

July 24, 2015

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

Re: Conflict of Interest Rule Hearing

The Financial Services Institute (FSI) requests the opportunity to testify at the hearing scheduled for August 10-13, 2015 by the Employee Benefits Security Administration of the Department of Labor concerning the proposed conflict of interest rule and related proposed prohibited transaction exemptions. FSI is an advocacy association comprised of members from the independent financial services industry, and is the only organization advocating solely on behalf of independent financial advisors and independent financial services firms. FSI's members are in a unique position to provide financial advice and services to a wide array of investors, particularly investors with small account balances and those just starting their retirement planning.

On July 21, 2015, FSI submitted written comments in response to the proposed conflict of interest rule and related proposed prohibited transaction exemptions. FSI also submitted a request for an extension of the comment period on April 20, 2015, and previously provided comments on the Department's 2010 proposal. We support a carefully-crafted, uniform fiduciary standard of care that would be applicable to all professionals providing personalized investment advice to retail clients. However, FSI is concerned that the current Proposal is likely to restrict the ability of small investors to access affordable financial advice, and will create a new regulatory regime that is too complex, cumbersome, and costly to manage.

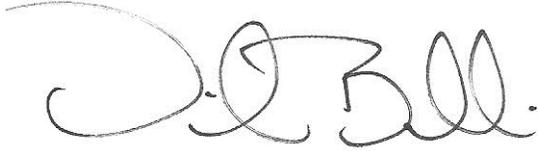
[Dale Brown](#), President and CEO of FSI, and [W. Mark Smith](#), Partner at Sutherland Asbill & Brennan LLP, will testify on behalf of FSI.

Outline of Testimony:

- I. Preserving Investors Access to Financial Advice and Financial Professionals (Dale Brown)
  - a. Independent Financial Services Firms and the Market for Financial Advice
  - b. Data and Research Demonstrating Benefits of Working With a Financial Advisor
  - c. Creating a Workable Path Forward for Investors and Financial Advisors
- II. Technical Concerns Regarding the Department's Proposal (Mark Smith)
  - a. Significant Concerns with the Best Interest Contract Exemption
  - b. An Alternative Uniform Best Interest Standard
- III. Closing Remarks (Dale Brown)

Thank you for your consideration of our request. We look forward to participating in this important hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "D. T. Bellaire". The signature is fluid and cursive, with a large initial "D" and "T" followed by "Bellaire".

David T. Bellaire, Esq.  
Executive Vice President & General Counsel