

From: tommaimone@aol.com [<mailto:tommaimone@aol.com>]

Sent: Sunday, October 15, 2017 3:30 PM

To: e-OED

Subject: DOL Limiting Choices in IRAs-RETAIN OPTION AVAILABILITY FOR IRA'S

Mr. Thomas Maimone
53 Northwoods Road
Manhasset, NY 11030-1610

10/15/2017

Dear Labor:

I am an investor. My financial security, and that of my family, are very important to me – especially when I consider my retirement. Recently, I became aware of a proposed rule that would undermine my ability to plan for my retirement in a way I believe is best for me, and I want to share my concerns with you.

AS YOU READ THIS, REMEMBER THAT SELF-DIRECTED IRA INVESTORS ARE NOT REQUIRED TO TRADE OPTIONS IF THEY DO NOT WANT TO. THE PROPOSED LEGISLATION WOULD PREVENT THE REST OF US FROM EMPLOYING INVESTMENTS THAT HAVE WORKED OUT, AT LEAST FOR ME, AT THE HIGHEST RATE OF RETURN IN THE LAST 18 MONTHS IN ALL OF MY IRA'S.

My understanding is that the Department of Labor's (DOL's) proposed retirement rule would limit my ability to trade listed options in my IRA. It's a limitation that, to me, makes no sense.

Today, I am free to choose how I use financial services and the level of help or support I need. I can completely manage some investments on my own, using the tools and education provided by my broker as I see fit; or I can ask for fee-based advice and discretionary account management. In addition, I can use many of the same investment strategies and products in my IRA that I do in my non-retirement accounts. This gives me the flexibility to choose exactly what I need to meet my goals at a competitive price that I'm willing and able to pay.

As a self-directed investor, I should retain the freedom to make those decisions – regardless of the type of brokerage account (retirement or non-retirement) that I hold.

I have traded options in my IRA, and I had to qualify for this privilege. Education and support from my brokerage firm are available to me 24-7 to answer questions or help validate my ideas. I can join online communities, take courses, watch instructional videos, test strategies, or speak to a representative any time I want. And, while I know options are not suitable for all investors, I have determined that they are suitable for me, based on my experience, knowledge and financial situation.

This proposed rule would change all of that by making my brokerage firm a fiduciary for my IRA – responsible for looking out for my best interests – if it provides any research, tools or educational resources that the rule views as “advice.” My account in its current state would likely be considered an “advised IRA,” and as I understand the rule, options trading would be prohibited in it.

In order for me to continue to trade options in my IRA (which is what I want to do in pursuit of my investment goals), my brokerage firm would likely be required to remove most research, tools and educational resources so my account would not be considered an “advised IRA.” Or, my firm could convert my account to a more expensive investment advisory one. Neither choice appeals to me.

With this rule, it seems the government has determined that I am not smart enough to make my own informed investment decisions. I do not agree. The rule would only drive me – and likely other investors – to trade options in non-retirement accounts, thereby decreasing the funding we have available for our IRAs. I’m sure that’s not the DOL’s intent, but it’s a very real possibility.

Investing for retirement is difficult enough. With nearly a decade of historically-low interest rates to challenge American investors, why add more obstacles and complexity? I urge you to preserve the freedoms investors currently enjoy to choose how we invest in our retirement accounts and plan for a better financial tomorrow.

Sincerely,

Mr. Thomas Maimone