AMENDMENT NO._____ Calendar No._____

Purpose: To improve the bill.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

S. 4035

To amend the Commodity Exchange Act to prohibit the listing of contracts relating to war, death, and similar activities.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. SCHIFF (for himself and Mr. CURTIS)

Viz:

Strike section 2 and insert the following:

SEC. 2. PROHIBITION ON LISTING OF CONTRACTS RELATING TO WAR, DEATH, AND OTHER SIMILAR CIRCUMSTANCES.

Section 5c of the Commodity Exchange Act (7 U.S.C. 7a–2) is amended by adding at the end the following:

''(d) PROHIBITION ON LISTING OF CONTRACTS RELATING TO WAR, DEATH, AND OTHER SIMILAR CIRCUMSTANCES.—A registered entity shall not list for trading or accept for clearing on or through the registered entity any of the following:

''(1) An agreement, contract, transaction, or swap based on an excluded commodity described in section 1a(19)(iv) that expressly references—

''(A) terrorism;

''(B) assassination;

''(C) war;

''(D) United States Armed Forces military operations; or

''(E) any similar activity, as determined by the Commission pursuant to rule or regulation to be necessary and appropriate to achieve the purposes of this Act.

''(2) An agreement, contract, transaction, or swap based on an excluded commodity described in section 1a(19)(iv) for which the event for the contract, at the time of listing, is reasonably expected to resolve principally based on a death of an individual.''.

SEC. 3. RULE OF CONSTRUCTION.

Nothing in this Act or an amendment made by this Act shall be construed to affect the permissibility of any agreements, contracts, transactions, or swaps involving any activity described in section 5c(c)(5)(C)(i) of the Commodity Exchange Act (7 U.S.C. 7a–2(c)(5)(C)(i)) other

than the activities described in subsection (d) of section 5c of that Act (7 U.S.C. 7a–2) (as added by section 2).