

Frequently Asked Questions - Determination Letter Program -

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To return to the Employee Plans Corner, you may click on the 'back' button of your browser or click on this link → <http://www.irs.gov/ep>

The Determination Letter Process:

[What form should I file to have a retirement plan reviewed by the Internal Revenue Service in order to receive a determination letter?](#)

[Form 5300](#) & **[Instructions](#)** – Application for Determination for Employee Benefit Plan

Used by: Adopters of individually designed plans.

[Form 5303](#) & **[Instructions](#)** – Application for Determination for Collectively Bargained Plan

Used by: Adopters of plans maintained under a collective bargaining agreement.

[Form 5307](#) & **[Instructions](#)** – Application for Determination for Adopters of Master or Prototype, Regional Prototype or Volume Submitter Plans

Used by: Adopters of one of the following:

- a) A prototype plan that has been approved by the IRS; or
- b) A volume submitter plan.

[Form 5310](#) & **[Instructions](#)** – Application for Determination for Terminating Plan

Used by: The sponsor of any type of qualified plan, which is terminating except multi-employer plans covered by Pension Benefit Guarantee Corporation (PBGC) insurance.

[Form 6406](#) & **[Instructions](#)** – Short Form Application for Determination for Minor Amendment of Employee Benefit Plan

Used by: Adopters of minor amendments for plans which currently have a Tax Reform Act of 1986 (TRA '86) determination letter.

Form 6406 should not be used for amendments which include complex issues or restate the plan. Also, Form 6406 should not be used for the following:

- a) A plan adding an IRC 401(k) or ESOP feature.
- b) Plan mergers, consolidations, transfers of assets or liabilities or terminations.
- c) Changes to the plan's benefits or coverage.
- d) Amendments for compliance with GATT, USERRA, TRA '97 and SBJPA except as provided in Section 3.05 of [Rev. Proc. 2000-27](#).

FORM 5300, 5303, 5307, 5310, & 6406 FILERS MUST ALSO SUBMIT THE FOLLOWING:

- [Form 8717](#), User Fee for Employee Plans Determination Letter Request
- Appropriate user fee payment
- [Schedule Q \(Form 5300\)](#) & [Instructions](#), Nondiscrimination Requirements

EXCEPTIONS: Form 6406 filers do not have to file a Schedule Q.
Government plan filers do not have to file a Schedule Q.

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The Determination Letter Process:

[What form should I file to have a master or prototype plan reviewed by the Internal Revenue Service in order to receive an opinion letter?](#)

[Form 4461](#) – Application for Approval of Master or Prototype Defined Contribution Plan
(Rev. 3/2000)

Used by: Sponsors and mass submitters (not individual adopters) of defined contribution master or prototype plans.

[Form 4461-A](#) – Application for Approval of Master or Prototype Defined Benefit Plan
(Rev. 3/2000)

Used by: Sponsors and mass submitters (not individual adopters) of defined benefit master or prototype plans.

[Form 4461-B](#) – Application for Approval of Master or Prototype Plan-Mass Submitter Adopting Sponsor (Rev. 3/2000)

Used by: Only mass submitters of master or prototype plans may file this form.

Note: [Revenue Procedure 2000-20](#), IRB 2000-6 dated 2/7/2000, established a unified program that is available to both institutional and practitioner sponsors to seek approval of master or prototype plans.

Note: All Forms 4461, 4461-A, & 4461-B applications will be filed through our Washington, D.C. Office. See **Where to File** in the instructions to these forms.

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The Determination Letter Process:

[What form should I file to have a volume submitter plan reviewed by the Internal Revenue Service in order to receive an advisory letter?](#)

An application form is not required for volume submitter specimen plans when an advisory letter is requested from the Cincinnati Office. The request for approval of a volume submitter specimen plan is made by way of a cover letter to the Volume Submitter Coordinator. See Section 9 of [Rev. Proc. 2000-6](#) for further guidance on the procedures for requesting advisory letters on volume submitter specimen plans.

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The Determination Letter Process:

[What form should I file to notify the Internal Revenue Service of a plan merger, a spin-off or a qualified separate line of business?](#)

[Form 5310-A](#) & [Instructions](#) – Notice of Plan Merger or Consolidation, Spin-off, or Transfer of Plan Assets or Liabilities; Notice of Qualified Separate Lines of Business

NOTE: A determination letter will not be issued with this type of form.

