



July 19, 2016

Representative Robert C. Scott  
Longworth House Office Building  
Room 1201  
Washington, DC 20515

***RE: Opposition to H.R. 2823, the “Affordable” Retirement Advice for Savers Act***

Dear Representative Scott:

The American Association for Justice (AAJ) writes to express opposition to H.R. 2823, the so-called “Affordable Retirement Advice for Savers Act” that would prohibit implementation of the Department of Labor’s (DoL) Fiduciary Rule. The Fiduciary Rule is a tremendous accomplishment in the fight to improve our nation’s retirement income security and should not be gutted.

AAJ, with members in the United States, Canada, and abroad, is the world’s largest trial bar. It was established in 1946 to safeguard victims’ rights and strengthen the civil justice system. AAJ members represent countless victims of financial fraud. It is in this capacity we voice our concerns with H.R. 2823.

H.R. 2823 would simultaneously roll back the fiduciary rule’s protections, restore regulatory loopholes that enable financial professionals to avoid their fiduciary obligations and apply weak and inconsistent standards to retirement investment advice. This is in stark contrast to the already complete fiduciary regulations which require all financial professionals who provide retirement investment advice to put their clients’ best interests ahead of their own financial interests. By taking this essential step, the regulation has already begun to help all Americans—many of whom are responsible for making their own decisions about how best to invest their retirement savings—keep more of their hard-earned savings so they can enjoy a more financially secure and independent retirement. Moreover, the existing fiduciary regulations allow for enforcement when ethical standards are breached. This would no longer be the case if H.R. 2823 were enacted, leaving retirement savers wide open to fraud and other abuses.

Working families and retirees saving for a secure and independent retirement deserve the strengthened protections offered by the DoL rule: an enforceable best interest standard, backed by real mitigation of conflicts, applicable to all retirement investment advice. H.R. 2823 would roll these desperately needed protections back and put our retirees at risk. We urge you to join us in opposing this unnecessary, expensive assault on consumer rights.

Sincerely,

Linda A. Lipsen  
CEO  
American Association for Justice