

PBGC

Proposed Rule Stage

the United States Postal Service, metered mail, commercial delivery service, facsimile). The PBGC intends to clarify and simplify its filing rules and to provide greater flexibility in methods of filing (including by electronic means).

Timetable:

Action	Date	FR Cite
NPRM	11/00/02	
NPRM Comment Period End	01/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1212-AA89

3752. • PAYMENT OF BENEFITS IN PBGC-TRUSTEED PLANS

Priority: Substantive, Nonsignificant

Legal Authority: 29 USC 1302(b)(3); 29 USC 1322; 29 USC 1344

CFR Citation: 29 CFR 4022; 29 CFR 4044

Legal Deadline: None

Abstract: When the PBGC assumes trusteeship of a terminated pension plan, it pays benefits to participants pursuant to plan provisions and title IV of ERISA. The PBGC has recently completed a rulemaking that made several changes in how it pays benefits, including giving participants more choices of annuity forms, clarifying (for certain purposes under title IV of ERISA) what it means to be able to “retire” under plan provisions, and adding rules on who will get certain payments the PBGC owes to a participant at the time of death. Final Rule, 67 FR 16950 (April 8, 2002). The PBGC is continuing to explore how to improve its benefit payments rules. This regulation will fill in gaps in the rules, clarify matters that have been handled on a case-by-case basis in the past, and otherwise address issues relating to the determination of

guarantee limits and the time, form, and manner of payment.

Timetable:

Action	Date	FR Cite
NPRM	10/00/03	
NPRM Comment Period End	12/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1212-AA98

3753. ALLOCATION OF ASSETS IN SINGLE-EMPLOYER PLANS; VALUATION OF BENEFITS AND ASSETS

Regulatory Plan: This entry is Seq. No. 151 in part II of this issue of the **Federal Register**.

RIN: 1212-AA55

Pension Benefit Guaranty Corporation (PBGC)

Final Rule Stage

3754. ASSESSMENT OF AND RELIEF FROM PENALTIES

Priority: Substantive, Nonsignificant

Legal Authority: 28 USC 2461 note; 29 USC 1302(b)(3); 29 USC 1303(a); 29 USC 1306; 29 USC 1307; 29 USC 1371

CFR Citation: 29 CFR 4003; 29 CFR 4007; 29 CFR 4071

Legal Deadline: None

Abstract: The PBGC has issued a number of policy statements about penalties over the last few years. For the convenience of the public, the

PBGC proposes to replace those policy statements with an updated and expanded set of penalty policies codified in its regulations.

Timetable:

Action	Date	FR Cite
NPRM	01/12/01	66 FR 2856
NPRM Comment Period End	03/13/01	
Final Action	11/00/02	
Final Action Effective	12/00/02	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1212-AA95

Pension Benefit Guaranty Corporation (PBGC)

Completed Actions

3755. RULES FOR ADMINISTRATIVE REVIEW OF AGENCY DECISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 29 USC 1302(b)(3)

CFR Citation: 29 CFR 4003

Legal Deadline: None

Abstract: The PBGC amended its administrative review regulation to expedite the appeals process by

authorizing a single member of the PBGC's Appeals Board to decide routine appeals.

PBGC

Completed Actions

Timetable:

Action	Date	FR Cite
NPRM	03/27/02	67 FR 14663
NPRM Comment Period End	05/28/02	
Final Action	07/22/02	67 FR 47694
Final Action Effective	07/22/02	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 1212-AA97**3756. CASH BALANCE PLANS WITH
VARIABLE INDICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 29 USC 1301 et seq**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: The PBGC is withdrawing
this project pending clarification of the
rules governing cash balance plans.

Timetable:

Action	Date	FR Cite
Request for Comments	06/06/00	65 FR 41610

Action**Date****FR Cite**

Comment Period End	09/22/00	
Withdrawn	11/01/02	

**Regulatory Flexibility Analysis
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 1212-AA96

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