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August 28, 2008

The Honorable Christopher Cox
Chairman
U.S. Securities and Exchange Commission
100 F Street, N.E.
Washington, D.C. 20549

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Dear Mr. Chairman:

I understand that on July 1, 2008 the U.S. Securities and Exchange Commission (SEC) published for comment a proposed new rule which would reclassify, prospectively, state-regulated insurance products called indexed annuities as securities (Proposed Rule 151A) – File No. S7-14-08; Release Nos. 33-8933 and 34-58022. I respectfully ask you to consider extending the SEC’s comment period – currently set to expire on September 10, 2008 – for at least an additional 90 days.

As you know, the traditional “three-legged stool” of retirement income – Social Security, employer-sponsored retirement plans and personal savings – is crumbling. Currently, less than half of working Americans have any type of employer-sponsored retirement plan, and on average Social Security replaces just 38 percent of pre-retirement earnings. That means that more and more Americans are being forced to manage their own retirement savings and that annuity and other life insurance products are becoming increasingly important vehicles for ensuring that a retiree does not outlive his or her retirement income. Based upon the information I have received, it seems clear to me that Proposed Rule 151A could profoundly change the way these products are developed, marketed and sold. As I understand the Proposed Rule, it would subject already state-regulated insurance products to dual regulation and compliance costs. In addition, I understand that it would require such products to be distributed exclusively by registered representatives of SEC-licensed broker-dealers, rather than independent insurance agents who are solely state-licensed. I have been told that these requirements could substantially stifle innovation in the annuities market, as well as other life insurance products.

I believe that the Federal government should be providing Americans more options and incentives to save for retirement, not less. If Proposed Rule 151A has the impact some fear that it may it will hurt the ability of many Americans to preserve and increase their retirement nest-eggs. Under the circumstances, I believe that industry

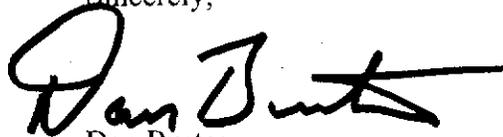
The Honorable Christopher Cox
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stakeholders, members of the general public, and the relevant Committees in Congress need to have sufficient time to evaluate and comment on this proposal; especially considering the fact that it has been over ten years since the SEC last took a formal, public action with regard to indexed annuities.

Mr. Chairman, millions of Americans use indexed funds to help achieve their savings goals. We should not take this option away from them without fully understanding the implications. I respectfully urge the SEC to extend the comment period for Proposed Rule 151A by at least ninety (90) days.

Thank you for your personal time and attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "Dan Burton". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Dan Burton
Member of Congress