

Referral to State Employment Service, and ES-21c, Report of State Employment Service Office, are used by the RRB to provide placement assistance for unemployed railroad employees through arrangements with State Employment Service offices. Form UI-35, Field Office Record of Claimant Interview, is used primarily by RRB field office staff to conduct in-person interviews of claimants for unemployment benefits. Completion of these forms is required to obtain or maintain a benefit. In addition, the RRB also collects Railroad Job Vacancies information received voluntarily from railroad employers.

*Previous Requests for Comments:* The RRB has already published the initial 60-day notice (72 FR 18283-18284 on April 11, 2007) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

#### Information Collection Request (ICR)

*Title:* Placement Service.

*OMB Control Number:* 3220-0057.

*Form(s) submitted:* ES-2, ES-21, ES-21c, UI-35, and Job Vacancies Reports.

*Type of request:* Revision of a currently approved collection.

*Affected public:* Individuals or households, Business or-other-for profit, State, Local and Tribal government.

*Abstract:* Under the RUIA, the Railroad Retirement Board provides job placement assistance for unemployed railroad workers. The collection obtains information from job applicants, railroad employers and State Employment Service offices for use in placement, for providing referrals for job openings, reports of referral results and for verifying and monitoring claimant eligibility.

*Changes Proposed:* The RRB proposes minor, non-burden impacting editorial changes to Form ES-2, and minor non-burden impacting editorial and reformatting changes to Form ES-21. No changes are being proposed to Form ES-21c, UI-35 or to the Railroad Job Vacancies Report.

*The burden estimate for the ICR is as follows:*

*Estimated Completion Time for Form ES-2:* .25 minutes.

*Estimated Completion Time for Form ES-21:* .68 minutes.

*Estimated Completion Time for Form ES-21c:* 1.5 minutes.

*Estimated Completion Time for Form UI-35 (in person):* 7 minutes.

*Estimated Completion Time for Form UI-35 (by mail):* 10.5 minutes.

*Estimated Completion Time for Job Vacancies Report:* 10 minutes.

*Estimated annual number of respondents:* 10,750.

*Total annual responses:* 23,000.

*Total annual reporting hours:* 1,452.

*Additional Information or Comments:* Copies of the forms and supporting documents can be obtained from Charles Mierzwa, the agency clearance officer (312-751-3363) or [Charles.Mierzwa@rrb.gov](mailto:Charles.Mierzwa@rrb.gov).

Comments regarding the information collection should be sent to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 or [Ronald.Hodapp@RRB.GOV](mailto:Ronald.Hodapp@RRB.GOV), and to the Office of Management Budget at ATTN: Desk Officer for RRB, Fax: (202) 395-6974 or via E-mail to [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov).

**Charles Mierzwa,**

*Clearance Officer.*

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#### RAILROAD RETIREMENT BOARD

##### Agency Forms Submitted for OMB Review, Request for Comments

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) is forwarding an Information Collection Request (ICR) to the Office of Information and Regulatory Affairs (OIRA), Office of Management and Budget (OMB) to request an extension to a currently approved collection of information: 3220-0079, Certification Regarding Rights to Unemployment Benefits consisting of Form UI-45, Claimant's Statement—Voluntary leaving of Work. Our ICR describes the information we seek to collect from the public. Review and approval by OIRA ensures that we impose appropriate paperwork burdens.

The RRB invites comments on the proposed collection of information to determine (1) the practical utility of the collection; (2) the accuracy of the estimated burden of the collection; (3) ways to enhance the quality, utility and clarity of the information that is the subject of collection; and (4) ways to minimize the burden of collections on respondents, including the use of automated collection techniques or other forms of information technology. Comments to RRB or OIRA must contain the OMB control number of the ICR. For proper consideration of your comments, it is best if RRB and OIRA receive them within 30 days of publication date.

