

SFA APPLICATION AMENDMENT COVER LETTER

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SFA APPLICATION AMENDMENT COVER LETTER Request for Withdrawal and Expedited Review of Revised Application

General Information

The purpose of this cover letter is for a plan to request an “amendment,” meaning that the plan is withdrawing its most recently filed application for SFA and seeking expedited review of a revised application. A plan submits an amendment by using this cover letter to simultaneously withdraw the plan’s previous application and submit a revised application.

The procedure to request an amendment is available to a plan if the revised application is changing as a result of: inaccurate information, arithmetic errors, input errors, formula errors, and assumption or other changes reflecting feedback from PBGC staff on the assumptions and information used in the application.

A plan may submit an amendment if it meets the following requirements.

- The plan has not yet withdrawn its most recently filed application;
- Less than 100 days have elapsed since the plan filed its previous application; and
- The revised application is submitted when the previous application is withdrawn.

If a plan meets these requirements and files an amendment according to these instructions, PBGC will complete its review of the plan’s revised application for SFA on an expedited schedule, meaning usually within 20 days of the revised application filing date. If a plan does not meet these requirements because 100 or more days have elapsed since the plan filed its previous application, but otherwise files an amendment according to these instructions, PBGC, in its discretion, may waive this requirement and inform the plan of the expedited schedule.

While PBGC is completing its expedited review of the revised application, the plan’s application will be listed on the application tracker status spreadsheet as “under expedited review.” If PBGC determines that it cannot complete review on an expedited schedule, PBGC will notify the plan and update the application tracker status spreadsheet to reflect the plan’s revised application.

Filing an Amendment to an SFA Application

To request an amendment, a filer must submit an email to the SFA Program mailbox at SFA@pbgc.gov, withdrawing its previous application and submitting a revised application. The subject line of the email should read “Withdrawal of Special Financial Assistance Application of [*Plan Name*] and Submission of Request for Expedited Review of Revised Application.” The body of the email should read, “On behalf of [*Plan Name*], I withdraw the special financial assistance application filed on [*filing date*]” and include the filer’s title, relation to the plan, and other information to demonstrate that the filer is an individual authorized to withdraw the SFA application.

SFA APPLICATION AMENDMENT COVER LETTER

In addition, the filer must specify that it is requesting expedited review of the plan's revised application and attach to the email:

- SFA Application Amendment Cover Letter attached to these instructions, completed and signed;
- Amended templates, calculations, and other required documentation only to the extent required to address the reasons for amendment;
- A newly completed SFA Application Checklist, which should state, where appropriate, that information that does not need to be amended was previously filed.

If any of these items are not attached to the plan's email, then PBGC will contact the filer to request the missing documents. If the plan does not promptly provide the missing documents needed for expedited review, the previously submitted application will be considered as withdrawn. The plan's previous application will be listed on the application tracker status as "withdrawn," and any revised application subsequently submitted will not be reviewed on an expedited basis.

SFA APPLICATION AMENDMENT COVER LETTER

Plan name

The following statements must be signed by an authorized trustee who is a current member of the board of trustees.

- (1) By submitting this form, I am seeking expedited review by PBGC of the revised SFA application of the above-named plan.
- (2) I acknowledge that if PBGC, in its discretion, determines that it cannot complete review on an expedited schedule, PBGC’s review of the plan’s revised application under 29 CFR 4262.11(a) may take up to 120 days after the plan’s revised application for SFA is properly and timely filed.
- (3) The plan meets the following requirements:
 - Less than 100 days have elapsed since the plan filed its previous application (unless waived by PBGC); and
 - The plan’s application filed on _____ [filing date] is withdrawn and the plan’s revised application is submitted.
- (4) List below the specific corrections that the plan is making in its revised application (if needed, use a separate sheet).

(5) Under penalty of perjury under the laws of the United States of America, I declare that I am an authorized trustee who is a current member of the board of trustees of the above named plan and that I have examined this application, including accompanying documents, and, to the best of my knowledge and belief, the application contains all the relevant facts relating to the application, all statements of fact contained in the application are true, correct, and not misleading because of omission of any material fact; and all accompanying documents are what they purport to be.

Trustee’s signature

Date

Trustee’s printed name and title