



November 19, 2014

Pension Benefit Guaranty Corporation  
1200 K St NW  
Washington, DC 20005-4026

**Re: Proposed Submission of Information Collection for OMB Review; Comment Request; Payment of Premiums**

To Whom It May Concern:

On behalf of the U.S. Chamber of Commerce, we submit this letter to the Pension Benefit Guaranty Corporation (PBGC) in response to a call for comments on the Proposed Submission of Information Collection for OMB Review; Comment Request; Payment of Premiums (“ICR”) issued by the PBGC on September 23, 2014.

The U.S. Chamber of Commerce is the world's largest business federation, representing more than three million businesses and organizations of every size, sector, and region. Besides representing a cross-section of the American business community in terms of number of employees, the Chamber represents a wide management spectrum by type of business and location. Each major classification of American business – manufacturing, retailing, services, construction, wholesaling, and finance – is represented. Also, the Chamber has substantial membership in all 50 states. Positions on national issues are developed by a cross-section of Chamber members serving on committees, subcommittees, and task forces. More than 1,000 business people participate in this process.

According to the ICR, the PBGC intends to revise the 2015 premium filing procedures and instructions to require reporting of certain undertakings to cash out or annuitize benefits for a specified group of former employees. We strongly discourage collection of this information as we see no benefit to it and also because no reason has been offered for it. In addition, it is not clear exactly what type of information will be sought.

In a retirement plan, an employer has the option to satisfy benefit obligations by paying the benefit in a lump-sum cash out or an annuity. Once this is done, benefit obligations are satisfied and neither the plan sponsor nor the PBGC have any remaining liabilities.<sup>1</sup> Since these benefit payouts have no direct bearing on future liabilities that might fall to the PBGC, any burdens or costs associated with this collection will outweigh the benefits because there are no benefits. As such, the collection of this information cannot be justified.

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<sup>1</sup> ERISA section 4041(b)(3).

Moreover, the PBGC has not offered any explanation or reason for requesting this information. If there is a need for this information, the PBGC should provide its reasoning and where it sees benefit for the collection of this information.

Finally, the information request is unclear. The ICR refers to “certain undertakings” – which could mean anything from preliminary internal discussions within a company to the full satisfaction of benefit promises. As such, it is not clear exactly what information the PBGC is trying to capture.

We appreciate your consideration of these comments and are happy to participate in further discussions.

Sincerely,



Randel K. Johnson  
Vice President  
Labor, Immigration & Employee Benefits  
U.S. Chamber of Commerce



Aliya Wong  
Executive Director  
Retirement Policy  
U.S. Chamber of Commerce