

on the Council website at LMRcouncil.gov since March 8, 2010. Deadlines imposed by the executive order are pending as agencies were required to submit implementation plans no later than March 9, and the Council must act on those plans within 30 days of receipt. OPM believes that a timely meeting is necessary for the Council to meet its requirements under the order and to consider public comments on these agency plans. A further postponement of the meeting would hinder agencies from meeting their responsibilities under the order to implement labor-management forums throughout the Federal Government.

At the April 7 meeting, the Council will review agency implementation plans and make recommendations on their certification. At the May 5 meeting, the Council will work on recommendations to the President concerning 5 U.S.C. 7106 (b)(1) pilot projects. The meetings are open to the public. Please contact the Office of Personnel Management at the address shown below if you wish to present material to the Council at the meeting. The manner and time prescribed for presentations may be limited, depending upon the number of parties that express interest in presenting information.

**DATES:** April 7, 2010, at 10 a.m. and May 5, 2010, at 10 a.m.

**Location:** U.S. Office of Personnel Management, Theodore Roosevelt Building, 1900 E Street, NW., Room 1416, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Thomas Wachter, Acting Deputy Associate Director for Partnership and Labor Relations, Office of Personnel Management, 1900 E Street, NW., Room 7H28-E, Washington, DC 20415. Phone (202) 606-2930; FAX (202) 606-2613; or e-mail at [PLR@opm.gov](mailto:PLR@opm.gov).

For the National Council.  
**John Berry,**  
*Director.*  
 [FR Doc. 2010-6941 Filed 3-26-10; 8:45 am]  
**BILLING CODE 6325-39-P**

**RAILROAD RETIREMENT BOARD**

**Proposed Collection; Comment Request**

**SUMMARY:** In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

*Comments are invited on:* (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

**Title and Purpose of Information Collection**

*Application and Claim for Sickness Insurance Benefits; OMB 3220-0039*

Under section 2 of the Railroad Unemployment Insurance Act (RUIA), sickness benefits are payable to qualified railroad employees who are unable to work because of illness or injury. In addition, sickness benefits are payable to qualified female employees if they are unable to work, or if working would be injurious, because of pregnancy, miscarriage or childbirth.

Under section 1(k) of the RUIA, a statement of sickness with respect to days of sickness of an employee is to be filed with the RRB within a 10-day period from the first day claimed as a day of sickness. The RRB's authority for requesting supplemental medical information is section 12(i) and 12(n) of the RUIA. The procedures for claiming sickness benefits and for the RRB to obtain supplemental medical information needed to determine a claimant's eligibility for such benefits are prescribed in 20 CFR part 335.

The forms currently used by the RRB to obtain information needed to determine eligibility for and the amount of sickness benefits due a claimant follows: Form SI-1a, Application for Sickness Benefits; Form SI-1b, Statement of Sickness; Form SI-3, Claim for Sickness Benefits; Form SI-7, Supplemental Doctor's Statement; Form SI-8, Verification of Medical Information; Form ID-7h, Non-Entitlement to Sickness Benefits and Information on Unemployment Benefits; Form ID-11a, Requesting Reason for Late Filing of Sickness Benefit and ID-11b, Notice of Insufficient Medical and Late Filing. Completion is required to obtain or retain benefits. One response is requested of each respondent.

The RRB proposes the addition an equivalent Internet version of Form SI-3, Claim for Sickness Benefits to the information collection. The Internet equivalent Form SI-3 will essentially mirror the manual RRB Form SI-3 currently in use, but will also provide the claimant the ability to change their direct deposit information in addition to the ability to complete and file the claim via the Internet. No other changes are proposed.

**Estimate of Annual Respondent Burden**

The estimated annual respondent burden is as follows:

Form #(s)	Annual responses	Time(min)	Burden (hrs)
SI-1a .....	17,000	10	2,833
SI-1b (Doctor) .....	17,000	8	2,267
SI-3 (manual) .....	118,150	5	9,846
SI-3 (Internet) .....	20,850	5	1,738
SI-7 .....	22,600	8	3,013
SI-8 .....	50	5	4
ID-7H .....	50	5	4
ID-11A .....	800	4	53
ID-11B .....	1,000	4	67
<b>Total .....</b>	<b>197,500</b>	<b>.....</b>	<b>19,825</b>

**Additional Information or Comments:** To request more information or to obtain a copy of the information

collection justification, forms, and/or supporting material, please call the RRB Clearance Officer at (312) 751-3363 or

send an e-mail request to [Charles.Mierzwa@RRB.GOV](mailto:Charles.Mierzwa@RRB.GOV). Comments regarding the information collection

should be addressed to Patricia A. Henaghan, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 or by e-mail to [Patricia.Henaghan@RRB.gov](mailto:Patricia.Henaghan@RRB.gov). Written comments should be received within 60 days of this notice.

