

Property Acquisition Act of 1970, as amended.

**8. Hazardous Materials:**

Comprehensive Environmental Response, Compensation, and Liability Act [42 U.S.C. 9601–9675]; Superfund Amendments and Reauthorization Act of 1986; and Resource Conservation and Recovery Act [42 U.S.C. 6901–6992(k)].

**9. Executive Orders:** E.O. 11990 Protection of Wetlands; E.O. 11988 Floodplain Management; E.O. 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of the Cultural Environment; E.O. 13007 Indian Sacred Sites; E.O. 13287 Preserve America; 13175 Consultation and Coordination with Indian Tribal Governments; E.O. 11514 Protection and Enhancement of Environmental Quality; and E.O. 13112 Invasive Species.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1)

Issued on: January 14, 2010.

**Cindy Vigue,**

*Director, State Programs, Federal Highway Administration, Sacramento, California.*

[FR Doc. 2010–1047 Filed 1–20–10; 8:45 am]

**BILLING CODE 4910-RY-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 35342]

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

Pursuant to a written trackage rights agreement dated December 22, 2009, BNSF Railway Company (BNSF) has agreed to grant temporary nonexclusive overhead trackage rights to Union Pacific Railroad Company (UP) over BNSF lines extending between BNSF milepost 10.2 at Tukwila, WA, and BNSF milepost 38.4 at Reservation, WA, a distance of approximately 28.2 miles.

The transaction is scheduled to be consummated on February 7, 2010. The temporary trackage rights are scheduled to expire on or about March 7, 2010. The purpose of the temporary trackage rights is to facilitate maintenance work on UP lines.

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), and any employees affected by the discontinuance of those trackage rights will be protected by the conditions set out in *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979).

This notice is filed under 49 CFR 1180.2(d)(8). 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 effectiveness of the exemption. Stay petitions must be filed by January 28, 2010 (at least 7 days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 35342, must be filed with the Surface Transportation Board, 395 E Street, SW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on John J. Brennan, Senior Commerce Counsel, Union Pacific Railroad Company, 1400 Douglas Street, STOP 1580, Omaha, NE 68179.

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

Decided: January 13, 2010.

By the Board, Joseph H. Dettmar, Acting Director, Office of Proceedings.

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2010–926 Filed 1–20–10; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Office of Foreign Assets Control

#### Additional Designation of Entities and Individuals Pursuant to Executive Order 12978

**AGENCY:** Office of Foreign Assets Control, Treasury.

**ACTION:** Notice.

**SUMMARY:** The Treasury Department's Office of Foreign Assets Control ("OFAC") is publishing the names of 19 newly-designated individuals and 16 newly-designated entities whose property and interests in property are blocked pursuant to Executive Order 12978 of October 21, 1995, "Blocking Assets and Prohibiting Transactions with Significant Narcotics Traffickers"

(the "Order"). In addition, OFAC is also publishing the name of one individual who has been re-designated and whose property and interests in property continue to be blocked pursuant to the Order.

**DATES:** The designation by the Director of OFAC of the 19 individuals and 16 entities, as well as the re-designation of one individual, identified in this notice pursuant to Executive Order 12978 is effective on January 14, 2010.

**FOR FURTHER INFORMATION CONTACT:** Assistant Director, Compliance Outreach & Implementation, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, tel.: 202/622–2490.

#### SUPPLEMENTARY INFORMATION:

##### Electronic and Facsimile Availability

This document and additional information concerning OFAC are available from OFAC's Web site (<http://www.treas.gov/ofac>) or via facsimile through a 24-hour fax-on demand service, tel.: (202) 622–0077.

##### Background

On October 21, 1995, the President, invoking the authority, *inter alia*, of the International Emergency Economic Powers Act (50 U.S.C. 1701–1706), issued the Order. In the Order, the President declared a national emergency to deal with the threat posed by significant foreign narcotics traffickers centered in Colombia and the harm that they cause in the United States and abroad.

Section 1 of the Order blocks, with certain exceptions, all property and interests in property that are in the United States, or that hereafter come within the United States or that are or hereafter come within the possession or control of United States persons, of: (1) The persons listed in an Annex to the Order; (2) any foreign person determined by the Secretary of Treasury, in consultation with the Attorney General and the Secretary of State, to play a significant role in international narcotics trafficking centered in Colombia, or materially to assist in, or provide financial or technological support for or goods or services in support of, the narcotics trafficking activities of persons designated in or pursuant to the Order; and (3) persons determined by the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State, to be owned or controlled by, or to act for or on behalf of, persons designated pursuant to the Order.

