

a public interest waiver from the requirements of 49 U.S.C. 5327(j) and the applicable Buy America regulations at 49 CFR part 661. Specifically, MBTA has asked FTA to allow Vossloh to assemble two pilot locomotives in Spain.

Without the waiver, Vossloh estimates that the geographic separation between the design-engineering department in Spain and the final assembly facility in Mayfield, Kentucky, would result in an unacceptable increase in labor costs to Vossloh. A waiver for final assembly of two pilot locomotives would limit the cost, advance the schedule, and therefore reduce Vossloh's bid price for the entire procurement.

Vossloh and MBTA believe that such a waiver is in the public interest because it will enable Vossloh "to submit a competitive bid with respect to price and schedule," and because it will "expand the competitive range to include Vossloh as a compliant bidder."

With certain exceptions, FTA's "Buy America" requirements prevent FTA from obligating an amount that may be appropriated to carry out its program for a project unless "the steel, iron, and manufactured goods used in the project are produced in the United States. 49 U.S.C. 5323(j)(1). One such exception is if applying the Buy America requirements "would be inconsistent with the public interest." 49 U.S.C. 5323(j)(2)(A). Before granting such waiver, FTA must issue a detailed written statement justifying why the waiver is in the public interest, and must publish this justification in the **Federal Register**, providing the public with a reasonable time for notice and comment of not more than seven calendar days. 49 CFR 661.7(b). This notice satisfies the aforementioned requirement.

MotivePower, Inc. (MotivePower), a competitor to Vossloh, has written several letters opposing MBTA's request for a Buy America waiver. If awarded the contract, MotivePower would perform final assembly at its Boise, Idaho, facilities. According to MotivePower, a Buy America waiver in favor of Vossloh would jeopardize up to 200 current full time employees in its Boise, Idaho, facility and additional jobs in its supplier plants located across the country. MotivePower distinguishes between this procurement for passenger locomotives and those of light rail vehicles for which FTA has granted waivers in the past. Unlike the market for light rail vehicles, MotivePower states that "domestic capacity and engineering know how [with respect to passenger locomotives] has, quite

fortunately, not yet been lost to foreign competition."

Before deciding whether to grant MBTA's request, FTA seeks comment from all interested parties. In the interest of transparency, FTA has published copies of MBTA's request and the letters it received from MotivePower. Interested parties may access these materials by visiting the docket site at <http://www.regulations.gov>, docket number FTA-2008-0047. Please submit comments by October 28, 2008. Late-filed comments will be considered to the extent practicable.

Issued this 15th day of October, 2008.

**Severn E.S. Miller,**  
*Chief Counsel.*

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## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

October 16, 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, 1750 Pennsylvania Avenue, NW., Washington, DC 20220.

**DATES:** Written comments should be received on or before November 20, 2008 to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545-1028.

*Type of Review:* Extension.

*Title:* INTL-941-86 (NPRM) and INTL-655-87 (Temporary) Passive Foreign Investment Companies.

*Description:* These regulations specify how U.S. persons who are shareholders of passive foreign investment companies (PFICs) make elections with respect to their PFIC stock.

*Respondents:* Not-for-profit institutions.

*Estimated Total Burden Hours:* 112,500 hours. Clearance Officer: Glenn P. Kirkland, (202) 622-3428, Internal Revenue Service, Room 6516, 1111 Constitution Avenue, NW., Washington, DC 20224.

*OMB Reviewer:* Kimberly Nelson, (202) 395-3787, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503.

**Celina Elphage,**

*Treasury PRA Clearance Officer.*

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## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0005]

### Proposed Information Collection (Application for Dependency and Indemnity Compensation by Parent(s), (Including Accrued Benefits and Death Compensation, When Applicable)) Activity: Comment Request

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

**ACTION:** Notice.

**SUMMARY:** The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments on the information needed to determine a claimant's eligibility for dependency and indemnity compensation, death compensation, and/or accrued benefits.

**DATES:** Written comments and recommendations on the proposed collection of information should be received on or before December 22, 2008.

**ADDRESSES:** Submit written comments on the collection of information through [www.Regulations.gov](http://www.Regulations.gov) or to Nancy J. Kessinger, Veterans Benefits Administration (20M35), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420 or e-mail to [nancy.kessinger@va.gov](mailto:nancy.kessinger@va.gov). Please refer to "OMB Control No. 2900-0005" in any correspondence. During the comment period, comments may be viewed online through the Federal Docket Management System (FDMS) at [www.Regulations.gov](http://www.Regulations.gov).

#### FOR FURTHER INFORMATION CONTACT:

Nancy J. Kessinger at (202) 461-9769 or FAX (202) 275-5947.