



A number of our AGC Chapters across the country have recognized the need to offer retirement tools to their members. In response, these AGC Chapters have established MEPs that offer retirement options to employees of their members. However, there are currently significant disadvantages to participating in a MEP, such as the joint liability for the qualification failures of every other employer in the MEP (known as the “one bad apple rule”). While this provision is not the jurisdiction of the DOL, we ask the agency to encourage the Treasury Department and Internal Revenue Service to address this issue as quickly as possible.

Additionally, AGC supports the comments submitted by the U.S. Chamber of Commerce (“Chamber”) related to the proposed rule and encourages the Department to consider them wholeheartedly. The Chamber