

Justification for Non-Material or Non-substantive Change to Currently Approved Collection

AGENCY: Pension Benefit Guaranty Corporation (PBGC)
TITLE: Qualified Domestic Relations Orders and PBGC
STATUS: OMB control number 1212-0054; expires 01/31/28
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The Pension Benefit Guaranty Corporation (PBGC) is making changes to the Qualified Domestic Relations Orders (QDRO) booklet as a non-material/non-substantive change request under OMB Control Number 1212-0054, which currently is scheduled to expire on January 31, 2028. In this submission, PBGC is requesting non-material/non-substantive changes to the booklet effective for plan year 2025.

PBGC is clarifying language in the QDRO booklet to replace instances of the word “their” with more descriptive language to describe how the language relates to either a “participant” or an “alternate payee” and to make additional conforming changes. The edits to the following pages are below shown in red:

Page 4 – The alternate payee may (1) start ~~benefit~~~~their~~ payments before the participant (subject to certain restrictions), (2) receive pension benefits over ~~the alternate payee’s~~ ~~their~~ lifetime

Page 15 – Information about the participant’s benefit under a plan trusted by PBGC may be obtained by a prospective alternate payee (or ~~their~~ guardian ~~of a prospective alternate payee~~)

Page 20 – Typically, a participant’s age as of ~~the participant’s~~ ~~their~~...PBGC tells each participant what ~~the participant’s~~ ~~their~~ EPRD is in a benefit determination.

Page 21 - If the alternate payee dies before the end of the period certain, payments are made to ~~the alternate payee’s~~ ~~their~~ beneficiary

Page 21 - The alternate payee selects ~~a~~ ~~their~~ form of benefit when applying to PBGC for benefits

Page 25 – For the *PBGC Model Separate Interest QDRO*, where the participant retains a separate interest in only part of ~~the participant’s~~ ~~their~~ benefit, the survivor benefit will be based on only that portion of the benefit

Page 26 – Under “NOTE” - *If a participant is married as of* ~~the participant’s~~ ~~their~~ *annuity starting date*

Page 34 – A participant will automatically receive ~~a~~ ~~their~~ benefit in the form of an annuity unless the participant chooses (with spousal consent, if married) a different form of payment. An unmarried participant usually will receive an annuity for ~~the participant’s~~ ~~their~~ life.

Page 35 - then the participant and alternate payee will each receive 10% less of their shares of the \$1,000 monthly plan benefit.

Page 38 - However, the participant is taxed on payments made under a QDRO to ~~the participant's their~~ children as alternate payees.

Page 54 – Under definition of “Earliest PBGC Retirement Date (EPRD),” Typically, a participant’s age as of ~~the participant's their~~ EPRD.... PBGC tells each participant what ~~the participant's their~~ EPRD is in a benefit determination.

Page 55 – Under definition of “Qualified Preretirement Survivor Annuity (QPSA)”, A QPSA is an annuity provided to a surviving spouse when a vested participant dies before receiving payment of ~~the participant's their~~ benefit.

PBGC’s changes will not result in any changes to the number of filings or to the hour and cost burden for the information collection.