

**Termination of Abandoned Individual Account Plans
Automatic Rollover Safe Harbor Regulation
OMB Number 1210-0127**

June 2009

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT 1995 SUBMISSIONS

A. Justification

1. *Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information*

In response to specific recommendations of the Employee Retirement Income Security Act (ERISA) Advisory Council, which convened a Working Group on Orphan Plans and published a report in 2002, the Employee Benefits Security Administration (EBSA) has promulgated three regulations and a prohibited transaction class exemption (PTE) that address the problem of abandoned individual account pension plans. The following summarizes the information collections covered by OMB Control No. 1210-0127 and describes the revisions in paperwork burden caused by the promulgation of final Abandoned Plan Regulations and Exemption, for which this submission seeks renewal.

Abandoned Plan Initiative.

The abandoned plan initiative includes the following actions, which impose the following information collections:

1. *Qualified Termination Administrator (QTA) Regulation (29 CR 2578.1):* The QTA regulation creates an orderly and efficient process by which a financial institution that holds the assets of a plan that is deemed to have been abandoned may undertake to terminate the plan and distribute its assets to participants and beneficiaries holding accounts under the plan, with protections and approval of the Department under the standards of the regulation. The regulation requires the QTA to provide certain notices to the Department, to participants and beneficiaries, and to the plan sponsor (or service providers to the plan, if necessary), and to keep certain records pertaining to the termination.
2. *Abandoned Plan Terminal Report Regulation (29 CFR 2520.103-11):* The terminal report regulation provides an alternative, simplified method for a QTA to satisfy the annual report requirement otherwise applicable to a terminating plan by filing a special simplified terminal report with the Department after terminating an abandoned plan and distributing its accounts to participants and beneficiaries.
3. *Terminated Plan Distribution Regulation (29 CFR 2550.404a-3):* The terminated plan distribution regulation establishes a safe harbor method by which fiduciaries who are terminating individual account pension plans (whether abandoned or not) may select an investment vehicle to receive account balances distributed from the terminated plan when the participant has failed

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to provide investment instructions. The regulation requires the fiduciaries to provide advance notice to participants and beneficiaries of how such distributions will be invested, if no other investment instructions are provided.

4. *Abandoned Plan Class Exemption (PTE 2006-06)*: The exemption permits a QTA that terminates an abandoned plan under the QTA regulation to receive payment for its services from the abandoned plan and to distribute the account balance of a participant who has failed to provide investment direction into an individual retirement account (IRA) maintained by the QTA or an affiliate. Without the exemption, financial institutions could be unable to receive payment for services rendered out of plan assets without violating ERISA's prohibited transaction provisions and would therefore be highly unlikely to undertake the termination of abandoned plans. The exemption includes the condition that the QTA keep records of the distributions for a period of six years and make such records available on request to interested persons (including the Department and participants and beneficiaries). If a QTA wishes to be paid out of plan assets for services provided prior to becoming a QTA, the exemption requires that the QTA enter into a written agreement with a plan fiduciary or the plan sponsor prior to receiving payment and that a copy of the agreement be provided to the Department.

The regulations and class exemption comprising the abandoned plan initiative encourage the orderly termination of abandoned plans and the timely distribution of their assets to participants and beneficiaries. Because the financial institutions holding assets of abandoned plans usually do not have the authority to take any of these steps, participants and beneficiaries would likely be denied access to the money in their individual account plans in the absence of these regulations and exemption.

PTE 2004-16 (Automatic Rollover Exemption).

Also included in this ICR are the notice and recordkeeping requirements contained in PTE 2004-16, which permits a pension plan fiduciary that is a financial institution and is also the employer maintaining an individual account pension plan for its employees to establish, on behalf of its separated employees, an IRA at a financial institution that is either the employer or an affiliate, which IRA would receive mandatory distributions that the fiduciary "rolls over" from the plan when an employee terminates employment. Under PTE 2004-16, relief is conditioned on the fiduciary's providing advance notice to plan participants and beneficiaries that a distribution may be rolled over into a proprietary investment selected by the plan fiduciary. The fiduciary is also required to maintain records regarding rollover distributions for a period of six years and make them available on request to interested persons (including the Department, participants, and beneficiaries).

Because all of these regulations and exemptions relate to terminating or abandoned plans and/or

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to distribution and rollover of distributed benefits for which no participant investment election has been made, the Department has combined the paperwork burden for all of these actions into one ICR. In the Department's view, this combination allows the public to have a better understanding of the aggregate burden imposed on the public for these related regulatory actions.