On January 14, 2010, the Director of OFAC, in consultation with the Departments of Justice, State, and Homeland Security, designated 19 individuals and 16 entities, and re-designated one individual, whose property and interests in property are blocked pursuant to the Order.

The list of designees is as follows:

#### Re-Designated Individual

1. QUINTERO SANCLEMENTE, Ramon Alberto (a.k.a. "Lucas"; a.k.a. "El Ingeniero"; a.k.a. "Don Tomas"); Carrera 16 No. 3-15, Buga, Valle, Colombia; DOB 30 Nov 1960; Alt. DOB 28 Nov 1958; Alt. DOB 30 Nov 1961; POB Cali, Colombia; Alt. POB Buga, Valle, Colombia; Citizen Colombia; Cedula No. 14881147 (Colombia); Passport AE048871 (Colombia); (INDIVIDUAL) [SDNT].

#### Individuals

1. CIFUENTES VARGAS, Carmen Viviana, c/o INVERSIONES EN GANADERIA JESSICA, Cali, Colombia; DOB 19 Jun 1964; POB Buga, Valle, Colombia; Cedula No. 38863513 (Colombia); Passport PO67538 (Colombia); (INDIVIDUAL) [SDNT].

2. CIFUENTES VARGAS, Orlando (a.k.a. "El Chute"); c/o RESTAURANTE BAR PUNTA DEL ESTE, Cali, Colombia; c/o SERVIAGRICOLA CIFUENTES E.U., Cali, Colombia; DOB 10 Jun 1965; Cedula No. 14890941 (Colombia); (INDIVIDUAL) [SDNT].

3. CIFUENTES VARGAS, Yanet (a.k.a. "La Pecosa"); Carrera 2 Oeste No. 51-51, Cali, Colombia; DOB 01 Aug 1963; POB Buga, Valle, Colombia; Cedula No. 38864607 (Colombia); Passport AI988963 (Colombia); (INDIVIDUAL) [SDNT].

4. DOMINGUEZ VELEZ, Jorge Enrique (a.k.a. "El Onli"); c/o ERA DE LUZ LTDA. LIBRERIA CAFE, Cali, Colombia; DOB 09 Aug 1968; Cedula No. 16767305 (Colombia); (INDIVIDUAL) [SDNT].

5. GIRALDO HERNANDEZ, Adriana Maria, c/o UNIVISA S.A., Cali, Colombia; c/o V.I.P. PRODUCCIONES E.U., Cali, Colombia; DOB 08 Mar 1961; Cedula No. 31857952 (Colombia); Passport AF234411 (Colombia); (INDIVIDUAL) [SDNT].

6. GONZALEZ BOHORQUEZ, Guillermo, c/o UNIVISA S.A., Cali, Colombia; DOB 20 Dec 1944; POB Buga, Valle, Colombia; Cedula No. 6185654 (Colombia); Passport AJ772175 (Colombia); (INDIVIDUAL) [SDNT].

7. GONZALEZ SANCLEMENTE, Alejandro, c/o IMERCO LTDA., San Pedro, Valle, Colombia; DOB 26 Feb 1960; POB Buga, Valle, Colombia; Cedula No. 14882775 (Colombia); (INDIVIDUAL) [SDNT].

8. GONZALEZ SANCLEMENTE, Fernando, Colombia; DOB 16 Jul 1963; Cedula No. 14884862 (Colombia); (INDIVIDUAL) [SDNT].

9. GONZALEZ SANCLEMENTE, Jose Alberto, c/o AGROINDUSTRIAS JORDANES S.A., Cali, Colombia; c/o FEGO CANA E.U., Cali, Colombia; c/o IMERCO LTDA., San Pedro, Valle, Colombia; DOB 10 Sep 1971; Alt. DOB 09 Oct 1971; POB Buga, Valle, Colombia; Cedula No. 14894820 (Colombia); (INDIVIDUAL) [SDNT].

