

U.S. Securities and Exchange Commission Office of Inspector General

Abbreviated Report of Investigation



Subject: Commissioner Peirce Impersonation Title: N/A SK-Level/Grade: N/A Office: N/A Region: N/A Security Clearance: Y / N / Case #: 20-COM-0012-I

Origin: Office of Commissioner Peirce

Investigation Initiated: 08/20/2020

Investigation Completed: 1/11/2022

OVERVIEW

This report summarizes the results of an investigation conducted by the U.S. Securities and Exchange Commission's (SEC) Office of Inspector General (OIG) into the alleged impersonation of an SEC Commissioner.

The OIG received a complaint regarding an impersonation of SEC Commissioner Hester Peirce. Specifically,(b)(6): a British citizen, received a letter that was purportedly from the "SEC Office of Foreign Assets Control" that bore Commissioner Peirce's signature. The letter stated (b)(6): was the beneficiary of proceeds from the sale of shares of The Medical House and that Harrell Securities LLC would assist with transferring the alleged assets to him. The "SEC Office of Foreign Assets Control" does not exist and Commissioner Peirce confirmed that she did not sign the letter. (EXHIBIT 1)

The OIG received three additional complaints involving impersonations of Commissioner Peirce. Specifically, (b)(6): (b)(7)(C) British citizens, received letters substantially identical to(b)(6): that were purportedly from Commissioner Peirce involving the purchase of shares of Hanover Capital Group, Logica CMG PLC, and Foresight VCT PLC, respectively. (b)(6): and(b)(6): purchases were to be executed by a company known as Harrell Securities; (b)(6): purchase was to be executed by a company known as Falcon Investment Consulting Group (Falcon). (EXHIBITS 2 – 4)

The OIG also received a complaint from (b)(6): (b)(7)(C) a civilian, involving her receipt of a letter purportedly from Commissioner Peirce pertaining to the purchase of a security to be executed by Remington Securities LLC. The OIG attempted to contact (b)(6): however, she did not respond to the OIG's requests for additional information related to her complaint. (EXHIBIT 5)

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[AGENT'S NOTE: The e-mail address (b)(6): provided originated from an internet, television, and phone services company based in the United Kingdom.]

and (b)(6); The OIG initiated an investigation and determined that (b)(6); (b)(7)(C) were contacted about purchases of shares of securities they owned by representatives from alleged brokerage firms Richieson Securities; Donaldson-Finley; Jackson Associates, LLC; and Falcon, respectively. As a result, (b)(6); (b)(7)(C) and (b)(6); sent money to bank accounts located in either the Philippines or Indonesia and later received a letter bearing Commissioner Peirce's signature that explained that the SEC would assist Harrell Securities and Falcon with transferring funds to them. After receiving these letters, (b)(6); (b)(7)(C) and (b)(6); had no further communication with the alleged brokerage firms, Harrell Securities, or Falcon nor did they send additional funds requested by these firms related to the purchases. The investigation was unable to determine the source or the author(s) impersonating Commissioner Peirce or the account holders of the bank accounts to which (b)(6); (b)(7)(C) and (b)(6); had sent funds.

Through the International Criminal Police Organization (INTERPOL), the OIG contacted law enforcement in the Philippines and Indonesia regarding the bank accounts used in this fraud scheme; however, at this time, no response has been received from either country.

The OIG is closing this investigation due to a lack of actionable leads and will consider reopening it if viable information or actionable leads are obtained through INTERPOL.

BACKGROUND

On July 31, 2020 (b)(6); sent an e-mail to Commissioner Peirce's public e-mail address (CommissionerPeirce@sec.gov) requesting information about a letter he received that she had purportedly signed. Commissioner Peirce's staff provided this e-mail to the OIG, which initiated an investigation. (EXHIBIT 1)

On October 19, 2020, (b)(6): submitted an on-line complaint form to the SEC's Office of Investor Education and Advocacy (OIEA) stating that he received a letter that appeared to impersonate Commissioner Peirce, which OIEA provided to the OIG. (EXHIBIT 2)

On October 20, 2020 (b)(6): sent an e-mail to Commissioner Peirce's public e-mail address stating she received a letter that Commissioner Peirce had purportedly signed and seeking verification that it was genuine. (EXHIBIT 5)

On November 8, $2020 \frac{(b)(6)}{(b)(7)(C)}$ submitted an on-line complaint form to OIEA that included a copy of a letter that Commissioner Peirce purportedly signed $\frac{(b)(6)}{(b)(7)(C)}$ was seeking verification of the letter's authenticity from the SEC. OIEA provided $\frac{(b)(6)}{(b)(7)(C)}$ complaint to the OIG. (EXHIBIT 3)

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On February 10, 2021, (b)(6): sent an e-mail to Commissioner Peirce's public e-mail address stating he received a letter that she had purportedly signed. OIEA provided (b)(6): (b)(7)(C) e-mail to the OIG. (EXHIBIT 4)

INVESTIGATIVE FINDINGS

Fraudsters Initial Communication with (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C)

The OIG interviewed (b)(6) who reported that in March 2009, he purchased 1,000 shares of The Medical House (MLH) through his bank. In July 2020, a representative from Richieson Securities, a company unknown to him, contacted him and informed him that a United Kingdombased company wished to purchase his shares of MLH through a "hostile bid." The representative from Richieson Securities told (b)(6) that in order to receive funds for the sale, he needed to pay an "escrow payment." (b)(6): then received an e-mail with instructions to send money to an account with Eastwest Bank, located in Quezon City, Philippines, and as a result, (b)(6); sent £4,294.50 (approximately \$5,886.00) to this account. (EXHIBIT 6)

The OIG interviewed (b)(6): who reported that sometime in 2000, he purchased shares of Oxygen, which later became Hanover Capital. In July 2020, a representative from Donaldson-Finley, a company unknown to him, contacted him and informed him that Hanover Capital was undergoing a "takeover," and asked if he wanted to sell the shares he owned. The representative from Donaldson-Finley told (b)(6): that in order to receive proceeds from the sale, he needed to pay a bond/deposit. (b)(6): then received an e-mail with instructions to send money to an account at Metropolitan Bank and Trust Company located in Manila, Philippines, and as a result, (b)(6): sent £4,672.80 (approximately \$6,404.00) to this account. (EXHIBIT 7)

