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Source of document: Disclosure Officer
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[FOIAonline](#) (preferred)

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Pension Benefit Guaranty Corporation
1200 K Street, N.W., Washington, D.C. 20005-4026

VIA EMAIL

PBGC 2021-000807

February 5, 2021

Re: Request for PBGC transition briefing documents

I am responding to your Freedom of Information Act (FOIA) request received in the Disclosure Division of the Pension Benefit Guaranty Corporation (PBGC) on January 4, 2021. You requested “the transition briefing document(s) (late 2020) prepared by PBGC for the incoming Biden Administration.” You authorized fees in the amount of \$25.00. I processed your request in accordance with the FOIA and PBGC’s implementing regulation.

Pursuant to your request, we conducted a search of agency records and located 21 pages of a responsive record. I have determined that the responsive record may be released to you in full as follows:

- U.S. Department of Labor PBGC Transition Document dated November 2020 (21 pages).

Although this response does not constitute a denial of your request for records, I am providing you your administrative appeal rights in the event you wish to avail yourself of this process. The FOIA provides at 5 U.S.C. § 552(a)(6)(A)(i) (2014) amended by FOIA Improvement Act of 2016, Pub. L. No. 114-185, 130 Stat. 538 that if a disclosure request is denied in whole or in part by the Disclosure Officer, the requester may file a written appeal within 90 days from the date of the denial or, if later (in the case of a partial denial), 90 days from the date the requester receives the disclosed material. PBGC’s FOIA regulation provides at 29 C.F.R. § 4901.15 (2017) that the appeal shall state the grounds for appeal and any supporting statements or arguments, and shall be addressed to the General Counsel, Attention: Disclosure Division, Pension Benefit Guaranty Corporation, 1200 K Street, N.W., Washington, D.C. 20005. To expedite processing, the words “FOIA Appeal” should appear on the letter and prominently on the envelope.

In the alternative, you may contact the Disclosure Division’s Public Liaison at (202)326-4040 for further assistance and to discuss any aspect of your request. You also have the option to contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records

Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

This completes our processing of your request. Your request was categorized as "Other." Under this category, requesters are subject to search and duplication costs.¹ Since processing costs were assessed below our nominal fee of \$25.00, I have not charged fees for processing this request.

You may submit future requests for PBGC records by accessing FOIAonline, our electronic FOIA processing system, at www.foiaonline.gov or by e-mail at Disclosure@pbgc.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dooter Malu".

Dooter Malu
Government Information Specialist

Enclosure

¹ See 5 U.S.C. § 552(a)(4)(ii) (I).

**U.S. Department of Labor
Pension Benefit Guaranty
Corporation**



November 2020

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TAB 1: AGENCY ORGANIZATIONAL OVERVIEW

Mission

The [Pension Benefit Guaranty Corporation \(PBGC\)](https://www.pbgc.gov/about/who-we-are)¹ protects the retirement incomes of more than 35 million American workers in private-sector defined benefit pension plans. A defined benefit plan provides a specified monthly benefit at retirement, often based on a combination of salary and years of service.

PBGC operates two separate insurance programs, the Single-Employer and Multiemployer Insurance Programs, and is not funded by general tax revenues. [PBGC operates](https://www.pbgc.gov/about/how-pbgc-operates)² by collecting insurance premiums from employers that sponsor insured pension plans, earning money from investments, and receiving funds from pension plans it takes over.

PBGC's **Single-Employer Program** pays guaranteed benefits directly to retirees and beneficiaries in failed plans, while the **Multiemployer Program** provides financial assistance to insolvent plans to allow them to pay guaranteed benefits and reasonable administrative expenses. Looking ahead, increased claims for financial assistance make the insolvency of PBGC's Multiemployer Program highly likely to occur during FY 2026.

Authorizing Legislation

[Employee Retirement Income Security Act \(ERISA\)](https://www.pbgc.gov/about/how-pbgc-operates)³

The Pension Benefit Guaranty Corporation (PBGC or the Corporation) is a federal corporation established under the Employee Retirement Income Security Act (ERISA) of 1974, as amended.

ERISA Section 4002(a) states that PBGC is to carry out these purposes:

- Encourage the continuation and maintenance of voluntary private pension plans for the benefit of their participants.
- Provide for the timely and uninterrupted payment of pension benefits to participants and beneficiaries under plans to which this title applies.
- Maintain premiums established by the Corporation under ERISA Section 4006 at the lowest level consistent with carrying out its obligations under ERISA Title IV.

¹ <https://www.pbgc.gov/about/who-we-are>.

² <https://www.pbgc.gov/about/how-pbgc-operates>.

³ <https://www.pbgc.gov/prac/laws-and-regulations/erisa>.

TAB 1: Agency Organizational Overview

The Single-Employer Program protects approximately 24.7 million workers and retirees in approximately 24,000 pension plans. The Multiemployer Program protects approximately 10.8 million workers and retirees in approximately 1,400 pension plans.

