

## KEY TO eRISA UPDATE INDEX NUMBERS

All summaries in eRISA Update are identified by an index number. The part of the index number (the “prefix”) is a number from 1 through 12, followed by a decimal point (“.”). This prefix number identifies the type of authority summarized. For example all 2 prefixes are summaries of Treasury regulations. Numbers to the right of the decimal point are 3-digit numbers for topic numbers and, in some cases, an additional number in parentheses, for headings of subtopics under that topic number. We have divided this Key To Paragraph Numbers into four parts. Part I lists the prefix numbers for the different types of authorities. Part II lists the 3-digit topic numbers and, if applicable, the parenthetical subtopic headings. Part III provides to sample citations, one with and one without a subtopic heading.

### Part I. Types of Authorities

¶1 - LEGISLATION

¶2 - TREASURY REGULATIONS

¶3 - DOL REGULATIONS

¶4 - PBGC REGULATIONS

¶5 - COURT OPINIONS

¶6 - IRS FORMAL GUIDANCE: ANNOUNCEMENTS, NOTICES, PROCEDURES AND RULINGS

¶7 - DOL OR PBGC FORMAL GUIDANCE (OTHER THAN REGULATIONS)

¶8 - PROHIBITED TRANSACTION EXEMPTIONS

¶9 - IRS INTERNAL COMMUNICATIONS: GENERAL COUNSEL MEMORANDA, FIELD SERVICE ADVICE, CHIEF COUNSEL ADVICE, SERVICE CENTER ADVICE

¶10 - IRS INFORMAL RULINGS, LETTERS OR OTHER COMMUNICATIONS: PRIVATE LETTER RULINGS, TECHNICAL ADVICE MEMORANDA, GENERAL INFORMATION LETTERS, OTHER INFORMAL GUIDANCE

¶11 - DOL OR PBGC PRIVATE RULINGS AND OPINION LETTERS

¶12 - MISCELLANEOUS GUIDANCE

## Part II. Topic Headings

### 100s - DEFINITIONS; PROCEDURES

- 100 - DEFINITION OF EMPLOYER
- 101 - DEFINITION OF EMPLOYEE
- 102 - SELF-EMPLOYED INDIVIDUALS
- 103 - COLLECTIVE-BARGAINING EMPLOYEES
- 104 - ESTABLISHMENT OF PLAN/COVERAGE UNDER TITLE I
- 105 - AMENDMENT OF PLAN
- 106 - SERVICE-RELATED DEFINITIONS
- 107 - PLAN ADMINISTRATOR
- 108 - MISCELLANEOUS DEFINITIONS AND/OR PROCEDURES
  - 108(1) - DISASTER RELIEF

### 110s - MINIMUM PARTICIPATION STANDARDS AND COVERAGE REQUIREMENTS

- 110 - MINIMUM AGE AND SERVICE REQUIREMENTS - GENERAL (IRC §410/ERISA §202)
- 111 - MINIMUM SERVICE REQUIREMENTS - YEAR OF SERVICE AND BREAK IN SERVICE
- 112 - MINIMUM PARTICIPATION TEST (IRC §401(a)(26))
- 113 - MINIMUM COVERAGE REQUIREMENTS (IRC §410(b))
  - 113(1) - TRANSITION RULE UNDER IRC §410(b)(6)(C)
  - 113(2) - SPECIAL COVERAGE TESTING ISSUES FOR 401(k) and 401(m) PLANS
  - 113(3) - UNION EXCLUSION
- 114 - SEPARATE LINE OF BUSINESS (IRC §414(r))
- 115 - EXEMPTION FROM PARTICIPATION REQUIREMENTS
- 116 - AGGREGATION AND DISAGGREGATION RULES FOR COVERAGE AND NONDISCRIMINATION TESTING
  - 116(1) - DISAGGREGATION OF OTHERWISE EXCLUDABLE EMPLOYEES

### 120s - NONDISCRIMINATION TESTING

- 120 - NONDISCRIMINATION TESTING UNDER IRC §401(a)(4)
  - 120(1) - CROSS-TESTING
  - 120(2) - SAFE HARBOR PLAN DESIGNS

120(3) - AVAILABILITY OF BENEFITS, RIGHTS AND FEATURES

120(4) - ABUSIVE ARRANGEMENTS

121 - PERMITTED DISPARITY (IRC §§401(a)(5) and 401(l))

122 - 401(k) ARRANGEMENTS

123 - 401(m) ARRANGEMENTS (MATCHING CONTRIBUTIONS AND EMPLOYEE CONTRIBUTIONS)

