

HR 4503

Energy Policy Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Energy

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Sponsor

Name: Rep. Barton, Joe [R-TX-6]

Party: Republican • **State:** TX • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Agriculture Committee	House	Referred To	Jun 3, 2004
Budget Committee	House	Referred To	Jun 3, 2004
Education and Workforce Committee	House	Referred To	Jun 3, 2004
Energy and Commerce Committee	House	Referred to	Jun 7, 2004
Financial Services Committee	House	Referred To	Jun 3, 2004
Natural Resources Committee	House	Referred To	Jun 3, 2004
Science, Space, and Technology Committee	House	Referred To	Jun 3, 2004
Transportation and Infrastructure Committee	House	Referred to?...	Jun 4, 2004
Transportation and Infrastructure Committee	House	Referred to?..	Jun 4, 2004
Transportation and Infrastructure Committee	House	Referred to?	Jun 4, 2004
Transportation and Infrastructure Committee	House	Referred to?.	Jun 4, 2004
Transportation and Infrastructure Committee	House	Referred to..	Jun 4, 2004
Transportation and Infrastructure Committee	House	Referred to.	Jun 4, 2004
Ways and Means Committee	House	Referred To	Jun 3, 2004

Subjects & Policy Tags

No subjects or policy tags are listed for this bill.

Related Bills

Bill	Relationship	Last Action
108 HR 4500	Text similarities	Jun 28, 2004: Referred to the Subcommittee on Water and Power.
108 HRES 671	Related bill	Jun 15, 2004: Motion to reconsider laid on the table Agreed to without objection.

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

Energy Policy Act of 2004 - Sets forth a program to spur diverse energy research and development (R&D), including the following: (1) energy efficiency; (2) renewable energy; (3) oil and gas; (4) coal; (5) Indian energy; (6) nuclear matters and security; (7) vehicles and motor fuels, including ethanol; (8) hydrogen; (9) electricity; and (10) energy tax incentives.

Title I: Energy Efficiency - Subtitle A: Federal Programs - (Sec. 101) Directs the Architect of the Capitol to develop and implement a cost-effective energy conservation and management plan for all facilities administered by Congress.

(Sec. 102) Amends the National Energy Conservation Policy Act to revise energy reduction goals and performance requirements for Federal buildings, including: (1) a timetable for reduced energy consumption; (2) metering of energy use; (3) Federal procurement guidelines for energy efficient products, including Energy Star products and Federal Energy Management Program (FEMP) products; (4) permanent authority to enter into energy savings performance contracts; and (5) revised Federal building energy efficiency performance standards.

(Sec. 108) Instructs the Secretary of Energy (the Secretary throughout this bill, unless otherwise named) to establish an Advanced Building Efficiency Testbed demonstration program for advanced engineering systems, components, and materials to enable innovations in building technologies

(Sec. 110) Amends the Solid Waste Disposal Act to set forth implementation guidelines for increased use of recovered mineral component in federally funded projects involving procurement of cement or concrete.

Subtitle B: Energy Assistance and State Programs - (Sec. 121) Amends the Low-Income Home Energy Assistance Act of 1981 and the Energy Conservation and Production Act (ECPA) to extend through FY 2006 low-income home energy assistance and weatherization programs.

(Sec. 123) Amends ECPA to increase from ten percent to 25 percent mandatory state energy efficiency goals in calendar year 2010 as compared to calendar year 1990.

(Sec. 126) Prescribes guidelines for: (1) a State energy efficient appliance rebate program; (2) Federal grants to the States for energy efficient public buildings; and (3) for a low income community energy efficiency pilot program.

Subtitle C: Energy Efficient Products - (Sec. 131) Amends ECPA to: (1) establish a voluntary program at the Department of Energy (DOE) and the Environmental Protection Agency (EPA) to identify and promote energy-efficient products and buildings (Energy Star Program); (2) direct the Secretary to implement a consumer education program for homeowners and small business owners on energy efficiency benefits of air conditioning, heating, and ventilation systems; and (3) prescribe rulemaking procedures to consider the effectiveness of current consumer products labeling program.

Subtitle D: Public Housing - (Sec. 141) Amends the HUD Demonstration Act of 1993 to authorize assistance for capabilities regarding the provision of energy-efficient, affordable housing and residential energy conservation measures.

(Sec. 142) Amends the Housing and Community Development Act of 1974 to increase funding for public services concerning energy conservation or efficiency.

