

AMENDMENT TO H.R. 4
OFFERED BY MR. TAUZIN OF LOUISIANA

Page 10, after the table of contents, insert the following and make the necessary conforming changes in the table of contents:

1 SEC. 2. ENERGY POLICY.

2 It shall be the sense of the Congress that the United
3 States should take all actions necessary in the areas of
4 conservation, efficiency, alternative source, technology de-
5 velopment, and domestic production to reduce the United
6 States dependence on foreign energy sources from 56 per-
7 cent to 45 percent by January 1, 2012, and to reduce
8 United States dependence on Iraqi energy sources from
9 700,000 barrels per day to 250,000 barrels per day by
10 January 1, 2012.

Page 36, line 15, insert “or encourage” after “discourage”.

Page 36, lines 16 and 17, strike “; and” and insert “when compared to structures of the same physical description and occupancy in compatible geographic locations;”.

Page 36, lines 18 through 23, strike paragraph (2) and insert the following:

1 (2) the extent to which education could increase
2 the conservation of low-income households who opt
3 to receive supplemental income instead of Low-In-
4 come Home Energy Assistance funds;

5 (3) the benefit in energy efficiency and energy
6 savings that can be achieved through the annual
7 maintenance of heating and cooling appliances in the
8 homes of those receiving Low-Income Home Energy
9 Assistance funds; and

10 (4) the loss of energy conservation that results
11 from structural inadequacies in a structure that is
12 unhealthy, not energy efficient, and environmentally
13 unsound and that receives Low-Income Home En-
14 ergy Assistance funds for weatherization.

Page 81, after line 12, insert the following new sec-
tion, and make the necessary change to the table of con-
tents:

15 **SEC. 309. STUDY TO DETERMINE FEASIBILITY OF DEVEL-**
16 **OPING COMMERCIAL NUCLEAR ENERGY PRO-**
17 **DUCTION FACILITIES AT EXISTING DEPART-**
18 **MENT OF ENERGY SITES.**

19 (a) IN GENERAL.—The Secretary of Energy shall
20 conduct a study to determine the feasibility of developing
21 commercial nuclear energy production facilities at Depart-

1 ment of Energy sites in existence on the date of enactment
2 of this Act, including—

3 (1) options for how and where nuclear power
4 plants can be developed on existing Department of
5 Energy sites;

6 (2) estimates on cost savings to the Federal
7 Government that may be realized by locating new
8 nuclear power plants on Federal sites;

9 (3) the feasibility of incorporating new tech-
10 nology into nuclear power plants located on Federal
11 sites;

12 (4) potential improvements in the licensing and
13 safety oversight procedures of nuclear power plants
14 located on Federal sites;

15 (5) an assessment of the effects of nuclear
16 waste management policies and projects as a result
17 of locating nuclear power plants located on Federal
18 sites; and

19 (6) any other factors that the Secretary believes
20 would be relevant in making the determination.

21 (b) REPORT.—Not later than 90 days after the date
22 of enactment of this Act, the Secretary shall submit to
23 Congress a report describing the results of the study under
24 subsection (a).

In section 603 of title V of division A, on page 88, line 11, strike “; and” and insert a semicolon.

Page 88, line 17, strike the period and insert “; and”.

Page 88, after line 17, insert the following new paragraph:

- 1 (8) the feasibility of providing incentives to pro-
2 mote cleaner burning fuel.

Page 92, after line 14, insert the following new sections, and make the necessary changes to the table of contents:

3 **SEC. 603. STUDY OF ETHANOL FROM SOLID WASTE LOAN**
4 **GUARANTEE PROGRAM.**

5 The Secretary of Energy shall conduct a study of the
6 feasibility of providing guarantees for loans by private
7 banking and investment institutions for facilities for the
8 processing and conversion of municipal solid waste and
9 sewage sludge into fuel ethanol and other commercial by-
10 products, and not later than 90 days after the date of the
11 enactment of this Act shall transmit to the Congress a
12 report on the results of the study.

13 **SEC. 604. STUDY OF RENEWABLE FUEL CONTENT.**

14 (a) STUDY.—The Administrator of the Environ-
15 mental Protection Agency and the Secretary of Energy
16 shall jointly conduct a study of the feasibility of developing

1 a requirement that motor vehicle fuel sold or introduced
2 into commerce in the United States in calendar year 2002
3 or any calendar year thereafter by a refiner, blender, or
4 importer shall, on a 6-month average basis, be comprised
5 of a quantity of renewable fuel, measured in gasoline-
6 equivalent gallons. As part of this study, the Adminis-
7 trator and Secretary shall evaluate the use of a banking
8 and trading credit system and the feasibility and desir-
9 ability of requiring an increasing percentage of renewable
10 fuel to be phased in over a 15-year period.

11 (b) REPORT TO CONGRESS.—Not later than 6
12 months after the date of the enactment of this Act, the
13 Administrator and the Secretary shall transmit to the
14 Congress a report on the results of the study conducted
15 under this section.