Under Section 4 of the Railroad Unemployment Insurance Act (RUIA), an employee who leaves work voluntarily is disqualified for unemployment benefits unless the

employee left work for good cause and is not qualified for unemployment benefits under any other law. RRB Form UI-45, Claimant's Statement—Voluntary Leaving of Work, is used by the RRB to obtain the claimant's statement when it is indicated by the claimant, the claimant's employer, or another source that the claimant has voluntarily left work. Completion of Form UI-45 is required to obtain or retain benefits. One response is received from each respondent. The RRB proposes a very minor non-burden impacting editorial change to Form UI-45.

*Previous Requests for Comments:* The RRB has already published the initial 60-day notice (72 FR 9363 on March 1, 2007) required by 44 U.S.C. 3506(c)(2). That request elicited no comments.

#### Information Collection Request (ICR)

*Title:* Certification Regarding Rights to Unemployment Benefits.

*OMB Control Number:* 3220-0079.

*Form(s) submitted:* UI-45.

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

*Affected public:* Individuals or households, Business or-other-for profit.

*Abstract:* In administering the disqualification for the voluntary leaving of work provision of Section 4 of the Railroad Unemployment Insurance Act, the Railroad Retirement Board investigates an unemployment claim that indicates that the claimant left voluntarily. The certification obtains information needed to determine if the leaving was for good cause.

*Changes Proposed:* The RRB proposes a minor non-burden impacting editorial change to Form UI-45.

*The burden estimate for the ICR is as follows:*

*Estimated Completion Time for Form UI-45:* 5-15 minutes.

*Estimated annual number of respondents:* 1,950.

*Total annual responses:* 2,900.

*Total annual reporting hours:* 487.

*Additional Information or Comments:* Copies of the forms and supporting documents can be obtained from Charles Mierzwa, the agency clearance officer (312-751-3363) or [Charles.Mierzwa@rrb.gov](mailto:Charles.Mierzwa@rrb.gov).

Comments regarding the information collection should be sent to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 or [Ronald.Hodapp@RRB.GOV](mailto:Ronald.Hodapp@RRB.GOV), and to the Office of Management Budget at ATTN: Desk Officer for RRB, Fax : (202) 395-

6974 or via E-mail to  
*OIRA\_Submission@omb.eop.gov.*

**Charles Mierzwa,**  
*Clearance Officer.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. IC-27931; 812-13259]

### American International Group, Inc., et al.; Temporary Order and Notice of Application

August 20, 2007.

**AGENCY:** Securities and Exchange  
 Commission ("Commission").

**ACTION:** Temporary order and notice of  
 application for a permanent order under  
 section 9(c) of the Investment Company  
 Act of 1940 ("Act").

**SUMMARY:** Applicants have received a  
 temporary order exempting them from  
 section 9(a) of the Act, with respect to  
 an injunction entered against American  
 International Group, Inc. ("AIG") on  
 February 17, 2006 by the United States  
 District Court for the Southern District  
 of New York ("Injunction"), from  
 August 20, 2007, until the Commission  
 takes final action on an application for  
 a permanent order. Applicants also have  
 applied for a permanent order.

*Applicants:* AIG, AIG Annuity Life  
 Insurance Corporation ("AIG Annuity"),  
 AIG Annuity Insurance Company ("AIG  
 Annuity"), AIG Equity Sales Corp.  
 ("AIG Equity"), AIG Global Investment  
 Corp. ("AIGGIC"), AIG Life Insurance  
 Company ("AIG Life"), AIG  
 SunAmerica Asset Management Corp.  
 ("SunAmerica Asset Management"),  
 AIG SunAmerica Capital Services, Inc.  
 ("SunAmerica Capital"), AIG  
 SunAmerica Life Assurance Company  
 ("ASLAC"), American General  
 Distributors, Inc. ("AM Distributors"),  
 American General Equity Services Corp.  
 ("AM Equity"), American General Life  
 Insurance Company ("AM Life"),  
 American International Life Assurance  
 Company of New York ("AILAC"),  
 Brazos Capital Management, L.P.  
 ("Brazos"), First SunAmerica Life  
 Insurance Company ("First  
 SunAmerica"), The United States Life  
 Insurance Company in the City of New  
 York ("US Life"), and The Variable  
 Annuity Life Insurance Company  
 ("VALIC") (collectively, "Applicants").<sup>1</sup>

<sup>1</sup> Applicants request that any relief granted pursuant to the application also apply to any other company of which AIG is or may become an affiliated person (included in the defined term "Applicants").