The OIG interviewed (b)(6); who sometime in 1999 or 2000, purchased shares in Logica CMG PLC (Logica). In September 2020, a representative from Jackson Associates LLC, a company unknown to him, contacted him and informed him that Logica was undergoing a hostile takeover and offered to purchase the shares he owned. The representative from Jackson Associates told (b)(6); that in order to receive the proceeds from the sale, he needed to complete several forms and pay a deposit to an account at Bank Rakyat Indonesia, and as a result, (b)(6); sent £4,440.78 (approximately \$6,086.00) to this account. (EXHIBIT 8)

The OIG interviewed (b)(6): who reported that in March 2007, he purchased shares of Foresight through his bank. In January 2021, a representative from Falcon, a company unknown to him, contacted him and informed him that Foresight was undergoing a takeover and offered to purchase the shares he owned. The representative from Falcon told (b)(6): that in order to receive the proceeds from the sale, he needed to pay a bond fee to an account at Bank Rakyat Indonesia, and as a result, (b)(6): sent £11,362.50 (approximately \$15,800.00) to this account. (EXHIBIT 4)

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Receipt of Letters Impersonating Commissioner Peirce

(b)(6); (b)(7)(C) and (b)(6); each received additional e-mails from Harrell Securities in relation to their aforementioned sales. (b)(6): also received additional e-mails from Falcon in relation to his aforementioned sale. The e-mails instructed them to send additional funds to the foreign bank accounts for the purchase of warrants related to their respective investments. (b)(6); (b)(7)(C) and (b)(6); had no connection to Harrell Securities and were unfamiliar with the company; (b)(6): had no connection to Falcon and was unfamiliar with the company. However, the correspondence that (b)(6); (b)(7)(C) and (b)(6); received from Harrell Securities and Falcon included a copy of a letter that Commissioner Peirce purportedly signed.

The letters from Harrell Securities and Falcon were tailored to each individual based on their previous stock purchases and payments to the foreign bank accounts to which they had sent funds.^{(b)(6)} letter, dated July 29, 2020, stated he was the beneficiary of £41,656.65 (approximately \$58,955.00) for the sale of MLH and provided that warrants amounting to 10,500 shares of MLH were available. (b)(6); letter, dated September 21, 2020, said he was the beneficiary of £55,035.20 (approximately \$77,889.00) for the sale of Hanover Capital and provided that warrants amounting to 25,000 shares of Hanover Capital were available. (b)(6): letter, dated November 3, 2020, said he was the beneficiary of £53,844.44 (approximately \$76,203.00) for the sale of Logica and provided that warrants amounting to 8,958 shares of Logica were available. (b)(6); letter, dated February 1, 2021, said he was the beneficiary of £121,578.75 (approximately \$168,800.00) for the sale of Foresight and provided that warrants amounting to 151,500 shares of Foresight were available. Each letter explained that Harrell Securities or Falcon was "the faithful agent duly recognized by the [SEC]." (EXHIBITS 4.6 – 8)

Commissioner Peirce confirmed that she did not sign any of the letters. (b)(6); (b)(7)(C) and (b)(6); did not respond to this correspondence or send any additional funds after receiving letters from Commissioner Peirce. (EXHIBITS 1, 4, and 6 – 8)

Illegitimate or Unauthorized Entities

The investigation determined that Richieson Securities, Donaldson-Finley, Jackson Associates, Harrell Securities, and Falcon were not legitimate businesses. The websites for these companies became inactive sometime after (b)(6): (b)(7)(C) and (b)(6): received correspondence from them. Further, none of the entities are recognized by the Financial Conduct Authority (FCA), the United Kingdom's financial markets regulator. The FCA issued warnings specific to Richieson Securities, Donaldson-Finley, Jackson Associates, and Falcon stating the entities were firms acting without authorization. (EXHIBITS 9 and 10)

The OIG's Request for International Assistance

The OIG submitted a request through INTERPOL to law enforcement in the Philippines and Indonesia requesting information pertaining to the accounts with Eastwest Bank and Metropolitan Bank and Trust Company located in the Philippines, and Bank Rakyat Indonesia.

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INTERPOL notified the OIG that the requests with the Philippines and Indonesia authorities were pending and could take a year or longer to return the results, if information was available.

The OIG is closing this investigation due to a lack of actionable leads and will consider reopening it if viable information or actionable leads are obtained through INTERPOL.

Signatures

Case Agent:	
(b)(6); (b)(7)(C)	Date
(b)(6); (b)(7)(C)	
	Date
Approved: Mr Pault	1/7/2022
Nicholas Padilla, Jr., Deputy Inspector General	Date

Nicholas Padilla, Jr., Deputy Inspector General for Investigations

Exhibits

- 1. Predicating Document, Complaint Intake (b)(6); dated July 31, 2020.
- 2. Predicating Document, Complaint Intake^{(b)(6)} dated October 20, 2020.
- 3. Predicating Document, Complaint Intake (b)(6); dated November 12, 2020.
- 4. Memorandum of Activity, regarding the interview of (b)(6); dated March 3, 2021.
- 5. Predicating Document, Complaint Intake (b)(6); dated November 12, 2020.
- 6. Memorandum of Activity, regarding the interview of (b)(6); lated August 24, 2020.
- 7. Memorandum of Activity, regarding the interview of (b)(6); dated October 30, 2020.
- 8. Memorandum of Activity, regarding the interview of (b)(6): dated November 13, 2020.
- 9. Memorandum of Activity, regarding Information obtained, dated February 8, 2021.
- 10. Memorandum of Activity, regarding Information obtained, dated March 3, 2021.



U.S. Securities and Exchange Commission Office of Inspector General

Abbreviated Report of Investigation



Subject:UnknownTitle:N/ASK-Level/Grade:N/AOffice:Office of the CommissionersRegion:Washington, D.C.

Case #: 20-COM-0025-I

Origin: SEC Office of Human Resources

Investigation Initiated: March 23, 2020

Investigation Completed: January 24, 2022

OVERVIEW

On March 23, 2020, the U.S. Securities and Exchange Commission's (SEC) Office of Inspector General (OIG), Office of Investigations (OI), Washington, DC, initiated an investigation based on information received from (b)(6): (b)(7)(C) SEC, Office of Human Resources (OHR), (b)(6): (b)(7)(C) Washington, DC. According to (b)(6): he received email communications from person(s) unknown that appeared to be impersonating Commissioner (Former) Elad L. Roisman, SEC, Washington, DC, in an attempt to divert the deposit location of Roisman's U.S. Government pay. (EXHIBIT 1)

The investigation did not positively identify and/or locate the individual(s) that attempted to impersonate Roisman, in an attempt to divert the deposit location of Roisman's U.S. Government pay. During the course of this investigation, the OIG made attempts to contact the American Express (AX) Bluebird account holder that was used in the attempted fraud scheme to divert Roisman's government salary, however, all attempts were unresponsive. The OIG also determined that the AX prepaid card account used in this attempted fraud scheme was locked down and blocked by AX due to fraudulent activity connections.