- 2. *Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.***

The information collections in this ICR are used by the Department and by participants and beneficiaries in abandoned, terminated, or ongoing plans that make distributions into selected vehicles. These parties rely on the information collections to monitor activities undertaken by financial institutions holding plan assets or plan fiduciaries, when either terminating a plan or making benefit distributions. This information enables such parties to protect the interests of participants and beneficiaries in their benefits and to ensure that abandoned plans are properly terminated.

- 3. *Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration for using information technology to reduce burden.***

To the extent that the information collection is a third-party disclosure, respondents may use electronic methods of communication pursuant to the standards established in the Department's regulation at 29 C.F.R. § 2520.104b-1(b) concerning plans' use of electronic communication media to satisfy ERISA disclosure requirements. That regulation provides that plan sponsors and administrators may distribute notices to employees who have access to e-mail at the place of business. In addition, notices may be distributed electronically to employees or their family members who are beneficiaries if they have electronic access at their homes and give prior approval to this type of distribution. The Department generally encourages affected entities to distribute required notices electronically whenever possible, provided that these regulatory standards are met. For the purposes of paperwork burden analysis, EBSA has developed a set of assumptions concerning the use of electronic technology generally for distribution of information to participants and beneficiaries. Based on these assumptions, EBSA has assumed that 38 percent of such third-party disclosures will be made electronically.¹

The Department also generally fosters and facilitates use of electronic communications media in its interactions with the public and will, to the extent feasible given available resources and

¹This assumption is based on EBSA tabulations of the August 2001 Current Population Survey, computer use module.

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systems, accept electronic notifications under the regulations.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

There is no duplication of any requirement to collect or disclose information or to report to the Federal government. Where possible, the Department has made every effort to allow parties required to collect/disseminate information to use existing records.

The QTA, under the QTA regulation, is required to inform the Department and/or participants and beneficiaries about the need to terminate the plan, the applicable costs, and the balances in individual accounts that will be distributed to participants and beneficiaries. As a general rule, abandoned plans are plans that have not communicated with participants and beneficiaries for some time and no effort has been made to terminate the plan or make distributions. Therefore, this requirement is not duplicative.

For terminating plans that are not abandoned plans, or are ongoing plans under which fiduciaries wish to make rollover distributions in reliance on PTE 2004-16, plan administrators are likewise required to inform participants and beneficiaries about the manner in which distributions will be handled. However, this notice is not required under any other statute or regulation and is therefore not duplicative.

The abandoned plan regulations provide model notices for the required reporting and disclosures that will substantially reduce the burden on respondents to comply with the information collection requirements.

The recordkeeping required under the abandoned plan exemption or PTE 2004-16 is limited and reflects usual and customary business practices. As such, plans and/or recordkeepers may rely on records already in existence without need to modify these existing records or create new records.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-1), describe any methods used to minimize burden.

With respect to abandoned plans, data provided by the Form 5500 Annual Report indicate that most abandoned plans are small plans. However, the financial entities that are eligible to become QTAs and undertake termination of the abandoned plans are not likely to be small entities. Because the abandoned plan regulations and exemption apply to the financial entities and not to the plan itself, there is less concern that these regulations and exemption may have a negative impact on small entities. Nonetheless, the Department has devoted considerable effort to shaping the termination process to minimize burden on the plan, especially to the extent that

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the abandoned plan's assets may be used to pay for the QTA's services. The Department has adopted the terminal report regulation, which permits simplified reporting to the government and also provides simplified recordkeeping and notice requirements for winding up the plan's affairs. For example, the Department has provided that QTAs need only make a good faith effort to update records and that a standard of reasonable care is sufficient for calculating participant benefits. Finally, the Department has provided the QTA with model notices for the Notice of Intent to Terminate Plan; Notification of Plan Abandonment; Notice of Plan Termination to Participants and Beneficiaries; and the Final Notice to the Department. The guidance and model notices in the regulations will make terminating abandoned plans easier and less costly, encouraging financial institutions to efficiently wind up the plans' affairs, thereby eliminating ongoing administrative costs that would otherwise reduce plan assets and the amount of benefits accruing to participants and beneficiaries.

