

## PRIVACY ACT NOTICE

The Privacy Act of 1974, *as amended*, 5 U.S.C. § 552a requires PBGC to give you this notice when collecting information from you. PBGC uses the information we collect to determine whether you are entitled to a benefit payment from a retirement plan that has terminated, and if so, to calculate the amount due to you, and to make appropriate benefit payments. The information collected here, including your name, Social Security Number, date of birth, and/or other necessary personally identifiable information (PII), is used by PBGC to identify your records within PBGC, to report income for tax purposes, and to respond to lawful requests for information about you from other individuals and entities. Your response is voluntary. However, failure to provide information to PBGC, including your name, Social Security Number, date of birth, and/or other necessary PII, may delay or prevent PBGC from calculating and paying your benefits.

PBGC may release information about you to other individuals and entities when necessary and appropriate under 5 U.S.C. § 552a(b) of the Privacy Act, including: to third parties to make benefit payments to you; to a company that was responsible for your plan or to entities related to that company; to a labor organization that represents you; to obtain information from the Federal Aviation Administration relevant to a pilot or former pilot's eligibility for a disability benefit; to obtain your address from other sources when PBGC does not have a current or valid address for you; to comply with Federal laws requiring disclosure of the information contained in our records; to facilitate statistical research, audit or investigative matters; to appropriate agencies for the collection of debt; and, to a limited extent to your spouse, former spouse, child, or other dependent when such individual may be entitled to benefits from PBGC.

PBGC may also release information about you to appropriate federal, state, local or tribal law enforcement agencies when PBGC becomes aware of a possible violation of civil or criminal law. If PBGC, an employee of PBGC, the United States, or another agency of the United States, is involved in litigation, PBGC may provide relevant information about you to a court or other adjudicative body or to the Department of Justice when it represents PBGC. PBGC may also provide information about you to the Office of Management and Budget in connection with review of private relief legislation or to a Congressional office in response to an inquiry that office makes about you at your request. This information may also be disclosed for any of the PBGC general routine uses as published in the Federal Register.

PBGC publishes notices in the Federal Register that describe in more detail when information about you may be made available to others. A copy of the most recent Federal Register notice may be obtained online at [PBGC.gov/privacy](http://PBGC.gov/privacy) or by calling PBGC's Customer Contact Center, 1-800-400-7242. If you are deaf, hard of hearing, or have a speech disability, please dial 7-1-1 to access telecommunications relay services. PBGC's authority to collect information from you, including your Social Security Number, is derived from 29 U.S.C. §§ 1055, 1056(d)(3), 1302, 1321, 1322, 1322a, 1341 and 1350.

## PAPERWORK REDUCTION ACT NOTICE

The Paperwork Reduction Act of 1995, 44 U.S.C. § 3501, et seq., requires PBGC to give you this notice when collecting information from you. PBGC uses the information we collect, including name, Social Security Number, date of birth, and/or other specific personally identifiable information (PII) necessary, to determine whether you are entitled to a benefit payment from a retirement plan that has terminated, and if so, to calculate the amount due to you, and to make appropriate benefit payments. Your response is voluntary. However, failure to provide information to PBGC, including your name, Social Security Number, date of birth, and/or other necessary PII, may delay or prevent PBGC from determining if you are entitled to a benefit payment, calculating the amount due, and paying the benefit due to you, if so entitled. Certain information provided to PBGC may be disclosable under the Freedom of Information Act, as amended, 5 U.S.C. § 552, and the Privacy Act of 1974, as amended, 5 U.S.C. § 552a.

PBGC estimates that the average burden of complying with the information collection request is 21 minutes (which includes 60 minutes for benefit application forms; 30 minutes forms 701, 700RN, 700RSC, 704, and 715; and 6 minutes for the remaining forms), and an average of \$3.50 where notary services are required to complete a form or application. These are estimates; the actual time and cost will vary depending on the circumstances and type of form or application being made. If you have any comments concerning the accuracy of this estimate or suggestions for improving this information collection, please send your comments to Pension Benefit Guaranty Corporation, Office of the General Counsel, Regulatory Affairs Division, 445 12<sup>th</sup> Street, SW Washington, DC 20024-2101. This collection of information has been approved by the Office of Management and Budget (OMB) under control number 1212-0055 (expires 08/31/2024). Under the Paperwork Reduction Act, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.



**2. NAME(S) OF YOUR AGENT(S)** - (you must name at least one agent)

I hereby revoke any prior PBGC Power of Attorney (Form 715) executed by me and name the following person(s) to act for me with respect to my PBGC pension(s). I understand from the instructions that this PBGC Power of Attorney does not revoke any non-PBGC Powers of Attorney granted by me.

