

S 2058

Close the Enron Loophole Act

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Finance and Financial Sector

Introduced: Sep 17, 2007

Current Status: Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry. (text of measure a

Latest Action: Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry. (text of measure as introduced: CR S11597-11600) (Sep 17, 2007)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/2058>

Sponsor

Name: Sen. Levin, Carl [D-MI]

Party: Democratic • State: MI • Chamber: Senate

Cosponsors (11 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Dorgan, Byron L. [D-ND]	D · ND		Oct 15, 2007
Sen. McCaskill, Claire [D-MO]	D · MO		Oct 25, 2007
Sen. Wyden, Ron [D-OR]	D · OR		Nov 5, 2007
Sen. Reed, Jack [D-RI]	D · RI		Nov 16, 2007
Sen. Schumer, Charles E. [D-NY]	D · NY		Nov 16, 2007
Sen. Cantwell, Maria [D-WA]	D · WA		Dec 3, 2007
Sen. Sanders, Bernard [I-VT]	I · VT		Dec 4, 2007
Sen. Menendez, Robert [D-NJ]	D · NJ		Dec 5, 2007
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Dec 19, 2007
Sen. Nelson, Bill [D-FL]	D · FL		Apr 2, 2008
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Apr 22, 2008

Committee Activity

Committee	Chamber	Activity	Date
Agriculture, Nutrition, and Forestry Committee	Senate	Referred To	Sep 17, 2007

Subjects & Policy Tags

Policy Area:

Finance and Financial Sector

Related Bills

Bill	Relationship	Last Action
110 HR 4066	Related bill	Nov 1, 2007: Referred to the House Committee on Agriculture.

Close the Enron Loophole Act - Amends the Commodity Exchange Act to provide that it applies to an agreement, contract, or transaction in an exempt commodity that is executed or traded on an electronic trading facility that is an energy trading center.

Prohibits any person from entering into an agreement, contract, or transaction for future delivery of an energy commodity that is not a spot sale of cash commodity or a sale of a cash commodity for deferred shipment or delivery on or through an energy trading facility that is not registered as such with the U.S. Commodity Futures Trading Commission (CFTC). Sets forth registration criteria.

Requires CFTC to ensure that the position limits and accountability levels applicable to contracts in an energy commodity listed for trading on a designated contract market and similar contracts in the same energy commodity listed for trading on an energy trading facility: (1) prevent price manipulation, excessive speculation, price distortion, and disruption of the delivery or cash-settlement process; and (2) are on a parity with each other and are applied in a functionally equivalent manner.

Requires CFTC to take necessary action to direct an energy trading facility or a designated contract market to require a person who has exceeded an applicable position limit or accountability level in an energy commodity to limit, reduce, or liquidate any position to prevent or reduce the threat of price manipulation, excessive speculation, price distortion, or disruption of the delivery or cash-settlement process.

Sets forth provisions concerning the provision of information and records about energy trading contracts to CFTC.

Revises provisions concerning the prohibition on energy contracts designed to defraud or mislead, including by prohibiting any person from cheating or defrauding another person in connection with any contract of sale of any commodity in interstate commerce or for future delivery that is made subject to the rules of a designated contract market for or on behalf of any such person (currently the provisions prohibit members of registered entities, correspondent agents, or employees of members from such actions.)

Requires CFTC to issue a rule regarding the requirements for an application for registration for an energy trading facility.

Actions Timeline

- **Sep 17, 2007:** Introduced in Senate
- **Sep 17, 2007:** Sponsor introductory remarks on measure. (CR S11596-11597, S11600-11603)
- **Sep 17, 2007:** Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry. (text of measure as introduced: CR S11597-11600)