



Cornell University
Cornell Law School

William A. Jacobson, Esq.
Associate Clinical Professor
Director, Securities Law Clinic
G57 Myron Taylor Hall
Ithaca, New York 14853
t. 607.254.8270
f. 607.255.3269
waj24@cornell.edu

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Via Electronic Filing

Elizabeth M. Murphy
Secretary
Securities and Exchange Commission
100 F Street, NE
Washington, DC 20549-1090

RE: File No. SR-FINRA-2013-018 (Proposed Amendments to FINRA Rule 8313 – Release of Disciplinary Complaints and Other Information)

Dear Secretary Murphy,

The Cornell Securities Law Clinic (“the Clinic”) submits this comment letter in support of the Financial Industry Regulatory Authority’s (“FINRA”) proposed amendments to FINRA Rule 8313 relating to Release of Disciplinary Complaints and Other Information (“Proposed Amendments”). The Clinic is a Cornell Law School curricular offering, in which students provide representation to public investors and public education as to investment fraud in the largely rural area “Southern Tier” region of upstate New York. For more information, please see: <http://securities.lawschool.cornell.edu>.

FINRA Rule 8313(a) currently provides as follows:

“FINRA shall, in response to a request, release to the requesting party a copy of any identified disciplinary complaint or disciplinary decision issued by FINRA or any subsidiary or Committee thereof...”

In the absence of such a specific request, Rule 8313 provides publicity thresholds for the release of information pertaining to disciplinary complaints and disciplinary decisions, FINRA Rules 8313(b)(1) and (c)(1) respectively, to the public.

FINRA’s Proposed Amendments to FINRA Rule 8313 ease many of the restrictions placed upon the publication of disciplinary actions. Among other changes, the Proposed Amendments eliminate the publicity thresholds in Rules 8313(b)(1) and (c)(1) and remove Rule 8313(a)’s provision regarding the release of identified disciplinary complaints and disciplinary decisions. FINRA argues that greater access to disciplinary information provides valuable guidance and information to members, associated persons, and investors. Additionally, FINRA believes that publication of such

information not only deters future misconduct, but also serves as a learning tool with which firms can educate their associated persons.

The Clinic supports the Proposed Amendments and agrees with FINRA as to the Proposed Amendments' beneficial effects.

Public investors greatly benefit from increased access to disciplinary information. Before deciding to engage in a business transaction, such information enables investors to thoroughly consider a firm or associated member's disciplinary history, informing the investor's decision making process. Additionally, public investors benefit from consistency in the information they are able to find and access.

The publicity thresholds under the current rule create inconsistencies, preventing FINRA from releasing certain information through the FINRA Disciplinary Actions online database ("FDA") that is otherwise available through BrokerCheck, the SEC, and other regulators. To avoid confusion, information among regulators should be consistent and public investors should be permitted to confirm their findings from the SEC and other regulators with the FDA.

The Clinic also supports the Proposed Amendment's 8313(a)(2) provision to publically release unredacted copies of statutory disqualification decisions, notifications, and notices issued pursuant to the Rule 9520 Series. As discussed in the Notice of Filing, not only does Rule 8313 currently fail to specifically address the release of statutory disqualification decisions to the public, but also FINRA does not release the identity of the statutorily disqualified firms or individuals. Release of such information in unredacted form would provide investors with valuable, identifying information, enabling them to make informed business decisions concerning their relationships with certain member firms or individuals.

Finally, the Clinic supports the Proposed Amendment's provision to publically release information regarding summary suspensions or expulsions of members and summary revocations of the registration of persons associated with a member for failure to pay fines, other monetary sanctions, or costs pursuant to Rule 8320. Investors should not only have access to a firm's disciplinary history, but should also be permitted to know whether a firm is meeting their obligations as a FINRA member.

The Clinic, however, is concerned with a portion of the Proposed Amendment's language. The Proposed Amendment to 8313(a) would read as follows:

"FINRA shall release to the public a copy of, and at FINRA's discretion information with respect to, any disciplinary complaint or disciplinary decision issued by FINRA, as defined in paragraph (e) of this Rule." (Emphasis added).

The Clinic recommends that FINRA release clear guidance governing FINRA's discretionary powers under 8313(a).

This specific discretionary power is referenced in the Proposed Amendment's FINRA Rules 8313(a)(1), (a)(2), and (a)(4). The Clinic believes that guidance on

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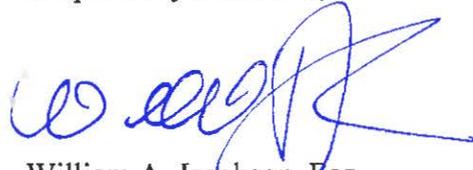
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FINRA's discretionary 8313(a) powers would help clarify FINRA's specific obligations to the public regarding the release of information pertaining to disciplinary complaints or disciplinary decisions issued by FINRA, statutory disqualification decisions, notifications, or notices issued by FINRA, and decisions issued by FINRA pursuant to NASD Rule 1015 and NASD Rule 1016.

For the foregoing reasons, the Clinic supports FINRA's proposal, but urges FINRA to promptly provide guidance on the issue of discretion in the Proposed Amendments.

Respectfully submitted,



William A. Jacobson, Esq.
Associate Clinical Professor of Law
Director, Cornell Securities Law Clinic



Ali N. Wright
Cornell Law School, Class of 2014