Page 93, strike lines 3 through 12 and insert:

16 **SEC. 802. HISTORIC PIPELINES.**

17 Section 7 of the Natural Gas Act (15 U.S.C. 717(f))
18 is amended by adding at the end the following new sub-
19 section:

20 “(i) Notwithstanding the National Historic Preserva-
21 tion Act, a transportation facility shall not be eligible for
22 inclusion on the National Register of Historic Places
23 unless—

1 “(1) the Commission has permitted the aban-
2 donment of the transportation facility pursuant to
3 subsection (b) of this section, or

4 “(2) the owner of the facility has given written
5 consent to such eligibility.

6 Any transportation facility deemed eligible for inclusion on
7 the National Register of Historic Places prior to the date
8 of enactment of this subsection shall no longer be eligible
9 unless the owner of the facility gives written consent to
10 such eligibility.”.

Page 190, line 23, strike “subsection” and insert
“section”.

Page 220, lines 1 through 4, amend paragraph (1)
to read as follows:

11 (1) \$19,400,000 for fiscal year 2002,
12 \$14,800,000 for fiscal year 2003, and \$8,900,000
13 for fiscal year 2004 for completion of constuction of
14 Project 98–G–304, Neutrinos at the Main Injector,
15 Fermi National Accelerator Laboratory;

In section 6102(b)(1), strike “42 U.S.C.” and insert
“43 U.S.C. ”.

Page 437, after line 6, (in section 5006 of Division
E after subsection (c)) insert:

1 (d) FINANCIAL ASSISTANCE.—The Secretary shall
2 provide financial assistance to projects that meet the re-
3 quirements of subsections (a), (b), and (c) and are likely
4 to—

5 (1) achieve overall cost reductions in the utiliza-
6 tion of coal to generate useful forms of energy;

7 (2) improve the competitiveness of coal among
8 various forms of energy in order to maintain a diver-
9 sity of fuel choices in the United States to meet elec-
10 tricity generation requirements; and

11 (3) demonstrate methods and equipment that
12 are applicable to 25 percent of the electricity gener-
13 ating facilities that use coal as the primary feedstock
14 as of the date of enactment of this Act.

Page 437, line 7, (in section 5006 of Division E)
strike “(d)” and insert “(e)”.

Page 437, line 10, (in section 5006 of Division E)
strike “(e)” and insert “(f)”

Page 438, after line 17, (after section 5007 of Divi-
sion E) insert the following new section and make the
necessary change to the table of contents:

15 **SEC. 5008. CLEAN COAL CENTERS OF EXCELLENCE.**

16 As part of the program authorized in section 5003,
17 the Secretary shall award competitive, merit-based grants

1 to universities for the establishment of Centers of Excel-
2 lence for Energy Systems of the Future. The Secretary
3 shall provide grants to universities that can show the
4 greatest potential for advancing new clean coal tech-
5 nologies.

Page 3, in the table of contents for Division A, re-
designate title VII relating to miscellaneous provisions as
title VIII.

Page 93, line 13, (at the end of division A) strike
“VII” relating to miscellaneous provisions and insert
“VIII”.

In Division A and in the table of contents for Divi-
sion A, renumber sections 601 through 604 as 501
through 504 respectively, renumber sections 701 and 702
as 601 and 602 respectively, renumber sections 801 and
802 as 701 and 702 respectively, and renumber sections
901 through 903 as 801 through 803 respectively.

Page 433, line 13, strike “(c)” and insert “(b)”.

Page 444, after line 22, insert the following new sec-
tion:

6 SEC. 6106. EFFICIENT INFRASTRUCTURE DEVELOPMENT.

7 (a) IN GENERAL.—The Secretary of Energy and the
8 Chairman of the Federal Energy Regulatory Commission

1 shall jointly undertake a study of the location and extent
2 of anticipated demand growth for natural gas consumption
3 in the Western States, herein defined as the area covered
4 by the Western System Coordinating Council.

5 (b) CONTENTS.—The study under subsection (a)
6 shall include the following:

7 (1) A review of natural gas demand forecasts
8 by Western State officials, such as the California
9 Energy Commission and the California Public Utili-
10 ties Commission, which indicate the forecasted levels
11 of demand for natural gas and the geographic dis-
12 tribution of that forecasted demand.

13 (2) A review of the locations of proposed new
14 natural gas-fired electric generation facilities cur-
15 rently in the approval process in the Western States,
16 and their forecasted impact on natural gas demand.

17 (3) A review of the locations of existing inter-
18 state natural gas transmission pipelines, and inter-
19 state natural gas pipelines currently in the planning
20 stage or approval process, throughout the Western
21 States.

22 (4) A review of the locations and capacity of
23 intrastate natural gas pipelines in the Western
24 States.

1 (5) Recommendations for the coordination of
2 the development of the natural gas infrastructure in-
3 dicated in paragraphs (1) through (4).

