AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 3606
OFFERED BY MR. MCCARTHY OF CALIFORNIA

Page 19, beginning on line 6, strike “(a) REMOVAL
OF RESTRICTION.—” and all that follows through line 11
and insert the following:

(a) MODIFICATION OF RULES.—

(1) Not later than 90

Page 19, line 23, insert after the period the fol-
lowing: “Section 230.506 of title 17, Code of Federal
Regulations, as revised pursuant to this section, shall
continue to be treated as a regulation issued under sec-
tion 4(2) of the Securities Act of 1933 (15 U.S.C.
77d(2)).”

Page 19, after line 23, insert the following:

(2) Not later than 90 days after the date of en-
actment of this Act, the Securities and Exchange
Commission shall revise subsection (d)(1) of section
230.144A of title 17, Code of Federal Regulations,
to provide that securities sold under such revised ex-
emption may be offered to persons other than quali-

ified institutional buyers, including by means of gen-
eral solicitation or general advertising, provided that

securities are sold only to persons that the seller and

any person acting on behalf of the seller reasonably

believe is a qualified institutional buyer.

(c) CONSISTENCY IN INTERPRETATION.—Section 4

of the Securities Act of 1933 (15 U.S.C. 77d) is amend-
ed—

(1) by striking “The provisions of section 5”

and inserting “(a) The provisions of section 5”; and

(2) by adding at the end the following:

“(b) Offers and sales exempt under section 230.506

of title 17, Code of Federal Regulations (as revised pursu-
ant to section 201 of the Jumpstart Our Business

Startups Act) shall not be deemed public offerings under

the Federal securities laws as a result of general adver-
tising or general solicitation.”.