
From: Richard Brownstein [rjb@brownrask.com]
Sent: Monday, February 21, 2005 2:26 PM
To: e-ORI@DOL.gov
Subject: Proposed Labor Reg 2520.101-4(a)(2)

Reviewing the proposed Model Notice for multiemployer plans, the section entitled "Benefit Payments Guaranteed by the PBGC" is not warranted, and will be confusing for participants whose plan's funded current liability percentage is less than 100% but are not at substantial risk of insolvency. Suggesting that benefits may be substantially reduced for participants in plans whose insolvency is highly improbable will create unnecessary (or at least premature) concerns and require otherwise unnecessary explanation by trustees and administrators. I suggest either that the PBGC portion of the notice be required only for plans that report a 75% or less funded liability percentage or that, following the sentence in the proposed section "Risks Governing Insolvent Plans", such plans be permitted to add a sentence to the effect that they are not insolvent and omit the next two sections..

U. S. DEPARTMENT OF LABOR
 PENSION AND WELFARE BENEFITS ADMINISTRATION
 OFFICE OF REGULATIONS AND INTERPRETATIONS

FOR: Sequence Number between 0001 and 0007
 BY: Sequence Number

CONTROL ID	SEQ NO	RELATED PROJECT	PROJECT TITLE	PROJECT END OF PERIOD	LAST NAME/ ORGANIZATION	LETTER RECEIVED
P01184C	0001	P01182P	ANNUAL FUNDING NOTICE		BROWNSTEIN, RICHARD/ NONE	02/21/05 02/21/05
P01185C	0002	P01182P	ANNUAL FUNDING NOTICE		HOFFMANN, RICHARD S. / STEELWORKERS PEN. TRU	02/25/05 03/01/05
P01186C	0003	P01182P	ANNUAL FUNDING NOTICE		KIELY, MICHAEL/ UPS CORPORATE PUBLIC	03/04/05 03/04/05
P01187C	0004	P01182P	ANNUAL FUNDING NOTICE		ELSEN, KATHERINE M. / NEWSPAPER ASSOC. AMER	03/07/05 03/07/05
P01188C	0005	P01182P	ANNUAL FUNDING NOTICE		MCKEOGH, JAMES J. / AMERICAN ACADEMY/ACT	03/07/05 03/07/05

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CONTROL ID	SEQ NO	RELATED PROJECT	PROJECT TITLE	PROJECT END OF PERIOD	LAST NAME / ORGANIZATION	LETTER RECEIVED
P01189C	0006	P01182P	ANNUAL FUNDING NOTICE		HAWMOND, LYNN / HANFORD SITE PEN. PLAN	03/07/05 03/07/05
P01190C	0007	P01182P	ANNUAL FUNDING NOTICE		DEPREHN, RANDY G. / NCCMP	03/17/05 03/18/05