

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

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TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES:

The U.S. Chamber of Commerce strongly supports H.R. 238, the “Commodity End-User Relief Act.” H.R. 238 would reauthorize the Commodity Futures Trading Commission (“CFTC”) and enact a number of important reforms to provide regulatory relief for end users of the derivatives market. It would also promote accountability at the CFTC and protect Main Street businesses from onerous and unintended consequences of derivatives regulation.

The Chamber supports several amendments being offered to H.R. 238. Specifically, the Chamber supports Congressman Lucas’ amendment to provide relief to Main Street businesses by clarifying the treatment of interaffiliate swaps. The amendment would drive down the cost of using derivatives by end-users and help Main Street businesses employ safe and effective risk management strategies on a more cost-effective basis.

The Chamber also supports the amendment sponsored by Congressman Duffy and Congressman Scott to clarify that the CFTC shall not have the authority to access proprietary source code without a subpoena. Their amendment would protect highly sensitive intellectual property, which would respect established due process rights and ensure that proprietary source code does not fall into the wrong hands as a result of a cyberattack or wrongdoing.

Finally, as the bill moves forward, the Chamber urges consideration of how best to address the cross-border regulation of derivatives. We strongly believe that H.R. 238 should appropriately reflect the potential impact of punitive or excessive cross-border rules on Main Street businesses seeking to prudently hedge their commercial and market risks, both in the U.S. and abroad. We look forward to continuing to work with the sponsors of H.R. 238 on this issue as the bill moves forward.

The Chamber commends the House of Representatives for prioritizing regulatory reform in the 115<sup>th</sup> Congress and urges the House to approve H.R. 238 and the amendments listed above as expeditiously as possible.

Sincerely,



Jack Howard