

So then, Madam Speaker, my point is, in expressing my gratitude, that this is not necessarily a noble goal, absent from a funding mechanism. The changes made to the bill enable the program to be properly funded so that children of fallen officers can receive higher education assistance.

We can never compensate the children for the loss of a parent who died in the line of duty. The least we can do is have a program in place to assist them in meeting their educational goals.

I, too, then, in conclusion, would like to thank the staffs, particularly those working with the gentleman from Pennsylvania (Mr. FOX) in his office, Laura Gerum in my office who has done absolutely superb work on this issue, unstinting in their dedication and focus. We are very, very grateful to those who see us to this point today.

Madam Speaker, it but remains for me to thank all of those who will be voting for this bill. I hope it will be unanimous by this body.

Mr. COBLE. Madam Speaker, I have no additional requests for time.

Mr. HASTINGS of Florida. Madam Speaker, I yield back the balance of my time.

Mrs. KELLY. Madam Speaker, I rise today to express my strong support for H.R. 3046, which provides support to the family members of public safety officers who are killed or disabled in the line of duty.

I would also like to commend Congress FOX for all of his hard work on this critically important issue. This issue is a top priority of mine, and I have worked hard to see that it is addressed by Congress this year.

H.R. 3046 is very similar to H.R. 2088, a bill I sponsored this year that was unanimously approved as part of H.R. 6 to establish a similar system of financial support for these families.

Police officers and firefighters lay their lives on the line on a daily basis, Madam Speaker, and sadly, all too often they make the ultimate sacrifice in the service of their communities.

These are our friends, our neighbors, our loved ones, and they leave behind families who must continue on. The death of a father or mother takes an obvious emotional toll, but it also impacts the financial security of the family, particularly when it comes to meeting educational expenses.

This bill seeks to address this particular problem by authorizing the Department of Justice to offer higher education assistance to the families of State and local public safety officers killed or disabled in the line of duty.

Last Congress, Congress adopted legislation to award education assistance to family members of Federal law enforcement officers killed in the line of duty. I was pleased to support that legislation, which passed both the House and Senate by voice votes.

I am proud to support H.R. 3046, which takes the next logical step and extends this benefit to the families of all public safety officers who are killed while serving their communities.

Our public safety officers deserve our respect, gratitude and support. I urge my colleagues to join me in support of this important legislation.

Mr. COBLE. Madam Speaker, I too yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 3046, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

Mr. COBLE. Madam Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from the further consideration of the Senate bill (S. 1525) to provide financial assistance for higher education to the dependents of Federal, State, and local public safety officers who are killed or permanently and totally disabled as the result of a traumatic injury sustained in the line of duty, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1524

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Public Safety Officers Educational Assistance Act of 1998".

SEC. 2. FINANCIAL ASSISTANCE FOR HIGHER EDUCATION TO DEPENDENTS OF PUBLIC SAFETY OFFICERS KILLED OR PERMANENTLY AND TOTALLY DISABLED IN THE LINE OF DUTY.

Part L of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) is amended—

(1) in the heading for subpart 2, by striking "**Civilian Federal Law Enforcement**" and inserting "**Public Safety**";

(2) in section 1211(1), by striking "civilian Federal law enforcement" and inserting "public safety";

(3) in section 1212(a)(1)(A), by striking "Federal law enforcement" and inserting "public safety";

(4) in section 1216(a), by inserting "and each dependent of a public safety officer killed in the line of duty on or after October 1, 1997," after "1992,"; and

(5) in section 1217—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) and (6) as paragraphs (2) and (3), respectively.

MOTION OFFERED BY MR. COBLE

Mr. COBLE. Madam Speaker, I offer a motion.

The Clerk read as follows:

Mr. COBLE moves to strike out all after the enacting clause of S. 1525 and insert, in lieu thereof, the provisions of H.R. 3046 as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 3046) was laid on the table.

ADJOURNMENT FROM SATURDAY, OCTOBER 10, 1998 TO SUNDAY, OCTOBER 11, 1998

Mr. COBLE. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. tomorrow, Sunday, October 11, 1998.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

—
 HOUR OF MEETING ON MONDAY,
 OCTOBER 12, 1998

Mr. COBLE. Madam Speaker, I ask unanimous consent that when the House adjourns tomorrow, it adjourn to meet at 12:30 p.m. on Monday, October 12, 1998 for morning hour debates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

—
 NATIONAL OILHEAT RESEARCH
 ALLIANCE ACT OF 1998

Mr. DAN SCHAEFER of Colorado. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3610) to authorize and facilitate a program to enhance training, research and development, energy conservation and efficiency, and consumer education in the oilheat industry for the benefit of oilheat consumers and the public, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3610

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Oilheat Research Alliance Act of 1998".

