

August 29, 2017

Sunita B. Lough
Commissioner
Tax Exempt and Governmental Entities
Internal Revenue Service

RE: Hurricane Harvey Relief

Dear Ms. Lough:

The American Retirement Association (“ARA”) is writing to formally request relief for taxpayers and service providers adversely affected by Hurricane Harvey. ARA thanks the IRS for the opportunity to provide input on these matters.

The ARA is a national organization of more than 20,000 members who provide consulting and administrative services to American workers, savers and sponsors of retirement plans and IRAs. ARA members are a diverse group of retirement plan professionals of all disciplines including financial advisers, consultants, administrators, actuaries, accountants, and attorneys. The ARA is the coordinating entity for its four underlying affiliate organizations, the American Society of Pension Professionals and Actuaries (“ASPPA”), the National Association of Plan Advisors (“NAPA”), the National Tax-deferred Savings Association (“NTSA”) and the ASPPA College of Pension Actuaries (“ACOPA”). ARA members are diverse but united in a common dedication to America’s private retirement system.

At this very moment, the remnants of Hurricane Harvey continues to cause significant damage along the Texas/Louisiana Gulf coasts. As with past storms of this magnitude, it has resulted in significant hardships for taxpayers, plan sponsors and their service providers who reside in the affected area. As a result, the ARA believes that the following relief is justified and should be granted at the earliest possible moment. Specifically:

1. Relief for taxpayers who would like to use their retirement assets in qualified retirement plans to alleviate hardships caused by Hurricane Harvey. The relief should be patterned on the relief announced after Hurricane Sandy as set forth in IRS Announcement 2012-44.
2. Like past hurricanes, Harvey struck at a particularly busy time for plan sponsors and their service providers. This is due to the pending deadline for calendar year plans that received an extension to file Form 5500 until October 16, 2017. The IRS, Department of Labor and PBGC should immediately announce relief once again patterned on past announcements such as that provided most recently for Hurricane Hermine or in the past for Hurricane Sandy. It is particularly important that relief extend to taxpayers whose books, records or Form 5500 return preparer are located in areas affected by Hurricane Matthew.

The ARA greatly appreciates your expedited consideration of our request as there is a clear need for guidance as soon as possible. If you have any questions regarding the matters discussed herein, please contact Craig Hoffman, ARA General Counsel and Director of Regulatory Affairs at (703) 516-9300. Thank you for your time and consideration.

Sincerely,

/s/

Brian H. Graff, Esq., APM
Executive Director/CEO
American Retirement Assoc.

/s/

Craig P. Hoffman, Esq., APM
General Counsel
American Retirement Assoc.

cc:


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