

Arrangements and Certain Other Entities that Offer or Provide Medical Care to the Employees of Two or More Employers. A copy of the Department's 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 below on or before January 26, 2010.

**ADDRESSES:** Direct all written comments to G. Christopher Cosby, Office of Policy and Research, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, NW, Room N-5647, Washington, DC 20210. Telephone: (202) 693-8410; Fax: (202) 219-4745. These are not toll-free numbers. Comments may also be submitted electronically to the following Internet e-mail address: [ebbsa.opr@dol.gov](mailto:ebbsa.opr@dol.gov).

#### **SUPPLEMENTARY INFORMATION:**

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

The Health Insurance Portability and Accountability Act of 1996 (HIPAA), codified as Part 7 of Title I of the Employee Retirement Security Act of 1974 (ERISA), was enacted to improve the portability and continuity of health care coverage for participants and beneficiaries of group health plans. In the interest of assuring compliance with Part 7, section 101(g) of ERISA, added by HIPAA, further permits the Secretary of Labor (the Secretary) to require multiple employer welfare arrangements (MEWAs), as defined in section 3(40) of ERISA, to report to the Secretary in such form and manner as the Secretary might determine. The Department published a final rule providing for such reporting on an annual basis, together with a form (Form M-1) to be used by MEWAs for the annual report. The reporting requirement enables the Secretary to determine whether the requirements of Part 7 of ERISA are being carried out. EBSA submitted an ICR for the information collection in Form M-1 to the Office of Management and Budget (OMB) for review and clearance in connection with publication of the final rule, and OMB approved the information collection under OMB control number 1210-0116. This approval is scheduled to expire on February 28, 2010. After considering any comments received in response to this notice, EBSA intends to submit an ICR to OMB to request continuing approval. The public is not required to respond to an information collection unless it displays a valid control

number. No change to the existing ICR is being proposed or made at this time.

##### **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
- 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 submission of responses.

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

This notice requests comments on an extension of OMB's approval of the information collection included in Form M-1. 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:

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

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

*Title:* Annual Report for Multiple Employer Welfare Arrangements and Certain Entities Claiming Exception (Form M-1).

*OMB Number:* 1210-0116.

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

*Respondents:* 741.

*Frequency of Response:* Annually.

*Responses:* 3,718.

*Estimated Total Burden Hours:* 2,336.

*Total Burden Cost (Operating and Maintenance):* \$143,650.

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: November 9, 2009.

**Joseph S. Piacentini,**

*Director, Office of Policy and Research, Employee Benefits Security Administration.*

[FR Doc. E9-28384 Filed 11-25-09; 8:45 am]

**BILLING CODE 4510-29-P**

#### **DEPARTMENT OF LABOR**

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

##### **Proposed Extension of Information Collection; Comment Request; Summary Plan Description Requirements Under ERISA**

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

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (the Department), in accordance with the Paperwork Reduction Act of 1995 (PRA 95) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the reporting burden on the public and the public understand the Department's information collection requirements and provide the requested data in the desired format. Currently, the Employee Benefits Security Administration (EBSA) is soliciting comments on a proposed extension of the current approval of information collection provisions in the regulation pertaining to summary plan description requirements under ERISA. A copy of the information collection request (ICR) can be obtained by contacting the individual shown in the **ADDRESSES** section of this notice.

**DATES:** Written comments must be submitted to the office shown in the **ADDRESSES** section on or before January 26, 2010.

**ADDRESSES:** Direct all written comments to G. Christopher Cosby, Office of Policy and Research, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-5647, Washington, DC 20210. Telephone: (202) 693-8410; Fax: (202) 219-4745. These are not toll-free numbers. Comments may also be submitted electronically to the following Internet e-mail address: [ebbsa.opr@dol.gov](mailto:ebbsa.opr@dol.gov).

#### **SUPPLEMENTARY INFORMATION:**

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

Section 104(b) of the Employee Retirement Income Security Act of 1974 (ERISA) requires the administrator of an employee benefit plan to furnish plan participants and certain beneficiaries with a Summary Plan Description (SPD) that describes, in language understandable to an average plan participant, the benefits, rights, and obligations of participants in the plan.

