

## DEPARTMENT OF TRANSPORTATION

## Surface Transportation Board

[Docket No. AB 33 (Sub-No. 307X)]

**Union Pacific Railroad Company—  
Abandonment Exemption—in Adams,  
Weld and Boulder Counties, Colo.**

Union Pacific Railroad Company (UP) has filed a verified notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon a 23.90-mile freight rail operating easement for the remaining portion of the Boulder Industrial Lead, extending from milepost 9.27 near Eastlake to the end of the line at milepost 33.17 near Valmont, in Adams, Weld and Boulder Counties, Colo. The line traverses United States Postal Service Zip Codes 80241, 80602, 80603, 80516, 80514, 80026 and 80301.

UP originally filed its notice of exemption on June 27, 2012. In a decision served on July 26, 2012, at UP's request, the Board held in abeyance the publication of the notice in the **Federal Register** and the effectiveness of the abandonment exemption, pending further Board action on a subsequent petition filed by UP seeking exemptions from 49 U.S.C. 10904 (offer of financial assistance procedures) and 49 U.S.C. 10905 (public use conditions) for the proposed abandonment.

In a decision served on October 18, 2012, in this docket, the Board granted UP's petition and exempted the proposed abandonment from the provisions of 10904 and 10905.<sup>1</sup> That decision also provided for **Federal Register** publication of this notice on October 23, 2012, the date from which any remaining deadlines will be calculated.

According to UP, the entire Boulder Industrial Lead, including the 23.90-mile right-of-way over which UP is seeking to abandon its freight operating easement, along with the Lead's trackage, structures, and bridges, was sold to the Denver Regional Transportation District (RTD) in June 2009.<sup>2</sup> UP states that the line has been

incorporated into the master plan for RTD's integrated mass transit system known as FasTracks (a regional public passenger rail and bus network for the greater Denver, Colo. area). UP also states that it had retained a common carrier freight operating easement over the entire Lead, and that RTD assumed no common carrier obligation with regard to the line through its purchase of the line. UP points out that, on or prior to consummation of the proposed abandonment, UP will assign to RTD its interest as lessor under a lease with the BNSF Railway Company that was last amended in 1999 that also includes a portion of the Lead extending from milepost 32.0 to milepost 33.0 and a related industrial spur. RTD will remain the owner of the entire Lead after consummation of the proposed abandonment by UP.

UP has certified that: (1) No local traffic has moved over the line for at least two 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 two-year period; and (4) the requirements at 49 CFR 1105.7(c) (environmental report), 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 shall be protected under *Oregon Short Line Railroad—Abandonment Portion Goshen Branch Between Firth & Ammon, in Bingham & Bonneville Counties, Idaho*, 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.

This exemption will be effective on November 22, 2012, unless stayed pending reconsideration. Petitions to stay must be filed by November 2, 2012, and petitions to reopen must be filed by November 13, 2012, with the Surface

over a portion of the Boulder Industrial Lead extending from milepost 18.79 to milepost 31.0 that allowed the Colorado Department of Transportation (CDOT) to widen Interstate Highway 25 by removing, rather than rebuilding or enlarging, the existing railroad bridge that ran over Interstate Highway 25. UP states that it had an agreement with CDOT providing that, if service were to resume over this segment, UP had the right to rebuild a new bridge over Interstate Highway 25 and would pay for it.

Transportation Board, 395 E Street SW., Washington, DC 20423–0001.

A copy of any petition filed with the Board should be sent to UP's representative: Mack H. Shumate, Jr., Senior General Attorney, Union Pacific Railroad Company, 101 North Wacker Drive, Room 1920, Chicago, IL 60606.

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

The Board's Office of Environmental Analysis (OEA) served an environmental assessment (EA) in this proceeding on July 20, 2012, requesting comments by August 6, 2012. In the EA, OEA recommended that the Board not impose environmental conditions on any decision granting abandonment authority. No comments to the EA were filed by the August 6, 2012 due date. Therefore, no conditions will be imposed. Because no environmental or historic preservation issues have been raised by any party or identified by OEA, a Finding of No Significant Impact under 49 CFR 1105.10(g) is made pursuant to 49 CFR 1011.7(a)(2)(ix).

Pursuant to the provisions of 49 CFR 1152.29(e)(2), UP 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 UP's filing of a notice of consummation by October 23, 2013, 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: October 18, 2012.

By the Board, Rachel D. Campbell,  
Director, Office of Proceedings.

**Derrick A. Gardner,**  
Clearance Clerk.

[FR Doc. 2012–26069 Filed 10–22–12; 8:45 am]

BILLING CODE 4915–01–P

## DEPARTMENT OF THE TREASURY

## Office of Foreign Assets Control

**Designation of 3 individuals Pursuant  
to Executive Order 13224 of September  
23, 2001, “Blocking Property and  
Prohibiting Transactions With Persons  
Who Commit, Threaten To Commit, or  
Support Terrorism”**

**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 3

<sup>1</sup> In the October 18, 2012 decision, the Board stated that there would not be an opportunity for interested persons to file trail use/rail banking requests. Under Section 8(d) of the National Trail Systems Act, 16 U.S.C. 1247(d), trail use/rail banking is voluntary and can only be implemented if an abandoning railroad agrees to negotiate an agreement. UP stated that it was not willing to negotiate for trail use/rail banking because the right-of-way that makes up the subject portion of the Boulder Lead had already been sold and incorporated into the RTD mass transit system. Therefore, no such requests will be entertained by the Board in this proceeding.