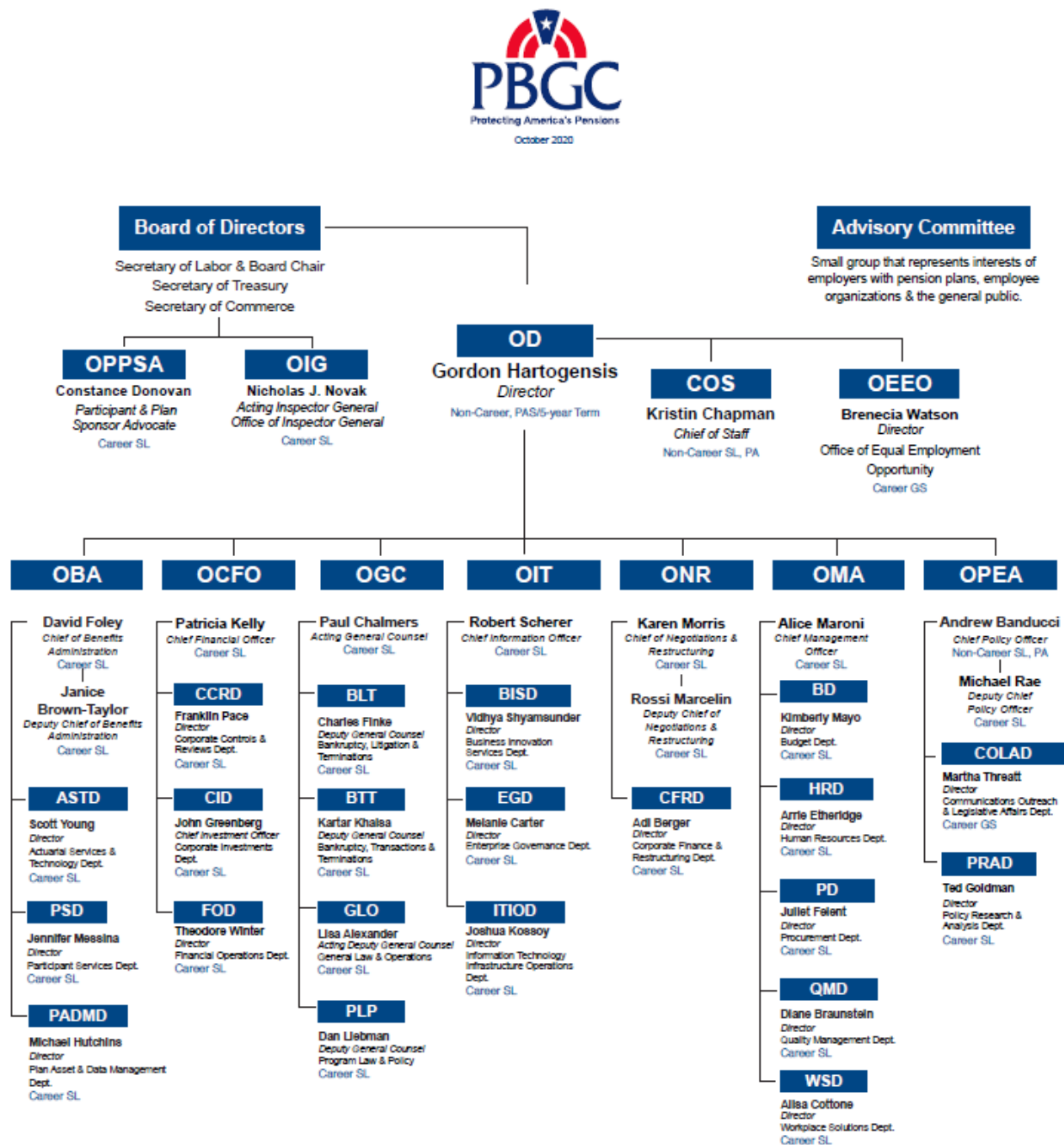
By law, the two programs are financially and operationally separate. The Corporation receives no funds from general tax revenues. Operations are financed by insurance premiums set by Congress and paid by sponsors of defined benefit plans, investment income, assets from pension plans trusted by PBGC, and recoveries from the companies formerly responsible for the plans.

The Corporation is administered by a presidentially-appointed, Senate-confirmed, Director who, subject to the policies established by the Board of Directors, is responsible for the Corporation's management, personnel, organization, budget, and investments. PBGC submits its budget and apportionments to the Department of Labor for review and approval before formally submitting the budget to OMB; but as a separate and distinct agency, other administrative and insurance program functions are managed and operated separately from the Department.

PBGC's Board of Directors consists of the Secretaries of Labor (Chair), Commerce, and the Treasury.

Organizational Structure

PBGC Org Chart⁴



- Who We Are: PBGC Departments⁵

⁴ <https://www.pbgc.gov/sites/default/files/pbgc-org-chart.pdf>.

⁵ <https://www.pbgc.gov/about/who-we-are/pg/pbgc-departments>.

Organizational Changes During the Past Four Years

PBGC has not undergone any significant organizational changes during the past four years.

Key Leaders

PBGC is headed by a Director who is appointed by the President and confirmed by the Senate. Gordon Hartogensis became Director in May of 2019. Under ERISA, the Director is accountable to the Board of Directors and serves for a term of five years unless removed by the President or the Board of Directors.

Gordon Hartogensis, Director, Pension Benefit Guaranty Corporation

Gordon Hartogensis is the 16th Director of the Pension Benefit Guaranty Corporation.

