

give the Board power to investigate, in certain circumstances, failures by Amtrak to meet on-time performance standards or service quality standards established pursuant to section 207. The Board "may initiate an investigation, or upon the filing of a complaint by Amtrak, an intercity passenger rail operator, a host freight railroad over which Amtrak operates, or an entity for which Amtrak operates intercity passenger rail service, the Board shall initiate such an investigation, to determine whether and to what extent delays or failure to achieve minimum standards are due to causes that could reasonably be addressed by a rail carrier over whose tracks the intercity passenger train operates or reasonably addressed by Amtrak or other intercity passenger rail operators." 49 U.S.C. 24308(f)(1).

If, after investigation, the Board determines that delays or failures to achieve minimum standards are attributable to a rail carrier's failure to provide preference to Amtrak over freight transportation, the Board may award damages against the host rail carrier, including prescribing such other relief to Amtrak as it determines to be reasonable. 49 U.S.C. 24308(f)(2). In awarding damages and prescribing other relief, the Board shall consider such factors as: (1) The extent to which Amtrak suffers financial loss as a result of host rail carrier delays or failure to achieve minimum standards; and (2) what reasonable measures would adequately deter future actions which may reasonably be expected to be likely to result in delays to Amtrak on the route involved. The Act instructs the Board, as it deems appropriate, to order the host rail carrier to remit the damages awarded to Amtrak or to an entity for which Amtrak operates intercity passenger rail service. Such damages shall be used for capital or operating expenditures on the routes over which delays or failures to achieve minimum standards were the result of a rail carrier's failure to provide preference to Amtrak over freight transportation. 49 U.S.C. 24308(f)(3).

Section 401 provides for confidential, non-binding mediation of certain access disputes between commuter rail providers and rail carriers subject to the Board's jurisdiction under chapter 105. Chapter 285 is added to Part E of subtitle V of title 49. Disputes between rail carriers and public transportation authorities regarding track or rights-of-way usage may be brought to the Board for mediation in accordance with the mediation process for rail rate disputes at 49 CFR 1109.4. 49 U.S.C. 28505 instructs the Board to issue rules and

regulations as may be necessary to carry out chapter 285.

Section 217 provides for access to Amtrak equipment and services by a State that desires to select or selects an entity other than Amtrak to provide services required for the operation of an intercity passenger train route described in 49 U.S.C. 24102(5)(D) or 24702. The State may make an agreement with Amtrak to use facilities and equipment of, or have services provided by, Amtrak. If the parties cannot agree upon terms, and the Board finds that access to Amtrak's facilities or equipment, or the provision of services by Amtrak, is necessary to carry out this provision and that the operation of Amtrak's other services will not be impaired thereby, the Board shall, within 120 days after submission of the dispute, issue an order that the facilities and equipment be made available, and that services be provided, by Amtrak, and shall determine reasonable compensation, liability, and other terms for use of the facilities and equipment and provision of the services. Compensation shall be determined, as appropriate, in accordance with the methodology established pursuant to section 209. Section 209 directs Amtrak and the States to establish a methodology that allocates to each route the costs incurred only for the benefit of that route and a proportionate share, based upon factors that reasonably reflect relative use, of costs incurred for the common benefit of more than one route. If Amtrak and the States do not develop and implement the required methodology within 2 years from the date of enactment, Section 209(c) requires the Board to determine and implement an appropriate methodology.

Interested parties are invited to comment on these provisions of the Act, on the need for regulations or policy guidance to implement them, and what such regulations or guidance should entail. It is the Board's objective to effectively implement the new provisions of Public Law 110-432 that relate to the STB. Stakeholder input at this hearing will assist the Board in this important endeavor.

Date of Hearing. The hearing will begin at 10:00 am on Wednesday, February 11, 2009, in the 1st floor hearing room at the Board's headquarters at 395 E Street, S.W., in Washington, DC, and will continue, with short breaks if necessary, until every person scheduled to speak has been heard.

