

AMENDMENT NO. _____ Calendar No. _____

Purpose: To improve the bill.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

S. _____

To reauthorize the Commodity Futures Trading Commission, to ensure protections of futures customers, to provide relief for farmers, ranchers, and end-users that manage risk to help keep consumer costs low, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by

Viz:

1 Strike section 204.

2 At the end of title II, add the following:

3 **SEC. 207. PREDOMINANTLY ENGAGED.**

4 Section 2(h)(7)(C) of the Commodity Exchange Act

5 (7 U.S.C. 2(h)(7)(C)) is amended by adding at the end

6 the following:

7 “(iv) REGULATIONS.—

8 “(I) IN GENERAL.—Not later

9 than 90 days after the date of enact-

1 ment of this clause, the Commission
2 shall promulgate regulations to define
3 the term ‘predominantly engaged’ for
4 purposes of clause (i)(VIII).

5 “(II) REVENUE REQUIRE-
6 MENT.—Regulations under this clause
7 shall provide that an entity will not be
8 considered to be predominantly en-
9 gaged in activities that are in the
10 business of banking or financial in na-
11 ture if the consolidated revenues of
12 the entity derived from such activities
13 constitute less than 85 percent of the
14 total consolidated revenues of the en-
15 tity.

16 “(III) DETERMINATION.—For
17 purposes of subclause (II), in deter-
18 mining the percentage of the revenues
19 of an entity that are derived from ac-
20 tivities that are in the business of
21 banking or financial in nature, all rev-
22 enues that are, or result from, trans-
23 actions used to hedge or mitigate
24 commercial risk shall be excluded.”.

1 **SEC. 208. PUBLIC INTEREST EXEMPTIONS.**

2 Section 4(c)(6) of the Commodity Exchange Act (7
3 U.S.C. 6(c)(6)) is amended in the matter preceding sub-
4 paragraph (A) by inserting “, on the condition that an
5 exemption pursuant to this paragraph shall include an ex-
6 emption from section 22,” after “requirements of this
7 Act”.