(Sec. 143) Amends specified law governing Federal housing mortgage insurance to increase mortgage insurance incentives for energy efficient housing.

(Sec. 144) Amends the United States Housing Act of 1937 to provide within its financial assistance formula for the public housing capital fund the improvement of energy and water-use efficiency by certain measures, and integrated utility management and capital planning to maximize energy conservation and efficiency measures.

(Sec. 145) Amends the National Energy Conservation Policy Act to include installation of specified energy and water conserving fixtures and fittings among eligible uses for grants for energy-conserving improvements in assisted housing.

(Sec. 146) Amends the North American Free Trade Agreement (NAFTA) Implementation Act to declare that the Board members of the North American Development Bank representing the United States should use their voice and vote to encourage the Bank to finance projects related to clean and efficient energy, including energy conservation measures that prevent, control, or reduce environmental pollutants or contaminants.

(Sec. 147) Requires a public housing agency to purchase energy-efficient appliances designated as Energy Star products or FEMP products unless it is not cost-effective to do so.

(Sec. 148) Amends the Cranston-Gonzales National Affordable Housing Act with respect to energy efficiency standards.

(Sec. 149) Requires the Secretary of Housing and Urban Development to report to Congress on development and implementation of an integrated energy strategy to reduce utility expenses through cost-effective energy conservation and efficiency measures and energy efficient design and construction of public and assisted housing.

Title II: Renewable Energy - Subtitle A: General Provisions - (Sec. 201) Instructs the Secretary of Energy to: (1) publish annual reports based upon assessments of renewable domestic energy resources, including solar, wind, biomass, ocean (tidal and thermal), geothermal, and hydroelectric energy; and (2) undertake new assessments as necessary, taking into account changes in market conditions, available technologies, and other relevant factors.

(Sec. 202) Amends the Energy Policy Act of 1992 to revise requirements for incentive payments for renewable energy production facilities.

Instructs the Secretary to assign 60 percent of appropriated funds for any given year to facilities that use solar, wind, geothermal, or closed-loop (dedicated energy crops) biomass technologies to generate electricity if there are insufficient appropriations to make full payments for electric production from all qualified renewable energy facilities.

Authorizes the Secretary to alter such percentage requirements after transmitting to Congress the reasons for doing so.

Authorizes appropriations for FY 2003 through 2023.

(Sec. 203) Requires Federal purchases of renewable energy to escalate in accordance with certain percentage guidelines.

(Sec. 204) Amends Federal law to revise requirements for mandatory comprehensive energy plans for Caribbean and Pacific insular areas of the United States.

Authorizes the Secretary of the Interior to make grants to U.S. territories to implement projects that protect electric power transmission and distribution lines from hurricane and typhoon damage.

(Sec. 205) Amends Federal law governing Public Buildings, Property, and Works, to authorize use of photovoltaic energy in public buildings.

(Sec. 206) Authorizes the Secretaries of Agriculture and of the Interior to make grants to: (1) forest biomass-using facility owners or operators who produce electric energy, sensible heat, transportation fuels, or substitutes for petroleum-based products to offset purchasing costs; and (2) projects to develop or research opportunities to improve the use of, or add value to, biomass. Authorizes appropriations for FY 2004 through 2014.

(Sec. 207) Amends the Farm Security and Rural Investment Act of 2002 with respect to mandatory preference in Federal agency procurements for items composed of the highest percentage of biobased products practicable. Specifies as an alternative to such items any item (especially a plastic ring carrier) that complies with certain regulations requiring composition from naturally degradable material which, when discarded, decompose within an established period.

Subtitle B: Geothermal Energy - John Rishel Geothermal Steam Act Amendments of 2004 - (Sec. 212) Amends the Geothermal Steam Act of 1970 (GSA) to replace requirements governing bids and competitive bids with leasing procedures under which the Secretary of the Interior shall: (1) accept nominations at any time from qualified companies and individuals; (2) hold biennial competitive lease sales for lands located in areas for which such nominations are pending; and (3) make available for noncompetitive leasing for a two-year period any tract for which a competitive lease sale is held, but for which no competitive lease sale bids have been received. Authorizes the Secretary, if a geothermal resource that could be produced as a single unit likely underlies more than one parcel, to offer the several parcels for bidding as a block in the competitive lease sale.

Requires timely processing of geothermal lease applications pending on April 1, 2003.

(Sec. 213) Requires a fee schedule for direct use of geothermal resources used for purposes other than commercial generation of electricity.