Notice of Intent To Participate. Any person wishing to speak at the hearing should file with the Board a written notice of intent to participate, and

should identify the party, the proposed speaker, and the time requested, as soon as possible, but no later than January 28, 2009.

Testimony. Each speaker should file with the Board his/her written testimony with his/her notice of intent to participate (by January 28, 2009). Also, any interested person who wishes to submit a written statement without appearing at the February 11 hearing should file that statement by January 28, 2009.

Board Releases and Live Video Available Via the Internet. Decisions and notices of the Board, including this notice, are available on the Board's Web site at <http://www.stb.dot.gov>. This hearing will be available on the Board's Web site by live video streaming. To access the hearing, click on the "Live Video" link under "Information Center" at the left side of the home page beginning at 10 a.m. on February 11, 2009.

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

Dated: December 23, 2008.

Jeffrey Herzig,
Clearance Clerk.

[FR Doc. E8-30911 Filed 12-29-08; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF THE TREASURY

Fiscal Service

Prompt Payment Interest Rate; Contract Disputes Act

AGENCY: Bureau of the Public Debt, Fiscal Service, Treasury.

ACTION: Notice.

SUMMARY: For the period beginning January 1, 2009, and ending on June 30, 2009, the prompt payment interest rate is 5⁵/₈ per centum per annum.

ADDRESSES: Comments or inquiries may be mailed to Milissia S. Morris, Team Leader, Borrowings Accounting Team, Division of Accounting Operations, Office of Public Debt Accounting, Bureau of the Public Debt, Parkersburg, West Virginia, 26106-1328. A copy of this Notice is available at <http://www.publicdebt.treas.gov>.

DATES: Effective January 1, 2009, to June 30, 2009.

FOR FURTHER INFORMATION CONTACT: Mike Linder, Acting Director, Division of Accounting Operations, Office of Public Debt Accounting, Bureau of the Public Debt, Parkersburg, West Virginia, 26106-1328, (304) 480-5125; Milissia S.

Morris, Team Leader, Borrowings Accounting Team, Division of Debt Accounting, Bureau of the Public Debt, Parkersburg, West Virginia, 26106-1328, (304) 480-5167; Amy Mertz Brown, Acting Chief Counsel, Office of the Chief Counsel, Bureau of the Public Debt, (202) 504-3715; or Brenda L. Hoffman, Attorney-Adviser, Office of the Chief Counsel, Bureau of the Public Debt, (202) 504-3706.

SUPPLEMENTARY INFORMATION: An agency that has acquired property or services from a business concern and has failed to pay for the complete delivery of property or service by the required payment date shall pay the business concern an interest penalty. 31 U.S.C. 3902(a). The Contract Disputes Act of 1978, Sec. 12, Public Law 95-563, 92 Stat. 2389, and the Prompt Payment Act of 1982, 31 U.S.C. 3902(a), provide for the calculation of interest due on claims at the rate established by the Secretary of the Treasury.

The Secretary of the Treasury has the authority to specify the rate by which the interest shall be computed for interest payments under § 12 of the Contract Disputes Act of 1978 and under the Prompt Payment Act. Agencies must pay the interest penalty calculated with the interest rate, which is in effect at the time the agency accrues the obligation to pay a late payment interest penalty. *Id.* "The interest penalty shall be paid for the period beginning on the day after the required payment date and ending on the date on which the payment is made." 31 U.S.C. 3902(b). Under the Prompt Payment Act, if an interest penalty is owed to a business concern, the penalty shall be paid regardless of whether the business concern requested payment of interest.

Therefore, notice is given that the Secretary of the Treasury has determined that the rate of interest applicable for the period beginning January 1, 2009, and ending on June 30, 2009, is 5½ per centum per annum.

Kenneth E. Carfine,
Fiscal Assistant Secretary.
[FR Doc. E8-30932 Filed 12-29-08; 8:45 am]
BILLING CODE 4810-39-P

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

Unblocking of Specially Designated Narcotics Traffickers Pursuant to Executive Order 12978

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Notice.

