

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ending March 14, 1997

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 et seq.). The due date for Answers, Conforming Applications, or Motions to modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: OST-97-2196.

Date filed: March 10, 1997.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: April 7, 1997.

Description: Application of Air Comet, S.A., pursuant to 49 U.S.C. Section 41302 and Subpart Q of the Regulations, apply for a foreign air carrier permit to enable AC to operate charter foreign air transportation of persons, property and mail between points in the Kingdom of Spain and points in the United States and authority to operate charter service between the United States and points in other countries pursuant to Part 212 of the Departments Regulations.

Paulette V. Twine,

Chief, Documentary Services.

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BILLING CODE 4910-62-P

Surface Transportation Board

[STB Docket No. AB-55 (Sub-No. 540X)]

**CSX Transportation, Inc.—
Abandonment Exemption—in Logan
County, WV**

CSX Transportation, Inc. (CSXT) has filed a notice of exemption under 49 CFR part 1152 Subpart F—*Exempt Abandonments* to abandon approximately 10.83-miles of its line of railroad between milepost CLF-51.76 at Sharples and milepost CLF-62.59 at Kelly, in Logan County, WV.

CSXT has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic moving over the line; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of

such user) regarding cessation of service over the line either is pending with the Surface Transportation Board (Board) or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.*—

Abandonment—Goshen, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on April 23, 1997, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,¹ formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),² and trail use/rail banking requests under 49 CFR 1152.29³ must be filed by April 3, 1997. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by April 14, 1997, with: Office of the Secretary, Case Control Unit, Surface Transportation Board, 1925 K Street, N.W., Washington, DC 20423.⁴

A copy of any petition filed with the Board should be sent to applicant's representative: Charles M. Rosenberger, Senior Counsel, CSX Transportation, Inc., 500 Water Street J150, Jacksonville, FL 32202.

If the verified notice contains false or misleading information, the exemption is void *ab initio*.

CSXT has filed an environmental report which addresses the abandonment's effects, if any, on the

¹ The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis in its independent investigation) cannot be made before the exemption's effective date. See *Exemption of Out-of-Service Rail Lines*, 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

² Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$900. See 49 CFR 1002.2(f)(25).

³ The Board will accept late-filed trail use requests as long as the abandonment has not been consummated and the abandoning railroad is willing to negotiate an agreement.

⁴ This is the Board's address after March 16, 1997.

environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by March 28, 1997. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423) or by calling SEA, at (202) 565-1545. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), CSXT shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by CSXT's filing of a notice of consummation by March 28, 1998, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Decided: March 14, 1997.

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

Vernon A. Williams,

Secretary.

[FR Doc. 97-7370 Filed 3-21-97; 8:45 am]

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DEPARTMENT OF THE TREASURY

**Proposed Collection; Comment
Request**

AGENCY: Financial Crimes Enforcement Network, Treasury.

ACTION: Notice.

SUMMARY: In order to comply with the requirements of the Paperwork Reduction Act of 1995, concerning new information collection requirements, the Financial Crimes Enforcement Network (FinCEN) is soliciting comments concerning Internal Revenue Service (IRS) Form 8852, Currency Transaction Report by Casinos—Nevada ("CTRC-N") which will be filed for currency transactions conducted by, at, or through Nevada casinos.

DATES: Written comments must be received on or before May 23, 1997.

ADDRESSES: Direct all written comments to the Financial Crimes Enforcement Network, Office of Regulatory Policy and Enforcement, Attn.: CTCRC-N Comments, Suite 200, 2070 Chain Bridge Road, Vienna, VA 22182-2536. Comments may also be submitted by

Internet e-mail to
RegComments@fincen.treas.gov.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or for a copy of the form should be directed to Leonard Senia, Senior Financial Enforcement Officer; Office of Regulatory Policy and Enforcement, (703) 905-3931, or by inquiry to the Internet e-mail address shown above. A copy of the CTRC-N form, as well as all other forms required by the Bank Secrecy Act, can be obtained through the Internet at <http://www.irs.ustreas.gov/prod/forms-pubs/forms.html>.

SUPPLEMENTARY INFORMATION: The Currency and Foreign Transactions Reporting Act (commonly known as the Bank Secrecy Act) Titles I and II of Pub. L. 91-508, as amended, codified at 12 U.S.C. 1829b, 12 U.S.C. 1951-1959, and 31 U.S.C. 5311-5314, 5316-5326, 5328-5330, authorizes the Secretary of the Treasury, *inter alia*, to issue regulations requiring records and reports that are determined to have a high degree of usefulness in criminal, tax, and regulatory matters. Regulations implementing Title II of the Bank Secrecy Act (BSA) (codified at 31 U.S.C. 5311-5314, 5316-5326, 5328-5330) appear at 31 CFR part 103. The authority of the Secretary to administer the BSA regulations has been delegated to the Director of FinCEN.

