

	Tortiously liable rates	Interagency rates
Nursing, Room, and Board .....	680	.....
Rehabilitation Medicine:		
Total .....	808	729
Physician .....	92	.....
Ancillary .....	247	.....
Nursing, Room, and Board .....	469	.....
Blind Rehabilitation:		
Total .....	957	873
Physician .....	77	.....
Ancillary .....	475	.....
Nursing, Room, and Board .....	405	.....
Spinal Cord Injury:		
Total .....	886	801
Physician .....	110	.....
Ancillary .....	223	.....
Nursing, Room, and Board .....	553	.....
Surgery:		
Total .....	2079	1904
Physician .....	229	.....
Ancillary .....	631	.....
Nursing, Room, and Board .....	1219	.....
General Psychiatry:		
Total .....	557	518
Physician .....	54	.....
Ancillary .....	91	.....
Nursing, Room, and Board .....	432	.....
Substance Abuse (Alcohol and Drug Treatment):		
Total .....	333	300
Physician .....	32	.....
Ancillary .....	77	.....
Nursing, Room, and Board .....	224	.....
Intermediate Medicine:		
Total .....	396	356
Physician .....	19	.....
Ancillary .....	58	.....
Nursing, Room, and Board .....	319	.....
<b>Nursing Home Care, Rates Per Day</b>		
Nursing Home Care:		
Total .....	299	270
Physician .....	9	.....
Ancillary .....	40	.....
Nursing Room, and Board .....	250	.....
<b>Outpatient Medical and Dental Treatment</b>		
Outpatient Visit:		
Total .....	229	211
Emergency Dental .....	143	127
Outpatient Visit Prescription Filled .....	25	25

For the period beginning October 1, 1997, the rates prescribed herein superseded those established by the Director of the Office of Management and Budget, October 31, 1996 (61 FR 56360).

**Franklin D. Raines,**  
*Director, Office of Management and Budget.*  
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 BILLING CODE 3110-01-P

## **PENSION BENEFIT GUARANTY CORPORATION**

### **Submission of Information Collection for OMB Review; Comment Request; Payment of Premiums**

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of request for extension of OMB approval.

**SUMMARY:** The Pension Benefit Guaranty Corporation ("PBGC") is requesting that the Office of Management and Budget ("OMB") extend approval, under the Paperwork Reduction Act, of the collection of information under its regulation on Payment of Premiums (29 CFR Part 4007), including Form 1-ES, Form 1, and Schedule A to Form 1, and related instructions (OMB control number 1212-0009; expires February

28, 1998). The collection of information also includes a certification (on Schedule A) of compliance with requirements to provide certain notices to participants under the PBGC's regulation on Disclosure to Participants (29 CFR Part 4011), and surveys of plan

administrators to assess compliance with those requirements. This notice informs the public of the PBGC's request and solicits public comment on the collection of information.

**DATES:** Comments should be submitted by November 17, 1997.

**ADDRESSES:** Comments should be mailed to the Office of Information and Regulatory Affairs of the Office of Management and Budget, Attention: Desk Officer for Pension Benefit Guaranty Corporation, Washington, DC 20503. The request for extension will be available for public inspection at the Communications and Public Affairs Department of the Pension Benefit Guaranty Corporation, suite 240, 1200 K Street, NW., Washington, DC, 20005-4026, between 9 a.m. and 4 p.m. on business days.

Copies of the collection of information may be obtained without charge by writing to the PBGC's Communications and Public Affairs Department at the address given above or calling 202-326-4040. (For TTY and TDD, call 800-877-8339 and request connection to 202-326-4040). The premium payment regulation can be accessed on the PBGC's home page at <http://www.pbgc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Deborah C. Murphy, Attorney, or Harold J. Ashner, Assistant General Counsel, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, 202-326-4024. (For TTY and TDD, call 800-877-8339 and request connection to 202-326-4024).

