

117TH CONGRESS
1ST SESSION

H. R. 4618

To amend the Securities Exchange Act of 1934 to modernize the reporting requirements under section 13(f) of such Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 22, 2021

Ms. WATERS introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the Securities Exchange Act of 1934 to modernize the reporting requirements under section 13(f) of such Act, 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 “Short Sale Trans-
5 parency and Market Fairness Act”.

6 **SEC. 2. SECTION 13(f) REPORTING REQUIREMENTS.**

7 Section 13(f) of the Securities Exchange Act of 1934
8 (15 U.S.C. 78m(f)) is amended—

9 (1) in paragraph (1)—

1 (A) by striking “equity securities of a class
2 described in section 13(d)(1) of this title having
3 an aggregate fair market value on the last trad-
4 ing day in any of the preceding twelve months
5 of at least \$100,000,000 or such lesser amount
6 (but in no case less than \$10,000,000) as the
7 Commission, by rule, may determine, shall file
8 reports with the Commission in such form, for
9 such periods, and at such times after the end
10 of such periods as the Commission, by rule,
11 may prescribe, but in no event shall such re-
12 ports be filed for periods longer than one year
13 or shorter than one quarter.” and inserting
14 “covered securities having an aggregate fair
15 market value on the last trading day in any of
16 the preceding twelve months of at least
17 \$100,000,000, shall file reports not later than
18 10 business days after the end of each month
19 with the Commission.”; and

20 (B) by striking “such equity security” and
21 inserting “covered security” ; and

22 (2) by adding at the end the following:

23 “(7) FORM OF REPORTS.—The Commission may pre-
24 scribe by rule the form of the reports required under para-
25 graph (1).

1 “(8) COVERED SECURITY.—For purposes of para-
2 graph (1), the term ‘covered security’ means—

3 “(A) an equity security of a class described in
4 subsection (d)(1); or

5 “(B) a direct or indirect derivative interest or
6 position (including a security-based swap) in an eq-
7 uity security, as defined by the Commission.”.

8 **SEC. 3. REGULATIONS RELATING TO SHORT SALE DISCLO-**
9 **SURES.**

10 Not later than 180 days after the date of the enact-
11 ment of this Act, the Securities and Exchange Commission
12 shall issue rules implementing the amendments made by
13 section 929X of title IX of the Dodd-Frank Wall Street
14 Reform and Consumer Protection Act (15 U.S.C.78a et
15 seq.).

16 **SEC. 4. STUDY ON CONFIDENTIAL TREATMENT OF 13(f) RE-**
17 **PORTS.**

18 (a) IN GENERAL.—The Securities and Exchange
19 Commission shall conduct a study to evaluate the stand-
20 ards and criteria used to determine whether confidential
21 treatment shall apply with respect to an institutional in-
22 vestment manager for purposes of filing a report under
23 section 13(f) of the Securities Exchange Act of 1934 (15
24 U.S.C. 78m(f)).

1 (b) REPORT.—Not later than 1 year after the date
2 of enactment of this Act, the Securities and Exchange
3 Commission shall submit to the Committee on Financial
4 Services of the House of Representatives and the Com-
5 mittee on Banking, Housing, and Urban Affairs of the
6 Senate a report on the results of the study conducted
7 under subsection (a).

8 (c) RULEMAKING.—Not later than 2 years after the
9 date of enactment of this Act, the Securities and Ex-
10 change Commission shall issue or revise rules consistent
11 with the results of the study conducted under subsection
12 (a).

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