



## **FACT SHEET: The CLARITY Act Delivers Regulatory Clarity for the Crypto Industry**

**The Banking Committee’s Digital Asset Market Structure Bill provides long-overdue clarity on how digital assets are regulated in the United States.**

It replaces the prior SEC’s regulation-by-enforcement approach, and its resulting legal uncertainty, with a clear, regulatory framework that protects investors and keeps crypto innovation in America.

### **Key Token Classification Reforms Include:**

- **Clearly allocating jurisdiction between the SEC and CFTC**, drawing a bright line between digital asset securities and digital asset commodities.
- **Protecting investors** by ensuring that timely, appropriately tailored disclosures are available to the public in connection with certain digital asset offerings or sales.
- **A new exemption from SEC registration, entitled Regulation Crypto**, that allows certain digital asset projects to raise capital from the public while complying with right-sized regulatory obligations, including tailored disclosure requirements.
- **Anti-evasion protections**, which ensure that companies cannot creatively structure digital asset projects to willfully circumvent the bill’s securities law requirements.
- **Resale restrictions for insiders**, preventing pump-and-dump schemes and market manipulation.
- **Legal certainty** for assets already deemed non-securities by U.S. courts.

**Bottom line:** The Banking Committee’s Market Structure bill creates clear rules of the road for the digital asset industry that balances innovation with investor protection.