



The Daily Whip

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THURSDAY, APRIL 21, 2005

House Meets At...	Last Vote Predicted At...
10:00 a.m.: Legislative Business Five "One Minutes" Per Side	3:00 – 4:00 p.m.

FLOOR SCHEDULE AND BILL SUMMARY

H.R. 6 - Energy Policy Act of 2005 (Rep. Barton/Energy and Commerce/Science/ Ways and Means / Resources/Government Reform) (Complete Consideration). This bill is essentially the same as the GOP conference report that stalled in the 108th Congress in November 2003 with some troubling elements of that bill reinstated and expanded. During a time of record oil prices and profits, this bill repeals consumer protection rules, contains controversial environmental provisions, and provides over \$8 billion in tax breaks to encourage oil and gas production. In addition, this bill does little to promote renewable energy or efficiency measures that could help lead the nation away from its increased dependence on foreign oil. In particular, H.R. 6: allows development of the Arctic National Wildlife Refuge (ANWR) for drilling; provides retroactive liability protection for MTBE producers and \$2 billion in transition payments to the companies that manufacture MTBE; repeals the Public Utilities Holding Company Act (PUCHA) and constrains electric reliability standards; and weakens hydroelectric licensing rules. H.R. 6 allows more drilling on more public lands at taxpayer expense and lessens environmental protections.

Yesterday, the House completed general debate on this bill and also debated and voted on 14 of the 30 amendments made in order by the Rule. Today, the House will consider the remaining amendments and vote on final passage of this bill. The 16 remaining amendments, each debatable for 10 minutes, are:

- **Udall Amendment.** To strike section 631, eliminating the proposed \$10 million payment for 3 fiscal years to domestic uranium producers "to identify, test, and develop improved in situ leaching mining technologies, including low-cost environmental restoration technologies."
- **Ford Amendment.** To authorize the Environmental Protection Agency to establish a program to encourage the domestic production of hybrid and advanced diesel vehicles. The program shall include grants (not to exceed \$300 million each of the next ten years) to domestic automobile manufacturers to (a) encourage production of hybrid and advanced diesel vehicles and (b) provide consumer alternatives in the form of discounts, rebates, etc. to purchase hybrid and advanced diesel vehicles.
- **Kaptur/Kucinich Amendment.** To amend section 722, the Pilot Program for the Department of Energy's Clean Cities Program, to increase the number of project grants to State governments, local governments, and metropolitan transportation authorities from 15 to 30; and to reduce the amount of total Federal assistance under the pilot program to any one applicant from \$20 million to \$15 million (the bill's authorized spending level of \$200 million for the pilot program is not increased).
- **Millender-McDonald Amendment.** To establish a Diesel Truck Retrofit and Fleet Modernization Program to be administered in conjunction with the Secretary of Energy and the Administrator of the Environmental Protection Agency. Competitive grants are to be awarded to public agencies and/or state and local governments and entities to implement fleet modernization programs including installation of retrofit technologies for diesel trucks.
- **Blumenauer Amendment.** To establish within the Department of Transportation a Conserve by Bicycling pilot program, which would oversee up to 10 pilot projects geographically dispersed across the country designed to conserve energy resources by providing education and marketing tools to convert car trips to bike trips. In addition, the projects would encourage partnerships between stakeholders from the transportation, law enforcement, education, public health, environment, and energy fields.
- **Jackson-Lee Amendment.** To earmark \$5 million annually for bioenergy training and education targeted to minority and socially disadvantaged farmers and ranchers.
- **T. Davis (VA)/Waxman Amendment.** To strike section 978, "Improved Coordination and Management of Civilian Science and Technology Programs," which would create 2 new, Senate-confirmed assistant secretary positions within the Department of Energy, increasing the total number of Senate-confirmed assistant secretaries in the Department to 8.
- **Walsh Amendment.** To establish a National Priority Project designation to be awarded annually to organizations that have advanced the field of renewable energy technology and contributed to North American energy independence. The designation shall be awarded in two categories: renewable energy generation projects; and, energy efficient and renewable energy building projects.



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- **Engel Amendment.** To make producers of "approved renewable fuels" eligible for grants to build production facilities for renewable fuels. In the underlying bill, only merchant producers of cellulosic biomass and waste derived from ethanol are eligible for grants.
- **Israel Amendment.** To require the Comptroller General to conduct a study of the consolidation of refiners, importers, producers, and wholesalers of gasoline with the retail sellers of such gasoline (the study shall include an analysis on the pricing of retail gasoline, local small business ownership and other market impacts). The study shall be delivered back to Congress 12 months from enactment of the legislation.
- **Kucinich Amendment.** To authorize a National Academy of Sciences study on the feasibility of mustard seed as a feedstock for biodiesel.
- **Holt Amendment.** To require the Secretary of Energy, within 2 years of enactment, to report to Congress on the potential fuel savings from information technology systems that help businesses and consumers to plan their travel and avoid delays. These systems may include: web-based real time transit information systems, congestion information systems, car-pool information systems, parking information systems, freight route management, and traffic management systems.
- **Grijalva Amendment.** To strike section 2005, which requires the Secretary of the Interior to suspend the collection of royalty payments to the Treasury for offshore oil and gas production on the Outer Continental Shelf (OCS) in the Gulf of Mexico.
- **Inslee Amendment.** To reduce by 50% any royalty payments, excluding the costs of processing the rights-of-way, for wind energy generation that otherwise would be paid to the Treasury on BLM lands. This royalty relief provision terminates after 10 years of enactment or after the Secretary declares there exists a generation capacity of at least 10,000 megawatts of electricity from renewable sources on public lands, whichever is sooner.
- **Hastings (FL) Amendment.** To expand the definition of environmental justice, direct each Federal Agency to establish an office of environmental justice, reestablish the interagency Federal Working Group on Environmental Justice, and require that Executive Order (EO) 12898 (relating to Federal actions to address environmental justice in minority populations and low-income populations) remain in force until changed by law.
- **Castle Amendment.** To strike language in the bill (section 320 of title III), which would set limits on the time state and local governments have to provide input during Federal Energy Regulatory Commission (FERC) consideration of new siting and expansion of existing liquefied natural gas (LNG) facilities. Under section 320, FERC would be made the lead federal agency for LNG siting decisions.

TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule: on Friday, no votes are expected in the House.

Daily Quote...

"A more fundamental problem is that -- were the Democrats to accept this [Republican ethics] offer, and they've said they won't -- the panel would be operating, now and in future Congresses, under the flawed rules imposed unilaterally on the Democratic minority. Even if [Rep. Doc] Hastings's proposal were perfect, it would just amount to an informal and temporary understanding; it wouldn't bind any future chairmen. Ethics chairmen come and go; just ask Rep. Joel Hefley (R-Colo.), who was ousted after the committee, under his leadership, repeatedly admonished Mr. DeLay for ethical missteps. That's why it's important to have the right rules in place, and to get them in place the right way."

-*The Washington Post* today, in an editorial, dismissing a Republican proposal that would leave partisan ethics rules in place