

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 7008
OFFERED BY Mr. Morelle
Amendment #5**

Page 2, beginning on line 1, add the following and redesignate paragraphs accordingly:

1 “(1) COMMODITY.—The term ‘commodity’ has
2 the meaning given the term in section 1a of the
3 Commodity Exchange Act (7 U.S.C. 1a).”.

Page 2, beginning on line 22, subparagraph (A) is amended to read as follows:

4 “(A) IN GENERAL.—The term ‘covered in-
5 vestment’ means a security, commodity, or fu-
6 ture, or any comparable economic interest ac-
7 quired through synthetic means, such as the
8 use of a derivative, including an option, war-
9 rant, or other similar means.”.

Page 3, line 6, strike “or” at the end.

Page 3, line 13, strike the period at the end and add
“; or”.

Page 3, after line 13, insert the following:

1 “(v) an interest in a small business
2 concern and, in the case of an investment
3 in a family farm or ranch that qualifies as
4 an interest in a small business concern, a
5 future or commodity directly related to the
6 farming activities and products of the farm
7 or ranch.”.

Page 3, line 14, strike paragraph (4), as redesignated, and insert the following:

8 “(4) FUTURE.—The term ‘future’ means a fi-
9 nancial contract obligating the buyer to purchase an
10 asset or the seller to sell an asset, such as a physical
11 commodity or a financial investment, at a predeter-
12 mined future date and price.”.

Page 3, after line 24, insert the following and redesignate accordingly:

13 “(7) SMALL BUSINESS CONCERN.—The term
14 ‘small business concern’ has the meaning given that
15 term under section 3 of the Small Business Act (15
16 7 U.S.C. 632).”.