The information required to be contained in the SPD is set forth in section 102(b) of ERISA. To the extent that there is a material modification in the terms of the plan or a change in the required content of the SPD, section 104(b)(1) of ERISA requires the administrator to furnish participants and specified beneficiaries a summary of material modifications (SMM) or summary of material reductions (SMR). The Department of Labor (Department) has issued regulations providing guidance on compliance with the requirements to furnish SPDs, SMMs, and SMRs. These regulations, which are codified at 29 CFR 2520.102-2, 102-3, and 29 CFR 104b-2 and 104b-3, contain information collections for which the Department has obtained OMB approval under the OMB Control No. 1210-0039. The current approval is scheduled to expire on March 31, 2010, and the Department intends, following receipt of comments pursuant to this notice, to submit an ICR to OMB requesting an extension of its approval of these information collections. The public is not required to respond to an information collection unless it displays a valid control number. No change to the existing ICR is being proposed or made at this time.

## 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
- 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 an extension of OMB's approval of the information collections included in 29 CFR 2520.102-2, 102-3, and 29 CFR 104b-2 and 104b-3. 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:** Summary Plan Description Requirements under ERISA.

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

**OMB Number:** 1210-0039.

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

**Respondents:** 900,000.

**Responses:** 50,000,000.

**Estimated Total Burden Hours:** 1,100,000.

**Estimated Total Burden Cost (Operating and Maintenance):** \$400,000,000.

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

Dated: November 9, 2009.

**Joseph S. Piacentini,**

*Director, Office of Policy and Research, Employee Benefits Security Administration.*

[FR Doc. E9-28383 Filed 11-25-09; 8:45 am]

**BILLING CODE 4510-29-P**

## LEGAL SERVICES CORPORATION

### Sunshine Act Meeting of the Board of Directors and Four Board Committees

**ACTION:** Amended notice; changes to the agenda of the Board of Directors meeting.

**DATE AND TIME:** The Legal Services Corporation (LSC) is announcing an amendment to the notice of the Board of Directors and four of the Board's Committee meetings scheduled for Monday, November 30, 2009 "Notice". The Notice was published on November 25, 2009, FR-DOC Number 2009-28333. The amendments to the Notice are as follows: On the agenda of the Board of Directors meeting, item #6, "*Consider and act on the annual performance evaluation of the Inspector General*" is moved from "Closed Session" to "Open Session". Also on the Board of Directors Meeting agenda there is a new item added "*Consider and act on proposed use of the LSC President's discretionary fund*" as item #8 (Open Session). The items currently numbered 8, 9, & 10 are therefore renumbered 9, 10, and 11, respectively. There are no other changes to the announcement cited above.

**LOCATION:** Legal Services Corporation, 3333 K Street, NW., Washington, DC 20007, 3rd Floor Conference Center.

**PUBLIC OBSERVATION:** For all meetings and portions thereof open to public

observation, members of the public who are unable to attend but wish to listen to the proceedings may do so by following the telephone call-in directions given below. You are asked to keep your telephone muted to eliminate background noises. From time to time the presiding Chairman may solicit comments from the public.

### CALL-IN DIRECTIONS FOR OPEN SESSIONS:

- Call toll-free number: 1-866-451-4981;
- When prompted, enter the following numeric pass code: 3899506694;
- When connected to the call, please MUTE your telephone immediately.

### MEETING SCHEDULE

	Time
1. Joint Meeting of the Audit Committee and Finance Committee .....	11 a.m.
2. Governance & Performance Review Committee .....	
3. Search Committee for an Interim LSC President .....	
4. Board of Directors .....	

### Status of Meetings

Open, except as noted below:

- *Joint Meeting of the Audit & Finance Committees*—A portion of the meeting may be closed to the public pursuant to a vote of the Board of Directors so the committees may consider and perhaps act on recommendations related to how the Corporation may proceed with self-correction of an independent contractor issue and what related actions to take on proposed resolutions concerning LSC's 403(b) Thrift Plan and related provisions of the Employee Handbook. The Committees will also hear a briefing by the Corporation's independent auditors regarding the status of LSC's fiscal year 2009 financial audit and their preliminary findings.<sup>1</sup> A *verbatim* written transcript will be made of the closed session of the meeting. However, the transcript of any portions of the closed session falling within the relevant provisions of the Government in the Sunshine Act, 5 U.S.C. 552b(c)(2) and (9)(B), and the corresponding provisions of the Legal Services Corporation's implementing regulation, 45 CFR 1622.5(a) and (g), will not be available for public inspection. A copy of the General Counsel's Certification

<sup>1</sup> Any portion of the closed session consisting solely of briefings does not fall within the Sunshine Act definition of the term "meeting" and, therefore, the requirements of the Sunshine Act do not apply to such portion of the closed session. 5 U.S.C. 552b(a)(2) and (b). See also 45 CFR 1622.2 and 1622.3.