



The Daily Whip

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WEDNESDAY, JUNE 16, 2004

House Meets At...	Last Vote Predicted At...
10:00 a.m.: Legislative Business Unlimited "One Minutes"	8:00 – 9:00 p.m.

FLOOR SCHEDULE AND BILL SUMMARY

H.R. 4517 - U.S. Refinery Revitalization Act of 2004 (Rep. Barton - Energy & Commerce) (Closed Rule – One Hour of Debate). This bill would require the Secretary of Energy to designate as a "Refinery Revitalization Zone" any area that (1) has experienced mass layoffs at manufacturing facilities, or contains an idle refinery; and (2) has an unemployment rate of at least 20% above the national average at the time of designation. H.R. 4517 would give the Secretary of Energy new and broad authority to override both state and federal environmental decisions regarding clean air, clean water or hazardous waste in economically troubled areas, and would substitute "best available control technology" standards for use of current "lowest achievable emissions rate" technology. H.R. 4517 attempts to tie high gas prices to a decline in the number of refineries and attributes such decline to environmental regulations rather than market forces, administration policies and technological advances. While the number of refineries is down from 1991, refinery capacity has increased incrementally from 1992 with distillation capacity expected to increase by nearly 30% in the next two decades. This bill was not considered by the Energy and Commerce Committee. **Democrats are urged to VOTE NO.**

H.R. 4529 - Arctic Coastal Plain Domestic Energy Security and Abandoned Mine Lands Reclamation Reform Act of 2004 (ANWR) (Rep. Pombo - Resources) (Closed Rule with a Republican Manager's Amendment – One Hour of Debate). H.R. 4529 joins language identical to provisions from last year's energy bill (H.R. 6) that would open the Arctic National Wildlife Refuge (ANWR) to oil and gas development with provisions from the Cubin-Rahall Abandoned Mine Lands Reclamation Reform Act of 2004 (H.R. 3796), and purports to use revenues from ANWR to support health programs for miners. The abandoned mine reclamation provisions are relatively non-controversial in their free-standing form (H.R. 3796 would reauthorize the abandoned mine reclamation program, which is the coal industry's version of Superfund, and strengthen the federal responsibility to the miner health care plans). H.R. 4529, however, would extensively revise the tax code to relieve the coal industry from its contractual obligations to finance the health care of retired miners and would authorize a new scheme where ANWR leasing receipts would be used to cover those costs, which is opposed by the United Mine Workers.

The Rule adopted yesterday makes in order the following amendment:

- **Pombo – Manager's Amendment (10 minutes).** This amendment makes numerous technical and conforming changes.

Postponed Suspension Votes (1 bill):

1) H.R. 4545 - Gasoline Price Reduction Act of 2004 (Rep. Blunt - Energy & Commerce). This bill allows the EPA, in consultation with DOE, to grant unlimited waivers to states to permit the use of alternative blends of gasoline from what is approved under the state's clean air plan, but which may increase polluting emissions, during periods of fuel shortages. This bill purports to address the issue of "boutique fuels" and attempts to tie their use to increased gasoline prices but is likely to have little effect on gasoline prices. The bill caps the number of fuels at the current level, and the number of boutique fuels is generally not expected to increase. The EPA is given extremely broad discretion under the bill to determine the conditions for granting a waiver and there is no requirement under the bill to offset the impact of increased air pollution during or after the waiver period. **Democrats are urged to VOTE NO.**

H.Res. 674 - Rule Providing for consideration of H.R. 4568 - Department of the Interior and Related Agencies Appropriations Act for FY05 (Rep. Hastings (WA) - Rules). The Rules Committee has recommended an open rule with one hour of general debate; waives all points of order against consideration of the bill; waives points of order against provisions in the bill that fail to comply with the prohibition of unauthorized appropriations or legislative provisions in an appropriations bill; and provides one motion to recommit with or without instructions. Under the rule, only amendments that do not require waivers of points of order are permitted.

