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FIDUCIARY

Department of Labor
Employee Benefits Security Administration
20 CFR Part 2510

RIN 1210-AB79

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The definition of the term Fiduciary stated for this Agenda is “Conflict of Interest Rule-Retirement Advice: Best Interest Contract Exemption, Class Exemption for Principal Transactions In Certain Assets Between Investment Advice Fiduciaries and Employee Benefit Plans and IRAs”

Agency: a Employee a Benefits Security Administration, Labor

President Obama, by Memorandum, directed the Department of Labor to implement the DOL Rule on fiduciary.

President Trump came on board as #45, stepping in to issues left by his predecessor. Trump issued his directive to determine if the Fiduciary rule is a train wreck that may adversely affect the ability of Americans to gain access to retirement information and financial advice and to prepare an updated economic and legal analysis concerning the likely impact of the final rule as part of that examination, that will adversely affect the ability of Americans to gain access to retirement information and financial advice.

This Fiduciary is a train wreck. Without consequence, there is no purpose of a rule, of an Executive order. What is needed is a fast track to arrest and incarcerate fiduciary violators. There is none in the order as it stands. In fact, on Wall Street, there is no consequence either for crimes of fiduciary, as it stands now.

There is a much larger conversation on the frauds of Wall Street and the failure of Fiduciary. An accomplishment I do not get public credit for is having restored the voting rights of felons by showing Terry McCauliffe’s team an article I wrote, I then walked the legislative aid through, showing that Main Street (including legislators) get jailed while Wall Street’s get ‘disciplined’ or as described in an advisorhub article, Wall Street’s get ‘time out’, their clients who may be victims but don’t know it yet, are unaware of their ‘fiduciary’ not being jailed for crimes the victim would be.

Industry's lawyer cartel and academics work with the Wall Street only appointed SRO to create rules and procedures that skirt the law. That is what the lawyers believe they are acceptable to do, what they agreed to be hired for but lawyers ethics state differently. There is a best practice code, lawyers AND lawyers who become judges on these matters in the courts and in the ALJ courts are accountable to.

The conversation of FIDUCIARY, President Trump, extends to Veterans Affairs, your agency that sets war heroes and veterans up to be victimized by assigning fiduciary who rob victims at their weakest point- before going in to surgery, while unable to care for themselves.

Government assigned Fiduciary rob trusting veteran War Heroes. Regulator approved Fiduciary rob investment clients. The stories are rampant over the news, for years. These stories, these points of view that should be heard are not. Because there is no criminality to the breaches of Fiduciary.

A man walked cross country to bring attention to the plight of Veterans Affairs. Our meeting was chance. He opened my eyes that War Heroes are robbed by Fiduciary President's oversee. This veteran had no idea when we were introduced that I research and write about FINRA fraught with covering up fiduciary crimes against investors.

An employee at Kinkos asked if I could help this man pulling a wagon find a storage spot. I am a local. I did help him. And then I kept bumping in to him everywhere I went. It is not like Crystal City is New York City but the likelihood of seeing someone so many times was interesting to say the least, enough to awaken that sleeping newsperson inside of me.

His name to me will always be Thomas The Walking Veteran. Quite by accident I learned we had an unexpected connection- Fraud, Fiduciary fraud and how the system fails the collective "us." I was doing something about this.

I found the documents confirming Bernard Madoff said "they knew." "They" did, fifty years before Madoff turned himself in. Bernie told the truth. My learning this inspired an idiot proof article with interesting ripples that continue. My article gave 60,000 Virginia felons back their rights to vote- a most respected criminal justice reform few will hear my name connected to.

It is what I state is a start. 60,000 Virginia felons got back their rights to vote showing Fiduciary-lawyers and Wall Street's who did criminal acts but did not lose their rights to vote because no one sent them to jail because their crimes have been repackaged while working ensaring more victims.

Thomas is a victim of a "They Knew."

Thomas The Walking Veteran made news walking cross country to DC. Legislators like Joe Wilson and French Hill walked distances with Thomas when he hit their constituency. Thomas's goal to arrive in DC was in time for Veterans Day.