The Director's Office plans, administers, and directs the programs of the Pension Benefit Guaranty Corporation in accordance with the requirements of Title IV of the Employee Retirement Income Security Act of 1974 (ERISA) and subject to the direction of the Chairman of the Board of Directors; implements the policies of the Board of Directors; and provides appropriate advice and assistance to the Chairman and the Board of Directors.

Kristin Chapman, Chief of Staff. The Chief of Staff is the agency's liaison with the White House and the PBGC Board Representatives and provides policy and managerial advice to the Director and Executive staff, in support of the priorities and agenda laid out by the Director.

Andrew Banducci, Chief Policy Officer. The Office of Policy and External Affairs (OPEA) includes the Communications Outreach and Legislative Affairs Department (COLAD) and the Policy, Research and Analysis Department (PRAD). OPEA oversees and directs outreach to and interactions with Congress and Executive Branch agencies, the press, stakeholder groups, and the public. It also manages the development, analysis, and review of legislative and policy proposals and regulations (though the actual drafting is done by the Office of General Counsel).

Alice Maroni, Chief Management Officer. The Office of Management and Administration (OMA) includes five PBGC departments that provide advice and service to other PBGC offices and staff in the management support areas of human resources, employee development, personnel and physical security, facility services, emergency preparedness, records management, library services, telework, procurement, budget, process improvement, and strategic planning.

Patricia Kelly, Chief Financial Officer (CFO). The Office of the Chief Financial Officer (OCFO) includes three PBGC organizations: the Corporate Controls and Reviews Department (CCRD), the Corporate Investments Department (CID), and the Financial Operations Department (FOD).

Paul Chalmers, Acting General Counsel. The Office of the General Counsel (OGC) provides legal advice and counsel for the Director and PBGC departments on all legal matters. OGC decides administrative appeals of agency decisions concerning benefit coverage and other determinations, and administers the disclosure and other requirements of the Freedom of

Information and Privacy Acts. Additionally, the office oversees legal services related to PBGC's insurance programs and represents PBGC in bankruptcy or insolvency proceedings. OGC provides legal analysis and services to support plan terminations, negotiations, and settlements, and provide recommendations concerning the initiation of litigation.

Robert Scherer, Chief Information Officer. The Office of Information Technology (OIT) is responsible for the Corporation's information technology program. OIT provides IT and electronic communications services and support to PBGC; plans for, directs, and coordinates the allocation of corporate resources for IT services, support, and related activities; delivers IT business solutions driven by customer requirements; operates, maintains, and safeguards PBGC business and infrastructure systems; and oversees the acquisition of IT resources for PBGC. OIT includes three Departments—the Business Innovation Services Department (BISD), the Enterprise Governance Department (EGD), and the Information Technology Infrastructure Operations Department (ITIOD).

Karen Morris, Chief of Negotiations and Restructuring. The Office of Negotiations & Restructuring (ONR) works with companies, both in and out of bankruptcy, to preserve their pension plans by monitoring; conducting financial, legal, and actuarial analysis; and negotiating protections. When plans cannot be preserved, ONR pursues claims to recover additional assets that help PBGC pay benefits. ONR's responsibilities also include PBGC's review of standard terminations and management of the multiemployer insurance program. ONR includes the Corporate Finance and Restructuring Department (CFRD).

David Foley, Chief of Benefits Administration. The Office of Benefits Administration (OBA) manages the termination process for defined benefit plans, provides participant services (including calculation and payment of benefits) for PBGC-trusted plans, provides actuarial support for PBGC, and carries out PBGC's responsibilities under settlement agreements. OBA includes four departments: Operating Policy and Case Management Department, Plan Asset and Data Management Department, Actuarial Services and Technology Department, and Participant Services Department.

Office of the PBGC Participant and Plan Sponsor Advocate⁶

Constance A. Donovan, PBGC Participant and Plan Sponsor Advocate. Ms. Donovan was selected by the PBGC Board of Directors to serve in this position created in 2012, under amendments to ERISA.

The PBGC Participant and Plan Sponsor Advocate (Advocate) acts as a liaison between the PBGC and participants and plan sponsors of defined benefit plans. The Advocate and staff in the Office of the PBGC Participant and Plan Sponsor Advocate (OPPSA) offer free services to participants in defined benefit plans insured by the PBGC, and plan sponsors of defined benefit plans, to help resolve persistent problems with the PBGC.

- *2019 Annual Report of the Participant and Plan Sponsor Advocate⁷*

⁶ <https://www.pbgc.gov/oppsa>.

⁷ <https://www.pbgc.gov/sites/default/files/pbgc-advocate-report-2019.pdf>.

Governing Legislation for the Advocate

Section 40232 of H.R. 4348, the *Moving Ahead for Progress in the 21st Century (MAP-21) Act*, established the PBGC Participant and Plan Sponsor Advocate role. Signed into law on July 6, 2012, **MAP-21** amended the Employee Retirement Income Security Act of 1974 (ERISA) to include the role of the PBGC Participant and Plan Sponsor Advocate, the Advocate's duties, and reporting requirements. The role of the Advocate is codified at 29 U.S.C. § 1304.

Governance

Board of Directors

PBGC is governed by a Board of Directors consisting of the Secretaries of Labor, Commerce, and Treasury—with the Secretary of Labor as Chairman. Each board member appoints a representative, not below the level of Assistant Secretary, to attend meetings and act for limited purposes. In 2017, the Board adopted updated bylaws to guide the operation of the Board and its interaction with management of the Corporation.