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The Determination Letter Process:

[Where do I file my application or request for an advisory letter?](#)

- A. Applications for individual determination letters should be sent to:

Internal Revenue Service
P.O. Box 192
Covington, KY 41012-0192

The address used for Express Mail or delivery services should be sent to:

Internal Revenue Service
201 West Rivercenter Blvd.
Attn: Extracting, Stop 312
Covington, KY 41011

- B. Multiple Employer Plans and Volume Submitter Specimen Plans are sent to:

Internal Revenue Service
P.O. Box 2508
Attn: VSC, Room 4106
Cincinnati, OH 45201

The address used for express mail or delivery services for Multiple Employer Plans and Volume Submitter Specimen Plans is:

Internal Revenue Service
550 Main Street
Attn: VSC, Room 4106
Cincinnati, OH 45202

- C. The address used for requesting an Opinion Letter for Master & Prototype (M & P) plans is:

Internal Revenue Service
Employee Plans Rulings and Agreements
Attn: T:EP:RA:T:ICU
PO Box 27036, McPherson Station
Washington, D.C. 20038

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The Determination Letter Process:

[How do I get assistance?](#)

- IRS forms and instructions may be ordered by calling 1-800-TAX-FORM (829-3676). Alternatively, IRS forms and instructions are available for printing at the IRS Internet Web Site at www.irs.gov/forms_pubs/index.html.
- Employee Plans technical assistance may be obtained by calling the toll-free telephone number, 1-877-829-5500.
- Information is also available at the Employee Plans Corner of the Internal Revenue Service Internet Web site at www.irs.gov/ep.
- Filing instructions for determination letters are detailed in [Rev. Proc. 2000-6, 2000-1, IRB 187](#) and [Rev. Proc. 2000-27](#).
- User Fee guidance is provided in [Rev. Proc. 2000-8, 2000-1, IRB 230](#).
- For information on the status of a volume submitter specimen plan submission or on the volume submitter program, call Volume Submitter Coordinator, Angelo Noe, or his assistant, Milo Atlas, at 513-263-3536 or 513-263-3559.

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The Determination Letter Process:

[What items should I consider before filing to prevent delays in the processing of my application?](#)

To insure a complete submission, please use our procedural checklists:

- [1. Procedural Requirements Checklist for Form 5300](#)
- [2. Procedural Requirements Checklist for Form 5303](#)
- [3. Procedural Requirements Checklist for Form 5307](#)
- [4. Procedural Requirements Checklist for Form 5310](#)
- [5. Procedural Requirements Checklist for Form 6406](#)

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The Determination Letter Process:

[What happens to my application after it is mailed?](#)

Once the application is received at the Processing Center in Covington, Kentucky, the user fee payment is processed and the application is established on an inventory control system. The application is forwarded to the Federal Office Building in Cincinnati where an Employee Plans (EP) specialist reviews the file for completeness.

If all required information and necessary items have been submitted, and if the plan is qualified without further development, the case will be approved as filed. (Occasionally, minor items may be secured and then the case will be closed.)

If the case cannot be approved as filed or by securing minor items, the file will be assigned to an EP specialist who will work the application to completion. The Employee Plans Specialist will FAX, telephone, or write the plan sponsor or Power of Attorney if additional information or plan amendments are needed.

NOTE: Based on inventory and staffing levels, applications may be sent for review by EP specialists in other area offices.

Some cases are selected for internal quality review before they are closed. This is done to ensure that consistency and quality are maintained in application review and development.

The Internal Revenue Service may not issue a determination letter until, at least, 60 days after receipt of the application. This allows interested parties a period of time to submit comments.

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The Determination Letter Process:

[How do I obtain a copy of my prior determination letter?](#)

Call the Employee Plans toll-free telephone number at 1-877-829-5500, and provide:

- a) The Document Locator Number (DLN) or the Employer Identification Number (EIN),
- b) Plan number,
- c) Form number, and
- d) Plan sponsor's name.

NOTE: A copy of a prior letter is available to the public if the plan has more than 25 participants.

Determination letters for plans with 25 or fewer participants may only be disclosed to plan participants, authorized representatives of plan participants, the plan sponsor and/or the sponsor's power of attorney.

