



The Daily Whip

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WEDNESDAY, APRIL 20, 2005

House Meets At...	Last Vote Predicted At...
10:00 a.m.: Legislative Business Unlimited "One Minutes"	8:00 – 10:00 p.m.

FLOOR SCHEDULE AND BILL SUMMARY

Suspensions (7 bills):

- 1) **H.R. 504** - To designate the facility of the United States Postal Service located at 4960 West Washington Boulevard in Los Angeles, California, as the "Ray Charles Post Office Building" (*Rep. Watson - Government Reform*)
- 2) **H.R. 1001** - To designate the facility of the United States Postal Service located at 301 South Heatherwilde Boulevard in Pflugerville, Texas, as the "Sergeant Byron W. Norwood Post Office Building" (*Rep. McCaul - Government Reform*)
- 3) **H.Res. 184** - Recognizing a National Week of Hope in commemoration of the 10-year anniversary of the terrorist bombing in Oklahoma City (*Rep. Istook - Government Reform*)
- 4) **H.R. 1072** - To designate the facility of the United States Postal Service located at 151 West End Street in Goliad, Texas, as the "Judge Emilio Vargas Post Office Building" (*Rep. Hinojosa - Government Reform*)
- 5) **H.Res. 130** - Recognizing the contributions of environmental systems and the technicians who install and maintain them to the quality of life of all Americans and supporting the goals and ideals of National Indoor Comfort Week (*Rep. Manzullo - Small Business*)
- 6) **H.Con.Res. 126** - Expressing the condolences and deepest sympathies of the Congress in the aftermath of the recent school shooting at Red Lake High School in Red Lake, Minnesota (*Rep. Peterson {MN} - Education & the Workforce*)
- 7) **H.Res. 208** - Recognizing the University of Pittsburgh, Dr. Jonas Salk, the University of Michigan, and Dr. Thomas Francis, Jr. on the fiftieth anniversary of the discovery and the declaration that the Salk polio vaccine was potent, virtually eliminating the disease and its harmful effects (*Rep. Murphy / Energy and Commerce*)

H.R. 6 - Energy Policy Act of 2005 (*Rep. Barton/Energy and Commerce/Science/ Ways and Means / Resources/Government Reform*) (*Subject to a Rule*). 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.

The Rules Committee has recommended a rule that provides one hour and thirty minutes of general debate, waives all points of order against consideration of the bill, and makes one motion to recommit with or without instructions. The Rule also makes in order 30 amendments with all but four of these amendments debatable for ten minutes:

- **Manager's Amendment.** To make numerous changes including: to set an Energy Savings Performance Contracts cap at \$500 million by having OMB approve contracts; to include ceiling fan efficiency standards; to limit preemption on state consumer product energy efficiency standards; to add the Natural Gas Market Reform provision from the H.R. 6 conference report of the 108th Congress; and to amend PUCHA language to allow savings clause and make enforcement provisions effective on date of enactment.
- **Dingell Amendment (20 minutes).** This amendment authorizes the Federal Energy Regulatory Commission (FERC) to deter and punish fraud and manipulation in electricity and gas markets, increases penalties for Federal Power Act violations, authorizes FERC to refund all electricity overcharges, does not repeal the Public Utility Holding Company Act of 1935 (PUHCA), and directs the Securities and Exchange Commission to review utility holding companies' status under PUCHA to prevent them from wrongly claiming exemptions. The amendment retains provisions from Title XII, such as "open access" for public power entities, and does not modify the "native load" provision adopted in the Energy and Commerce Committee. The amendment retains Title XII's electric transmission provision, including the spending caps.
- **Markey Amendment (30 minutes).** To strike the provisions that will allow oil and gas exploration in the Arctic National Wildlife Refuge (ANWR).



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- **Boehlert/Markey/Kirk/Gilchrest/Leach/Shays Amendment (20 minutes).** To direct the Secretary of Transportation to increase fuel economy standards from today's average of 25 miles/gallon to 33 miles/gallon over 10 years (by 2015), and to direct the Secretary to maximize job retention in the American auto manufacturing sector and to prevent taking actions that would reduce safety.
- **Johnson (CT) Amendment.** Regarding the EPA's fuel economy test procedures.
- **Rogers (MI)/Kilpatrick Amendment.** To amend the Johnson (CT) amendment to take into consideration higher speed limits, faster acceleration rates, variations in temperature, use of air conditioning, shorter city test cycle lengths, and the use of other fuel depleting features.
- **Bishop (NY)/Markey Amendment (30 minutes).** Regarding lowering gas prices, increasing energy efficiency standards, and eliminating special interest subsidies to invest those resources into new technology.
- **Slaughter Amendment.** Regarding Intermittent Escalators in federal buildings.
- **Waxman Amendment.** Regarding requiring the Administration to reduce oil demand in the US.
- **Oberstar Amendment.** Regarding the Sun Wall Design Project.
- **Abercrombie Amendment.** Regarding production of ethanol in Hawaii.
- **Kaptur Amendment.** Regarding the Strategic Petroleum Reserve.
- **Conaway Amendment.** Regarding the availability of skilled workers to meet the energy security of the US.
- **Solis Amendment.** Regarding relaxing state laws and regulations for siting of refineries.
- **Udall Amendment.** Regarding funds for domestic uranium producers.
- **Ford Amendment.** Regarding the domestic production of hybrid and advanced diesel vehicles.
- **Kaptur/Kucinich Amendment.** Regarding the Pilot Program for the Department of Energy's Clean Cities Program.
- **Millender-McDonald Amendment.** Regarding the establishment of a Diesel Truck Retrofit and Fleet Modernization Program.
- **Blumenauer Amendment.** Regarding establishing a Conserve by Bicycling pilot program.
- **Jackson-Lee Amendment.** Regarding bioenergy training and education to minority and socially disadvantaged farmers and ranchers.
- **T. Davis (VA)/Waxman Amendment.** Regarding 2 new, Senate-confirmed assistant secretary positions within the Department of Energy.
- **Walsh Amendment.** Regarding a designation for organizations that have advanced the field of renewable energy technology.
- **Engel Amendment.** Regarding grants for producers of "approved renewable fuels."
- **Israel Amendment.** Regarding a study on the impact of the consolidation of gasoline wholesales (and above) on the gasoline retail market.
- **Kucinich Amendment.** Regarding a study on the feasibility of mustard seed as a feedstock for biodiesel.
- **Holt Amendment.** Regarding the potential fuel savings from information technology systems for businesses and consumers.
- **Grijalva Amendment.** Regarding 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.** Regarding royalty payments for wind energy generation.
- **Hastings (FL) Amendment.** Regarding the definition of environmental justice.
- **Castle Amendment.** Regarding the preemption of state and local governments to ensure that liquefied natural gas facilities are sited in areas where they do not pose a threat to public safety.

TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule: on Thursday, the House will meet at 10:00 a.m. for legislative business. The House is expected to complete consideration of **H.R. 6 - Energy Policy Act of 2005** (*Rep. Barton - Energy & Commerce*).

Daily Quote...

"I think we should go back to the original [ethics] rules. . . . We must protect the integrity of the House."

- Rep. Walter B. Jones (R-NC), explaining in *CQ Today* this morning why he supports a bipartisan Resolution sponsored by Reps. Alan Mollohan (D-WV) and Joel Hefley (R-CO) to reinstate the bipartisan ethics rules that were unilaterally revoked by the Republican leadership with no input from the Ethics Committee. On Tuesday, Rep. Jones became the third House Republican to co-sponsor the Mollohan-Hefley bill (H.Res. 131), which now has 208 co-sponsors.