



September 26, 2016

Office of Regulations and Interpretations  
Employee Benefits Security Administration  
Room N-5655  
U.S. Department of Labor  
200 Constitution Avenue N.W.  
Washington, DC 20210

RE: **Proposed Rule on Savings Arrangements Established by State Political Subdivisions for Non-Governmental Employees (RIN 1210-AB76)**

Dear Secretary Perez:

The Economic Opportunity Institute (EOI) applauds the Department of Labor's issuance of RIN 1210-AB71 related to states and this proposed regulation related to political subdivisions. EOI has long supported the program design ("Secure Choice") described in these regulations that allows state and local governments to setup simple, low-cost, easy-to-manage retirement savings plans with automatic enrollment to encourage retirement savings at work.

As a not-for-profit public policy institute located in and focused on Washington State, EOI was also a leading proponent of the Washington State Small Business Retirement Marketplace ("Marketplace") that is described in Interpretive Bulletin 2015-02. The Marketplace is a voluntary option that is intended to make it easier for smaller employers to establish a basic retirement savings plan. While a step in the right direction for Washingtonians, the Marketplace is less comprehensive than a Secure Choice program because it does not provide access to retirement savings plans for those workers whose employers choose to not establish a plan.

EOI understands that the City of Seattle is potentially interested in establishing a Secure Choice program, but would not be permitted to do so because of paragraph (h)(4)(iii) of the proposed regulation that excludes political subdivisions located in a State that has a state-wide retirement savings program, which is defined to include a marketplace or other such program described in Interpretive Bulletin 2015-02. The Department intends this provision to mitigate issues of overlap and duplication between programs offered by a state and its political subdivisions. As one of its architects, EOI does not believe that the Marketplace would overlap or be duplicative of a Secure Choice program established by a Washington State political subdivision because employer participation in the Marketplace is voluntary and those employers who choose to establish such a plan would be excluded from the Secure Choice program established by the political subdivision. **EOI recommends that the Department revise (h)(4)(iii) to only exclude those political subdivisions located in a State with a Secure Choice program.**

EOI commends the Department's actions to address the looming retirement crisis and urges the Department to revise the proposed regulation as described to allow a greater number of workers to access a workplace retirement savings plan.

Respectfully submitted,

John R. Burbank  
Executive Director  
Economic Opportunity Institute