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FINANCIAL GROUP

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March 9th, 2017

Office of Regulations and Interpretations
Employee Benefits Security Administration
Room N-5655 Suite 400
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

RE: Comments in Support of 60-Day Delay in Applicability Date of Fiduciary Rule, Employee Benefits Security Administration, RIN 1210-AB79 (82 *Fed. Reg.*12319, March 2, 2017) ("NPRM of March 2, 2017")

Ladies and Gentlemen:

On behalf of Nations Financial Group, Inc. (“NFGI”), a broker-dealer and investment advisor supporting independent advisors around the country, we write in strong support of the U.S. Department of Labor (“Department”) proposal to delay at least sixty days, from April 10, 2017, to June 9, 2017 the applicability date of the final rule titled "Definition of the Term 'Fiduciary;' Conflict of Interest Rule--Retirement Advice" (“Rule”) that the Department published in the *Federal Register* of April 8, 2016.

We always believe in acting in the best interests of our clients. We also believe that a delay of sixty days or more is in our client’s best interest and is essential and reasonable:

(1) to permit the Department of Labor to carry out effectively the President's direction in his memorandum to the Secretary of Labor dated February 3, 2017.
(2) to avoid unnecessary and unwarranted disruption of and expenditures by small and independent businesses in the financial services industry.
(3) to avoid potential client confusion and disruption.

In many cases the proposed policy changes already announced by the financial industry in anticipation of the current Rule are resulting in reduced services to smaller retirement accounts.

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We are seeing a limiting of investment choices and in a number of cases increasing expenses to customers. All negative impacts for our clients. As a consequence, we believe that the proposed delay would allow the Department to accept additional comments, evaluate and possibly amend the current Fiduciary Rule which we believe would be in our client's best interests.

The Department of Labor must carry out the directives the President issued in the February 3, 2017 memorandum requesting an examination of the impact of the final Fiduciary Rule. Whereas we support the 60-day delay request we would suggest that substantially more time, possibly as much as six to twelve months may be needed for the Department to appropriately conduct the review that the President has directed.

Given the Departments review of the Rule directed by Presidential memorandum, there is a substantial possibility that the Department may determine that it would be appropriate to revoke or modify the Rule. Should this occur it would necessitate another round of compliance activity by the financial services industry either to unwind its previous compliance process, or to revise it to meet the modified requirements of yet another version of the fiduciary rule.

Small and large businesses alike have the same obligations to implement changes to be in compliance with any rule. However, while large corporations may have substantial resources including staff attorneys and accountants necessary to deal with a start-and-stop sequence of rules concerning the definition of a fiduciary, small businesses such as NFGI certainly do not. As the Department previously stated over 90% of broker-dealers and registered investment advisors, like NFGI and our Advisors, are small business per the Small Business Administration. Not delaying the Rule until a true final version is in place could have a very sizable negative impact on our advisors and the small business community within the financial services industry.

As to the effective date of a proposed delay we would support an immediate effective date upon publishing the final Rule in the Federal Register. As the Department has noted, there are substantial costs associated with the client notification requirements of the current fiduciary Rule. Without an immediate effective date of the proposed delay of the Rule we would be required to distribute client's notification documents that could very possibly be inaccurate or irrelevant only weeks or months after delivery. Not only would this be expensive and wasteful but it would be extremely disruptive and confusing for our clients. It is in our client's best interest to have clear and consistent communication regarding a final Rule. This can only be achieved if the proposed delay is made effective prior to the April 10, 2017 date.

Accordingly, we believe the Department of Labor should delay for at least 60 days to June 9, 2017, or later, the applicability date of the Fiduciary Rule. Such a delay allows the opportunity for clarification of a final Rule that all interested parties, including the investing public, so desperately seek and require.

We thank you for the opportunity to comment on the Department's proposal to delay the applicability date of the Fiduciary Rule.

Respectfully submitted,

R. Scott Bennett

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President