SEC. 2. FINDINGS.

The Congress finds that—

(1) oilheat is an important commodity relied upon by approximately 30,000,000 Americans annually as an efficient and economical energy source for commercial and residential space and hot water heating;

(2) oilheat equipment operates at efficiencies among the highest of any space heating energy source, reducing fuel costs and making oilheat an economical means of space heating;

(3) the production, distribution, and marketing of oilheat and oilheat equipment plays a significant role in the economy of the United States accounting for approximately \$12,900,000,000 in expenditures annually and employing millions of Americans in all aspects of the industry;

(4) only very limited Federal resources have been made available for oilheat research, development, safety, training, and education efforts, to the detriment of both the oilheat industry and its 30,000,000 consumers; and

(5) the cooperative development, self-financing, and implementation of a coordinated national oilheat industry program of research and development, training, and consumer education is necessary and important for the welfare of the oilheat industry, including wholesale distributors and retail marketers, as well as for the

general economy of the United States and the millions of Americans who rely on oilheat for commercial and residential space and hot water heating.

SEC. 3. DEFINITIONS.

For the purposes of this Act—

(1) the term "Alliance" means a National Oilheat Research Alliance created pursuant to section 4 of this Act;

(2) the term "consumer education" means the provision of information that will assist consumers and other persons in making evaluations and decisions regarding oilheat and other non-industrial commercial or residential space or hot water heating fuels;

(3) the term "exchange" means an agreement that entitles each party or its customers to receive product from the other party and requires only an insubstantial portion of the volumes involved in the exchange to be settled in cash or property other than the product;

(4) the term "industry" means those persons involved in the production, transportation, and sale of oilheat, and in the manufacture and distribution of oilheat utilization equipment, in the United States, but such term does not include the ultimate consumers of oilheat;

(5) the term "industry trade association" means an organization exempt from tax, under section 501(c) (3) or (6) of the Internal Revenue Code of 1986, representing participants in the industry;

(6) the term "No. 1 distillate" means fuel oil classified as No. 1 distillate by the American Society for Testing and Materials;

(7) the term "No. 2 dyed distillate" means fuel oil classified as No. 2 distillate by the American Society for Testing and Materials which is indelibly dyed in accordance with regulations prescribed by the Secretary of the Treasury pursuant to section 4082(a)(2) of the Internal Revenue Code of 1986;

(8) the term "oilheat" means—

(A) No. 1 distillate; or

(B) No. 2 dyed distillate,

which is used as a fuel for nonindustrial commercial or residential space or hot water heating;

(9) the term "public member" means a member of the Alliance described in section 5(c)(6);

(10) the term "qualified industry organization" means the National Association for Oilheat Research and Education or a successor organization;

(11) the term "qualified State association" means the industry trade association or other organization that the qualified industry organization, or, after its establishment under this Act, the Alliance, determines best represents retail marketers in a State;

(12) the term "retail marketer" means a person engaged primarily in the sale of oilheat to the ultimate consumer;

(13) the term "Secretary" means the Secretary of Energy; and

(14) the term "wholesale distributor" means a person who—

(A) produces;

(B) imports; or

(C) transports across State boundaries and among local marketing areas,

No. 1 distillate or No. 2 dyed distillate, and sells such distillate to another person who does not produce, import, or transport distillates as described in this paragraph.

SEC. 4. REFERENDA.