**FILING DATES:** The application was filed on February 10, 2006, and amended on August 16, 2007.

*Hearing or Notification of Hearing:* An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on September 14, 2007, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

**ADDRESSES:** Secretary, U.S. Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090; Applicants c/o Anastasia Kelly, American International Group, Inc., 70 Pine Street, New York, New York 10270.

**FOR FURTHER INFORMATION CONTACT:** Julia Kim Gilmer, Branch Chief, at 202-551-6871 or Nadya B. Roytblat, Assistant Director, at 202-551-6821 (Division of Investment Management, Office of Investment Company Regulation).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained for a fee at the Commission's Public Reference Branch, 100 F. Street, NE., Washington, DC 20549 (tel.202-551-5850).

### Applicants' Representations

1. AIG, through its subsidiaries, offers property and casualty and life insurance products to commercial, institutional and individual customers worldwide. AIG's global businesses also include financial services and asset management. The other Applicants are wholly owned subsidiaries of AIG. AIGGIC, SunAmerica Asset Management, Brazos, and VALIC are investment advisers registered under the Investment Advisers Act of 1940 ("Advisers Act") and serve as investment adviser or subadviser ("Adviser Applicants") to certain registered investment companies ("Funds"). AIG Equity, SunAmerica Capital, AM Distributors, and AM Equity are broker-dealers registered under the Securities Exchange Act of 1934 ("Exchange Act") and serve as a principal underwriter to open-end Funds and Funds that are unit investment trusts ("UITs"). AIG

Annuity, AIG Life, ASLAC, AM Life, AILAC, First SunAmerica and U.S. Life serve as depositors to various Funds.

2. On February 17, 2006, the United States District Court for the Southern District of New York entered the Injunction against AIG in a matter brought by the Commission.<sup>2</sup> The Commission alleged in the complaint ("Complaint") that AIG violated sections 10(b), 13(a), 13(b)(2) and 13(b)(5) of the Exchange Act and rules 10b-5, 12b-20, 13a-1, 13a-13 and 13b2-1 thereunder, and section 17(a) of the Securities Act of 1933, by making intentionally misleading statements in its financial statements ("Conduct"). Without admitting or denying any of the allegations in the Complaint, except as to jurisdiction, AIG consented to the entry of the Injunction and to pay penalties and disgorgement of \$800 million.<sup>3</sup>

### Applicants' Legal Analysis

1. Section 9(a)(2) of the Act, in relevant part, prohibits a person who has been enjoined from engaging in or continuing any conduct or practice in connection with the purchase or sale of a security from acting, among other things, as an investment adviser or depositor of any registered investment company or a principal underwriter for any registered open-end investment company, registered unit investment trust, or registered face-amount certificate company. Section 9(a)(3) of the Act makes the prohibition in section 9(a)(2) applicable to a company, any affiliated person of which has been disqualified under the provisions of section 9(a)(2). Section 2(a)(3) of the Act defines "affiliated person" to include any person directly or indirectly controlling, controlled by, or under common control, with the other person. Applicants state that AIG is an affiliated person of each of the other Applicants within the meaning of section 2(a)(3). Applicants state that, as a result of the Injunction, they would be subject to the prohibitions of section 9(a).

2. Section 9(c) of the Act provides that the Commission shall grant an application for an exemption from the disqualification provisions of section 9(a) of the Act if it is established that

<sup>2</sup> *Securities and Exchange Commission v. American International Group, Inc.*, 06 Civ. 1000 (LAP) (S.D.N.Y., filed Feb. 17, 2006).

<sup>3</sup> AIG also agreed to comply with certain undertakings relating to its internal controls over financial reporting; the organization and reporting structure of AIG's internal audit department and disclosure committee; the policies, procedures and effectiveness of AIG's regulatory, compliance and legal functions; AIG's records management and retention policies and procedures; and AIG's whistleblower procedures.