124 - TARGET BENEFIT PLANS/CROSS-TESTING RULES

125 - DEFINITION OF COMPENSATION (IRC §414(s))

126 - COMPENSATION DOLLAR LIMITATION (IRC §401(a)(17))

127 - HIGHLY COMPENSATED EMPLOYEE DEFINITION (IRC §414(q))

Cf. SIMPLE PLANS (see 414)

### 130s - MINIMUM VESTING STANDARDS/BENEFIT ACCRUALS

130 - VESTING: GENERAL REQUIREMENTS (IRC §411/ERISA §203)

130(1) - AMENDMENT TO THE VESTING SCHEDULE

130(2) - DEFINITION OF NORMAL RETIREMENT AGE

130(3) - VESTING SCHEDULES

131 - VESTING - YEAR OF SERVICE AND BREAK IN SERVICE

132 - VESTING - FORFEITURES

133 - ACCRUAL OF BENEFITS (IRC §411(b)/ERISA §204)

133(1) - DEFINED BENEFIT PLANS

134 - PLAN TERMINATION/COMPLETE DISCONTINUANCE OF

CONTRIBUTIONS/PARTIAL TERMINATION

- 134(1) - PARTIAL TERMINATION

135 - EXEMPTION FROM VESTING REQUIREMENTS

136 - CASH BALANCE PLANS AND OTHER STATUTORY HYBRID PLANS

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140s - DISTRIBUTIONS

- 140 - DISTRIBUTION PROCEDURES
  - 140(1) - VALUATION
- 141 - NOTICE AND CONSENT REQUIREMENTS
  - 141(1) - GENERAL CONSENT REQUIREMENTS (IRC §411(a)(11))
  - 141(2) - JOINT AND SURVIVOR ANNUITIES/SPOUSAL CONSENT (IRC §§401(a)(11) and 417, ERISA §205)
  - 141(3) - USE OF ELECTRONIC MEDIA
- 142 - DEATH BENEFITS
- 143 - MINIMUM DISTRIBUTION REQUIREMENTS (IRC §401(a)(9))
  - 143(1) - GENERAL REQUIREMENTS
  - 143(2) - PLAN DOCUMENTATION
  - 143(3) - TEFRA §242(b)(2) ELECTIONS
- 144 - MINIMUM DISTRIBUTION REQUIREMENTS - SPECIAL RULES FOR IRAs
  - 144(1) - ROTH IRAs
- 145 - DISTRIBUTIONS RESTRICTIONS
  - 145(1) - TERMINATION OF A 401(k) PLAN
  - 145(2) - RESTRICTED PAYMENTS UNDER DEFINED BENEFIT PLANS (§1.401(a)(4)-5)
  - 145(3) - PERMISSIBLE DISTRIBUTION EVENTS FOR PENSION PLANS
  - 145(4) - HARDSHIP WITHDRAWALS
  - 145(5) - PERMISSIBLE WITHDRAWALS UNDER IRC §414(w)
- 146 - ACTUARIAL ASSUMPTIONS/PRESENT VALUE DETERMINATIONS
- 147 - LIFE INSURANCE
  - 147(1) - BENEFICIARY DESIGNATIONSCf. ANNUITY CONTRACTS/LIFE INSURANCE (See 247)

150s MISCELLANEOUS QUALIFICATION REQUIREMENTS

- 150 - LIMITATIONS ON CONTRIBUTIONS AND BENEFITS (IRC §415)
  - 150(1) - GENERAL RULES
  - 150(2) - DEFINED CONTRIBUTION PLANS
  - 150(3) - DEFINED BENEFIT PLANS
- 151 - TOP HEAVY RULES (IRC §416)
  - 151(1) - EXEMPTION FOR CERTAIN SAFE HARBOR 401(k) PLANS
- 152 - CONTROLLED GROUP (IRC §414(b) and (c))

- 153 - AFFILIATED SERVICE GROUP (IRC §414(m))
- 154 - LEASED EMPLOYEES (IRC §414(n))
- 155 - OTHER EMPLOYER ARRANGEMENTS (IRC §414(o))
- 156 - COLLECTIVELY-BARGAINED PLANS
- 157 - MULTIPLE EMPLOYER PLANS
- 158 - IRC §414(k) PLANS
- 159 - INCIDENTAL INSURANCE LIMITS

