

## **The International Association of Small Broker Dealers and Advisors**

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The International Association of Small Broker-Dealers and Advisors [www.iasbda.com](http://www.iasbda.com) submits the following comments on the above referenced interim rule. The rule is a welcome addition to the battle against abusive short-selling. Our only concern is the lack of a description of what the staff will do with this information. We believe that it should, as originally envisioned, be made public so that private litigants, including investors and issuers, could supplement the Commission's efforts. Keeping the information confidential places the entire burden of interpreting it on an already heavily burdened staff. We assume, but its not clear, that it will be shared with FINRA and the state regulators. We also believe that at some point in time it becomes aged and therefore not of proprietary importance. Will the information remain confidential even after the positions are closed out? Rulemaking that involves disclosure inevitably places a burden on firms such that the use of the information must outweigh the burden. We suggest that one alternative might be to create a special task force of regulators that will review this information regularly and act when necessary. We also think that task force should have the authority to determine when such information may be disclosed to the public and the ability to hire additional staff when needed.. Finally we think that there may well be occasions when the issuers subject to heavy short selling activity and rumors have a right to know especially if the activity is accompanied by significant fails.

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