(a) CREATION OF PROGRAM.—The industry, through the qualified industry organization, may conduct, at its own expense, a referendum among retail marketers and wholesale distributors for the creation of a National Oilheat Research Alliance. The Alliance, if established, shall reimburse the qualified industry organization for the cost of referendum accounting and documentation. Such referendum shall be conducted by an independent auditing firm. Voting rights of a retail marketer in such referendum

shall be based on the volume of oilheat sold in a State by the retail marketer in the previous calendar year or other representative period. Voting rights of a wholesale distributor in such referendum shall be based on the volume of No. 1 distillate and No. 2 dyed distillate sold in a State by the wholesale distributor in the previous calendar year or other representative period, weighted by the ratio of the total volume of No. 1 distillate and No. 2 dyed distillate sold for nonindustrial commercial and residential space and hot water heating in that State to the total volume of No. 1 distillate and No. 2 dyed distillate sold in that State. Upon approval of those persons representing two-thirds of the total volume of oilheat voted in the retail marketer class and two-thirds of the total weighted volume of No. 1 distillate and No. 2 dyed distillate voted in the wholesale distributor class, the Alliance shall be established, and shall be authorized to levy assessments in accordance with section 6. All persons voting in the referendum shall certify to the independent auditing firm the volume of oilheat, No. 1 distillate, or No. 2 dyed distillate represented by their vote. Except as provided in subsection (b), a State shall not participate in the Alliance if less than 50 percent of the retail marketer vote in that State, subject to the volumetric voting rules established by this subsection, is in favor of the creation of the Alliance. A qualified State association may notify the qualified industry organization within 90 days after the date of the enactment of this Act in writing that a referendum under this subsection will not be conducted in that State.

(b) SUBSEQUENT STATE PARTICIPATION.—A State that has not participated initially in the Alliance may subsequently elect to participate by conducting a referendum in accordance with subsection (a).

(c) TERMINATION OR SUSPENSION.—On the Alliance's own initiative, or on petition to the Alliance by retail marketers and wholesale distributors representing 35 percent of the volume of oilheat or weighted No. 1 distillate and No. 2 dyed distillate in each class, the Alliance shall, at its own expense, hold a referendum, to be conducted by an independent auditing firm selected by the Alliance, to determine whether the industry favors termination or suspension of the Alliance. Termination or suspension shall not take effect unless it is approved by persons representing more than one-half of the total volume of oilheat voted in the retail marketer class and more than one-half of the total volume of weighted No. 1 distillate and No. 2 dyed distillate voted in the wholesale distributor class, or is approved by persons representing more than two-thirds of the total volume of fuel voted in either such class.

SEC. 5. NATIONAL OILHEAT RESEARCH ALLIANCE.

(a) SELECTION OF MEMBERS.—Except as otherwise provided in subsection (c)(3), the qualified industry organization shall select all members of the Alliance. The qualified industry organization shall select a member representing a State from a list of nominees submitted by that State's qualified State association. Vacancies in unfinished terms of Alliance members shall be filled in the same manner as were the original appointments.

(b) REPRESENTATION.—In selecting members of the Alliance, the qualified industry organization shall give due regard to selecting a Alliance that is representative of the industry, including representation of—

(1) interstate and intrastate operators among retail marketers;

(2) wholesale distributors of No. 1 distillate and No. 2 dyed distillate;

(3) large and small companies among wholesale distributors and retail marketers; and

(4) diverse geographic regions of the country.

(c) MEMBERSHIP.—The membership of the Alliance shall be as follows:

(1) One member representing each State with oilheat sales in excess of 32,000,000 gallons per year.

(2) If less than 24 States are represented under paragraph (1), one member representing each of the States with the highest volume of annual oilheat sales as necessary to cause the total number of States represented under paragraph (1) and this paragraph combined to equal 24.

(3) 5 representatives of retail marketers, one each to be selected by the qualified State associations of the 5 States with the highest volume of annual oilheat sales.

(4) 5 additional representatives of retail marketers.

(5) 21 representatives of wholesale distributors.

(6) 6 public members, who shall be representatives of significant users of oilheat, the oilheat research community, or other groups knowledgeable about oilheat.

Other than the public members, Alliance members shall be full-time employees or owners of businesses in the industry, except that members described in paragraphs (3), (4), and (5) may be employees of the qualified industry organization or an industry trade association.

(d) COMPENSATION.—Alliance members shall receive no compensation for their services, nor shall Alliance members be reimbursed for expenses relating to their service, except that public members, upon request, may be reimbursed for reasonable expenses directly related to their participation in Alliance meetings.

(e) TERMS.—Alliance members shall serve terms of 3 years and may serve not more than 2 full consecutive terms. Members filling unexpired terms may serve not more than a total of 7 consecutive years. Former members of the Alliance may be returned to the Alliance if they have not been members for a period of 2 years. Initial appointments to the Alliance shall be for terms of 1, 2, and 3 years, as determined by the qualified industry organization, staggered to provide for the subsequent selection of one-third of the members each year.

