



The ERISA Industry Committee

Advocating the Employee Benefit and Compensation Interests of America's Major Employers

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MEMBERSHIP

Decisions made in Washington, DC affect companies of all shapes and sizes. The ERISA Industry Committee (ERIC) is the only organization dedicated exclusively to representing the employee benefits and compensation interests of America's major employers. Other business interests – consultants, insurers, banks, small and medium-sized business – are already well represented. Since 1976, ERIC has been preeminent in its effective lobbying and advocacy work in the Nation's Capital on behalf of its members.

- *ERIC is a respected advocate and a unified voice in Washington, D.C.*
- *ERIC is a network of 1,500 benefits and human resources colleagues*
- *ERIC provides you with expert resources and timely information*
- *ERIC provides outstanding educational and leadership opportunities*

ERIC is a non-profit trade association governed by an active, working Board of Directors and several committees made up of our members' benefits, tax, legal, and human resources professionals who meet quarterly to determine our policy. The major committees include Retirement Security Committee, Health Policy Committee, Legal and Fiduciary Responsibility Committee, as well as several important task forces on narrower issues. *The active membership of ERIC's Board and committees represents our commitment to advocating solely employer interests.*

THE CHALLENGES AHEAD

The next several years will be a time of extraordinary challenges and perhaps trials for major employers and those who support employer benefit programs. Faced with increasing global competition, business demands, increasingly restrictive regulations, and unprecedented litigation, many employers are reconsidering how – and even whether – they will provide health care coverage and retirement security, and what forms of compensation will advance their business goals in the 21st century. At the same time, policymakers in Washington perceive that employers are retreating from a commitment to providing health and retirement benefits.

We believe that ERIC will provide you with helpful insights and resources as you encounter some of today's critical benefit issues, such as implementation of the Affordable Care Act (ACA), government standards regarding wellness programs, issues concerning the interaction of employee assistance programs and the ACA, the Labor and Treasury Departments' initiatives regarding lifetime income options under 401(k) plans, pension funding challenges, as well as ERISA fiduciary responsibilities, PBGC reporting requirements, and tax reform.

Any major employer that offers pensions and/or health care benefits to its employees should have an advocate with a proven record of accomplishment who can demonstrate results. ERIC is that organization.

ERIC ADVOCATES WITH YOU AND FOR YOU!

From Congress, to the courts, to the regulatory agencies, ERIC is engaged on all fronts. ERIC membership is your most valuable and cost-effective means of assuring that your voice is clearly heard and that your interests are advocated on complex employee-benefit issues that increasingly affect your bottom line. For many companies, we are their principal voice in Washington and we reinforce the efforts of Washington representatives. Our mobilization and leadership of coalitions extends that influence even further on both retirement and health care issues. The unified voice of ERIC's members on Capitol Hill and within key regulatory agencies ensures your interests are covered as major legislation and regulations move toward becoming law.

ERIC members and staff testify regularly on policy and legislative issues before Congress, and on proposed regulations before federal agencies. We file *amicus* briefs in federal and state courts in cases affecting the benefit plans of major employers, and participate in policy discussions around the country on the future of national retirement income, health and other employee benefits policy. Our briefs are often cited by the courts, including the Supreme Court. Our testimony, comments, and other materials have a reputation for accuracy and thoroughness and are sought by policymakers and companies alike.

Health Care Policy

ERIC is a highly visible, effective advocate of market-based health care reform and ERISA preemption. We believe that improving the quality, cost-effectiveness, and accessibility of our health-care system demands adherence to market principles that have made possible the success of major employer plans.

We strongly support legislation that preserves and strengthens ERISA preemption and reduces government interference with employers' efforts to provide cutting-edge, comprehensive health-care benefits to their employees. We oppose benefit mandates and other government regulations that disrupt employer flexibility in health plan design.

It is with these basic principles in mind that ERIC members and staff review, analyze and recommend changes to all pending health care reform regulation and legislation, including bills designed to expand portability and accessibility of coverage.

