

P.O. Box 325, Cascade, MT 59421
Phone 406-868-9814
Email: tomj@highcountrystrategies.com
Website: www.highcountrystrategies.com



September 7, 2023

Via electronic submission: www.sec.gov

Chair Gary Gensler
Securities and Exchange Commission 100 F Street N.E.
Washington, D.C. 20549

Re: Conflicts of Interest Associated with the Use of Predictive Data Analytics by Broker-Dealers and Investment Advisers; File No. S7-12-23

Chair Gensler:

After reviewing the proposed rules regarding the use of predictive analytics, I have a number of concerns regarding the unintended consequences that, if passed, these rules could negatively impact rural citizens in need of access to investment products and also organizations who work in the field of financial empowerment. Furthermore, these rules as written could have the impact of closing all online investment tools leaving many rural Americans without an accessible vehicle for their investments. As the former executive director of a statewide Montana based financial empowerment nonprofit, I urge you to take a step back and reevaluate the impacts the proposed rules will have on rural America, nontraditional investors, and organizations who provide financial empowerment programs for these populations.

Many rural Americans are hardworking individuals who have little access to traditional financial advisors and their products. Online and app-based investment tools provide opportunities for these individuals to put money aside and invest in capital markets that otherwise doesn't exist or is extremely limited. This rule as written has the potential to shut down these investment tools and limit or eliminate access to rural Americans who need them.

I am also concerned that these rules could potentially bleed over to the efforts of financial capability organizations who incentivize saving and borrowing through programs such as prize-linked savings, individual development accounts, and lending circles. These programs are demonstrated to be effective in helping low and moderate income individuals save and build their credit.

I do believe that if predictive data analytics is used unethically and solely in an attempt to encourage harmful investment decisions for the sake of corporate profits, the SEC should enact changes to protect these individuals. It is important that policies be applied judiciously to impact just those bad actors and protect consumers rather than to eliminate the opportunity altogether. The SEC appears to be using an axe rather than a scalpel to apply these rules.

Thank you for your time and consideration in reviewing my comments. I hope you take your time and go back to the drawing board to take another look at what you how to accomplish, how your plan to get there, and identify what the intentional and unintentional consequences will be. Please contact me with any questions or comments you may have.

Sincerely,

Tom Jacobson
Principal
High Country Strategies, Inc.