

filing also will be available for inspection and copying at the principal office of the NASD. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NASD-2004-065 and should be submitted on or before June 25, 2004.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>5</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 04-12688 Filed 6-3-04; 8:45 am]

BILLING CODE 8010-01-P

## SMALL BUSINESS ADMINISTRATION

### **Small Business & Agriculture Regulatory Enforcement Ombudsman; Office of the National Ombudsman; Regulatory Enforcement Fairness Program; Public Federal Regulatory Enforcement Fairness Hearing; Region V Regulatory Fairness Board**

The Small Business Administration Region V Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a Public Hearing on Tuesday, June 22, 2004, at 8:30 a.m. at the Business Technology Center, 1275 Kinnear Road, Columbus, OH 43212-1155, to receive comments and testimony from small business owners, small government entities, and small non-profit organizations concerning regulatory enforcement and compliance actions taken by federal agencies.

Anyone wishing to attend or to make a presentation must contact Shannon Feucht in writing or by fax, in order to be put on the agenda. Shannon Feucht, Paralegal Specialist, SBA Columbus District Office, 280 N. High Street, Suite 1400, Columbus, Ohio 43215, phone (614) 469-6860 ext. 244, fax (614) 469-2391, e-mail: [Shannon.feucht@sba.gov](mailto:Shannon.feucht@sba.gov).

For more information, see our Web site at [www.sba.gov/ombudsman](http://www.sba.gov/ombudsman).

Dated: May 27, 2004.

**Peter Sorum,**

*Senior Advisor, Office of the National Ombudsman.*

[FR Doc. 04-12652 Filed 6-3-04; 8:45 am]

BILLING CODE 8025-01-P

## SMALL BUSINESS ADMINISTRATION

### **Small Business & Agriculture Regulatory Enforcement Ombudsman; Office of the National Ombudsman; Regulatory Enforcement Fairness Program; Public Federal Regulatory Enforcement Fairness Hearing; Region V Regulatory Fairness Board**

The Small Business Administration Region V Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a Public Hearing on Thursday, June 10, 2004, at 9:30 a.m. at the Rochester Community and Technical College, Heintz Center, Room 114-116, 1926 College View Road, SE., Rochester, MN 55904, to receive comments and testimony from small business owners, small government entities, and small non-profit organizations concerning regulatory enforcement and compliance actions taken by federal agencies.

Anyone wishing to attend or to make a presentation must contact Michael Lyons in writing or by fax, in order to be put on the agenda. Michael Lyons, Economic Development Specialist, SBA Minnesota District Office, 100 N. 6th Street, Suite 210-C, Minneapolis, MN 55403, phone (612) 370-2343, fax (202) 481-4556, e-mail:

[Michael.lyons@sba.gov](mailto:Michael.lyons@sba.gov).

For more information, see our Web site at [www.sba.gov/ombudsman](http://www.sba.gov/ombudsman).

Dated: May 27, 2004.

**Peter Sorum,**

*Senior Advisor, Office of the National Ombudsman.*

[FR Doc. 04-12653 Filed 6-3-04; 8:45 am]

BILLING CODE 8025-01-P

## DEPARTMENT OF STATE

### **[Public Notice 4731]**

### **Bureau of Political-Military Affairs; Directorate of Defense Trade Controls; Notifications to the Congress of Proposed Commercial Export Licenses**

**AGENCY:** Department of State.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Department of State has forwarded the attached Notifications of Proposed Export Licenses to the Congress on the dates shown on the attachments pursuant to sections 36(c) and 36(d) and in compliance with section 36(f) of the Arms Export Control Act (22 U.S.C. 2776).

**EFFECTIVE DATE:** As shown on each of the sixteen letters.

**FOR FURTHER INFORMATION CONTACT:** Mr. Peter J. Berry, Director, Office of Defense Trade Controls Licensing, Directorate of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State (202 663-2700).

