

Defined Benefit Plans Required and Optional Amendments

Following is a list of required or optional amendments for defined benefit plans since the GUST restatement. The amendments and due dates listed are applicable to DATAIR Plans. The amendments are based on a good faith interpretation of the related regulations and unless otherwise noted, have not been submitted to the IRS.

Post-GUST Amendments	Due Date
<p>Required Minimum Distribution Proposed 2001 Reg.: An amendment to adopt the proposed §401(a)(9) regulations for age 70 ½ required minimum distributions.</p> <p>Required for all Defined Benefit Plans.</p>	December 31, 2003
<p>94 GAR Table Amendment: This amendment complies with Revenue Ruling 2001-62 and adopts the 94 GAR mortality tables for distributions with annuity starting dates on or after December 31, 2002. The GAR effective date may be no later than December 31, 2002 or the Plan effective date if after December 31, 2002.</p> <p>Required for all Defined Benefit Plans.</p>	Last day of the plan year that contains the GAR effective date.
<p>Deemed Section 125 Compensation: A model amendment to adopt the provisions of Revenue Ruling 2002-27, which addresses the issue of how to include amounts from group health coverage (Deemed Section 125 compensation) as 415 Compensation.</p> <p>Optional amendment.</p>	Later of (1) end of the 2002 Plan Year, or (2) Last day of the 1 st Plan Year this definition of Compensation used.
<p>Katrina Amendment (KETRA): An amendment to provide relief given under the Katrina Emergency Tax Relief Act of 2005 (KETRA), Notice 2005-92 and Announcement 2005-70. It should be adopted if the Employer allowed distributions from the Plan under KETRA. Gulf Opportunity Zone Act extended the due date in order to provide relief for Hurricanes Wilma and Rita.</p> <p>Optional amendment.</p>	Originally, December 31, 2006 was extended to the last day of the first plan year beginning on or after January 1, 2007
<p>Economic Growth and Tax Relief Reconciliation Act (EGTRRA): A good faith amendment to adopt several changes to the Internal Revenue Code impacted by EGTRRA. This amendment also includes EGTRRA technical corrections.</p> <p>Required for all Defined Benefit Plans.</p>	Later of the end of the (1) plan's GUST remedial amendment period or (2) plan year that includes the effective date of the EGTRRA change.
<p>Automatic Rollover Amendment: An amendment to adopt the provisions of IRC §401(a)(31) to address treatment of mandatory distributions from the plan.</p> <p>Required for all Defined Benefit Plans.</p>	Later of (1) December 31, 2005, (2) the end of the plan year that contains March 28, 2005, or (3) the tax filing deadline for the employer's tax year containing March 28, 2005.