(f) FUNCTIONS.—(1) The Alliance shall develop programs and projects and enter into contracts or agreements for implementing this Act, including programs—

(A) to enhance consumer and employee safety and training;

(B) to provide for research, development, and demonstration of clean and efficient oilheat utilization equipment; and

(C) for consumer education,

and may provide for the payment of the costs thereof with funds collected pursuant to this Act. The Alliance shall coordinate its activities with industry trade associations and others as appropriate to provide efficient delivery of services and to avoid unnecessary duplication of activities.

(2) Research, development, and demonstration activities authorized under paragraph (1)(B) shall include all activities incidental to research, development, and demonstration of clean and efficient oilheat utilization equipment. Such activities include obtaining a patent, including payment of attorney's fees for making and perfecting a patent application. Such activities do not include research, development, and demonstration of oilheat utilization equipment with respect to which technically feasible and commercially feasible operations have been verified, except that funds may be provided for improvements to existing equipment until the technical feasibility and commercial feasibility of the operation of those improvements have been verified.

(3) Activities authorized under paragraph (1) (A) or (B) shall not include advertising, promotions, or consumer surveys in support of advertising or promotions.

(g) PRIORITIES.—Issues related to research, development, and demonstration, safety, consumer education, and training shall be given priority

by the Alliance in the development of its programs and projects.

(h) ADMINISTRATION.—The Alliance shall select from among its members a Chairman and other officers as necessary, may establish and authorize committees and subcommittees of the Alliance to take specific actions the Alliance is authorized to take, and shall adopt rules and bylaws for the conduct of business and the implementation of this Act. The Alliance shall establish procedures for the solicitation of industry comment and recommendations on any significant plans, programs, and projects to be funded by the Alliance. The Alliance may establish advisory committees of persons other than Alliance members. Each member of the Alliance shall have 1 vote in matters before the Alliance.

(i) ADMINISTRATIVE EXPENSES.—(1) The administrative expenses of operating the Alliance (not including costs incurred in the collection of the assessment pursuant to section 6) plus amounts paid under paragraph (2) shall not exceed 7 percent of the funds collected in any fiscal year, except that during the first year of its operation such expenses and amounts shall not exceed 10 percent of such funds.

(2) The Alliance shall annually reimburse the Secretary for costs incurred by the Federal Government relating to the Alliance. Such reimbursement for any fiscal year shall not exceed the amount that the Secretary determines is 2 times the average annual salary of 1 employee of the Department of Energy.

(j) BUDGET.—Before August 1 each year, the Alliance shall publish for public review and comment a budget plan for the next calendar year, including the probable costs of all programs, projects, and contracts and a recommended rate of assessment sufficient to cover such costs. Following this review and comment, the Alliance shall submit the proposed budget to the Secretary and to the Congress. The Secretary may recommend programs and activities the Secretary considers appropriate. The Alliance shall not implement a proposed budget until after receiving the Secretary's recommendations, or after the expiration of 60 days after submitting the proposed budget, whichever occurs first.

(k) RECORDS; AUDITS.—The Alliance shall keep books and records that clearly reflect all of the acts and transactions of the Alliance and make public such information. The books of the Alliance, including fee assessment reports and applications for refunds, shall be audited by a certified public accountant at least once each fiscal year and at such other times as the Alliance may designate. Copies of such audit shall be provided to the Secretary, all members of the Alliance, the qualified industry organization, and to other members of the industry upon request. The Alliance shall establish policies and procedures for auditing compliance with this Act that shall conform with generally accepted accounting principles. The Secretary shall make available to the Alliance any information the Alliance requests for auditing compliance, except for information the Secretary is prohibited by law from releasing.

(l) PUBLIC ACCESS TO ALLIANCE PROCEEDINGS.—(1) All meetings of the Alliance shall be open to the public after at least 30 days advance public notice.

(2) The minutes of all meetings of the Alliance shall be made available to and readily accessible by the public.

(m) ANNUAL REPORT.—Each year the Alliance shall prepare and make publicly available a report which includes an identification and description of all programs and projects undertaken by the Alliance during the previous year as well as those planned for the coming year. Such report shall also detail the allocation or planned allocation of Alliance resources for each such program and project.