**Agent 1:**

Last Name		First Name	
Middle Name	Relationship		
Mailing Address		Apartment / Route Number	
City	State	Zip Code	
Country	Email (OPTIONAL)		
Daytime Phone		Extension	Evening Phone
( [ ] [ ] [ ] [ ] )	[ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ]	x [ ] [ ] [ ] [ ]	( [ ] [ ] [ ] [ ] ) [ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ]

**Agent 2:**

Last Name		First Name	
Middle Name	Relationship		
Mailing Address		Apartment / Route Number	
City	State	Zip Code	
Country	Email (OPTIONAL)		
Daytime Phone		Extension	Evening Phone
( [ ] [ ] [ ] [ ] )	[ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ]	x [ ] [ ] [ ] [ ]	( [ ] [ ] [ ] [ ] ) [ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ]

**Agent 3:**

Last Name		First Name	
Middle Name	Relationship		
Mailing Address		Apartment / Route Number	
City	State	Zip Code	
Country	Email (OPTIONAL)		
Daytime Phone		Extension	Evening Phone
( [ ] [ ] [ ] [ ] )	[ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ]	x [ ] [ ] [ ] [ ]	( [ ] [ ] [ ] [ ] ) [ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ]

**3. If I have appointed more than one agent in item 2, I want my agents to:**

(If you do not choose an option below, your agents must act jointly.)

- Act Independently – each of my co-agents may independently request any authorized action.
- Act jointly – my co-agents must jointly request any authorized action.

**4. Types of Actions: My agent(s) is/are authorized to only take the following actions on my behalf with respect to my PBGC pension(s) that I have marked below.**

- a. \_\_\_\_\_ Apply for PBGC benefits.
- b. \_\_\_\_\_ Select an optional form of benefit and/or name a contingent annuitant. Selecting an optional form that requires a contingent annuitant may result in a reduced payment during my lifetime.
- c. \_\_\_\_\_ Designate a beneficiary, including one or more of my agents as a beneficiary.
- d. \_\_\_\_\_ Change a beneficiary previously selected by me.
- e. \_\_\_\_\_ Request/receive information from PBGC from my records, including PBGC income verification.
- f. \_\_\_\_\_ Request PBGC forms.
- g. \_\_\_\_\_ Respond to PBGC's requests for information or documents.
- h. \_\_\_\_\_ Change the payment address or bank account information for my PBGC payments.
- i. \_\_\_\_\_ Change my contact information, such as home address, phone number(s) and/or email.
- j. \_\_\_\_\_ Represent me before PBGC's Appeals Board.
- k. \_\_\_\_\_ Change Federal income tax withholding.
- l. \_\_\_\_\_ Direct payment of my PBGC payments into an account that bears my name.
- m. \_\_\_\_\_ Direct payment of my PBGC payments to a third-party through a revocable agreement.
  - i. (If you choose m, your agent may only take this action on your behalf if you are incapacitated.)
- n. \_\_\_\_\_ **All actions (a through m) listed above.** If n is selected, no other actions need to be selected.

**5. Effective Date and Duration (choose only one) –This Power of Attorney is effective, and my agent(s) may act as follows:**

(If you do not choose an option below, this Power of Attorney is a Non-Durable Power of Attorney.)

- Durable Power of Attorney.** This Power of Attorney is effective after I sign it and will remain in effect even if I become incapacitated
- Non-Durable Power of Attorney.** This Power of Attorney is effective after I sign it and will remain in effect until I become incapacitated.

**6. NOTICE TO PRINCIPAL SIGNING THIS PBGC FORM 715 POWER OF ATTORNEY**

PLEASE READ THIS NOTICE CAREFULLY. If there is anything about this form that you do not understand, you should ask a lawyer to explain it to you.

The purpose of this PBGC Power of Attorney is to permit you to give your designated agent(s) broad powers to handle your PBGC pension affairs, which may include the power to apply for your PBGC benefits, change your home address, choose or change the location of where to send or deposit your payments electronically, request verification of your pension income or other information from your files and more based on what you choose from Types of Actions in item 4. Once your Power of Attorney is effective, your agent(s) may take these actions even without your consent or any advance notice to you.

On this form, you may name one or more agent(s) in item 2. If you name co-agents, you must choose whether they must act together or each may act independently in item 3.

This form does not impose a duty upon your agent to handle your PBGC pension affairs, so it is important that you select an agent who will agree to do this for you. It is also important to select an agent whom you trust, since you are giving that agent control over your PBGC pension. Any agent who does act for you has a duty to act in good faith for your benefit and to use due care, competence, and diligence. He or she must also act in accordance with the directions in this form.

