

Delivered Electronically

June 22, 2022

U.S. Senate Committee on Finance  
219 Dirksen Senate Office Building  
Washington, DC 20510

Members of the Senate Finance Committee:

On behalf of The ERISA Industry Committee (ERIC) and our large employer member companies, **we urge you to support the Chairman's Mark of the *Enhancing American Retirement Now Act (EARN Act)***. We also write to congratulate Chairman Wyden, Ranking Member Crapo, and other members of the Committee on developing bipartisan legislation that would strengthen the private-sector retirement system.

ERIC is a national nonprofit organization exclusively representing the largest employers in the United States in their capacity as sponsors of employee benefit plans for their nationwide workforces. With member companies that are leaders in every economic sector, ERIC is the voice of large employer plan sponsors on federal, state, and local public policies impacting their ability to sponsor benefit plans and to lawfully operate under ERISA's protection from a patchwork of different and conflicting state and local laws, in addition to federal law.

We are pleased that the Chairman's Mark incorporates several ERIC [recommendations](#) that we provided in [testimony](#) to the Committee last summer. Many of these provisions were also included in the bipartisan, House-passed *Securing a Strong Retirement Act* (H.R. 2954), the Senate HELP Committee's *Retirement Improvement and Savings Enhancement to Supplement Healthy Investments for the Nest Egg (RISE & SHINE) Act* (S. 4353), and the *Retirement Security and Savings Act* (S. 1770, introduced by Senators Cardin and Portman).

More specifically, we support the measures in the Chairman's Mark that would:

- **Ease administrative burdens on plan sponsors** by reducing unneeded notices and requiring regulators to review and make recommendations to simplify current disclosures
- **Treat student loan payments as elective deferrals** for the purpose of employer matching contributions
- **Create a Lost and Found Database** to help workers find lost pensions and alleviate challenges finding missing participants
- **Strengthen retiree health care and life insurance benefits** by continuing to permit overfunded pension plans to fund them
- **Create a limited exemption** from early withdrawal penalties for emergency expenses

- **Update the cap** for transferring former employees' retirement funds to an IRA
- **Increase the age for required minimum distributions** to age 75
- **Increase the catch-up limits** for workers nearing retirement
- **Clarify the rules for recoupment** of inadvertent retirement plan overpayments to innocent participants
- **Expand** the ability to **self-correct plan errors**

Because the EARN Act would help workers, retirees, and employers strengthen savings, **ERIC urges all members to support the Chairman's Mark**. We look forward to working with members of this Committee and other policymakers to advance legislation to promote retirement security.

Sincerely,

*Andrew Banducci*

Andrew Banducci  
Senior Vice President, Retirement and Compensation Policy  
The ERISA Industry Committee