10. GUTIERREZ AGUIRRE, Duffay (a.k.a. "El Gordo Duffay"); Bogota, Colombia; DOB 16 Sep 1968; POB Buga, Valle, Colombia; Cedula No. 14892384 (Colombia); Matricula Mercantil No 01302280 (Colombia); (INDIVIDUAL) [SDNT].

11. LOPEZ RODRIGUEZ, Walter, c/o CARMILE INVERSIONES LOPEZ Y CIA. S.C.A., Cali, Colombia; c/o CONSTRUCTORA SANTA TERESITA S.A., Cali, Colombia; c/o INVERSIONES MEDICAS Y QUIRUGICAS ESPECIALIZADAS LTDA., Cali, Colombia; c/o PRODUCTOS ALIMENTICIOS GLACIARES LTDA., Cali, Colombia; DOB 12 Jul 1954; POB Buga, Valle, Colombia; Cedula No. 19253056 (Colombia); Passport PO66566 (Colombia); (INDIVIDUAL) [SDNT].

12. NUNEZ BEJARANO, Carlos Eduardo, Carrera 24B Oeste No. 2-04, Cali, Colombia; DOB 07 Sep 1938; POB Buga, Valle, Colombia; Cedula No. 2729563 (Colombia); (INDIVIDUAL) [SDNT].

13. ROLDAN SALCEDO, Fabio, c/o CONSTRUCTORA SANTA TERESITA S.A., Cali, Colombia; DOB 08 Aug 1954; POB Buga, Valle, Colombia; Cedula No. 14875349 (Colombia); (INDIVIDUAL) [SDNT].

14. ROLDAN SALCEDO, Milena, c/o CARMILE INVERSIONES LOPEZ Y CIA. S.C.A., Cali, Colombia; c/o INVERSIONES MEDICAS Y QUIRUGICAS ESPECIALIZADAS LTDA., Cali, Colombia; c/o UNIVISA S.A., Cali, Colombia; DOB 09 Feb 1960; Cedula No. 38858586 (Colombia); Passport PO66565 (Colombia); (INDIVIDUAL) [SDNT].

15. SAAVEDRA ARCE, Rodrigo Eugenio, c/o CONSTRUCTORA SANTA TERESITA S.A., Cali, Colombia; c/o BOSQUE DE SANTA TERESITA LTDA., Cali, Colombia; c/o SAAVEDRA Y CIA. S. EN C., Cali, Colombia; DOB 30 Oct 1942; Cedula No. 16236683 (Colombia); Passport AF637666 (Colombia); (INDIVIDUAL) [SDNT].

16. SANCHEZ CONDE, Martha Cecilia, c/o ALIMENTOS CARNICOS DE TRADICION ESPANOLA LTDA., Cali, Colombia; c/o UNIVISA S.A., Cali,

Colombia; DOB 30 Dec 1967; POB Cali, Colombia; Cedula No. 31981102 (Colombia); Passport AJ368943 (Colombia); (INDIVIDUAL) [SDNT].

17. SATIZABAL RENGIFO, Mario German (a.k.a. "Pelo de Cobre"); Colombia; DOB 04 Mar 1970; POB Buga, Valle, Colombia; Cedula No. 14892890 (Colombia); (INDIVIDUAL) [SDNT].

18. TASCON ROJAS, Servio Tulio, c/o UNIVISA S.A., Cali, Colombia; DOB 02 Nov 1938; Alt. DOB 11 Feb 1938; Cedula No. 2729445 (Colombia); (INDIVIDUAL) [SDNT].

19. YORDAN CARDENAS, Augusto Guillermo, c/o PRODUCTOS ALIMENTICIOS GLACIARES LTDA., Cali, Colombia; c/o UNIVISA S.A., Cali, Colombia; DOB 01 Jan 1965; POB Cali, Colombia; Cedula No. 14886699 (Colombia); (INDIVIDUAL) [SDNT].

#### Entities

1. AGROINDUSTRIAS JORDANES S.A. (a.k.a. JORDANES PARRILLA ARGENTINA); Calle 8 No. 25-46, Cali, Colombia; Calle 9A Norte No. 4N-23, Oficina 101E, Cali, Colombia; Calle 18N No. 9-07, Cali, Colombia; Carrera 98 No. 16-200, Local R6, Cali, Colombia; Carrera 105 Calle 15D, Loc. 5 y 6, Cali, Colombia; NIT # 900092924-9 (Colombia); (ENTITY) [SDNT].

