

regulations are classified on the basis of their annual gross carrier operating revenues (including interstate and intrastate). Under the financial and operating statistics (F&OS) program the BTS collects balance sheet and income statement data along with information on tonnage, mileage, employees, transportation equipment, and other related data. The data and information collected is made publicly available and used by the BTS to determine a motor carrier's compliance with the F&OS program requirements prescribed in the BTS regulations (49 CFR 1420). The regulations were formerly administered by Interstate Commerce Commission (ICC) and later transferred to the U.S. Department of Transportation on January 1, 1996, by the ICC Termination Act of 1995 (the Act), Public Law 104-88, 109 Stat. 803 (1995) (codified at 49 U.S.C. 14123).

**II. Request for Comments**

BTS requests comments on any aspects of these information collections, including (1) The accuracy of the estimated burden; (2) ways to enhance the quality, usefulness, and clarity of the collected information; and (3) ways to minimize the collection burden without reducing the quality of the information collected including additional use of automated collection techniques or other forms of information technology.

**Electronic Access and Filing**

You may submit or retrieve comments online through the Docket Management System (DMS) at <http://dmses.dot.gov>. Please include the docket number appearing in the heading of this document. Acceptable formats include: MS Word (Versions 95 to 97), MS Word for Mac (Versions 6 to 8), Rich Text File (RTF), American Standard Code Information Interchange (ASCII)(TXT), Portable Document Format (PDF), and WordPerfect (Versions 7 to 8). The DMS is available 24 hours each day, 365 days each year. Electronic submission and retrieval help and guidelines are available under the help section of the web site. You may also download an electronic copy of this document from the DOT Docket Management System on the Internet at <http://dmses.dot.gov>.

Issued in Washington, DC.

**Russell B. Capelle, Jr.,**

*Assistant BTS Director for Motor Carrier Information, Department of Transportation.*  
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**BILLING CODE 4910-FE-P**

**DEPARTMENT OF THE TREASURY**

**Submission for OMB Review; Comment Request**

October 25, 2001.

The Department of Treasury has submitted the following public information collection requirement(s) 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 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 2110, 1425 New York Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before December 5, 2001 to be assured of consideration.

**Financial Crimes Enforcement Network (FinCEN)**

*OMB Number:* 1506-0009.

*Form Number:* TD F 90-22.1.

*Type of Review:* Extension.

*Title:* Financial Recordkeeping and Reporting of Currency and Foreign Financial Accounts.

*Description:* The Bank Secrecy Act, Public Law 90-508, authorizes the Secretary of the Treasury to require financial institutions and individuals to keep records and file reports that the Secretary determines to have a high degree of usefulness in criminal, tax, and regulatory matters.

*Respondents:* Business or other for-profit, Individuals or households, Not-for-profit institution.

*Estimated Number of Recordkeepers:* 13,000,000.

*Estimated Burden Hours Per Recordkeeping:*

Form and/or CFR part	Title	Response time
IRS Form 4789; 31 CFR 103.22(b)(1), 103.27(a), 103.27(d), and 103.28.	Reports of Transactions in Currency .....	5 minutes.
IRS Form 8362; 31 CFR 103.22(b)(2), 103.27(a), 103.27(d), and 103.28.	Reports of Transactions in Currency .....	19 minutes (per respondent), 5 minutes (per recordkeeper).
TD 90-22.53; 31 CFR 103.22(d), 103.27(a), and 103.27(d).	Transactions of Exempt Person .....	1 hour, 22 minutes.
Customs Form 4790; 31 CFR 103.23 and 103.27.	Reports of Transportation of Currency or Monetary Instruments.	11 minutes.
TD F 90-22.1; 31 CFR 103.24, 103.27(d), 103.32.	Report of Foreign Bank and Financial Accounts; and Reports of Foreign Financial Accounts.	10 minutes (per respondent), 5 minutes (per recordkeeper).
31 CFR 103.25 .....	Reports of Transactions with Foreign Agencies.	1 hour.
31 CFR 103.26 and 103.33(d) .....	Reports of Certain Domestic Coin and Currency Transactions.	19 minutes (per respondent), 5 minutes (per recordkeeper).
31 CFR 103.29 and 103.38 .....	Purchases of Bank Checks and Drafts, Cashier's Checks, Money Orders and Traveler's Checks.	7 hours, 30 minutes.
31 CFR 103.33: 103.33(a)-(c) .....	Records to be Made and Retained by Financial Institutions.	50 hours.
103.33(e)-(f) .....	.....	16 hours.
103.33(g), 103.38 .....	.....	12 hours.
31 CFR 103.34 and 103.38 .....	Additional Records to be Made and Retained by Banks.	100 hours.
31 CFR 103.35 and 103.38 .....	Additional Records to be Made and Retained by Brokers or Dealers in Securities.	100 hours.
31 CFR 103.36: 103.36(a)&(b)(1)-(8) .....	Additional Records to be Made and Retained by Casinos.	100 hours.
103.36(b)(9), 103.36(b)(11) .....	.....	7 hours, 30 minutes.

