

requires each agency “\* \* \* to provide notice \* \* \* and otherwise consult with members of the public and affected agencies concerning each proposed collection of information \* \* \*”.

Agencies must specifically solicit comments to: (a) Evaluate whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

Agencies must also estimate the “non-hour cost” burdens to respondents or recordkeepers resulting from the collection of information. Therefore, if you have costs to generate, maintain, and disclose this information, you should comment and provide your total capital and startup cost components or annual operation, maintenance, and purchase of service components. You should describe the methods you use to estimate major cost factors, including system and technology acquisition, expected useful life of capital equipment, discount rate(s), and the period over which you incur costs. Capital and startup costs include, among other items, computers and software you purchase to prepare for collecting information, monitoring, and record storage facilities. You should not include estimates for equipment or services purchased: (i) Before October 1, 1995; (ii) to comply with requirements not associated with the information collection; (iii) for reasons other than to provide information or keep records for the Government; or (iv) as part of customary and usual business or private practices.

We will summarize written responses to this notice and address them in our submission for OMB approval. As a result of your comments, we will make any necessary adjustments to the burden in our submission to OMB.

**Public Comment Procedures:** The MMS’s practice is to make comments, including names and addresses of respondents, available for public review. If you wish your name and/or address to be withheld, you must state this prominently at the beginning of your comment. The MMS will honor this request to the extent allowable by law; however, anonymous comments will not be considered. There may be circumstances in which we would withhold from the record a respondent’s

identity, as allowable by the law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. In addition, you must present a rationale for withholding this information. This rationale must demonstrate that disclosure “would constitute an unwarranted invasion of privacy.” Unsupported assertions will not meet this burden. In the absence of exceptional, documentable circumstances, this information will be released. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

**MMS Information Collection Clearance Officer:** Arlene Bajusz (202) 208-7744.

Dated: November 27, 2006.

**E.P. Danenberger,**  
Chief, Office of Offshore Regulatory Programs.  
[FR Doc. E6-20425 Filed 12-1-06; 8:45 am]  
**BILLING CODE 4310-MR-P**

## DEPARTMENT OF THE INTERIOR

### National Park Service

#### Establishment of a New Fee Area at Voyageurs National Park

**AGENCY:** National Park Service, Interior.  
**SUMMARY:** This notice is to comply with section 804 of the Federal Lands Recreation Enhancement Act of 2004 (Pub. L. No. 108-447). The Act requires agencies to give the public advance notice (6 months) of the establishment of a new recreation fee area. Voyageurs National Park in northern Minnesota plans to collect an expanded amenity recreation fee of \$35 per night for two group camp sites beginning the summer of 2007. Revenue will be used to support deferred maintenance in the campsites, to cover the cost of collections at the park, and to pay for contractor-provided reservation services.

**DATES:** Collection of fees will be effective 6 months from the posting of this notice.

**ADDRESSES:** Information requests may be submitted to Rick DeLappe; Reservation Service Program Manager by any of the following methods:

*E-mail:* rick\_delappe@nps.gov.

*Fax:* 202-371-2401, Attention: Rick

DeLappe

*Mail:* Rick DeLappe, Reservation Service Program Manager, National Park Service, 1849 C Street, NW., ORG CODE 2608, Washington, DC 20240

**FOR FURTHER INFORMATION CONTACT:**  
Kathleen Przybylski, Chief of Visitor Education and Planning, Voyageurs National Park, 3131 Highway 53, International Falls, MN 56649. (218) 283-9821 ext 6145.

**SUPPLEMENTARY INFORMATION:** Voyageurs National Park in northern Minnesota plans to implement expanded amenity recreation fees for two group campsites at Rainy Lake and Kabetogama Lake. These group sites are accessible only by boat and were designed to accommodate up to 30 people. Visitors will be able to reserve these sites in advance through the National Park Reservation Service (NPRS) or in person at the park on a space available basis for same day arrivals. Advanced reservation services will allow groups to guarantee that sites will be available and will provide them the ability to plan ahead. Advance reservations will also help the park manage use in a way that minimizes conflicts between visitors and increases the likelihood that these sites will be used by the large groups for which they were designed. Under the current first-come-first-served arrangement, small groups often occupy these sites displacing the larger groups who have few alternatives. The \$35 fee was determined through a comparability study of similar sites in the area at both Federal and state recreation areas and will only be charged for these two group sites. The park will not charge an additional reservation fee on top of the \$35 for visitors making advanced reservations through the NPRS. Individual campsites in Voyageurs National Park will remain free of charge on a first-come-first-served basis. In accordance with NPS public involvement guidelines, the park engaged numerous individuals, organizations, and local, state, and Federal government representatives while planning for the implementation of this fee.

Dated: October 30, 2006.

**Mary A. Bomar,**

Director National Park Service.

[FR Doc. E6-20416 Filed 12-1-06; 8:45 am]

**BILLING CODE 4310-H5-P**

## DEPARTMENT OF JUSTICE

### Foreign Claims Settlement Commission

#### Privacy Act of 1974; Systems of Records

**AGENCY:** Foreign Claims Settlement Commission; Justice.

**ACTION:** Revisions of Notice of Privacy Act Systems of Records; correction.

**SUMMARY:** Pursuant to the provisions of the Privacy Act of 1974, 5 U.S.C. 552a, the Foreign Claims Settlement Commission gave notice by publication in the **Federal Register** on November 14, 2006 (71 FR 66347) of a proposal to modify all of its systems of records to include a new routine use. This Notice also included an updated Table of Contents of the Commission's Privacy Act Systems of Records, in order to reflect the deletion of four of its records systems due to the release of the records in those systems to the National Archives for permanent retention.