(Sec. 214) Reduces lease royalty percentages accruing from electricity produced using geothermal steam and associated geothermal resources.

Authorizes a credit against royalties equal to the value of electricity provided under contract to certain State or county governments.

Revises requirements for the disposal of moneys from sales, bonuses, rentals, and royalties. Requires payment to the county where leased lands or geothermal resources are or were located of 25 percent of any such monies deposited in the Treasury.

Reduces by fifty percent the royalty required on specified existing leases.

(Sec. 215) Directs the Secretaries of the Interior and of Agriculture to enter into a Memorandum of Understanding that: (1) identifies known geothermal areas on public lands and National Forest System lands; and (2) establishes administrative procedures to expedite geothermal lease applications.

(Sec. 216) Requires the Secretary to report to Congress by three years after enactment of this Act on the status of withdrawals from leasing under GSA of Federal lands, specifying whether the basis for each withdrawal still applies.

(Sec. 217) Authorizes the Secretary of the Interior to reimburse certain persons for the costs of project-level analysis, documentation, or related study required under the National Environmental Policy Act of 1969 (NEPA).

(Sec. 218) Requires the Secretary of the Interior, acting through the Director of the U.S. Geological Survey and in cooperation with the States, to submit to Congress an update of the 1978 Assessment of Geothermal Resources.

(Sec. 219) Revises requirements for: (1) cooperative or unit plans of development or operation of geothermal fields; and (2) royalties on byproducts.

(Sec. 221) Repeals certain authority of the Secretary of the Interior to readjust rentals and royalties of certain geothermal leases.

(Sec. 222) Credits certain annual rentals towards royalty payments.

(Sec. 223) Revises lease duration terms and work commitment requirements to: (1) replace 40-year renewable lease extensions with five-year renewable extensions; and (2) specify contents of regulations prescribing minimum equivalent dollar value work commitment requirements.

Cites conditions for conversion of a geothermal lease to either a mineral lease or a mining claim.

(Sec. 224) Requires advanced royalties if production of heat or energy under a geothermal lease is suspended after the date of such production for which royalty is required

(Sec. 225) Prescribes a scale of annual rental rates for leases awarded in a competitive lease sale of \$2 per acre or fraction for the first year, \$3 for the second through tenth years, and \$5 for each subsequent year. Limits the \$1 per acre or fraction annual rental on a noncompetitive lease to ten years.

Requires the Secretary to terminate any lease whose rental is not paid more than 45 days after the due date.

(Sec. 226) Requires the Secretaries of the Interior and of Defense to report jointly to Congress regarding leasing and permitting activities for geothermal energy on Federal lands withdrawn for military purposes.

Subtitle C: Hydroelectric - Part I: Alternative Conditions - (Sec. 231) Amends the Federal Power Act to require the appropriate Secretary, whenever a condition to an applied-for hydroelectric license is deemed necessary for a project work within a Federal reservation, to accept an alternative condition proposed by the applicant that meets certain criteria. Applies the same requirement to an alternative fishway proposed by a license applicant or licensee.

Part II: Additional Hydropower - (Sec. 241) Requires the Secretary of Energy to make specified incentive payments to owners or operators: (1) qualified hydroelectric facilities; and (2) of hydroelectric facilities at existing dams to make capital improvements directly related to improving facility efficiency by at least three percent. Authorizes appropriations for FY 2004 through 2013.

(Sec. 243) Amends the Public Utility Regulatory Policies Act to redefine an "existing dam" as one constructed before March 4, 2003.

(Sec. 244) Instructs the Secretaries of Energy and the Interior to study jointly and report to certain congressional committees on the potential for increasing electric power production at existing federally-owned or operated water regulation, storage, and conveyance facilities.

(Sec. 245) Instructs the Secretary of the Interior to shift project loads to off-peak periods subject to consent of the irrigation customer.

(Sec. 246) Authorizes the Administrators of the Southeastern, Southwestern, and the Western Area Power Administrations for FY 2004 to credit to the Secretary of the Army receipts from the sale of power and related services. Requires the Secretary to use such credited amounts to fund only the Corps of Engineers annual operation and maintenance activities that are allocated exclusively to the power function and assigned to the respective power marketing administration and respective project system as applicable for repayment. Allows the Secretary, however, to use amounts credited by the Southwestern Area Power Administration for capital and nonrecurring costs.