In addition, the Rule does not protect against points of order provisions adopted in committee that would prevent the Department of Interior from issuing work orders under existing contracts with expatriate companies (these provisions were included in the bill after the adoption of an amendment offered in committee by Rep. DeLauro). The Rule only protects provisions in the bill that prohibit future contracts with expatriate corporations.



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H.Res. 675 - Rule Providing for consideration of H.R. 4567 - Department of Homeland Security Appropriations Act for FY05 (Rep. Lincoln Diaz-Balart - Rules). The Rules Committee has recommended an open rule that provides for one hour of general debate; waives all points of order against consideration of the bill; and provides one motion to recommit with or without instructions. The bill will be considered for amendment under the five-minute rule. Under the rule, only amendments that do not require waivers of points of order are permitted.

H.R. 4567 - Department of Homeland Security Appropriations Act for FY05 (Rep. Rogers (KY) / Appropriations) (Subject to a Rule)(General Debate Only). This bill provides \$33.1 billion for operations and activities of the Department of Homeland Security in FY05. New appropriations for the Department of Homeland Security include \$10.4 billion for border and transportation security (\$6.25 billion for the Customs and Border Protection Bureau, \$3.53 billion for the Bureau of Immigration and Customs Enforcement, \$3.22 billion for the Transportation Security Administration); \$4.06 billion for the Office of Domestic Preparedness; \$5.42 billion for emergency preparedness and response; \$7.30 billion for the U.S. Coast Guard; \$1.18 billion for the Secret Service; \$854 million for information analysis and infrastructure protection; \$1.13 billion for science and technology; and \$1.73 billion for citizenship and immigration services.

H.R. 4568 - Department of the Interior and Related Agencies Appropriations Act for FY05 (Rep. Taylor {NC} - Appropriations) (Subject to a Rule). This bill provides new appropriations of \$19.5 billion for FY05 for the Interior Department, the Agriculture Department's Forest Service, and cultural programs. These funds include: \$1.74 billion for the Bureau of Land Management; \$2.25 billion for the National Park Service; \$1.3 billion for the Fish and Wildlife Service; \$2.3 billion for the Bureau of Indian Affairs; \$4.2 billion for the Forest Service (Agriculture Department); \$3.03 billion for Indian Health (HHS Department); \$1.37 billion for the Energy Department; \$620 million for the Smithsonian Institution; \$121 million for the National Endowment for the Arts (NEA); and \$138 million for the National Endowment for the Humanities (NEH).

Funds for conservation programs, including the Land and Water Conservation Fund, are \$831 million, a \$233 million decrease from FY04 and well short of the bipartisan agreement reached in 2000 to increase conservation spending to \$1.68 billion by FY05.

Several important amendments are expected including: a Holt amendment on snowmobiles; a Chabot/Andrews amendment on the Tongas National Forest; a Tom Udall amendment regarding the National Forest Management Act; and a Slaughter/Dicks amendment on the NEA and NEH. **Democrats are urged to support these amendments.**

TOMORROW'S OUTLOOK

The GOP Leadership has announced the following schedule: On Thursday, the House will meet at 10:00 a.m. to consider: **H.R. 4568** - Department of the Interior and Related Agencies Appropriations Act for FY05 (Rep. Taylor (NC) / Appropriations) (Subject to a Rule); and **H.R.4567** - Department of Homeland Security Appropriations Act for FY05 (Rep. Rogers (KY) / Appropriations) (Subject to a Rule). In addition, the House may consider **H.R. 4520** - The Thomas FSC/ETI bill.

Daily Quote...

"On some level, it was reassuring to know that this week's House debate on rich subsidies for the energy industry and rollbacks of regulatory controls was just a political sham. The Bush energy package -- legislation so repugnant and short-sighted that not even a Republican-led Congress will pass it -- was repackaged for a series of votes yesterday and today intended mostly to please campaign donors or send the misleading message that supporters are trying to do something useful about gasoline prices. But don't be consoled... Nowhere in the energy package is there any real effort to curb the demand for energy or to encourage technological advances that would make the nation more energy efficient."

- The Baltimore Sun Editorial today