On February 18, 2020, the OIG referred this matter to the Department of Justice Public Integrity Section U.S. Attorney's Office, Washington, DC, which was declined for prosecution due to no monetary loss.

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BACKGROUND

On September 24, 2019, the SEC OIG, received notification from (b)(6): that he received email communications from person(s) unknown that appeared to be impersonating Roisman. (b)(6): continued that the unknown individual(s), used the email address officemailxx@nycap.rr.com, to request and receive a direct deposit form, for the purpose of redirecting Roisman's direct deposit pay to an American Express (AMEX) Bluebird account (b)(6): (b)(7)(C) associated with the American Express National Bank, 4315 South 2700 West Salt Lake City, UT 84184 (routing #124071889). According to (b)(6): (b)(7)(C) the attempt to divert Roisman's pay was discovered prior to the release of any funds.

During the course of this investigation, it was determined that email addresses <u>officemailxx@nycap.rr.com;</u> <u>dyerworks@nycap.rr.com;</u> <u>xmxxi@nycap.rr.com;</u> <u>homemailx12@nycap.rr.com;</u> <u>officemailx1@nycap.rr.com</u> and <u>ms778175@gmail.com</u>, as well as individuals named either (b)(6): or (b)(6); (b)(7)(C) and (b)(6): might be associated with the attempt to redirect Roisman's direct deposit pay.

SCOPE

The OIG investigated the following potential violations:

- 18 U.S. Code § 912. Officer or employee of the United States.
- 18 U.S. Code § 1028. Fraud and related activity in connection with identification documents, authentication features, and information.

The OIG interviewed the following individuals:

- Commissioner (Former) Elad Roisman
- (b)(6); (b)(7)(C)
 SEC, Office of Human Resources, Washington, DC.

Additionally, the OIG obtained and reviewed documentation from:

- Charter Communications, Inc. (Charter), 12405 Powerscourt Drive St. Louis, MO
- American Express (AMEX) Subpoena Response Unit (SRU), 43 Butterfield Circle, El Paso, TX
- InComm Financial Services (InComm), Inc., 1200 Brookstone Centre Parkway, Columbus, GA
- Office of Information Technology (OIT), SEC, Washington, DC

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INVESTIGATIVE ACTIVITY

INTERVIEWS:

(b)(6); (b)(7)(C)

When interviewed by the OIG, (b)(6); was shown a printed email dated September 24, 2019 3:33 PM. The email represented a conversation between (b)(6); and the person purporting to be Roisman and using the email address <u>officemailxx@nycap.rr.com</u>. (b)(6); indicated that he recognized the email thread and could recall receiving and responding to the email.

When asked about sending the blank form in response to the original request (b)(6); stated that he was usually very careful about sending responses to unknown email addresses. (b)(6); continued that Roisman often works offsite and might use different email accounts, and pointed out that he (b)(6); did not want to delay a response given the high level position of the requestor (whom he believed to be Roisman). (b)(6); explained that during this particular incident, he thought Roisman was working "on the Hill." However, at the time of the interview, (b)(6); stated that he should have been more careful when sending official forms to a non-SEC email account and should have simply pointed the requestor to the use Employee Express, the SEC's online application that enables federal employees to handle the processing of their discretionary personnel-payroll transactions electronically.

(b)(6): further stated that he did not recall any phone calls or conversations that might have preceded the original email impersonating Roisman.(b)(6): also related that he could not recall any social engineering attempts to obtain the names of required forms or contact information or instructions for payroll changes that might have resulted in this incident. (b)(6): stated that the form that he sent via email is no longer used very often as most of these transactions are now handled via Employee Express. (EXHIBIT 2)

Commissioner (Former) Roisman:

When interviewed by the OIG, Roisman confirmed that he had not attempted to change or redirect his direct deposit pay. Roisman continued that he had never asked anyone, other than human resources personnel to change or redirect his SEC direct deposit pay.

Roisman explained that on September 24, 2019, (b)(6): (b)(7)(C) SEC, informed his (Roisman) staff of the process to fill out the direct deposit forms, at which time she (b)(6): was informed that Roisman was not attempting to change the status of his direct deposit. He stated that (b)(6): was immediately directed to stop the transaction. As of the date of the OIG interview, Roisman had not noticed any anomalies regarding his direct deposit or overall pay.

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Roisman was not familiar with the email address officemailxx@nycap.rr.com, or the email address ms778175@gmail.com. Additionally, Roisman was not familiar with the names(b)(6); or (b)(6); (b)(7)(C)

Roisman confirmed that he did not have an American Express Bluebird Account and was not familiar with the account number (62201 2462 4782) used during the attempt to redirect his direct deposit pay. Roisman stated that he did have an active American Express account, associated with the American Express National Bank, however, as of the date of the OIG interview, he had not noticed any anomalies with his American Express account.

Roisman informed the reporting agents that on Sunday, September 22, 2019, while working in his SEC office, he was contacted by SEC Office of Information Technology (IT) personnel (no further information), and informed that person(s) unknown, using an email, submitted a request to SEC IT to change his (Roisman's) SEC login information. Roisman stated that the IT personnel informed him that the reason for the request was, "difficulty logging in remotely." Roisman continued that he told the SEC IT personnel, that the request had not come from him. **(EXHIBIT 3)**

INFORMATION REVIEWS:

Charter Communications, Inc.:

Charter Communications, Inc. the owner of the Road Runner Internet services that provides email accounts for the subject domain <u>officemailxx@nycap.rr.com</u>, provided a subscriber record indicating that (b)(6); (b)(7)(C) was the user of the 'officemailxx@nycap.rr.com' email address. Attempts to contact (b)(6); via the subscriber information provided by Charter Communications, Inc. met with negative results. (EXHIBIT 4)

AMEX:

