

1 ket power to disadvantage consumers, or
2 other unfair method of competition; and

3 (iii) facilitate enforcement of penalties
4 against persons in violation of relevant
5 statutory prohibitions.

6 (B) SPECIFIC DUTIES.—In order to carry
7 out the responsibility under subparagraph (A),
8 the Unit shall assist the Commission in car-
9 rying out the following duties:

10 (i) Receiving, compiling, and ana-
11 lyzing relevant buying and selling activity
12 in order to identify and investigate anoma-
13 lous market trends and suspicious behav-
14 ior.

15 (ii) Determining whether excessive
16 concentration or exclusive control of en-
17 ergy-related infrastructure may allow or
18 result in anti-competitive behaviors.

19 (iii) Gathering evidence of wrongdoing
20 against any person in violation of the stat-
21 utory prohibitions on market manipulation
22 and false information established in, and
23 consistent with, subtitle B of title VIII of
24 the Energy Independence and Security Act
25 of 2007 or any other applicable provisions

1 of the Federal Trade Commission Act (15
2 U.S.C. 45 et. seq.).

3 (iv) Obtaining a data-sharing agree-
4 ment with the Energy Information Admin-
5 istration that includes the data collected in
6 accordance with section 205(n) of the De-
7 partment of Energy Organization Act (42
8 U.S.C. 7135).

9 (v) Obtaining data-sharing agree-
10 ments with the Commodities Futures
11 Trading Commission, the Federal Energy
12 Regulatory Commission, and as necessary
13 and practicable, State energy offices or
14 commissions, and relevant public and pri-
15 vate data sources that will allow the Com-
16 mission to receive and archive information
17 on—

18 (I) crude oil and transportation
19 fuel buying and selling activity;

20 (II) individual physical and fi-
21 nancial market positions of market
22 participants regarding crude oil and
23 transportation fuel;

1 (III) refinery output, capacity,
2 and inventory levels of crude oil and
3 transportation fuel;

4 (IV) imports and exports of
5 crude oil and transportation fuel with-
6 in regions and at levels that could im-
7 pact prices faced by consumers;

8 (V) public announcements by en-
9 ergy companies of planned pricing or
10 output decisions regarding crude oil
11 and transportation fuel; and

12 (VI) other relevant market infor-
13 mation that will facilitate the gath-
14 ering of evidence described in clause
15 (iii), including sufficient market infor-
16 mation necessary to monitor for cross-
17 market manipulations that may in-
18 clude multiple financial and physical
19 market positions.

20 (vi) Any other information determined
21 appropriate by the Commission to carry
22 out the responsibility under subparagraph
23 (A).

24 (b) DEFINITIONS.—In this section:

1 (1) COMMISSION.—Other than in subsection
2 (a)(2)(B)(v), the term “Commission” means the
3 Federal Trade Commission.

4 (2) TRANSPORTATION FUEL.—The term “trans-
5 portation fuel” includes gasoline, distillate fuels (in-
6 cluding heating oil), jet fuel, aviation gasoline, and
7 biofuel (including ethanol, biomass-based diesel and
8 distillates, and renewable blending components).

9 (c) REGULATIONS.—Not later than 90 days after the
10 date of enactment of this Act, the Commission shall pro-
11 mulgate regulations to carry out this section.

12 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
13 authorized to be appropriated to the Commission such
14 sums as may be necessary for each of fiscal years 2022
15 through 2027 to carry out this section.

