United States Senate

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

WASHINGTON, DC 20510–6300

September 25, 2025

VIA ELECTRONIC TRANSMISSION

The Honorable Lori Chavez-DeRemer
Secretary
U.S. Department of Labor
200 Constitution Ave., NW
Washington, DC 20210

Dear Secretary Chavez-DeRemer,

As Chairman of the U.S. Senate Committee on Health, Education, Labor, and Pensions, I write in support of President Trump's recent Executive Order, titled "Democratizing Access to Alternative Assets for 401(k) Investors."

For decades, government, union, and private defined benefit plans have enjoyed the increased returns and diversification offered by alternative assets. All the while, hard working Americans have been unable to access these investments through their 401(k)s due to outdated and vague regulations.

While previous administrations have sought to promulgate overly restrictive regulations or misuse informal guidance processes, President Trump's recent Executive Order opens the opportunity for concrete rulemaking and promotes more fruitful retirements for Americans. As more workers begin to access alternative assets, it is crucial that they be able to consult with their employer and retirement professionals to understand these investments and determine the best strategies for their savings. President Trump's decision to reconsider the previous administration's burdensome Retirement Security Rule is an important step to ensuring that workers can make informed decisions when selecting alternative asset investments.

As the Department of Labor considers formal guidelines or safe harbors for alternative asset investments, it is crucial that workers can make timely decisions based on their life needs. Luckily, innovative products on the retirement market can address illiquidity and infrequent valuation concerns while enabling workers to benefit from alternative assets. Employers should have the regulatory clarity they need to offer these new investment options to workers while protecting a workers' ability invest their savings with flexibility.

Workers should also be able to confidently invest in alternative assets knowing that their savings are not endangered in overly speculative or risky investments. When Congress enacted the Employee Retirement Income Security Act in 1974, it tasked employers with providing their workers carefully considered retirement options. The Department of Labor should ensure that employers have flexibility to offer alternative asset options in investment menus while also upholding their duty to prudently select and monitor plan investments. Promoting consistent, sound investments is the key to helping workers maximize their savings.

I look forward to collaborating with the Department of Labor to bolster Americans' savings by implementing President Trump's executive order. As defined contribution plans continue to lead other plans in nationwide enrollment, workers should not unfairly be restricted from accessing alternative assets through their 401(k)s. Striking the right balance between flexibility and prudence is crucial to helping workers retire comfortably and confidently.

Sincerely,

Bill Cassidy, M.D.

Bill Cassidy, M.D.
Chairman
U.S. Senate Committee on Health,
Education, Labor, and Pensions