(n) CALCULATION OF OILHEAT SALES.—For purposes of this section, the volume of oilheat sold annually in a State shall be determined on

the basis of information provided by the Energy Information Administration with respect to the preceding calendar year or other equivalent period.

SEC. 6. ASSESSMENTS.

(a) AMOUNT.—The Alliance shall set the initial assessment at no greater than two tenths of 1 cent per gallon of No. 1 distillate and No. 2 dyed distillate. Thereafter, annual assessments shall be sufficient to cover the costs of the plans and programs developed by the Alliance, except that under no circumstances shall the assessment be greater than one-half cent per gallon of No. 1 distillate and No. 2 dyed distillate unless approved by a majority of those voting in a referendum in both the retail marketer class and the wholesale distributor class. In no case may the assessment be raised by more than one tenth of 1 cent per gallon of No. 1 distillate and No. 2 dyed distillate annually, and no increases may occur unless approved by a two-thirds vote of the Alliance.

(b) COLLECTION RULES.—The assessment shall be collected upon the sale of No. 1 distillate and No. 2 dyed distillate by a wholesale distributor to a person other than a wholesale distributor, including a sale made pursuant to an exchange. The wholesale distributor shall be responsible for payment of the assessment to the Alliance and shall provide to the Alliance certification of the volume of fuel sold. A person who has no ownership interest in No. 1 distillate or No. 2 dyed distillate shall not be responsible for payment of an assessment under this section. Assessments shall be made on all No. 1 distillate and No. 2 dyed distillate sold in a State that is participating in the Alliance, and are payable to the Alliance on a quarterly basis. Any No. 1 distillate or No. 2 dyed distillate previously assessed shall not be subject to further assessment. A wholesale distributor who fails within one year of sale to receive payments from a purchaser for No. 1 distillate or No. 2 dyed distillate sold may apply for a refund directly from the Alliance. Such refund may not exceed the amount of the assessments levied upon the No. 1 distillate and No. 2 dyed distillate for which payment was not received. The owner of No. 1 distillate and No. 2 dyed distillate imported after the point of sale described in the first sentence of this subsection shall be responsible for payment of the assessment to the Alliance at the point at which the product enters the United States, and shall provide to the Alliance certification of the volume of fuel so imported.

(c) EXCLUSIONS.—No. 1 distillate and No. 2 dyed distillate sold for uses other than oilheat are excluded from the assessment. The Alliance shall establish rules and procedures for refunding to wholesale distributors, and to retail marketers or other end users who purchase from a wholesale distributor, assessments collected on excluded gallons.

(d) ALTERNATIVE COLLECTION RULES.—The Alliance may establish, or approve a State's request for, an alternative means of collecting the assessment if another means is found to be more efficient and effective. The Alliance may establish a late payment charge and rate of interest to be imposed on any person who fails to remit or pay to the Alliance any amount due under this Act.

(e) INVESTMENT OF FUNDS.—Pending disbursement pursuant to a program, plan, or project, the Alliance may invest funds collected through assessments, and any other funds received by the Alliance, only in obligations of the United States or any agency thereof, in general obligations of any State or any political subdivision thereof, in any interest-bearing account or certificate of deposit of a bank that is a member of the Federal Reserve System, or in obligations fully guaranteed as to principal and interest by the United States.

(f) STATE PROGRAMS.—

(1) COORDINATION.—The Alliance shall establish a program coordinating the operation of the

Alliance with those of any similar State, local, or regional program created by State law or regulation, or similar entity.

(2) FUNDS MADE AVAILABLE TO QUALIFIED STATE ASSOCIATIONS.—

(A) BASE AMOUNT.—The Alliance shall make available to each State's qualified State association 15 percent of the funds raised in the State pursuant to the assessment under this section.

(B) REQUEST FOR ADDITIONAL AMOUNT.—A qualified State association may request that the Alliance provide any portion of the remaining 85 percent of the funds raised in the State. A request under this subparagraph shall—

- (i) specify the amount of funds requested;
- (ii) describe in detail the specific uses for which the requested funds are sought;
- (iii) include a commitment to comply with this Act in using the requested funds; and
- (iv) be made publicly available.

The Alliance shall not provide any funds in response to a request under this subparagraph unless it determines that the funds will be used to directly benefit the oilheat industry. The Alliance shall monitor the use of funds provided under this subparagraph, and shall impose whatever terms, conditions, and reporting requirements it considers necessary to ensure compliance with this Act.