In addition, the abandoned plan regulations permit, but do not require, financial institutions to undertake the termination of abandoned plans whose assets are held by the financial institution. To the extent that the information collections involve the distribution of benefits into proprietary or affiliated investment vehicles, the requirements apply only when the plan fiduciary or QTA elects to do so. Therefore, these information collections will be undertaken only voluntarily, when the QTA or fiduciary believes that termination and/or distribution into a related investment vehicle is efficient and cost-effective.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The information collection requirements of the abandoned plan regulations and the two exemptions are mandatory only when a financial institution holding plan assets chooses to act as a QTA to terminate and wind up the affairs of an abandoned plan, or a plan fiduciary decides to establish and make use of proprietary investment vehicles for mandatory distributions and/or distributions where the participant or beneficiary has failed to provide investment direction. The frequency of response therefore depends on a voluntary decision to terminate an abandoned plan or provide automatic distribution investments, rather than a pre-determined time period. If the collection were not conducted, the Department, and participants and beneficiaries in an affected pension plan, would likely remain uninformed about important matters affecting their benefits, such as the abandoned status of the plan and the need for termination; the costs and fees for winding up the affairs of the plan; the amount of benefits payable to participants and beneficiaries and where benefits will be invested upon distribution; and, under the abandoned plan exemption, whether the QTA has complied with the terms of the exemption. Participants in terminating plans that are not abandoned plans might similarly lack sufficient information about their rights and opportunities for directing the balances in their individual accounts into other investment products.

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7. *Explain any special circumstances that would cause an information collection to be conducted in a manner:*
- *requiring respondents to report information to the agency more often than quarterly;*
 - *requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;*
 - *requiring respondents to submit more than an original and two copies of any document;*
 - *requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;*
 - *in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;*
 - *requiring the use of a statistical data classification that has not been reviewed and approved by OMB;*
 - *that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or*
 - *requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.*

Under the abandoned plan exemption and PTE 2004-16, QTAs that hold assets of an abandoned plan and fiduciaries of ongoing or terminating plans that choose to distribute account balances into proprietary investment vehicles (or investment vehicles of an affiliate) when participants or beneficiaries fail to provide direction are required to maintain, for a period of 6 years, records that would support a determination of compliance with the exemption. The 6-year recordkeeping requirement is consistent with section 107 of ERISA, as well as general recordkeeping requirements for tax information under the Internal Revenue Code.

8. *If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.*

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

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Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

The Department's notice required by 5 CFR 1320.8(d) soliciting comments on the information collection was published in the Federal Register on March 27, 2009 (74 FR 13478) and provided the public 60 days to comment on the submission. No comments were received.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

Not applicable.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

No assurance of confidentiality has been provided.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

Not applicable.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- *Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.*
- *If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.*
- *Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.*

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Hour burden was assumed to arise only from the abandoned plan class exemption and the automatic rollover safe harbor exemption (PTE 2004-16), which require QTAs and plan administrators, respectively, to keep records of distributions made in reliance on the exemption for a period of six years, making them accessible on request to participants and beneficiaries and the Department. PTE 2004-16 further requires plans that rely on the exemption to provide advance notice of its distribution provisions. The paperwork burden arising from the abandoned plan regulations was treated as cost burden and is described in the answer to question 13, below, as are additional costs arising from the information collection requirements of these exemptions.

The specific burden for the exemption includes a recordkeeping requirement for a QTA that terminates an abandoned plan and chooses to distribute the account balances of missing or nonresponsive participants into proprietary or affiliated individual retirement plans or accounts. The exemption also includes a reporting requirement for a QTA that intends to pay itself for services provided to a plan prior to its deemed termination. The reporting requirement includes submitting to the Department a copy of the written agreement under which the services were provided, together with a representation, under penalty of perjury, that the services for which reimbursement is sought were in fact rendered.

The estimate of burden for the abandoned plan exemption assumed that each QTA would rely on the exemption and that each abandoned plan would have a separate QTA. The Department previously estimated that 4,000 abandoned plans existed and would be terminated in the first year in which the exemption become effective, and that 1,650 additional plans would become newly abandoned in each year and take advantage of the exemption. While the Department previously estimated the number of possible abandoned plans, experience has shown that few plans are currently being terminated under the exemption. Department records show an increasing number of plans are being terminated, but in the most recent year only about 100 applications were filed by QTAs to terminate a plan. The Department estimated an hour burden arising from the abandoned plan exemption of 100 hours per year. This estimate includes the burden of recordkeeping, the reporting requirement regarding payment for prior services and providing the Department a copy of the written agreement and a statement under penalty of perjury. Inasmuch as banks, insurance companies, and other financial institutions acting as QTAs will act in accordance with customary business practices in entering into this type of transaction, the Department believes that its prior assumption of one hour of burden for compliance with the paperwork requirements of the exemption remains accurate. The equivalent cost of these hours is estimated at \$6,200 (\$62 per hour * 100 hours) per year.