**SUPPLEMENTARY INFORMATION:** Section 36(f) of the Arms Export Control Act mandates that notifications to the Congress pursuant to sections 36(c) and 36(d) must be published in the **Federal Register** when they are transmitted to Congress or as soon thereafter as practicable.

Dated: May 26, 2004.

**Peter J. Berry,**

*Director, Office of Defense Trade Controls Licensing, Directorate of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State.*

Hon. J. Dennis Hastert,

*Speaker of the House of Representatives.*  
March 29, 2004.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles sold commercially in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export to the Government of Australia of MK48ADCAP/CBASS ACP Torpedoes, associated equipment and technical data.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Paul V. Kelly,

*Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DDTC 008-04.

Hon. J. Dennis Hastert,

*Speaker of the House of Representatives.*  
March 30, 2004.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more.

The transactions contained in the attached certification concern future commercial activities with Russia, Ukraine and Norway related to the launch of commercial satellites from the Pacific Ocean utilizing a modified oil platform beyond the period specified in DTC 015-04; DTC 023-03 dated February 28, 2003; DTC 002-03 dated January 24, 2003; DTC 148-02 dated July 26, 2002; DTC 123-02 dated May 22, 2002; DTC 023-02 dated May 1, 2002; DTC 048-01 dated April 30, 2001; DTC 026-00 dated May 19, 2000; DTC

<sup>5</sup> 17 CFR 200.30-3(a)(12).

124–99 dated November 10, 1999; DTC 006–99 dated April 16, 1999; and DTC 016–97 dated July 25, 1997.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Paul V. Kelly,  
*Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DDTC 018–04.  
Hon. J. Dennis Hastert,  
*Speaker of the House of Representatives.*  
March 30, 2004.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more.

The transactions contained in the attached certification concern future commercial activities with Russia and Kazakhstan related to the Proton Space Launch Vehicle beyond those specified in DTC 016–04 dated March 30, 2004; DTC 022–03 dated February 28, 2003; DTC 001–03 dated January 24, 2003; DTC 147–02 dated July 26, 2002; DTC 182–02 dated June 27, 2002; DTC 124–02 dated May 22, 2002; DTC 022–02 dated May 1, 2002; DTC 038–01 dated April 30, 2001; DTC 034–01 dated March 1, 2001; DTC 014–01 dated March 7, 2000; DTC 098–99 dated August 5, 1999; and DTC 039–98 dated March 19, 1998.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Paul V. Kelly,  
*Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DDTC 019–04.  
Hon. J. Dennis Hastert,  
*Speaker of the House of Representatives.*  
March 30, 2004.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more.

The transaction contained in the attached certification concerns exports of technical data and defense services for cooperation in the co-development of Japan's Galaxy

Express (formerly J–1) space launch vehicle program beyond the period specified in DDTC 017–04.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Paul V. Kelly,  
*Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DDTC 020–04.  
Hon. J. Dennis Hastert,  
*Speaker of the House of Representatives.*  
April 7, 2004.

Dear Mr. Speaker: Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of technical data, defense services and defense articles to Canada and Australia to support the manufacture, procurement, assembly, and testing of new components necessary to upgrade Light Armored Vehicle (LAV–25) turrets for end-use in Canada, Australia, New Zealand and the United States.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Paul V. Kelly,  
*Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DDTC 003–04.  
Hon. J. Dennis Hastert,  
*Speaker of the House of Representatives.*  
April 7, 2004.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of technical data and defense services to Italy related to the manufacture of parts for T700 and CT7–6 Engines and assembly of the engines for the Italian and Japanese EH–101 Helicopter Programs.

The United States Government is prepared to license the export of these items having

taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Paul V. Kelly,  
*Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DDTC 010–04.  
Hon. J. Dennis Hastert,  
*Speaker of the House of Representatives.*  
April 20, 2004.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of major defense equipment sold commercially under a contract in the amount of \$14,000,000 or more.

