

The Portfolio Pension Plan

Richard Shea

Covington & Burling LLP

May 1, 2014

Design Objectives

- address shortcomings in existing plan designs
 - in defined benefit plans
 - concentration of risk on plan sponsor
 - in defined contribution plans
 - concentration of risk on individual participant
 - over-reliance on employee funding and self-direction
 - in both
 - inflexibility of distribution options

Overview of Design

- individual cash balance account
 - employer funds periodic principal credits
- account deemed invested in retirement portfolio
 - asset allocation adjusts over time to changes in employee's circumstances
 - employer guarantees principal credits and, if it wishes, added subsidies
- portfolio continues during pay-out
 - flexible installments plus longevity annuity
 - funded by continually adapting portfolio

Cash Balance Plan

- species of defined benefit plan
 - where benefit is expressed as hypothetical individual account
 - rather than deferred annuity, as in traditional defined benefit plan
- plan is noncontributory
 - so participation is automatic
 - and no employee contributions are required or accepted
- principal credits added to account
 - usually as percentage of current pay
 - funded by the employer

Individual Retirement Portfolio

- unlike conventional cash balance plan
 - where account credited with current bond yield
- instead credited with earnings or losses
 - on hypothetical portfolio of investment assets
 - made possible by “market rate of return” standard in PPA 2006
- asset allocation tailored to individual
 - can’t ask 65-year-old to bear same risk as 25-year-old
 - so rate earned will vary among individuals
 - unlike in conventional cash balance plan

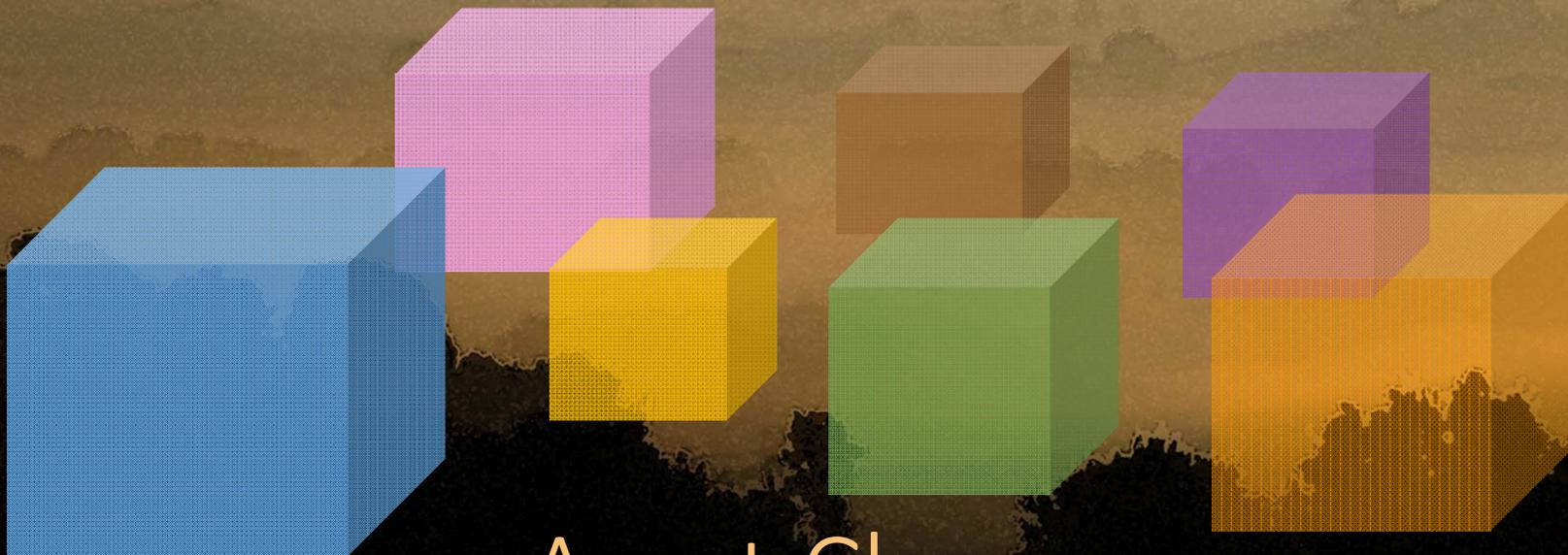
Asset Allocation Mechanism

- not based on participant direction
 - instead based on information about or provided
 - by employee, such as current and expected retirement ages, other benefits and assets, risk tolerance, health condition
- assets dynamically reallocated over time
 - based on changes in information about or provided by employee
 - allows employee to participate
 - based on what employee actually knows
 - without requiring investment expertise

Simpler Process



Account



Asset Classes

Employer Contributions & Subsidies

- employer funds principal credits
 - employer guarantees principal credits
 - account balance can't fall below sum of principal credits
 - if employer wishes, can provide minimum rate of return $>$ zero
- employer can subsidize benefit distributions
 - distributions generally tied directly to account balance
 - but it's a defined benefit plan, so distributions can be subsidized (i.e., to be worth more than account) for disability, death, plant closing, QJSAs, etc.
 - employer assumes longevity risk
 - can spread and diversify risk over plan

Retirement Distributions

- avoid stark all-or-nothing choices—annuity vs. lump sum
 - discourage lump sums
 - by offering mixed or intermediate options or not offering them
- **allow portfolio to continue to operate in retirement**
 - three pots: bond ladder for early years, longevity annuity for later years, and market exposure for liquidity and inflation protection
 - longevity information inputs
 - more than actuarial or underwriting
 - individualized mortality analysis
 - medical research using big data and AI