



The
ERISA
Industry
Committee



The Association of Senior Human Resource Executives

April 19, 2005

By Hand

Internal Revenue Service
Courier's Desk
1111 Constitution Avenue, N.W.
Washington, D.C. 20224

Attention: CC:PA:LPD:RU (Notice 2005-1)
Room 5203

Re: Nonqualified Deferred Compensation

Ladies and Gentlemen:

On behalf of The ERISA Industry Committee and the HR Policy Association, we are pleased to submit the enclosed supplemental recommendations for guidance under § 409A of the Internal Revenue Code, regarding the federal income tax treatment of nonqualified deferred compensation. The enclosed submission supplements previous submissions that have been made separately by each of our organizations.

We are gratified by the thoughtful consideration that the Treasury Department and the Internal Revenue Service have given to our prior submissions, and we appreciate the opportunity to make the enclosed submission. If you or your colleagues have any questions or comments about the enclosed submission, please feel free to contact either of us.

Respectfully submitted,

Mark J. Ugoretz
President
The ERISA Industry Committee

Daniel V. Yager
Senior Vice President and
General Counsel
HR Policy Association

Enclosures

cc: Daniel Hogans (Treasury)
Stephen B. Tackney (Internal Revenue Service)