

PUBLIC SUBMISSION

As of: 7/20/15 2:57 PM
Received: July 20, 2015
Status: Pending_Post
Tracking No. 1jz-8k35-kiyy
Comments Due: July 21, 2015
Submission Type: Web

Docket: EBSA-2010-0050

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-2010-0050-0205

Definition of Fiduciary; Conflict of Interest Rule-Retirement Investment Advice and Related Proposed Prohibited Transaction Exemptions; Hearing and Comment Period Extension

Document: EBSA-2010-0050-DRAFT-2547

Comment on FR Doc # 2015-14921

Submitter Information

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General Comment

In blunt terms, this proposed rule will have the opposite effect of its intent. I agree that there are inherent issues with the current standard practice. It is however possible to adjust the current system to have the desired outcome.

The rule will severely limit the investment options available to smaller retirement investors. The rule will drive droves of good financial planners, advisors and registered representatives out of this market by making it no longer profitable to provide these valuable services to this underserved segment of the population. The middle class investor is in desperate need of good investment education, advice and guidance. In our schools these topics are not taught and often the subject of rules of thumb or tips from friends and family that is more often than not, inaccurate or inappropriate. There are any number of studies that show the investor returns are higher when a financial professional is involved. Too often investment and investor returns are confused for being the same thing. They are not. Investors are fearful and in need of guidance to prevent them from doing the wrong things at the worst possible time.

I have been a certified financial planner since 1993 and it is disturbing that my life's work is brushed with the same stroke as unscrupulous predatory agents and brokers. Enforce the existing laws ignored by these same unscrupulous advisors. Adjustments to compensation and enhanced

compliance oversight would be two of a number of options to rectify the issue. Changing an entire industry from an agency or department that does not oversee its day-to-day operations is dangerous at the least and potentially could have far ranging impacts to the investment markets as a whole. The number of investment professionals that would no longer be able to continue in the business alone would have a huge impact on the economy. This would consolidate the investment options into a smaller number of very large firms further limiting the options for small investors. To me it appears these unintended consequences need a more complete consideration.