

Whitney Museum of American Art  
945 Madison Avenue at 75th Street  
New York, NY 10021  
www.whitney.org

Tel. (212) 570-3676

2520092100610

EBSA/PUBLIC DISCLOSURE

2009 JUL -7 AM 6:48

June 25, 2009

**CERTIFIED MAIL/RETURN RECEIPT REQUESTED**

Top Hat Plan Exemption  
Pension and Welfare Benefits Administration  
Room N-5644  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, D.C. 20210

Dear Sir or Madam:

In compliance with the requirements of the alternative reporting and disclosure method under Part 1 of Title I of the Employee Retirement Income Security Act of 1974 for unfunded plans for a select group of management or highly compensated employees, specified in Department of Labor Regulations §2520.104-23, the following information is provided by the undersigned employer:

Name and Address  
of Employer: Whitney Museum of American Art  
945 Madison Avenue  
New York, NY 10021


Employer Identification  
Number: 13-1789318

Number of Plans: One

Number of Participants  
covered by the Plan: Nine

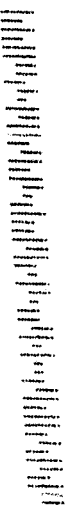
The undersigned maintains the plans primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees of the undersigned.

Whitney Museum of American Art

By: 

Title: AMY ANDERSON

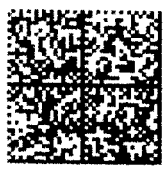
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