4 (c) REPORT.—The Secretary shall report the findings
5 and recommendations resulting from the study required
6 by this section to the Committee on Energy and Com-
7 merce of the House of Representatives and to the Com-
8 mittee on Energy and Natural Resources of the Senate
9 no later than 6 months after the date of the enactment
10 of this Act. The Chairman of the Federal Energy Regu-
11 latory Commission shall report on how the Commission
12 will factor these results into its review of applications of
13 interstate pipelines within the Western States to the Com-
14 mittee on Energy and Commerce of the House of Rep-
15 resentatives and to the Committee on Energy and Natural
16 Resources of the Senate no later than 6 months after the
17 date of the enactment of this Act.

 In section 6223, amend subsection (b) to read as fol-
 lows:

18 (b) PREPARATION OF LEASING PLAN OR ANAL-
19 YSIS.—In preparing a management plan or leasing anal-
20 ysis for oil or natural gas leasing on Federal lands admin-
21 istered by the Bureau of Land Management or the Forest
22 Service, the Secretary concerned shall—

1 (1) identify and review the restrictions on sur-
2 face use and operations imposed under the laws (in-
3 cluding regulations) of the State in which the lands
4 are located;

5 (2) consult with the appropriate State agency
6 regarding the reasons for the State restrictions iden-
7 tified under paragraph (1);

8 (3) identify any differences between the State
9 restrictions identified under paragraph (1) and any
10 restrictions on surface use and operations that would
11 apply under the lease; and

12 (4) prepare and provide upon request a written
13 explanation of such differences.

At the end of section 6223 add the following:

14 (e) PRESERVATION OF FEDERAL AUTHORITY.—
15 Nothing in this section or in any identification, review, or
16 explanation prepared under this section shall be
17 construed—

18 (1) to limit the authority of the Federal Gov-
19 ernment to impose lease stipulations, restrictions, re-
20 quirements, or other terms that are different than
21 those that apply under State law; or

22 (2) to affect the procedures that apply to judi-
23 cial review of actions taken under this subsection.

In section 6225, in the quoted material—

(1) in paragraph (2)(A), insert “and consultation with the Regional Forester having administrative jurisdiction over the National Forest System Lands concerned” after “under paragraph (1)”; and

(2) add at the end the following:

1 “(3) The Secretary of Agriculture shall include in the
2 record of decision for a determination under paragraph
3 (2)(A)—

4 “(A) any written statement regarding the deter-
5 mination that is prepared by a Regional Forester
6 consulted by the Secretary under paragraph (2)(A)
7 regarding the determination; or

8 “(B) an explanation why such a statement by
9 the Regional Forester is not included.

In section 6303(2), in the quoted material—

(1) in paragraph (2)(A), insert “and consultation with any Regional Forester having administrative jurisdiction over the lands concerned” after “under paragraph (1)”; and

(2) add at the end the following:

10 “(3) The Secretary of Agriculture shall include in the
11 record of decision for a determination under paragraph
12 (2)(A)—

1 “(A) any written statement regarding the deter-

2 mination that is prepared by a Regional Forester

3 consulted by the Secretary under paragraph (2)(A)

4 regarding the determination; or

5 “(B) an explanation why such a statement by

6 the Regional Forester is not included.

In section 6234—

(1) insert “(a) IN GENERAL.—” before the first sentence;

(2) redesignate subsections (c) and (d) as subsections (b) and (c); and

(3) in the quoted material, strike the material preceding subsection (b) and insert the following:

7 “REIMBURSEMENT FOR COSTS OF CERTAIN ANALYSES,
8 DOCUMENTATION, AND STUDIES

9 “SEC. 38. (a) IN GENERAL.—The Secretary of the
10 Interior may, through royalty credits, reimburse a person
11 who is a lessee, operator, operating rights owner, or appli-
12 cant for an oil or gas lease under this Act for amounts
13 paid by the person for preparation by the Secretary (or
14 a contractor or other person selected by the Secretary) of
15 any project-level analysis, documentation, or related study
16 required under the National Environmental Policy Act of
17 1969 (42 U.S.C. 4321 et seq.) with respect to the lease.

In section 6308(a), in the quoted material, strike the material preceding subsection (b) and insert the following:

1 “REIMBURSEMENT FOR COSTS OF CERTAIN ANALYSES,
2 DOCUMENTATION, AND STUDIES
3 “SEC. 38. (a) IN GENERAL.—The Secretary of the
4 Interior may, through royalty credits, reimburse a person
5 who is a lessee, operator, operating rights owner, or appli-
6 cant for a lease under this Act for amounts paid by the
7 person for preparation by the Secretary (or a contractor
8 or other person selected by the Secretary) of any project-
9 level analysis, documentation, or related study required
10 under the National Environmental Policy Act of 1969 (42
11 U.S.C. 4321 et seq.) with respect to the lease.

Page 510, after line 8, insert the following new division, and make the necessary changes to the table of contents:

12 **DIVISION G**

13 **SEC. 7101. BUY AMERICAN.**

14 No funds authorized under this Act shall be available
15 to any person or entity that has been convicted of violating
16 the Buy American Act (41 U.S.C. 10a–10c).