Meetings of the Board of Directors are held quarterly. The Chair selects the time and place of the meetings, either in-person or by conference call. Other board members can request special meetings of the Board. The General Counsel of the Corporation serves as Secretary to the Board of Directors and keeps its minutes.

*Advisory Committee*⁸

The Corporation is aided by a seven-member Advisory Committee appointed by the President of the United States to represent the interests of labor, employers, and the general public. ERISA outlines several responsibilities for PBGC's Advisory Committee, including advising on investment policy and on other matters related to PBGC's mission.

The Committee meets at least six times a year; at least one meeting of the Advisory Committee during each year shall be a joint meeting with the Board of Directors. The Committee is not subject to the Federal Advisory Committee Act, and its meetings are not open to the public. ERISA requires that the Committee be composed of seven members appointed by the President, each with three-year, staggered terms. Three represent the general public, two represent employers who maintain pension plans, and two represent employee organizations. ERISA also requires that no more than four of the seven members of the Committee may be of the same political party. Current members are listed below. The Committee has three vacancies.

- **Henry Eickelberg**, Chair - Representing Employers
- **Jeanmarie Grisi** - Representing Employers
- **Regina Jefferson** - Representing General Public
- **Jackson Miller** - Representing General Public

⁸ <https://www.pbgc.gov/about/who-we-are/pg/advisory-committee>.

*Office of Inspector General*⁹

Under 1988 amendments to the Inspector General Act of 1978 (IG Act), the Office of Inspector General (OIG) was established at the Pension Benefit Guaranty Corporation (PBGC). In April 2020, **Nick Novak** became Acting Inspector General.¹⁰

The OIG is an independent entity within PBGC. OIG's mandate is to detect and prevent fraud, waste, abuse, and violations of law, and promote economy, efficiency and effectiveness in PBGC programs and operations. The Inspector General is appointed by the Secretary of Labor as Chairman of PBGC's Board of Directors (agency head), without regard to political affiliation and solely on the basis of integrity and demonstrated ability. The OIG provides independent, positive engagement through its audits, investigations, inspections, reviews, and evaluations. In addition, the OIG provides objective information on significant conditions and events to improve PBGC management and program operations.

- OIG Org Chart¹¹

The OIG reports directly to PBGC's Board of Directors and Congress regarding major developments associated with audit and investigative missions, including a required semiannual report of accomplishments.

- OIG Semiannual Report to Congress¹²
For the Period October 1, 2019 to March 31, 2020.

⁹ <https://oig.pbgc.gov/>.

¹⁰ <https://oig.pbgc.gov/inspector.html>.

¹¹ <https://oig.pbgc.gov/chart.html>.

¹² <https://oig.pbgc.gov/pdfs/SARC-62.pdf>.

TAB 2: STATE OF PLAY

Key Meetings, Decisions, and Announcements

PBGC Annual Report and Projections Report

[Annual Report](#)¹³ [to be updated following release of the FY 2020 report in December]

- [PBGC FY 2019 Annual Report](#)¹⁴
- Press Release: [PBGC Releases FY 2019 Annual Report](#)¹⁵ (November 18, 2019)
- [PBGC FY 2019 Projections Report](#)¹⁶

Policy and Regulatory Issues

- Briefing to Review Options Available to Address the Financial Challenges Facing PBGC and the Multiemployer Pension System — [Statement of PBGC Director Gordon Hartogensis Before the Senate Committee on Finance](#)¹⁷ (December 11, 2019).
- [President’s Budget Proposals: FY 2021 Congressional Budget Justification](#)¹⁸ (see pp. 12-14).

Protecting Workers’ Retirement Security

PBGC acts as a backstop to protect pension payments for workers and retirees whose plans have failed. By law, PBGC operates two financially separate insurance programs. PBGC’s Single-Employer Program covers plans that are sponsored by an individual company; the Multiemployer Program covers plans maintained pursuant to one or more collective bargaining agreements involving more than one employer. The 2021 Budget includes proposed changes to premiums for both of PBGC’s programs.

PBGC’s Multiemployer Program is severely underfunded with liabilities of \$65.2 billion, far exceeding its assets of \$2.9 billion. PBGC receives no taxpayer funds and multiemployer premiums, which are set by Congress, are much lower than what a private financial institution would charge for insuring the same risk.

The FY 2021 President’s Budget proposes to reform multiemployer premiums and improve the solvency of the program by creating a variable-rate premium (VRP) and an exit premium that together would raise approximately \$26 billion during the budget window. A multiemployer VRP would require plans to pay additional premiums based on their level of underfunding, up to a cap, as is done in the Single-Employer Program. An exit premium, equal to 10 times the variable-rate premium cap, would be assessed on employers that withdraw from a multiemployer plan to compensate the Multiemployer Program for the additional risk imposed on it when

¹³ <https://www.pbgc.gov/about/annual-reports>.

¹⁴ <https://www.pbgc.gov/sites/default/files/pbgc-fy-2019-annual-report.pdf>.

¹⁵ <https://www.pbgc.gov/news/press/releases/pr19-12>.

¹⁶ <https://www.pbgc.gov/about/projections-report>.

¹⁷ <https://www.pbgc.gov/sites/default/files/pbgc-director-statement-senate-finance-committee-12-11-2019.pdf>.