Form and/or CFR part	Title	Response time
103.36(c), 103.38 .....	.....	4 hours.
31 CFR 103.37 and 103.38 .....	Additional Records to be Made and Retained by Currency Dealers and Exchangers.	16 hours.
31 CFR 103.38 .....	Nature of Records and Retention Period .....	
31 CFR 103.64, 103.36(b)(10), and 103.38 .....	Special Rules or Casinos .....	100 hours.
31 CFR 103.81-87 .....	Administrative Rulings .....	1 hour.

*Frequency of Response:* Annually.  
*Estimated Total Recordkeeping Burden:* 10,942,392 hours.  
*Clearance Officer:* Lois K. Holland, (202) 622-1563, Departmental Offices, Room 2110, 1425 New York Avenue, NW., Washington, DC 20220.  
*OMB Reviewer:* Alexander T. Hunt, (202) 395-7860, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, DC 20503.

**Lois K. Holland,**  
*Departmental Reports Management Officer.*  
[FR Doc. 01-27649 Filed 11-2-01; 8:45 am]  
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## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

October 25, 2001.

The Department of Treasury has submitted the following public information collection requirement(s) 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 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 2110, 1425 New York Avenue, NW., Washington, DC 20220.  
**DATES:** Written comments should be received on or before December 5, 2001 to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-1612.  
*Regulation Project Number:* REG-209830-96 Final.  
*Type of Review:* Extension.  
*Title:* Estate and Gift Tax Marital Deduction.

*Description:* The information requested in regulation section 20.2056(b)-7(d)(3)(ii) is necessary to provide a method of estates of decedents whose estate tax returns were due on or before February 18, 1997, to obtain an extension of time to make the qualified terminable interest property (QTIP) election under section 2056(b)(7)(B)(v).

*Respondents:* Individuals or households.  
*Estimated Number of Respondents:* 1.  
*Estimated Burden Hours Per Respondent:* 1 hour.  
*Frequency of Response:* Other (once).  
*Estimated Total Reporting Burden:* 1 hour.  
*Clearance Officer:* Garrick Shear, Internal Revenue Service, Room 5244, 1111 Constitution Avenue, NW., Washington, DC 20224.  
*OMB Reviewer:* Alexander T. Hunt, (202) 395-7860, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, DC 20503.

**Lois K. Holland,**  
*Departmental Reports Management Officer.*  
[FR Doc. 01-27650 Filed 11-2-01; 8:45 am]  
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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Proposed Collection; Comment Request for Notice 98-52

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Notice 98-52, Cash or Deferred Arrangements; Nondiscrimination.

**DATES:** Written comments should be received on or before January 4, 2002 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Garrick R. Shear, Internal Revenue Service, room 5244, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or

copies of the notice should be directed to Carol Savage, (202) 622-3945, Internal Revenue Service, room 5242, 1111 Constitution Avenue NW., Washington, DC 20224.

#### SUPPLEMENTARY INFORMATION:

*Title:* Cash or Deferred Arrangements; Nondiscrimination.

*OMB Number:* 1545-1624.

*Notice Number:* Notice 98-52.

*Abstract:* This notice provides guidance to plan administrators, plan sponsors, etc., regarding nondiscriminatory safe harbors with respect to Internal Revenue Code sections 401(k)(12) and 401(m)(11), as amended by the Small Business Job Protection Act of 1996. The safe harbor provisions pertain to the actual deferral percentage test and the actual contribution percentage test for cash or deferred arrangements and for defined contribution plans. To take advantage of the safe harbor provisions, plan sponsors must amend their plans to reflect the new law and must provide plan participants with an annual notice describing the benefits available under the plan.

*Current Actions:* There are no changes being made to the notice at this time.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Business or other for-profit organizations, and not-for-profit institutions.

*Estimated Number of Respondents:* 60,000.

*Estimated Time Per Respondent:* 1 hour, 20 minutes.

*Estimated Total Annual Burden Hours:* 80,000.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.