2. ALIMENTOS CARNICOS DE TRADICION ESPANOLA LTDA. (a.k.a. "ALICANTE"); Calle 12 No. 12-58, Cali, Colombia; NIT # 900229820-2 (Colombia); (ENTITY) [SDNT].

3. BOSQUE DE SANTA TERESITA LTDA., Avenida 6N No. 17-92, Of. 411-412, Cali, Colombia; NIT # 800117606-9 (Colombia); (ENTITY) [SDNT].

4. CARMILE INVERSIONES LOPEZ Y CIA. S.C.A. (a.k.a. ESTACION DE SERVICIO EL OASIS DE PASOANCHO; a.k.a. FOOD MART OASIS; f.k.a. COMERCIALIZADORA CARMILE Y CIA. S.C.A.); Calle 13 No. 31-42, Cali, Colombia; NIT # 890329543-0 (Colombia); (ENTITY) [SDNT].

5. CONSTRUCTORA SANTA TERESITA S.A., Avenida 6 Norte No. 17-92 Of. 411, Cali, Colombia; NIT # 805028212-7 (Colombia); (ENTITY) [SDNT].

6. ERA DE LUZ LTDA. LIBRERIA CAFE, Calle 16 No. 100-98, Cali, Colombia; NIT # 805015908-8 (Colombia); (ENTITY) [SDNT].

7. FEGO CANA E.U., Calle 11A No. 116-40 Casa 3, Cali, Colombia; NIT # 830500953-0 (Colombia); Matricula Mercantil No 680975-15 (Colombia); (ENTITY) [SDNT].

8. IMERCO LTDA., Calle Ruta Buga-Tulua 4 Kilometros despues de San Pedro, San Pedro, Valle, Colombia; NIT # 810004154-2 (Colombia); (ENTITY) [SDNT].

9. INVERSIONES EN GANADERIA JESSICA, Carrera 10 Este No. 7–11, Cali, Colombia; Matricula Mercantil No 281899–1 (Colombia); (ENTITY) [SDNT].

10. INVERSIONES MEDICAS Y QUIRURGICAS ESPECIALIZADAS LTDA., Calle 13 No. 31–42, Cali, Colombia; NIT # 800171266–7 (Colombia); (ENTITY) [SDNT].

11. PRODUCTOS ALIMENTICIOS GLACIARES LTDA. (f.k.a. FRONTERA REPRESENTACIONES LTDA.); Carrera 84 No. 15–26, Cali, Colombia; NIT # 805027303–4 (Colombia); (ENTITY) [SDNT].

12. RESTAURANTE BAR PUNTA DEL ESTE, Calle 17N No. 9N–05, Cali, Colombia; Matricula Mercantil No 387183–1 (Colombia); (ENTITY) [SDNT].

13. SAAVEDRA Y CIA. S. EN C., Avenida 6N No. 17–92 Of. 411–412, Cali, Colombia; NIT # 890332983–9 (Colombia); (ENTITY) [SDNT].

14. SERVIAGRICOLA CIFUENTES E.U., Calle 4 No. 35A–20 Of. 402, Cali, Colombia; NIT # 805025920–1 (Colombia); (ENTITY) [SDNT].

15. UNIVISA S.A., Calle 9 No. 4–50 Of. 301, Cali, Colombia; NIT # 805011494–2 (Colombia); (ENTITY) [SDNT].

16. V.I.P. PRODUCCIONES E.U., Calle 1A No. 55B–115, Cali, Colombia; NIT # 805031027–1 (Colombia); (ENTITY) [SDNT].

Dated: January 14, 2010.

**Adam J. Szubin,**

*Director, Office of Foreign Assets Control.*

[FR Doc. 2010–1002 Filed 1–20–10; 8:45 am]

**BILLING CODE 4811–45–P**

## UNITED STATES SENTENCING COMMISSION

### Sentencing Guidelines for United States Courts

**AGENCY:** United States Sentencing Commission.

**ACTION:** Notice of proposed amendments to sentencing guidelines, policy statements, and commentary. Request for public comment, including public comment regarding retroactive application of any of the proposed amendments. Notice of public hearing.