**SUPPLEMENTARY INFORMATION:** Section 4007 of Title IV of the Employee Retirement Income Security Act of 1974 ("ERISA") requires the Pension Benefit Guaranty Corporation ("PBGC") to collect premiums from pension plans covered under Title IV pension insurance programs. Pursuant to ERISA section 4007, the PBGC has issued its regulation on Payment of Premiums (29 CFR Part 4007). Section 4007.3 of the premium payment regulation requires plans, in connection with the payment of premiums, to file certain forms prescribed by the PBGC, and § 4007.10 requires plans to retain and make available to the PBGC records supporting or validating the computation of premiums paid.

The forms prescribed are PBGC Form 1-ES and Form 1 and (for single-employer plans only) Schedule A to Form 1. Form 1-ES is issued, with instructions, in the PBGC's Estimated Premium Payment Package. Form 1 and Schedule A are issued, with

instructions, in the PBGC's Annual Premium Payment Package.

The premium forms are needed to determine the amount and record the payment of PBGC premiums, and the submission of forms and retention and submission of records are needed to enable the PBGC to perform premium audits. The plan administrator of each pension plan covered by Title IV of ERISA is required to file one or more of the premium payment forms each year. The PBGC uses the information on the premium payment forms to identify the plans paying premiums and to verify whether plans are paying the correct amounts. That information and the retained records are used for audit purposes.

In addition, section 4011 of ERISA and the PBGC's regulation on Disclosure to Participants (29 CFR Part 4011) require plan administrators of certain underfunded single-employer pension plans to provide an annual notice to plan participants and beneficiaries of the plans' funding status and the limits on the Pension Benefit Guaranty Corporation's guarantee of plan benefits. The participant notice requirement only applies (subject to certain exemptions) to plans that must pay a variable rate premium. In order to monitor compliance with Part 4011, plan administrators must indicate on Schedule A to Form 1 that the participant notice requirements have been complied with. The PBGC has also conducted surveys of plan administrators to assess compliance.

The collection of information under the regulation on Payment of Premiums, including Form 1-ES, Form 1, and Schedule A to Form 1, and related instructions has been approved by OMB under control number 1212-0009 through February 28, 1998. This collection of information also includes the certification and surveys of compliance with the participant notice requirements (but not the participant notices themselves). The PBGC is requesting that OMB extend its approval of this collection of information for another three years. (The participant notices constitute a different collection of information that has been separately approved by OMB.)

Under the Retirement Protection Act of 1994, certain special premium rules for regulated public utility company plans cease to apply for plan years beginning after 1997. The premium forms and instructions are being revised for 1998 to reflect this change. The revised forms and instructions will also include provisions regarding the use of electronic funds transfers as an optional form of payment for premiums and for

PBGC payment of premium refunds, and will permit plan administrators whose filings are prepared by consultants to request that the PBGC no longer send them unneeded forms packages. In addition, reporting of plan-to-plan transfers will now be required only where the transferor plan ceases to exist, rather than in all cases.

The 1998 forms and instructions will eliminate multiple repetition of the rules regarding the date as of which the premium is calculated by using a new defined term, "premium snapshot date," for this purpose. Instructions and line items for variable-rate premium exemptions (which are relatively brief) are being placed before those for non-exempt filing methods to save exempt filers from having to read through the relatively lengthy filing method descriptions.

The 1998 Form 1 will also give plans a way to notify the PBGC of their participation in the PBGC's new premium "self-audit" program. Under this program, plans could elect to engage independent auditors to review their premium filings as part of the regular plan audit cycle. The PBGC expects to announce details about the "self-audit" program within the next few months.

Other appropriate revisions (e.g., clarifying and editorial changes) are also being made.

The PBGC estimates that it receives responses annually from about 49,500 plan administrators and that the total annual burden of the collection of information is about 4,042.5 hours and \$11,236,125.

Issued in Washington, DC, this 15th day of October, 1997.

**David M. Strauss,**

*Executive Director, Pension Benefit Guaranty Corporation.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. IC-22848; File No. 812-10732]

**Alexander Hamilton Life Insurance Company of America, et al.**

October 9, 1997.

**AGENCY:** Securities and Exchange Commission (the "SEC" or the "Commission").

**ACTION:** Notice of application for exemption pursuant to Section 26(b) of the Investment Company Act of 1940 (the "1940 Act") approving a proposed substitution of securities and pursuant to Section 17(b) of the 1940 Act granting