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Plan Terminations:

[Why is the IRS holding the money from my retirement plan now that the plan has terminated?](#)

When a plan has formally terminated and submitted a [Form 5310](#), Application for Determination for Terminating Plan, the Service will review the application in an expedient manner. However, on many occasions there are questions raised which need to be addressed before a favorable letter is issued. Also, the employer or trustee is not required to hold the assets until a favorable determination letter is issued, but usually will do so as a safety feature to ensure that distributions will receive the favorable tax treatment to which qualified plan distributions are entitled.

NOTE: The Service does not maintain or hold the assets during the termination process.

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Plan Terminations:

[When are assets required to be distributed after a plan has terminated?](#)

Generally, an employer is required to distribute assets from a terminated plan as soon as it is administratively feasible after the date of plan termination.

Whether distributions are made as soon as it is administratively feasible is determined under all the facts and circumstances of a given case, but generally the Internal Revenue Service views this to mean within one year after plan termination. (Rev. Rul. 89-87, 1989-2, C.B. 81.)

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Plan Language Issues:

[What guidance is used to determine whether a plan document is “qualified”?](#)

A qualified retirement plan must meet the applicable requirements of Internal Revenue Code section 401(a).

Guidance explaining these requirements may be found in the income tax regulations, revenue procedures, revenue rulings, and other publications published by the Internal Revenue Service.

A preprinted booklet of checksheets that contains hundreds of questions concerning qualification must be addressed by Employee Plans (EP) specialists before a plan may receive a determination letter.

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Plan Language Issues:

[How is the determination letter process affected by the changes in qualification requirements enacted by GATT, TRA '97, SBJPA and USERRA \(GUST\)?](#)

Determination Letters

In January of 1998, the Service announced the opening of the determination letter program for qualified plans seeking to comply with the changes in the qualification requirements made by the Uruguay Round Agreements Act, Pub.L. 103-465 (GATT), the Taxpayer Relief Act of 1997, Pub.L. 105-34 (TRA '97) and the changes in the qualification requirements made by the Small Business Job Protection Act of 1996, Pub.L. 104-188 (SBJPA) (including IRC section 414(u) and the Uniformed Services Employment and Reemployment Rights Act of 1994, Pub.L. 103-353 (USERRA)), that are effective before the first day of the first plan year beginning on or after January 1, 1999. These changes are often referred to collectively as GUST I changes because they do not include the qualification requirements made by SBJPA that are effective in plan years beginning after 12/31/98.

This announcement was contained in [Rev. Proc. 98-14, 1998-4, IRB 22](#) and applied to determination letter applications received by the Service on/or after April 27, 1998.

In September 1998, the Service issued [Rev. Proc. 98-53, 1998-40, IRB 9](#), in response to employer and practitioner comments, to grant sponsors of individually designed plans and volume submitter plans the option of requesting that determination letter applications be reviewed without regard to the changes to the qualification requirements made by GATT, TRA '97, SBJPA and USERRA (except IRC sections 401(a)(26) and 414(n)). The request for a pre-GATT determination letter should be indicated on a cover letter submitted with the application or on the face of the application form.

More recently, in June, 2000, the Internal Revenue Service opened the determination letter program to allow sponsors of individually designed plans including volume submitter plans to obtain determination letters that take into account all the changes in the qualification requirements made by GUST including those changes made by SBJPA that are first effective in plan years beginning after 12/31/98. These determination letters are referred to as GUST II letters.

This announcement may be found in [Revenue Procedure 2000-27](#) and applies to determination letter applications filed with the Service on or after June 26, 2000.

Until further notice, sponsors of individually designed plans, including volume submitter plans, will continue to have the option of limiting the extent to which their plans are reviewed for GUST by requesting either a GUST I letter or a pre-GATT letter, rather than a GUST II letter. As under Rev. Proc. 98-53, the plan sponsor should make this request in a cover letter with the application.

The Sponsor of a terminating plan does not have the choice as to whether its determination letter is a pre-GATT, GUST I, or GUST II letter. All applications for terminating plans will be reviewed taking into account the applicable provisions of the law in effect as of the date of termination. (See section 12.05 of [Rev. Proc. 2000-6.](#))

Opinion, Notification, and Advisory Letters

In February, 2000 the Service issued [Rev. Proc. 2000-20, 2000-6, IRB 553](#) which revised and combined the master and prototype and regional prototype plan programs into a unified program. It also opened the unified program to allow sponsors to obtain opinion letters covering all the requirements of GUST (including the Internal Revenue Service Restructuring and Reform Act of 1998, Pub. L. 105-206 (RRA '98)). [The opening date was April 7, 2000 for mass submitter plans and May 8, 2000 for non-mass submitter plans.] This revenue procedure also opened the Service's volume submitter program to allow practitioners to obtain complete GUST advisory letters for their volume submitter specimen plans.

