



November 29, 2023

Filed electronically at www.regulations.gov

Office of Regulations and Interpretations
Employee Benefits Security Administration
Docket ID: EBSA-2023-0014
Department of Labor
200 Constitution Avenue NW
Washington, DC 20210

Re: Request to Testify at Hearing on Proposed Definition of an Investment Advice Fiduciary and Associated Prohibited Transaction Exemption Amendments

Dear Sir or Madam:

On behalf of the SPARK Institute, Inc, we are writing to request an opportunity to testify at the virtual public hearing that is scheduled for December 12-14 regarding the Department of Labor's ("the Department's") proposed amendments to the definition of an investment advice fiduciary and related prohibited transaction exemptions.

Individual who will be testifying:

Adam McMahon
Partner, Davis & Harman LLP
1455 Pennsylvania Avenue NW, Suite 1200
Washington DC, 20004
armcmahon@davis-harman.com
202-662-2279

Organization whose views will be represented:

Mr. McMahon will be testifying on behalf of the SPARK Institute.

The SPARK Institute represents retirement plan recordkeepers, mutual fund companies, brokerage firms, insurance companies, banks, consultants, trade clearing firms, and investment managers. Collectively, our member firms administer the retirement plans for over 110 million American workers.

The SPARK Institute has not yet submitted written comments on the proposal. However, the SPARK Institute plans to submit written comments by the January 2, 2024 deadline.

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The SPARK Institute appreciates the opportunity to testify at the upcoming hearing. If you have any questions, please contact the SPARK Institute's outside counsel, Adam McMahon, Davis & Harman LLP (armcmahon@davis-harman.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Rouse". The signature is fluid and cursive, with a prominent initial "T" and a long, sweeping underline.

Tim Rouse
Executive Director