



AMERICAN BENEFITS
COUNCIL

February 27, 2008

Filed Via Email at e-ORI@dol.gov

Office of Regulations and Interpretations
Employee Benefits Security Administration
Attn: 408(b)(2) Hearing
Room N-5655
Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Re: Request to Testify

Dear Sir or Madam,

The American Benefits Council (Council) respectfully requests to testify at the public hearing on the proposed regulations under Section 408(b)(2) of the Employee Retirement Income Security Act (ERISA) scheduled to be held on March 20, 2008 (and March 21, if necessary). The Council is a public policy organization representing principally Fortune 500 companies and other organizations that assist employers of all sizes in providing benefits to employees. Collectively, the Council's members either sponsor directly or provide services to retirement and health plans that cover more than 100 million Americans.

As you know, the Council filed a comment letter on February 11 on the proposed regulations. Our testimony would focus on the following six issues discussed in the comment letter (with approximate time allotted in parenthesis):

1. Need for separate tracks (projects) for health and welfare and defined benefit plan disclosure (2 minutes)
2. Scope of regulation (1 minute)
3. Fiduciary safe harbor and correction mechanism (2 minutes)
4. Employer-paid fees (1 minute)
5. Conflicts of interest and gifts (1 minute)

6. Electronic communication (1 minute)
7. Effective date (2 minutes)

The Council commends the Department for holding a hearing on this important matter and appreciates this opportunity to be heard at the hearing. We believe that the American Benefits Council offers an important and unique perspective of both the employer sponsors of retirement plans and the service providers that assist them, and we look forward to working with you on these important changes.

Sincerely,

A handwritten signature in black ink, appearing to read "Jan Jacobson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Jan Jacobson
Senior Counsel, Retirement Policy
American Benefits Council