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Plan Language Issues:

[How long do I have to amend or restate my plan for the changes in the qualification requirements enacted by GUST?](#)

In general, you have until the last day of the first plan year beginning on or after January 1, 2001 to amend or restate your plan for the changes in the qualification requirements enacted by GUST (GATT, USERRA, SBJPA, TRA '97, & RRA '98). For calendar year plans this is December 31, 2001. This is the end of the remedial amendment period under section 401(b) of the Code for amending plans for GUST as well as the TRA '86 remedial amendment period for governmental and nonelecting church plans. (See [Rev. Proc. 2000-27.](#)) [Other background authorities include [Rev. Proc. 97-4](#), [Rev. Proc. 98-14](#), & [Rev. Proc. 99-23.](#)]

Note: Although plan amendments are not required before the end of the remedial amendment period, plan sponsors must operate their plans in accordance with the applicable provisions of GUST prior to plan amendment to the extent earlier operational compliance is required by law or regulation or other IRS guidance. ([Rev. Proc. 97-41](#), Sec. 6.06).

Adopters and prior adopters of master and prototype, regional prototype, and volume submitter specimen plans that satisfy certain requirements are eligible for an extension of the remedial amendment period. In other words, they are eligible for an extension of the time by which their plans must be restated for GUST. This extension will not expire before the end of the twelfth month beginning after the date on which a GUST opinion or advisory letter is issued for the relevant master and prototype or volume submitter specimen plan. (See Section 19 of [Rev. Proc. 2000-20, 2000-6, IRB 553.](#))

To be eligible for this twelve-month extension period, the employer (before the end of the remedial amendment period without regard to the 12-month extension):

- 1) Must adopt a M & P plan or a volume submitter specimen plan; or
- 2) Certify in writing that it intends to restate its plan for GUST using an M & P plan or a volume submitter specimen plan; and
- 3) The M & P plan sponsor or volume submitter practitioner must have submitted an application for a complete GUST opinion or advisory letter by December 31, 2000.

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Plan Language Issues:

[What are the major pre-'99 changes made by GATT, TRA'97, SBJPA and USERRA?](#)

Following is a summary of major changes to qualification requirements made by GATT, TRA '97, SBJPA and USERRA that are effective **before** plan years beginning on or after January 1, 1999.

<u>IRC Section</u>	<u>Change</u>	<u>General Effective Date</u>
401(a)(5)	Social Security Retirement Age treated as a uniform retirement age for 401(a)(4).	PYBA 12/31/96
401(a)(9)	New definition of Required Beginning Date. Required actuarial adjustments.	PYBA 12/31/96
414(q)	New definition of Highly Compensated Employee; Top Paid Group Election; Calendar Year Data Election.	PYBA 12/31/96
401(a)(17) & 414(q)(6)	Repeal of family aggregation rules.	PYBA 12/31/96
401(a)(26)	Limited 401(a)(26) to defined benefit plans. Added 2 employee rule. Removed 50 employee requirement for Qualified Separate Lines of Business.	PYBA 12/31/96
401(k)	Tax-exempt organizations & Indian tribal governments may sponsor 401(k) plans.	PYBA 12/31/96
401(k)/401(m)	SIMPLE 401(k) plans. Prior year/current year testing options. Change in distribution methodology for excess contributions. First Plan Year Rule.	PYBA 12/31/96
411	Repeal of 10-year vesting schedule for multi-employer plans.	PYB on or after the earlier of (1) the later of (a) 1/1/97 or (b) the date on which the last collective bargaining agreement terminates, or (2) 1/1/99.

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411(a)(11) & 417(e)	Involuntary cashout limit increased to \$5,000.	PYBA 8/5/97
414(n)	Leased employee – primary direction and control test replaces historically performed test.	PYBA 12/31/96
414(u)	Allows plans to comply with the requirements of USERRA without creating qualification problems that might otherwise arise.	Effective with respect to reemployments initiated on or after 12/12/94.
415(b)(2)(E)	Amends 415 requirements regarding the assumptions used in the actuarial adjustments of IRC 415(b)(2)(B), (C) and (D).	LYBA 12/31/94
415(c)(1)(A)	Change in defined contribution dollar limit.	LYBA 12/31/94
415(c)(3)	Elective deferrals included in 415 compensation.	LYBA 12/31/97
415(c)(3)	Allows contributions for disabled employees (including HCEs) without first making an election.	LYBA 12/31/96
417(a)(7)	Allows waiver of 30-day minimum waiting period between explanation & annuity starting date. Explanation may be provided after annuity starting date.	PYBA 12/31/96
417(e)	Changes the prescribed actuarial assumptions used in computing the minimum value placed on certain distributions from DB plans.	For distributions with an annuity starting date in PYBA 12/31/94.

