

**PBGC Retrospective Review Plan Report
January 13, 2014**

Agency	RIN /OMB control number	Title of initiative/ rule/ICR	Brief description	Actual or target completion date	Anticipated savings in costs and/or information collection burdens, together with any anticipated changes in benefits (please quantify, to the extent feasible, and also specify baseline, time horizon, and affected groups)	Progress updates and anticipated accomplishments
PBGC	1212-AB26	Premium Rates; Payment of Premiums; Reducing Regulatory Burden	<p>On January 3, 2014, PBGC published a final rule is moving the flat-rate premium due date for large plans (i.e., plans with 500 or more participants) than to the same date as the variable-rate premium due date for such plans.</p> <p>The final rule addressed part of a regulatory reform proposal to simplify and streamline premium due dates, coordinate the due date for terminating plans with the termination process, provide for relief from penalties, and make other changes.</p>	<p>The large-plan flat-rate premium due date change is effective for plan years starting on or after January 1, 2014.</p> <p>Target date for publishing a final rule addressing the other aspects of the proposal is March 2014. Those changes are also expected to be applicable for plan years starting on or after January 1, 2014.</p>	<p>The average net gain under the final rule for large plans is estimated to be \$12,350 per year per plan. The majority of this net gain (\$11,300) is due to increased earnings for large plans on plan assets as a result of the filing due date changes. In the aggregate, the net gain is estimated to be \$69,616,950 (\$63,698,100 due to increased earnings).</p> <p>Expected benefits from other aspects of the proposal would include reduced actuarial fees and reduced burden of meeting a filing deadline that may occur before completion of actuarial valuation for funding purposes.</p>	<p>Proposed rule published July 23, 2013, http://www.pbgc.gov/documents/2013-17561.pdf.</p> <p>Final rule addressing part of the proposal published January 3, 2014, http://www.pbgc.gov/documents/2013-31109.pdf.</p>

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PBGC	1212-AB06	Reportable Events; Pension Protection Act of 2006	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.	Proposed rule published April 3, 2013. 13 comments received. Public hearing held June 18, 2013. This was PBGC's first-ever regulatory hearing. Target date for final rule June 2014.	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 is developing the final rule, taking into account the comments and discussion at the public hearing.

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PBGC	1212-AB20	Liability for Termination of Single-Employer Plans; Treatment of Substantial Cessation of Operations; ERISA section 4062(e)	The statute provides for reporting of and liability for certain substantial cessations of operations by employers that maintain single-employer plans. In light of comments on its 2010 proposed rule on the applicability and enforcement of ERISA section 4062(e), PBGC intends to repropose. PBGC is considering reducing the reporting burden and tying 4062(e) to risk through the same approaches being considered for reportable events.	Target date for NPRM (re-proposal) June 2014.	PBGC is analyzing the potential savings from a re-proposal.	On November 2, 2012, PBGC announced 4062(e) enforcement guidelines, under which PGGC will not enforce in the case of financially strong companies or small plans, http://www.pbgc.gov/news/press/releases/pr12-32.html . As a result, more than 90 percent of companies that sponsor pension plans will not face enforcement efforts.

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PBGC	1212-AB25	<p>Termination of Multiemployer Plans (29 CFR part 4041A)</p> <p>Duties of plan sponsor following mass withdrawal (29 CFR part 4281)</p> <p>Mergers and transfers between multiemployer plans (29 CFR part 4231)</p>	<p>Based on its review, PBGC determined that it can reduce or eliminate:</p> <ul style="list-style-type: none"> • Annual valuation requirements for small terminating multiemployer plans. • Certain notice requirements for terminated multiemployer plans that determine that they will be insolvent for a plan year. • Unnecessary filing requirements on merged multiemployer plans. 	Target date for NPRM February 2014.	<p>Based on PBGC's experience, the combined estimated annual savings of the three rule changes would be about \$460,000.</p> <p>Streamlining and reforming notice requirements may reduce administrative costs to both PBGC and plans and help facilitate transactions that have the effect of strengthening multiemployer plans, thereby preserving benefits for participants and removing barriers to business transactions.</p>	NPRM is in final stages of development.

Response to June 22, 2012 OMB Memorandum:

PBGC's inventory of currently approved information collections (i.e., paperwork and reporting burdens) imposes about 113,750 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 8,200 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 is identifying three initiatives to significantly reduce paperwork and reporting burden:

- ***Reportable Events.*** PBGC's 2013 Reportable Events proposal would dramatically reduce unnecessary reporting by sponsors and plans. It would exempt more than 90% of plans and sponsors from some requirements. PBGC is developing the final rule.
- ***Premiums.*** PBGC's 2013 premium proposal (part of which was finalized January 3, 2014) would significantly reduce the annual burden of premium filings for plans of all sizes.
- ***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 and has recommended those changes to Congress.

Updated responses to public comments

- ***Reportable Events.*** Commenters on the 2013 proposal suggested areas for improvement in the sponsor financial soundness safe harbor and other areas, such as the plan financial soundness safe harbor, controlled group monitoring, and public company reporting. In developing the final rule, PBGC is taking the comments into consideration. For example, PBGC is considering ways to make the sponsor safe harbor more flexible and easier to use, to provide a more appropriate plan financial soundness safe harbor, and to minimize the burden of monitoring controlled groups.

Premiums. PBGC received six comment letters on the July 23 proposal. All of the commenters approved of the proposal, and one specifically urged that it be made effective for 2014. The commenters also had suggestions for additional changes PBGC might make in its premium regulations or procedures. Because none of those suggestions dealt with proposed change to the large-plan flat-rate premium due date and because that change was by far the most time-sensitive aspect of the proposal, PBGC finalized it ahead of the other changes in the proposal. PBGC expects to deal with the other aspects of the July 23 proposal in a separate final rule to be issued in time to provide all plans with adequate advance guidance for timely compliance with the new procedures in 2014. If the situation changes, PBGC will advise the public as appropriate.

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