

## S 1399

Carbon Market Oversight Act of 2009

**Congress:** 111 (2009–2011, Ended)

**Chamber:** Senate

**Policy Area:** Finance and Financial Sector

**Introduced:** Jul 6, 2009

**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 S7144-7149) (Jul 6, 2009)

**Official Text:** <https://www.congress.gov/bill/111th-congress/senate-bill/1399>

### Sponsor

**Name:** Sen. Feinstein, Dianne [D-CA]

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

### Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Snowe, Olympia J. [R-ME]	R · ME		Jul 6, 2009
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Jul 15, 2009

### Committee Activity

Committee	Chamber	Activity	Date
Agriculture, Nutrition, and Forestry Committee	Senate	Referred To	Jul 6, 2009

### Subjects & Policy Tags

#### Policy Area:

Finance and Financial Sector

### Related Bills

No related bills are listed.

Carbon Market Oversight Act of 2009 - Amends the Commodity Exchange Act to establish an Office of Carbon Market Oversight in the Commodity Futures Trading Commission (CFTC), headed by a Director for Carbon Market Oversight. Grants the CFTC authority to regulate all contracts involving a regulated instrument. Defines "regulated instrument" as any regulated allowance (i.e., a greenhouse gas emission allowance or government-issued unit of reduction in the quantity of emissions, or an increase in sequestration, equal to one carbon dioxide equivalent) or regulated allowance derivative (i.e., instruments, contracts, or other obligations linked to the market for regulated allowances).

Makes it unlawful to engage in the trading of regulated instruments unless: (1) transactions are conducted through a carbon allowance trading facility established by this Act; (2) sale or purchase contracts are evidenced by a record in writing; and (3) contracts are cleared through the Carbon Clearing Organization established by this Act.

Prohibits price or market manipulation, misleading statements, or fraud in connection with the trading of regulated instruments.

Authorizes the CFTC to establish a carbon allowance trading facility to establish and enforce rules for trading in regulated instruments. Sets forth eligibility, registration, and educational requirements for market traders, dealers, and brokers in the regulated instrument market.

Requires the CFTC to: (1) establish a Carbon Clearing Organization to create a common clearing platform for regulated instruments; (2) facilitate the dissemination of reliable and accurate last-sale and quotation information for transactions in regulated instruments; and (3) collect and analyze information on the functioning of the markets for regulated instruments.

Grants the CFTC certain administrative powers to enforce this Act, including the power to conduct investigations, review adverse actions by a registered carbon trading facility, suspend or revoke a registered carbon trading facility designation, or issue emergency orders.

Authorizes the CFTC to bring a civil action to prevent or punish violations of this Act.

Imposes criminal penalties on persons who knowingly violate the requirements of this Act or who fail to comply with a cease and desist order.

## **Actions Timeline**

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- **Jul 6, 2009:** Introduced in Senate
- **Jul 6, 2009:** Sponsor introductory remarks on measure. (CR S7143-7144)
- **Jul 6, 2009:** Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry. (text of measure as introduced: CR S7144-7149)