160s - SECTION 401(k) PLANS

- 160 - SECTION 401(k) PLANS: GENERAL RULES
- 161 - DEFINITION OF CASH OR DEFERRED ARRANGEMENT
  - 161(1) - IRREVOCABLE ELECTION NOT TO PARTICIPATE
  - 161(2) - AUTOMATIC ENROLLMENTCf. PERMISSIBLE WITHDRAWALS UNDER IRC §414(w)
- 162 - SELF-EMPLOYED INDIVIDUALS IN 401(k) PLANS
- 163 - CONTINGENT BENEFIT RULE
- 164 - ROTH 401(k) CONTRIBUTIONS
- 165 - SAFE HARBOR 401(k) PLANS

170s - SPECIAL PENSION PLAN ISSUES

- 170 - MINIMUM FUNDING REQUIREMENTS (IRC §§412, 430-432/ERISA §§301-305)
  - 170(1) - FUNDING WAIVERS
  - 170(2) - INTEREST RATE ASSUMPTIONS
  - 170(3) - MORTALITY ASSUMPTIONS
  - 170(4) - GENERAL REQUIREMENTS
  - 170(5) - SPECIAL ELECTIONS
  - 170(6) - FUNDING BALANCES
  - 170(7) - MULTIEmployer PLANS
- 171 - DEFINITELY DETERMINABLE
- 172 - BENEFIT RESTRICTIONS FOR UNDERFUNDED PENSION PLANS (IRC §436)
- 173-177 [Reserved]
- 178 - RETIREE MEDICAL BENEFITS (IRC §§401(h) and 420)
- 179 - ERISA §204(h) and IRC §4980F NOTICE REQUIREMENTS

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180s - EMPLOYER SECURITIES

- 180 - DEFINITION OF EMPLOYER SECURITIES
- 181 - ESOPs/TRASOPs/STOCK BONUS PLANS - GENERAL QUALIFICATION REQUIREMENTS
- 182 - ESOPs - EXEMPT LOANS
- 183 - EMPLOYER SECURITIES
  - 183(1) - FIDUCIARY ISSUES UNDER TITLE I OF ERISA
  - 183(2) - PROHIBITED TRANSACTIONS
- 184 - S CORPORATION ESOPs
  - 184(1) - PROHIBITED ALLOCATIONS UNDER IRC §409(p)
  - 184(2) - SYNTHETIC EQUITY
- 185 - DIVERSIFICATION RIGHTS (IRC §401(a)(35)/ERISA §204(j))

Cf. TAXATION OF EMPLOYER SECURITIES DISTRIBUTIONS (see 201 and 215); DEDUCTION ISSUES (see 230s).

190s - PROTECTION OF BENEFITS

- 190 - EXCLUSIVE BENEFIT RULE (IRC §401(a)(2)/ERISA §403)
  - 190(1) - RETURN OF EMPLOYER CONTRIBUTIONS
- 191 - ASSIGNMENT OF BENEFITS/CREDITOR PROTECTION (IRC §401(a)(13)/ERISA §206(d))
- 192 - QDROs (IRC §414(p)/ERISA §206(d)(3))
- 193 - BANKRUPTCY
- 194 - MERGERS AND TRANSFERS (IRC §§401(a)(12) and 414(l)/ERISA §208)
- 195 - ANTI-CUTBACK RULES (IRC §411(d)(6)/ERISA §204(g))
  - 195(1) - REDUCTION OF ACCRUED BENEFIT
  - 195(2) - EARLY RETIREMENT BENEFITS AND RETIREMENT-TYPE SUBSIDIES
  - 195(3) - PROTECTING OPTIONAL FORMS OF BENEFIT

Cf. SURPLUS ASSETS AND REVERSIONS (See 271)

200s - BASIC TAXATION ISSUES

- 200 - TAXATION OF DISTRIBUTIONS
  - 200(1) - GENERAL RULES (IRC §§72 and 402)
  - 200(2) - NONRESIDENT ALIENS
  - 200(3) - EXCLUSION FROM INCOME UNDER IRC §402(l)
- 201 - TAXATION OF DISTRIBUTIONS - EMPLOYER SECURITIES
  - 201(1) - NET UNREALIZED APPRECIATION
- 202 - BENEFITS PROVIDED IN FOREIGN PLANS
- 203 - PAYMENTS BY PLAN FOR MEDICAL OR ACCIDENT INSURANCE
- 204 [Reserved]
- 205 - INCOME AVERAGING AND CAPITAL GAINS ELECTIONS (IRC §402(d))
- 206 - WITHHOLDING AND EMPLOYMENT TAXES
- 207 - TAXATION OF DEATH BENEFITS
- 208 - DIVORCE OR SEPARATION/ALTERNATE PAYEES

