

Discussions
to Include
New DOL Fee
Disclosure
Regs!

DOL Speaks:

The 2010 Employee Benefits Conference

Gaylord National Resort & Convention Center • National Harbor, MD
September 20-21, 2010

www.asppa.org/dol



DOL SPEAKS: 2010 Employee Benefits Conference

Conference Information

ABOUT THE CONFERENCE

DOL Speaks: The 2010 Employee Benefits Conference provides an opportunity to discuss employee benefits issues with colleagues and local, regional and national government employees from the US Department of Labor. The program focuses on exchanging information and educating attendees about current regulatory, legislative, fiduciary, health benefits and retirement topics.

ABOUT OUR CO-SPONSORS



AMERICAN SOCIETY OF PENSION PROFESSIONALS AND ACTUARIES

ASPPA is a national society of pension plan professionals. ASPPA's mission is to educate pension plan professionals and to serve and enhance the private pension system. ASPPA's membership consists of more than 7,500 actuaries, plan administrators, attorneys, CPAs and similar professionals, who design, implement and maintain qualified retirement plans, especially for small to mid-size companies.



AMERICAN BAR ASSOCIATION JOINT COMMITTEE ON EMPLOYEE BENEFITS

The ABA JCEB coordinates the activities of the employee benefits committees of six sections of the ABA. Those activities include CLE programs and annual meetings with federal agency officials that are reported as a series of questions and answers from each agency.



US DEPARTMENT OF LABOR

The US Department of Labor fosters and promotes the welfare of the job seekers, wage earners and retirees of the United States by improving their working conditions, advancing their opportunities for profitable employment, protecting their retirement and health care benefits, helping employers find workers, strengthening free collective bargaining and tracking changes in employment, prices and other national economic measurements. In carrying out this mission, the DOL administers a variety of Federal labor laws including those that guarantee workers' rights to safe and healthful working conditions, a minimum hourly wage and overtime pay, freedom from employment discrimination, unemployment insurance and other income support.



SOCIETY FOR HUMAN RESOURCE MANAGEMENT

SHRM is an association devoted to human resource management. Representing more than 250,000 members in over 140 countries, SHRM serves the needs of HR professionals and advances the interests of the HR profession. Founded in 1948, SHRM has more than 575 affiliated chapters within the United States and subsidiary offices in China and India.

DOL SPEAKS: 2010 Employee Benefits Conference

Conference Information

CONFERENCE COMMITTEE

Co-Chair: *Mark A. Davis, QPFC, CAPTRUST Financial Advisors, Westlake Village, CA*

Co-Chair: *Robert J. Doyle, Director of Regulations and Interpretations, EBSA, US Department of Labor, Washington, DC*

Co-Chair: *Michael L. Schenk, Esq., Wells Fargo Insurance Services, Charlotte, NC*

Bruce L. Ashton, Esq., APM, Reish & Reicher, Los Angeles, CA

James E. (Jeb) Graham, CapTrust Advisors, LLC, Tampa, FL

Nancy Hammer, Society for Human Resource Management, Alexandria, VA

R. Bradford Huss, Esq., APM, Trucker Huss, APC, San Francisco, CA

Peter Kelly, Esq., Blue Cross Blue Shield Association, Chicago, IL

Michael Marx, Esq., APM, Benefits Administrators, LLC, Lexington, KY

Stephanie Napier, Esq., APM, Marshall & Ilsley Trust Co., Kansas City, MO

Thomas G. Schendt, Esq., Alston & Bird LLP, Washington, DC

Martha N. Steinman, Esq., Dewey & LeBoeuf, LLP, New York, NY

Janet Walters, EBSA, US Department of Labor, Washington, DC

ASPPA VICE CHAIR OF CONFERENCES

Richard A. Hochman, Esq., APM, McKay Hochman Company, Inc., Butler, NJ

ASPPA GENERAL CONFERENCES CO-CHAIRS

Adam C. Pozek, QPA, QKA, QPFC, DWC Consultants, Inc, Essex, MA

Joanne Lawrence Smith, CMP, ASPPA, Arlington, VA

Conference Agenda Monday September 20, 2010

MONDAY, SEPTEMBER 20, 2010

8:15 a.m. – 9:15 a.m.

Registration and Continental Breakfast

9:15 a.m. – 9:30 a.m.

Introduction and Welcome

9:30 a.m. – 10:45 a.m.

General Session 1: EBSA Priorities  

Join our panel of leaders from the Employee Benefits Security Administration as they discuss EBSA initiatives. This session will provide a broad overview and policy foundation for the detailed workshops to follow during the conference.

Phyllis C. Borzi, Assistant Secretary, US Department of Labor, Washington, DC

Michael L. Davis, Deputy Assistant Secretary, US Department of Labor, Washington, DC

10:45 a.m. – 11:00 a.m.

