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We are a Registered Investment Advisor, filing with the SEC, with about $225 million under management. We have reviewed the recent request for comment and have several items of feedback as follows:

1. We believe regulations around robo-advisors need refinement. We think these entities should be subject to all regulations that other RIAs experience, including the fiduciary rule.
2. While we are not ERISA managers and do not answer to the DOL, we have been swept up in the DOL fiduciary rule, bifurcating our business. We now have a separate set of forms and routines for speaking with clients who are rolling their employer plan balances into IRAs. We are already fiduciaries, and it's a puzzle to us as to why we need to be part of this rule. It has caused hardship in our small firm, developing separate policies, procedures, forms, presentations, and so forth. At the same time, we are not charging these clients any differently or managing their funds any differently than we were before the DOL rule. This just represents another layer of regulation for us, and on only part of our business. We think the various regulators should be consolidated into a single agency dealing with all forms of investment advice, and a 'best practices' cost disclosure should be developed for all such advisors to utilize, with a requirement that that disclosure be given to all prospects and clients. What is immensely confusing is the myriad forms of disclosure, and conflicting and counter productive rules.
3. About 99% of investors never read the 'fine print'. In thirty five years of practice for hundreds of clients, I have probably seen five clients who want to read the fine print on a document or required disclosures on products or performance presentations, privacy notices, or what we write in our blog or market comment… you name it. The verbiage is daunting, and apparently useless from the client's perspective.
4. Regarding experience with the advent of the DOL rule, we have two clients who were told by brokers – where they kept small inherited accounts – that these rules resulted in liquidation of their accounts to effect a switch to a new class of the same mutual funds they already owned, and the imposition of a 1.5% annual fee on their balances. Of course both clients were horrified since that is nearly twice what we charge for providing far more service, and each moved their accounts away from those brokers.
5. We note that the bias to 'low cost service' does not necessarily meet everyone's needs. Yet the fiduciary rule focuses on cost as a kingpin for disclosure.