



September 13, 2023

Dear Representative:

On behalf of Americans for Prosperity and the millions of activists around the country we represent, I write to express our support for the following pieces of legislation currently under consideration by the House Committee on Education and the Workforce. When Americans save up for retirement, they expect that their money will be managed with their best interest first and foremost. Indeed, this has been longstanding industry practice and federal law. However, the Biden Administration has used a whole of government approach, including through Department of Labor rulemaking, in forcing financial institutions to prioritize its radical and politicized Environmental, Social, and Governance (ESG) agenda on to the American public, at the expense of their hard-earned savings. We applaud the Committee for taking up these critical pieces of legislation and urge Members to support them during this week's markup.

Specifically, Representative Rick Allen's RETIRE Act, H.R. 5339, would clarify that a retirement plan manager can only meet their fiduciary duty to plan holders by making investment decisions based strictly on pecuniary factors. In the rare instances when multiple investment decisions present themselves and offer the same financial advantage to plan holders, this bill would require plan managers to explain how they decided between the available options. Additionally, Representative Erin Houchin's Retirement Proxy Act, H.R. 5337, would expand the fiduciary duty of plan managers to include their role in exercising shareholder rights. Doing this will ensure that the financial institutions Americans trust to manage their retirement accounts are thinking only of advancing their client's financial interest, rather than ultimately extraneous priorities.

Under so called "Bidenomics", this administration has pursued numerous harmful policies that have imposed serious costs on the American people. Inflation and the economy are at the top of the mind of many Americans, and it is critical that their retirement accounts are managed in a way that puts their financial interests first. These proposals build upon the excellent work of members seeking to protect Americans retirement accounts. It is for these reasons that we urge you to support these proposals.

Sincerely,

A handwritten signature in black ink that reads "Brent Gardner". The signature is written in a cursive style with a large initial "B".

Brent Gardner

Chief Government Affairs Officer