210s - EXCISE TAXES AND PENALTIES

- 210 - PREMATURE DISTRIBUTION PENALTY (IRC §72(t))
  - 210(1) - SUBSTANTIALLY EQUAL PAYMENTS EXCEPTION
  - 210(2) - AGE 55 EXCEPTION
  - 210(3) - DISABILITY EXCEPTION
- 211 - EXCESS RETIREMENT DISTRIBUTIONS AND EXCESS RETIREMENT ACCUMULATIONS (IRC §4980A)
  - Repealed January 1, 1997*
- 212 - NONDEDUCTIBLE CONTRIBUTIONS (IRC §4972)
- 213 - EXCESS CONTRIBUTIONS AND EXCESS AGGREGATE CONTRIBUTIONS (IRC §4979)
- 214 - EXCESS CONTRIBUTIONS TO IRAs and 403(b) CUSTODIAL ACCOUNTS (IRC §4972)
- 215 - EMPLOYER SECURITIES TRANSACTIONS (IRC §§4978, 4978B and 4979A)
- 216 - OVERSTATEMENT OF PENSION LIABILITIES (IRC §6662)

Cf. FAILURE TO MEET MINIMUM FUNDING STANDARDS (IRC §4971) (see 170); FAILURE

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- TO SATISFY MINIMUM DISTRIBUTION REQUIREMENTS (IRC §4974) (see 143); PROHIBITED TRANSACTIONS (IRC §4975) (see 352); REVERSIONS (IRC §4980) (see 271).
- 220s - ROLLOVERS
- 220 - GENERAL ROLLOVER RULES (IRC §§401(a)(31) and 402(c))
    - 220(1) - DIRECT ROLLOVERS
    - 220(2) - 60-DAY ROLLOVER PERIOD
    - 220(3) - AUTOMATIC ROLLOVERS UNDER IRC §401(a)(31)(B)
    - 220(4) - ROLLOVERS TO ROTH IRAs
  - 221 - ROLLOVERS BY SURVIVING SPOUSES
  - 222 - SPECIAL ROLLOVER RULES FOR IRAs (IRC §408(d))
  - 223 - MISCELLANEOUS ROLLOVER ISSUES
  - 224 - ROLLOVERS WITH RESPECT TO SPECIAL ALLOCATIONS/DISTRIBUTIONS
  - 225 - TREATMENT OF ROLLOVER CONTRIBUTIONS UNDER THE RECIPIENT PLAN
  - 226 - ROLLOVERS BY NONSPOUSE BENEFICIARIES
- 230s - EMPLOYER DEDUCTIONS
- 230 - DEDUCTION LIMITS: DEFINED CONTRIBUTION PLANS
  - 231 - DEDUCTION LIMITS: DEFINED BENEFIT PLANS
    - 231(1) - GENERAL RULES
    - 231(2) - CONTRIBUTIONS APPLIED TOWARD LIFE INSURANCE PREMIUMS
    - 231(3) - COMBINED DEDUCTION LIMIT UNDER IRC §404(a)(7)
  - 232 - TIMING OF EMPLOYER CONTRIBUTIONS/IRC §404(a)(6) PERIOD
  - 233 - DEDUCTION RULES: DIVIDEND DEDUCTION UNDER IRC §404(k)
  - 234 - FOREIGN DEFERRED COMPENSATION PLANS (IRC §404A)
  - 235 - EMPLOYEES ABROAD - IRC §§406 and 407
  - 236 - WELFARE BENEFIT PLANS (IRC §§419 and 419A)
- Cf. NONDEDUCTIBLE CONTRIBUTIONS - EXCISE TAX (see 212).
- 240s and 250s - SPECIAL QUALIFICATION OR TAX ISSUES
- 240 - ELECTIVE DEFERRALS
    - 240(1) - LIMITS ON DEFERRALS
    - 240(2) - CATCH-UP CONTRIBUTIONS
    - 240(3) - DESIGNATED ROTH CONTRIBUTIONS
  - 241 - PLAN DISQUALIFICATION
  - 242 - PARTICIPANT LOAN LIMITS (IRC §72(p))
    - 242(1) - APPLICATION OF IRC §72(p) TO ASSIGNMENT OF BENEFITS
  - 243 - COLLECTIBLES (IRC §408(m))
  - 244 - NONRECOGNITION OF GAIN
    - 244(1) - SALE OF EMPLOYER SECURITIES TO AN ESOP (IRC §1042)
  - 245 - DISABILITY EXCLUSION (IRC §105(c))
  - 246 - UNRELATED BUSINESS TAXABLE INCOME (IRC §§511-514)
  - 247 - ANNUITY CONTRACTS/LIFE INSURANCE
    - 247(1) - DISTRIBUTIONS INVOLVING INSURANCE CONTRACTS
    - 247(2) - FULLY-INSURED PLANS (IRC §412(i))
    - 247(3) - CORPORATE-OWNED LIFE INSURANCE (COLI)
  - 249 - PROCEDURES FOR MAKING ELECTIONS
  - 250 - FILING DATES
  - 251 - SAVER'S CREDIT UNDER IRC §25B
  - 252 - IRS ENFORCEMENT OF TAX LIABILITIES
  - 253 - LOSS DEDUCTIONS
  - 254 - TAX BENEFIT RULE
  - 255 - FICA AND FUTA
    - 255(1) - SECTION 403(b) PLANS
    - 255(2) - NONQUALIFIED DEFERRED COMPENSATION
  - 256 - GROUP TRUSTS
- 260s - ESTATE AND GIFT TAXES
- 260 - ESTATE TAX ISSUES RELATING TO RETIREMENT PLANS
    - 260(1) - QTIP ELECTIONS
  - 261 - GIFT TAX ISSUES RELATING TO RETIREMENT PLANS
  - 262 - INCOME TAX ISSUES FOR ESTATES THAT RECEIVE RETIREMENT PLAN DISTRIBUTIONS

