

New York Life Insurance Company
51 Madison Avenue, New York, NY 10010
212 576-7196

James J. Tomney
Assistant Vice President

2520052094125



December 20, 1996

Top Hat Plan Exemption
Pension and Welfare Benefits Administration, Room N-5638
U.S. Department of Labor
200 Constitution Avenue NW
Washington, DC 20210

Dear Secretary of Labor:

The New York Life Insurance Company has filed a statement for its "top-hat" plans under the DOL's Delinquent Filer Voluntary Compliance Program. In accordance with DFVC Program rules, this statement is also being filed with the Secretary of Labor in accordance with DOL § 2520.104-23:

- A. Name and address of Employer:
New York Life Insurance Company
51 Madison Avenue
New York, NY 10010

- B. Employer Identification Number:
13-5582869

- C. New York Life Insurance Company maintains the following Plans primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees:
 - 1. New York Life Insurance Company
Executive Officers' Deferred Compensation Plan
Number of Participants: 106

 - 2. New York Life Insurance Company
Field Sales Employees' Deferred Compensation Plan
Number of Participants: 50

 - 3. New York Life Insurance Company
Excess Benefit Pension Plan
Number of Participants: 113

 - 4. New York Life Insurance Company
NYLIC Retirement Excess Benefit Plan
Number of Participants: 24

Top Hat Plan Exemption

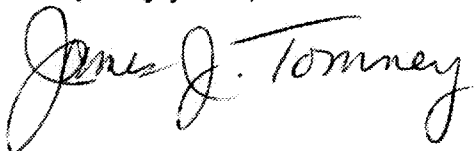
page 2

December 20, 1996

5. New York Life Insurance Company
Excess Employee Progress-Sharing Investment Plan
Number of Participants: 265
6. New York Life Insurance Company
Excess Agent Progress-Sharing Plan
Number of Participants: 1

All participant counts are as of 12/31/95.

Very truly yours,

A handwritten signature in cursive script that reads "James J. Tomney". The signature is written in dark ink and is positioned below the text "Very truly yours,".

New York Life Insurance Company