Beverage Break

11:00 a.m. – 12:15 p.m.

General Session 2: Tri-Agency Healthcare Reform Overview

Kevin Knopf, US Department of Treasury, Washington, DC

Jim Mayhew, US Department of Health and Human Services, Baltimore, MD

Amy Turner, EBSA, OHPSCA, US Department of Labor, Washington, DC

Russell E. Weinheimer, Internal Revenue Service, Washington, DC

Moderator: Eugene M. Holmes, Esq., Proskauer Rose LLP, Washington, DC

12:15 p.m. – 1:30 p.m.

Networking Luncheon

1:30 p.m. – 2:45 p.m. Concurrent Sessions

Workshop 1: Healthcare: Tri-Agency Patient Protection and Affordable Care Act Regulations Part I

Kevin Knopf, US Department of Treasury, Washington, DC

Jim Mayhew, US Department of Health and Human Services, Baltimore, MD

Amy Turner, EBSA, OHPSCA, US Department of Labor, Washington, DC

Russell E. Weinheimer, Internal Revenue Service, Washington, DC

Moderator: Kathryn Bakich, The Segal Company, Washington, DC

DOL SPEAKS: 2010 Employee Benefits Conference

Conference Agenda **Monday, September 20, 2010**

Workshop 2: Fee Disclosure

This session will cover regulatory and legislative initiatives regarding the obligation of service providers to disclose information to fiduciaries of the plans they serve, as well as the plan sponsor's obligation to make disclosures to participants. The panelists will address the viewpoint of the regulators, the obligations and potential pitfalls for service providers and the steps that plan sponsors must take in reviewing information and providing it to their participants.

C. Frederick Reish, Esq., APM, Reish & Reicher, Los Angeles, CA
Virginia Krieger Sutton, QKA, VKS Consulting, San Bruno, CA
Jeffrey J. Turner, EBSA, ORI, US Department of Labor, Washington, DC
Moderator: James E. (Jeb) Graham, CapTrust Advisors, LLC, Tampa, FL

2:45 p.m. – 3:00 p.m.

Beverage Break

3:00 p.m. – 4:15 p.m. Concurrent Sessions

Workshop 3: Healthcare: Tri-Agency Patient Protection and Affordable Care Act Regulations Part II

Kevin Knopf, US Department of Treasury, Washington, DC
Jim Mayhew, US Department of Health and Human Services, Baltimore, MD
Amy Turner, EBSA, OHPSCA, US Department of Labor, Washington, DC
Russell E. Weinheimer, Internal Revenue Service, Washington, DC
Moderator: Sally Doubet King, Esq., McGuireWoods, Chicago, IL

Workshop 4: Form 5500 Update

Annual reporting just got easier...didn't it? This session will focus on developments in the Form, including Schedule C issues, 403(b) reporting and EFAST2. Come armed with your questions for an interactive discussion with the speakers.

Lisa M. Alexander, EBSA, ORI, US Department of Labor, Washington, DC
Marianne R. Gibbs, EBSA, US Department of Labor, Washington, DC
Valeri L. Stevens, APM, Main Street Benefits, Inc., Torrance, CA
Moderator: Bruce L. Ashton, Esq., APM, Reish & Reicher, Los Angeles, CA

Workshop 5: Governance Part 1: Governance Best Practices Including General Governance Processes Relating to Investments

During this session you will hear DOL and plan sponsor points of view regarding fiduciary committee deliberations and relationships to in-house staff and to outside vendors providing plan administration and trust investment support. This will include discussion of importance of the RFP process, investment management agreements and investment policy statements.

John J. "Joe" Canary, EBSA, ORI, US Department of Labor, Washington, DC
Ward Kraemer, Ahold USA, Inc., Quincy, MA
Moderator: Peter Kelly, Esq., Blue Cross Blue Shield Association, Chicago, IL

4:15 p.m. – 4:30 p.m.

Beverage Break

4:30 p.m. – 5:45 p.m.

Concurrent Sessions

Workshop 6: Healthcare: Non-PPACA Topics, Including GINA, MHPAEA and Special Enrollment Rights Under CHIPRA

Kevin Knopf, US Department of Treasury, Washington, DC
Jim Mayhew, US Department of Health and Human Services, Baltimore, MD
Amy Turner, EBSA, OHPSCA, US Department of Labor, Washington, DC
Russell E. Weinheimer, Internal Revenue Service, Washington, DC
Moderator: Christy Tinnes, Esq., Groom Law Group, Washington, DC


Workshop 7: Participant Communications: What; When; and How to Say It! It's All in the Delivery!

