PUBLIC SUBMISSION

Received: November 28, 2021
Tracking No. kwj-vi6l-wyxf
Comments Due: December 13, 2021
Submission Type: Web

Docket: EBSA-2021-0013
Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights

Comment On: EBSA-2021-0013-0001
Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights

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Submitter Information

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General Comment

This comment is in response to RIN 1210-AC03 posted by the Employee Benefits Security Administration on October 14, 2021. I am fully in support of the proposed rule change. The current rules hinder plan fiduciaries from efficiently integrating ESG considerations into their analysis. Meanwhile, investors managing more than $120 trillion of assets have signed the UN Principles for Responsible Investment and sustainable investing continues to see high growth in commitments. Most importantly, based on the latest research conducted by the UN Principles for Responsible Investment, taking into account ESG factors can enhance returns and help to mitigate losses. As it stands, the current rule is handicapping ERISA fiduciaries from being able to truly act prudently on behalf of the plans beneficiairies. Outside of ESG considerations, the revision of the language to "a prudent fiduciary may consider any factor in the evaluation of an investment or investment course of action that, depending on the facts and circumstances, is material to the risk-return analysis" should allow fiduciaries to operate more effectively, without having to ignore certain investment considerations due to the drafting of the current ruling.