

Tim Van Hollen
S.L.C.

AMENDMENT NO. 31 Calendar No. _____

Purpose: To improve the bill.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

H. R. 3633

To provide for a system of regulation of the offer and sale of digital commodities by the Securities and Exchange Commission and the Commodity Futures Trading Commission, to amend the Federal Reserve Act to prohibit the Federal reserve banks from offering certain products or services directly to an individual, to prohibit the use of central bank digital currency for monetary policy, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. VAN HOLLEN to the amendment (No. _____) proposed by Mr. SCOTT of South Carolina

Viz:

- 1 At the appropriate place, insert the following:
- 2 **SEC. ____ . EXTENSIONS OF CREDIT ON ANCILLARY AS-**
- 3 **SETS.**
- 4 (a) **DEFINITIONS.**—In this section—
- 5 (1) the term “Board” means the Board of Gov-
- 6 ernors of the Federal Reserve System; and
- 7 (2) the terms “foreign person controlled by a
- 8 United States person” and “United States person”

1 have the meanings given those terms in section
2 7(f)(2) of the Securities Exchange Act of 1934 (15
3 U.S.C. 78g(f)(2)).

4 (b) RULEMAKING.—Not later than 1 year after the
5 date of enactment of this Act, the Board shall issue rules
6 with respect to the amount of credit that may be extended
7 and maintained on any ancillary asset.

8 (c) PROHIBITIONS.—

9 (1) EXTENSION OF CREDIT.—It shall be unlaw-
10 ful for any person to, directly or indirectly, extend
11 or maintain credit, or arrange for the extension or
12 maintenance of credit, for the purpose of purchasing
13 or carrying any ancillary asset in contravention of
14 the rules issued under subsection (b).

15 (2) RECEIPT OF CREDIT.—It shall be unlawful
16 for any United States person, or any foreign person
17 controlled by a United States person or acting on
18 behalf of or in conjunction with such person, to ob-
19 tain, receive, or enjoy the beneficial use of a loan or
20 other extension of credit for the purpose of pur-
21 chasing or carrying any ancillary asset in contraven-
22 tion of the rules issued under subsection (b).

23 (d) EXEMPTIONS.—

24 (1) TRANSACTIONS NOT IN THE ORDINARY
25 COURSE OF BUSINESS.—The prohibition under sub-

1 section (e)(1) shall not apply to any credit extended,
2 maintained, or arranged by a person not in the ordi-
3 nary course of business.

4 (2) BOARD EXEMPTIVE AUTHORITY.—The
5 Board may by rule exempt any person, transaction,
6 or class thereof from the requirements under this
7 section if the Board finds that such exemption is
8 consistent with the purposes of this section.

9 (c) ENFORCEMENT.—The Board may exercise any
10 authority to enforce this section provided to the Commis-
11 sion under the Securities Exchange Act of 1934 (15
12 U.S.C. 78a et seq.) to enforce section 7 of that Act (15
13 U.S.C. 78g).

