

Pension Benefit Guaranty Corporation

76-84

June 18, 1976

REFERENCE:

[*1] Miscellaneous

OPINION:

This has reference to your letter of June 2, 1976, to Mr. which I have been asked to answer.

As I explained in our telephone conversation of June 1, the Pension Benefit Guaranty Corporation takes the position that its determinations, when communicated as final decisions by the Executive Director, constitute final agency action for purposes of exhausting administrative remedies. Accordingly, the PBGC would not urge an exhaustion defense in any proceedings in federal district court brought subsequent to issuance of such a decision. I cannot therefore advise you as to the existence of "additional administrative remedies."

Christine O. Cook
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