

besides train and engine crews—can also be subject to fatigue. The non-operating crafts, including locomotive and car repair, track maintenance, signal system maintenance and telecommunications, fall into this second category. FRA is proposing a study which will focus on maintenance of way employees, one of the non-operating railroad crafts. The project will be very similar in both method and scope to a current study focusing on railroad signalmen. To develop an understanding of the work schedule-related fatigue issues for maintenance of way employees, FRA proposes to undertake this study. The proposed study has two primary purposes: (1) It aims to document and characterize the work/rest schedules and sleep patterns of the maintenance of way employees; and (2) it intends to examine the relationship between these schedules and level of alertness/fatigue for the individuals who work these schedules. The intent is to report results in the aggregate, not by railroad. Subjective ratings from participants of their alertness/sleepiness on both work and non-work days will be an integral part of this study. The data will be collected through the use of a daily diary or log, as well as a brief background questionnaire for each participant. Analysis of the diary data will allow FRA to assess whether or not there are any work-related fatigue issues for maintenance of way employees.

*Form Number(s):* FRA F 6180.113; FRA F 6180.114.

*Affected Public:* Rail Workers.

*Respondent Universe:* 338

Maintenance of Way Employees.

*Frequency of Submission:* On occasion.

*Annual Estimated Burden Hours:* 874 hours.

*Status:* Regular Review.

*Addressee:* Send comments regarding this information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 Seventeenth Street, NW., Washington, DC 20503, Attention: FRA Desk Officer.

*Comments are invited on the following:* Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility, and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of

automated collection techniques or other forms of information technology.

A comment to OMB is best assured of having its full effect if OMB receives it within 30 days of publication of this notice in the **Federal Register**.

**Authority:** 44 U.S.C. 3501–3520.

Issued in Washington, DC on December 19, 2003.

**Kathy A. Weiner,**

*Director, Office of Information Technology and Support Systems, Federal Railroad Administration.*

[FR Doc. 03–31911 Filed 12–24–03; 8:45 am]

**BILLING CODE 4910–06–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

**[STB Ex Parte No. 290 (Sub No. 5) (2004–1)]**

#### Quarterly Rail Cost Adjustment Factor

**AGENCY:** Surface Transportation Board.

**ACTION:** Approval of rail cost adjustment factor.

**SUMMARY:** The Board has approved the first quarter 2004 rail cost adjustment factor (RCAF) filed by the Association of American Railroads. The first quarter 2004 RCAF (Unadjusted) is 1.025. The first quarter 2004 RCAF (Adjusted) is 0.517. The first quarter 2004 RCAF–5 is 0.492.

**EFFECTIVE DATE:** January 1, 2004.

**FOR FURTHER INFORMATION CONTACT:** Mac Frampton, (202) 565–1541. Federal Information Relay Service (FIRS) for the hearing impaired: 1–800–877–8339.

#### SUPPLEMENTARY INFORMATION:

Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: ASAP Document Solutions, Suite 405, 1925 K Street, NW., Washington, DC 20006, telephone (202) 293–7878. [Assistance for the hearing impaired is available through FIRS: 1–800–877–8339.]

This action will not significantly affect either the quality of the human environment or energy conservation.

Pursuant to 5 U.S.C. 605(b), we conclude that our action will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

Decided: December 18, 2003.

By the Board, Chairman Nober.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 03–31865 Filed 12–24–03; 8:45 am]

**BILLING CODE 4915–00–P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

**[STB Docket No. AB–863X]**

#### City of Venice—Abandonment Exemption—in Venice, IL, and St. Louis, MO

The City of Venice (City) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon its entire 2.00-mile line of railroad, between milepost 0.55 near Branch Street Yard in St. Louis, MO, and milepost 0.0 at the state line at Venice, IL, and milepost 0.00 at Venice and milepost 1.45 at McKinley Junction, IL. The line traverses United States Postal Service ZIP Codes 62090 and 63147.

The City has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) there is no overhead traffic on 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.

Where, as here, the carrier is abandoning its entire line, the Board does not normally impose labor protection under 49 U.S.C. 10502(g), unless the evidence indicates the existence of: (1) A corporate affiliate that will continue substantially similar rail operations; or (2) a corporate parent that will realize substantial financial benefits over and above relief from the burden of deficit operations by its subsidiary railroad. *See Wellsville, Addison & Galetton R. Corp.—Abandonment*, 354 I.C.C. 744 (1978); and *Northampton and Bath R. Co.—Abandonment*, 354 I.C.C. 784 (1978). Because the City does not appear to have a corporate affiliate or parent that could benefit from the proposed abandonment, employee protection conditions will not be imposed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on January

28, 2004,<sup>1</sup> unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,<sup>2</sup> formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),<sup>3</sup> and trail use/rail banking requests under 49 CFR 1152.29 must be filed by January 8, 2004.<sup>4</sup> Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by January 20, 2004, with: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001.

