

PBGC Retrospective Plan Update as of February 2015

Agency	Title Of Initiative/ Rule or ICR	RIN/OMB Control Number	Summary of Initiative	Status of Initiative -- New to this update, Ongoing, or Completed	Target Completion Date (if completed, please add the publication date and cite in Federal Register for example)	Does the Initiative include pilot projects, safe harbor exemptions, sunset provisions, trigger provisions, streamlined requirements, state flexibilities, or other similar strategies?	Does this initiative employ any type of experimental design y/n?	What methods will you engage in to identify improvements (public comment, analyses, third party assessments, etc.) Please identify all that apply	If available, anticipated or realized savings in costs &/or burdens and anticipated or realized changes in benefits
PBGC	Review of actuarial and economic content of policies and regulations	N/A	PBGC is instituting routine, periodic reviews of its regulations and policies to ensure that the assumptions and methods are sound and are current with advances in actuarial, demographic, and economic knowledge and practices.	On going	PBGC expects to complete the review of its interest rates, mortality rates, and age adjustment factors by the end of 2015.	TBD	No	TBD	TBD
PBGC	Reportable Events	1212-AB06	<p>PBGC is streamlining reporting requirements under ERISA section 4043 to limit reports to circumstances when there is real risk to pension plans and PBGC cannot get the information in other ways.</p> <p>Proposed rule published April 3, 2013. Thirteen comments received.</p> <p>Public hearing held June 18, 2013. This was PBGC's first-ever regulatory hearing.</p>	On going	We expect to publish the final rule in mid-2015.	The final rule will have safe harbors and streamlined requirements.	No	PBGC is taking into account the comments and discussion at the public hearing in developing the final rule.	The proposal would exempt more than 90% of plans and sponsors from many requirements. It would reduce burden for low-risk sponsors and plans, while targeting plans that present higher risk. PBGC expects that the proposal would dramatically reduce the proportion of unnecessary filings under the current regulation.

PBGC	Liability for Termination of Single-Employer Plans; Treatment of Substantial Cessation of Operations ; ERISA section 4062(e)		<p>The statute provides for reporting of and liability for certain cessations of operations by employers that maintain single-employer plans. In 2010, PBGC issued a proposed rule on the applicability and enforcement of ERISA section 4062(e). In light of comments on that proposal, PBGC decided not to finalize that proposal.</p> <p>On November 2, 2012, PBGC announced 4062(e) enforcement guidelines, under which PBGC would not enforce in the case of financially strong companies or small plans, thereby exempting 90 percent of companies that sponsor pension plans from enforcement efforts. http://www.pbgc.gov/news/press/releases/pr12-32.html .</p> <p>On July 8, 2014, PBGC announced a moratorium, until the end of 2014, on the enforcement of 4062(e) cases to enable PBGC to</p>	TBD	TBD	TBD	TBD	TBD	N/A
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further target at-risk plans and work with the business community, labor, and other stakeholders to minimize effects on necessary business activities.

H.R. 83 (signed into law on December 16, 2014) made major changes to section 4062(e). PBGC is examining the provisions of the new law and will provide further guidance as appropriate.

PBGC has posted on its website an announcement on important changes to 4062(e), including the end of the moratorium, [http://www.pbgc.gov/about/faq/pg/important-changes-to-erisa-section-4062\(e\).html](http://www.pbgc.gov/about/faq/pg/important-changes-to-erisa-section-4062(e).html)

Response to June 22, 2012 OMB Memorandum:

PBGC's inventory of currently approved information collections (i.e., paperwork and reporting burdens) imposes about 113,500 annual burden hours for all of PBGC's programs,¹ of which 87,500 hours result from locating and paying participants (primarily benefit applications) and 8,000 hours result from payment of premiums. The number of respondents for these two information collections is largely outside of PBGC's control, and the hour burden per response is low.

PBGC is continually looking for ways to reduce paperwork and reporting burdens, simplify filings, and provide relief for small businesses and plans. As discussed below, PBGC has identified the following initiatives to significantly reduce paperwork and reporting burden:

- ***Reportable Events.*** PBGC's 2013 Reportable Events proposed rule would dramatically reduce unnecessary reporting by sponsors and plans. It would exempt more than 90% of plans and sponsors from some requirements. We expect to publish the final rule in mid-2015.
- ***ERISA section 4010.*** PBGC is considering regulatory changes to Annual Financial and Actuarial Information Reporting requirements under ERISA section 4010 that could result in decreased reporting burden for plan sponsors. Such changes include waiving reporting for plans that must file 4010 information solely on the basis of either a statutory lien resulting from missed required contributions of over one million dollars or outstanding funding waivers exceeding the same amount. PBGC believes other changes to 4010 reporting, such as targeting reporting more closely to the risk of plan termination, would more significantly reduce burden.

¹ See <http://www.reginfo.gov/public/do/PRAMain> .