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Sent: Wednesday, April 14, 2010 5:15 PM

To: EBSA, E-ORI - EBSA

Subject: 2010 Investment Advice Proposed Rule

Comment regarding written certification and eligible investment expert. I suggest that computer experts will not be investment experts. Meaning that being qualified as an investment expert does not mean this same person will be qualified as a computer expert. I know this to be true because I am an expert in both and there are not very many people like me. So, your rule that requires a fiduciary advisor to obtain written certification from an eligible investment expert that the computer model meets the requirement of paragraph (b) (4) (i) of the Rule which requires that the expert have knowledge of the 'rules-based engine' of the computer and that it qualifies. Very difficult for someone to be an expert in both fields. Chances are, if someone is an expert in both fields, this person is probably also acting as a fiduciary advisor as well.

On another note, I suggest that the Rule disallow qualified retirement plan consultants from also acting as fiduciary advisors. Consulting firms get paid to identify and select the universe of funds that plan participants can select from and to allow the Consultant to also direct individual security selection as the fiduciary advisor leads to a huge conflict of interest once the consultant 'takes off his consulting hat and puts on his advisory hat'.

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