



DP3 Chairman's Letter

April 5, 2009

It has come to our attention that some retirees who retired on or before January 1, 1997 (or after that date if you retired under the contract 96 early retirement program) were not aware of a special contractual provision that allows them to receive a reimbursement from Delta for their Medicare Part B Premiums (this provision was eliminated effective January 1 1997 for retirees who retired after that date.) Apparently some retired pilots were automatically enrolled in this program while others were not, and some retirees did not even know the reimbursement existed. If you are a **pre-January 1997** retiree and are not currently receiving this benefit, please notify DP3 and the Delta Employee Service Center immediately. (1-800-MY-DELTA)

Nominations for DP3 Trustee will close on April 15. In an earlier Chairman's letter I erroneously listed the date for the closing of nominations as March 31, but the current DP3 Bylaws call for the nominations to close, and the elections to begin on April 15. After the 2009 annual election cycle is complete, we will probably modify the bylaws to specify that nominations will close a few days prior to the start of the election to allow the Nominating Committee time to review and process the nominations. We are still looking for a few good candidates, so if you are a current Honor Roll member we encourage you to nominate yourself or another worthy retiree to serve as a DP3 Trustee.

DP3's R&I Committee Chairman, Tom Seever has discovered a mistake in the initial calculations of PBGC benefits for a few retirees. Tom only has access to a limited number of PBGC calculations, so we have no way to estimate how many retirees this might affect. DP3 disagrees with the manner in which the PBGC is using the five year lookback authority to reduce the annual earnings limits used to calculate our benefit. While we will not be able to resolve that disagreement until some time later, after we have exhausted all administrative remedies, Tom has discovered that in at least some instances, Delta computed initial benefits using a 3 year averaged earnings limit of \$166,666, which was clearly outside the five year lookback window (the lowest limit within five years of plan termination was \$170,000.) So far we have only discovered this error in calculations for some retirees who retired in 2002 or 2003, but if your own PBGC benefit calculations are based on a monthly 401(a) earnings limit of \$13,888.80 instead of \$14,166.67, please contact Tom Seever via the link at www.dp3.org. (If you have not visited our website recently, you will find that it has been vastly improved.)

This past week we have learned that the Social Security Administration has finally reached a "universal" decision on the increased Medicare Part B premiums for retired pilots who experienced a spike in their normal income in 2007 due to the Delta bankruptcy claims distributions. In an internal bulletin the SSA has decided that the termination of our defined benefit plan is one of the qualifying events that will lead to a review of your earnings. This is an internal SSA bulletin and so far they refuse to release it to the public, and you cannot access the bulletin on their website, but if you have appealed your premium increase and have not heard back from the SSA, you should contact them and ask the agent to research bulletin EM 09009.

So far over a thousand retired pilots have responded to our annual dues solicitation for 2009. Thank you for the support we critically need at this point in our effort to restore our lost benefits. DP3 can only function with your financial support and we need all retired Delta pilots to back our efforts as we institute new initiatives to protect and recover our earned benefits. Unfortunately some retirees have not updated their email addresses with DP3 so we did not reach all of our past Honor Roll members with the dues notification. A new Honor Roll (HR) is now posted at http://www.dp3.org/ns/honor_roll_new.html. If you know a retired Delta pilot who is not currently listed as a DP3 Honor Roll member, please help recruit them to become HR members.

As we continue to press DP3's legislative agenda, our relationship with the NRLN is already paying huge dividends. Just last week NRLN President Bill Kadereit presented a whitepaper written by DP3 and supported by the NRLN, to key congressional committee chairmen. (For strategic reasons we do not plan to release the contents of the paper until we have recruited a significant number of congressional supporters.) Another positive development is that last week President Obama nominated Phyllis Borzi, NRLN's legal counsel for ERISA matters, to serve as the Assistant Secretary of Labor.

On Wednesday, April 8 the DP3 Trustees will hold our monthly conference call and we will provide another update following that meeting.

Will Buergey
Chairman, DP3