BILLING CODE 8320-01-M**

## DEPARTMENT OF VETERANS AFFAIRS

### Advisory Committee on Women Veterans; Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under Public Law 92-463 (Federal Advisory Committee Act) that the Advisory Committee on Women Veterans will conduct site visits on June 20-24, 2005, at the VA New Jersey Health Care System's East Orange Campus VA Medical Center, 385 Tremont Avenue, East Orange, NJ 07018, and the Lyons Campus VA Medical Center, 151 Knollcroft Road,

Lyons, NJ 07939, as well as several other VA facilities in the area. The site visits will be held from 8 a.m. until 4 p.m. each day and will be open to the public.

The purpose of the Committee is to advise the Secretary of Veterans Affairs regarding the needs of women veterans with respect to health care, rehabilitation, compensation, outreach, and other programs and activities administered by VA designed to meet such needs. The Committee will make recommendations to the Secretary regarding such programs and activities.

On June 20, the agenda topics for this meeting will include briefings and updates by the key leadership at the East Orange Campus VA Medical Center (VAMC) and the Women Veterans Program Managers in Veterans Integrated Services Network (VISN) 3, as well as briefings from VISN leadership. On June 21, the Committee will hear briefings and updates by the key leadership at the Newark VA Regional Office (VARO) and will hear briefings from staff at the Newark Vet Center. The Committee will also tour the East Orange Campus VAMC and hear briefings from the service line chiefs at that facility. On June 22, the Committee will hear briefings and updates by the key leadership group at the East Orange Campus VAMC as well as updates from other VISN leadership. On June 23, the Committee will tour the Lyons Campus VAMC as well as hear briefings from leadership at that facility. On June 24, an open forum and town hall meeting with the women veterans' community will be held at the East Orange Campus VAMC.

Any member of the public wishing to attend should contact Ms. Rebecca Schiller at the Department of Veterans Affairs, Center for Women Veterans (OOW), 810 Vermont Avenue, NW., Washington, DC 20420. Ms. Schiller may be contacted either by phone at (202) 273-6193, fax at (202) 273-7092, or e-mail at [OOW@mail.va.gov](mailto:OOW@mail.va.gov). Interested persons may attend, appear before, or file statements with the Committee. Written statements must be filed before the meeting or within 10 days after the meeting.

Dated: May 10, 2005.

By direction of the Secretary.

**E. Philip Riggan,**

*Committee Management Officer.*

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