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Michele E. Rinn

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November 18, 2008

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

Re: Statement Pursuant to 29 C.F.R. § 2520.104-23

Ladies and Gentlemen:

This statement is filed on behalf of the American Petroleum Institute ("API") pursuant to 29 C.F.R. § 2520.104-23.

API's name, address, and employer identification number are as follows:

American Petroleum Institute
1220 L Street, NW
Washington, DC 20005
EIN: 13-0433430

API recently added a pension benefit plan for the purpose of providing deferred compensation for a newly hired executive. As a result, API now maintains four employee pension benefit plans primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employee and for which benefits are paid as needed solely from the general assets of the employer. There are currently [nine] employees in one plan, [three] employees in a second plan, and one employee in each of the other two plans.

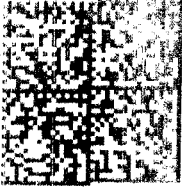
Sincerely,

A handwritten signature in black ink that reads "Michele Rinn".

cc: Michael J. Francese, Covington & Burling LLP



1220 L Street, NW
Washington, DC 20005-4070
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