

# PUBLIC SUBMISSION

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**Docket:** EBSA-2023-0014  
Definition of an Investment Advice Fiduciary

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

**Document:** 1210-AC02 comment 00188 Wilson 12262023

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## Submitter Information

**Name:** Maria Wilson

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## General Comment

As a fiduciary, I am aware of what my business requires and the costs associated with it to remain in compliance. I have clients who have stayed with us for the last 30+ years who would not benefit from being advisory clients because they are against fees or have small balances or don't understand the potential benefits, or can't afford fees, etc. By mandate and personal choice, these brokerage clients receive the same treatment and care as my advisory clients. If I were to charge them, they would leave and have no guidance to help them prepare for retirement, adjust to the death of a spouse or divorce, prepare for children's education, in essence prepare for the rest of their lives. Your rule change would deprive them of expertise acquired over decades. Please withdraw it.

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.