

PUBLIC SUBMISSION

Received: March 13, 2017
Status: Pending_Post
Tracking No. 1k1-8v8g-u2ab
Comments Due: April 17, 2017
Submission Type: Web

Docket: EBSA-2010-0050

Definition of the Term Fiduciary; Conflict of Interest Rule - Retirement Investment Advice; Best Interest Contract Exemption; etc.

Comment On: EBSA-2010-0050-3491

Definition of Term Fiduciary; Conflict of Interest Rule-Retirement Investment

Document: EBSA-2010-0050-DRAFT-14100

Comment on FR Doc # 2017-04096

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General Comment

1. Merits of the rule far outweigh any weaknesses. An imperfect fiduciary rule is better than no rule.
2. Investment advice is rife with conflicts of interest. Those who sell investment products under the guise of providing investment advice are often incited to sell high-cost and inappropriate vehicles if their compensation is based on commissions and kickbacks from the provider of such products. Such activity acts to reduce the returns available to savers by increasing upfront costs and the creation of ongoing frictional costs imbedded in the product or service (trading commissions and early withdrawal fees or penalties as an example)
3. The rule already provides for "prohibited transaction exemptions" which would allow sales individuals to continue to receive a variety of forms of compensation that would otherwise violate prohibited transaction rules.
4. Bottom line, the investment industry needs to place clients' interests above all else. This rule, by requiring practitioners to act as fiduciaries, will improve the chances of that happening by distinguishing fiduciaries from sales people.
5. As for the argument that the rule will deprive retirement savers from crucial information that will assist in their savings efforts, this is a false argument which

ignores the reality of today's investment industry. There are plenty of companies which provide very low-cost investment products and free educational information on how to save for retirement. Ignorance of how to save is not remedied by bad advice. Just the opposite - bad advice based on conflicts of interest will act to discourage savings by increasing the level of distrust of the investment industry.

6. Rule implementation should not be delayed. Doing so would only act to jeopardize its full implementation and continue to cost investors.