

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

Name: Eric Phelps

General Comment

During the last Fiduciary push by the Department of Labor, I reviewed every IRA with my clients and explained the Fiduciary Rule as well as my clients total cost to manage their IRAs in a brokerage. To move to the Fiduciary standard it was going to increase my clients fees and commissions from .40% to 1.25%. Yes, it was going to cost my clients more to follow the Fiduciary Standard.

If A share Mutual Funds are cheaper over time compared to C share Mutual Funds and clients are limited to not purchasing more than \$250,000 of C shares Mutual Funds how can it be cheaper for a client to manage their Retirement accounts in a FEE/Advisory account.

Overall I can manage my clients Retirement accounts at a lower cost in a brokerage than I can in a Fiduciary standard account.

This whole movement is a Money Grab to have the US Government take over peoples IRAS.

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.