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**Sent:** Thursday, August 07, 2008 1:53 PM

**To:** EBSA, E-ORI - EBSA

**Cc:** 'Toby Tobleman'

**Subject:** Participant Fee Disclosure Project

I have read a summary of your proposed regulations Sec. 2550.404a-5, and I have one suggestion for improvement. Instead of performance data for the last 1-year, 5-year, and 10-year periods, I would prefer to see data for 1-year, 3-year, and 5-year periods if you are going to limit the requirement to 3 periods. There are quite a few relatively new, very good mutual funds with under a 5-year track record and even more that are under 10 years old. While the emphasis for a 401(k) plan should be long term, if a participant has performance data for only the last 1-year period because a fund is under 5-years old, he or she would only be able to have a short term measurement of performance of that fund.

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