



## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

[Application Number L-11989]

#### **Proposed Exemption for Certain Prohibited Transactions Involving the Association of Washington Business (AWB) HealthChoice Employee Benefits Trust Located in Olympia, Washington**

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

**ACTION:** Notice of Proposed Exemption; Extension of comment period.

**SUMMARY:** The Department of Labor (the Department) is extending the comment period for the proposed individual exemption for certain prohibited transactions involving the Association of Washington Business (AWB) HealthChoice Employee Benefits Trust (the proposed exemption). As discussed in the **DATES** section below, the Department is extending the comment period through August 14, 2023.

**DATES:** Written comments and requests for a public hearing on the proposed exemption must be received by the Department by August 14, 2023.

**ADDRESSES:** All written comments and requests for a hearing should be sent to the Employee Benefits Security Administration (EBSA), Office of Exemption Determinations, Attention: Application No. L-11989 via email to [e-OED@dol.gov](mailto:e-OED@dol.gov) or online through <https://www.regulations.gov>. Any such comments or requests should be sent by the end of the scheduled comment period. The application for the exemption and the comments received will be available for public inspection in the Public Disclosure Room of the Employee Benefits Security Administration, U.S. Department of Labor, Room N-1515, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Comments and hearing requests will also be available online at <https://www.regulations.gov> at no charge. See **SUPPLEMENTARY INFORMATION** below for additional information regarding

comments.

**FOR FURTHER INFORMATION CONTACT:** Susan Wilker, Office of Exemption Determinations, Employee Benefits Security Administration, U.S. Department of Labor, (202) 693-8557 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

On June 14, 2023, the Department published the proposed exemption in the *Federal Register* (87 FR 14197). The proposal established a July 31, 2023, deadline for the public to submit comments. The Department has been informed that AWB had to redistribute its notice to interested parties package due to an incomplete first distribution. Therefore, the Department is extending the proposed exemption's comment period until August 14, 2023, to provide additional time for interested parties to prepare and submit their comments.

Persons are encouraged to submit all comments electronically and not to send paper copies. Comments should state the nature of the person's interest in the proposed exemption and how the person would be adversely affected by the exemption, if granted. Any person who may be adversely affected by an exemption can request a hearing on the exemption. A request for a hearing must state: (1) The name, address, telephone number, and email address of the person making the request; (2) the nature of the person's interest in the exemption and the manner in which the person would be adversely affected by the exemption; and (3) a statement of the issues to be addressed and a general description of the evidence to be presented at the hearing. The Department will grant a request for a hearing made in accordance with the requirements above where a hearing is necessary to fully explore material factual issues identified by the person requesting the hearing. A notice of such hearing shall be published by the Department in the *Federal Register*. The Department may decline to hold a hearing if: (1) the request for the hearing does not meet the requirements above; (2) the only issues identified for exploration at the hearing are

matters of law; or (3) the factual issues identified can be fully explored through the submission of evidence in written (including electronic) form.

*Warning:* All comments received will be included in the public record without change and may be made available online at <https://www.regulations.gov>, including any personal information provided, unless the comment includes information claimed to be confidential or other information whose disclosure is restricted by statute. If you submit a comment, EBSA recommends that you include your name and other contact information in the body of your comment, but DO NOT submit information that you consider to be confidential, or otherwise protected (such as a Social Security number or an unlisted phone number) or confidential business information that you do not want publicly disclosed. However, if EBSA cannot read your comment due to technical difficulties and cannot contact you for clarification, EBSA might not be able to consider your comment.

Additionally, the <https://www.regulations.gov> website is an “anonymous access” system, which means EBSA will not know your identity or contact information unless you provide it in the body of your comment. If you send an email directly to EBSA without going through <https://www.regulations.gov>, your email address will be automatically captured and included as part of the comment that is placed in the public record and made available on the internet.

Signed at Washington, DC.

George Christopher Cosby,  
Director, Office of Exemption Determinations,  
Employee Benefits Security Administration,  
U.S. Department of Labor.

