



# Legislative and Regulatory Report

A monthly review of the latest information of importance to retirement plan sponsors

## April 2024

### Inside this issue

DOL Finalizes Fiduciary Rule .....	1
Congress Passes Bipartisan Foreign Aid Package.....	1
Chairman Smith and Chairman Kelly Announce Tax Teams .....	1
DOL Issues Information Collection Request .....	2
Bipartisan Data Privacy Legislation Introduced.....	2

### DOL Finalizes Fiduciary Rule

On April 23, the Department of Labor (DOL) unveiled its final [Fiduciary Rule](#) and related prohibited transaction exemptions (PTEs). The rule, published in the Federal Register on April 25, extends the effective date to September 23, 2024, with a 1-year phase-in period for certain PTEs.

### Congress Passes Bipartisan Foreign Aid Package

On April 23, The Senate approved a \$95 billion [foreign aid package](#) for Ukraine, Israel, and U.S allies in the Indo-Pacific. The package included \$60.8 billion to help Ukraine; \$26.4 billion to support Israel; and \$8.1 billion to counter China in the Indo-Pacific. The bill also includes a provision to potentially force the sale of TikTok by its parent company, ByteDance, in 9 months.

### Chairman Smith and Chairman Kelly Announce Tax Teams

On April 24, Ways and Means Chairman Jason Smith (R-MO) and Tax Subcommittee Chairman Mike Kelly (R-PA) announced the formation of 10 Committee [Tax Teams](#) to “study key tax provisions from the 2017 (TCJA) tax cuts that are set to expire in 2025 and identify legislative solutions.” These 10 teams are composed of Republican Ways and Means members, with each team being assigned to a specific area of tax policy. Notably, Congressman Mike Carey (R-OH) is the co-chair of the “American Workforce” tax team.

Tip: Click on highlighted words to go to the topic being discussed.

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Information presented in this newsletter was current and accurate as of the date of publication. This information is of a general and informational nature and is NOT INTENDED TO CONSTITUTE LEGAL OR INVESTMENT ADVICE. Rather, it is provided as a means to inform you of current information about legislative and regulatory changes and other information of interest. Plan Sponsors are urged to consult their own counsel regarding this information.

## DOL Issues Information Collection Request

On April 16, the DOL's Employee Benefits Security Administration (EBSA) announced a [Notice of Proposed Information Collection](#). This notice asks plan administrators to voluntarily provide specified information to establish the Lost and Found program. This program, established under Sec. 303 of the SECURE 2.0 Act, aims to create an online searchable database through which participants can find lost retirement plans. The requested data falls into three categories: plans with separated vested participants, plans that distributed benefits under IRC § 401(a)(31)(B), and plans that distributed annuities.

## Bipartisan Data Privacy Legislation Introduced

On April 7, House Committee on Energy and Commerce Chair Cathy McMorris Rodgers (R-WA) and Senate Committee on Commerce, Science, and Transportation Chair Maria Cantwell (D-WA) introduced the [American Privacy Rights Act](#). The draft legislation aims to set national data privacy rights, restrict companies' data collection and transfer practices, and grant individuals the right to legal action against violators. While this draft legislation is historic, Frank Pallone (D-NJ), Ranking Member of the House Energy and Commerce Committee, is seeking the inclusion of children's privacy, while Ted Cruz (R-TX), Ranking Member of the Senate Commerce Committee, is against provisions such as empowering the Federal Trade Commission (FTC). These differences complicate the future enactment of the bill.

## References and source material used in this publication

"Retirement Security Rule: Definition of an Investment Advice Fiduciary," [federalregister.gov/documents/2024/04/25/2024-08065/retirement-security-rule-definition-of-an-investment-advice-fiduciary](https://www.federalregister.gov/documents/2024/04/25/2024-08065/retirement-security-rule-definition-of-an-investment-advice-fiduciary) (April 25, 2024).

"House approves Ukraine, Israel aid bills," [washingtonpost.com/politics/2024/04/20/house-vote-ukraine-israel-aid-johnson/](https://www.washingtonpost.com/politics/2024/04/20/house-vote-ukraine-israel-aid-johnson/) (April 20, 2024).

"Ways & Means Chairman Smith and Tax Subcommittee Chairman Kelly Announce Tax Teams to Avert 2025 Tax Cliff," [waysandmeans.house.gov/ways-means-chairman-smith-and-tax-subcommittee-chairman-kelly-announce-tax-teams-to-avert-2025-tax-cliff/](https://waysandmeans.house.gov/ways-means-chairman-smith-and-tax-subcommittee-chairman-kelly-announce-tax-teams-to-avert-2025-tax-cliff/) (April 24, 2024).

"Proposed Information Collection Request Submitted for Public Comment; Retirement Savings Lost and Found," [govinfo.gov/content/pkg/FR-2024-04-16/pdf/2024-07968.pdf](https://www.govinfo.gov/content/pkg/FR-2024-04-16/pdf/2024-07968.pdf) (April 16, 2024).

"The American Privacy Rights Act of 2024," [commerce.senate.gov/services/files/E7D2864C-64C3-49D3-BC1E-6AB41DE863F5](https://commerce.senate.gov/services/files/E7D2864C-64C3-49D3-BC1E-6AB41DE863F5) (April 7, 2024).

## Keeping watch

You can find the most recent information on issues affecting governmental defined contribution plans, plan sponsors and plan participants on the Employer page of our plan website, [NRSforu.com/plansponsor](https://NRSforu.com/plansponsor).



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