

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4913

To establish a system for the reimbursement of fines levied and collected due to illegal practices engaged in by participants in the petroleum industry to injured consumers based on the consumers' distance from Eau Claire, Wisconsin.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2000

Mr. KIND introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To establish a system for the reimbursement of fines levied and collected due to illegal practices engaged in by participants in the petroleum industry to injured consumers based on the consumers' distance from Eau Claire, Wisconsin.

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 "Got Gas? Act".

5        **SEC. 2. FINDINGS.**

6        Congress finds the following:

1           (1) Gasoline prices increased dramatically from  
2           the beginning of June 2000, rising over eighty cents  
3           per gallon to July 2000.

4           (2) During that time frame gasoline prices in  
5           the Upper Midwestern region of the country in-  
6           creased at twice the rate of the national average,  
7           making consumers in this region the most adversely  
8           affected by high gasoline prices.

9           (3) Due to the dramatic and unanticipated rise  
10          in gas prices the Federal Trade Commission has un-  
11          dertaken a formal investigation into possible price  
12          gouging and other anti-competitive behaviors on the  
13          part of the petroleum industry.

14          (4) If the Federal Trade Commission, during  
15          the course of the investigation, uncovers anti-com-  
16          petitive criminal violations, and if fines are levied  
17          and collected, the money collected should be re-  
18          turned to the consumers adversely affected, rather  
19          than placed in the Federal Treasury.

20          (5) Efforts to identify and accurately indemnify  
21          those consumers affected by anti-competitive prac-  
22          tices are important and should be engaged.

23          (6) Being that the individual identification of  
24          harmed consumers is extremely difficult in regard to  
25          the purchase of gasoline, a national point based

1 commodity reimbursement policy must be developed  
2 to adequately reimburse injured consumers.

3 **SEC. 3. REIMBURSING THE PARTIES INJURED DUE TO ILLE-**  
4 **GAL PRACTICES ENGAGED IN BY THE PETRO-**  
5 **LEUM INDUSTRY.**

6 The Department of Justice shall have the authority  
7 to develop a consumer reimbursement system of fines lev-  
8 ied and collected as a result of any finding of anti-competi-  
9 tive, collusive, or other illegal behavior on the part of par-  
10 ticipants in the petroleum industry. Compensation shall be  
11 distributed in a manner based upon injured consumers'  
12 distance from Eau Claire, Wisconsin. Such compensation  
13 shall decrease proportionally with the injured consumers'  
14 distance from Eau Claire, Wisconsin.

15 **SEC. 4. DEFINITIONS.**

16 For the purpose of this Act:

17 (1) the term 'petroleum industry' shall include  
18 refiners, pipeline owners and operators, terminal  
19 owners and operators, blend plant owners and opera-  
20 tors, oil companies, and other petroleum market par-  
21 ticipants.

22 (2) the term 'fines levied and collected' can in-  
23 clude money recovered as a result of settlement of  
24 any case.

1           (3) the term ‘injured consumers’ means individ-  
2           uals affected by any anti-competitive, collusive, price  
3           fixing, price gouging, or other illegal behavior on the  
4           part of participants in the petroleum industry.

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