

Tuesday, November 30, 2021

VIA ELECTRONIC FILING

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

Dear Acting Assistant Secretary Khawar,

We as members of the University of Notre Dame respectfully submit this letter in support of the Department's proposed rule, *Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights* ("the Proposed Rule.")

The University of Notre Dame prides itself on its strong commitment to fight for those who are unjustly marginalized in our world. Currently, through Notre Dame's 403(b) retirement fund, approximately 95% of faculty and staff invest in a portfolio containing stock in CoreCivic and GEO Group, two corporations that dominate the privatized prison industry and profit directly off of human bodies. To act on the mission of Our Lady's University and Father Sorin's proclamation that the University be a powerful force for good in this world, we believe that Notre Dame must implement a socially-responsible investment (SRI) alternative for faculty and staff to invest in accordance with their values. We thank the Department for this important proposal, which would allow the University to do so and to fulfill its Catholic mission to protect the dignity of the human person.

Additionally, managers of retirement plans should have the capacity to consider all elements that could affect plan investments, and ESG risks are becoming an increasingly important factor in determining investment risk and return. The prior administration's 2020 rules prohibit ERISA plans from taking into account such factors in their investment selection and proxy voting, effectively exposing retirement savers to high risk investments and silencing their voices on important issues of human rights. The Proposed Rule would fix this.

We appreciate the Department's hard work in drafting this timely and thoughtful Proposed Rule.

Sincerely,

Elaine Carter, '22  
Madeline Whitney, '22  
Michael Hebbeler, Center for Social Concerns

Iseli Hernandez	Admissions Recruiter, ESTEEM Graduate Program
Jennifer Betz	Assistant Director, International Peace Studies Concentration, Master of Global Affairs Degree
Ricardo Martinez-Schuldt	Assistant Professor
Sonja Stojanovic	Assistant Professor
Juanita Pinzon-Caicedo	Assistant Professor, Mathematics
Christopher Liebttag Miller	Assistant Professor, Medieval Institute
Emily Wang	Assistant Professor, Russian
Danice Guzman	Associate Director of Evidence and Learning, Pulte Institute for Global Development
Kevin Fink	Associate Director, Pulte Institute
Claudia Francis	Associate Director, Rooney Center for the Study of American Democracy
Karen Graubart	Associate Professor
Catherine Bolten	Associate Professor, Anthropology and Peace Studies
Sara L Maurer	Associate Professor, English
Katrina Barron	Associate Professor, Mathematics
Manoel Couder	Associate Professor, Physics
Cheryl Snay	Asst. Professor of the Practice/Curator of European & American Art, Snite Museum
Elizabeth Zapf	Business Manager, Notre Dame Police Department
Melissa Marley Bonnichsen	Center for Social Concerns
Rachel Parroquin	Center for Social Concerns, Department of Romance Languages and Literatures
Garrett FitzGerald	Ethics, Politics, and Community Justice Fellow, Kroc Institute for Int'l Peace Studies
John R. Dacey '73	Executive Director, Abolish Private Prisons
Valerie Sayers	Kenan Professor of English Emerita
Rebecca Méndez	Keough School of Global Affairs
Patricia Blanchette	McMahon Hank Professor of Philosophy
Matt Heilman	ND Student Government Interim Director of Gender Relations
Michael Talbot	Notre Dame Mexico Global Center
Syeda (Fiana) Arbab	Oxfam International IFI Policy Fellow
Jeremy Fein	Professor, Civil and Environmental Engineering and Earth Sciences
John Duffy	Professor, English
Jason A. Springs	Professor, Kroc Institute for International Peace Studies
Tom Purekal	Program Director, Innovation and Practice, Pulte Institute
Dania Straughan	Program Manager, Kroc Institute for International Peace Studies
Gretchen Andreasen	Research Associate
Elise Ditta	Research Associate, Kroc Institute for International Peace Studies
Hannelore Weber	Retired Faculty
Allan Njomo	Student Body President, University of Notre Dame
Matthew Bisner	Student Body Vice President, University of Notre Dame
Mahan Mirza	Teaching Professor, Keough School of Global Affairs   Executive Director, Ansari Institute for Global Engagement with Religion
Avery Broughton	Undergraduate Student Government Director of the Department of Sustainability
Mauna Dasari	
Katie Harmeyer	
Megan Keenan	
Kyle Dorshorst	
Aaron Hilliker	
Sarah Conley	
Sara Judy	
Marlena Muszynska	
Noah Bongiovanni	
Connor Martin	
Caroline Myers	
Benjamin FitzGerald	
Layton Hall	
Benjamin Gbash	
Lauren Bauman	
Duncan Donahue	
Catherine Prather	
James Venditto	
Zach Holland	
Kyle Moon	
Maria Camila Leon	
Farah Khashman	
Meaghan Lyons	
Bridget Kelley	
Eleanor Wood	

Marie Latham  
Caroline Bickerton  
Margaret McGreevy  
Thanh Nguyen  
Rory Jasper  
Matthew O'Connor  
Hailey Oppenlander  
Ian Horvath  
Clare Stoyell-Mulholland  
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Matheo Vidal  
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Nathaniel Hiott  
Jessica Wolfert  
Caitlin Reed  
Robert J. Caruso  
Catherine Cernugel  
Kathryn Strimbu  
Aidee Barajas  
Joseph Jegier  
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Martha Gluck  
Julaine Zenk  
Kiley Atkins  
Meghan McReynolds  
Lucrezia Phifer  
Sean Patrick Butler  
Margaret Elliott  
LeeAnne Williams  
Callie Whelan  
Carson Myers  
Caroline Lubbe  
Ava Downey  
Jordyn Platenburg  
Alex Ford  
Keith Onger  
Anna Medrano  
Joshua French  
Luzolo Matundu  
Theresa Azemar  
Meg Dalton  
Bridget Rose  
Alexandra Dosch  
Maria Esteve  
Eva Garces-Foley  
Anna Rask  
Meg Kelleher  
Connor Delaney  
Brittany Benninger  
Samuel De La Paz  
Camille Mosley  
Maria Teel  
Carly Barbera  
Kaitlyn Dehais  
Lillian Witte  
Emilia McManus  
Rachel Walsdorf  
Madeline Ward

Ashton Weber  
Meghan Bolinger  
Javier Rivera Gonzalez  
Stephen Koch  
Natalie Ortega  
Tristan Huo  
Ian Horvath  
Ben Scholl  
MacKenzie Isaac  
Casey Leimbach  
Liam Maher  
Madison Calder  
Colleen Bartlett  
Meilin Scanish  
Nicholas Mannion  
Phoenix Pedro  
Emily Lugg  
Abigail Hickey  
Neema Morris