

**MEMO# 11668**

February 23, 2000

## **REVISED PROPOSAL ON INVESTMENT ADVICE**

1 See Institute Memorandum to Pension Committee No. 5-00, dated January 20, 2000. There was also a previous conference call regarding this issue held on November 17, 1999, and a meeting on December 14, 1999. See Institute Memorandum to Pension Committee No. 62-99, dated November 3, 1999 and Institute Memorandum to Pension Committee No. 67-99, dated November 23, 1999. [11668] February 23, 2000 TO: PENSION COMMITTEE No. 17-00 AD HOC COMMITTEE ON INVESTMENT ADVICE RE: REVISED PROPOSAL ON INVESTMENT ADVICE

\_\_\_\_\_. Attached for your review and comment is a revised version of a legislative proposal regarding the provision of investment advice. The proposal is based on prior discussions with members, including a January 27th conference call.<sup>1</sup> The proposal would create a statutory exemption from ERISA's prohibited transaction rules for the provision of investment advice to plan participants. The attached materials include a description of the proposal, proposed statutory language (for both ERISA and the Code), and a redline version that compares the current proposed ERISA language with prior language referenced during the January 27th conference call. Please review the proposal and contact me with any comments or suggestions by Monday, March 6, 2000. I can be reached by phone (202/326-5837), by e-mail (tkim@ici.org), or fax (202/326-5839). Thomas T. Kim Assistant Counsel Attachments

---

Copyright © by the Investment Company Institute. All rights reserved. Information may be abridged and therefore incomplete. Communications from the Institute do not constitute, and should not be considered a substitute for, legal advice.