

Enforcement Manual Maintenance

Background

Since at least 1996, EBSA has had an Enforcement Manual Committee (Committee). The Director of Enforcement is responsible for appointing and overseeing the Committee. The Committee is comprised of national and regional office members (including, but not limited to: Regional Directors, Deputy Regional Directors, Associate Regional Directors, Supervisory Investigators, Investigator and Office of Enforcement staff). The Committee's co-chairs will be a Senior Enforcement Advisor, Enforcement and a Deputy Regional Director. EBSA staff can suggest changes to the Enforcement Manual through an e-mail address posted on the EBSA Intranet.

Process

The Enforcement Manual review process is as follows:

- The Committee reviews and drafts proposed changes¹ to the Enforcement Manual that impact the investigative process, as needed, but not less than every two years.
- The Committee makes recommendations for any changes or updates to the Enforcement Manual to the Director of Enforcement.
- Director of Enforcement reviews proposed changes with the Regional Directors (RDs) and the Deputy Assistant Secretary for National Office Operations and the Deputy Assistant Secretary for Regional Offices, as appropriate.
- Office of the Solicitor (SOL)/Plan Benefits Security Division (PBSD) review and clear proposed changes.
- The Director of Enforcement, the Deputy Assistant Secretary for National Office Operations and the Deputy Assistant Secretary for Regional Offices review final changes, as appropriate.

Implementation

Changes to the Enforcement Manual are made electronically. A table describing the changes and dates of changes will be included as an Appendix to the Enforcement Manual. The electronic version annotates by section the date of changes. A memorandum to the field summarizes the changes, as needed, but no less than every two years.

Record Maintenance

The Committee will maintain the following records:

- Suggestions for changes.
- A redline of all revisions.

- A chart of all revisions, reason for the change and date.
- Copies of all memorandum memorializing the changes.
- HTML and PDF versions.