

## Union Calendar No.

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

# H. R. 4096

[Report No. 114-]

To amend the Volcker Rule to permit certain investment advisers to share a similar name with a private equity fund, subject to certain restrictions, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2015

Mr. CAPUANO (for himself and Mr. STIVERS) introduced the following bill;  
which was referred to the Committee on Financial Services

MARCH --, 2016

Committed to the Committee of the Whole House on the State of the Union,  
and ordered to be printed

# **A BILL**

To amend the Volcker Rule to permit certain investment advisers to share a similar name with a private equity fund, subject to certain restrictions, 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 “Investor Clarity and  
5 Bank Parity Act”.

6 **SEC. 2. NAMING RESTRICTIONS.**

7        Section 13 of the Bank Holding Company Act of  
8 1956 (12 U.S.C. 1851) is amended—

9            (1) in subsection (d)(1)(G)(vi), by inserting be-  
10 fore the semicolon the following: “, except that the  
11 hedge fund or private equity fund may share the  
12 same name or a variation of the same name as a  
13 banking entity that is an investment adviser to the  
14 hedge fund or private equity fund, if—

15                    “(I) such investment adviser is  
16 not an insured depository institution,  
17 a company that controls an insured  
18 depository institution, or a company  
19 that is treated as a bank holding com-  
20 pany for purposes of section 8 of the  
21 International Banking Act of 1978;

22                    “(II) such investment adviser  
23 does not share the same name or a  
24 variation of the same name as an in-  
25 sured depository institution, any com-

1                   pany that controls an insured deposi-  
2                   tory institution, or any company that  
3                   is treated as a bank holding company  
4                   for purposes of section 8 of the Inter-  
5                   national Banking Act of 1978; and  
6                   “**(III)** such name does not con-  
7                   tain the word ‘bank’”; and  
8                   (2) in subsection (h)(5)(C), by inserting before  
9                   the period the following: “, except as permitted  
10                  under subsection (d)(1)(G)(vi)”.