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- Cf. EXCESS RETIREMENT ACCUMULATIONS (see 211).
- 270s - PLAN TERMINATION
- 270 - PLAN TERMINATION: DEFINITION
  - 271 - PLAN TERMINATION: SURPLUS ASSETS AND REVERSIONS (IRC §4980)
  - 272 - PLAN TERMINATION: MISSING PARTICIPANTS
  - 273 - PLAN TERMINATION: ORPHAN PLANS
  - 274 - PLAN TERMINATION: FIDUCIARY ISSUES
- 300s - REPORTING REQUIREMENTS
- 300 - FORM 5500 REPORTING REQUIREMENTS
    - 300(1) - SCHEDULE B
    - 300(2) - SCHEDULE A
    - 300(3) - DEADLINE FOR FILING FORM 5500
  - 301 - IRS REPORTING RULES AND FORMS (OTHER THAN FORM 5500)
  - 302 - DOL REPORTING RULES AND FORMS (OTHER THAN FORM 5500)
  - 303 - PBGC REPORTING RULES AND FORMS
    - 303(1) - INTEREST RATE ASSUMPTIONS
    - 303(2) - ANNUAL FINANCIAL AND ACTUARIAL INFORMATION (ERISA §4010)
    - 303(3) - REPORTABLE EVENTS (ERISA §4043)
- Cf. WITHHOLDING (see 206); MERGERS AND TRANSFERS (see 194).
- 310s - DISCLOSURE REQUIREMENTS
- 310 - SUMMARY PLAN DESCRIPTION
  - 311 - EMPLOYEE BENEFIT STATEMENTS
  - 312 - SUMMARY ANNUAL REPORT
  - 313 - INFORMATION REQUESTS UNDER ERISA
  - 314 - ELECTRONIC DELIVERY OF DISCLOSURE DOCUMENTS
  - 315 - FIDUCIARY DUTIES REGARDING DISCLOSURE
  - 316 - CONFLICTS BETWEEN SPD AND PLAN DOCUMENT
- 317 - TITLE IV DISCLOSURE REQUIREMENTS
- 317(1) - ERISA §4011 PARTICIPANT NOTICE
- 318 - MISCELLANEOUS DISCLOSURE REQUIREMENTS UNDER TITLE I OF ERISA
- Cf. DISTRIBUTIONS (see 141, 202, 205).
- 320s - FIDUCIARY REQUIREMENTS
- 320 - DEFINITIONS
    - 320(1) - FIDUCIARY
    - 320(2) - FIDUCIARY ACTIONS
    - 320(3) - INVESTMENT MANAGER
  - 321 - FIDUCIARY DUTIES AND LIABILITY (ERISA §§403 and 404)
    - 321(1) - PRUDENCE AND DIVERSIFICATION
    - 321(2) - EXCLUSIVE PURPOSE RULE/PAYMENT OF FEES
    - 321(3) - FOLLOWING GOVERNING DOCUMENTS
    - 321(4) - TRUSTEE DUTIES
    - 321(5) - DIRECTED TRUSTEES
    - 321(6) - SELECTION OF ANNUITY PROVIDERS
  - 322 - PARTICIPANT-DIRECTED INVESTMENTS
    - 322(1) - DISCLOSURES
    - 322(2) - RESTRICTIONS ON INVESTMENT OPTIONS/RIGHTS
    - 322(3) - FIDUCIARY LIABILITY/SCOPE OF RELIEF UNDER ERISA §404(c)
    - 322(4) - DEFAULT INVESTMENTS
  - 323 - CO-FIDUCIARY LIABILITY
  - 324 - EXCULPATORY PROVISIONS (ERISA §410)
    - 324(1) - FIDUCIARY INSURANCE
  - 325 - PLAN ADMINISTRATION
    - 325(1) - INTERPRETATION OF PLAN DOCUMENT
  - 326 - DEFINITION OF PLAN ASSETS
    - 326(1) - PARTICIPANT CONTRIBUTIONS
    - 326(2) - LOAN REPAYMENTS
    - 326(3) - SETTLEMENT PROCEEDS
    - 326(4) - INDICIA OF OWNERSHIP
- Cf. EXCLUSIVE BENEFIT RULE (see 172 and 190), PLAN TERMINATION: FIDUCIARY ISSUES (274), FIDUCIARY DUTIES REGARDING DISCLOSURE (see 315)

