
From: Sherill Whisenand
Sent: Saturday, November 25, 2023 7:46 PM
To: NASAA Comments
Cc: Amy Kopleton; Bouchard, Stephen (DISB)
Subject: [EXTERNAL]NASAA's proposed revisions to its Business Practices Rule

Broker-Dealer Market and Regulatory Policy and Review Project Group:

Thank you for the opportunity to submit these comments regarding the NASAA's proposed revisions to its Business Practices Rule. I offer these comments as the former Chairman of the Iowa Women's Hall of Fame for many years and serving over a decade as a Commissioner for the Iowa Commission on the Status of Women. But I am one who also has worked in public service and been a long-time champion for women in Iowa. My actions speak louder than words--and these are my personal viewpoints, not those of any of my many organizations.

When it comes to savings, it is no secret there is a gender gap. Women save less money than men. In New York Life's 2023 Wealth Watch survey, for example, women reported saving just \$3,146 annually compared to \$7,007 saved by men. Many factors combine to cause the gender savings gap, and public policy makers must keep working to close it.

There is evidence that if regulations like the one NASAA proposes are not done correctly, consumer savings will take a hit. A 2021 report from the Hispanic Leadership Fund found that the Department of Labor's now-withdrawn fiduciary rule caused investors harm by forcing some financial professionals to stop working with small-dollar savers. The Leadership Fund concluded that if the rule were reinstated exactly as written, 2.7 million Americans with incomes below \$100,000 would see their savings reduced by \$140 billion over ten years.

I recognize and appreciate NASAA's intent is to help investors protect their savings. However, I am concerned about the unintended consequences of the proposal and how these consequences might hurt women and others struggling to save more for the future.

NASAA positions its proposal as a way to help states align with the Securities and Exchange Commission's Regulation Best Interest (Reg BI). Reg BI created a uniform set of standards for the investment advice industry that applies from Iowa to Alaska. Reg BI created clear rules of the road for investors and businesses. Reg BI also sought to preserve access to various investment services and products. As many have noted, NASAA's proposal undercuts these important provisions of Reg BI by offering conflicting rules, limiting choices, and inviting states to diverge from each other in the

regulations that they adopt. Instead of the national standard that we currently have, NASAA's proposal--by its very essence--will create a confusing, state-by-state market that investors must navigate.

Fortunately, it's still possible for NASAA to address some of the issues raised by stakeholders. At a time when women and others face challenges saving for the future, I urge NASAA to proceed with caution and better align its rule with Reg BI. Thank you for considering my viewpoint on this very important issue.

Sincerely,