- An employer's perspective of complying with legal issues concerning disclosure, notices, elections, enrollment, investment choices, etc.
 - The DOL's perspective on participant communication; what complies and what doesn't.
 - Practice Tips: What works and what doesn't - a delicate balance
 - Keeping it legal -- but still understandable: Is it possible?
- Stephanie L. Ward, EBSA, ORI, US Department of Labor, Washington, DC*
Lynn Zehnder, US Food Service, Rosemont, IL
Moderator: Thomas G. Schendt, Esq., Alston & Bird LLP, Washington, DC

5:45 p.m. – 6:30 p.m.

Networking Reception

JBEA Credit Information

 Core JBEA CPE Credit

 Non-Core JBEA CPE Credit

 ERPA Credit

DOL SPEAKS: 2010 Employee Benefits Conference

Conference Agenda **Tuesday September 21, 2010**

TUESDAY, SEPTEMBER 21, 2010

8:30 a.m. – 9:30 a.m.

Continental Breakfast

9:30 a.m. – 10:45 a.m.

General Session 3: Washington Legislative Update

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This session will provide an up-to-the-minute report on the legislative activities that mean the most to plan sponsors and the retirement plan industry as a whole.

Gregory J. Dean, Senate HELP Committee, Washington, DC

Brian H. Graff, Esq., APM, ASPPA, Arlington, VA

Michael Kreps, Senate HELP Committee, Washington, DC

Michele Varnhagen, Labor Policy Director, House Education and Workforce Committee, Washington, DC

10:45 a.m. – 11:00 a.m.

Beverage Break

11:00 a.m. – 12:15 a.m.

Concurrent Sessions

Workshop 8: DOL Enforcement Efforts: The Truth! -- You Can't Handle the Truth! - Or Can You? **nc e**

- Enforcement efforts are on the increase: Facts; Trends; Predictions
- What happens before the DOL knocks on your door
- What happens after you answer the DOL's knock!!!
- Fact vs. Fiction: What's really happening? Find out and attend

Crystal Coleman, Criminal Coordinator, EBSA, US Department of Labor, Chicago, IL

Brenda B. Rickborn, Associate Regional Director, EBSA, US Department of Labor, Atlanta, GA

Stephen G. Swirnow, T. Rowe Price Investment Services, Baltimore, MD

Moderator: Thomas G. Schendt, Esq., Alston & Bird LLP, Washington, DC

Workshop 9: Governance Part 2: Investment Process

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This workshop offers DOL, plan committee and investment consultancy points of view regarding key elements of the ERISA fiduciary investment process, including the manager search due diligence, asset allocation, benchmarking, performance reviews, asset liability studies, etc.

Louis J. Campagna, EBSA, ORI, US Department of Labor, Washington, DC

James E. (Jeb) Graham, CapTrust Advisors, LLC, Tampa, FL

Moderator: Bruce L. Ashton, Esq., APM, Reish & Reicher, Los Angeles, CA

12:15 p.m. – 1:30 p.m.

Lunch and Keynote Speaker

Keynote Speaker TBD

1:30 p.m. – 2:45 p.m.

General Session 4: ERISA Litigation Update **nc e**

This session will update you on recent developments in ERISA litigation. The Supreme Court has issued important rulings on attorney fees and deference to a plan administrator's decision. The DOL is actively filing amicus briefs in ERISA cases and there are ongoing developments in employer stock and 401(k) plan fee cases among others. Our panel will present the differing points of view on the current state of ERISA litigation from the plaintiff, defense and DOL perspectives.

Timothy D. Hauser, Associate Solicitor, US Department of Labor, Washington, DC

Mary Ellen Signorille, Esq., AARP, Washington, DC

Gary Tell, Esq., O'Melveny & Myers LLP, Washington, DC

Moderator: R. Bradford Huss, Esq., APM, Trucker Huss, APC, San Francisco, CA

2:45 p.m.

Conference Concludes

JBEA Credit Information

c Core JBEA CPE Credit

nc Non-Core JBEA CPE Credit

e ERPA Credit

DOL SPEAKS: 2010 Employee Benefits Conference

General Information

HOTEL INFORMATION

Gaylord National Hotel & Convention Center
201 Waterfront Street
National Harbor, MD 20745
Tel: 301.965.2000

Room Rate: \$184/night single or double
Reservation Cut-off Date: August 29, 2010

To make reservations, contact the Gaylord National Resort & Convention Center directly and be sure to reference yourself as an attendee of the DOL Speaks conference to get the reduced rate. Book early as hotel rooms fill up fast!

TRANSPORTATION INFORMATION

Gaylord National Resort & Convention Center is just a 15-minute drive from Reagan National Airport and within a 45-minute drive from Dulles and Baltimore Washington International Airports. Shuttle service and car service are available from either airport to the hotel.

