

Transportation, Federal Motor Carrier Safety Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590; (2) the U.S. Department of Justice, Antitrust Division, 950 Pennsylvania Avenue, NW., Washington, DC 20530; and (3) the U.S. Department of Transportation, Office of the General Counsel, 1200 New Jersey Avenue, SE., Washington, DC 20590.

Decided: November 20, 2008.

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

**Kulunie L. Cannon,**  
Clearance Clerk.

[FR Doc. E8-28089 Filed 11-25-08; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Ex Parte 646 (Sub-No. 2)]

#### Simplified Standards for Rail Rate Cases—Taxes in Revenue Shortfall Allocation Method

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of final decision.

**SUMMARY:** The Board corrected an error created in *Simplified Standards For Rail Rate Cases*, STB Ex Parte No. 646 (Sub-No. 1) (STB served Sept. 5, 2007), by adjusting the revenue shortfall (or overage) to pre-tax dollars to conform with other elements of the Revenue Shortfall Allocation Method.

**FOR FURTHER INFORMATION CONTACT:** Timothy Strafford, (202) 245-0356. Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.

**SUPPLEMENTARY INFORMATION:** By a decision served on November 21, 2008, the Board found that there was a material error in the Revenue Shortfall Allocation Method (RSAM) formula described in *Simplified Standards For Rail Rate Cases*, STB Ex Parte No. 646 (Sub-No. 1) (STB served Sept. 5, 2007), in its failure to account for federal and state taxes. To correct this error, the Board revised the formula by adopting the use of the statutory federal tax rate, combined with a railroad-specific state tax rate, to best approximate the marginal taxes the carrier would pay on incremental revenue.

Additional information is contained in the Board's decision. A copy of the Board's decision is available for inspection or copying at the Board's Public Docket Room, Room 131, 395 E Street, SW., Washington, DC 20423-

0001, and is posted on the Board's Web site, at <http://www.stb.dot.gov>.

Decided: November 20, 2008.

By the Board, Chairman Nottingham, Vice Chairman Mulvey, and Commissioner Butrey.

**Kulunie L. Cannon,**  
Clearance Clerk.

[FR Doc. E8-28112 Filed 11-25-08; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

November 20, 2008.

The Department of 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 December 26, 2008 to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-1004.

*Type of Review:* Revision.

*Title:* U.S. Income Tax Return for Real Estate Investment Trusts.

*Description:* Form 1120-REIT is filed by a corporation, trust, or association electing to be taxed as a REIT in order to report its income, and deductions, and to compute its tax liability. IRS uses Form 1120-REIT to determine whether the REIT has correctly reported its income, deductions, and tax liability.

*Respondents:* Private sector.

*Estimated Total Burden Hours:* 142,203 hours.

*OMB Number:* 1545-1517.

*Type of Review:* Extension.

*Title:* Distributions From an Archer MSA or Medicare+Choice MSA.

*Form:* 1099-SA.

*Description:* This form is used to report distributions from a medical savings account as set forth in section 220(h).

*Respondents:* Private sector.

*Estimated Total Burden Hours:* 3,618 hours.

*OMB Number:* 1545-0126.

*Type of Review:* Extension.

*Title:* U.S. Income Tax Return of a Foreign Corporation.

*Form:* 1120-F.

*Description:* Form 1120-F is used by foreign corporations that have investments, or a business, or a branch in the U.S. The IRS uses Form 1120-F to determine if the foreign corporation has correctly reported its income, deductions, and tax, and to determine if it has paid the correct amount of tax.

*Respondents:* Private sector.

*Estimated Total Burden Hours:* 7,622,314 hours.

*OMB Number:* 1545-0941.

*Type of Review:* Extension.

*Title:* Report of a Sale or Exchange of Certain Partnership Interests.

*Form:* 8308.

*Description:* Form 8308 is an information return that gives the IRS the names of the parties involved in a section 751(a) exchange of a partnership interest. It is also used by the partnership as a statement to the transferor or transferee. It alerts the transferor that a portion of the gain on the sale of partnership interest may be ordinary income.

*Respondents:* Private sector.

*Estimated Total Burden Hours:* 1,460,000 hours.

*Clearance Officer:* Glenn P. Kirkland (202) 622-3428, Internal Revenue Service, Room 6516, 1111 Constitution Avenue, NW., Washington, DC 20224.

*OMB Reviewer:* Nicholas A. Fraser (202) 395-5887, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503.

**Robert Dahl,**

Treasury PRA Clearance Officer.

[FR Doc. E8-28081 Filed 11-25-08; 8:45 am]

**BILLING CODE 4810-35-P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

November 20, 2008.