The night before Thomas was set to return to his home, Thomas invited me to join his meeting with French Hill. Thomas knew my issues are Wall Street fraud against Main Street and on Internet Chaos unleashed by Gore/Clinton in 1998 to a cartel of their colleagues, one, Vint Cerf, a friend of Gore since the late 1960's, another the place where Gore is now a partner, KPCB.

On our return back from Congress, Thomas opened up. Thomas had accomplished his goal, walking thousands of miles to bring attention to Congress of the Department of Veterans Affairs failures to its, the Departments, the VA's fiduciary, the men and women who give their all for our freedoms.

I asked Thomas about his family.

As I listened, I understood what could motivate a man to walk thousands of miles. As I listened, I understood what makes for greatness..... nothing to lose, everything to gain.

So he walked, and he walked and he walked.

Thomas told me something else.

And then Thomas told me something else.

Of course, having just left French's office, I sputtered, asking 'what did French say?' I knew French boasts of his being a Financial Consultant, the term the SEC only approved SRO uses. A Financial Consultant is the umbrella term for the Fiduciary who takes your money until the moment you sue them, at which time, FINRA, the SRO, parses that "financial consultant" word in to Broker, RIA, Investment Advisor and so on and so on. At which time, the investment client is told they have No Choice but to take their claim in to the only SEC approved SRO, the FINRA which is not formerly the NASD but still the NASD, 100% owned by the New NASD Holdings.

The Client is then told they sued a broker, not an Investment Advisor hence the client is told the only forum the client can sue the IA in is in the SRO that as it is Congress never gave any oversight or workability relationship with. Congress only gave the SRO the right to engage with issues between brokers and their brokerages. Congress never gave the Commission itself workability with investment clients and investment advisors nor did Congress ever give the SEC the right to create an ALJ court, period- all the aforementioned intertwined in this conversation of Fiduciary. It does get deeper. There are more documented details.

There is a problem Thomas experienced that I learned of that is the experience of all investment clients and victims of VA Fiduciary Crime.

Who do you call? It sure is not Ghostbusters.

There is no cop to call. Law enforcement is not aware of FINRA. Everyone knows there is a mythical beast call the SEC.

Who do you call when your Fiduciary, the person you entrusted funds to, steals them?

In Thomas' case, the VA appointed fiduciary stole about _____ as I recall. Thomas had not told French's office. I did. I let know to the staffer who was with French at the time we met outside the House Chambers there is the harsh fact the VA is appointing criminals to bedside fiduciary of war heroes and veterans who trust their government.

This story could end here. Never with me.

That same morning I had been at a Washington Post event where the now departed VA Secretary spoke. We spoke briefly. His aide handed me her card.

Upon learning that our veterans are being robbed under the knife and while incapacitated, I group sent an email to her, to French's staffer, along with several military papers on this issue.

Thomas is not alone. This Google hyperlink provides a pathway to countless other similar sadness that men and women who go to war for our freedom are endangered at home while ill, while unable, while on their death bed, or while recuperating.

There out to be a special place for someone who robs a veteran who cannot take care of themselves or trusts them. There ought to be a special place for the government employee that fails to know of the character or is working with the character appointed to, robbing our veterans. Hell would be too good for what most of us think this miscreants deserve.

But as is in the business world where President Trump comes from, superior respondeat rings royal. The top dog suffers the heat. This is in President Trumps hands.

Meet Thomas albeit by his link <http://walkingveteran.com/>

Here is French Hill's tribute to Thomas <https://youtu.be/MVERwMMHa5w>

The VA has their definition of Fiduciary, <http://www.benefits.va.gov/fiduciary/definitions.asp>

Here is the Court-Appointed Definition of Fiduciary: A court-appointed fiduciary is a person or legal entity appointed by a state or foreign court to supervise a beneficiary unable to manage his or her financial affairs and/or that person's estate. The statutory title of a court-appointed fiduciary may vary from state to state. Guardian, conservator, committee, trustee, or curator are the most commonly used titles. The appropriate title should be used as state law requires.

Here is the Federal Definition of Fiduciary: A federal fiduciary is a person or legal entity authorized by VA to serve as payee of VA benefits for a beneficiary unable to manage his or her financial affairs. The term federal fiduciary includes the following:

Another definition of Fiduciary is not needed. What is needed is a spelling out of what will happen to a Fiduciary who robs a person or as in the case of Thomas, even worse, busted a 401K, or in the case of the victim of RBC investment advisor Scott Sangerman and RBC, provided falsified IRA papers to the IRS.