In the past year, we have worked to improve the rules for large company plans relating to the implementation of the ACA, including employer shared responsibility payments, the new reporting rules, cost-sharing guidance, out-of-pocket limits, proposed changes to the excepted benefits definition, and determining minimum value and affordability.

Retirement Security

ERIC advocates and supports the strengthening of our voluntary system of retirement benefits that has enabled our members to offer benchmark retirement benefits to their active employees, retirees and their families.

We are actively involved in recommending proposals and commenting on Pension Protection Act regulations, seeking to ensure a favorable legal and regulatory climate for traditional defined benefit plans, hybrid plans and defined contribution plans, assisting in battling 401(k) fee

lawsuits, fighting efforts to restrict pension fund investments, and fending off proposals to limit or further restrict nonqualified deferred compensation.

We are also actively involved in disentangling unnecessarily complex pension rules, working for additional funding relief for companies facing unexpected funding requirements, fighting against additional increases in premiums paid to the Pension Benefit Guaranty Corporation, working with the Treasury Department and IRS to ease the nondiscrimination rules for frozen defined benefit plans, and advocating for flexibility for the timing of participant fee disclosures.

LEADERSHIP OPPORTUNITIES

Leadership opportunities abound for ERIC members, including participation on the Board of Directors, committees, task forces, and membership meetings. Collaboration and influence on legislation and regulations is only half the story: ERIC also provides the opportunity for individual collaboration with your employer peers in other companies.

Joining ERIC and taking advantage of available leadership and peer-collaboration opportunities protects your company's interests on a daily basis. This provides you with an opportunity to actively engage in the policy debate surrounding benefits and to take a leading role in establishing benefits policies that facilitate your company's needs.

ERIC membership also provides an expanse of corporate and congressional knowledge through membership in its committees in the areas of Retirement Security, Health Policy, and Legal and Fiduciary Responsibility. ERIC also routinely develops task forces for its members on hot issues such as health care reform and the Affordable Care Act, cash balance and hybrid plans, the *Windsor* decision and the Defense of Marriage Act, pension funding and accounting, defined contribution plan issues, and wellness programs.

INFORMATION, COMMUNICATIONS AND EDUCATION

ERIC is a major source of information for benefits professionals concerned with developments in Congress, the regulatory agencies, the courts, and the benefits community by providing crucial 'inside-the-beltway' benefits and compensation information major employers need to know to run their businesses effectively.

Membership with ERIC gets you access to many highly praised resources, including staff updates on the latest Capitol Hill action and regulatory developments, the ***ERIC Executive Report, Advisor Insights***, and ***A Focus on Benefits for Executives***. It also includes access to members-only content on ***ERIC Online*** where you will find such helpful resources as ERIC position papers, comment letters, and legislative analyses -- all highly regarded by members of Congress and regulatory agencies for their accuracy and timeliness.

ERIC provides ***Washington Update*** and ***FocusOn*** conference calls each month. ***Washington Update*** reviews the past month's legislative and regulatory developments and advises members what to look for in the weeks ahead. ERIC's ***FocusOn*** calls provide an in-depth examination of the latest hot topic in employee benefits with an industry expert or government representative leading the call and an opportunity for questions and answers.

ERIC's ***Spring and Fall Benefits Conferences*** and ***Committee Meetings*** are an opportunity to directly influence benefits policy, as well as gain a better understanding of key legislative developments, regulatory initiatives and other policy matters. Our members have the

opportunity to hear from and question lawmakers, policymakers, and officials who are active in the benefits area – generally, the same people who draft the laws and regulations.

The **ERIC Legal Committee** brings together ERIC members and government officials to discuss employer concerns regarding plan litigation, fiduciary responsibility, attorney-client privilege, and in-house benefits litigation. It also is an opportunity for ERIC members to share best practices and successful approaches to a number of benefits issues.

