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Definition of the Term ‘Fiduciary’; Conflict of Interest Rule—Retirement Investment Advice; Notice of proposed rulemaking and withdrawal of previous proposed rule.

Comment On: EBSA-2010-0050-0204

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

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Submitter Information

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General Comment

The proposed rule known as Definition of the Term Fiduciary; Conflict of Interest Rule-Retirement Investment Advice should not become a rule at all. For one, there exists no conflict of interest where paying subscribers from all walks of life independently seek investment advice from a website sent out to all subscribers at once periodically. For another, the proposed rule would actually place the savings of many citizens (such as retirees, for example) at much higher risk by limiting their potential. Some people on fixed incomes depend on options trading for growing their wealth, for income generation and actually for protection of their IRA accounts. This is not to say that a trade can't go bad at some time, but a 100% success rate is probably rare anyway, and the limited risk involved is calculated ahead of time by the educated trader. Many have studied hard and learned well how to trade options relatively safely. Of course, understanding the dangers of unlimited risk in options trading is critical. In part this knowledge comes from some of the same professionals whose ability to share such knowledge under this proposed rule would be curtailed. The underlying assets involved are dividend-paying blue-chip stocks of large established companies that many of you probably already know. Therefore, these options traders are buying and selling shares of some of the most stable companies in the market. These assets (or their cash equivalents) have the kind of value most people would likely want to own. Any person at an advisory website or brokerage firm should have years of experience under their belt in options trading at some of the best Wall Street firms, a proven track record in options trading or a comparable background. The entire issue should remain as a matter of "buyer beware" and should not be made subject to rulemaking. Therefore, I urge you not to move forward with this proposed rule.