

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

AGENCY: Pension Benefit Guaranty Corporation (PBGC)

TITLE: Payment of Premiums (29 CFR Part 4007)

STATUS: OMB control number 1212-0009; expires March 31, 2018

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The filing instructions for the collection of information relating to the computation and payment of premiums to the Pension Benefit Guaranty Corporation (PBGC) under title IV of the Employee Retirement Income Security Act of 1974 (ERISA) for plan years beginning in 2017 are nearly the same in substance as the currently approved 2016 instructions.

The changes in the 2017 instructions, as compared to the already approved 2016 instructions, are as follows:

- The premium rates are updated. This is the only substantive change in the information collection. The rates are set by statute, with an inflation adjustment built in. Thus, when the relevant inflation figures are announced, the premium rates can be determined from the statute. Since the rates are public knowledge, this change is not material.
- Dates throughout the instructions are updated for the new year.
- Some phraseology has been edited for clarity with no substantive change.
- Some unnecessary material has been removed; for example, how to get the instructions (which the reader obviously has).
- Some reminders have been added; for example, to check instructions for changes each year.
- Some material has been moved; for example, material dealing with short plan years has been consolidated in one place.
- Some implications of the regulations have been stated explicitly; for example, that state and local holidays don't affect the due date (which the regulation says is affected by federal holidays).
- Some clarifying material has been added; for example, that the coverage cessation date can be found in PBGC's notification that coverage has ceased.
- Two terms used in the instructions have been given centralized definitions and added to the list of defined terms.
- Material has been added describing the penalty provisions in PBGC's final rule on premium penalty relief published September 23, 2016. (The new provisions are also described in a previously submitted non-material change to the 2016 instructions.)