ERIC also works closely with our members' **Washington Representatives**. We hold regular briefings on employee-benefit issues, legislation and regulations, and look to the Washington Representatives as an important link to corporate headquarters as well as for advice and counsel.

Whether it is through committee conference calls, specialized *FocusOn* calls, ERIC's specialized conferences, or daily contact with ERIC staff, members know they can rely on ERIC to help find useful solutions.

FINANCIAL SUPPORT

Annual dues payable at the beginning of each year cover full participation in all ERIC programs and services. Many of our members share responsibility for the dues among their human resources, pension, health, legal, investment and financial departments since they all participate in and benefit from ERIC membership.

ERIC dues are the same regardless of our members' level of participation. Thus, we charge no additional fees for participation on ERIC's Board, committees, task forces, individual access to *ERIC OnLine*, newsletter subscriptions, or other activities or materials. Indeed, we encourage as many as possible of our members' benefits staff to participate as much as possible: *our members' active participation is our greatest asset.*

To get started, we offer a no-obligation 60-day trial membership offer. We believe that after spending a few months with us you will find the value in ERIC membership.

CONTACT ERIC

To learn more about ERIC and how it can help your organization, please call ERIC President & CEO Annette Guarisco Fildes at 202-789-1400.

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ERIC STANDING COMMITTEES

Members of The ERISA Industry Committee (ERIC) actively participate on one or more of ERIC's major committees. ERIC relies heavily on its committee structure and member participation to review the practical and policy implications of legislative and regulatory proposals and to formulate specific recommendations for action. The committees are made up of corporate staff representing human resources, legal, tax, finance, and related functions.

Retirement Security Committee:

The Retirement Security Committee oversees ERIC's policy positions and lobbying efforts on matters affecting our members' retirement security plans. The committee prepares position papers on key issues, develops proposals that ERIC advocates to improve pension law and regulation, and develops detailed recommendations for technical corrections and regulatory guidance on new pension law. Members of the committee meet regularly with Members of Congress and their staff, the Treasury Department, the Internal Revenue Service, the Department of Labor, and White House staff to present ERIC's position.

Health Policy Committee:

The Health Policy Committee directs ERIC's involvement in health and welfare benefit issues. The committee makes a concerted effort to educate government staff and Members of Congress about the rapidly changing healthcare delivery system, formulates detailed regulatory guidance, legislative corrections, and recommendations on proposed legislation to expand ERISA liability, set new confidentiality standards, impose coverage mandates, and change the tax treatment of employer-purchased health benefits.

Legal and Fiduciary Responsibility Committee:

The Legal and Fiduciary Responsibility Committee formulates ERIC positions for the filing of *Amicus Curiae* briefs in key court decisions as well as ERIC policy on all legal and fiduciary responsibility issues such as participant-directed individual account plan regulations, corporate governance issues, plan asset regulations, and pension fund investment policy issues. The committee's mission also includes protection of ERISA preemption, avoiding expansion of litigation, compliance issues, and other specific issues of concern to corporate benefits counsel and investment managers.

Washington Representatives Advisory Committee:

Composed of Washington office representatives of ERIC's members, the "Wash Reps" meet monthly to exchange information on key employee benefits issues and collaborate on lobbying efforts. The sessions also feature guest speakers ranging from policy experts to congressional and administration staff to benefits professionals. In addition, the committee helps to coordinate ERIC's activities between our members' Washington representatives and the work of corporate benefits staff.

ERIC TASK FORCES

ERIC task forces are established as needed to conduct in-depth analyses and formulate ERIC policy on specific key issues. Examples of current and recent task forces include:

- Annuity Task Force
- Cash Balance/Hybrid Plans
- Claims and Appeals
- Defined Benefit Funding Issues
- DOMA and the *Windsor* Decision
- Future of Employee Benefits & Compensation
- Health Policy
- Investment Advice
- Nonqualified Deferred Compensation
- Retiree Health
- Wellness Programs