The OIG coordinated with the American Express Corporation (AMEX), Subpoena Response Unit (SRU), in an attempt to identify the AMEX Bluebird account holder of account #62201 2462 4782. SRU related that in 2018, AMEX sold Bluebird to InComm Inc. (InComm), an organization that amount other services, provides prepaid and payment solutions. **(EXHIBIT 5)**

INCOMM:

The OIG coordinated with the InComm Law Enforcement Division (LED), regarding the identity of the AMEX Bluebird account holder associated with the above referenced account in question. InComm LED explained that Bluebird pre-paid cards are reloadable, money can be deposited to the account like a real debit/credit card, and that there have been reports of fraudulent activity with the cards throughout the country. InComm LED continued that InComm

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records disclosed that Bluebird account #62201 2462 4782 was issued to (b)(6); (b)(7)(C)

InComm LED related that the account contained \$11.00 when it was locked down/blocked in late October 2019, subsequent to a \$1000 and a \$3500 deposit. InComm LED speculated that the lockdown/block was possibly due to it being associated with fraudulent activity, however, no notes could be located, in the account file, indicating the exact reason for the account lockdown/block.

InComm LED stated that once an account is locked down/blocked, the account owner can no longer access funds from the account, and will be aware of the account status if he/she tries to use it. InComm LED explained that had SEC funds been sent to or deposited in the account while it was locked down/blocked, the funds would have been returned to sender. (EXHIBIT 6)

[Agent's Note: A review of the information provided by InComm indicated that the account holder listed and individual named (b)(6): as the answer to his/her security question. A law enforcement records check of the address list by the account holder identified (b)(6); (b)(7)(C) as the occupant of (b)(6); (b)(7)(C)

Between February 17, 2021 and March 16, 2021, attempts to contact (b)(6); (b)(7)(C) and (b)(6); via the contact information obtained during the course of this investigation was with negative results. Due to the ongoing coronavirus pandemic attempts to locate the individuals at the listed physical addresses were not made. (EXHIBIT 7)

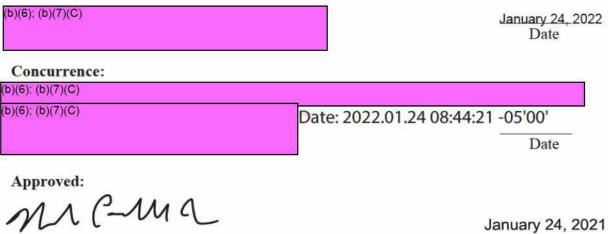
U.S. Attorney's Office Coordination:

On February 18, 2020, the OIG referred this matter to Assistant U.S. Attorney (AUSA) (b)(6): (b)(7)(C) Department of Justice Public Integrity Section U.S. Attorney's Office Washington, DC, for prosecution.(b)(6): there was no monetary loss. (EXHIBIT 8)

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Signatures

Case Agent:



Nicholas Padilla, Jr., Deputy Inspector General for Investigations

January 24, 2021

Date

Exhibits

- 1. Predicating document, dated March 23, 2019.
- 2. Memorandum of Activity, Interview of (b)(6): dated January 7, 2020.
- 3. Memorandum of Activity, Interview of Commissioner (Former) Roisman, dated February 21, 2020.
- 4. Memorandum of Activity, Charter Communications, Inc. Coordination, dated January 23, 2020.
- 5. Memorandum of Activity, American Express Coordination, dated January 22, 2020.
- 6. Memorandum of Activity, InComm, Inc., dated February 3, 2020.
- 7. Memorandum of Activity, Persons of Interest, dated March 19, 2021.
- 8. Memorandum of Activity, AUSA Coordination, dated February 18, 2020.



U.S. Securities and Exchange Commission Office of Inspector General

Abbreviated Report of Investigation



Subject:UnknownTitle:N/ASK-Level/Grade:N/AOffice:Division of ExaminationsRegion:Headquarters

Case #: 21-CIE-0005-I

Origin: Private citizen

Investigation Initiated: November 19, 2020

Investigation Completed: January 7, 2022

OVERVIEW

This report summarizes the results of an investigation conducted by the U.S. Securities and Exchange Commission's (SEC) Office of Inspector General (OIG) into information initially received through the OIG Hotline from an alleged victim ^{(b)(6)}: ^{(b)(7)(C)} of a suspected advance fee fraud scheme impersonating Peter Driscoll, then Director, Division of Examinations [EXAMS] (formerly the Office of Compliance Inspections and Examinations [OCIE]), using the e-mail address info@ussec.co.

The complainant (b)(6): claimed to have sent "at least \$400,000" to unknown subject(s) before being advised by the OIG the nature of the scam. The OIG contacted (b)(6): multiple times requesting evidence of payment to the subject(s); however (b)(6): declined to provide sufficient information to substantiate the complaint. The United States Attorney's Office (USAO), Central District of California (CD-CA) initially considered the matter; however, on August 23, 2021, declined to prosecute due to the victim's lack of cooperation.

BACKGROUND

Peter Driscoll was the Director of EXAMS (previously OCIE) at all times relevant to the investigation. On August 21, 2020, the OIG received a Hotline complaint which indicated that unknown subject(s) impersonated Driscoll, with (what appeared to be) an advanced fee fraud scheme. Specifically,(b)(6): a private citizen, provided two e-mails to the OIG, one in which the Driscoll impersonator communicated the need for a "License Trading Certificate," and a second e-mail, in which the Driscoll impersonator acknowledged receipt of the "Licensed Trade Certificate" [sic] and communicated the need for an additional fee of \$120,000. (EXHIBITS 1 and 2)

Abbreviated Report of Investigation Case Title: Driscoll Impersonation Case # 21-CIE-0005-I Page 2 of 4

INVESTIGATIVE FINDINGS

The OIG interviewed Driscoll, who recalled that on Sunday, August 23, 2020, he received several calls from an unfamiliar California number, which rang through [from his SEC office number] to his SEC iPhone. The caller was (b)(6); inquiring about whether she needed to pay money to get a "license certificate." Driscoll initially did not understand what (b)(6); was asking and thought the inquiry was potentially related to a Division of Enforcement collection action. However, when (b)(6); told Driscoll that she received a letter that was signed by him (Driscoll) he asked (b)(6); to provide the document. (b)(6); sent an e-mail to Driscoll with a copy of the letter. Driscoll said he told (b)(6); that she should not send any money and that the e-mail address [info@ussec.co], from which the letter came, was not an SEC e-mail address. Driscoll further stated that he never spoke to (b)(6); prior to the call to him (Driscoll) on August 23, 2020. Driscoll also confirmed that he did not send emails to (b)(6); (EXHIBIT 3)

The OIG interviewed (b)(6) on September 4, 2020 and again on January 29, 2021, each time advising (b)(6) the nature of the scam. (b)(6) stated that her initial "investment" was "at least \$400,000" but may have totaled over \$1,000,000 sent to unknown subject(s) (b)(6) was asked, and had agreed to provide evidence of payment to the subject(s) in conjunction with her complaint. Later on July 16, 2021, the OIG contacted (b)(6) third time requesting the evidence of payment; however, (b)(6) indicated in an email response that she would not provide additional information. (EXHIBITS 4, 5, and 6)

On January 22, 2021, the facts and evidence of the investigation were presented to the USAO, CD-CA which considered the matter for prosecution, pending receipt of supporting documentation from (b)(6); (EXHIBIT 7).

