

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3717

To amend the Securities Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisers Act of 1940 to provide for certain disclosures under section 552 of title 5, United States Code, (commonly referred to as the Freedom of Information Act), and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2010

Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. CORNYN, and Mr. KAUFMAN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend the Securities Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisers Act of 1940 to provide for certain disclosures under section 552 of title 5, United States Code, (commonly referred to as the Freedom of Information Act), and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. APPLICATION OF THE FREEDOM OF INFORMA-**  
2 **TION ACT TO CERTAIN STATUTES.**

3 (a) AMENDMENTS TO THE SECURITIES AND EX-  
4 CHANGE ACT.—Section 24 of the Securities Exchange Act  
5 of 1934 (15 U.S.C. 78x), as amended by section 929I(a)  
6 of the Dodd-Frank Consumer Financial Protection and  
7 Wall Street Reform Act (Public Law 111–203), is amend-  
8 ed by striking subsection (e) and inserting the following:

9 “(e) FREEDOM OF INFORMATION ACT.—For pur-  
10 poses of section 552(b)(8) of title 5, United States Code,  
11 (commonly referred to as the Freedom of Information  
12 Act)—

13 “(1) the Commission is an agency responsible  
14 for the regulation or supervision of financial institu-  
15 tions; and

16 “(2) any entity for which the Commission is re-  
17 sponsible for regulating, supervising, or examining  
18 under this title is a financial institution.”.

19 (b) AMENDMENTS TO THE INVESTMENT COMPANY  
20 ACT.—Section 31 of the Investment Company Act of 1940  
21 (15 U.S.C. 80a–30), as amended by section 929I(b) of the  
22 Dodd-Frank Consumer Financial Protection and Wall  
23 Street Reform Act (Public Law 111–203), is amended—

24 (1) by striking subsection (c); and

25 (2) by redesignating subsections (d) and (e) as  
26 subsections (c) and (d), respectively.

1           (c) AMENDMENTS TO THE INVESTMENT ADVISERS  
2 ACT.—Section 210 of the Investment Advisers Act of  
3 1940 (15 U.S.C. 80b–10), as amended by section 929I(c)  
4 of the Dodd-Frank Consumer Financial Protection and  
5 Wall Street Reform Act (Public Law 111–203), is amend-  
6 ed by striking subsection (d).

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