

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

_____)	
THRIVENT FINANCIAL FOR)	
LUTHERANS,)	
)	
<i>Plaintiff,</i>)	
)	Civil Action No. 16-cv-03289-SRN-DTS
v.)	
)	
R. ALEXANDER ACOSTA, Secretary of)	
Labor, and UNITED STATES)	
DEPARTMENT OF LABOR,)	
)	
<i>Defendants.</i>)	
_____)	

NOTICE OF ADMINISTRATIVE ACTION

Defendants, the United States Department of Labor and R. Alexander Acosta, Secretary of Labor (collectively, the “Department”), hereby notify the Court that on November 1, 2017, the Department submitted to the Office of Management and Budget (“OMB”) a proposed notice of final amendments to three prohibited transaction exemptions, entitled “18-Month Extension of Transition Period and Delay of Applicability Dates; Best Interest Contract Exemption; Class Exemption for Principal Transactions; PTE 84-24.” See OMB, List of Regulatory Actions Currently Under Review, <https://www.reginfo.gov/public/jsp/EO/eoDashboard.jsp> (scroll down to “Department of Labor” heading). This step provides for interagency review in preparation for publication in the Federal Register.

Several pending issues before the Court depend on whether the January 1, 2018 applicability date for certain prohibited transaction exemptions is retained or delayed. The proposed notice of final amendments, currently before OMB, relates to the Department's August 31, 2017 proposal to delay, for 18-months, the January 1, 2018 applicability date for certain exemptions. *See* 82 Fed. Reg. 41365 (Aug. 31, 2017) ([link](#)). For related administrative actions, the Department has finalized actions for Federal Register publication within about three weeks of submitting the action for interagency review. *See, e.g.,* Defs.' Notice of Administrative Action, ECF No. 87 (Aug. 9, 2017) (noting interagency submission on August 9, 2017, which was ultimately published at 82 Fed. Reg. 41365 (Aug. 31, 2017)); Defs.' Letter to Court, ECF No. 42 (Feb. 15, 2017) (noting interagency submission on February 9, 2017, which was ultimately published at 82 Fed. Reg. 12319 (Mar. 2, 2017)).

Dated: November 2, 2017

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Respectfully submitted,

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