A copy of any petition filed with the Board should be sent to the City's representative: Charles H. Montange, 426 NW 162d St., Seattle, WA 98177.

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

The City has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. SEA will issue an environmental assessment (EA) by January 2, 2004. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423-0001) or by calling SEA, at (202) 565-1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.] Comments on environmental and historic preservation matters must be filed within 15 days

<sup>1</sup> In its notice, the City indicated a proposed consummation date of January 12, 2004. Under 49 CFR 1152.50(d)(2), however, the earliest the exemption could become effective is 50 days after the verified notice of exemption was filed. The notice was filed on December 9, 2003. Therefore, the effective date of the exemption can be no earlier than January 28, 2004, and consummation may not take place prior to that date. The City's representative has been notified and has confirmed that consummation will not take place before January 28, 2004.

<sup>2</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>3</sup> Each OFA must be accompanied by the filing fee, which currently is set at \$1,100. See 49 CFR 1002.2(f)(25).

<sup>4</sup> Madison County Transit (MCT) concurrently filed a request for issuance of a notice of interim trail use for the entire line under the National Trails System Act, 16 U.S.C. 1247(d). Also by letter filed December 12, 2003, the Terminal Railroad Association of St. Louis (Terminal) states that it intends to file a reply to the City's notice of exemption and to MCT's trail use request, and that it will seek a stay of the effective date of the exemption. The Board will address MCT's trail use request, along with any others that may be filed, and any further filings by Terminal in subsequent decisions.

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), the City 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 the City's filing of a notice of consummation by December 29, 2004, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our Web site at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: December 18, 2003.

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

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 03-31719 Filed 12-24-03; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF TREASURY

### Internal Revenue Service

#### Addition of New Transmitter Encryption Options and Pending Discontinuance of Non-Encrypted Options for IRS e-file

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

**ACTION:** Notice.

**SUMMARY:** Internal Revenue Service will provide the ability for *IRS e-file* program participants to use approved encryption methods for the 2005 and later filing seasons, beginning with the Acceptance Testing System (ATS) in late 2004. For the 2005 filing season, IRS intends to begin discontinuing support of non-encrypted transmissions whether by dedicated or dial-up links on the Public Switched Telephone Network (PSTN).

**DATES:** Questions or concerns should be directed to the Internal Revenue Service by January 31, 2004.

**SUPPLEMENTARY INFORMATION:** This information pertains to *IRS e-filer* transmitters (EROs) who are transmitting both individual and business electronic returns and electronic tax documents to the IRS EMS Front-End Processing Systems and also to state taxing authorities who retrieve state returns from the State Retrieval Systems located in Austin, TX and Memphis, TN.

## Background

The Internal Revenue Service is charged with protecting taxpayer information using the most feasible, efficient and appropriate methods of protection available. Encrypting the transmissions between the trading partners and the IRS would enhance and complete the existing security provided by the trading partners' systems and by the IRS security zone.

## Dedicated Line Filers

Based on an analysis of various e-file trading partner capabilities, the Internal Revenue Service announces that effective for the 2005 Filing Season, it will require the use of a minimum 128-bit FIPS approved but trading partner-chosen, procured, and installed method of encryption for use on trading partner-provided dedicated line(s). These dedicated lines may continue to be terminated at the Austin and Memphis EMS locations, and will permit use of the existing TELNET and FTP protocol methods. Each dedicated line trading partner will need to submit a new application and will identify the evaluation number referencing the chosen encryption method (e.g., Brand, Model Number, FIPS 140-x, Evaluation Number xxx, and Evaluation Date). For filers using dedicated lines terminating on IRS network equipment, the IRS will provide the IOS implemented 128-bit IPsec 3DES encryption services.

## Internet Transmission Filers

Recognizing that the majority of e-commerce and e-government applications are migrating to the Internet and using standard technologies, the Internal Revenue Service will provide the ability for registered users to electronically transmit return information to an IRS-provided and certified "Secure Web" site. Use of this Web site for the EMS e-filer program will require the use of Secure Sockets Layer (SSL) Version 3.0 using 128-bit encryption keys in an operational mode using the current modem based file transmission commands within a client commonly termed "TELNET/S". A very similar web and SSL technology is also being used for the IRS/FMS EFTPS program, *pay.gov*, the IRS modernized e-file RUP, as well as for other commercial applications, such as on-line banking. Support for SSL is provided at no extra cost in most Operating Systems available for the last five years, and is supported by the majority of Internet Service Providers (ISPs).