PYBA = Plan years beginning after ; LYBA = Limitation years beginning after

Note: See [Rev. Proc. 97-41](#), [Rev. Proc. 98-14](#), [Rev. Proc. 99-23](#), and [Rev. Proc. 2000-27](#) for more detailed discussions of the effective dates for the changes in qualification requirements made by GUST.

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Plan Language Issues:

[What are the major post-'98 changes made by GATT, TRA'97, SBJPA, USERRA and RRA'98?](#)

<u>IRC Section</u>	<u>Change</u>	<u>General Effective Date</u>
401(k)(12)& 401(m)(11)	Safe harbor requirements (alternative methods of meeting the nondiscrimination requirements).	PYBA 12/31/98
401(k)(3)(F) & 401(m)(5)(C)	Alternative nondiscrimination rules for 401(k) plans providing for early participation.	PYBA 12/31/98
415(e)	Repeal of combined plan 415 limit.	LYBA 12/31/99
402(c)(4)(C)/ 401(a)(31)	Change in definition of eligible rollover distribution.	For distributions after 12/31/98.

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Application for Determination for Terminating Plan

(Under section 401(a) of the Internal Revenue Code)

For IRS Use Only

Department of the Treasury
Internal Revenue Service

You must attach user fee and Schedule Q to this application. (See **What To File.**)

You must file the pink shaded copy of page 1 and the duplicate page 1 of this application. The pink shaded copy of page 1 is read by the computer and all the information filled in must be typed in either 10 pitch type, Elite type, Courier 12 type, or Titan 12 type. If you wish to computer generate this form, contact the EP OCR Coordinator at (202) 622-7288 for more information.

Review the **Procedural Requirements** on page 6 before submitting this application.

1a Name of plan sponsor (employer if single-employer plan) **1b** Employer identification number
 < _____ > < _____ >
 Address (number, street, room or suite no. (If a P.O. box, see page 2 of the instructions.)) **1c** Employer's tax year ends—N/A or (MM)
 < _____ > < _____ >
 City _____ State _____ ZIP code _____ **1d** Telephone number
 < _____ > < _____ > < _____ > < () >

2 Person to contact if more information is needed. (See instructions, **Disclosure Request by Taxpayers.**) (If same as 1a, leave blank.) (Complete even if Power of Attorney is attached):
 Name _____ >
 Address (number and street) _____ >
 City _____ State _____ ZIP code _____ Telephone number _____ >
 < _____ > < _____ > < _____ > < () >

3a Have interested parties (as defined in Treasury Regulations section 1.7476-1) been given the required notification of this application? Yes < > No < >
b If **3a** is "Yes," enter date of notification (MMDDYY) Date < >
c Has the plan received a determination letter, or, if this plan is a standardized Master or Prototype or Regional Prototype plan, an opinion, or notification letter? If "Yes," attach a copy of the latest letter Yes < > No < >
d If **3c** is "Yes," has the plan been amended since the last letter was received? If "Yes," attach a copy of the amendment(s) in addition to a copy of the plan documents Yes < > No < >
e Does the plan have a cash or deferred arrangement (section 401(k)) or employee matching contributions (section 401(m))? Yes < > No < >

4a Name of Plan (Plan name may not exceed 66 characters.):
 < _____ >
 < _____ > **b** Enter plan number (3 digits) _____ **d** Enter year plan originally effective _____
 < _____ > **c** Enter date plan year ends (MMDD) < _____ > **e** Enter number of participants in plan _____

5a If this is a defined benefit plan, enter the appropriate number at left.
 < _____ > Enter 1 for unit benefit Enter 3 for flat benefit
 Enter 2 for fixed benefit Enter 4 for other (specify) _____

b If this is a defined contribution plan, enter the appropriate number at left.
 < _____ > Enter 1 for profit sharing Enter 4 for target benefit
 Enter 2 for stock bonus Enter 5 for ESOP
 Enter 3 for money purchase Enter 6 for other (specify) _____

