

October 14, 2022

**By Email**

Vanessa A. Countryman  
Secretary  
U.S. Securities and Exchange Commission  
100 F Street, N.E.  
Washington, D.C. 205499-1090  
[rule-comments@sec.gov](mailto:rule-comments@sec.gov)

**Re: Release No. 34-94313; File No. S7-08-22 Short Position and Short Activity Reporting by Institutional Investment Managers**

Ms. Countryman:

As an independent international investor, I am compelled to comment on the U.S. Securities and Exchange Commission's (the "SEC" or "Commission") release on proposed Rule 13f-2 ("Proposal") under the Securities Exchange Act of 1934, and I thank you for the opportunity.

Short activity and obfuscation of real prices have compromised the US stock exchange, and perhaps the global markets. As I'm sure you well know, the overall sentiment of distrust between the everyman and Wall Street is on the rise. The issues of transparency, fairness, and individual rights are the foundation of any functioning market. So I am pleased that the SEC is attempting to address these growing issues.

Should Short Position and Short Activity Reporting by ISMs be regular, fulsome, compulsory, and ensured with checks and balances? Of course. In 2022, there is no reason for shorts to exist. However if the SEC chooses to continue allowing shorts and the myriad ways they distort the market, they must be heavily regulated in order to protect consumers and individual investors. Although naked shorting is illegal, the SEC must be aware that it is, in fact, rampant. Fails to deliver (FTDs) on stocks purchased by institutional investors are shockingly high. Add in the use of dark pools, and we have institutions and market makers profiting off investors by manipulating price discovery, controlling price action and inflating stocks beyond reason.

These are not victimless white collar crimes. Investment firms are shorting stocks, suppressing prices, and filling their own coffers while pillaging the public funds with impunity. Entire economies are rocked. Good businesses are raided and discarded. Individual portfolios are ruined. Is this not financial terrorism? How can this continue? The few fines we see from the SEC against bad actors are miniscule compared to profits made from shorts. Fines become a cost of doing business, and an inconsequential one at that. Personally, I think that bad actors should be jailed and held personally responsible for misleading and robbing their clients. If not imprisonment, repeat offenders should lose their business licenses and no longer be allowed to work in Finance. While that may seem extreme compared to the current virtually non-existing

consequences, the present system does not have a proper deterrent. The SEC must do all that it can to ensure investment funds and market makers are fulfilling their fiduciary duties and respond strongly with punishments when they do not act in that capacity.

In conclusion, the fact that shorts have ever been allowed to happen in the dark is frankly astonishing. Naked shorting is out of control and no one seems to be interested in pursuing the thieves who employ this method. As a foreign individual investor, I believe the current US stock market is in desperate need of full system overhaul to deliver the transparency, regulation, and enforcement that investors deserve. I support the SEC's Proposed Rule 13f-2. Moreso I urge the SEC to act quickly and aggressively in defense of small investors with this rule across the board, in order to safeguard store the integrity of global markets.

Finally, the loss of comments on the SEC's proposed rules is unacceptable. The SEC, of all organizations, should be above reproach in its document handling and record keeping. There was no backup record of these comments? The overall impression it gives is of a careless and irresponsible SEC. Surely that is not the impression the US markets would like to leave on the global community.

Sincerely,

J. Campbell

Individual Investor

Canada