

119TH CONGRESS
2D SESSION

H. R. 8698

To protect consumers from gasoline and fuel price gouging, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2026

Ms. McDONALD RIVET (for herself and Ms. SCHRIER) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To protect consumers from gasoline and fuel price gouging,
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 “Lower Prices at the
5 Pump Act”.

1 **SEC. 2. PROHIBITION ON EXCESSIVE PRICING OF GASO-**
2 **LINE AND FUELS DUE TO CONFLICT WITH**
3 **IRAN.**

4 (a) PROHIBITION.—No person may sell or offer for
5 sale at wholesale or at retail, and during a period of time
6 defined under subsection (b), gasoline or any other petro-
7 leum distillate at a price that—

8 (1) is unconscionably excessive; and

9 (2) indicates such person is taking unfair ad-
10 vantage of the circumstances related to such period
11 described under subsection (b) to increase prices un-
12 reasonably.

13 (b) PERIOD OF TIME.—The period of time described
14 in this subsection begins on the date of the enactment of
15 this Act and ends on the date on which the President,
16 in consultation with the Speaker of the House of Rep-
17 resentatives, the Majority Leader of the Senate, the Mi-
18 nority Leader of the House of Representatives, and the
19 Minority Leader of the Senate—

20 (1) declares that military operations against
21 Iran which began in March 2026 have ceased indefi-
22 nitely; and

23 (2) determines and certifies to Congress that
24 the Strait of Hormuz is fully open and global ship-
25 ping through the Strait has resumed.

1 (c) FACTORS CONSIDERED.—In determining whether
2 a person has violated subsection (a), the following factors
3 shall be considered:

4 (1) Whether the price charged by such person
5 for the gasoline or other petroleum distillate at a
6 particular location in the United States meets any of
7 the following characteristics:

8 (A) Grossly exceeds the average price at
9 which such gasoline or other petroleum dis-
10 tillate was offered for sale by the person during
11 the 30-day period prior to February 28, 2026.

12 (B) Grossly exceeds the price at which the
13 same or similar gasoline or other petroleum dis-
14 tillate was readily obtainable in such location
15 from competing sellers during such period.

16 (C) Reasonably reflects—

17 (i) additional costs not within the con-
18 trol of the person that were paid, incurred,
19 or reasonably anticipated by the person; or

20 (ii) additional risks taken by the per-
21 son to produce, distribute, obtain, or sell
22 the relevant gasoline or other petroleum
23 distillate under the circumstances.

1 (D) Is substantially attributable to local,
2 regional, national, or international market con-
3 ditions.

4 (2) Whether the quantity of gasoline or other
5 petroleum distillate the person produced, distributed,
6 or sold at a particular location in the United States
7 increased over the quantity that the person pro-
8 duced, distributed, or sold during the 30-day period
9 prior to February 28, 2026, in such location.

10 **SEC. 3. ENFORCEMENT.**

11 (a) ENFORCEMENT BY COMMISSION.—

12 (1) UNFAIR OR DECEPTIVE ACTS OR PRAC-
13 TICES.—A violation of section 2(a) shall be treated
14 as a violation of a regulation under section
15 18(a)(1)(B) of the Federal Trade Commission Act
16 (15 U.S.C. 57a(a)(1)(B)) regarding unfair or decep-
17 tive acts or practices.

18 (2) POWERS OF COMMISSION.—The Commis-
19 sion shall enforce section 2(a) in the same manner,
20 by the same means, and with the same jurisdiction,
21 powers, and duties as though all applicable terms
22 and provisions of the Federal Trade Commission Act
23 (15 U.S.C. 41 et seq.) were incorporated into and
24 made a part of this Act, and any person who violates
25 such section shall be subject to the penalties and en-

1 titled to the privileges and immunities provided in
2 the Federal Trade Commission Act.

3 (b) ACTIONS BY STATES.—

4 (1) IN GENERAL.—In any case in which the at-
5 torney general of a State government, or an official
6 or agency of a State, has reason to believe that an
7 interest of the residents of such State has been or
8 is threatened or adversely affected by an act or prac-
9 tice in violation of section 2(a), the State, as *parens*
10 *patriae*, may bring a civil action on behalf of the
11 residents of the State in an appropriate district
12 court of the United States to—

13 (A) enjoin such act or practice;

14 (B) enforce compliance with such section;

15 (C) obtain damages, restitution, or other
16 compensation on behalf of residents of the
17 State; or

18 (D) obtain such other legal and equitable
19 relief as the court may consider to be appro-
20 priate.

