

**MEMO# 16276**

July 9, 2003

## **JULY 17 CONFERENCE CALL TO DISCUSS TAX ISSUES ARISING FROM SECTION 403(B) ARRANGEMENTS**

[16276] July 9, 2003 TO: PENSION COMMITTEE No. 19-03 PENSION OPERATIONS ADVISORY COMMITTEE No. 38-03 RE: JULY 17 CONFERENCE CALL TO DISCUSS TAX ISSUES ARISING FROM SECTION 403(B) ARRANGEMENTS A conference call has been scheduled for Thursday, July 17 at 2:00 p.m. EST to discuss tax issues under section 403(b) of the Internal Revenue Code. The Institute plans to submit suggestions to the Treasury Department and the Internal Revenue Service in connection with their development of comprehensive guidance under section 403(b). The issues to be discussed include the following: • Prototypes and determination letters for section 403(b) arrangements; • Treatment of excess contributions under section 415 of the Code; • The section 403(b)(1)(C) nonforfeitability requirement; • Controlled group analysis in the context of governmental and non-profit entities; • Excludable employees under Notice 89-23; • Parsonage allowance issues; • "Terminations" of section 403(b) arrangements; and • Transfers of assets between section 403(b)(1) annuity contracts and section 403(b)(7) custodial agreements. If you would like to participate in this call, please complete the attached response form and fax it to my assistant, Brenda Turner, at (202) 326-5841 by Wednesday, July 16, 2003. Please dial 1-877-915-2770 and ask for the ICI "403(b) Guidance" call, with Kathy Ireland as the moderator. In addition, if there are other issues that the Institute should consider including in its submission, please list them on the response form. If you have any questions, please contact me at (202) 371-5432 or kireland@ici.org. Kathy D. Ireland Senior Associate Counsel Attachment (in .pdf format)