

diabetes management, and is on a stable insulin regimen. These drivers report no other disqualifying conditions, including diabetes-related complications. Each meets the vision standard at 49 CFR 391.41(b)(10).

The qualifications and medical condition of each applicant were stated and discussed in detail in the March 31, 2008, **Federal Register** Notice (73 FR 16946). Therefore, they will not be repeated in this notice.

#### Basis for Exemption Determination

Under 49 U.S.C. 31136(e) and 31315, FMCSA may grant an exemption from the diabetes standard in 49 CFR 391.41(b)(3) if the exemption is likely to achieve an equivalent or greater level of safety than would be achieved without the exemption. The exemption allows the applicants to operate CMVs in interstate commerce.

To evaluate the effect of these exemptions on safety, FMCSA considered medical reports about the applicants' ITDM and vision, and reviewed the treating endocrinologist's medical opinion related to the ability of the driver to safely operate a CMV while using insulin.

Consequently, FMCSA finds that exempting these applicants from the diabetes standard in 49 CFR 391.41(b)(3) is likely to achieve a level of safety equal to that existing without the exemption.

#### Conditions and Requirements

The terms and conditions of the exemption will be provided to the applicants in the exemption document and they include the following: (1) That each individual submits to FMCSA a quarterly monitoring checklist completed by the treating endocrinologist as well as an annual checklist with a comprehensive medical evaluation; (2) that each individual reports to FMCSA within 2 business days of occurrence, all episodes of severe hypoglycemia, significant complications, or inability to manage diabetes; also, any involvement in an accident or any other adverse event in a CMV or personal vehicle, whether or not they are related to an episode of hypoglycemia; (3) that each individual provide a copy of the ophthalmologist's or optometrist's report to the medical examiner at the time of the annual medical examination; and (4) that each individual provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy in his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the certification when driving,

for presentation to a duly authorized Federal, State, or local enforcement official.

#### Discussion of Comments

FMCSA received one comment in this proceeding. A letter of recommendation was written in favor of granting the Federal Diabetes Exemption to Mr. Jason Daily. It was written by Mr. Ernest A. White, who states that Mr. Daily has not had diabetic difficulties that would preclude him from operating a motor vehicle safely.

#### Conclusion

After considering the comments to the docket, and based upon its evaluation of the twenty-nine exemption applications, FMCSA exempts, Gary D. Coonfield, Edward F. Connole, Jason C. Daily, Mark B. Demmer, Francis W. Devine, Paul W. Dietze, Harold W. Goodwill, Shannon D. Hanson, Craig A. Hendrickson, Michael T. Johnson, Michael K. Limberg, Maurice R. McGill, Jr., Aundra Menefield, Charles E. Murphy, Eric B. Pies, Douglas G. Puckett, Eric A. Quisling, James T. Rothwell, Bob L. Rumble, Larry D. Schweisberger, Randy A. Shannon, Dalton T. Smith, Jr., Kim M. Stickelmeyer, Marvin D. Webster, Harold A. Wendt, Donald D. Willard, Anthony O. Wilson, Travis S. Wolfe, and Jason J. Wolff, from the ITDM standard in 49 CFR 391.41(b)(3), subject to the conditions listed under "Conditions and Requirements" above.

In accordance with 49 U.S.C. 31136(e) and 31315, each exemption will be valid for two years unless revoked earlier by FMCSA. The exemption will be revoked if: (1) The person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained before it was granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315. If the exemption is still effective at the end of the 2-year period, the person may apply to FMCSA for a renewal under procedures in effect at that time.

Issued on: May 28, 2008.

**Larry W. Minor,**

*Associate Administrator for Policy and Program Development.*

[FR Doc. E8-12387 Filed 6-2-08; 8:45 am]

**BILLING CODE 4910-EX-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Notice of Clarification of Solicitation of Applications and Notice of Funding Availability for the Capital Assistance to States—Intercity Passenger Rail Service Program

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Clarification regarding solicitation of applications and notice of funding availability.

**SUMMARY:** On February 19, 2008, FRA issued a Notice of Funding Availability and Solicitation of Applications for the Capital Assistance to States—Intercity Passenger Rail Service Program. On April 18, 2008, in response to questions posed by prospective applicants, FRA issued Notice of Clarification addressing three issues related to applicant and project eligibility. FRA is now issuing further clarification, as described below.

#### FOR FURTHER INFORMATION CONTACT:

Peter Schwartz, Office of Railroad Development (RDV-11), Federal Railroad Administration, 1200 New Jersey Avenue, SE., Washington, DC 20590. Phone: (202) 493-6360; Fax: (202) 493-6330.