With respect to the automatic rollover safe harbor exemption, the Department estimates, based on the 2006 Form 5500 data, that there are 44,000 plans that are sponsored and administered by financial institutions that would be eligible to rely on the exemption. In the absence of more

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precise information, the Department assumed that each of these plans would make use of the exemption and that the plan administrator would require 10 additional minutes per year to provide advance notice of its rollover distribution rules and to review its recordkeeping for compliance with this information collection. This results in an annual hour burden of 7,300 hours. The equivalent cost of this hour burden is \$191,000 ($\$26 * 7,300$ hours).

In summary, the total hour burden estimated for this ICR is 7,400 hours (100 + 7,300) per year with an equivalent cost of \$197,000.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 or 14).

The Department has assumed that most of the tasks that will be undertaken by QTAs in connection with abandoned plan terminations are the same as those required in normal plan administration, such as calculating or distributing benefits and annual reporting, and therefore are not accounted for as burden in this ICR because they are either part of the usual business practices of plans or have already been accounted for in ICRs for other statutory and regulatory provisions under Title I of ERISA.

The QTA Regulation requires a QTA to send five notices in the process of winding up an abandoned plan. The Department has provided model notices in the regulations for the first four of the notices. Before undertaking the termination of a plan the QTA is to send a notice to the last known address of the plan sponsor notifying the sponsor of the intent to terminate the plan and allowing the sponsor an opportunity to respond. The QTA then sends a notice to the Department expressing eligibility to serve as a QTA to terminate the abandoned plan and providing other specified plan information. The QTA then sends a notice to the participants and beneficiaries of the termination of the plan and their rights under the termination and how they will receive their distribution from the plan. Upon termination and distributing the assets of the plan the QTA then must send a final notice to the Department stating that the plan has been terminated. The QTA then files the Form 5500 terminal report. The Department has estimated the burden as a cost burden to the plan as the QTA uses plan assets to pay for these notices and the costs of terminating the plan.

Notice to Plan Sponsor

The Department estimates that for each of the estimated 100 terminating plans that a QTA may utilize 10 minutes of a clerical staff time at an hourly labor rate of \$26 to fill-in the needed information on the Plan Sponsor notice, and 5 minutes of a manager's time at an hourly labor rate of \$106 to review and sign the forms. This results in about 17 hours of clerical staff time with an associated cost burden of \$430 and 8 hours of manager's time with an associated cost

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burden of \$890.

The rule requires that notices sent to the Plan Sponsor must be sent by a method requiring acknowledgement of receipt. Therefore, mailing cost includes \$2.74 for postage and return receipt. The mailing costs include paper and print cost of 5 cents per page. The model notice is one page. Therefore, the materials and mailing costs are estimated to be \$280 for the 100 notices.

Notice to DOL

The Department estimates that for each of the estimated 100 terminating plans that a QTA may utilize 30 minutes of clerical staff time to fill-in the needed information on the notice. It is also assumed that 30 minutes of a financial professional's time with an hourly labor rate of \$62 will be required to prepare required plan information and 15 minutes of a manager's time will be required to review and sign the forms. This results in about 50 hours of clerical staff time with an associated cost burden of \$1,300, 50 hours of a financial professional's time with an associated cost burden of \$3,100 and 25 hours of manager's time with an associated cost burden of \$2,700.

The Department assumes that the notice to the Department will be sent by a method requiring acknowledgement of receipt. Therefore, mailing cost includes \$2.74 for postage and return receipt. The mailing costs include paper and print cost of 5 cents per page, and the model notice is three pages. Therefore, the materials and mailing costs are estimated to be \$289 for the 100 notices.

Notice to Participants and Beneficiaries

Testimony before the ERISA working group indicated most abandoned plans are small plans with 20 or fewer participants and beneficiaries, therefore, the Department has assumed that each plan has on average 20 participants or beneficiaries. This leads to the estimate that there will be 20,000 (20*100) notices sent out annually to participants and beneficiaries.

