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May 26, 2015

The Honorable Thomas Perez
Office of the Secretary
Department of Labor
200 Constitution Ave NW, Room S-2018
Washington, D.C. 20210

Dear Secretary Perez:

I am writing in regards to the Department of Labor's (DOL) proposed rule changes to the fiduciary standard under the Employee Retirement Income Security Act (ERISA). This rule fundamentally rewrites retirement savings policy in the United States, and as such, I respectfully request that you extend the comment period an additional 45 days.

Retirement investors and financial services providers alike deserve the opportunity to fully assess this momentous policy change that covers more than 1,000 pages and took four years to draft. A 45-day extension to the comment period will provide all affected parties the opportunity to fully evaluate this rule change and submit effective comments to the DOL.

Additionally, the DOL's rule change will tremendously reduce access to investment planning services for individuals with smaller dollar value accounts. The new fiduciary standard will also force many investors to move from commission-based accounts to higher cost, fee-based advisory accounts. Consumers will no longer be afforded the choice to pay on a transactional basis or by the value of assets maintained, potentially creating a cost hike for investors.

Brokerage individual retirement account (IRA) investors will face a direct cost increase of at least 75 percent. IRA advisers will also be subject to increased legal exposure for violations of strict prudence requirements, and will see a host of detailed changes to existing and widely-used exemptions. Small businesses will be hardest hit though, as nearly 30 percent of small businesses with a retirement plan report they would drop their plan if the DOL rule is finalized.

The history of the previous fiduciary standard rule changes supports my request for an extension to the comment period. The DOL's 2010 fiduciary rules proposal was shorter and offered fewer complexities than the current version, but the DOL provided an initial comment period of 90 days and an additional two-week extension. Due to these monumental changes and prior precedent for a longer comment period, I ask that you extend the comment period by 45 days, to a full 120-day review.

Please consider the untenable effects the DOL's proposed rule change will have on retirement investors and the financial services industry, both immediately and into the future. I ask that you please keep my office informed of your agency's decision. You can reach me at 202-225-4676.

Sincerely,

A handwritten signature in black ink that reads "Ken Buck". The signature is written in a cursive, slightly slanted style.

Ken Buck
Member of Congress