**SUPPLEMENTARY INFORMATION:** The sections of the February 19, 2008 notice labeled **DATES** and "Schedule for Capital Grant Program" are amended to read as follows.

**DATES:** FRA will begin accepting grant applications on March 18, 2008. Applications may be submitted until the earlier of September 30, 2009, or the date on which all available funds will have been committed under this program. The last-mentioned date will be announced in the **Federal Register**.

Applications submitted by June 30, 2008 will be considered in the first round of awards on the basis of application materials that FRA has received as of that date. Any subsequent rounds of awards will depend on the availability of funds after the first round of awards.

*Schedule for Capital Grant Program:* FRA will begin accepting grant applications on March 18, 2008. Applications for the first round of awards must be submitted by June 30, 2008. For subsequent rounds of awards, if any, deadlines will be announced in the **Federal Register**. Due to the limited funding available under this program: (1) Applicants are encouraged to submit their applications at the earliest date practicable in order to maximize the consideration of their applications in

the competition; (2) applications will be considered in their entirety; applicants proposing two or more projects, each with independent utility, are encouraged to submit a separate application for each project; and (3) FRA may suggest that an applicant submit a revised application reflecting a refined scope of work and budget.

Applicants that have submitted an application by June 30, 2008 will be considered in the first round of awards on the basis of application materials that FRA has received as of that date. FRA anticipates announcing the first award(s) pursuant to this notice during FY 2008. Applications (including any subsequent revisions thereto) not selected for award in a given round in the competition, along with applications received subsequent to the cut-off date for the prior round of awards, may be considered, if merited, in a subsequent round of awards.

Issued in Washington, DC on May 29, 2008.

**Mark E. Yachmetz,**

*Associate Administrator for Railroad Development.*

[FR Doc. 08-1313 Filed 5-29-08; 2:35 pm]

**BILLING CODE 4910-06-P**

## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0029]

### Proposed Information Collection (Offer to Purchase and Contract of Sale) 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 from a private sector sales broker to submit an offer to VA on behalf of a prospective buyer of a VA-acquired property.

**DATES:** Written comments and recommendations on the proposed

collection of information should be received on or before August 4, 2008.

**ADDRESSES:** Submit written comments on the collection of information through <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. 2900-0029" in any correspondence. During the comment period, comments may be viewed online through the Federal Docket Management System (FDMS) at <http://www.Regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

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

**SUPPLEMENTARY INFORMATION:** Under the PRA of 1995 (Pub. L. 104-13; 44 U.S.C. 3501-21), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

#### Titles:

- Offer to Purchase and Contract of Sale, VA Form 26-6705.
- Credit Statement of Prospective Purchaser, VA Form 26-6705b.
- Addendum to VA Form 26-6705 Offer to Purchase and Contract of Sale, VA Form 26-6705d.

**OMB Control Number:** 2900-0029.

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

#### Abstract:

a. VA Form 26-6705 is completed by private sector sales broker to submit an offer to purchase VA-acquired property on behalf of a prospective buyer. VA Form 26-6705 becomes a contract of sale if VA accepts the offer to purchase. It serves as a receipt for the prospective buyer for his/her earnest money deposit, describes the terms of sale, and

eliminates the need for separate transmittal of a purchase offer.

b. VA Form 26-6705b is used as a credit application to determine the prospective buyer creditworthiness in instances when the prospective buyer seeks VA vendee financing. In such sales, the offer to purchase will not be accepted until the buyer's income and credit history have been verified and a loan analysis has been completed.

c. VA Form 26-6705d is an addendum to VA Form 26-6705 for use in the state of Virginia. The forms requires the buyer to be informed of the State's law at or prior to closing the transaction.

**Affected Public:** Individuals or households.

#### Estimated Annual Burden:

- VA Form 26-6705—10,000 hours.
- VA Form 26-6705b—7,333 hours.
- VA Form 26-6705d—125 hours.

#### Estimated Average Burden per Respondent:

- VA Form 26-6705—20 minutes.
- VA Form 26-6705b—20 minutes.
- VA Form 26-6705d—5 minutes.

**Frequency of Response:** On occasion.

#### Estimated Number of Total Respondents:

- VA Form 26-6705—30,000.
- VA Form 26-6705b—22,000.
- VA Form 26-6705d—1,500.

Dated: May 23, 2008.

By direction of the Secretary.

**Denise McLamb,**

*Program Analyst, Records Management Service.*

[FR Doc. E8-12312 Filed 6-2-08; 8:45 am]

**BILLING CODE 8320-01-P**

## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0594]

### Proposed Information Collection (Election to Apply Selected Reserve Services to either Montgomery GI Bill-Active Duty or to the Montgomery GI Bill-Selected Reserve) 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**