Crimes by a Fiduciary should be a one size fits all consequence. Jail. Felon. Losing their rights to vote, not getting as advisorhub.com's headline calls it "time out" for 3 months.

Read about these victims of Veterans Affairs

Fiduciary. https://search.yahoo.com/yhs/search;_ylt=A0LEVjYbMMxYnp0AXDEnnllQ;_ylc=X1MDMTM1MTE5NTY4NwRfcgMyBGZyA3locy1tb3ppbGxhLTAwMgRncHJpZANtbnRocHdmb1NWLlJqS213Lkp6aWpBBG5fcnNsdAMwBG5fc3VnZwMwBG9yaWdpbgNzZWVyeY2gueWFob28uY29tBHBvcwMwBHBxc3RyAwRwcXN0cmwDMARxc3RybAMzNARxdWVyeQN2ZXRlcmFucyUyMHJvYmJlZCUyMGJ5JTlwZmlkdWNpYXJ5BHRfc3RtcAMxNDg5Nzc3MDgz?p=veterans+robbed+by+fiduciary&fr2=sb-top&hspart=mozilla&hsimp=yhs-002

It is not that these crimes are not known even by Congress. Nothing is being done, Mr. President.

The Secretary of the VA that let these crimes happen is an accessory to crimes against veterans, crimes that are against citizens.

To be very clear, what should make a difference is not the definition of Fiduciary but the consequence which is stated by the law. What should make a difference is lawyers forgetting their trust is not defined by getting a client off but by the code and rules of the ethics overseeing lawyers. That a lawyer who gets a client off or covers up the clients crime, is failing lawyers Best Practices, and guilty too, Mr. President.

The DC Bar states lawyers, of which judges are lawyers, too, are bound to their ethics 24/7. The DC Bar, too, is an SRO with no authority to adjudicate members crimes nor authority to withhold members crimes from cops. Withholding crimes from cops is, as all lawyers and judges know, accessory to a crime during, after and before.

<http://blog.chron.com/armedsources/2012/06/va-gave-gamblers-addicts-and-thieves-control-of-disabled-vets-money/>

<https://www.veteranslawblog.org/va-fiduciary/>

<https://www.stripes.com/news/veterans/ailing-veterans-still-at-risk-of-theft-from-those-appointed-by-va-1.351839>

<http://www.riverfronttimes.com/newsblog/2016/10/27/woman-appointed-by-va-to-help-disabled-veteran-robbed-him-instead-feds-say>

<http://michaelconnelly.jigsy.com/entries/general/more-va-abuse-of-veterans>

<http://www.seattlepi.com/national/article/Scammers-prey-on-disabled-vets-to-steal-millions-3636838.php>

<http://www.keytlaw.com/arizonawills/2012/06/thieves-steal-money-from-disabled-veterans/>

Congress cannot say they did not know. They did. Senator Susan Collins pushing a Bill last spring at the NASAA spring conference, a former Registered Representative herself talked on elder abuse.

There are still conversations about the Securities Administrator who decided that America's treasure "To Kill A Mockingbird" author Harper Lee was sane to let the lawyer many suspect of misdeeds. The SEC administrator in her state is not a doctor but made a Fiduciary decision that should be classified as many fans, an others see as Elder Abuse. The SEC claimed Fiduciary because the matter included the blind ailing author's funds. Congress knew as this 1999 hearing shows.

"[House Hearing, 112 Congress]

[From the U.S. Government Printing Office]

REFORMING VA'S FLAWED FIDUCIARY SYSTEM

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HEARING

before the

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

of the

COMMITTEE ON VETERANS' AFFAIRS

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Bill and Bill are both still in Congress pushing..... bills.

Remember this. It is simple:
Congress created The Commission.

Congress told The Commission their oversight was over Securities Brokers and Brokerages only.

Congress told The Commission to establish multiple SROs. One only has been approved, ever, by the SEC, violation of Congress' order.

That one SRO operates still to this day but under a new name, with the SEC further violating Congress' order by including disputes DRS oversight of investment clients and investment advisors in the SRO.

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