

Mc CARTHY (CA)
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AMENDMENT TO THE DISCUSSION DRAFT OF OCTOBER 1, 2009 [INVESTOR PROTECTION ACT OF 2009]

OFFERED BY MR. MCCARTHY OF CALIFORNIA

Page 66, after line 13, insert the following new section:

1 **SEC. 305. ORGANIZATION AND CONDUCT OF THE DIVISIONS**
2 **AND OFFICES OF THE SECURITIES AND EX-**
3 **CHANGE COMMISSION.**

4 Section 4 of the Securities Exchange Act of 1934 (15
5 U.S.C. 78d) is amended by adding at the end the following
6 new subsection:

7 “(g) DIVISIONS AND OFFICES OF THE COMMIS-
8 SION.—The authority that the Commission has to conduct
9 inspections and examinations of registered brokers or
10 dealers (15 U.S.C. 78q(b)), registered investment compa-
11 nies (15 U.S.C. 80a–30(b)), and registered investment ad-
12 visers (15 U.S.C. 80b–4) shall be vested in the administra-
13 tive divisions or offices to which the Commission has dele-
14 gated pursuant to section 4A of this Act the authority to
15 administer its responsibilities under this Act, the Invest-
16 ment Company Act of 1940 (15 U.S.C. 80a), and the In-
17 vestment Advisers Act of 1940 (15 U.S.C. 80b). The Com-

1 mission shall report to Congress pursuant to section 21(a)
2 of this Act no less frequently than every 5 years from the
3 enactment of this subsection, and shall in that report state
4 its views on the continuing efficacy, effectiveness, and effi-
5 ciency of requiring the administrative divisions or offices
6 to conduct inspections and examinations of registered bro-
7 kers or dealers, registered investment companies, and reg-
8 istered investment advisers.”.