Post-GUST Amendments (con't)	Due Date
<p>Pension Funding Equity Act (PFEA): An amendment to adopt to the Applicable Interest Rate provisions in IRC §415(b)(2)(E)(ii) to any optional forms of benefits that are subject to 417(e)(3). Extended by PPA'06 to the 2008 Plan Year and by Worker, Retiree and Employer Recovery Act of 2008 (WRERA) to January 1, 2009</p> <p>Required for all Defined Benefit Plans.</p>	<p>Original deadline was the last day of the 1st plan year beginning on or after January 1, 2006. Extended to January 1, 2009.</p>
<p>Final Required Minimum Distribution Regulation and Optional Form of Benefits: An amendment for Defined Benefit Plans to adopt the provision of Treasury Regulation 1.401(a)(9)-6 and elect Optional Forms of Benefits. It is generally effective for Limitation Years beginning on or after July 1, 2007.</p> <p>Optional amendment.</p>	<p>Later of (1) the Limitation Year beginning on or after July 1, 2007; (2) the end of Plan Year that includes the effective date of the optional provisions; or (3) by the end of EGTRRA Remedial Amendment Period.</p>
<p>2007 Interim Amendment: An interim amendment for Defined Benefit Plans to incorporate required plan changes from the 2006 Cumulative List of Plan Qualifications. It includes changes in Normal Retirement Age, Final 415 Compensation, post-severance compensation and other grandfather rules for Code section 415; along with new vesting requirements for Accrued Benefits.</p> <p>Required for all Defined Benefit Plans.</p>	<p>Plan effective date. Later of the last day of (1) the plan years beginning on or after January 1, 2007 or (2) the limitation year beginning on or after July 1, 2007.</p>
<p>417(e)(3) Amendment Interest and Mortality Amendment: An amendment to change interest rates and mortality tables used for Defined Benefit Plans. Effective for distributions with annuity start dates occurring during the Plan Year beginning on or after January 1, 2008.</p> <p>Optional amendment.</p>	<p>Later of the (1) last day of the plan years beginning on or after January 1, 2008 or (2) the end of plan year that includes the effective date of the provisions.</p>
<p>PPA '06 Amendment for Cessation or Reinstating Lost Accruals: An amendment for Defined Benefit Plans to either stop or reinstate accruals that were lost by operation of the new funding rules under IRC § 436 for Plan Years beginning on or after January 1, 2009.</p> <p>Optional amendment.</p>	<p>Adopt by the end of plan year that includes the effective date of the provisions.</p>
<p>2009 PPA Interim Amendment: An interim amendment for Defined Benefit Plans to include the plan qualification requirements from the 2008 Cumulative List, PPA'06 and technical corrections from the Workers, Retiree, and Employer Recovery Act of 2008 (WRERA). The effective date should be the first day of the Plan Year beginning on or after January 1, 2009.</p> <p>Required for all Defined Benefit Plans.</p>	<p>Last day of the 2009 Plan Year.</p>
<p>Retroactive Annuity Starting Date (RASD): An amendment for plans to extend Qualified Joint and Survivor Annuity explanations up to 30 days after the explanation is furnished. Effective for plan years beginning on or after January 1, 2004.</p> <p>Optional amendment.</p>	<p>December 31, 2005</p>

Special Core Amendments	Due Date
<p>2009 Core Amendments. DATAIR has adopted as part of the core documents the following amendments:</p> <ul style="list-style-type: none"> ▪ DATAIR Trust Amendment - For all documents; GUST, Post- GUST and EGTRRA prototypes and volume submitters using the DATAIR Trust. The amendment is an insertion or replacement of language regarding the Trustees' responsibility to collect delinquent contributions. <p>Required for all Defined Benefit Plans.</p>	<p>Unless otherwise stated, the 2009 Core Amendments are immediately incorporated as provisions of the core plan.</p>

Plan Termination Amendments	Due Date
<p>Defined Benefit Plan Termination Amendment Part 1: An amendment for terminating Defined Benefit Plans to include Minimum Distribution Requirements for Plan Years beginning on or after January 1, 2003 and to incorporate by reference the provisions of the Pension Funding Equity Act (PFEA) Code section 415(b)(2)(E)(ii), effective for Plan Years beginning on or after January 1, 2004.</p> <p>Required amendment all Defined Benefit Plans terminating prior to 2008.</p>	<p>Date of Plan Termination prior to 2008.</p>
<p>Defined Benefit Plan Termination Amendment Part 2: An amendment for DB plans terminating prior to 2008. This Amendment should be adopted along with the Defined Benefit Plan Termination Amendment Part 1. It is based on plan qualification requirements from the 2006 Cumulative List of Plan Qualification Requirements.</p> <p>Required amendment all Defined Benefit Plans terminating prior to 2008.</p>	<p>Date of Plan Termination prior to 2008.</p>
<p>Amendment for Defined Benefit Plans Terminating in 2008: An amendment for Defined Benefit Plans terminating in 2008; includes plan qualification requirements from the 2007 Cumulative List of Plan Qualification Requirements and applicable PPA 2006 requirements.</p> <p>Required amendment all Defined Benefit Plans terminating in 2008.</p>	<p>Date of 2008 Plan Termination.</p>
<p>Amendment for Defined Benefit Plans Terminating in 2009: An amendment for Defined Benefit Plans terminating in 2009. This amendment includes the plan qualification requirements from the 2008 Cumulative List, provisions from PPA '06, EESA'08, WRERA '08 and HEART. The effective date should be the first day of the Plan Year beginning on or after January 1, 2009.</p> <p>Required amendment all Defined Benefit Plans terminating in 2009.</p>	<p>Last Day of the 2009 Plan Year.</p>