COMMENTS ON PROPOSED AMENDMENTS TO WHISTLEBLOWER PROGRAM RULES

Mr. Brent J. Fields, Secretary  
Securities and Exchange Commission  
100 F Street, NE  
Washington, DC 20549-1090

RE: File Number S7-16-18

Dear Mr. Fields,

I appreciate the opportunity to comment on the above referenced proposed rule changes (the “Proposed Rule Changes”) by the Securities and Exchange Commission (the “Commission” or “SEC”).

I would like to express my concern that the Proposed Rule Changes run contrary to statute, intent, and legislative history. A plain reading of the statute and legislative history shows that there was never any intent or discussion about lowering the awards available for Whistleblowers. Furthermore, the Commission through the OIG and its Annual Dodd-Frank Whistleblower report has never once mentioned or discussed the lowering of awards. This is of great concern and has definitively discouraged Whistleblowers from reporting wrongdoing.

Additionally, the Proposed Rule Changes do not provide any more certainty to Whistleblowers and instead provide more confusion which will motivate them to remain quiet and not submit a Whistleblower tip. Among the various vague aspects of the Proposed Rule Changes is the concern of who these new rules would apply to? Will individuals that previously submitted Whistleblower Tips but have yet to file a Claim for An Award be subject to the Proposed Rules Changes or the older rules? Please clarify this.

Finally, I would like to express my concern that the Proposed Rules Changes are misguided in that they do not focus on the very clear intent of Congress and legislative history. In fact, the SEC’s Whistleblower Program and Whistleblower Office has often strayed away from the original Congressional intent and legislative history - yet these Proposed Rule Changes do not address the more clear cut statutory requirements and instead appear to based off personal opinions and subjective concerns about awarding money to those who blow the whistle.

To provide more clarity, I have attached an email chain along with attachments which shows that the SEC’s Whistleblower Program is not properly meeting its statutory requirements to maintain the confidentiality of Whistleblower Tips. It is my believe that the proposed rules should focus on solving fundamental cracks in the Whistleblower Program such as the problems illustrated in the attached email and documents.

Sincerely Yours,

Taylor Amarel
URGENT - Action Required - Potential Violation of Dodd-Frank Whistleblower Rules

Sent: 🌐 May 9, 2018 12:13 PM
From: Taylor.s.amarel taylor.s.amarel@protonmail.com
To: Norbergj Norbergj@sec.gov, oig oig@sec.gov
CC: whistleblower@judiciary-rep.senate.gov whistleblower@judiciary-rep.senate.gov

Dear Ms. Norberg,

As you know, I have routinely expressed my concerns that sending Whistleblower tip information via mail is highly risky, insecure, and not compatible with the requirements of Dodd-Frank that require the SEC to take action to maintain the confidentiality of a Whistleblower. I have routinely voiced these concerns and requested that I be given access to an Accellion link to transfer files to avoid the unnecessary risks associated with shipping items. Although I repeated my concerns I did not get a satisfactory answer and was still requested to ship large document sets via mail.

Put shortly, and as supported by the attached pictures: My identity as a Whistleblower has been exposed as the result of the illegal opening of my package sent to the SEC and the theft of a flash drive containing large amounts of highly confidential (and extremely useful) information that was requested by SEC staff in relation to at least one ongoing investigation.

Now, I wish to express my very real and serious concerns as a result of what just happened, despite my repeated warnings. I want the SEC to immediately take remedial action to:

1. Investigate why package LK156275627HK was not delivered to your office;
2. At what point and why did the package get marked as "return to sender";  
3. Did SEC or USPS employees interact or influence the shipping of the package;
4. When, where, how, and why, was the package clearly ripped open and the flash drive taken out (see attached pictures); and
5. Take immediate action to ensure that these faults in the sending of information are not allowed to happen in the future, including but not limited to launching an investigation into USPS delivery services, SEC mail reception, etc.

Ms. Norberg, this at least the second time a flash drive has been stolen from mailings to the SEC. Please provide an alternative method to submit information. I will be following up with a certified letter asking for a formal investigation into what is going on.

Best,
Taylor Amarel

7 files attached

WhatsApp Image 2018-05-09 at 12.00.14 PM.jpeg (157.14 KB)
WhatsApp Image 2018-05-09 at 12.00.14 PM (1).jpeg (116.31 KB)
WhatsApp Image 2018-05-09 at 12.00.13 PM.jpeg (73.59 KB)
WhatsApp Image 2018-05-09 at 12.00.13 PM (1).jpeg (112.33 KB)
WhatsApp Image 2018-05-09 at 12.00.12 PM.jpeg (86.28 KB)