The transaction contained in the attached certification involves the export to Israel of technical data and defense services to upgrade sixty-two (62) M106A2 self-propelled 107mm Mortars to the M1064A3 configuration.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
James P. Terry,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DDTC 001–04.  
Hon. J. Dennis Hastert,  
*Speaker of the House of Representatives.*  
April 20, 2004.

Dear Mr. Speaker: Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense services, technical data and defense articles for the manufacture in Japan of the AN/APG–63 (V) 1 Radar System Retrofit Kits.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause

competitive harm to the United States firm concerned.

Sincerely,  
James P. Terry,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 009-04.  
Hon. J. Dennis Hastert,  
*Speaker of the House of Representatives.*  
April 21, 2004.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the export of defense services, technical data and defense articles to the Republic of Korea. This agreement supports the manufacture, assembly and repair of fuselages and fuselage components for the AH-64D Apache Helicopter.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
James P. Terry,  
*Acting Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DTC 011-04.  
Hon. J. Dennis Hastert,  
*Speaker of the House of Representatives.*  
April 29, 2004.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the export of technical data and defense services to South Korea for the manufacture of X1100-5A3 transmissions for the Korean K95 Mobile Howitzer and K1A1 Main Battle Tank for end-use in South Korea, Turkey, Spain, Saudi Arabia and Chile.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Paul V. Kelly,  
*Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DDTC 007-04.  
Hon. J. Dennis Hastert,  
*Speaker of the House of Representatives.*  
April 29, 2004.

Dear Mr. Speaker: Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of technical data and defense services to the United Kingdom to support the manufacture, test, re-design, re-engineering, marketing, sales and support of marine gas turbine engines.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Paul V. Kelly,  
*Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DDTC 013-04.  
Hon. J. Dennis Hastert,  
*Speaker of the House of Representatives.*  
April 29, 2004.

Dear Mr. Speaker: Pursuant to Sections 36(c) and (d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense services, technical data and defense articles to Japan to support the manufacture and assembly of T53 series gas turbine engines and components.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Paul V. Kelly,  
*Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DDTC 021-04.  
Hon. J. Dennis Hastert,  
*Speaker of the House of Representatives.*  
April 29, 2004.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for export of defense

articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense services, technical data and defense articles to Canada and the United Kingdom supporting Management Data Terminals for the BOWMAN communications system for ultimate end-use by the United Kingdom Ministry of Defence.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Paul V. Kelly,  
*Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DDTC 022-04.  
Hon. J. Dennis Hastert,  
*Speaker of the House of Representatives.*  
April 29, 2004.

Dear Mr. Speaker: Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed amendment to a manufacturing license agreement for the export of defense articles or defense services in the amount of \$100,000,000 or more.

The transaction contained in the attached certification involves the export of defense services, technical data and defense articles for the assembly and test, in Japan, of the AN/ALQ-131 Electronic Countermeasures System.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,  
Paul V. Kelly,  
*Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DDTC 029-04  
Hon. J. Dennis Hastert,  
*Speaker of the House of Representatives.*  
May 5, 2004.

Dear Mr. Speaker: Pursuant to Section 36(c) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for the export of defense articles or defense services sold commercially under a contract in the amount of \$100,000,000 or more.

The transaction contained in the attached certification concerns the export of technical data and defense services for sale, delivery, and support of fifty-four F100-PW-229 Aircraft Engines in the form of kits to support

the Foreign Military Sale of forty-eight F-16 Fighter Aircraft to Poland for end-use by the Government of Poland.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Paul V. Kelly,

*Assistant Secretary, Legislative Affairs.*

Enclosure: Transmittal No. DDTC 005-04.

Hon. J. Dennis Hastert,

*Speaker of the House of Representatives.*

May 5, 2004.

Dear Mr. Speaker: Pursuant to Section 36(c) and (d) of the Arms Export Control Act, I am transmitting, herewith, certification of a proposed license for export of defense articles or defense services sold commercially under a contract in the amount of \$50,000,000 or more.

