

The Department of Justice, Office of Justice Programs, Office for Victims of Crime has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted for "sixty days" until February 5, 2007. This process is conducted in accordance with 5 CFR 1320.10. Comments should be directed to OMB, Office of Information and Regulation Affairs, Attention: Department of Justice Desk Officer (202) 395-6466, Washington, DC 20503.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Chandria Slaughter, Office for Victims of Crime, 810 Seventh Street, NW., Washington, DC 20531; by facsimile at (202) 305-2440 or by e-mail, to [ITVERP@usdoj.gov](mailto:ITVERP@usdoj.gov).

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses).

Overview of this information:

(1) *Type of information collection:* Reinstatement with change, of a previously approved collection for which approval has expired.

(2) *The title of the form/collection:* International Terrorism Victim Expense Reimbursement Program (ITVERP) Application.

(3) *The agency form number, if any, and the applicable component of the department sponsoring the collection:* Form Number: The Office of Management and Budget Number for the certification form is 121-0170. The Office for Victims of Crime, Office of Justice Programs, within the United States Department of Justice is sponsoring the collection.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individual victims, surviving family members or personal representatives. Other: Federal Government. This application will be used to apply for expense reimbursement by U.S. nationals and U.S. Government employees who are victims of acts of international terrorism that occur(ed) outside of the United States. The application will be used to collect necessary information on the expenses incurred by the applicant, as associated with his or her victimization, as well as other pertinent information, and will be used by OVC to make an award determination.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that 2,000 respondents will complete the certification in approximately 45 minutes.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated total public burden associated with this information collection is 1,500 hours.

If additional information is required contact: Lynn Bryant, Department Clearance Officer, Policy and Planning Staff, Justice Management Division, United States Department of Justice, 601 D Street, NW., Patrick Henry Building, Suite 1600, NW., Washington, DC 20530.

Dated: December 4, 2006.

**Lynn Bryant,**

*Department Clearance Officer, United States Department of Justice.*

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## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Publication of Year 2006 Form M-1 With Electronic Filing Option, Notice

**AGENCY:** Employee Benefits Security Administration, Department of Labor.

**ACTION:** Notice on the Availability of the Year 2006 Form M-1 with Electronic Filing Option.

**SUMMARY:** This document announces the availability of the Year 2006 Form M-1, Annual Report for Multiple Employer Welfare Arrangements and Certain Entities Claiming Exception. It is substantively identical to the 2005 Form M-1. The Form M-1 may again be filed electronically over the Internet.

**FOR FURTHER INFORMATION CONTACT:** For inquiries regarding the Form M-1 filing requirement, contact Amy J. Turner or Beth Gelman, Office of Health Plan Standards and Compliance Assistance, at (202) 693-8335. For inquiries regarding how to obtain or file a Form M-1, see the Supplementary Information section below.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Form M-1 is required to be filed under section 101(g) and section 734 of the Employee Retirement Income Security Act of 1974, as amended (ERISA), and 29 CFR 2520.101-2.

##### II. The Year 2006 Form M-1

This document announces the availability of the Year 2006 Form M-1, Annual Report for Multiple Employer Welfare Arrangements (MEWAs) and Certain Entities Claiming Exception (ECEs). This year's Form M-1 is substantively identical to the Year 2005 Form M-1. The electronic filing option has been retained and filers are encouraged to use this method. The Year 2006 Form M-1 is due March 1, 2007, with an extension until May 1, 2007 available.

The Employee Benefits Security Administration (EBSA) is committed to working together with administrators to help them comply with this filing requirement. Copies of the Form M-1 are available on the Internet at [http://www.dol.gov/ebsa/forms\\_requests.html](http://www.dol.gov/ebsa/forms_requests.html). In addition, after printing, copies will be available by calling the EBSA toll-free publication hotline at 1-866-444-EBSA (3272). Questions on completing the form are being directed to the EBSA help desk at (202) 693-8360. For questions regarding the electronic filing capability, contact the EBSA computer help desk at (202) 693-8600.

**Statutory Authority:** 29 U.S.C. 1021-1024, 1027, 1029-31, 1059, 1132, 1134, 1135, 1181-1183, 1181 note, 1185, 1185a-b, 1191, 1191a-c; Secretary of Labor's Order No. 1-2003, 68 FR 5374 (February 2, 2003).

Signed at Washington, DC this 1st day of December, 2006.

**Bradford P. Campbell,**

*Acting Assistant Secretary, Employee Benefits Security Administration.*

[FR Doc. E6-20686 Filed 12-6-06; 8:45 am]

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## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

[Application No. L-11348]

#### Prohibited Transaction Exemption 2006-19; Grant of Individual Exemption Involving Kaiser Aluminum Corporation and Its Subsidiaries (Together, Kaiser) Located in Foothill Ranch, CA

**AGENCY:** Employee Benefits Security Administration, U.S. Department of Labor.

**ACTION:** Grant of individual exemption.

This document contains a final exemption before the Department of Labor (the Department) that provides relief from certain prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act).<sup>1</sup> The exemption permits, effective July 6, 2006, (1) the acquisition by the VEBA for Retirees of Kaiser Aluminum (the Hourly VEBA) and by the Kaiser Aluminum Salaried Retirees VEBA (the Salaried VEBA; together, the VEBAs) of certain publicly traded common stock issued by Kaiser (the Stock or the Shares), through an in-kind contribution to the VEBAs by Kaiser of such Stock, for the purpose of prefunding VEBA welfare benefits; (2) the holding by the VEBAs of such Stock acquired pursuant to the contribution; and (3) the management of the Shares, including their voting and disposition, by an independent fiduciary (the Independent Fiduciary) designated to represent the interests of each VEBA with respect to the transactions. The exemption affects the VEBAs and their participants and beneficiaries.