After learning of (b)(6); refusal to provide documentation in July 2021, the OIG coordinated with the USAO, CD-CA; which declined to prosecute on August 23, 2021. (EXHIBIT 8)

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Signatures

Case Agent:		
(b)(6); (b)(7)(C)		
(b)(6); (b)(7)(C)	ate: 2022.01.07 13:46:31 -05'00'	Date
Concurrence: (b)(6); (b)(7)(C)		
b)(6); (b)(7)(C)	Date: 2022.01.07 14:00:15 -05	'00'
		Date
Approved: Apr Paul L		
ghe Parth 2		1/7/2022
Nicholas Padilla, Jr., Deputy Inspector for Investigations	General	Date

Exhibits

- 1. Predicating document, SEC OIG Hotline Complaint Report, dated August 21, 2020.
- 2. Memorandum of Activity, Records Reviewed, dated February 5, 2021.
- 3. Memorandum of Activity, Interview of Driscoll, dated September 24, 2020.
- 4. Memorandum of Activity, Interview of (b)(6); dated September 4, 2020.
- 5. Memorandum of Activity, Interview of (b)(6): atted January 29, 2021.
- 6. Memorandum of Activity, Document Request, dated July 16, 2021.
- 7. Memorandum of Activity, Case Presentation, dated January 22, 2021.
- 8. Memorandum of Activity, Case Declination, dated August 23, 2021.



U.S. Securities and Exchange Commission Office of Inspector General

Abbreviated Report of Investigation



Subject: None Title: Suspected Unauthorized Access of Commissioner Peirce's Twitter Account SK-Level/Grade: N/A Office: Office of Commissioner Hester Peirce Region: Headquarters Case No.: 21-COM-0023-I

Origin: Office of Commissioner Hester Peirce

Investigation Initiated: May 26, 2021

Investigation Completed: January 7, 2022

OVERVIEW

We investigated a suspected unauthorized access involving Commissioner Hester Peirce's personal Twitter account based on a photo posted to her Twitter feed depicting an edited image of then-incoming Chairman Gary Gensler referencing ongoing SEC litigation against Ripple Labs, Inc., also referred to as XRP.

We found no evidence that Commission Peirce's Twitter account was accessed without authorization.

We determined that on March 3, 2021, a Twitter user operating under the account *XRP the Standard Productions* posted an edited photo of Chairman Gensler made to appear to have originated from Commissioner Peirce's Twitter account, but did not. The image depicted Chairman Gensler with comments made to appear posed by Commissioner Peirce that were related to the Ripple Labs, Inc. litigation. The satirical Twitter posting did not violate any Twitter user policies, or Federal law or regulation.

BACKGROUND

On December 22, 2020, the SEC filed a complaint in Federal District Court for the Southern District of New York, against Ripple Labs Inc. and two of its executives alleging they raised over \$1.3 billion through an unregistered, ongoing digital asset securities offering¹. The complaint alleged the defendants violated provisions of the Securities Act of 1933.

¹ Source: SEC Press Release No. 2020-338.

Abbreviated Report of Investigation Case Title: Suspected Unauthorized Access of Commissioner Peirce's Twitter Account Case No. 21-COM-0023-I Page 2 of 7

The SEC litigation against Ripple Labs Inc. has resulted in significant negative feedback within the cryptocurrency community that is readily evident in online public postings across social media platforms, including Twitter.

INVESTIGATIVE FINDINGS

The OIG initiated this investigation when (b)(6); (b)(7)(C) reported that a tweet was posted to Commissioner Peirce's Twitter account that she did not create nor post. (Exhibit 1) The tweet apparently posted to her account was made to appear to have originated from Commissioner Peirce and directed a statement to then-SEC Chairman nominee Gary Gensler related to the SEC litigation against Ripple Labs, Inc.

> **Figure 1** *Tweet on Commissioner Peirce's Twitter Account*



Abbreviated Report of Investigation Case Title: Suspected Unauthorized Access of Commissioner Peirce's Twitter Account Case No. 21-COM-0023-I Page 3 of 7

We found no evidence that Commissioner Peirce's personal Twitter account was accessed without authorization, as was initially suspected.

We obtained and reviewed Twitter records that included internet protocol (IP) addresses that identified the locations, dates, and times pertaining to Commissioner Peirce's Twitter account logon activity. (Exhibit 2) We coordinated with (b)(6): and determined that the access to Commissioner Peirce's Twitter account during the time the subject tweet was posted were legitimately accessed by Commissioner Peirce. (Exhibit 3)

Twitter User "XRP the Standard Productions" Posted the Farcical Tweet

We determined that a Twitter account named *XRP the Standard Productions*, using the Twitter handle @*XRP_Productions*, was responsible for the tweet depicting the faux posting by Commissioner Peirce. (Exhibit 4) The Twitter user account self-identifies as a satirical cryptocurrency news site. Postings made under this account are presented as satire.

On March 2, 2021, *XRP the Standard Productions* use first posted the edited image depicting Chairman Gensler and an unknown individual wearing sunglasses and a fedora, peeking around a wall behind nominee Gensler's back.



Figure 2 *XRP the Standard Productions Twitter Post, Dated March 2, 2021*

Source: Twitter feed of XRP the Standard Productions.

Abbreviated Report of Investigation Case Title: Suspected Unauthorized Access of Commissioner Peirce's Twitter Account Case No. 21-COM-0023-I Page 4 of 7

On March 3, 2021, *XRP the Standard Productions* edited the image further and made it appear as originating from the Twitter account of Commissioner Peirce.

