

## **Justification for No Material or Nonsubstantive Change to Currently-Approved Collection**

**AGENCY:** Pension Benefit Guaranty Corporation

**TITLE:** Financial and Actuarial Information Reporting, 29 CFR Part 4010

**STATUS:** OMB control number 1212-0049; expires June 30, 2015

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PBGC is revising its instructions for financial and actuarial information reporting under 29 CFR Part 4010. There is also a minor change to a screen shot for the e-4010 web-based application. Below are the nonmaterial changes to the currently-approved information collection:

- **Implementation of MAP-21 changes.** The Moving Ahead for Progress in the 21<sup>st</sup> Century Act of 2012 (MAP-21) established stabilization rules that limit the volatility of certain discount rates used for funding purposes, but limited the applicability of those rules for certain 4010 reporting purposes. PBGC is making minor revisions to the 4010 instructions to reflect MAP-21 and guidance provided in Technical Update 12-2.
- **Software enhancement.** Under PBGC's 4010 regulation, filers are not required to report identifying information about exempt members of their controlled group. However, they are required to report identifying information about exempt plans sponsored by exempt members. Only a small number of plans fall into this category. Because of limitations in the e-4010 software, filers currently cannot enter identifying information about such plans directly into the screens where identifying information about other plans is entered; instead they must enter such information manually in the comments field. The e-4010 software is being updated to address this limitation. Filers will be able to check a box and then report identifying information for an exempt plan sponsored by an exempt member directly into the screens where identifying information about other plans is entered. This change is reflected in screen shot 22 and instructions for screen shots 21 and 22.
- **Updating instructions for submitting additional information.** In some cases, certain data required to be reported is not available at the time a 4010 filing is due. PBGC's 4010 regulation provides that, subject to certain conditions, a filer may submit such data at a later date. The original version of the e-4010 software did not provide an easy way to submit such after-the-fact data, but an enhancement added a few years ago enabled filers to submit additional data after a filing is submitted. At that time, the instructions were updated accordingly. PBGC inadvertently neglected to update one mention of these post-filing additional data submissions. The instructions are being revised to correct this oversight.
- **Elimination of outdated references and minor corrections.** References in the instructions to transition rules in the Pension Protection Act of 2006 (PPA) and the 4010 regulation are being eliminated. Screen shot 10 is revised to eliminate a question asking whether this is a pre or post-PPA filing, because pre-PPA filings are no longer submitted. Incorrect references in the instructions to section 4044.52(e) of PBGC's regulations are being corrected to read section 4044.52(d).