SEC. 7. COMPLIANCE.

The Alliance may bring suit in Federal court to compel compliance with an assessment levied by the Alliance under this Act. A successful action for compliance under this section may also require payment by the defendant of the costs incurred by the Alliance in bringing such action.

SEC. 8. LOBBYING RESTRICTIONS.

No funds collected by the Alliance shall be used in any manner for influencing legislation or elections, except that the Alliance may recommend to the Secretary changes in this Act or other statutes that would further the purposes of this Act.

SEC. 9. DISCLOSURE.

Any consumer education activity undertaken with funds provided by the Alliance shall include a statement that the activities were supported, in whole or in part, by the Alliance.

SEC. 10. VIOLATIONS.

(a) PROHIBITION.—Any consumer education activity, undertaken with funds provided by the Alliance, that includes—

- (1) a reference to a private brand name;
 - (2) a false or unwarranted claim on behalf of oilheat or related products; or
 - (3) a reference with respect to the attributes or use of any competing product,
- is prohibited.

(b) FILING AND TRANSMITTAL OF COMPLAINTS.—A public utility aggrieved by a violation described in subsection (a) may file a complaint. Such complaint shall be transmitted concurrently to the Alliance and to any qualified State association undertaking the consumer education activity with respect to which the complaint is made. Upon receipt of a complaint under this subsection, the Alliance, and any qualified State association undertaking the consumer education activity with respect to which the complaint is made, shall cease those consumer education activities until—

- (1) the complaint is withdrawn; or
- (2) a court of jurisdiction has determined that the consumer education activity complained of does not constitute a violation of subsection (a).

(c) RESOLUTION BY PARTIES.—Not later than 10 days after a complaint is filed and transmitted under subsection (b), the complaining party, the Alliance, and any qualified State association undertaking the consumer education activity with respect to which the complaint is made shall meet to attempt to resolve the complaint. If the issues in dispute are resolved in those discussions, the complainant shall withdraw its complaint.

(d) *JUDICIAL REVIEW.*—A public utility filing a complaint under this section, the Alliance, a qualified State association undertaking the consumer education activity with respect to which a complaint under this section is made, or any aggrieved person, may seek relief under this section in Federal court. A public utility filing a complaint under this section shall be entitled to temporary and injunctive relief enjoining the consumer education activity with respect to which a complaint under this section is made until—

(1) the complaint is withdrawn; or

(2) a court of jurisdiction has determined that the consumer education activity complained of does not constitute a violation of subsection (a).

(e) *ATTORNEYS FEES.*—In any case in Federal court in which the court grants a public utility injunctive relief under subsection (d), the public utility shall be entitled to recover its attorneys fees from the Alliance and any qualified State association undertaking the consumer education activity with respect to which a complaint under this section is made. In any case under subsection (d) in which the court determines a complaint under subsection (b) to be frivolous and without merit, the prevailing party shall be entitled to recover its attorneys fees.

SEC. 11. SUNSET.

This Act shall cease to be effective 4 years after the date on which the Alliance is established.

□ 1715

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to the rule, the gentleman from Colorado (Mr. DAN SCHAEFER) and the gentleman from Texas (Mr. HALL) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. DAN SCHAEFER).

GENERAL LEAVE

Mr. DAN SCHAEFER of Colorado. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. DAN SCHAEFER of Colorado. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 3610, the National Oilheat Research Alliance Act. This bill, introduced by the gentleman from Pennsylvania (Mr. GREENWOOD) allows the oilheat industry to establish an oilheat checkoff fee to fund research development and consumer education programs related to oilheat.

Oilheat plays an important role in keeping homes and businesses warm in the winter in many parts of this country. This legislation will give the oilheat industry greater resources to undertake research and development activities targeted at finding new and more efficient ways to use oilheat.

Significantly, this bill which was proposed by the oilheat industry does not require the expenditure of significant amounts of Federal money. Through this bill, the oilheat industry is looking for ways to help itself, not a government handout.

In particular, H.R. 3610 authorizes the oilheat industry to conduct a referendum among its retailers and wholesalers for the creation of a National Oilheat Research Alliance, NORA. If the oilheat industry approves such a referendum, NORA will be authorized to collect annual assessments from oilheat wholesalers to cover its planning and program costs.

