



**THE ERISA
INDUSTRY COMMITTEE**
*Shaping benefit policies
before they shape you.*

JAMES GELFAND
President and CEO

April 10, 2025

The Honorable Lisa McClain
562 Cannon House Office Building
Washington, DC 20515

Congresswoman McClain:

On behalf of The ERISA Industry Committee (ERIC), thank you for introducing *the Employee Benefit Security Administration (EBSA) Investigations Transparency Act*. We applaud your commitment to ensuring full transparency for regulators enforcing the *Employee Retirement Income Security Act of 1974*, as amended (ERISA).

By way of background, ERIC is a national advocacy organization exclusively representing the largest employers in the United States in their capacity as sponsors of employee benefit plans for their nationwide workforces. With member companies that are leaders in every economic sector, ERIC is the voice of large employer plan sponsors on federal, state, and local public policies impacting their ability to sponsor benefit plans. ERIC member companies offer benefits to millions of employees and their families, located in every state, city, and Congressional district.

ERIC member companies sponsor health and retirement plans governed by ERISA and other laws and regulations overseen by EBSA, a subagency of the Department of Labor. To be sure, EBSA has significant enforcement responsibilities on behalf of the workers, retirees, and their families that rely on these plans. We appreciate the role the agency is intended to play.

The Labor Department should see plan sponsors as key partners in enhancing health care and retirement security. Unfortunately, too many employers report audits and investigations relating to their benefit plans that have shifting scope and burdensome demands for information of questionable relevance. These investigations often stretch on for many years without clear purpose or timely ending. And at the end, after thousands of dollars and countless hours of compliance and negotiation with enforcement personnel, these burdensome investigations often unveil no wrongdoing, though they may morph into new, tangentially-related inquiries.

The *EBSA Investigations Transparency Act* would help Congress fulfil its critical oversight responsibilities, helping to ensure that EBSA's enforcement activities and priorities are transparent and efficient. We look forward to working with you on this legislation and on other measures to improve the administration of the laws governing employee benefits.

Respectfully,

A handwritten signature in blue ink that reads "James P. Gelfand".

James P. Gelfand
President and CEO