

MEMO# 29185

July 21, 2015

ICI Comment Letter on FINRA's BrokerCheck Proposal; Comments Due by July 28

[29185]

July 21, 2015

TO: ADVERTISING COMPLIANCE ADVISORY COMMITTEE No. 7-15
BANK, TRUST AND RETIREMENT ADVISORY COMMITTEE No. 25-15
BROKER/DEALER ADVISORY COMMITTEE No. 34-15
OPERATIONS COMMITTEE No. 16-15
PRINCIPAL UNDERWRITERS WORKING GROUP
SMALL FUNDS COMMITTEE No. 22-15 RE: ICI COMMENT LETTER ON FINRA'S BROKERCHECK
PROPOSAL; COMMENTS DUE BY JULY 28

Earlier this month, the SEC issued notice of FINRA's filing of a proposed amendment to FINRA Rule 2210 (Communications with the Public) (the "Proposal"). [1] The Proposal would require FINRA member firms to include on each of their websites a readily apparent reference and hyperlink to BrokerCheck [2] on: (i) the initial webpage that the member intends to be viewed by retail investors; and (ii) any other webpage that includes a professional profile of one or more registered persons who conduct business with retail investors. [3] FINRA's objective is to increase awareness and use of BrokerCheck, which it believes will help investors make more informed choices about the individuals with whom and firms with which they may wish to conduct business.

In the attached draft comment letter, ICI supports the Proposal. The Proposal's scope is considerably narrower than those of the preceding 2013 and 2014 BrokerCheck proposals that were not adopted, because members' obligations to refer and link to BrokerCheck would be limited to certain places on their websites only. We believe the Proposal, if adopted, would advance FINRA's objective without imposing undue burdens on FINRA members.

If members have any comments on the draft letter, please contact me at matt.thornton@ici.org or (202) 371-5406 by no later than Tuesday, July 28 (close of business). The deadline for submitting the comment letter is Monday, August 3.

Matthew Thornton
Counsel

[Attachment](#)

endnotes

[1] Notice of Filing of a Proposed Rule Change to Amend FINRA Rule 2210 (Communications with the Public), SEC Release No. 34-75377 (July 7, 2015), available at www.sec.gov/rules/sro/finra/2015/34-75377.pdf. See Institute [Memorandum](#) No. 29167, dated July 10, 2015, for a summary of the Proposal and prior BrokerCheck proposals.

[2] FINRA's BrokerCheck provides the public with information on the professional background, business practices, and conduct of FINRA member firms and their associated persons.

[3] These requirements would not apply to a member that does not provide products or services to retail investors, or a directory or list of registered persons limited to names and contact information.

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