

PUBLIC SUBMISSION

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Definition of the Term “Fiduciary”; Conflict of Interest Rule—Retirement Investment Advice; Notice of proposed rulemaking and withdrawal of previous proposed rule.

Comment On: EBSA-2010-0050-0204

Definition of the Term Fiduciary; Conflict of Interest Rule- Retirement Investment Advice

Document: EBSA-2010-0050-DRAFT-6293

Comment on FR Doc # 2015-08831

Submitter Information

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General Comment

I understand this rule is designed to reduce fees and conflicts of interest and protect people from themselves whom may not understand how to correctly use options.

While well meaning It also takes away my ability to use options correctly to actually decrease portfolio risk.

That's unfair. I deserve every retirement savings tool at my disposal.

I have taken the time and energy to educate myself to learn proper options trading. By selling cash covered puts in my IRA I have gotten paid by other people to buy stocks I was happy to own at a price I was able to specify dramatically reducing my risk of ownership and improving my profits at the same time.

I am years old. The social security trustee's report tells me by the time I reach retirement age my Social Security benefits will likely be cut by more than 20%.

I assume I am on my own for retirement and rely on my ability to use cash covered puts to get paid to buy stock's I'm interested in at a price I set and to use covered calls to get paid to sell my stock at prices I'm comfortable selling.

Using these cash covered puts and covered calls last year accounted for a 4.6% return on my IRA

portfolio. Not having access to selling options in my IRA would be nothing short of devastating to my retirement.

By the time I retire robbing me of 4.6% of my annual returns compounded over the next 24 years for a hypothetical 100K current balance will be the difference between \$203K IRA and owning a \$580K IRA.

This proposed rule could rob investors like me of 185% growth, a staggering \$377K less retirement for each \$100K currently invested. (see attached modeled retirement returns)

Please reject this well meaning but poorly written rule.

Attachments

modeled retirement returns

| Annual Return | | under RIN 1210 – AB32 3.0% | existing rule 7.6% | current performan performance unde |
|----------------------|------|---------------------------------------|-------------------------------|---|
| Age | Year | Balance | Balance | percent increase |
| 46 | 0 | 100,000 | 100,000 | 0% |
| 47 | 1 | 103,000 | 107,600 | 4% |
| 48 | 2 | 106,090 | 115,778 | 9% |
| 49 | 3 | 109,273 | 124,577 | 14% |
| 50 | 4 | 112,551 | 134,045 | 19% |
| 51 | 5 | 115,927 | 144,232 | 24% |
| 52 | 6 | 119,405 | 155,194 | 30% |
| 53 | 7 | 122,987 | 166,988 | 36% |
| 54 | 8 | 126,677 | 179,679 | 42% |
| 55 | 9 | 130,477 | 193,335 | 48% |
| 56 | 10 | 134,392 | 208,028 | 55% |
| 57 | 11 | 138,423 | 223,839 | 62% |
| 58 | 12 | 142,576 | 240,850 | 69% |
| 59 | 13 | 146,853 | 259,155 | 76% |
| 60 | 14 | 151,259 | 278,851 | 84% |
| 61 | 15 | 155,797 | 300,043 | 93% |
| 62 | 16 | 160,471 | 322,847 | 101% |
| 63 | 17 | 165,285 | 347,383 | 110% |
| 64 | 18 | 170,243 | 373,784 | 120% |
| 65 | 19 | 175,351 | 402,192 | 129% |
| 66 | 20 | 180,611 | 432,758 | 140% |
| 67 | 21 | 186,029 | 465,648 | 150% |
| 68 | 22 | 191,610 | 501,037 | 161% |
| 69 | 23 | 197,359 | 539,116 | 173% |
| 70 | 24 | 203,279 | 580,089 | 185% |

Last year in 2014 I experienced 4.6% growth in my IRA just from trading options.

The above table is a representation of what the future looks like for IRA Owners with \$100K currently

ce above expected
r RIN 1210 – AB32

Dollar increase

-
4,600
9,688
15,304
21,494
28,305
35,788
44,001
53,002
62,858
73,637
85,415
98,274
112,302
127,592
144,247
162,376
182,098
203,541
226,841
252,147
279,618
309,427
341,757
376,809

invested.