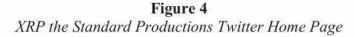


Figure 3 *XRP the Standard Productions Twitter Post, Dated March 3, 2021*

Source: Twitter Feed of XRP the Standard Productions.

Twitter acceptable use policies permit for parody accounts such as *XRP the Standard Productions*. (Exhibit 4) To be considered compliant with Twitter's policies, parody accounts much clearly indicate that the user is not officially affiliated with the subject of the account. In this case, *XRP the Standard Productions* meets this requirement by stating under its account title, *"Calm down, folks. It's called s-a-t-i-r-e"* as shown in Figure 4.

Abbreviated Report of Investigation Case Title: Suspected Unauthorized Access of Commissioner Peirce's Twitter Account Case No. 21-COM-0023-I Page 5 of 7





Source: Twitter Feed of XRP the Standard Productions.

We spoke with the SEC's Office of Public Affairs, (b)(6); (b)(7)(C)

regarding the considerable negative social media sentiment towards the SEC over its litigation with Ripple Labs, Inc. (b)(6); (b)(7)(C) was aware of the activity and expressed concern that many of the postings may have originated from automated bots or troll accounts specifically intended to disrupt the SEC's regulatory agenda and effect the public's perception of the Commission. (b)(6); recently coordinated with government relations officials at Twitter on how to mitigate bot and troll postings, but a definitive course of action or resolution had not yet occurred.

Disposition

We are providing our findings to the Commission for information only.

Abbreviated Report of Investigation Case Title: Suspected Unauthorized Access of Commissioner Peirce's Twitter Account Case No. 21-COM-0023-I Page 6 of 7

Signatures

Case Agent:

(b)(6); (b)(7)(C)

Concurrence:

(b)(6); (b)(7)(C)

Approved: C-Ma

Nicholas Padilla, Jr. Deputy Inspector General for Investigations Date

Date

November 29, 2021

Date

Exhibits

- 1. Complaint Document, E-mail from(b)(6); (b)(7)(C) dated March 3, 2021.
- 2. Memorandum of Activity, IG Subpoena Return and Review of Records, dated April 5, 2021.
- 3. Memorandum of Activity, Coordination with Office of Commissioner Peirce, dated April 15, 2021.
- 4. Memorandum of Activity, Review of Twitter Account *XRP the Standard Production*, dated September 20, 2021.
- 5. Memorandum of Activity, Coordination with Office of Public Affairs, dated September 9, 2021.



INSPECTOR GENERAL

UNITED STATES SECURITIES AND EXCHANGE COMMISSION



MEMORANDUM

January 21, 2022

TO:	FILE
10.	LILI

FROM:	(b)(6); (b)(7)(C)
	Senior Special Agent
	Office of Investigations

- THROUGH: (b)(6); (b)(7)(C) Special Agent in Charge Office of Investigations
- SUBJECT: Case No. 22-SEC-0004-P Unknown SEC Employee Impersonation

The purpose of this memorandum is to document the U.S. Securities and Exchange Commission (SEC) Office of Inspector General's (OIG) investigative activities on 22-SEC-0004-P and to recommend case closure.

On November 23, 2021, the OIG initiated a preliminary inquiry based on a referral from the Office of Investor Education and Advocacy (OIEA) regarding the impersonation of two SEC employees. Specifically, (b)(6): (b)(7)(C) a civilian from (b)(6): (b)(7)(C) invested in Arzik Financial, a company purportedly located in Zurich, Switzerland. He subsequently received an e-mail purportedly from the SEC's Director of Public Relations, Jessica Wachter, stating that he would be fined \$150,000 if he did not invest additional funds in Arzik. The e-mail included a copy of an SEC release purportedly signed by (b)(6); (b)(7)(C) Both Wachter and (b)(6); (b)(7)(C) are SEC employees; however, they serve as Director and Chief Economist, Division of Economic and Risk Analysis, and (b)(6); (b)(7)(C) Office of the Secretary, respectively. Wachter did not author the e-mail and the release purportedly signed by (b)(6); (b)(7)(C) is not a legitimate SEC release.

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Office of Inspector General – Investigations U.S. Securities and Exchange Commission Case #22-SEC-0004-P SEC Employee Impersonation Page 2 of 3

The OIG interviewed (b)(6): who stated that, in May 2020, he was contacted by a person known as (b)(6): (b)(7)(C) a Financial Analyst with Arzik. (b)(6): sent approximately (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) in bitcoin to Arzik for a supposed investment in Hyperloop Transportation Technologies. (b)(6): later informed (b)(6): that he had made (b)(6): (b)(7)(C) (b)(6): (b)(7)(C) but in order to become an accredited investor and be entitled to this profit (b)(6): needed to add additional funds to his account. (b)(6): reported to the OIG that on December 1, 2021 (b)(6): informed him that his funds were transferred to a Trust Prime Bank account in Luxembourg, and in order for (b)(6): o withdraw his funds, he needed to pay a 9.8 percent tax. (b)(6); reported that did not send any additional funds and has not received any further correspondence from any of the fraudsters.

The OIG's investigation determined that Arzik is not registered with the Swiss Financial Market Supervisory Authority and is not an SEC-registered entity. The investigation further determined that, on October 21, 2021 (b)(6): received e-mails from the e-mail addresses Jessica.Wachter@sec.gov.us and Jessica.Wachter@sec-advisory.org, stating the SEC was reviewing his investment with Arzik. On October 25, 2021, (b)(6): received another e-mail from Jessica.Wachter@sec-advisory.org, stating he would incur a \$150,000 fine if he did not invest an additional \$500,000 with Arzik. The e-mail included a copy of an SEC release that (b)(6): (b)(7)(C) purportedly signed.

A review of the properties for the three e-mails (b)(6): received revealed that they all originated from the Internet Protocol (IP) address 198.54.113.11. Research of the IP address revealed it is hosted by NameCheap and was registered to an unnamed individual located in Reykjavik, Iceland. The OIG obtained and served an IG Subpoena on NameCheap, which tied the e-mails to an individual located in the United Kingdom. Further details provided that the account was accessed from IP addresses located in the Ukraine and Bangladesh.

In conclusion, the investigation determined the victim sent funds to the fraudsters; however, the investigation did not produce any U.S.-based subjects or leads and, therefore, this matter does not warrant additional investigative efforts and administratively closing this case is recommended. If approved, the OIEA will be notified of the closure. In addition, the OIG will refer the findings of this investigation to the International Criminal Police Organization (INTERPOL) for any action it deems necessary.

