

116TH CONGRESS
2D SESSION

H. R. 7564

To amend the Investment Advisers Act of 1940 to require the Securities and Exchange Commission to adopt data protection policies for information the Commission receives from investment advisers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2020

Mr. DAVID SCOTT of Georgia (for himself and Mr. LOUDERMILK) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the Investment Advisers Act of 1940 to require the Securities and Exchange Commission to adopt data protection policies for information the Commission receives from investment advisers, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “SEC Data Protection
5 Act”.

6 **SEC. 2. PROCEDURE FOR DATA PROTECTION.**

7 Section 204 of the Investment Advisers Act of 1940
8 (15 U.S.C. 80b–4) is amended—

1 (1) by redesignating the second subsection (d)
2 (relating to records of persons with custody or use)
3 as subsection (e); and

4 (2) by adding at the end the following:

5 “(f) DATA PROTECTION POLICIES.—Not later than
6 1 year after the date of enactment of this subsection, the
7 Commission shall adopt, after notice and comment, poli-
8 cies and procedures reasonably designed to protect sen-
9 sitive, nonpublic proprietary information, as determined
10 by the Commission, that the Commission obtains or re-
11 ceives from an investment adviser subject to this section,
12 from unlawful use or disclosure. Such policies and proce-
13 dures shall—

14 “(1) address circumstances when the Commis-
15 sion requests such proprietary information;

16 “(2) safeguard the information, taking into con-
17 sideration the level of sensitivity of the information;

18 “(3) limit access to the information to appro-
19 priate staff, as determined by the Commission; and

20 “(4) protect the information from unlawful use
21 or disclosure.”.

○