

and that the Department can accurately assess the impact of its collection requirements on respondents.

Currently, the Employee Benefits Security Administration (EBSA) is soliciting comments concerning extension of the current approval of the information collections in the regulation entitled National Medical Support Notice—Part B. A copy of EBSA's information collection request (ICR) can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

**DATES:** Comments must be submitted to the office shown in the **ADDRESSES** section on or before May 26, 2009.

**ADDRESSES:** Direct all comments regarding the ICR and burden estimates to G. Christopher Cosby, Office of Policy and Research, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. Comments may be submitted in writing to the above address, via facsimile to (202) 219-4745, or electronically to the following Internet e-mail address: [ebbsa.opr@dol.gov](mailto:ebbsa.opr@dol.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

Section 609(a) of the Employee Retirement Income Security Act of 1974, as amended (ERISA), requires each group health plan, as defined in ERISA section 607(1), to provide benefits in accordance with the applicable requirements of any "qualified medical child support order" (QMCSO). A QMCSO is, generally, an order issued by a state court or other competent state authority that requires a group health plan to provide group health coverage to a child or children of an employee eligible for coverage under the plan. In accordance with Congressional directives contained in the Child Support Performance and Incentive Act of 1998 (CSPIA), EBSA and the Federal Office of Child Support Enforcement (OCSE) in the Department of Health and Human Services (HHS) cooperated in the development of regulations to create a National Medical Support Notice (NMSN or Notice). The Notice simplifies the issuance and processing of qualified medical child support orders issued by state child support enforcement agencies, provides for standardized communication between state agencies, employers, and plan administrators, and creates a uniform and streamlined process for enforcement of medical child support obligations ordered by state child support enforcement agencies. The NMSN comprises two parts: Part A was

promulgated by HHS and pertains to state child support enforcement agencies; part B was promulgated by the Department and pertains to plan administrators pursuant to ERISA. This solicitation of public comment relates only to part B of the NMSN, which was promulgated by the Department. In connection with promulgation of part B of the NMSN, the Department submitted an ICR to the Office of Management and Budget (OMB) for review, and OMB approved the information collections contained in the part B regulation under OMB control number 1210-0113. OMB's approval of this ICR is scheduled to expire on June 30, 2009.

##### **II. Desired Focus of Comments**

The Department is currently soliciting comments on the information collections contained in its regulation codified at 29 CFR 2590.609-2, National Medical Support Notice—Part B. The Department is particularly interested in comments that:

- 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 agency's 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., by permitting electronic submissions of responses.

##### **III. Current Actions**

This notice requests comments on the extension of the ICR included in the regulation promulgating Part B of the National Medical Support Notice. The Department is not proposing or implementing changes to the existing ICR at this time. A summary of the ICR and the current burden estimates follows:

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

*Title:* National Medical Support Notice—Part B.

*Type of Review:* Extension of a currently approved collection of information.

*OMB Number:* 1210-0113.

*Affected Public:* Individuals or households; Business or other for-profit; Not-for-profit institutions.

*Respondents:* 156,000.

*Responses:* 2,900,000.

*Estimated Total Burden Hours:* 1,000,000.

*Estimated Total Burden Cost (Operating and Maintenance):* \$4,800,000.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of the ICR; they will also become a matter of public record.

Dated: March 23, 2009.

**Joseph S. Piacentini,**

*Director, Office of Policy and Research,  
Employee Benefits Security Administration.*  
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#### **DEPARTMENT OF LABOR**

##### **Employee Benefits Security Administration**

##### **Proposed Extension of Information Collection Comment Request; ERISA Summary Annual Report**

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

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (the Department), as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA 95). This program helps to ensure that the data the Department gathers can be provided in the desired format, the reporting burden (time and financial resources) is minimized, the public clearly understands the Department's collection instruments, and the Department can accurately assess the impact of collection requirements on respondents. Currently, the Employee Benefits Security Administration (EBSA) is soliciting comments concerning an extension of the information collections in the regulation implementing the requirement under the Employee Retirement Income Security Act of 1974 (ERISA) that administrators of employee benefit plans annually furnish participants and certain beneficiaries a statement that fairly summarizes the plan's latest annual report. A copy of the information collection request (ICR)

may be obtained by contacting the office listed in the **ADDRESSES** section of this notice.

