

117TH CONGRESS
1ST SESSION

H. R. 2698

To extend the jurisdiction of the Commodity Futures Trading Commission to include oversight of markets which set reference prices for aluminum premiums, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 2021

Mr. LAWSON of Florida (for himself and Mr. BUCK) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To extend the jurisdiction of the Commodity Futures Trading Commission to include oversight of markets which set reference prices for aluminum premiums, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Aluminum Pricing Ex-
5 amination Act” or the “APEX Act”.

1 **SEC. 2. JURISDICTION OF THE COMMODITY FUTURES**
2 **TRADING COMMISSION OVER MARKETS**
3 **WHICH SET OR REPORT REFERENCE PRICES**
4 **FOR ALUMINUM PREMIUMS.**

5 Section 2(a)(1) of the Commodity Exchange Act (7
6 U.S.C. 2(a)(1)) is amended by adding at the end the fol-
7 lowing:

8 “(J)(i) The Commission shall have jurisdiction over
9 the markets, including the process, oversight, trans-
10 parency, and manner in which reference prices for alu-
11 minum premiums are set or reported, and whether the
12 mechanism for setting such reference prices is fair and
13 transparent. However, nothing in this Act shall be con-
14 strued to grant the Commission the authority to set or
15 control prices for aluminum premiums.

16 “(ii)(I) The Commission shall consult with the Attor-
17 ney General on any relevant information, allegations of
18 anticompetitive conduct, or marketplace analysis in the
19 setting or reporting of such a reference price.

20 “(II) The Commission shall afford the Attorney Gen-
21 eral an opportunity to review any regulation or guideline
22 proposed by the Commission in carrying out this subpara-
23 graph to ensure that the regulation or guideline is con-
24 sistent with the goals and purposes of the antitrust laws.

25 “(III) The Attorney General may cooperate with, and
26 share relevant information with, the Commission, with re-

1 spect to the setting of such a reference price, and shall
2 review any such proposed regulation or guideline to ensure
3 that the regulation or guideline is in accordance with the
4 goals and purposes of the antitrust laws.

5 “(IV) The Attorney General shall transmit to the
6 Commission the views of the Attorney General on any such
7 proposed regulation or guideline.”.

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