December 7, 2021

VIA ELECTRONIC FILING

Office of Regulations and Interpretations
Employee Benefits Security Administration Room N-5655
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210

Dear Acting Assistant Secretary Khawar,

I respectfully submit this letter in support of the Department's proposed rule, *Prudence and Loyalty in Selecting Plan Investments and Exercising Shareholder Rights* ("the Proposed Rule.")

I am a 401(k) plan participant as an employee of Microsoft, and it's very important to me to have access to investment options that align with my values – specifically my core belief that climate change is real, and must be addressed immediately. I want the confidence of knowing that the companies that I invest in are doing their part to curb climate change, and that sustainability is a top priority to them. I also want visibility into the impact that climate change has on the companies that I invest in, so that I can plan accordingly.

I thank the Department for this important proposal, which builds on decades of conscientious stewardship of private-sector American retirement savings. Employee Retirement Income Security Act (ERISA) plans help create retirement security for working Americans. In 2020, under the prior administration, the Department enacted new rules that effectively prohibited ERISA plans from considering climate or other ESG factors in their investment selection and proxy voting. These 2020 rules left retirement savers unnecessarily exposed to the negative economic impacts of climate change, and silenced their voices on important issues of corporate governance. The Proposed Rule would fix this.

Retirement savings must be protected from climate-related financial risk

Managers of retirement plans must be free to evaluate *all* factors that impact plan investments. Climate related disasters are increasingly frequent, with a record 22 events causing over $1 billion damage each in the US during 2020 alone. In response to the climate crisis, new regulation and changes in consumer demand will create significant market and investment opportunities. These risks and opportunities are especially relevant to retirement investors, who invest over decades.

Many professional investors recognize these risks and opportunities, and have updated their investment strategies to deal with the realities of our changing environment. Individual investors share these concerns. Climate change and other

ESG risks will be a significant driver of investment risk and return for the foreseeable future. But because of these 2020 rules, very few American retirement savings plans are designed to protect their beneficiaries from climate risk. The Proposed Rule will allow these savings plans to better manage these and other ESG risks. *In addition, the new rules will help mitigate plan participant lawsuits – which is a big fear among plan fiduciaries at companies such as mine.*

It is now clear that climate change poses an existential challenge to our very livelihoods. But if we can embrace the changes required to meet this challenge, the US economy has tremendous potential to grow, creating jobs and wealth. The Proposed Rule clears the way for ERISA plans to provide access to these investment opportunities. It is consistent with Department policy that has served American workers well in the nearly 50 years since ERISA became law.

I appreciate the Department's hard work in drafting this timely and thoughtful Proposed Rule.

Sincerely,

Jennifer Roling

Jennifer Roling
Little Rock, Arkansas

cc: Honorable Marty Walsh, Secretary of Labor