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330s and 340s - ERISA ENFORCEMENT

- 330 - CLAIM FOR BENEFITS
- 331 - STATUTE OF LIMITATIONS
- 332 - CIVIL AND CRIMINAL PENALTIES
- 333 - STANDING
- 334 - DAMAGES/RELIEF
  - 334(1) - ATTORNEY'S FEES
  - 334(2) - EQUITABLE RELIEF UNDER ERISA §502(a)(3)
  - 334(3) - CLAIM FOR FIDUCIARY BREACH (ERISA §409/§502(a)(2))
  - 334(4) - OFFSET OF BREACHING FIDUCIARY'S BENEFIT
  - 334(5) - REFORMATION OF DOCUMENTS/SCRIVENER'S ERROR
- 335 - RECOVERY AGAINST NONFIDUCIARIES
- 336 - INTERFERENCE WITH RIGHTS (ERISA §510)
- 337 - ERISA PREEMPTION
- 338 - ERISA BONDING REQUIREMENTS (ERISA §412)
- 339 - PROHIBITION ON CERTAIN PERSONS HOLDING CERTAIN POSITIONS (ERISA §411)
- 340 - JURISDICTION
- 341 - MISCELLANEOUS PROCEDURAL ISSUES
  - 341(1) - CLASS ACTIONS
  - 341(2) - CHOICE OF LAW
  - 341(3) - ATTORNEY-CLIENT PRIVILEGE
  - 341(4) - ARBITRATION
- 342 - SETTLEMENT AGREEMENTS
- 343 - DOL INVESTIGATIONS
- 344 - VOLUNTARY COMPLIANCE PROGRAMS
  - 344(1) DVFC PROGRAM
  - 344(2) VFC PROGRAM

350s - PROHIBITED TRANSACTIONS

- 350 - PROHIBITED TRANSACTIONS - DEFINITIONS
  - 350(1) - SELF-DEALING BY A FIDUCIARY
  - 350(2) - DISQUALIFIED PERSON/PARTY-IN-INTEREST
  - 350(3) - USE OF PLAN ASSETS FOR BENEFIT OF DISQUALIFIED PERSON/PARTY-IN-INTEREST
  - 350(4) - LENDING TRANSACTIONS (OTHER THAN PARTICIPANT LOANS)

351 - PROHIBITED TRANSACTIONS - TITLE I ENFORCEMENT OF PROHIBITED TRANSACTIONS

- 352 - PROHIBITED TRANSACTIONS - EXCISE TAXES AND PENALTIES
  - 353 - PROHIBITED TRANSACTIONS - PARTICIPANT LOAN EXEMPTION
  - 354 - PROHIBITED TRANSACTIONS - SPECIAL RULES FOR IRAs
  - 355 - PROHIBITED TRANSACTIONS - EXEMPTION PROCEDURE/ ADMINISTRATIVE EXEMPTIONS
  - 356 - PROHIBITED TRANSACTIONS - QUALIFYING EMPLOYER REAL PROPERTY EXCEPTION
  - 357 - PROHIBITED TRANSACTION RULES FOR GOVERNMENTAL PLANS AND NONELECTING CHURCH PLANS
- Cf. ESOP EXEMPTION (see 182); QUALIFYING EMPLOYER SECURITIES (see 183).