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Office of Inspector General – Investigations U.S. Securities and Exchange Commission

Case #22-SEC-0004-P SEC Employee Impersonation Page **3** of **3**

 Concurrence:
 Digitally signed by (b)(6): (b)(7)(C)

 Digitally signed by (b)(6): (b)(7)(C)
 Date: 2022.01.21 10:35:19 -05'00'

 (b)(6): (b)(7)(C)
 Special Agent in Charge

Approved: the Paul 2

Nicholas Padilla, Jr., Deputy Inspector General for Investigations

Office of Investor Education and Advocacy Notified:

By (Initials)

Person Notified

January 21, 2022

Date

Date

Date

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Office of Inspector General – Investigations U.S. Securities and Exchange Commission



U.S. Securities and Exchange Commission Office of Inspector General

MEMORANDUM



July 20, 2022

10:	FILE	
FROM:	(b)(6); (b)(7)(C)	Digitally signed by (/b) (6): Date: 2022.07.20 13:30:46 -04'00'
	Senior Special Agent Office of Investigations	
THROUGH	: (b)(6); (b)(7)(C)	
	Special Agent in Charge	
	Office of Investigations	
SUBJECT:	Case No. 22-SEC-0019-P	
	Unknown	
	SEC Account Impersonation	

The purpose of this memorandum is to document the U.S. Securities and Exchange Commission (SEC) Office of Inspector General's (OIG) investigative activities on 22-SEC-0019-P and to recommend case closure.

On April 27, 2022, the OIG initiated a preliminary inquiry based on a referral from the Office of Investor Education and Advocacy (OIEA) regarding an impersonation of the SEC. Specifically, (b)(6): (b)(7)(C) resident, reported he invested in Immuntable X cryptocurrency (IMX) and was subsequently purportedly contacted by the SEC through a Telegram Messenger account, @SEC_cryptocurrency, and instructed to pay \$25,000 in fees within 72 hours to avoid Internal Revenue Service (IRS) fines. The SEC does not have a Telegram Messenger account with username @SEC_cryptocurrency.

The OIG interviewed (b)(6): who stated that, sometime before December 31, 2021, he met a woman from Japan named (b)(6): through the Tinder dating site. (b)(6): later suggested they continue conversing through the Telegram Messenger app and subsequently suggested an opportunity for him to invest in bitcoin through the website immutablex.pro. (b)(6): reported that he sent \$1,000 from his checking account to Coinbase, a cryptocurrency exchange platform, and then transferred Bitcoin to Ethereum, a digital money support service, to purchase IMX.

According to (b)(6): his investment significantly increased in value and he was told by Ethereum through Telegram Messenger (username @ETH_customer_service) that his "blockchain was encrypted" and in order to "unblock" his money, he needed to send more money to Ethereum through Coinbase. (b)(6): said he sent two \$500 payments to "unblock" his money, but was told by Ethereum that his money was still blocked and he needed to contact the SEC through Telegram Messenger username @SEC_cryptocurrency for more information. He stated that the SEC, through this Telegram Messenger account, demanded he send \$25,000 to the Ethereum account in order to avoid IRS fines. (b)(6):

Case #22-SEC-0019-P SEC Impersonation Page 2 of 2

money and ceased communication with (b)(6): (b)(7)(C) reported that his last communication with @SEC_cryptocurrency was on April 20, 2022. He also said that after his three payments (the initial \$1,000 and two for \$500), he did not send any more money.

The investigation determined that Telegram Messenger operates from Dubai, United Arab Emirates, and, according to the company's website, it does not respond to U.S. government law enforcement requests or subpoenas. Additionally, e-mails (b)(6): received from IMX originated from an Internet Protocol address registered to Redcluster, Ltd. located in Cyprus. (b)(6): claimed he communicated with (b)(6): through the e-mail address MikiChie4@gmail.com; however, a response to an IG Subpoena served, Google, Inc. stated it had no records of any such e-mail account.

In conclusion, the investigation determined that although the victim sent money to the fraudsters, he did not send any additional money based on the SEC impersonation. Further, the investigation did not produce any U.S.-based subjects or leads. Therefore, this matter does not warrant additional investigative efforts and administratively closing this case is recommended.

(b)(6); (b)(7)(C)	
	7/20/22
(b)(6); (b)(7)(C) Special A cent in Charge	Date
Approved: she Paul 2	7/20/2022
Nicholas Padilla Ir Deputy Inspector General	Date

Nicholas Padilla, Jr., Deputy Inspector General for Investigations



INSPECTOR GENERAL

UNITED STATES SECURITIES AND EXCHANGE COMMISSION



MEMORANDUM

April 18, 2022

TO:	FILE
10.	TILL

FROM:	(b)(6); (b)(7)(C)	Digitally signed by /L X///X
	Senior Special Agent	
	Office of Investigations	
THROUGH:	(b)(6); (b)(7)(C)	
	Special Agent in Charge	
	Office of Investigations	
SUBJECT:	Case No. 22-ZZZ-0004-I	
	(b)(6); (b)(7)(C)	
	Non-employee	

The purpose of this memorandum is to document the Office of Inspector General's (OIG) investigative activities and to recommend case closure.

The OIG investigated an allegation received from the U.S. Securities and Exchange Commission (SEC), Electronic Data Gathering Analysis and Retrieval (EDGAR) Business Office. The EDGAR Business Office (EBO) identified that (b)(6): (b)(7)(C) filed several EDGAR filing fee refunds that b)(6): was not entitled to receive.

The OIG investigation concluded that (b)(6); was a first-time EDGAR filer who claimed that he was unaware that he did not qualify as an EDGAR filer. (b)(6): submitted several EDGAR filings that contained errors; for example, filings using the wrong submission type, unsuitable documentation with incorrect information, and failed to disclose required authenticating form identification. (b)(6): also had difficulties with his filings because the applications lacked the required notarization.

The EBO informed the OIG that it is not responsible for correcting EDGAR filings and will not typically intervene in the filing progression. However, the EBO further advised that in rare

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Office of Inspector General – Investigations U.S. Securities and Exchange Commission

circumstances like (b)(6): the EBO staff contacted (b)(6): to assist with correcting his filing errors. The EBO provided information to (b)(6): on how to correct filing errors. According to the EBO, despite guidance, (b)(6): failed to properly correct his filings, withdraw the duplicate filings or delete the original filing. Accordingly, the EBO notified the OIG of their concerns that (b)(6): may be involved in a scheme and blocked (b)(6): from submitting subsequent filings in EDGAR. The OIG's investigation and interview of (b)(6): revealed no evidence that (b)(6): intended to file false information in EDGAR. In summary, (b)(6): acknowledged difficulty understanding the instructions and did not understand that his attempts to correct errors resulted in multiple erroneous filings.