You may revoke this Power of Attorney if you wish by notifying the agent(s) and PBGC in writing. Until you revoke this Power of Attorney in writing or complete a new PBGC Form 715 to replace it, it will remain in effect, allowing your agent(s) to exercise the powers given to him or her throughout your lifetime. In addition, a court can take away the powers of your agent if it finds that the agent is not acting properly.

Depending on your choice in item 5, your agent may continue to act if you become incapacitated (Durable Power of Attorney), **OR** your agent will no longer be able to act if you become incapacitated (Non-Durable Power of Attorney).

This Power of Attorney will not take effect without your signature. You should not sign it if you do not understand everything in it including what your agent will be able to do after you sign it.

## 7. PRINCIPAL SIGNATURE

I am fully informed as to all the contents of this form and understand the full import of this grant of powers to my agent(s). I understand that this PBGC Power of Attorney revokes any and all PBGC Powers of Attorney (Form 715) previously granted by me, but does not revoke any non-PBGC Powers of Attorney granted by me. I understand that my agent(s) are not authorized to act until they have signed item 10 of this form.

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**PRINCIPAL SIGNATURE**

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**DATE**

(NOTE: This Power of Attorney will not be effective unless it is signed by a witness and your signature is notarized in items 8 and 9 below. The notary **may not** sign as a witness.)

## 8. WITNESS STATEMENT AND SIGNATURE (Witness may not also notarize in item 9.)

The undersigned witness certifies that the person whose name appears in **item 1** as the principal of this Power of Attorney, appeared before me and acknowledged signing item 7, and delivering the instrument as the free and voluntary act of the principal, for the uses and purposes therein set forth. I believe him or her to be of sound mind and memory. **I also certify that I AM NOT any of the following:**

- (a) an attending physician or mental health service provider or a relative of same;
- (b) an owner, operator, or relative of an owner or operator of a health care facility in which the principal is a patient or resident;
- (c) a parent, sibling, descendant, or any spouse of such parent, sibling, or descendant of either the principal or any agent under this Power of Attorney, whether such relationship is by blood, marriage, or adoption; or
- (d) an agent under the foregoing Power of Attorney.

**WITNESS PLEASE CONTINUE READING AND COMPLETE AND SIGN ON NEXT PAGE** 

WITNESS INFORMATION			
Witness Last Name		Witness First Name	
Middle Name	Other Name(s) Used		
Witness Mailing Address		Apartment / Route Number	
City		State	Zip Code
Country		Email (OPTIONAL)	
Daytime Phone ( [ ] [ ] [ ] [ ] ) [ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ] x [ ] [ ] [ ] [ ]		Evening Phone ( [ ] [ ] [ ] [ ] ) [ ] [ ] [ ] [ ] - [ ] [ ] [ ] [ ]	

\_\_\_\_\_  
**WITNESS SIGNATURE** **DATE**

**9. NOTARIZATION OF PRINCIPAL'S SIGNATURE.** (Notary may not also be Witness in item 8.)

On this \_\_\_\_\_ Day of \_\_\_\_\_ Month, 20\_\_\_\_ Year, \_\_\_\_\_  
\_\_\_\_\_, **the Principal, (whose name appears in item 1 of this Power of Attorney)** appeared personally before me, whose identity or signature is personally known to me, or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed in this Power of Attorney, and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
DATE MY COMMISSION EXPIRES NOTARY PUBLIC NAME

\_\_\_\_\_  
CITY / COUNTY, STATE NOTARY PUBLIC SIGNATURE

**10. NOTICE TO AGENT(S)** (Your signature is required at the end of this Notice.)

When you accept the authority granted under this Power of Attorney a special legal relationship, known as agency, is created between you and the principal. Agency imposes upon you duties that continue until you resign or the Power of Attorney is terminated or revoked.

As agent you must:

Do what you know the principal reasonably expects you to do with the principal's pension benefit and act in good faith for the best interest of the principal, using due care, competence, and diligence.

As agent you **must not** do any of the following:

Act so as to create a conflict of interest that is inconsistent with the other principles in this Notice to Agent; do any act beyond the authority granted in this Power of Attorney; continue acting on behalf of the

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principal if you learn of any event that terminates this Power of Attorney or your authority under this Power of Attorney, such as the death of the principal.

You must disclose your identity as an agent whenever you act for the principal by writing or printing the name of the principal and signing your own name "as Agent" in the following manner:

"(Principal's Name) by (Your Name) as Agent"

If you violate your duties as agent or act outside the authority granted to you, you may be liable under state law for any damages, including attorney's fees and costs, caused by your violation. Also, PBGC retains the right to revoke your authority under this document if you violate your duties or act outside the scope of the authority granted to you.

