

S 3739

Derivatives and Hedge Fund Regulatory Improvement Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Finance and Financial Sector

Introduced: Dec 11, 2008

Current Status: Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.

Latest Action: Read twice and referred to the Committee on Banking, Housing, and Urban Affairs. (Dec 11, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/3739>

Sponsor

Name: Sen. Dorgan, Byron L. [D-ND]

Party: Democratic • **State:** ND • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Feingold, Russell D. [D-WI]	D · WI		Dec 11, 2008

Committee Activity

Committee	Chamber	Activity	Date
Banking, Housing, and Urban Affairs Committee	Senate	Referred To	Dec 12, 2008

Subjects & Policy Tags

Policy Area:

Finance and Financial Sector

Related Bills

No related bills are listed.

Derivatives and Hedge Fund Regulatory Improvement Act of 2008 - Directs the appropriate federal banking agencies, with respect to the entities under their respective jurisdictions that engage in transactions involving unregistered hedge funds or over-the-counter derivatives, to initiate a coordinated rulemaking to: (1) extend to unregistered hedge funds the requirements governing the safety and soundness of the financial system applicable to mutual funds; (2) provide for the regulation of over-the-counter derivatives that are not traded on a national securities exchange or by a registered securities association (including credit default swaps, interest rate swaps, currency swaps, mortgage-backed securities, asset-backed securities, and collateralized debt obligations); and (3) prohibit insured depository institutions from trading derivatives for their own accounts.

Requires the appropriate federal banking agencies and the Securities and Exchange Commission (SEC) to promulgate rules designed to: (1) avoid systemic risks to the financial markets; (2) ensure safe and sound operation of banks, including mandatory maintenance of sufficient capital levels and limits on aggregate leverage, and restrictions on buying, selling, or entering into derivatives by an insured depository institution for its own account; and (3) provide means to prevent fraudulent, deceptive, or manipulative practices.

Actions Timeline

- **Dec 11, 2008:** Introduced in Senate
- **Dec 11, 2008:** Read twice and referred to the Committee on Banking, Housing, and Urban Affairs.