



The Profit Sharing and 401(k) Advocate • Sharing the Commitment since 1947

April 29, 2008

United States Department of Labor
Washington, DC
Submitted electronically to e-ori@dol.gov

Re: Participant Contribution Regulation Safe Harbor

PSCA is pleased to file comments on the proposed amendment to Regulation 2510.3-102, relating to the definition of plan assets and participant contributions. Established in 1947, the Profit Sharing / 401k Council of America (PSCA) is a national, non-profit association of 1,200 companies and their 6 million plan participants. PSCA represents its members' interests to federal policymakers and offers practical, cost-effective assistance with profit sharing and 401(k) plan design, administration, investment, compliance and communication. PSCA's services are tailored to meet the needs of both large and small companies. Members range in size from Fortune 100 firms to small, entrepreneurial businesses.

We commend the Department for the proposed addition of a safe harbor for plans with fewer than 100 participants. The safe harbor will provide needed clarity to plan sponsors regarding the existing regulation. After extensive outreach to our plan sponsor and service provider members, we believe that proposed rule should be adopted without modification.

Please feel free to contact me if you have any questions or if I can be of assistance.

Sincerely,

A handwritten signature in black ink that reads "David L. Wray". The signature is written in a cursive style and is positioned to the left of a vertical red line.

David L. Wray
President