

PUBLIC SUBMISSION

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Definition of an Investment Advice Fiduciary

Comment On: EBSA-2023-0014-0001
Retirement Security Rule: Definition of an Investment Advice Fiduciary

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Submitter Information

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General Comment

Everyday Americans deserve access to professional advice regarding their financial resources. The current rules clearly outline the responsibilities of financial professionals, especially those professionals who work in both the securities and insurance industry relationships. More rules only serve to increase the cost burdens associated with access and continue to decrease the opportunity for many middle income and lower income Americans ability to gain access to personal financial planning under a fiduciary standard. In my opinion more rules are not the answer but rather efficiency of enforcing the existing rules would be better than thinking by adding more a perceived and sometimes real problem that the rule attempts to address will be alleviated. Higher net worth individuals do not have the same difficulties getting high quality financial advice as their wealth affords them access and better opportunity. However, our country was and continues to be built upon hard working everyday Americans who won't have significant net worth and especially if we continue to add rules that increase costs and prevent good people in the financial services industry the opportunity to help those with less wealth. It my experiences nothing is free and once the burdens of helping smaller net worth clients with their financial planning becomes inefficient for professionals to service these needs, the ones who will suffer are those often having the greatest need. I urge you to look closely at the existing rules and regulations in place and work within the framework of these rules rather than creating more burdensome legislation or rules that have great

potential for unintended and negative outcome consequences. Thank you for your consideration of my views.

I'm writing to express my concerns with the Department of Labor's (DOL) Retirement Security rule proposal. I believe this proposal will harm millions of low- and middle-income households by limiting access to personalized financial guidance and advice.

As a financial professional, I'm already required to act in the best interests of my clients under the SEC's Regulation Best Interest (Reg BI) and, when considering annuities, applicable state laws that impose similar requirements. Together, these regulations ensure that my clients and I can focus on working together to build responsible savings and investments habits.

This proposal has the potential to upend our existing, comprehensive structure by limiting our ability to help our clients safeguard their savings in a manner of their choosing. In particular, the previous iteration of a substantially similar DOL rule resulted in a meaningful reduction in services offered to millions of low- and middle-income households. I am concerned that the resurrection of this rule is expected to exacerbate the racial wealth gap by roughly 20% due to a disproportionate impact on Black and Hispanic communities.

I hope the DOL will consider the harm the previous fiduciary rule had on communities, as well as the changes in securities regulations that came with the adoption of Reg BI and state insurance suitability rules and withdraw the Retirement Security rule proposal.