

**MEMO# 22854**

September 9, 2008

## **ICI Comment Letter on DOL Proposed Participant Disclosure Rules**

[22854]

September 9, 2008

TO: PENSION MEMBERS No. 52-08  
TRANSFER AGENT ADVISORY COMMITTEE No. 49-08  
BANK, TRUST AND RECORDKEEPER ADVISORY COMMITTEE No. 29-08  
BROKER/DEALER ADVISORY COMMITTEE No. 31-08  
OPERATIONS COMMITTEE No. 17-08    RE: ICI COMMENT LETTER ON DOL PROPOSED  
PARTICIPANT DISCLOSURE RULES

Attached is the Institute's comment letter on the Department of Labor's proposed participant disclosure rules. [\[1\]](#) The letter begins by expressing strong support for the proposal and lists the features of the proposal that should be retained.

The letter recommends that DOL enhance the ability of plans to use electronic and web-based disclosure. The letter includes a number of comments on the presentation and content of the information required by the proposed rules, many of which address issues in translating mutual fund data into the format that DOL has proposed.

The letter recommends that DOL relax the timing requirements for the initial disclosures, to assist plans with immediate eligibility. The Institute also recommends that DOL delay the proposed effective date.

The Institute agrees with the Department's conclusion that the economic benefits of the proposal justify its costs. The letter disagrees, however, with the Department's conclusion,

in the proposal's economic analysis section, that plan participants pay on average fees that are higher than necessary by 11.3 basis points. An appendix explains in more detail the Institute's disagreement with this conclusion.

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Associate Counsel

[Attachment](#)

#### **endnotes**

[1] See Memorandum to Pension Members No. 44-08, Transfer Agent Advisory Committee No. 36-08, Bank, Trust and Recordkeeper Advisory Committee No. 22-08, Broker/Dealer Advisory Committee No. 23-08 and Operations Committee No. 12-08 [22742], dated July 29, 2008

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