6a Is the employer a member of an affiliated service group?
 < _____ > Enter 1 if "Yes" Enter 2 if "No" Enter 3 if "Not Certain"

b Is the employer a member of a controlled group of corporations or a group of trades or businesses under common control?
 < _____ > Enter 1 if "Yes" Enter 2 if "No"

7 Enter type of plan:
 < _____ > Enter 1 if governmental plan Enter 2 if nonelecting church plan
 Enter 3 if multiple employer plan (described in section 413(c)). Enter number of participating employers _____
 Enter 4 if section 412(i) plan Enter 5 if other _____

8 Attach copies of records of all actions taken to terminate the plan (see instructions).
a Proposed date of plan termination (MMDDYY) < _____ >
b Will funds be distributed as soon as administratively feasible? Yes < > No < >
c Will any funds be, or have any funds been, returned to the employer? (See specific instructions.) Yes < > No < >
 If "Yes," enter the estimated amount ▶ < _____ >

Under penalties of perjury, I declare that I have examined this application, including accompanying statements, and to the best of my knowledge and belief it is true, correct, and complete. **Both copies of this page must be signed.**

Signature ▶ Title ▶ Date ▶

- 9a** If the plan has never received a determination or notification/opinion letter from IRS, attach a copy of the executed original plan document or joinder/adoption agreement, all plan amendments, trust agreement, group annuity contracts and custodial agreements. Do not complete **9b** through **9d**.
- b** Since the last letter, have any of the amendments altered the plan's vesting provisions?
- c** Since the last letter, have any of the amendments (including the termination) decreased plan benefits for any participant?

Yes	No	N/A

d Last contribution to the plan:
(1) Date (MMDDYY) **(2)** Amount \$ **(3)** For plan year ending (MMDDYY) ▶

10 Reason for termination. Check only one box to indicate primary reason for termination.

- a** Change in ownership by merger
- b** Liquidation or dissolution of employer
- c** Change in ownership by sale or transfer
- d** Adverse business conditions (see instructions and attach explanation)
- e** Adoption of new plan (see instructions and attach explanation)
- f** Other (specify) ▶

11 Indicate funding arrangement:

- a** Trust (benefits provided in whole from trust funds)
- b** Insurance contract plan described in Code section 412(i)
- c** Trust or other arrangement providing benefits partially or exclusively through insurance and/or annuity contracts not included in **11b** above.
- d** Custodial account described in Code section 401(f) and not included in **11b** or **11c** above
- e** Other (specify) ▶

12a Name(s) of trustee(s) or custodian(s) _____ **b** Telephone number () _____

Address (number and street) _____

City or town, state, and ZIP code _____

13 Coverage (see instructions): Certain collectively bargained plans do not complete **13a** (see instructions).

a Complete the following for the two plan years immediately preceding the proposed year of plan termination (current year):

2nd preceding year		1st preceding year	
Yes	No	Yes	No

Did the plan satisfy the ratio percentage test of section 410(b)(1)(B)?

If the plan did not satisfy the ratio percentage test for either of the specified years, explain on a separate attachment how the plan met the minimum coverage requirements of section 410(b).

b Enter the total number of participants employed at any time during the current plan year and each of the 5 prior plan years on the schedule below. If all such participants were fully vested at all times during such period, do not complete lines **13b(1)** through **13b(5)** and enter -0- in each column next to line **13b(6)**.

	19.....	19.....	19.....	19.....	19.....	Current year 19.....
(1) Number at beginning of plan year						
(2) Number added during the plan year						
(3) Total (add lines (1) and (2))						
(4) Number dropped during the plan year						
(5) Number at end of plan year (subtract (4) from (3))						
(6) Total number of participants in this plan separated from vesting service during the plan year without full vesting						

