

MEMO# 9316

October 8, 1997

DATA COLLECTION FOR NEXT PFIC SURVEY UPDATE

1 Previous versions of the survey listed foreign securities in one or more of the following three categories: (1) entities which are being treated by one or more Institute members as being PFICs; (2) entities for which PFIC/non-PFIC treatment decisions have not been made or reported to the Institute; and (3) entities which are being treated by one or more Institute members as not being PFICs. See, e.g., Institute Memorandum to Accounting/Treasurers Members No. 33-96, Closed-End Fund Members No. 34-96, International Members No. 12-96, Members - One Per Complex No. 79-96 and Tax Members No. 47-96, dated October 25, 1996. [9316] October 8, 1997 TO: TAX COMMITTEE No. 34-97 ACCOUNTING/TREASURERS COMMITTEE No. 38-97 INTERNATIONAL COMMITTEE No. 36-97 RE: DATA COLLECTION FOR NEXT PFIC SURVEY UPDATE

As you know, for the past several years the Institute has undertaken to collect information from its members regarding securities which may be passive foreign investment companies ("PFICs"). After the information is aggregated and the names of the firms providing the information are deleted, the "PFIC Survey Update" is distributed.¹ For 1997, the survey will be modified to provide information with respect to only two categories: (1) securities which are identified in their offering documents, annual reports or other company-generated publicly-available documents as being PFICs; and (2) securities not listed in Part 1 which one or more Institute members either treat, or suspect should be treated, as PFICs. This change in format should make the information more useful and easier to collect. We request that you provide us with a list of securities falling into one of the two new categories -- using the attached format -- at your earliest convenience and no later than Friday, October 31. Please include a copy of any publicly-available document identifying the "Category One" entity as a PFIC. Survey results should be sent to the Institute's Elizabeth Lyons by e-mail (to lyons@ici.org), fax (at 202-326-5841) or mail. Thank you very much for your cooperation in this important survey. If you have any questions regarding the survey, please call Elizabeth Lyons (at 202-326-5831) or me (at 202-326- 5832). Keith D. Lawson Associate Counsel - Tax Attachment 1997 INVESTMENT COMPANY INSTITUTE SURVEY OF PASSIVE FOREIGN INVESTMENT COMPANIES ("PFICs") Please provide the following information with respect to securities that may be passive foreign investment companies ("PFICs") to Elizabeth Lyons by e-mail (at lyons@ici.org), fax (at 202-326- 5841) or mail (at Investment Company Institute, 1401 H Street, NW, Washington, DC 20005). All survey responses should be sent to, and received by, the Institute no later than Friday, October 31. Any questions regarding the survey may be forwarded to Elizabeth Lyons (at 202-326-5831) or Keith Lawson (at 202-326-5832). CATEGORY ONE SECURITIES -- securities which are identified in their offering documents, annual reports or other company-generated publicly-available documents as being PFICs. With respect to any "category one"

entity, please include a copy of any publicly-available document identifying the security as a PFIC. Name of Entity Country of Operation Sedol Number CATEGORY TWO SECURITIES -- securities not listed as "category one" entities which either are treated as PFICs or are suspected of being PFICs. Name of Entity Country of Operation Sedol Number Name of Person Responding to Survey: _____ Responding Person's Firm: _____ Telephone Number of Responding Person: _____ E-Mail Address of Responding Person: _____

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