

Mc CARTHY  
(NY) 602

**AMENDMENT TO H.R. \_\_\_\_\_**

**OFFERED BY** *Mrs. McCarthy*

[amendment to the IPA discussion draft of October 1, 2009]

At the end of title I insert the following (and conform the table of contents accordingly):

1 **SEC. 107. STUDY ON ENHANCING INVESTMENT ADVISOR EX-**  
2 **AMINATIONS.**

3 (a) **STUDY REQUIRED.—**

4 (1) **IN GENERAL.—**The Commission shall review  
5 and analyze the need for enhanced examination and  
6 enforcement resources for investment advisers.

7 (2) **AREAS OF CONSIDERATION.—**The study re-  
8 quired by this subsection shall examine—

9 (A) the number and frequency of examina-  
10 tions of investment advisers by the Commission  
11 over the 5 years preceding the date of the en-  
12 actment of this Act;

13 (B) the extent to which having Congress  
14 authorize the Commission to designate one or  
15 more self-regulatory organizations to augment  
16 the Commission's efforts in overseeing invest-  
17 ment advisers would improve the frequency of  
18 examinations of investment advisers; and

1 (C) current and potential approaches to ex-  
2 amining the investment advisory activities of  
3 dually registered broker-dealers and investment  
4 advisers or affiliated broker-dealers and invest-  
5 ment advisers.

6 (b) REPORT REQUIRED.—The Commission shall re-  
7 port its findings to the Committee on Financial Services  
8 of the House of Representatives and the Committee on  
9 Banking, Housing, and Urban Affairs of the Senate, not  
10 later than 180 days after the date of enactment of this  
11 Act, and shall use such findings to revise its rules and  
12 regulations, as necessary. The report shall include a dis-  
13 cussion of regulatory or legislative steps that are rec-  
14 ommended or that may be necessary to address concerns  
15 identified in the study.