¹⁸ <https://www.dol.gov/sites/dolgov/files/general/budget/2021/CBJ-2021-V2-02.pdf>.

employers exit and cease making plan contributions. Employers that withdraw from a multiemployer plan owe withdrawal liability to the plan for the employer's share of the plan's unfunded liabilities, but plans are often unable to collect the full amount of these liabilities.

PBGC would have limited authority to design waivers for some or all of the multiemployer VRP assessed to terminated or ongoing plans that are in critical status, if there is a substantial risk that the payment of premiums will accelerate plan insolvency and financial assistance to the plan. Aggregate waivers for a year would be limited to 20 percent of anticipated total multiemployer variable-rate premiums for all plans. The multiemployer premiums proposed in the Budget are expected to be sufficient to fund the Multiemployer Program for the next 20 years.

The Budget also calls for the repeal of provisions accelerating fiscal year 2026 premiums into fiscal year 2025 and repeals the requirement for certain multiemployer premium revenues to be held in a non-interest-bearing account. The need for additional reforms of the multiemployer system is urgent, and the Administration stands ready to work with Congress on a long-term solution that appropriately balances the interests of all those affected by the multiemployer pension system—retirees, workers, employers, unions, and taxpayers. The solution should simultaneously accomplish several goals: protect retirees and prevent the collapse of the multiemployer pension system, limit the burden on taxpayers, save the federal backstop, and prevent a future crisis.

In contrast, the financial condition of the Single-Employer Program has improved in recent years, reflecting numerous premium increases enacted by Congress, a strong economy, and very few large claims. In fiscal year 2018, the program emerged from a deficit position and continued to improve in fiscal year 2019, although significant potential risk remains. In light of these developments, the Budget proposes to rebalance premiums in this program by pausing the indexation of single-employer premium rates for three years and increasing the cap on the VRP, currently \$561 in 2020, to \$900 in 2021 and indexed thereafter. This targets higher premiums toward plans that present a greater exposure to PBGC and strengthens the incentive to improve plan funding. On net, combined with the premium changes in the recently-enacted fiscal year 2020 appropriations legislation (P.L. 116-94, Further Consolidated Appropriations Act, 2020), this proposal will be approximately budget neutral.

Regulatory Agenda/Plans

To carry out its statutory functions, PBGC issues regulations on such matters as how to pay premiums, when reports are due, what benefits are covered by the insurance program, how to terminate a plan, the liability for underfunding, and how withdrawal liability works for multiemployer plans.

In developing new regulations and reviewing existing regulations, PBGC seeks to reduce burdens on plans, employers, and participants, and to ease and simplify employer compliance wherever possible. PBGC particularly strives to meet the needs of small businesses that sponsor defined benefit plans. In all such efforts, PBGC's mission is to protect the retirement incomes of plan participants.

Pension plans and the statutory framework in which they are maintained and terminated are complex. Despite this complexity, PBGC is committed to issuing simple, understandable, flexible, and timely regulations to help affected parties.

Agency Rule List - Spring 2020

<u>Agency</u>	<u>Agenda Stage of Rulemaking</u>	<u>Title</u>	<u>RIN</u>
PBGC	Proposed Rule Stage	Valuation Assumptions and Methods: Interest and Mortality Assumptions for Asset Allocation in Single-Employer Plans and Mass Withdrawal Liability Determination in Multiemployer Plans	1212-AA55
PBGC	Proposed Rule Stage	Multiemployer Plan Guaranteed Benefits	1212-AB37
PBGC	Proposed Rule Stage	Examination and Copying of Pension Benefit Guaranty Corporation Records	1212-AB44
PBGC	Proposed Rule Stage	Improvements to Rules on Recoupment of Benefit Overpayments	1212-AB47
PBGC	Proposed Rule Stage	Penalties for Failure to Provide Certain Notices or Other Material Information	1212-AB50
PBGC	Proposed Rule Stage	Miscellaneous Updates, Clarifications, and Improvements	1212-AB51
PBGC	Final Rule Stage	Benefit Payments and Allocation of Assets	1212-AB27
PBGC	Final Rule Stage	Methods for Computing Withdrawal Liability	1212-AB36
PBGC	Final Rule Stage	Lump Sum Payment Assumptions	1212-AB41
PBGC	Final Rule Stage	Adjustment of Civil Penalties	1212-AB45
PBGC	Final Rule Stage	Privacy Act Regulation; Exemption for Insider Threat Program Records	1212-AB48
PBGC	Final Rule Stage	Procedures for PBGC Guidance Documents	1212-AB49

Enforcement

PBGC administers the federal pension insurance programs under Title IV of ERISA. The principal regulatory and enforcement provisions of ERISA are administered by the Department of Labor (under Title I of ERISA) and the Department of the Treasury and the Internal Revenue Service (under the Tax Code and Title II of ERISA).

PBGC's principal enforcement activities relate to premium collections, information reporting requirements, plan administrators' compliance with benefit distribution requirements in terminating plans, and pursuing employer liability claims for failure to make required pension contributions and claims for unfunded benefit liabilities upon termination of a covered pension plan.