360s - PROHIBITED TRANSACTION EXEMPTIONS

- 360 - CLASS EXEMPTIONS: GENERAL
- 361 - EXEMPTIONS RELATING TO LOANS (OTHER THAN PARTICIPANT LOANS)
- 362 - EXEMPTIONS RELATING TO INVESTMENT TRANSACTIONS
- 363 - EXEMPTIONS RELATING TO SALES OR EXCHANGES
- 364 - EXEMPTIONS RELATING TO SERVICES

370s - TITLE IV OF ERISA (PBGC)

- 371 - TITLE IV - COVERAGE/PREMIUMS
- 372 - TITLE IV - PLAN TERMINATION PROCEDURES
- 373 - TITLE IV - PBGC ENFORCEMENT
- 374 - TITLE IV - PBGC ADMINISTRATIVE PROCEDURES
- 375 - TITLE IV - PAYMENTS OF BENEFITS FROM PBGC-TRUSTEED PLANS
- 376 - TITLE IV - MULTIEmployer PLANS
- 377 - TITLE IV - MISCELLANEOUS
  - 377(1) - CESSATION OF OPERATIONS (ERISA §4062(e))
- 378 - TITLE IV - MISSING PARTICIPANTS

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400s - IRAs

- 400 - IRAs - GENERAL REQUIREMENTS
- 401 - IRAs - CONTRIBUTION LIMITS
- 402 - IRAs - APPROVAL PROCEDURES
- 403 - EMPLOYER-SPONSORED IRAs
- 404 - IRAs - TAXATION ISSUES
  - 404(1) - QUALIFIED CHARITABLE DISTRIBUTIONS (IRC §408(d)(8))
  - 404(2) - MISCELLANEOUS TAX ISSUES FOR IRAs
- 405 - IRAs - ROTH IRAs
- 406 - IRAs - COVERDELL ACCOUNTS (EDUCATION IRAs)
- 407 - ROTH CONVERSIONS AND RECHARACTERIZATION OF IRA CONTRIBUTIONS
- 408 - IRAs - DIVISION DUE TO DIVORCE
- 409 - DEEMED IRAs

Cf. MINIMUM DISTRIBUTIONS (see 144); ROLLOVERS (see 220); DIVORCE OR SEPARATION (see 208); DISTRIBUTIONS (see 242); EXCISE TAX ON EXCESS CONTRIBUTIONS (see 214); PROHIBITED TRANSACTIONS (see 354).

410s - SEPs and SIMPLEs

- 410 - SEPs - GENERAL REQUIREMENTS
- 411 - SARSEPs
- 412 - SEPS - NONDISCRIMINATION REQUIREMENTS
- 413 - SIMPLE-IRA PLANS
- 414- SIMPLE 401(k) PLANS

420s - GOVERNMENTAL PLANS AND CHURCH PLANS

- 420 - DEFINITION OF GOVERNMENTAL ENTITY OR GOVERNMENTAL PLAN
- 421 - DEFINITION OF CHURCH OR CHURCH PLAN
- 422 - SPECIAL QUALIFICATION REQUIREMENTS OR EXCEPTIONS
- 423 - GOVERNMENT "PICK UP" PLANS (IRC §414(h))
- 424 - INDIAN TRIBAL GOVERNMENTS

430s - SPECIAL RULES FOR CERTAIN BUSINESS ENTITIES

- 430 - KEOGH PLANS
- 431 - S CORPORATIONS
- 432 - LIMITED LIABILITY COMPANIES

440s - PUERTO RICAN PLANS

- 440 - GENERAL RULES
- 441 - ROLLOVERS, TRANSFERS, MERGERS

500s - SECTION 403(b) PLANS

- 500 - GENERAL REQUIREMENTS
- 501 - DISTRIBUTIONS RESTRICTIONS
- 502 - EXCLUSION ALLOWANCE
- 503 - TAXATION
- 504 - NONDISCRIMINATION REQUIREMENTS
- 505 - MINIMUM DISTRIBUTIONS/INCIDENTAL DEATH BENEFITS
- 506 - TITLE I ISSUES
- 507 - IRS PROCEDURES
- 508 - ROTH 403(b) CONTRIBUTIONS

Cf. ROLLOVER OF 403(b) DISTRIBUTIONS (See 202 and 203); EXCISE TAX ON EXCESS CONTRIBUTIONS TO CUSTODIAL ACCOUNT (See 214).