If there is anything about this document or your duties that you do not understand, you should seek legal advice from an attorney.

**AGENT 1:**

\_\_\_\_\_  
**AGENT 1 SIGNATURE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**Print Name**

**AGENT 2:**

\_\_\_\_\_  
**AGENT 2 SIGNATURE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**Print Name**

**AGENT 3:**

\_\_\_\_\_  
**AGENT 3 SIGNATURE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**Print Name**



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**POWER OF ATTORNEY FORM  
FILING INSTRUCTIONS**

**1. Who may use this PBGC Power of Attorney form?**

Per item 1, you may use this form if you are:

- A participant;
- A beneficiary of a deceased participant;
- An alternate payee under a qualified domestic relations order (“QDRO”) who is entitled to all or part of a participant’s benefit; or
- A person appealing a PBGC determination.

**2. Do I have to use this form?**

No, you do not have to use the PBGC Power of Attorney (POA). However, if you do not use this form, your non-PBGC POA must meet the requirements of your state, or the state where you sign the POA, if different. Some states have model POAs called a “statutory form” that meet that state’s POA requirements. Such forms can be found on states’ websites.

If you submit a non-PBGC POA, it should clearly identify the types of actions you want to allow your agent(s) to take and identify whether the POA is a Durable Power of Attorney (DPOA) or Non-Durable Power of Attorney (NDPOA).

**3. What is the difference between a Durable and Non-Durable Power of Attorney?**

A Durable Power of Attorney is a document that authorizes a person to act as your agent to perform specified acts on your behalf, and the person still has authority to act on your behalf in the event of your mental incapacity. By contrast, the authority you give with a Non-Durable Power of Attorney to another person ceases in the event of your mental incapacity, after which your agent may no longer act on your behalf. You make that choice in item 5 of this PBGC Power of Attorney form.

**Note:** In the event you become mentally incapacitated without having designated an agent under a Durable Power of Attorney form, a person seeking to act for you with respect to your PBGC pension will have to seek appointment from a court as Guardian or Conservator with authority over your “Property” or “Estate.”

**4. How do I file this Power of Attorney form?**

After the form is completed with all signatures, file the Power of Attorney by mailing the original form to PBGC, P.O. Box 151750, Alexandria, VA 22315-1750. You should keep a copy for your records.

**5. What if I am a participant in more than one PBGC pension plan?**

This form gives authority for **all PBGC plans** in which you have or may have a benefit, including plans which come to PBGC after you sign this form. If you know you participate in more than one PBGC plan, you may list their names and case numbers on page 1 of the form or in a cover letter, but it is not required.

**6. What if I already have a PBGC Power of Attorney on file with PBGC?**

Filing a new PBGC Power of Attorney Form with PBGC replaces a PBGC Power of Attorney Form on file with PBGC.

**7. What if I already have a non-PBGC Power of Attorney on file with PBGC?**

Filing a new PBGC Power of Attorney does not automatically replace a non-PBGC Power(s) of Attorney on file with PBGC. Once you have granted a non-PBGC Power of Attorney, it will remain in effect unless you revoke it in writing. If you granted a non-PBGC Power of Attorney for a particular matter to more than one person, any of those persons may exercise his or her authority under the Power of Attorney on that matter.

**8. How do I limit my agent's powers?**

In item 4, you should only mark those actions that you authorize your agent to perform on your behalf.

**9. Does my agent(s) need to sign the Power of Attorney Form?**

Yes. Your agent(s) must sign and date item 10 of the form for it to be effective. Your agent does not need to sign the form in your presence. PBGC will reject a Power of Attorney form if it has not been signed by both you and your agent(s) or if your signature is not witnessed (item 8) and notarized (item 9) by two different people.

**10. How do I make changes to this PBGC Power of Attorney after I sign it?**

If you want to make changes such as adding or deleting an authority, or adding or removing a named agent, or changing the duration (durable or non-durable) you must complete and file a replacement form. The new form will replace your prior PBGC Power of Attorney. You should also notify any agent directly if you are revoking their authority.

**Note:** Remember - A PBGC Power of Attorney does not automatically change or revoke a non-PBGC POA.

**11. How do I cancel my PBGC Power of Attorney if I change my mind about my agent?**

You cancel or revoke a PBGC Power of Attorney by informing PBGC in writing with your signature that you are revoking any and all PBGC POAs you granted previously. You may not revoke a POA by telephone. You should also inform the agents in your previous PBGC POA that their authority has been revoked.