(Sec. 247) Limits to \$25,000 the maximum charge that may be assessed of any political subdivision of the State of Montana that holds a license for Project No. 1473 in Granite and Deer Lodge Counties, Montana, for the purposes of operating and maintaining a hydroelectric development licensed by the Federal Energy Regulatory Commission (FERC).

(Sec. 248) Directs FERC to reinstate the license for Project No. 2696 and transfer it, without delay or the institution of any proceedings, to the Town of Stuyvesant, New York.

Title III: Oil and Gas: Subtitle A: Petroleum Reserve and Home Heating Oil - (Sec. 301) Amends the Energy Policy and Conservation Act to make permanent: (1) the authority of the Secretary of Energy to operate the Strategic Petroleum Reserve; and (2) standby energy authorities regarding the International Energy Program, including summer fill and fuel budgeting programs.

(Sec. 302) Amends the Energy Act of 2000 to extend the authorization for the National Oilheat Research Alliance.

Subtitle B: Production Incentives - (Sec. 312) Sets forth a program for the payment of oil and gas royalties in-kind upon demand of the Secretary of the Interior. Restricts such payments to a determination by the Secretary that the royalties provide benefits to the United States greater than or equal to those likely to have been received had royalties been taken in value.

Authorizes such Secretary, in disposing of gas or oil royalty taken in-kind, to grant a preference to any person, including any State or Federal agency, for the purpose of providing additional resources to any Federal low-income energy assistance program.

(Sec. 313) Prescribes conditions for royalty rate reductions, and for the termination of such rates, on marginal property, defined as an onshore unit, communitization agreement, or lease not within a unit or communitization agreement, that produces on average the combined equivalent of less than 15 barrels of oil per well per day or 90 million British thermal units of gas per well per day.

(Sec. 314) Directs the Secretary of the Interior to promulgate final royalty incentive regulations for natural gas production from deep wells and ultra deep wells in certain shallow waters of the Gulf of Mexico.

(Sec. 315) Suspends royalties for deep water production in certain parts of the Gulf of Mexico and in certain Planning Areas offshore Alaska.

(Sec. 317) Transfers to the Naval Petroleum Reserves Production Act of 1976 certain requirements governing exploration of the National Petroleum Reserve (Reserve) in Alaska.

Revises such requirements to direct the Secretary of the Interior to conduct an expeditious program of competitive leasing of oil and gas in such Reserve. Prescribes leasing guidelines that authorize the Secretary to waive, suspend, or reduce the rental fees or minimum royalty, or reduce the royalty on an entire leasehold. if the Secretary determines that it is in the public interest

(Sec. 318) Directs the Secretary, in cooperation with the Secretary of Agriculture, to establish a program to remediate, reclaim, and close orphaned, abandoned, or idled oil and gas wells located on land administered by the land management agencies within the Department of the Interior and the Department of Agriculture. Authorizes appropriations for FY 2005 through 2009.

(Sec. 319) Amends the Mineral Leasing Act to authorize the Secretary to issue separately for any area that contains any combination of tar sand and oil or gas (or both): (1) a lease for exploration for and extraction of tar sand; and (2) a lease for exploration for and development of oil and gas.

States that the minimum acceptable bid required for a lease issued for tar sand shall be \$2 per acre.

Authorizes the Secretary to waive, suspend, or alter any requirement that a permittee prospecting for tar sand must exercise due diligence to promote any resource covered by a combined hydrocarbon lease.

(Sec. 320) Amends the Natural Gas Act to restrict FERC authority regarding an application to construct or expand a liquefied natural gas terminal either onshore or in State waters for the purpose of importing liquefied natural gas into the United States. Prohibits FERC from denying or conditioning such an application solely on the basis that the applicant proposes to utilize the terminal exclusively or partially for gas that the applicant or any affiliate thereof will supply to it.

(Sec. 321) Amends the Outer Continental Shelf Lands Act to authorize the Secretary of the Interior to grant, on either a competitive or noncompetitive basis, a lease, easement, or right-of-way on the outer Continental Shelf for activities not otherwise authorized under specified laws, if those activities: (1) support exploration, development, production, transportation, or storage of oil, natural gas, or other minerals; (2) produce or support production, transportation, or transmission of energy from sources other than oil and gas; or (3) use, for energy-related or marine-related purposes, facilities currently or previously used for activities authorized under this Act.

(Sec. 322) National Geological and Geophysical Data Preservation Program Act of 2004 - Instructs the Secretary to implement a National Geological and Geophysical Data Preservation Program, including establishment of a data archive system. Authorizes appropriations for FY 2004 through 2008.