The transaction contained in the attached certification involves the export of defense services, technical data and defense articles to Israel. This agreement supports the manufacture and assembly of various components for the Israeli indigenous anti-ballistic missile weapons—the Arrow Weapons System (AWS)—Arrow Interceptor.

The United States Government is prepared to license the export of these items having taken into account political, military, economic, human rights and arms control considerations.

More detailed information is contained in the formal certification which, though unclassified, contains business information submitted to the Department of State by the applicant, publication of which could cause competitive harm to the United States firm concerned.

Sincerely,

Paul V. Kelly,

*Assistant Secretary, Legislative Affairs.*

Enclosure:

Transmittal No. DDTC 026-04.

[FR Doc. 04-12699 Filed 6-3-04; 8:45 am]

BILLING CODE 4710-25-P

## DEPARTMENT OF TRANSPORTATION

### Maritime Administration

#### Maritime Security Act of 2003, Subtitle D—National Defense Tank Vessel Construction Assistance

**AGENCY:** Maritime Administration, DOT.

**ACTION:** Supplemental notice of information regarding MARAD's request for competitive proposals for construction of new product tank vessels.

**SUMMARY:** The purpose of this supplemental notice is to advise interested parties to monitor the Maritime Administration's Web site for periodic changes and clarifications related to the Request for Competitive Proposals (RFP) for the construction of up to five new tank vessels. The RFP is available on the Internet at <http://www.fedbizopps.gov> and <http://www.marad.dot.gov> and hard copies of the RFP are available in the Office of the Secretary, Maritime Administration.

#### FOR FURTHER INFORMATION CONTACT:

Gregory V. Sparkman, Office of Insurance and Shipping Analysis, Maritime Administration, Room 8117, 400 Seventh Street, SW., Washington, DC 20590; Telephone: (202) 366-2400; Fax: (202) 366-7901.

**SUPPLEMENTARY INFORMATION:** This supplemental notice announces that updates and clarifications of the subject RFP will be posted on MARAD's Web site. The Web site has recently been modified to add new information regarding U.S. content requirements, the Capital Construction Fund and technical requirements. Additional technical information is expected to be included on the Web site soon. Periodic monitoring of the Web site is recommended.

**Authority:** 49 CFR 1.66.

Dated: May 25, 2004.

By Order of the Maritime Administrator.

Joel C. Richard,

*Secretary, Maritime Administration.*

[FR Doc. 04-12200 Filed 6-3-04; 8:45 am]

BILLING CODE 4910-81-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-6 (Sub-No. 419X)]

#### The Burlington Northern and Santa Fe Railway Company—Abandonment Exemption—in Griggs and Barnes Counties, ND

The Burlington Northern and Santa Fe Railway Company (BNSF) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon and discontinue service over a 4.69-mile line of railroad between milepost 22.00 near Walum, and milepost 17.31 near Dazey, in Griggs and Barnes Counties, ND. The line traverses United States Postal Service ZIP Codes 58429 and 58448.

BNSF has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic to be rerouted; (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 and discontinuance 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 July 6, 2004, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking requests under 49 CFR 1152.29<sup>3</sup> must be filed by June 14, 2004. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by June 24, 2004, with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to BNSF's representative: Michael Smith, Freeborn & Peters, 311 S. Wacker Dr., Suite 3000, Chicago, IL 60606-6677.

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

BNSF has filed an environmental report which addresses the effects, if any, of the abandonment and discontinuance on the environment and historic resources. SEA will issue an

<sup>1</sup> 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 (SEA) 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.

<sup>2</sup> Each offer of financial assistance must be accompanied by the filing fee, which currently is set at \$1,100. See 49 CFR 1002.2(f)(25).

<sup>3</sup> Each trail use request must be accompanied by the filing fee, which is set at \$200.00. See 49 CFR 1002.2(f)(27).