

## Comments Regarding IRC §402(f) Notice

April 12, 2007

Department of the Treasury  
Internal Revenue Service

### Submitted electronically: April 12, 2007

The American Society of Pension Professionals & Actuaries (ASPPA) appreciates this opportunity to comment on the written notice requirement of Section 402(f) of the Internal Revenue Code (402(f) Notice).

ASPPA is a national society of retirement plan professionals. ASPPA's mission is to educate pension professionals and to preserve and enhance the employer-sponsored pension system. Its membership consists of more than 6,100 actuaries, plan administrators, investment professionals, attorneys, CPAs and other retirement plan experts who design, implement and maintain qualified retirement plans covering tens of millions of American workers.

ASPPA appreciates the opportunities to discuss with the Treasury and IRS the needs of plan sponsors and retirement plan practitioners with respect to the 402(f) Notice. The IRS last released a model 402(f) Notice in 2002 (IRS Notice 2002-3). Since that time, there have been numerous changes to the law that have impacted the information that must be contained in the 402(f) Notice. ASPPA, as well as other practitioners and associations, have requested that the IRS model 402(f) Notice be updated to reflect these changes in the law. Treasury and IRS representatives indicated to ASPPA that the process of issuing an updated 402(f) would be facilitated if ASPPA were to make suggested changes to the current IRS model 402(f) notice.

Accordingly, ASPPA hereby submits the attached 402(f) Notice. The recommended modifications are highlighted in yellow and are primarily limited to those areas where the content of the current IRS 402(f) Notice is outdated. However, ASPPA has numerous other proposed changes to the 402(f) Notice that the Treasury and IRS might consider making in the future. These include grammatical changes as well as changing the 402(f) Notice into a question and answer format. We would be pleased to provide this to the Treasury and IRS when more substantial modifications to the 402(f) Notice are being considered.

The updated 402(f) Notice was prepared by ASPPA's Reporting and Disclosure subcommittee of the Government Affairs Committee, Chair, Janice M. Wegesin, CPC, QPA. Please contact us if

you have any questions or comments regarding the matters discussed above. Thank you very much for your consideration of these comments.

/s/

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