Madam Speaker, this is a good bill, and I urge its passage.

Madam Speaker, I reserve the balance of my time.

Mr. HALL of Texas. Madam Speaker, I yield myself such time as I may consume.

(Mr. HALL of Texas asked and was given permission to revise and extend his remarks.)

Madam Speaker, I rise in support of H.R. 3610, and I certainly want to thank the gentleman from Colorado (Chairman Dan Schaefer) and the gentleman from Virginia (Chairman Bliley) for bringing this bill to the floor. I compliment the gentleman from Pennsylvania (Mr. GREENWOOD) for working to improve the bill in committee to ensure that the funds are properly used.

Madam Speaker, it is my understanding that both the heating oil industry and the gas industry are satisfied with this approach, and I appreciate their efforts to work this out.

I am pleased to support the bill and I urge my colleagues to do the same.

Mr. BLILEY. Mr. Speaker, I rise in support of H.R. 3610, the National Oilheat Research Alliance Act. This bill has strong support from the oilheat industry and Members of the Commerce Committee on both sides of the aisle.

Oilheat is an important and economical source of home and commercial heating for many Americans and many residents of my home State, Virginia. It plays a vital role in keeping homes and businesses warm in the winter in many parts of the United States. In 1996, homes and businesses purchased more than 10 billion gallons of heating oil, with most of it concentrated in New England and the Mid-Atlantic.

Oilheat is virtually the only home heating fuel without a national industry promotion program. Thus, in order for home heating fuel to compete with other home heating fuels on a fair and equitable basis, it must obtain greater resources. This bill would allow the oilheat industry to do research, education and marketing without using any Federal money. In particular, H.R. 3610 allows the heating oil industry to establish an oilheat check-off fee to fund research, development, and consumer education programs related to oilheat.

The goals of this bill, to promote research and investment in encouraging the safe and efficient use of oilheat, are good. Even more importantly, this legislation allows the oilheat industry to fund these activities itself, rather than asking the Federal Government for funding. It is appropriate for the industry to pay for the development of new commercially applicable technologies which will benefit that industry.

I commend the Subcommittee Chairman Mr. SCHAEFER and Mr. GREENWOOD, the legislation's chief sponsor, for their good work on this bill.

Mr. HALL of Texas. Madam Speaker, I yield back the balance of my time.

Mr. DAN SCHAEFER of Colorado. Madam Speaker, I again thank the gentleman from Texas (Mr. HALL) for working with us on this bill, and also the gentleman from Pennsylvania (Mr. GREENWOOD).

Madam Speaker, I have no other speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. DAN SCHAEFER) that the House suspend the rules and pass the bill, H.R. 3610, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECOGNIZING THE ACCOMPLISHMENTS OF INSPECTORS GENERAL

Mr. HORN. Madam Speaker, I move to suspend the rules and pass the Senate joint resolution (H.J. Res. 58) recognizing the accomplishments of Inspectors General since their creation in 1978 in preventing and detecting waste, fraud, abuse and mismanagement, and in promoting economy, efficiency, and effectiveness in the Federal Government.

The Clerk read as follows:

S.J. RES. 58

Whereas the Inspector General Act of 1978 (5 U.S.C. App.) was signed into law on October 12, 1978, with overwhelming bipartisan support;

Whereas Inspectors General now exist in the 27 largest executive agencies and in 30 other designated Federal entities;

Whereas Inspectors General serve the American taxpayer by promoting economy, efficiency, effectiveness and integrity in the administration of the programs and operations of the Federal Government;

Whereas Inspectors General conduct and supervise audits and investigations to both prevent and detect waste, fraud and abuse in the programs and operations of the Federal Government;

Whereas Inspectors General make Congress and agency heads aware, through semiannual reports and other activities, of problems and deficiencies relating to the administration of programs and operations of the Federal Government;

Whereas Inspectors General work with Congress and agency heads to recommend policies to promote economy and efficiency in the administration of, or preventing and detecting waste, fraud and abuse in, the programs and operations of the Federal Government;

Whereas Inspectors General receive and investigate information from Federal employees and other dedicated citizens regarding the possible existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority or a substantial and specific danger to public health and safety;

Whereas Inspector General actions result in, on a yearly basis, recommendations for several billions of dollars to be spent more