Compliance Assistance

PBGC actively engages plan sponsors and practitioners to help them successfully comply with their responsibilities and to address PBGC-related questions. PBGC does so in a number of ways:

- Industry experts are invited to comment on PBGC proposals to make compliance simpler and easier.
- PBGC communicates regularly with practitioners, primarily via email and the website. The popular [What's New](#)¹⁹ for Practitioners feature alerts practitioners to changes in regulations, filing due dates, and technical guidance. Monthly interest rates are posted online and distributed via email alerts.
- PBGC provides an online premium filing tool and provides extensive premium filing information on the website.
- PBGC provides customer service assistance to plan administrators and plan professionals by e-mail or telephone and also offers a "[Legal Inquiries](#)"²⁰ webpage, which provides contact information for PBGC attorneys for informal advice on legal issues pertaining to compliance, enforcement, and other matters of concern.
- PBGC routinely participates in conferences provided by relevant professional organizations and maintains a speaker's bureau of experts willing and available to speak to interested groups.
- PBGC established on its website a single, searchable, indexed database of its guidance documents pursuant to E.O. 13891.
- For small businesses, PBGC designs its regulations and policies to anticipate and avoid compliance and enforcement issues for small entities as well as to provide relief from enforcement measures.

¹⁹ <https://www.pbgc.gov/prac/whatsnew>.

²⁰ <https://www.pbgc.gov/about/pg/contact/legalcontact>.

Key Agency Stakeholders

PBGC maintains positive working relationships with its Board agencies (Department of Labor, Department of the Treasury (and the Internal Revenue Service), Department of Commerce), and with other executive branch agencies, as well as the following:

1. Administration officials and White House staff
2. Congress
3. Participant groups and labor organizations
4. Pension practitioner groups
5. Groups representing employers and plan sponsors
6. Other groups that have an interest in retirement policy, including groups that advocate for taxpayers

Congressional Committees with jurisdiction over pension issues:

- Senate Committee on Health, Education, Labor and Pensions
- Senate Committee on Finance
- Senate Committee on Appropriations
- Senate Committee on the Budget
- Senate Committee on Homeland Security and Governmental Affairs
- House Committee on Education and Labor
- House Committee on Ways and Means
- House Committee on Appropriations
- House Committee on the Budget
- House Committee on Oversight and Reform

TAB 3: CALENDAR

Event	Date
Target timing for public release of PBGC's FY 2020 Annual Report (includes Annual Performance Report, financial statements, and independent audit reports).	On or about December 9, 2020
Deadline for PBGC Advocate's Annual Report to Congress	December 31, 2020

TAB 4: BUDGET

BUDGET AUTHORITY AND FTE SUMMARY

(Dollars in millions)

	FY 2017 Enacted	FY 2018 Enacted	FY 2019 Enacted	FY 2020 Enacted	FY 2021 Request
Budget Authority²¹	\$519.5	\$424.4	\$445.4	\$452.9	\$465.3
FTE	964	966	951	951	968

At-A-Glance

- PBGC has four budget activities: Single-Employer Benefit Payments, Multiemployer Financial Assistance, Investment Management Fees, and a Consolidated Administrative Budget. The Consolidated Administrative Budget is subject to review by Congress and is the budget activity reflected in the tables and charts.

Budget and FTE Trends

- The FY 2017 Enacted level in the above table included \$98.5 million that was appropriated for PBGC's headquarters relocation (HQRL) and apportioned through FY 2021. The HQRL plan is on schedule and within budget estimates. Construction documents for PBGC's future buildout are complete. GSA estimates construction will begin early FY 2021 and the lease will commence late 2021. If this schedule holds, PBGC plans to move Spring 2022.
- From FY 2009 to FY 2020, PBGC received its requested funding levels. However, from FY 2013 through FY 2020, PBGC, as a mandatory program, had sequestration cuts ranging from \$6.0 million to \$8.9 million.
- In 2015, there was a total decrease of \$90.2 million from the prior year. Of this amount, \$88.9 million was shifted from the agency's administrative account to its Investment Management Fees account in order to better reflect it as a programmatic change rather than an administrative one. Additional program increases in recent years have included improving the quality and timeliness of benefit determinations, implementing information technology (IT) safeguards, and modernizing outdated IT systems.
- The FTE trend from FY 2009 to FY 2019 is similar to that across DOL agencies; there were lapses between authorized and actual levels from year to year. In general, PBGC faces the challenge of retaining its highly skilled staff (e.g., economists, attorneys, actuaries), given higher pay levels in the private sector and other government financial agencies that offer higher pay and additional incentives. In more recent years, an effort has been made to reduce FTE shortages by streamlining the recruitment process and strengthening succession planning.

²¹ The Budget Authority and FTE Summary table represents the administrative budget only and amounts shown are before sequestration was applied.