SUMMARY: The Treasury Department's Office of Foreign Assets Control ("OFAC") is publishing the names of three individuals whose property and interests in property have been unblocked pursuant to Executive Order 12978 of October 21, 1995, *Blocking Assets and Prohibiting Transactions With Significant Narcotics Traffickers*.

DATES: The unblocking and removal from OFAC's "Specially Designated Nationals and Blocked Persons" list ("SDN list") of three individuals identified in this notice whose property and interests in property were blocked pursuant to Executive Order 12978 of October 21, 1995, is effective on December 22, 2008.

FOR FURTHER INFORMATION CONTACT: Assistant Director, Compliance Outreach & Implementation, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, tel.: 202/622-2490.

SUPPLEMENTARY INFORMATION:

Electronic and Facsimile Availability

This document and additional information concerning OFAC are available from OFAC's Web site (<http://www.treas.gov/ofac>) or via facsimile through a 24-hour fax-on demand service, tel.: (202) 622-0077.

Background

On October 21, 1995, the President, invoking the authority, *inter alia*, of the International Emergency Economic Powers Act (50 U.S.C. 1701-1706), issued Executive Order 12978 (60 FR 54579, October 24, 1995) (the "Order"). In the Order, the President declared a national emergency to deal with the threat posed by significant foreign narcotics traffickers centered in Colombia and the harm that they cause in the United States and abroad.

Section 1 of the Order blocks, with certain exceptions, all property and interests in property that are in the United States, or that hereafter come within the United States or that are or hereafter come within the possession or control of United States persons, of: (1) The persons listed in an Annex to the Order; (2) any foreign person determined by the Secretary of Treasury, in consultation with the Attorney General and Secretary of State: (a) To play a significant role in international narcotics trafficking centered in Colombia; or (b) to materially assist in, or provide financial or technological support for or goods or services in support of, the narcotics trafficking activities of persons designated in or pursuant to the Order;

and (3) persons determined by the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State, to be owned or controlled by, or to act for or on behalf of, persons designated pursuant to the Order.

On December 22, 2008, the Director of OFAC removed from the SDN list three individuals listed below, whose property and interests in property were blocked pursuant to the Order:

1. CHANG BARRERO, Pedro Antonio, c/o DISTRIBUIDORA MIGIL LTDA., Cali, Colombia; c/o RADIO UNIDAS FM S.A., Cali, Colombia; DOB 1 May 1946; Cedula No. 14960909 (Colombia) (individual) [SDNT].

2. BUITRAGO, Sulay (a.k.a. HERRERA BUITRAGO, Sulay), c/o AGROPECUARIA Y REFORESTADORA HERREBE LTDA., Cali, Colombia; c/o CONSTRUEXITO S.A., Cali, Colombia; c/o INDUSTRIA AVICOLA PALMASECA S.A., Cali, Colombia; c/o INVERSIONES HERREBE LTDA., Cali, Colombia; DOB 27 Nov 1967; Cedula No. 31176167 (Colombia) (individual) [SDNT].

3. GARCIA VASQUEZ, Isabel Fernanda, c/o ALERO S.A., Cali, Colombia; Cedula No. 31983848 (Colombia) (individual) [SDNT].

Dated: December 23, 2008.

Adam J. Szubin,

Director, Office of Foreign Assets Control.

[FR Doc. E8-30971 Filed 12-29-08; 8:45 am]

BILLING CODE 4811-45-P

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Women Veterans; Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under Public Law 92-463 (Federal Advisory Committee Act) that the Advisory Committee on Women Veterans will meet February 18-20, 2009, in room 230 at VA Central Office, 810 Vermont Avenue, NW., Washington, DC, from 8:30 until 4:30 p.m., each day. The meeting is open to the public.

The purpose of the Committee is to advise the Secretary of Veterans Affairs regarding the needs of women veterans with respect to health care, rehabilitation, compensation, outreach, and other programs and activities administered by VA designed to meet such needs. The Committee makes recommendations to the Secretary regarding such programs and activities.

The agenda will include briefings on the VA claims adjudication process,