



**Association of Ohio  
Life Insurance Companies**  
100 South Third Street  
Columbus, Ohio 43215-4291  
(614) 227-4899  
www@aolic.com

**Legislative Counsel:**  
Bricker & Eckler LLP

Kurtis A. Tunnell  
(614) 227-8837  
ktunnell@bricker.com

Gregory J. Lestini  
(614) 227-4893  
glestini@bricker.com

Marjorie J. Yano  
(614) 227-8961  
myano@bricker.com

The Honorable Thomas E. Perez  
United States Department of Labor  
200 Constitution Ave., NW  
Washington, D.C. 20210

July 21, 2015

Dear Secretary Perez,

On behalf of the Association of Ohio Life Insurance Companies (“AOLIC”), we write to share our concerns about certain critical elements of the proposed fiduciary rule proposed by the U.S. Department of Labor (“Department”). The members of AOLIC agree that the interests of the client should always be put before the financial interests of a retirement advisor. Accordingly, we are concerned that, as written, the proposed rule will limit the ability of financial professionals and agents to provide important investment support and information to their clients.

The Association of Ohio Life Insurance Companies is a statewide trade association representing thirteen of the largest life insurance companies in the world, both domestic and foreign. Our companies provide life, annuities, and limited health coverage to millions of Ohioans across the state.

With Americans living longer than ever before, the members of AOLIC provide vital guidance, information and support to ensure their clients and policyholders are financially prepared for retirement. We work with businesses and individuals to provide retirement annuities and other products that offer guaranteed lifetime income protection and supplement social security benefits. Additional benefits we provide to our policyholders include education about retirement planning and asset allocation, as well as administrative and investment support.

As currently drafted, we are concerned that certain elements of the proposed fiduciary rule and the proposed new and revised prohibited transaction exemptions will severely limit the support we are able to provide

**MEMBER COMPANIES**

Anthem Life Insurance Co.  
Columbus, Ohio

The Cincinnati Life Insurance Co.  
Cincinnati, Ohio

Genworth Financial, Inc.  
Richmond, Virginia

Grange Life Insurance Co.  
Columbus, Ohio

Great American Financial Resources, Inc.  
Cincinnati, Ohio

The Guardian Life Insurance Co. of America  
New York, New York

MetLife  
New York, New York

Motorists Life Insurance Co.  
Columbus, Ohio

Nationwide Financial Services  
Columbus, Ohio

New York Life Insurance Co.  
New York, New York

Ohio National Life Insurance Co.  
Cincinnati, Ohio

The Prudential Insurance Co. of America  
Newark, New Jersey

Western Reserve Life Assurance Co. of Ohio  
St. Petersburg, Florida

Western & Southern Financial Group  
Cincinnati, Ohio

our policyholders and will prevent us from offering certain products and services that could help Americans prepare for a more financially secure retirement.

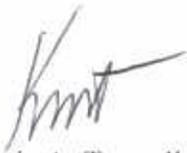
Specifically, the “best interest contract exemption” or “BICE” appears to create a preference against commission-based compensation. Many plans for small and mid-sized business and personal accounts are now offered through a commission-based system. This is generally a more affordable option for these clients, and transitioning to a fee-based compensation system will leave these individuals and businesses without access to products and services.

In addition, the rule includes a broad definition of “fiduciary” to include those who make recommendations to individuals or plan sponsors regarding investments, annuities, and other insurance contracts and rollovers and distributions. Our members provide education materials and explanation of benefits information and could face increased liability if this provision is triggered. Policyholders use the information provided by AOLIC members to learn more about plan benefits and to make educated decisions about their investment opportunities. Accordingly, our independent agents will be hesitant to have extensive and informed conversations with their clients about important retirement and financial planning tools. Eliminating these opportunities for education will leave policyholders without the information they need to make the best investment and retirement decisions.

We agree with the Department’s belief that financial professionals should always place the client’s best interests above their own. As written, we believe this rule and the proposed exemptions will detrimentally impact our clients and policyholders, reducing access to valuable products and to the support needed to make informed financial decisions – having the adverse impact intended by the Department.

In 2009, the Treasury Department issued three initiatives to encourage Americans to invest and save for retirement, recognizing the importance of guaranteed lifetime income. The members of AOLIC work daily to ensure our clients receive reliable information about their retirement options. We encourage the Department to modify this proposed rule, to ensure consumers are still able to receive these important education and administrative services. We are happy to make ourselves or our members available to you to discuss these issues further.

Sincerely,



Kurtis A. Tunnell



Gregory J. Lestini



Marjorie J. Yano

cc: The Honorable Steve Chabot  
The Honorable Brad Wenstrup  
The Honorable Joyce Beatty  
The Honorable Jim Jordan  
The Honorable Robert Latta  
The Honorable Bill Johnson  
The Honorable Bob Gibbs  
The Honorable John Boehner  
The Honorable Marcy Kaptur  
The Honorable Michael Turner  
The Honorable Marcia Fudge  
The Honorable Pat Tiberi  
The Honorable Tim Ryan  
The Honorable David Joyce  
The Honorable Steve Stivers  
The Honorable Jim Renacci  
The Honorable Sherrod Brown  
The Honorable Rob Portman