**DATES:** Written comments must be submitted to the office shown in the **ADDRESSES** section on or before May 26, 2009.

**ADDRESSES:** Direct all written comments regarding the information collection request and burden estimates to G. Christopher Cosby, Office of Policy and Research, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-5718, Washington, DC 20210. Telephone: (202) 693-8410, FAX (202) 219-4333. These are not toll-free numbers. Comments may also be submitted electronically to the following Internet e-mail address: [ebsa.opr@dol.gov](mailto:ebsa.opr@dol.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

Section 104(b)(3) of ERISA and the regulation published at 29 CFR 2520.104b-10 require, with certain exceptions, that administrators of employee benefit plans furnish annually to each participant and certain beneficiaries a summary annual report (SAR) meeting the requirements of the statute and regulation. The regulation prescribes the content and format of the SAR and the timing of its delivery. The SAR provides current information about the plan and assists those who receive it in understanding the plan's current financial operation and condition. It also explains participants' and beneficiaries' rights to receive further information on these issues.

EBSA previously submitted the information collection provisions in the regulation at 29 CFR 2520.104b-10 to the Office of Management and Budget (OMB) for review in an information collection request (ICR). OMB approved the ICR under OMB Control No. 1210-0040. The ICR approval is scheduled to expire on July 31, 2009.

##### **II. Desired Focus of Comments**

The Department is particularly interested in comments that:

- 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 agency's 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

- Evaluate whether and to what extent the proposed collection of information minimizes 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., by permitting electronic submissions of responses.

##### **III. Current Action**

This notice requests comments on an extension of the information collections in the ERISA Summary Annual Report regulation. After considering comments received in response to this notice, the Department intends to submit the ICR to OMB for continuing approval. No change to the existing ICR is being proposed or made at this time. A summary of the ICR and the current burden estimates follows:

*Type of Review:* Extension of a currently approved collection of information.

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

*Title:* ERISA Summary Annual Report Regulation.

*OMB Number:* 1210-0040.

*Affected Public:* Individuals or households; Business or other for-profit; Not-for-profit institutions.

*Respondents:* 749,000.

*Responses:* 228,686,000.

*Estimated Total Burden Hours:* 461,000.

*Estimated Total Burden Cost (Operating and Maintenance):* \$134,161,000.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of the ICR and will also become a matter of public record.

Dated: March 23, 2009.

**Joseph S. Piacentini,**

*Director, Office of Policy and Research,  
Employee Benefits Security Administration.*  
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#### **DEPARTMENT OF LABOR**

##### **Employee Benefits Security Administration**

##### **Proposed Extension of Information Collection; Comment Request Final Rules and Class Prohibited Transaction Exemption 2006-16 Relating to Terminated Individual Account Plans**

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (PRA 95) (44 U.S.C. 3506(c)(2)(A)), the Department of Labor (the Department) conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information. This program helps to ensure that the data the Department gathers can be provided in the desired format, that the reporting burden on the public (time and financial resources) is minimized, that the public understands the Department's collection instruments, and that the Department can accurately assess the impact of collection requirements on respondents.

Pursuant to this notice, the Department is soliciting comments concerning the information collection provisions of final rules relating to the Termination of Abandoned Individual Account Plans,<sup>1</sup> the Safe Harbor for Distributions From Terminated Individual Account Plans,<sup>2</sup> the Terminal Report for Abandoned Individual Account Plans,<sup>3</sup> and Class Prohibited Transaction Exemption 2006-16, relating to the Terminal Report for Abandoned Individual Account Plans, and 2004-14, relating to automatic rollovers.

A copy of the ICR may be obtained by contacting the office listed in the **ADDRESSES** section of this notice.

**DATES:** Written comments must be submitted to the office shown in the **ADDRESSES** section below on or before May 26, 2009.

**ADDRESSES:** Interested parties are invited to submit written comments regarding the information collection request and burden estimates to: G. Christopher Cosby, Office of Policy and Research, U.S. Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue, NW., Room N-5647, Washington, DC 20210. Telephone:

<sup>1</sup> 29 CFR 2578.1.

<sup>2</sup> 29 CFR 2550.404a-3.

<sup>3</sup> 29 CFR 2520.103-13.