

**From:** Paul Brahim [mailto:pbrahim@bpuinvestments.com]  
**Sent:** Saturday, March 11, 2017 8:29 AM  
**To:** EBSA.FiduciaryRuleExamination  
**Subject:** Re: RIN 1210-AB79 DOL Conflict of Interest - Fiduciary Rule

To the Department of Labor:

I support the implementation of the current DOL Conflict of Interest - Fiduciary Rule and oppose any delay of the rule. There is no reasonable basis for any delay. The DOL has already conducted a full review and justification including a legal and economic analysis, concluding that the Rule is necessary in order for Americans to save and invest for retirement. Courts have supported the Rule. The Rule, effective last year, should be applicable on April 10th.

The new Administration instructed DOL to propose a delay of the DOL Conflict of Interest -Fiduciary Rule that protects retirement savers from conflicts of interest in retirement advice. With this delay, non-fiduciaries will have carte blanche to continue extracting more than \$17 billion each year in excess commissions and fees from retirement savers. That's \$45 Million each day of delay; \$1.5 Billion a month; \$17 Billion a year – money that the rule would have redirected from Wall Street to retirement investors.

Judges in four court cases seeking to delay the DOL Fiduciary Rule have refused to do so, opining that delay of the Rule is not in the public interest, and that benefits of the Rule outweigh the cost to non-fiduciary firms to implement it. I agree.

As a fiduciary, I see no reason to delay this important Fiduciary Rule. No firm should be allowed to pretend they act in investors' best interests while actually serving themselves.

Millions of Americans are counting on their 401(k)s and IRAs, and many depend on investment professionals for advice about managing these. The advice they get makes a difference in the success of their retirement savings outcome, and whether they will have a financially secure retirement. If they are steered into investments that are not in their best interest, but pay unreasonably high commissions or fees to non-fiduciaries, they may not be able to retire securely – or even at all.

The DOL rule:

- Closes unintended loopholes in the law, which allowed non-fiduciaries to evade their duty to serve investors' best interest.
- Strengthens protections for retirement savers, requiring firms and their representatives to provide retirement investment advice that is in investors' best interests.

Retirement savers need to be confident that when they engage an advisor, they will receive competent, objective advice, not a sales pitch disguised as advice. Americans who've worked hard to save for retirement need and deserve these basic, common sense protections.

Delaying implementation of these new protections allows non-fiduciaries and their firms to continue engaging in harmful conflicts of interest that threaten the retirement security of American retirement investors.

Retirement savers need and deserve to receive the protections that the current DOL Conflict of Interest - Fiduciary Rule provides, without delay. Please implement the rule on April 10th, as planned.

Sincerely,

Paul J. Brahim, CFP®, AIFA®  
Chief Executive Officer

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