From: David H. Smith [mailto:dhsmith@dgclaw.com] Sent: Monday, February 01, 2010 4:49 PM To: EBSA, E-ORI - EBSA Subject: RIN 1210-AB33

I am employer that currently offers a 401K program with a dollar-for-dollar (100%) matching for my employees (about 50 total), up to the statutory maximum.

I do this because my work force is young, would not otherwise save for retirement, and I do not have faith in the Social Security System for these younger workers.

In answer to the questions raised by Item 13:

*Q: "Should some form of lifetime income distribution option be required for defined contribution plans (in addition to money purchase pension plans)?"* 

A: No. Each individual is in the best position to decide what is right for them, in accordance with their needs, wants, desires, and plans.

Q "If so, **should that option be the default distribution option**, and should it apply to the entire account balance?"

A: No, for reasons stated above. Each person knows best what is right for that person.

*Q: "* To what extent would such a requirement encourage or discourage plan sponsorship should that option be the default distribution option?"

A: I will cease offering a 401K to my employees if a lifetime income distribution option is included. I would encourage savings outside of any retirement program, but certainly would not match. I would also note that young people are not stupid and would be fully aware that such a switch to the proposed lifetime annuity would inevitably be a money-grab by the federal government of what they put away and would know better than waste their money.

This email has been scanned by the MessageLabs Email Security System. For more information please visit http://www.messagelabs.com/email