**DATES: Effective Date:** This exemption is effective as of July 6, 2006.

**FOR FURTHER INFORMATION CONTACT:** Ms. Blessed Chukorji, Office of Exemption Determinations, Employee Benefits Security Administration, U.S. Department of Labor, telephone (202)

<sup>1</sup> Because the VEBAs are not qualified under section 401 of the Internal Revenue Code of 1986, as amended (the Code) there is no jurisdiction under Title II of the Act pursuant to section 4975 of the Code. However, there is jurisdiction under Title I of the Act.

693-8567. (This is not a toll-free number.)

**SUPPLEMENTARY INFORMATION:** On October 26, 2006, the Department published a notice of proposed exemption in the **Federal Register** at 71 FR 62615. The document contained a notice of proposed individual exemption from the restrictions of sections 406(a)(1)(E), 406(a)(2), 406(b)(1), 406(b)(2) and 407(a) of the Act. The proposed exemption had been requested in an application filed by Kaiser pursuant to section 408(a) of the Act, and in accordance with the procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, August 10, 1990). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Accordingly, this exemption is being issued solely by the Department.

The proposed exemption gave interested persons an opportunity to comment and to request a hearing. In this regard, all interested persons were invited to submit written comments or requests for a hearing on the pending exemption on or before November 21, 2006. All comments were to be made part of the record.

During the comment period, the Department received 18 comments by telephone from participants in the Hourly and Salaried VEBAs regarding benefits questions or requests for a simplified explanation of the transactions. For those inquiries pertaining to benefits, the Department referred the participants to sources recommended by either Independent Fiduciary Services, Inc. (IFS), the Independent Fiduciary for the Hourly VEBA or Fiduciary Counselors, Inc. (FCI), the Independent Fiduciary for the Salaried VEBA. Of the participant comments, one participant in the Hourly VEBA submitted a written comment to the Department regarding a substantive matter. For a response, the comment was forwarded to IFS. The Department did not receive any requests from any VEBA participants for a public hearing.

In addition to the VEBA participant comments, the Department received written comments from IFS and FCI. Both comments are intended to clarify the Summary of Facts and Representations (the Summary) and the conditions and definitions of the proposal.

The written comments and the responses are discussed below.

### Hourly VEBA Participant's Comment

A retired Kaiser employee and a participant in the Hourly VEBA questioned the decision to use the Kaiser Stock to fund the Hourly VEBA. The commenter suggested that each current retiree be given shares of Kaiser Stock to manage as such retiree wished.

In response to the comment, IFS explains that Kaiser and various unions (the Unions) engaged in negotiations, and that the Unions, representing the interests of all Kaiser retirees (both current and future), agreed to use the Stock to fund the plans that would provide retiree health benefits for both current and future retirees of the VEBAs. IFS further explains that this decision was memorialized in the collective bargaining agreements that were ratified by Kaiser employees working under the agreements. In addition, IFS notes that the agreements were subsequently approved by the Bankruptcy Court.

### Summary Clarifications

In its comment letter, IFS has suggested the following clarifications to the Summary:

1. *Footnote 8.* IFS explains that Footnote 8 of the Summary ends with the phrase “\* \* \* the pre-emergence sales are treated as if they occurred on or after the Effective Date.” IFS states that Section 2.3 of the Stock Transfer Restriction Agreement provides that these pre-emergence sales are treated as if they occurred on the day immediately succeeding the Effective Date. Therefore, IFS recommends that Footnote 8 of the Summary be revised to read “\* \* \* the pre-emergence sales are treated as if they occurred on the day immediately succeeding the Effective Date.”

2. *Representation 6(a)(1).* IFS indicates that Representation 6(a)(1) of the Summary states that “On July 7, 2006, Kaiser issued 8,809,000 shares of its common stock to the Hourly Trust.” Similarly, in Representation 10(c), under the caption “Pricing of the Hourly VEBA Shares,” it states that “The Hourly VEBA received its 8,809,000 Shares as of July 7, 2006.” IFS explains that Representation 10(c) further states that market-driven sales of pre-emergence Shares provided a benchmark value “of the Shares to which the Hourly VEBA was eventually entitled on July 7, 2006.” IFS wishes to clarify that the correct number of Shares issued to the Hourly VEBA was 8,809,900.

In addition, IFS wishes to clarify that Kaiser issued the Shares—and the Hourly VEBA became the legal owner of