This Table of Contents erroneously included two Privacy Act Systems of Records which had previously been deleted. Accordingly, the Foreign Claims Settlement Commission hereby deletes from the revised Table of Contents of its Privacy Act Systems of Records published on November 14, 2006, the following two items: "Justice/FCSC-6, Correspondence (General)," and "Justice/FCSC-7, Correspondence (Inquiries Concerning Claims in Foreign Countries)." In all other respects, this revised Table of Contents continues in effect as replacement for the Table of Contents included as part of the Privacy Act Systems of Records Notice published by the Foreign Claims Settlement Commission in the **Federal Register** on June 10, 1999 (64 FR 31296), the information in which remains accurate and up-to-date.

**Mauricio J. Tamargo,**  
*Chairman.*

[FR Doc. E6-20454 Filed 12-1-06; 8:45 am]

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## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Prohibited Transaction Exemption for Provision of Investment Advice to Individual Retirement and Similar Plans

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

**ACTION:** Request for information.

**SUMMARY:** Section 601 of the Pension Protection Act of 2006 (the PPA) (Pub. L. 109-280) amended section 408 of the Employee Retirement Security Act of 1974 (ERISA) and section 4975 of the Internal Revenue Code of 1986 (the Code) to add an exemption from certain prohibited transactions restrictions of ERISA and from certain taxes imposed

by the Code for the provision of "investment advice" to participants and beneficiaries of covered employee benefit plans, and certain related transactions, if the investment advice is provided under an "eligible investment advice arrangement." The exemption conditions relief upon satisfaction of a number of requirements more fully described in the statutory provisions. In particular, to be covered, the investment advice must be provided under an eligible investment advice arrangement that uses a computer model, which meets the requirements of the exemption. The purpose of this document is to solicit information from the public concerning the feasibility of the application of computer model investment advice programs for Individual Retirement Accounts and similar types of plans (hereinafter, IRAs).<sup>1</sup> The PPA directs the Secretary of Labor, in consultation with the Secretary of the Treasury, to determine, based on the information received from the solicitation, whether there is any computer model investment advice program which may be utilized to provide investment advice to IRA beneficiaries.<sup>2</sup>

**DATES:** Written or electronic responses should be submitted to the Department of Labor on or before January 30, 2007.

**Responses:** To facilitate the receipt and processing of responses, EBSA encourages interested persons to submit their responses electronically by e-mail to *e-OED@dol.gov*, or by using the Federal eRulemaking portal at *www.regulations.gov* (follow instructions for submission of comments). Persons submitting responses electronically are encouraged not to submit paper copies. Persons interested in submitting written responses on paper should send or deliver their responses (preferably, at least three copies) to the Office of Exemption Determinations, Employee

Benefits Security Administration, Room N-5700, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, Attention: IRA Investment Advice RFI. All written responses will be available to the public, without charge, online at *www.regulations.gov* and *www.dol.gov/ebsa*, and at the Public Disclosure Room, N-1513, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

**FOR FURTHER INFORMATION CONTACT:** Christopher Motta or Brian Buyniski, Office of Exemption Determinations, Employee Benefits Security Administration, Room N-5700, U.S. Department of Labor, Washington, DC 20210, telephone (202) 693-8540. This is not a toll-free number.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

As a general matter, the provision of investment advice by a plan fiduciary as defined under section 3(21)(A) of ERISA to the plan would give rise to prohibited self-dealing under section 406(b)(1) of ERISA and section 4975(c)(1)(E) of the Internal Revenue Code of 1986 (the Code) if the fiduciary has an interest in the outcome of the advice which may affect its best judgment as a fiduciary (e.g., the fiduciary or its affiliate receives additional fees from investment options with respect to which advice is given).<sup>3</sup> Section 601(a) of the Pension Protection Act of 2006 (PPA) amended ERISA by adding new sections 408(b)(14) and 408(g). Section 408(b)(14) of ERISA provides conditional exemptive relief from the prohibitions of ERISA section 406 for certain transactions in connection with the provision of investment advice (as described by ERISA section 3(21)(A)(ii)) to a participant or beneficiary of an individual account plan, if the requirements of new section 408(g) are met.<sup>4</sup>

Section 601(b) of the PPA similarly amended the Code by adding new Code sections 4975(d)(17) and 4975(f)(8). Section 4975(d)(17) of the Code provides conditional exemptive relief from the prohibitions described in section 4975(c) for certain transactions in connection with the provision of investment advice (as described in Code

<sup>1</sup> See PPA section 601(b)(3)(A)(i). These plans are: (A) An individual retirement account described in section 408(a) of the Code; (B) an individual retirement annuity described in section 408(b) of the Code; (C) an Archer MSA described in section 220(d) of the Code; (D) a health savings account described in section 223(d) of the Code; (E) a Coverdell education savings account described in Code section 530; or (F) a trust, plan, account, or annuity which, at any time, has been determined by the Secretary of Treasury to be described in any preceding subparagraph of this paragraph (*i.e.*, (A) through (E) above).

<sup>2</sup> Under Presidential Reorganization Plan No. 4 of 1978, effective December 31, 1978 [5 U.S.C. App. at 214 2000 ed.], the authority of the Secretary of the Treasury to issue interpretations regarding section 4975 of the Code has been transferred, with certain exceptions not here relevant, to the Secretary of Labor and the Secretary of the Treasury is bound by the interpretations of the Secretary of Labor pursuant to such authority.

<sup>3</sup> See ERISA section 406(b)(1) and Code section 4975(c)(1)(E).

<sup>4</sup> ERISA Section 3(21)(A)(ii) defines a "fiduciary" as including a person who renders investment advice for a fee or other compensation, direct or indirect, with respect to any moneys or other property of the plan.