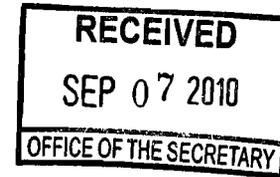


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August 25, 2010

Elizabeth M. Murphy  
Secretary  
Securities and Exchange Commission  
100 F Street NE  
Washington D.C. 20549



RE: Fiduciary Duty Proposed Regulation

Dear Ms. Murphy,

I'm writing in response to the Security and Exchange commissions request for public comment to inform its study of the obligations and standard of care brokers, dealers, and investment advisors when providing personalized investment advice about securities to retail customers.

I'm a Life Insurance agent, and my principal source of business is the sale of Life Insurance products. I am subject to all the regulations and oversight for the sale of fixed and variable insurance products through the state of Utah. Before making recommendations to my clients, I consider their current financial status, their needs and goals; their ages, their general health and medical health; and their family issues. These factors all must be evaluated before determining whether a fixed or variable product is appropriate.

Depending upon health history, and the product need, I routinely shop my case through many providers. I'm required not only to meet the Continuing Education Requirements of my resident state but also those of all the insurance companies with whom I deal, and my broker dealer. I am also subject to the SEC's and FINRA's broker dealer regulations which require, among other things that I treat customers fairly and abide by just and equitable principles of trade including suitability obligations.

Regardless of the product or service recommended, I provide full disclosure to my clients, giving them copies of signed documents which are product specific. I am required, by contract, to adhere to any and all conduct regulations and guidelines of each carrier that I represent.

**I have serious concerns about the possible adoption of the new "Best Interest" standard for broker dealers, and by extension Life Insurance producers who sell variable insurance products.** I believe such a general standard will not only create liability and uncertainty, but will provide no measureable benefit to investors. If the commission finds in its study that there are gaps in investor protection in the current regulation of brokers and dealers, then I would encourage you to propose specific rules designed to address specific conduct. None of us like new rules, but I believe a FINRA rules - based approach offers the best opportunities for compliance by brokers, and, therefore, the protection for investors.

I strongly encourage the commission to consider the input of Life Insurance producers, as well as our unique role in the market place and the fundamental nature of the products we sell when moving forward with its study of the obligations and standards of care for broker dealers and investment advisors. I thank the commission for the opportunity to comment and welcome future opportunities to provide input.

Respectfully,

A handwritten signature in cursive script that reads "John W. Homer".

John W. Homer, CLU