Shuttle service is also available with continuous service from the Old Post Office (1100 Pennsylvania Avenue NW) and Union Station (H Street and 2nd Street NE) to the Gaylord National Resort & Convention Center. For reservations and to purchase tickets, contact the Gaylord National Tour Desk at 877.886.8732.

CONFIRMATION

All registrants whose forms and payments are received by September 15, 2010 will receive confirmation via email. Please contact the ASPPA conferences department at conferences@asppa.org if you have not received confirmation of your registration prior to the conference.

SESSION MATERIALS/SESSION RECORDINGS

Session materials (outlines, PowerPoints, etc.) will be available for download two weeks prior to the conference. Registered attendees will receive a password via email with instructions on how to access the materials. All registered attendees will also receive access to the session recordings after the conference, along with all updated presentation materials.

CANCELLATION POLICY

If a written request for cancellation is received by September 15, 2010, the full registration fee, minus a \$100 processing fee, will be refunded. After September 15, 2010, the registration fee is not refundable, but, with written notification, can be transferred to another individual at any time, even on-site.

CONTINUING EDUCATION

This conference qualifies for various types of continuing education credit including ASPPA, ERPA and JBEA credit. To request CLE, CFP, CPE or state insurance credit, please contact the ASPPA conferences department at conferences@asppa.org at least 45 days prior to the conference to submit your request for approval. ASPPA staff will apply for advance approval of the program if the application process and filing fees are not prohibitive. For current continuing education information, visit www.asppa.org/dol.

DISCLAIMER

The statements and materials presented at this conference are solely the opinions of the private sector speakers and do not purport to represent the official opinions or positions of ASPPA, JCEB, SHRM or the US Department of Labor. ASPPA, JCEB, SHRM and the US Department of Labor assume no responsibility for the content of the statements and materials presented by speakers at this conference. Neither the US Department of Labor nor EBSA endorse the general policies, articles, services or products of ASPPA, JCEB or SHRM.

QUESTIONS

If you have any questions, contact the ASPPA conferences department at 703.516.9300 or e-mail us at conferences@asppa.org.

1 REGISTRANT INFORMATION

Please register only one person per form. All fields are required – please type or print legibly.

First Name: _____ Last Name: _____ MI: _____
 Badge Name: _____ Designations: _____
 Title: _____
 Company: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Fax: _____
 E-mail: _____

Please note that the information printed above for Badge Name, Company, City and State will appear on your conference badge exactly as stated.

Is this your preferred mailing address for all ASPPA correspondence? Yes, please change my address No

2 ADDITIONAL INFORMATION

This is my first DOL Speaks Conference.

Job Classification (check all that apply):

- Accountant Actuary Consulting Firm Human Resources Personnel Insurance Agent Investment Legal Firm TPA
 Other (Please specify): _____

Please check dietary requirements (if applicable): Kosher Vegetarian Other: _____

If you require special accommodations due to a disability, please specify: _____

3 WORKSHOP SELECTION

Monday, September 20, 2010

- 1:30 p.m. – 2:45 p.m. Workshop 1 Workshop 2
 3:00 p.m. – 4:15 p.m. Workshop 3 Workshop 4 Workshop 5
 4:30 p.m. – 5:45 p.m. Workshop 6 Workshop 7

Tuesday, September 21, 2010

- 11:00 a.m. – 12:15 a.m. Workshop 8 Workshop 9

4 PAYMENT

	Early* (before 8/20/10)	Regular (8/21/10–9/15/10)	On-site (after 9/15/10)
Registration	<input type="checkbox"/> \$650	<input type="checkbox"/> \$750	<input type="checkbox"/> \$850
**Additional Participant	<input type="checkbox"/> \$550	n/a	n/a
MONDAY Registration Only	<input type="checkbox"/> \$395	<input type="checkbox"/> \$395	<input type="checkbox"/> \$395
Government Participant (IRS, Treasury, DOL, PBGC)	<input type="checkbox"/> \$300	<input type="checkbox"/> \$300	<input type="checkbox"/> \$300
			Total Due: _____

Check Payment: Check number: _____
 Credit card: Visa MasterCard American Express Discover
 Card Number: _____ Exp. Date: _____
 Cardholder's Name: _____
 Signature: _____

To prevent duplication of payment, send your registration form only once. If you are mailing it, do not fax it and vice versa.
 *To qualify for the early registration fee, registration and payment must be received in the ASPPA office by August 20, 2010. The fee is calculated based on the receipt date of the registration form, not the postmark. Registrations will be accepted by the ASPPA office through September 15, 2010 at the regular registration rate. Any registrations received after this date will be charged the on-site registration fee.
 **To qualify for the additional participant rate, additional participants must be from the same company and ALL REGISTRATION FORMS MUST BE SUBMITTED TOGETHER with payment by the early registration deadline of August 20, 2010.