510s - NONQUALIFIED DEFERRED COMPENSATION

- 510 - TAXATION ISSUES FOR NONQUALIFIED PLANS
- 511 - RABBI TRUSTS
- 512 - NONQUALIFIED/SECULAR TRUSTS (IRC §402(b))
- 513 - TITLE I OF ERISA ISSUES FOR NONQUALIFIED PLANS
- 514 - SECTION 457 PLANS
  - 514(1) - SECTION 457(b) PLANS
  - 514(2) - SECTION 457(f) PLANS
  - 514(3) - PLANS NOT SUBJECT TO IRC §457
  - 514(4) - TAX WITHHOLDING AND REPORTING

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520s - MISCELLANEOUS PLANS

520 - HEALTH SAVINGS ACCOUNTS (HSAs)

600s - TAX PROCEDURES

600 - IRS AUDITS

603 - PRIVATE LETTER RULINGS AND  
TECHNICAL ADVICE MEMORANDA

604 - TAX COURT

605 - PRACTICE BEFORE GOVERNMENTAL  
AGENCY

605(1) - PRACTICE BEFORE THE IRS

606 - EMPLOYEE PLANS COMPLIANCE  
RESOLUTION SYSTEM (EPCRS)

607 - TAX SHELTERS: LISTED

TRANSACTIONS INVOLVING RETIREMENT  
VEHICLES

610s - DETERMINATION LETTER PROCEDURES

610 - DETERMINATION LETTERS:  
APPLICATION FORMS

611 - DETERMINATION LETTERS: USER FEES

612 - DETERMINATION LETTER

PROCEDURES

620s - PRE-APPROVED PLANS

620 - MASTER/PROTOTYPE PLANS

621 - VOLUME SUBMITTER PLANS

622 - APPROVAL PROCEDURES FOR PRE-  
APPROVED PLANS

630s - MAINTAINING QUALIFICATION/  
RETROACTIVE AMENDMENT PRIVILEGE UNDER  
IRC §401(b)

630 - DISQUALIFICATION OF THE PLAN

631 - RESOLUTION PROGRAMS FOR  
QUALIFICATION FAILURES/EPCRS

632 - GUST REMEDIAL AMENDMENT PERIOD

633 - EGTRRA REMEDIAL AMENDMENT  
PERIOD

634 - CUMULATIVE LIST OF CHANGES IN  
QUALIFICATION REQUIREMENTS

640s PLAN ADMINISTRATION

640 - PLAN ADMINISTRATION:  
ADMINISTERING NOTICE AND ELECTION  
REQUIREMENTS

641 - PLAN ADMINISTRATION: DEADLINES  
FOR FILING RETURNS AND PERFORMING  
ACTS

642 - RESTORATIVE PAYMENTS

643 - DEFINED CONTRIBUTION PLAN  
ALLOCATIONS

643(1) - FEES

650s PLAN DOCUMENTS FOR IRAs and IRA-  
FUNDED PLANS

650 - PLAN DOCUMENTS FOR TRADITIONAL  
IRAs AND ROTH IRAs

651 PLAN DOCUMENTS FOR SIMPLE-IRAs

652 PLAN DOCUMENTS FOR SEPs

700s - MISCELLANEOUS LAWS AFFECTING  
RETIREMENT PLANS

700 - AGE DISCRIMINATION ISSUES

701(1) - CASH BALANCE PLANS

701 - SECURITIES LAWS

702 - CIVIL RIGHTS LAWS

703 - MALPRACTICE CLAIMS

704 - FALSE CLAIMS ACT

705 - BANKING REGULATIONS

706 - AMERICANS WITH DISABILITIES ACT

707 - UNIFORMED SERVICES EMPLOYMENT  
AND REEMPLOYMENT RIGHTS ACT

(USERRA)

707(1) - VETERANS BENEFITS

IMPROVEMENT ACT OF 2004

708 - IRS RESTRUCTURING AND REFORM  
ACT OF 1998

709 - ECONOMIC GROWTH AND TAXPAYER  
RELIEF RECONCILIATION ACT OF 2001

710 - SERVICEMEMBERS CIVIL RELIEF ACT  
(SCRA)

711- FDIC REGULATIONS

712 - PENSION PROTECTION ACT OF 2006

713 - HEROES EARNINGS ASSISTANCE AND  
RELIEF TAX ACT OF 2008

### **Part III. Explanation of Index Number Entry**

Sample: ¶5.331

The number to the left of the decimal point (5 in this case) indicates the summary is a court opinion.

The 3-digit number to the right of the decimal point (331 in this case) indicates the topic is statute of limitations.

Sample: ¶6.220(2)

The number to the left of the decimal point (6 in this case) indicates the summary is IRS formal guidance.

The 3-digit topic number to the right of the decimal point (220 in this case) indicates the topic is rollovers (general rules).

The parenthetical subtopic number to the right of the 3-digit topic number ((2) in this case) indicates the summary relates to rollover rules pertaining to the 60-day rollover period.