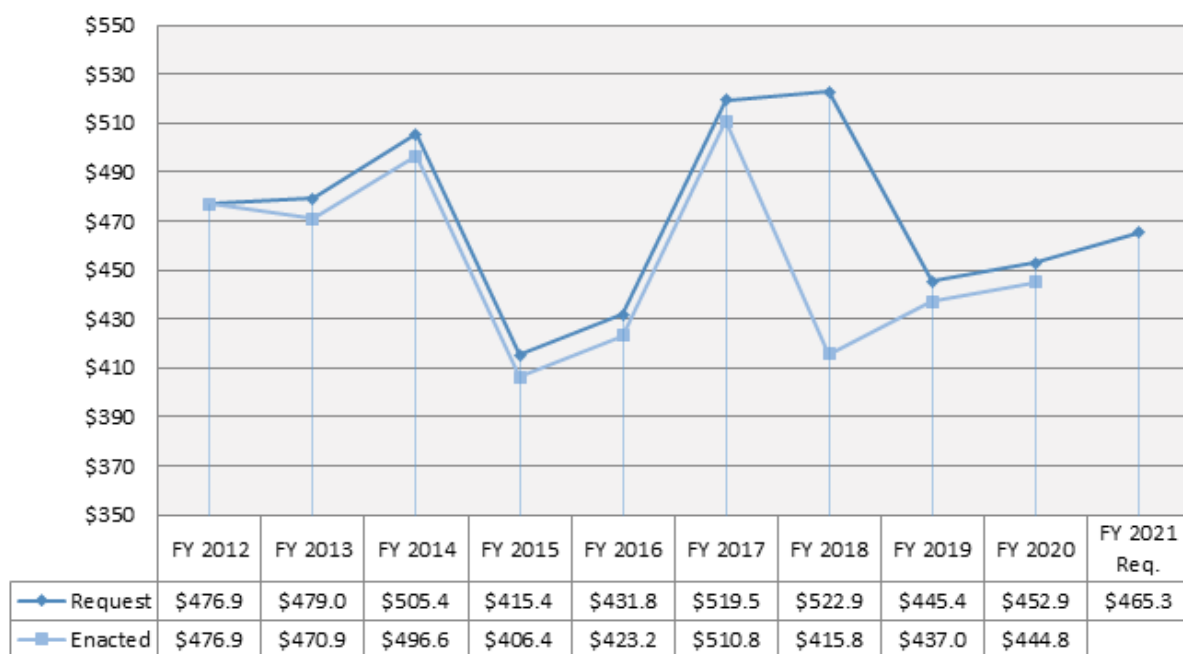
- The FY 2021 President's Request for PBGC's Consolidated Administrative activity is \$465.3 million. This includes \$5.0 million to implement a new Pension Insurance Modeling System (PIMS) and budget forecasting tool. It also includes \$5.1 million for mission critical personnel compensation and benefits funding, \$2.0 million for an eBusiness Suite applications upgrade, and \$370,000 in additional resources for the OIG's financial statement audit, cybersecurity, and the Council of Inspectors General on Integrity and Efficiency.
- PBGC's Consolidated Administrative Budget is set by Congress in appropriations legislation, but the agency is funded by insurance premiums and investments rather than tax receipts.

Upcoming Issues

- As described in PBGC's Office of Inspector General's Semiannual Report to Congress for the period October 2019 through March 2020, GAO has identified information security as a government-wide high-risk since 1997 and expanded the risk in 2015 to include protecting the privacy of personally identifiable information (PII). Protecting PBGC's networks, systems, and data is a long-standing and continuing management challenge. Additionally, the modernization of legacy systems challenges agencies to prioritize IT spending to deliver better service to the public while enhancing mission effectiveness, reducing cybersecurity risks, and building a modern IT workforce. Along with infrastructure modernization projects, PBGC is meeting these challenges as well as modernizing its business applications to ensure strategic alignment driven by performance-based data.

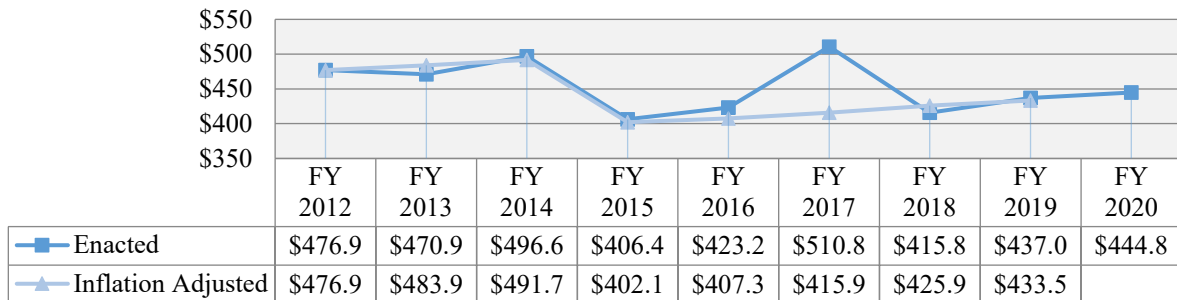
Pension Benefit Guaranty Corporation

Request vs. Revised Enacted, FY 2012-FY 2021
(Dollars in millions)



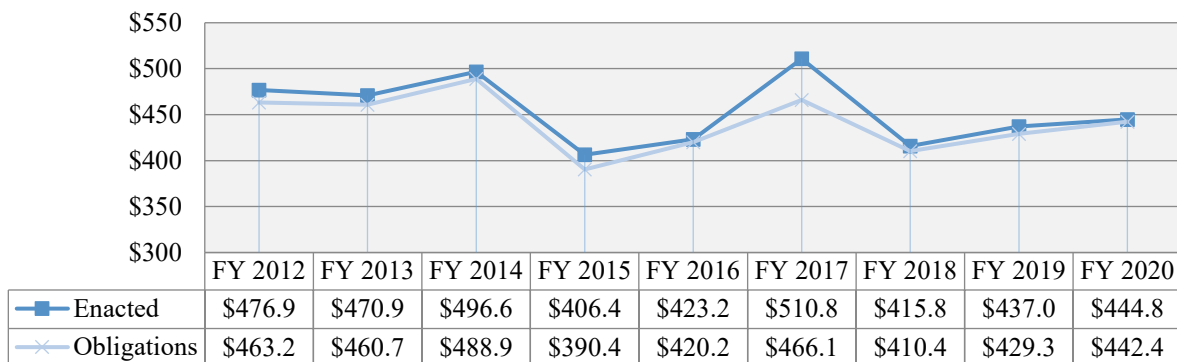
Pension Benefit Guaranty Corporation

FY 2012 Inflation Adjusted BA vs. FY 2012-FY 2020 Revised Enacted BA
(Dollars in millions)



