

S.L.C.
Am Van Hollen

AMENDMENT NO. 34

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. ____ . ANTI-TOUTING.**

3 (a) IN GENERAL.—It shall be unlawful for any per-
4 son, by the use of any means or instruments of transpor-
5 tation or communication in interstate commerce or by the
6 use of the mails, to publish, give publicity to, or circulate
7 any notice, circular, advertisement, newspaper, article, let-
8 ter, investment service, or communication that, though not

1 purporting to offer a digital asset for sale, describes such
2 digital asset for a consideration received or to be received,
3 directly or indirectly, from an issuer, underwriter, dealer,
4 or person performing similar functions without fully dis-
5 closing the receipt, whether past or prospective, of such
6 consideration and the amount thereof.

7 (b) ENFORCEMENT.—

8 (1) IN GENERAL.—A person may bring an ac-
9 tion in any court of competent jurisdiction for any
10 violation of this section in connection with a digital
11 asset purchased or acquired by the person.

12 (2) AUTHORITY.—The Commission may exer-
13 cise any authority provided under the Securities Act
14 of 1933 (15 U.S.C. 77a et seq.) to enforce this sec-
15 tion as if a violation of this section were a violation
16 of that Act.