

Dana M. Muir

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November 22, 2023

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

RE: Retirement Security Rule: Definition of an Investment Advice Fiduciary and related proposed amendments to PTEs 2020-02, 84-24, and other related PTEs

Attention: RIN 1210-AC02, EBSA-2023-0014-0003

Dear Assistant Secretary Gomez,

I respectfully request to testify at the virtual public hearing on the above-referenced rule. I have not yet submitted comments. My testimony would be in support of the Proposed Rule and related PTEs, including the Proposed Rule's foundation in ERISA's language, the importance of Department of Labor regulation of retirement plan assets, gaps in protections provided by other rules on investment advice, issues I have identified in my academic work on rollovers to IRAs, and responses to industry criticisms of the rule.

The information required for this request to testify is:

1.

Name: Dana M. Muir

Short Title: Professor of Business Law (full title above)

Organization: I am employed at the Ross School of Business at the University of Michigan, however, my testimony would be on my own views as an academic who has studied ERISA for more than 30 years and not as a representative of my employer.

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2.

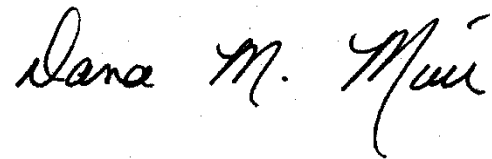
I will not be representing any organizations.

3.

I have not yet submitted comments on the Proposed Rule or Exemptions though I expect to do so before the deadline. My testimony would be in support of the Proposed Rule and related PTEs, including the Proposed Rule's foundation in ERISA's language, the importance of Department of Labor regulation of retirement plan assets, gaps in protections provided by other rules on investment advice, issues I have identified in my academic work on rollovers to IRAs, and responses to industry criticisms of the rule.

Thank you for the opportunity to request to testify on the Proposed Rule and Exemptions. I appreciate the Department's hard work, analysis, and diligence in drafting this important Proposed Rule and Exemptions.

Very truly yours,

A handwritten signature in black ink that reads "Dana M. Muir". The signature is written in a cursive style with a large, looped 'M' and a long, sweeping tail on the 'i'.

Dana M. Muir,
Area Chair of Business Law,
Robert L. Dixon Collegiate Professor of Business Administration, and
Arthur F. Thurnau Professor of Business Law