21 (2) NOTICE.—Before filing an action under this
22 subsection, the attorney general, official, or agency
23 of the State involved shall provide to the Commis-
24 sion a written notice of such action and a copy of
25 the complaint for such action. If the attorney gen-

1 eral, official, or agency determines that it is not fea-
2 sible to provide the notice described in this para-
3 graph before the filing of the action, the attorney
4 general, official, or agency shall provide written no-
5 tice of the action and a copy of the complaint to the
6 Commission immediately upon the filing of the ac-
7 tion.

8 (3) AUTHORITY OF COMMISSION.—

9 (A) IN GENERAL.—On receiving notice
10 under paragraph (2) of an action under this
11 subsection, the Commission shall have the
12 right—

13 (i) to intervene in the action;

14 (ii) upon so intervening, to be heard
15 on all matters arising therein; and

16 (iii) to file petitions for appeal.

17 (B) LIMITATION ON STATE ACTION WHILE
18 FEDERAL ACTION IS PENDING.—If the Commis-
19 sion or the Attorney General of the United
20 States has instituted a civil action for violation
21 of section 2(a) (referred to in this subparagraph
22 as the “Federal action”), no State attorney
23 general, official, or agency may bring an action
24 under this subsection during the pendency of
25 the Federal action against any defendant

1 named in the complaint in the Federal action
2 for any violation of such section alleged in such
3 complaint.

4 (4) RULE OF CONSTRUCTION.—For purposes of
5 bringing a civil action under this subsection, nothing
6 in this Act shall be construed to prevent an attorney
7 general, official, or agency of a State from exercising
8 the powers conferred on the attorney general, offi-
9 cial, or agency by the laws of such State to conduct
10 investigations, administer oaths and affirmations, or
11 compel the attendance of witnesses or the production
12 of documentary and other evidence.

13 (c) CRIMINAL PENALTIES.—

14 (1) IN GENERAL.—In addition to any other
15 penalty applicable under this section, any person
16 who violates section 2 shall be fined under title 18,
17 United States Code, in an amount not to exceed
18 \$500,000,000.

19 (2) ENFORCEMENT.—The criminal penalty pro-
20 vided by paragraph (1) may be imposed only pursu-
21 ant to a criminal action brought by the Attorney
22 General or other officer of the Department of Jus-
23 tice. The Attorney General shall give priority to en-
24 forcement actions concerning companies with total
25 United States wholesale or retail sales of gasoline

1 and other petroleum distillates in excess of
2 \$10,000,000,000 per year.

3 (d) DEPOSIT OF FUNDS.—Amounts collected in any
4 penalty under this section shall be deposited in a separate
5 fund in the Treasury to be known as the Consumer Relief
6 Trust Fund.

7 (e) USE OF FUNDS.—The amounts deposited into the
8 fund described in subsection (d) shall be used to provide
9 assistance under the Low Income Home Energy Assist-
10 ance Program described in section 2602 of the Low-In-
11 come Home Energy Assistance Act of 1981 (42 U.S.C.
12 8621) administered by the Secretary of Health and
13 Human Services and the Weatherization Assistance Pro-
14 gram established under part A of title IV of the Energy
15 Conservation and Production Act (42 U.S.C. 6861 et seq.)
16 administered by the Secretary of Energy.

17 **SEC. 4. DEFINITIONS.**

18 In this Act:

19 (1) COMMISSION.—The term “Commission”
20 means the Federal Trade Commission.

21 (2) RETAIL.—The term “retail”, with respect
22 to the sale of gasoline or any other petroleum dis-
23 tillate, includes—

24 (A) any sale to an end user, such as a mo-
25 torist; and

1 (B) any direct sale to another end user,
2 such as agriculture, industry, residential, and
3 commercial consumers.

4 (3) WHOLESALE.—The term “wholesale”, with
5 respect to the sale of gasoline or any other petro-
6 leum distillate, means—

7 (A) truckload or smaller sales of gasoline
8 or other petroleum distillates for which title
9 transfers at a product terminal or a refinery;
10 and

11 (B) dealer tank wagon sales of gasoline or
12 other petroleum distillates priced on a delivered
13 basis to retail outlets.

14 **SEC. 5. EFFECT ON OTHER LAWS.**

15 (a) OTHER AUTHORITY OF COMMISSION.—Nothing
16 in this Act may be construed to limit or affect in any way
17 the authority of the Commission to bring an enforcement
18 action or take any other measure under the Federal Trade
19 Commission Act (15 U.S.C. 41 et seq.) or any other provi-
20 sion of law.

21 (b) STATE LAW.—Nothing in this Act may be con-
22 strued to preempt any State law.

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