

_____ber 30, 2009

[YOUR NAME
AND ADDRESS]

By Facsimile: (202) XXX-XXXX

Hon. [NAME OF REP]

**[RAYBURN/CANNON/LONGWORTH] House Office Building
Washington, DC 20515**

RE: Request to Co-Sponsor Rep. Greg Meeks (D-NY) HR 2733

Dear Representative [NAME OF REP]:

I am writing you as both a constituent and a small business owner on an issue that is critical to me and my business: the need to overturn former SEC Chairman Chris Cox's Rule 151A. *To this end, I am urging that you consider joining the Hon. Greg Meeks of New York as a Co-Sponsor of HR 2733 - the "Indexed Annuities and Insurance Products Classification Act of 2009."*

This important bill nullifies Securities and Exchange Commission Rule 151A which classifies Fixed Indexed Annuities (FIAs) – which are clearly insurance products - into securities subject to registration and additional regulation with the SEC. This rule will add a tremendous amount of unnecessary and redundant regulatory cost, impair my company's ability to offer this product to its customers, and potentially result in a significant loss of jobs, all of which can be avoided by passage of this legislation.

Rule 151A was widely criticized when it was adopted last December in the waning hours of the last administration. A bipartisan group in Congress signed a joint letter opposing SEC adoption of this rule. The National Governors Association and the National Association of Insurance Commissioners opposed the rule and the NAIC later petitioned in court to overturn the adopted rule. A record 4,000 comments were filed – the vast majority in opposition - during the SEC's open comment period. Even one SEC Commissioner, Troy Paredes, strongly objected and voted against the rule. All was to no avail since other SEC Commissioners were unwilling to listen to reason.

Many predict this rule will causes large job losses. I can say – from a personal standpoint – this rule will hurt my business and potentially deprive our clients of a valuable product. While it is certain that requiring FIAs and FIA agents to be securities-registered will be disruptive for both companies and consumers, it is doubtful the rule will add much consumer protection on top of extensive state insurance regulation already in place.

Fixed index annuities are insurance products and have been regulated by state insurance departments since their introduction in 1995. They are – quite simply - fixed annuities. The only difference between a fixed index

annuity and a traditional declared rate fixed annuity is the manner in which interest is credited. Fixed index annuities link contract value to an external market index and thus have the potential to earn more interest than traditional annuities, while still providing guaranteed protection against losses. FIA owners do not invest in underlying markets and do not own any securities.

An important point is that FIA owners cannot lose principal – including previously credited interest - due to market fluctuations. This is the clear difference between fixed index annuities and security products such as mutual funds and variable products. This difference has been vividly illustrated in the past year during the market's sharp downturn; while owners of true securities lost upwards of fifty percent of their investments, owners of FIAs did not lose a penny because of stock market fluctuations.

At a time when there is securities fraud such as the Madoff scandal, market turmoil, and other serious issues for the SEC, it seems a questionable use of government resources for the SEC to meddle with products that have delivered on their promise of protection for consumers and are ably regulated by state insurance commissioners.

For all these reasons, I urge you to Co-sponsor the "*Indexed Annuities and Insurance Products Classification Act of 2009*". This issue is critical to me, my business, my employees, and my customers. I hope we can count on your support.

Again thank you for your attention and please consider contacting Representative Meeks or Ben Branch in his office.

Thank you for your consideration of this matter.

Feel free to contact me with any questions.

Regards,

**[YOUR NAME
AND PHONE NUMBER]**