In conclusion, the investigation did not find evidence that (b)(6): intentionally filed fraudulent EDGAR refund fees he was not entitled to receive, and therefore does not merit further OIG investigation. Accordingly, a report to management is not warranted and administratively closing this case is recommended. If approved, the EBO will be notified of the closure.

Concurrence: (6); (b)(7)(C) Digitally signed by (b)(6); (b)(7)(C) Date: 2022.04.20 13:23:59 -04'00'			
Date			
4/18/22			
Date			
(b)(6); (b)(7)(C) EBO	4/5/2022 Date		
	:23:59 -04'00' Date 4/18/22 Date		

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Office of Inspector General – Investigations U.S. Securities and Exchange Commission



U.S. Securities and Exchange Commission Office of Inspector General



MEMORANDUM

TO:	FILE
FROM:	(b)(6); (b)(7)(C) Senior Special Agent (b)(7)(C) Office of Investigations
THROUGH	(b)(6); (b)(7)(C) Special Agent in Charge Office of Investigations
SUBJECT:	Case No. 22-ZZZ-0008-P (b)(6): (b)(7)(C) Civilian Internal Revenue Service Employee Impersonation

The purpose of this memorandum is to document the U.S. Securities and Exchange Commission (SEC) Office of Inspector General's (OIG) investigative activities on 22-ZZZ-0008-P and to recommend case closure.

On February 28, 2022, the OIG initiated a preliminary inquiry based on a referral from the Office of Investor Education and Advocacy (OIEA) regarding the impersonation of an Internal Revenue Service (IRS) employee. Specifically, on February 15, 2022, Commissioner Hester Peirce received a voicemail from an unnamed IRS agent regarding (b)(6); (b)(7)(C) communication with Sandridge Energy's Chief Financial Officer (CFO). Based on a prior voicemail OIEA received from (b)(6): OIEA determined that the purported IRS agent was actually (b)(6); and that previously he had left a voicemail for Commissioner Allison Lee identifying himself as a "secret tax informant" and threatening to have the IRS audit every SEC employee.

The OIG's investigation determined that (b)(6): contacted the SEC on three occasions, each time from phone number (b)(6): (b)(7)(C) first communication was on June 4, 2021, when he left a voicemail on OIEA's main number. The OIG reviewed this voicemail, in which (b)(6): provided his name, social security number, address, and phone number and stated he was a secret tax informant and complained that no one had responded to a whistleblower complaint he had made previously. In his message he stated that he had several family members who worked for the IRS and stated, "I've got news for you all. I'm about to have an audit on every one of your employees at the SEC. You ain't protected from the Internal Revenue Service. I don't play games." No threats of violence or physical harm to any SEC employee or property were made during this message.

Subsequently, OIEA spoke with (b)(6); specific information that he had an issue with the U.S. Treasury and wanted to file a complaint. During this call, he also apologized for the prior voicemail he left on the OIEA main number.

On February 7, 2022, (b)(6): left a voicemail for Commissioner Lee, in which he provided his name and stated he worked for the IRS as a third-party monitor and Chief Field Officer and wanted to report an attorney. Commissioner Lee's staff forwarded the voicemail to OIEA, who contacted (b)(6): During the call with OIEA (b)(6): stated that he was being investigated by the Federal Bureau of Investigation (FBI) and was concerned that the SEC would provide the FBI with copies of his conversations with Sandridge Energy's CFO (b)(6): also complained that the Government has filed stalking charges against him and, as a result, he served three years in a penitentiary. The OIG reviewed this voicemail which revealed no threats of violence or physical harm to any SEC employee or property were made during this message.

Finally, on February 22, 2022, Commissioner Peirce received a voicemail from the phone number associated with (b)(6); (b)(7)(C) The caller stated they were inquiring about (b)(6); and his dealings with Sandridge Energy. OIEA determined that, based on the phone number and staff recognizing the voice, the caller was in fact (b)(6); The OIG reviewed this voicemail which revealed no threats of violence or physical harm to any SEC employee or property were made during this message.

The investigation determined that a LinkedIn profile for (b)(6); (b)(7)(C) portrays that he is the head of the audit department for the IRS; a Facebook profile for (b)(6); (b)(7)(C) portrays that he is the Head of Internal Audit Department for the IRS; and a Twitter profile for (b)(6); (b)(7)(C) [sic] portrays that he is "an IRS.gov informant who will be head of the audit dept for the IRS.gov January 1."

A query of the Consolidated Lead Evaluation and Reporting, National Law Enforcement Telecommunications System, and National Criminal Information Center systems for information related to (b)(6): revealed that his business affiliations include landscaping and development companies and did not include any employment with the IRS. Further, between May 1995 and May 2021 (b)(6): had several convictions for criminal offenses that included incarceration. Of note, some of the offenses included, driving while intoxicated, marijuana and cocaine possession, theft, trafficking stolen property, terroristic threats, stalking and intimidation, violation of protective orders, parole violations, and forgery of a financial institution.

At no point during any of the voice messages did $(b)(\underline{6})$; threaten violence or physical harm to any SEC employees or property. Further, $(\underline{b})(\underline{6})$; has made no additional contact with the SEC. As a result of the foregoing and because he has not made any threats of physical harm to any SEC employees or property, a referral to the IRS is warranted for the impersonation of an IRS employee and administratively closing this case is recommended. If approved, the OIEA will be notified of the closure. However, should new information arise, this complaint will be examined and reviewed at that time.

Case #22-ZZZ-0008-P (b)(6): (b)(7)(C) Page 4 of 4

Digitally signed by (b)(6); (b)(7)(C) Date: 2022.06.13 15:10:04 -04'00'					
(b)(6); (b)(7)(C)	Special Agent in Charge		Date		
Approved:	2m2		June 8	, 2022	
	a, Jr., Deputy Insp stigations	pector General	Date		
Office of Invest and Advocacy N		By (Initials)	Р	erson Notified	Date
Referral to IRS:	By (Initials)	Person No	otified	Date	