The Department estimates that for each of the estimated 100 terminating plans that a QTA may utilize 2 minutes of a manager's time to review the forms. Clerical staff will spend on average 2 minutes per notice in preparing and mailing the notices. This results in about 67 hours of clerical staff time with an associated cost burden of \$1,700 and 3 hours of manager's time with an associated cost burden of \$350.

The model notice to participants is two pages. Therefore, the mailing and material costs are estimated to be 54 cents per mailing (2*\$0.05 + \$0.44). This results in a cost burden of \$1,100.

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The Department estimates that for each of the estimated 100 terminating plans that a QTA may utilize 10 minutes of a manager's time to review the forms. Clerical staff will spend on average 10 minutes per notice in preparing and mailing the notices. This results in about 17 hours of clerical staff time with an associated cost burden of \$440 and 17 hours of manager's time with an associated cost burden of \$1,800.

The Department assumes that the final notice to the Department will be sent by a method requiring acknowledgement of receipt. Therefore, mailing cost includes \$2.74 for postage and return receipt. The mailing costs include paper and print cost of 5 cents per page. The model final notice is two pages. Therefore the materials and mailing costs are estimated to be \$290 for the 100 notices.

Form 5500 Terminal Report

The Department estimates that it will take small plans 3.25 hours to file the form 5500 and schedule I. It is assumed that a financial professional will perform this task resulting in a cost burden of \$20,062. No burden is estimated for paper or mailing cost, because it assumed that the forms will be filed electronically.

Safe Harbor

"The Safe Harbor for Distributions from Terminated Individual Account Plans" requires a notice to be furnished to participants and beneficiaries informing them of the plan's termination and the options available for distributions of their account balances. The Department estimates that 2.5 million participants and beneficiaries will receive the notices, and that clerical professionals will spend on average two minutes per notice preparing and distributing the notices. This results in a cost burden of \$2.1 million per year. In addition, it is assumed that each participant will receive a one page notice by first class mail resulting in a cost burden of \$1.2 million (2.5 million notices * \$0.49)

Abandoned Plan Class Exemption

This regulation allows QTAs that terminate an abandoned plan to be paid out of plan assets for services rendered before becoming a QTA. The QTA must provide the Department with a

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statement under perjury that services were performed. In addition, the QTA must provide the Department with a copy of the executed contract between the QTA and a plan fiduciary or plan sponsor. The Department does not include burden for these requirements, because it is de minimis and can be included with other notices sent to the Department.

Summary

The total annual cost burden for this ICR is estimated to be \$34,700 for the Abandoned Plan Regulations and \$3.3 million for the Safe Harbor, resulting in a total cost burden of \$3.4 million annually.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

The Department estimates that for the estimated 100 plans terminated annually under the QTA regulation, data entry of the information derived from the Notice to the Department and the Final Notice will require ½ hour of an FTE's time, at \$29 per hour, or \$1,400 on an annual basis². Supervisory costs, for ¼ of an FTE's time, at \$71 per hour will cost \$1,800 annually. The total cost to the Federal government annually is \$3,200.

15. Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.

The Department has revised the ICR to account for increases in wage rates and made several changes in estimates. In its previous submission, the Department estimated the number of abandoned plans that would take advantage of the regulations and exemptions. The Department estimated that 4,000 plans would be terminated in the first year and 1,650 plans per year in subsequent years. Based on three years of the data acquired since the last submission, the Department now estimates that only 100 plans a year will take advantage of the regulations to terminate abandoned plans. The previous ICR did not account for a notice that is required to be sent to the 2.5 million participants and beneficiaries under the Safe Harbor, which is accounted for under this submission. Finally, the previous submission assumed that plans would mail out the notice required in order to take advantage of PTE 2004-16. The Department now estimates that the notice will be included in the plans' summary plan descriptions.

² Both professional time and clerical include locality pay differentials for the Washington, DC area, as well as the inclusion of 28 percent for benefits costs. Data for wages is from the Office of Personnel Management and for benefits costs is from the EBSA administrative office.

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16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

There are no plans to publish the results of this collection of information.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The OMB expiration date will be published in the Federal Register following OMB approval.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submission," of OMB 83-I.

Not applicable; no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods

Not applicable. The use of statistical methods is not relevant to this collection of information.