

MEMO# 8268

September 26, 1996

OCTOBER 4 MEETING ON BUNDLED SERVICES AND DOL ADVISORY OPINION REQUEST

1 See Institute Memoranda to Pension Members No. 47-96, dated September 25, 1996 and Pension Committee No. 32-96, dated July 10, 1996. September 26, 1996 VIA FAX TO: PENSION COMMITTEE No. 40-96 RE: OCTOBER 4 MEETING ON BUNDLED SERVICES AND DOL ADVISORY OPINION REQUEST

The Institute has scheduled a meeting on October 4 at 2:30 pm. to discuss an advisory opinion request that it intends to submit to the Department of Labor regarding the payment of 12b-1 and other fees from mutual funds to custodial trustees in bundled services arrangements. As you were previously informed¹, the Institute has had several meetings with the Department to discuss this issue. Recent discussions have focused on the Departments possible response to the "Frost Bank" letter request currently before the Department. The Institute, together with the American Bankers Association, plans to file a joint submission seeking an advisory opinion on facts more prevalent in the bundled services market than those set forth in the Frost Bank letter, and will request that the Department issue a response to both letter requests simultaneously. We urge all interested members to attend this meeting if possible. The meeting will be held at the Institutes offices at 1401 H Street, NW in Washington. Please respond by fax on the attached response sheet so that we can obtain an accurate count of those planning to attending. Russell G. Galer Assistant Counsel - Pension Attachment