		Total number	Amount of monthly benefits as of the most recent payment date		
14	Summary of participants or claimants by category:				
a	Retirees and beneficiaries (including disability retirees) receiving benefits				
b	Active participants eligible for normal retirement				
c	Active participants eligible for early (but not normal) retirement				
d	Active participants vested before termination (other than normal or early retirement)				
e	All other active participants				
f	Participants separated from service with deferred vested benefits				
g	Total (Add lines 14a through 14f)				
15	Miscellaneous:		Yes	No	Not Applicable
a	As a result of the termination, are accrued benefits or account balances nonforfeitable as required under section 411(d)(3)?				
b	If annuity contracts are distributed on plan termination, are the applicable consent, present value, waiver and other rights and benefits protected by sections 401(a)(11) and 417 included in the annuity contracts?				
c	Do the accrued benefits for each participant upon termination include the subsidized benefits that the participant may become entitled to receive subsequent to the termination? (See instructions.)				
d	Were any funds contributed in the form of, or invested in, obligations or property of the employer or any controlled group of corporations or group of trades or businesses under common control?				
e	Will distribution include property other than cash?				
f	If a defined benefit or money purchase plan, do you estimate there will be an accumulated funding deficiency as of the end of the plan year during which the proposed termination date occurs if no additional plan contributions are made and no additional funding waiver is granted?				
	If "Yes," complete the following:				
	(1) Estimated accumulated funding deficiency \$				
	(2) Was a Form 5330 filed?				
	(3) Was a funding waiver granted?				
	(4) Have you attached a copy of Form 5330 or a waiver ruling?				
g	(1) If there are unallocated funds which can be reallocated to participants without exceeding the limitations of section 415, have these funds been reallocated to participants?				
	(2) If 15g(1) is "Yes," did the plan originally contain a provision allowing this reallocation?				
	(3) If 15g(2) is "No," was the plan amended to provide for this reallocation?				
h	If any funds will be or have been returned to the employer, complete 15h(1) through 15h(10) below, if applicable.				
	(1) Has the terminating plan been involved in a spinoff or other transfer of assets or liabilities, subject to Code section 414(l), within 60 months preceding the proposed date of termination? If "Yes," attach a list and an explanation of the transaction(s) involved				
	(2) Was proper notice filed with the IRS on Form 5310-A?				
	(3) Was the only transaction in 15h(1) above, a transfer of assets before any employer reversions?				
	(4) If 15h(1) is "Yes," answer (A) and (B) :				
	(A) Are the accrued benefits of all participants, in the other plan(s) included in 15h(1) , fully vested and nonforfeitable as of the date of this plan termination? (See instructions.)				

(Continued on page 4.)

15 (con't)

(B) Have cash distributions or guaranteed annuity contracts been provided for all accrued benefits, as of the date of this plan termination, of all participants in the other plan(s) included in 15h(1)? (See instructions).

Yes	No	Not Applicable
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Note: Distributions generally may not be made to employed participants in nonterminating plans.

(5) Have cash distributions or guaranteed annuity contracts been provided for all accrued benefits of all participants in this plan?

(6) Attach a statement providing the dates and amounts of these cash distributions or purchases of annuity contracts.

(7) If this is a defined benefit plan, is it intended, or is it a fact, that any or all of the participants in the terminating plan will be covered by a new or existing defined benefit plan of the employer?

(8) If "Yes," does the new plan give full prior service credit for vesting and entitlement purposes?

(9) If 15h(1) or 15h(7) is "Yes," then—

(A) Has a Form 5300 been submitted for a determination letter for the other plan(s) involved? If "Yes," attach plan numbers.

(B) Has the IRS granted approval for a change in funding method in connection with this termination for the other plan(s) involved? If "Yes," attach a copy of the approval letter(s)

(10) Did the employer previously receive a reversion of assets upon termination of a defined benefit plan in the past 15 years? If "Yes," attach explanation.

i Is this plan or trust currently under examination or is any issue relating to this plan or trust currently pending before the Internal Revenue Service, the Department of Labor, the Pension Benefit Guaranty Corporation or any court? If "Yes," attach a statement naming the agency(s) and/or court and briefly describe the issues

j Did any plan participant during the current plan year or in the 5 prior plan years, receive a single-sum distribution (see instructions) or have an annuity contract purchased by the plan from an insurance company on his or her behalf? If "Yes," state the largest amount so distributed or applied to purchase an annuity contract \$

k (1) Does the value of plan assets at termination exceed the present value of a plan's liabilities within the meaning of section 401(a)(2)?

(2) If the answer to 15k(1) is "Yes," is the excess value the result of a change in the plan provisions other than the mere termination of the plan?

l If the plan has been top-heavy, have top-heavy minimum benefits accrued or minimum contributions been made for non-key employees?