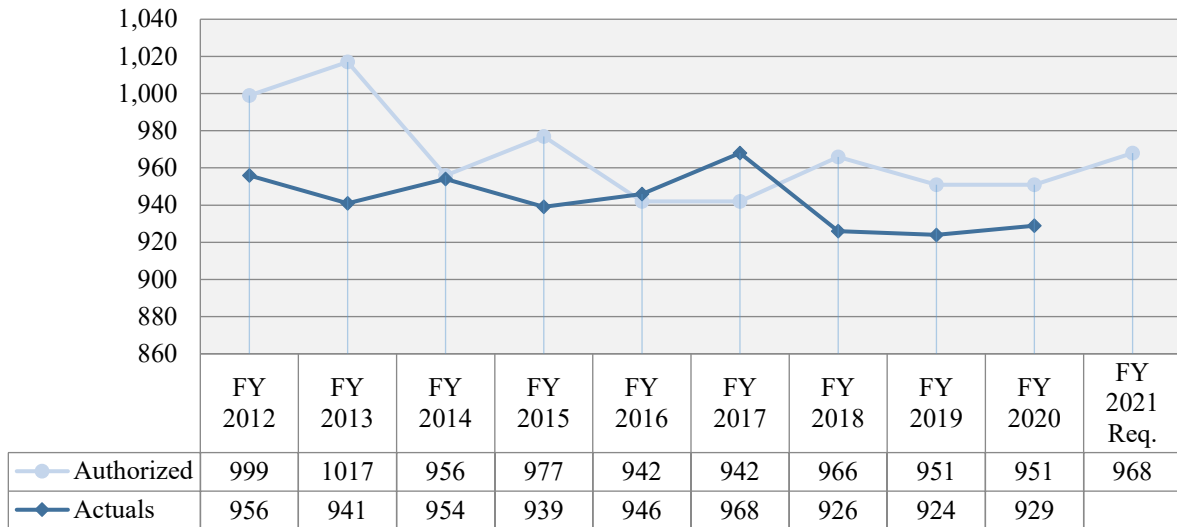
Pension Benefit Guaranty Corporation

Budget Authority vs. Obligations, FY 2009-FY 2020
(Dollars in millions)



Pension Benefit Guaranty Corporation

Authorized FTE vs. Actuals, FY 2012-2021



TAB 5: PERFORMANCE

- [PBGC Strategic Plan FY 2018-2022](#)

FY 2019 Summary of PBGC Operations, organized by Strategic Goals.²²

TABLE 1: FY 2019 OPERATIONS IN BRIEF			
	Target	2019	2018
GOAL 1: Preserve Plans and Protect Pensions			
Participants Protected in Single-Employer Plans Sponsored by Employers Emerging from Bankruptcy		12,000	52,000
Standard Termination Audits of Single-Employer Plans: Additional Payments		\$5.1 M paid to 993 people	\$12.2 M paid to 4,157 people
Single-Employer Participants Receiving Benefits		932,000	861,000
Single-Employer Participants to Receive Benefits in the Future		591,000	532,000
Multiemployer Participants Receiving Benefits		66,900	62,300
Multiemployer Participants to Receive Benefits in the Future		27,300	27,800
GOAL 2: Pay Timely and Accurate Benefits			
Estimated Benefits Within 10% of Final Calculation	95%	96%	93%
Average Time to Provide Benefit Determinations (Years)	4.3	5.6	6.1
Improper Payment Rates Within OMB Threshold ¹	<1.5%	Yes	Yes
Applications Processed in 45 Days	87%	90%	91%
GOAL 3: Maintain High Standards of Stewardship and Accountability			
Retiree Satisfaction – ACSI ² Score	90	91	89
Caller Satisfaction – ACSI Score	85	84	84
Premium Filer Satisfaction – ACSI Score	74	74	76
Overall Customer Satisfaction ³ Score	80	73	77
Financial Net Position – Single-Employer		\$8.7B	\$2.4B
Financial Net Position – Multiemployer		(\$65.2B)	(\$53.9B)
Unmodified Financial Statement Audit Opinion	Yes	Yes	Yes

¹ The OMB threshold for significant improper payment reporting is as follows: amounts that exceed (1) both 1.5 percent and \$10 million in improper payments, or (2) \$100 million in improper payments.

² The American Customer Satisfaction Index (ACSI) uses a 0-100 scale; 80 or above is considered excellent.

³ This measures customer satisfaction with information and services provided by the Corporation.

²² This table will be updated in mid-December upon final clearance and release of the FY 2020 Annual Report