**SUMMARY:** Pursuant to section 994(a), (o), and (p) of title 28, United States Code, the United States Sentencing Commission is considering promulgating certain amendments to the sentencing guidelines, policy statements, and commentary. This notice sets forth the proposed

amendments and, for each proposed amendment, a synopsis of the issues addressed by that amendment. This notice also sets forth a number of issues for comment, some of which are set forth together with the proposed amendments; some of which are set forth independent of any proposed amendment; and one of which (regarding retroactive application of proposed amendments) is set forth in the Supplementary Information portion of this notice.

The proposed amendments and issues for comment in this notice are as follows: (1) A proposed amendment on alternatives to incarceration, including a proposed new guideline that would provide authority under the guidelines to impose an alternative to incarceration for drug offenders who need treatment for drug addiction and who meet certain criteria, and proposed changes to the Sentencing Table in Chapter Five that would expand Zones B and C by one level in each criminal history category, and related issues for comment on alternatives to incarceration; (2) issues for comment on the extent to which specific offender characteristics should be considered at sentencing generally and in the *Guidelines Manual* in particular, including issues for comment on age; mental and emotional condition; physical condition; military service, public service, and good works; and lack of guidance as a youth, and issues for comment on when, if at all, a downward departure may be appropriate based on the collateral consequences of a defendant's status as a non-citizen, or based on cultural assimilation; (3) a proposed amendment to § 1B1.1 (Application Instructions) in light of *United States v. Booker*, 543 U.S. 220 (2005); (4) a proposed amendment on the computation of criminal history points under subsection (e) of § 4A1.1 (Criminal History Category), known as the “recency” provision, including proposed changes to § 4A1.1 to reduce the cumulative impact of “recency”, and issues for comment on whether the Commission should instead address the cumulative impact of “recency” only for one or more specific Chapter Two offense guidelines; (5) a proposed amendment in response to the Matthew Shephard and James Byrd, Jr. Hate Crime Prevention Act, division E of Public Law 111–84, including proposed changes to § 3A1.1 (Hate Crime Motivation or Vulnerable Victim); (6) a proposed amendment to Chapter Eight of the *Guidelines Manual* regarding the sentencing of organizations, including proposed changes to § 8B2.1 (Effective

Compliance and Ethics Program) and § 8D1.4 (Recommended Conditions of Probation—Organizations), and a related issue for comment; (7) a proposed amendment in response to miscellaneous issues arising from legislation recently enacted and other miscellaneous guideline application issues, including proposed changes to the guidelines' treatment of offenses involving commodities fraud, paleontological resources, unauthorized disclosures of personal information regarding health insurance eligibility, and iodine; and (8) a proposed amendment in response to certain technical issues that have arisen in the guidelines.

**DATES:** (1) Written Public Comment.—Written public comment regarding the proposed amendments and issues for comment set forth in this notice, including public comment regarding retroactive application of any of the proposed amendments, should be received by the Commission not later than March 22, 2010.

(2) Public Hearing.—The Commission plans to hold a public hearing regarding the proposed amendments and issues for comment set forth in this notice. Further information regarding the public hearing, including requirements for testifying and providing written testimony, as well as the location, time, and scope of the hearing, will be provided by the Commission on its Web site at <http://www.ussc.gov>.

**ADDRESSES:** Public comment should be sent to: United States Sentencing Commission, One Columbus Circle, NE., Suite 2–500, Washington, DC 20002–8002, Attention: Public Affairs.

**FOR FURTHER INFORMATION CONTACT:** Michael Courlander, Public Affairs Officer, Telephone: (202) 502–4597.

**SUPPLEMENTARY INFORMATION:** The United States Sentencing Commission is an independent agency in the judicial branch of the United States Government. The Commission promulgates sentencing guidelines and policy statements for federal courts pursuant to 28 U.S.C. 994(a). The Commission also periodically reviews and revises previously promulgated guidelines pursuant to 28 U.S.C. 994(o) and submits guideline amendments to the Congress not later than the first day of May each year pursuant to 28 U.S.C. 994(p).

The proposed amendments in this notice are presented in one of two formats. First, some of the amendments are proposed as specific revisions to a guideline or commentary. Bracketed text within a proposed amendment indicates a heightened interest on the