

MEMO# 22426

April 14, 2008

Revised Draft Letter to Treasury and IRS Requesting Guidance on 403(b) Plan Transition Issues

URGENT/ACTION REQUESTED

[22426]

April 14, 2008

TO: PENSION COMMITTEE No. 14-08

PENSION OPERATIONS ADVISORY COMMITTEE No. 13-08 RE: REVISED DRAFT LETTER TO
TREASURY AND IRS REQUESTING GUIDANCE ON 403(B) PLAN TRANSITION ISSUES

Attached is a revised draft letter to Treasury and the Internal Revenue Service concerning 403(b) plans. [\[1\]](#) The letter outlines several interpretive issues arising under the final 403(b) regulations and the guidance provided in Revenue Procedure 2007-71, [\[2\]](#) particularly with respect to transition issues involving orphan contracts and contract exchanges. The letter requests further guidance and describes the Institute's position on the transitional issues in the event the IRS and Treasury are not able to provide additional guidance. Please carefully consider the interpretations set forth in the revised paper and provide any final comments to me by Tuesday, April 22, 2008. We expect to submit the letter shortly thereafter.

Elena Barone
Associate Counsel

[Attachment](#)

endnotes

[\[1\]](#) For the first draft of this letter, see Memorandum to Pension Committee No. 9-08 and Pension Operations Advisory Committee No. 9-08 [22301], dated March 5, 2008.

[\[2\]](#) See Memorandum to Pension Members No. 70-07 [21982], dated November 29, 2007.

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