

AMENDMENT TO RULES COMMITTEE PRINT 115-2
OFFERED BY MR. LAMALFA OF CALIFORNIA

At the end of title III, insert the following:

1 **SEC. ____ . DETERMINATION OF PREDOMINANT ENGAGE-**
2 **MENT.**

3 Section 2(h)(7)(C) of the Commodity Exchange Act
4 (7 U.S.C. 2(h)(7)(C)), as amended by section 314 of this
5 Act, is amended by adding at the end the following:

6 “(v) In determining whether a person
7 is predominantly engaged in a business or
8 activity for purposes of clause (i)(VIII),
9 there shall be excluded revenues and assets
10 that are, or result from, any transaction
11 that is entered into solely for purposes of
12 hedging or mitigating commercial risk (as
13 defined by the Commission for purposes of
14 subparagraph (A)(ii)).”