The Bank Secrecy Act specifically authorizes the Secretary to issue regulations that require a report when "a domestic financial institution is involved in a transaction for the payment, receipt, or transfer of United States coins or currency (or other monetary instruments the Secretary of the Treasury prescribes), in an amount, denomination, or amount and denomination, or under circumstances the Secretary prescribes * * *" See 31 U.S.C. 5313(a). The BSA also defines casinos as financial institutions. 31 U.S.C. 5312(a)(2)(X). See 31 CFR 103.11(n)(7)(i). The authority of 31 U.S.C. 5313(a) to require domestic financial institutions to report certain transactions has been implemented through regulations promulgated at 31 CFR 103.22(a)(2) and 31 CFR 103.45(c)(2)(ii) and, in part, through instructions to the CTRC-N, IRS Form 8852.

Information collected on the CTRC-N is made available, in accordance with strict safeguards, to appropriate criminal law enforcement and regulatory personnel in the official performance of their duties. The information collected

is used for regulatory purposes and in investigations involving international and domestic money laundering, tax violations, fraud, and other financial crimes.

This notice proposes a new information collection requirement, on Form 8852 and its accompanying instructions, which will replace existing currency reporting requirements for Nevada casinos. Currently, Nevada casinos meet reporting requirements by filing reports on state forms entitled "Currency Transaction Report" (CTR) and "Currency Transaction Incidence Report" (CTIR). Form 8852 will ensure greater consistency between currency transaction information to be reported by Nevada casinos on the new form, and that to be reported by other state and tribal casinos on revised Form 8362, Currency Transaction Report by Casinos. Form 8362 is used by all casinos, with gross annual gaming revenue in excess of \$1 million, except for those in Nevada. However, Form 8852 also was designed to take into account, among other things, that some of the transaction types reportable on Form 8362 are prohibited by Nevada Regulation 6A, "Cash Transactions Prohibitions, Reporting and Recordkeeping" and thus would not lend themselves to reporting.

FinCEN has requested that a different OMB Control Number be assigned for this collection requirement than the OMB Control Number assigned for Form 8362. This will facilitate FinCEN's oversight over its Bank Secrecy Act information collection requirements by obtaining a unique OMB Control Number for each specific form.

In accordance with requirements of the Paperwork Reduction Act of 1995, 44 U.S.C. 3506(c)(2)(A), and its implementing regulations, 5 CFR 1320, the following information concerning the collection of information on Form 8852 is presented to assist those persons wishing to comment on the information collection. The estimates below are based on 1996 filings of Nevada CTRs and CTIRs.

Title: Currency Transaction Report by Casinos—Nevada.

Form Number: IRS Form 8852.

OMB Number: To be assigned.

Description of Respondents: All Nevada casinos, with gross annual gaming revenue in excess of \$10 million and having an annual table games statistical win in excess of \$2 million.

Estimated Number of Respondents: 94.

Estimated Number of Annual Responses: 70,000.

Frequency: As required.

Estimate of Burden: Reporting average of 19 minutes per response; recordkeeping average of 5 minutes per response.

Estimate of Total Annual Burden on Respondents: Reporting burden estimate=22,167 hours; recordkeeping burden estimate=5,833 hours. Estimated combined total of 28,000 hours.

Estimate of Total Annual Cost to Respondents for Hour Burdens: Based on \$20 per hour, the total cost to the public is estimated to be \$560,000.

Estimate of Total Other Annual Costs to Respondents: None.

Type of Request: New information collection.

REQUEST FOR COMMENTS: FinCEN specifically invites comments on the following subjects: (a) Whether the proposed collection of information is necessary for the proper performance of the mission of FinCEN, including whether the information shall have practical utility; (b) the accuracy of FinCEN's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (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.

In addition, the Paperwork Reduction Act of 1995 requires agencies to estimate the total annual cost burden to respondents or recordkeepers resulting from the collection of information. Thus, FinCEN also specifically requests comments to assist with this estimate. In this connection, FinCEN requests commenters to identify any additional costs associated with the completion of the form. These comments on costs should be divided into two parts: (1) any additional costs associated with reporting; and (2) any additional costs associated with recordkeeping.

Responses to the questions posed by this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will become a matter of public record.

Dated: March 17, 1997.

Stanley E. Morris,

Director, Financial Crimes Enforcement Network.

[FR Doc. 97-7365 Filed 3-21-97; 8:45 am]

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