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

[FR Doc. 2010-6906 Filed 3-26-10; 8:45 am]

BILLING CODE 7905-01-P

---

## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 29178; 812-13058-06]

### RMR Real Estate Income Fund, et al.; Notice of Application

March 23, 2010.

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

**ACTION:** Notice of application under section 6(c) of the Investment Company Act of 1940 ("Act") for an exemption from section 19(b) of the Act and rule 19b-1 under the Act.

**SUMMARY OF APPLICATION:** Applicants request an order to permit certain closed-end investment companies to make periodic distributions of long-term capital gains with respect to their outstanding common stock as frequently as twelve times each year, and as frequently as distributions are specified by or in accordance with the terms of any outstanding preferred stock that such investment companies may issue.

**APPLICANTS:** RMR Real Estate Income Fund and RMR Advisors, Inc.

**FILING DATES:** December 31, 2003, September 23, 2008, February 13, 2009, and September 30, 2009.

**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 April 19, 2010, 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, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090; applicants, 400 Centre Street, Newton, MA 02458.

**FOR FURTHER INFORMATION CONTACT:** Wendy Friedlander, Senior Counsel, at (202) 551-6837, or James M. Curtis, Branch Chief, at (202) 551-6712 (Division of Investment Management, Office of Chief Counsel).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or for an applicant using the Company name box, at <http://www.sec.gov/search/search.htm>, or by calling (202) 551-8090.

#### Applicants' Representations

1. RMR Real Estate Income Fund ("RIF") is a closed-end management investment company registered under the Act and organized as a Delaware statutory trust.<sup>1</sup> RIF's primary investment objective is to earn and pay to its common shareholders a high level of income by investing in real estate companies, including real estate investment trusts. RIF's secondary investment objective is capital appreciation. RIF has common stock that is listed and traded on the NYSE Amex and preferred stock that does not trade on any exchange. Applicants believe that the investors in the common stock of RIF may prefer an investment vehicle that provides regular periodic distributions and a steady cash flow.

2. RMR Advisors, Inc. (the "Adviser") is registered under the Investment Advisers Act of 1940 and has provided investment advisory services to RIF since its inception. The Adviser is wholly-owned by Barry M. Portnoy and Adam D. Portnoy.

3. Applicants represent that RIF's Board of Trustees (the "Board"), including a majority of the members of the Board who are not "interested persons" of RIF as defined in section 2(a)(19) of the Act (the "Independent Trustees"), approved RIF's adoption of a distribution plan with respect to RIF's common stock ("Plan"). The Plan would

<sup>1</sup> Applicants request that any order issued granting the relief requested in the application also apply to any closed-end investment company that in the future: (a) Is advised by the Adviser (including any successor in interest) or by any entity controlling, controlled by, or under common control (within the meaning of section 2(a)(9) of the Act) with the Adviser; and (b) complies with the terms and conditions of the requested order. A successor in interest is limited to entities that result from a reorganization into another jurisdiction or a change in the type of business organization.

permit RIF to distribute as often as monthly to its common stockholders a fixed percentage of the market price per common share, a fixed percentage of net asset value ("NAV") per common share, or a fixed amount per common share, any of which may be adjusted from time to time.

4. Applicants represent that, in adopting the Plan, RIF's Board, including a majority of RIF's Independent Trustees: (a) Requested and considered, and the Adviser provided, information regarding the purpose and terms of the Plan; the reasonably foreseeable material effect of the Plan on RIF's long-term total return (in relation to market price and NAV per common share); and what conflicts of interest the Adviser and the affiliated persons of the Adviser and RIF might have with respect to the adoption or implementation of the Plan; (b) approved RIF's adoption of compliance policies and procedures in accordance with rule 38a-1 under the Act that (i) are reasonably designed to ensure that all notices required to be sent to RIF's shareholders pursuant to section 19(b) of the Act, rule 19b-1 under the Act and the conditions set forth below ("Notices") include the disclosure required by rule 19b-1 and the condition II. A. below, and that all other written communications by RIF or its agents include the disclosure required by condition III .A. below; and (ii) require RIF to keep records that demonstrate its compliance with all of the conditions of the requested Order and that are necessary to form the basis for, or demonstrate the calculation of, the amounts disclosed in the Notice. Applicants further state that after considering such information the Board, including a majority of the Independent Trustees, approved the Plan and determined that the Plan is consistent with RIF's investment objectives and is in the best interests of RIF's common stockholders. Applicants represent that the Board has recorded the basis for its approval of the Plan, including its considerations of the factors listed in this paragraph, in its minutes, which will be preserved for a period of not less than six years from the date of the meeting, the first two years in an easily accessible place, or such longer period as may otherwise be required by law.

#### Applicants' Legal Analysis

1. Section 19(b) generally makes it unlawful for any registered investment company to make long-term capital gains distributions more than once each year. Rule 19b-1 limits the number of capital gains dividends, as defined in section 852(b)(3)(C) of the Code