16 For defined contribution plans enter the information for the current plan year and the 5 prior plan years on the following schedule:

	19.....	19	19.....	19	19.....	Current year 19
a Employer contributions						
b Forfeitures						

17 Indicate how distributions will be made on termination (check applicable box(es)):

- a Single-sum distribution
- b Participating annuity contract(s)
- c Non-participating annuity contract(s)
- d Transfer of assets and liabilities to another plan
- e Other (specify) ▶

18 Statement of net assets available to pay benefits as of the proposed date of plan termination.

All "Other" items must be fully explained in an attachment.

Assets		At proposed date of termination	
a	Total noninterest-bearing cash ▶	a	
b	Receivables:		
	(1) Employer contributions	b(1)	
	(2) Participant contributions	(2)	
	(3) Income	(3)	
	(4) Other. (Attach a detailed explanation.)	(4)	
	(5) Allowance for doubtful accounts	(5)	()
	(6) Total. Add lines 18b(1) through 18b(4) and subtract 18b(5) ▶	(6)	
c	General Investments:		
	(1) Interest-bearing cash (including money market funds)	c(1)	
	(2) Certificates of deposit	(2)	
	(3) U.S. Government securities	(3)	
	(4) Corporate debt instruments:		
	(A) Preferred	(4)(A)	
	(B) All other. (Attach a detailed explanation.)	(4)(B)	
	(5) Corporate stocks:		
	(A) Preferred	(5)(A)	
	(B) Common	(5)(B)	
	(6) Partnership/joint venture interests	(6)	
	(7) Real estate:		
	(A) Income-producing	(7)(A)	
	(B) Nonincome-producing	(7)(B)	
	(8) Loans (other than to participants) secured by mortgages:		
	(A) Residential	(8)(A)	
	(B) Commercial	(8)(B)	
	(9) Loans to participants:		
	(A) Mortgages	(9)(A)	
	(B) Other. (Attach a detailed explanation.)	(9)(B)	
	(10) Other loans	(10)	
	(11) Value of interest in registered investment companies	(11)	
	(12) Value of funds held in insurance company general account (unallocated contracts)	(12)	
	(13) Other. (Attach a detailed explanation.)	(13)	
	(14) Total. Add lines 18c(1) through 18c(13) ▶	(14)	
d	Employer-related investments:		
	(1) Employer securities ▶	d(1)	
	(2) Employer real property ▶	(2)	
e	Buildings and other property used in plan operation ▶	e	
f	Total assets. Add lines 18a , 18b(6) , 18c(14) , 18d(1) , 18d(2) , and 18e ▶	f	
Liabilities			
g	Benefit claims payable	g	
h	Operating payables	h	
i	Acquisition indebtedness	i	
j	Other liabilities	j	
k	Total liabilities. Add lines 18g through 18j ▶	k	
Net Assets			
l	Net assets. Subtract line 18k from line 18f ▶	l	

Procedural Requirements

This list identifies certain forms and information required to process your application. These items **MUST** be included with your application.

- 1 Have you completed Schedule Q (Form 5300), Nondiscrimination Requirements?
- 2 Is the appropriate user fee and **Form 8717**, User Fee for Employee Plan Determination Letter Request, attached?
- 3 Is a copy of the plan attached?
- 4 Is a copy of the amendment(s), if any, and a statement explaining how the amendment(s) affect or change this or any other plan of the employer attached?
- 5 Is a copy of your plan's latest determination letter, if any, attached? If this plan is a standardized master or prototype or regional prototype plan, is a copy of your plan's latest opinion letter or notification letter attached?
- 6 Are both copies of page 1 of **Form 5310** signed?
- 7 Is the plan sponsor's/employer's 9-digit employer identification number entered on line 1b?
- 8 Is **Form 2848**, Power of Attorney and Declaration of Representative, attached? (See **Disclosure Request by Taxpayers**, on page 1 of the separate instructions.)
- 9 Is the year the plan was originally effective entered on line 4d?
- 10 Affiliated service groups—Is the information requested in the instructions for line 6a attached if applicable?
- 11 Are copies of all records of all actions taken to terminate the plan attached?
- 12 Is **Form 6088**, Distributable Benefits from Employee Pension Benefit Plans, attached if required?
Note: *Multiple-employer plans and certain collectively bargained plans may have to attach a Form 6088 for each employer that adopts the plan.*

ALL APPLICATIONS ARE SCREENED BY COMPUTER. FAILURE TO INCLUDE A REQUIRED ITEM WILL RESULT IN THE RETURN OF THIS APPLICATION TO YOU.