The Department of Treasury will submit following public information collection request to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Copies of the submission(s) may be obtained by contacting the Treasury 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 11020, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before December 26, 2008 to be assured of consideration.

*OMB Number:* 1505–0195.

*Type of Review:* Extension.

*Title:* Race and National Origin Identification.

*Description:* This form will be used to collect applicant race and national origin information through the online application system. The data will be used to help Treasury Bureaus and Departmental Offices identify barriers to selection and determine the demographics of the overall applicant pool.

*Respondents:* Individuals.

*Estimated Total Reporting Burden:* 8,000 hours.

*Clearance Officer:* Joann Sokol, Human Resources, 202–622–0814, 1750 Pennsylvania Avenue, Washington, DC 20220.

*OMB Reviewer:* Nick Fraser (202) 395–5887, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503.

**Robert Dahl,**

*Treasury PRA Clearance Officer.*

[FR Doc. E8–28082 Filed 11–25–08; 8:45 am]

**BILLING CODE 4810–25–P**

## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

November 21, 2008.

The Department of 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 December 26, 2008, to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545–1517.

*Type of Review:* Extension.

*Form:* 1099–SA.

*Title:* Distributions From an Archer MSA or Medicare+Choice MSA.

*Description:* This form is used to report distributions from a medical

savings account as set forth in section 220(h).

*Respondents:* Private Sector.

*Estimated Total Burden Hours:* 3,618 hours.

*OMB Number:* 1545–1913.

*Type of Review:* Extension.

*Form:* 8892.

*Title:* Payment of Gift/GST Tax and/or Application for Extension of Time To File Form 709.

*Description:* Form 8892 was created to serve a dual purpose. First, the form enables taxpayers to request an extension of time to File 709, when they are not filing an individual income tax extension. Second, it serves as a payment voucher for taxpayers, who are filing an individual income tax extension (by Form 4868) and will have a gift tax balance due on Form 709.

*Respondents:* Individuals or Households.

*Estimated Total Burden Hours:* 7,200 hours.

*OMB Number:* 1545–1788.

*Type of Review:* Extension.

*Form:* 13013.

*Title:* Taxpayer Advocacy Panel (TAP) Membership Application Form.

*Description:* An application to volunteer to serve on the Taxpayer Advocacy Panel, and advisory panel to the IRS.

*Respondents:* Individuals or Households.

*Estimated Total Burden Hours:* 525 hours.

*OMB Number:* 1545–1414.

*Type of Review:* Extension.

*Form:* 8846.

*Title:* Credit for Employer Social Security and Medicare Taxes Paid on Certain Employee Tips.

*Description:* Employers in food or beverage establishments where tipping is customary can claim an income tax credit for the amount of social security and Medicare taxes paid (employer's share) on tips, other than tips used to meet the minimum wage requirement.

*Respondents:* Private Sector.

*Estimated Total Burden Hours:* 331,452 hours.

*OMB Number:* 1545–2108.

*Type of Review:* Extension.

*Title:* Notice 2008–66—Relief From Certain Low-Income Housing Credit Requirements Due to Severe Storms and Flooding in Missouri (NOT–130705–08).

*Description:* The Internal Revenue Service is suspending certain requirements under § 42 of the Internal Revenue Code for low-income housing credit projects in the United States to provide emergency housing relief needed as a result of the devastation caused by severe storms and flooding in Missouri beginning on June 1, 2008.

*Respondents:* Individuals or Households.

*Estimated Total Burden Hours:* 125 hours.

*Clearance Officer:* Glenn P. Kirkland (202) 622–3428, Internal Revenue Service, Room 6516, 1111 Constitution Avenue, NW., Washington, DC 20224.

*OMB Reviewer:* Nicholas A. Fraser (202) 395–5887, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503.

**Celina Elphage,**

*Treasury PRA Clearance Officer.*

[FR Doc. E8–28231 Filed 11–25–08; 8:45 am]

**BILLING CODE 4830–01–P**

## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0630]

### Agency Information Collection (Regulation on Application for Fisher Houses and Other Temporary Lodging and VHA Fisher House Application) Activities Under OMB Review

**AGENCY:** Veterans Health Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–21), this notice announces that the Veterans Health Administration (VHA), 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 December 26, 2008.

**ADDRESSES:** Submit written comments on the collection of information through [www.Regulations.gov](http://www.Regulations.gov); or 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. 2900–0630" in any correspondence.

**FOR FURTHER INFORMATION CONTACT:** Denise McLamb, Records Management Service (005R1B), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 461–7485, fax (202) 273–0443 or e-mail [denise.mclamb@mail.va.gov](mailto:denise.mclamb@mail.va.gov). Please refer to "OMB Control No. 2900–0630."