

BY CERTIFIED, RETURN RECEIPT REQUESTED MAIL

**TOP-HAT PLAN EXEMPTION STATEMENT<sup>1</sup>**

June 6, 2006

Top-Hat Plan Exemption  
Employee Benefits Security Administration  
Room N-1513  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, DC 20210

Employer Name: Families USA Foundation, Inc.

Address: 1201 New York Avenue, NW, Suite 1100, Washington, DC 20005

Employer EIN: 04-2730934

Name of Plan:<sup>2</sup> Families USA Foundation, Inc. 457(b) Plan

This Plan is maintained for a select group of management or highly compensated employees.

Number of Plans: One (1)

Number of Employees in Plan: Currently two (2)

<sup>1</sup> A tax-exempt organization must maintain a 457 plan as a "top-hat plan" within the meaning of ERISA to avoid application of certain ERISA provisions that are inconsistent with the requirements of Code §457. The employer must file this statement to exempt the top-hat plan from ERISA Title I reporting and disclosure requirements. The employer must submit this statement to the DOL no later than 120 days after the plan becomes subject to Part 1 of Title 1 of ERISA. DOL Reg. §2520.104-23(b). A plan generally becomes subject to Part 1 of the Title 1 of ERISA on the later of the date of adoption or the effective date of the plan. See DOL Reg. §2520.104b-2(a)(3). A governmental 457 plan is not subject to ERISA and need not file this statement.

<sup>2</sup> See DOL Reg. §2520.104-23. Although the regulations do not require the name of the plan, the employer could include the plan name.

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U.S. DEPARTMENT OF LABOR  
EMPLOYEE BENEFITS SECURITY ADMINISTRATION