<sup>2</sup> UP notes that, in a decision served on October 19, 2001, UP was authorized to discontinue service

individuals whose property and interests in property are blocked pursuant to Executive Order 13224 of September 23, 2001, "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism."

**DATES:** The designations by the Director of OFAC of the 3 individuals in this notice, pursuant to Executive Order 13224, are effective on October 17, 2012.

**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 ([www.treas.gov/ofac](http://www.treas.gov/ofac)) or via facsimile through a 24-hour fax-on-demand service, tel.: 202/622-0077.

**Background**

On September 23, 2001, the President issued Executive Order 13224 (the "Order") pursuant to the International Emergency Economic Powers Act, 50 U.S.C. 1701-1706, and the United Nations Participation Act of 1945, 22 U.S.C. 287c. In the Order, the President declared a national emergency to address grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the September 11, 2001 terrorist attacks in New York, Pennsylvania, and at the Pentagon. The Order imposes economic sanctions on persons who have committed, pose a significant risk of committing, or support acts of terrorism. The President identified in the Annex to the Order, as amended by Executive Order 13268 of July 2, 2002, 13 individuals and 16 entities as subject to the economic sanctions. The Order was further amended by Executive Order 13284 of January 23, 2003, to reflect the creation of the Department of Homeland Security.

Section 1 of the Order blocks, with certain exceptions, all property and interests in property that are in or hereafter come within the United States or the possession or control of United States persons, of: (1) Foreign persons listed in the Annex to the Order; (2) foreign persons determined by the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of the Department of Homeland Security and the Attorney General, to have committed, or to pose a significant risk of committing, acts of

terrorism that threaten the security of U.S. nationals or the national security, foreign policy, or economy of the United States; (3) persons determined by the Director of OFAC, in consultation with the Departments of State, Homeland Security and Justice, to be owned or controlled by, or to act for or on behalf of those persons listed in the Annex to the Order or those persons determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of the Order; and (4) except as provided in section 5 of the Order and after such consultation, if any, with foreign authorities as the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of the Department of Homeland Security and the Attorney General, deems appropriate in the exercise of his discretion, persons determined by the Director of OFAC, in consultation with the Departments of State, Homeland Security and Justice, to assist in, sponsor, or provide financial, material, or technological support for, or financial or other services to or in support of, such acts of terrorism or those persons listed in the Annex to the Order or determined to be subject to the Order or to be otherwise associated with those persons listed in the Annex to the Order or those persons determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of the Order.

On October 17, 2012 the Director of OFAC, in consultation with the Departments of State, Homeland Security, Justice and other relevant agencies, designated, pursuant to one or more of the criteria set forth in subsections 1(b), 1(c) or 1(d) of the Order, 3 individuals whose property and interests in property are blocked pursuant to Executive Order 13224.

The listings for these individuals on OFAC's list of Specially Designated Nationals and Blocked Persons appear as follows:

**Individuals**

1. ACHEKZAI, Maulawi Adam Khan (a.k.a. KHAN, Maulawi Adam; a.k.a. "ADAM, Maulawi"; a.k.a. "ADAM, Molawi"), Chaman, Balochistan Province, Pakistan; DOB 1972; alt. DOB 1970; alt. DOB 1971; alt. DOB 1973; alt. DOB 1974; alt. DOB 1975; POB Qandahar, Afghanistan; citizen Pakistan (individual) [SDGT].
2. CHAUDHRY, Aamir Ali (a.k.a. CHAUDARY, Aamir Ali; a.k.a. CHAUDRY, Amir Ali; a.k.a. CHOUDRY, Aamir Ali; a.k.a. "HUZAIFA"); DOB 03 Aug 1986; nationality Pakistan; Passport BN4196361 (Pakistan) issued 28 Oct 2008 expires 27 Oct 2013; National

ID No. 33202-7126636-9 (Pakistan) (individual) [SDGT].

3. BASHIR, Qari Ayyub (a.k.a. AYUB, Qari Muhammad; a.k.a. BASHAR, Alhaj Qari Ayub; a.k.a. BASHIR, Ayob), Mir Ali, North Waziristan Agency, Federally Administered Tribal Areas, Pakistan; DOB 1966; alt. DOB 1964; alt. DOB 1969; alt. DOB 1971; nationality Uzbekistan; alt. nationality Afghanistan (individual) [SDGT].

Dated: October 17, 2012.

**Adam J. Szubin,**

*Director, Office of Foreign Assets Control.*

[FR Doc. 2012-26071 Filed 10-22-12; 8:45 am]

**BILLING CODE 4810-AL-P**

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**Proposed Collection; Comment Request for Form 1120S, Schedule D, Schedule K-1, and Schedule M-3**

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

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 1120S, U.S. Income Tax Return for an S Corporation, Schedule D (Form 1120S), Capital Gains and Losses and Built-In Gains, Schedule M-3 (Form 1120S), Net Income (Loss) Reconciliation for S Corporations With Total Assets of \$10 Million or More, and Schedule K-1 (Form 1120S), Shareholder's Share of Income, Credits, Deductions, etc.

**DATES:** Written comments should be received on or before December 24, 2012 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Yvette Lawrence, Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form and instructions should be directed to Allan Hopkins at Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or at (202) 622-6665, or through the Internet at [Allan.M.Hopkins@irs.gov](mailto:Allan.M.Hopkins@irs.gov).