(Sec. 323) Amends the Mineral Leasing Act to exempt from its oil and gas lease acreage limitation any lease committed to a federally approved unit or cooperative plan, or communitization agreement, or for which royalty, including compensatory royalty or royalty-in-kind, was paid in the preceding calendar year. (Thus removes acreage limitations from oil and gas leases granted royalty relief under this Act).

(Sec. 324) Instructs the Secretary of Energy to assess and report to Congress on the economic implication of the dependence of the State of Hawaii on oil as its principal source of energy.

(Sec. 325) Amends the Coastal Zone Management Act of 1972 to revise procedural requirements for deadlines and decision on appeals to the Secretary of the Interior regarding consistency of Federal activities with State management programs. Sets a 120-day deadline for closure of the record for appeal, and a deadline of 120 days after such closure for a decision by the Secretary.

(Sec. 326) Amends the Mineral Leasing Act to cite conditions under which the Secretary of the Interior may authorize reimbursement for the costs of analyses, documentation, and studies required under NEPA pertaining to specified leases.

(Sec. 327) Amends the Safe Drinking Water Act to exclude from the definition of underground injection the underground

injection of fluids or propping agents pursuant to hydraulic fracturing operations related to oil or gas production activities.

(Sec. 330) Requires Federal Administrative appeals relating to interstate pipeline construction projects to employ as the exclusive record for all purposes the record compiled by FERC.

(Sec. 331) Authorizes the President to export oil to, or secure oil for, any country pursuant to a bilateral international oil supply agreement entered into prior to June 25, 1979, or to any country pursuant to the International Emergency Oil Sharing Plan of the International Energy Agency. Deems specified agreements to have entered into force by operation of law and to have no termination date.

(Sec. 332) Amends the Commodity Exchange Act (CEA), with respect to the natural gas market, to replace the standard governing the felony of false reporting with a standard of knowingly delivering knowingly false, knowingly misleading, or knowingly inaccurate reports.

Authorizes the Commodity Futures Trading Commission (CFTC) to bring administrative and civil actions against any person for CEA violations, including such knowingly false, knowingly misleading, or knowingly inaccurate reports.

Extends prohibitions against fraud to any person operating in a contract market.

(Sec. 333) Amends the Natural Gas Act to direct FERC to issue rules directing entities within its jurisdiction to timely report information to FERC and price publishers regarding the availability and prices of natural gas sold at wholesale in interstate commerce.

Subtitle C: Access to Federal Land - (Sec. 341) Directs the President to establish the Office of Federal Energy Project Coordination within the Executive Office in the same manner and with the same mission as the White House Energy Projects Task Force established by a certain Executive Order.

(Sec. 342) Instructs the Secretary of the Interior to review Federal onshore oil and gas leasing and permitting practices.

(Sec. 343) Directs the Secretary to: (1) ensure expeditious compliance with NEPA; (2) improve consultation and coordination with the States and the public; (3) improve the collection, storage, and retrieval of information relating to the leasing activities; and (4) develop and implement best management practices to improve the administration of the onshore oil and gas leasing program under the Mineral Leasing Act, and ensure timely action on oil and gas leases and applications for permits to drill on lands otherwise available for leasing.

(Sec. 344) Requires the Secretary to enter into a memorandum of understanding with the Secretary of Agriculture regarding oil and gas leasing on public lands and National Forest lands under their respective jurisdictions.

(Sec. 345) Amends the Energy Act of 2000 to revise the requirement that the Secretary of the Interior, when inventorying all onshore Federal lands, identify impediments or restrictions upon oil and gas development.

(Sec. 346) Declares that the head of each Federal agency shall require that, before the agency takes any action that could have a significant adverse effect on the supply of domestic energy resources from Federal public land, it must comply with Executive Order No. 13211.

(Sec. 347) Instructs the Secretary of the Interior to establish a Federal Permit Streamlining Pilot Project.

(Sec. 348) Amends the Mineral Leasing Act to set forth deadlines for an expedited permit application process.

(Sec. 349) Amends the Federal Land Policy and Management Act of 1976 to prescribe guidelines governing the determination of the fair market value of linear rights-of-way.

(Sec. 350) Requires the Secretary of Agriculture and the Secretary of the Interior to report jointly to Congress on: (1) the location of existing rights-of-way and designated and de facto corridors for oil and gas pipelines and electric transmission and distribution facilities on Federal land; (2) opportunities for additional oil and gas pipeline and electric transmission capacity within those rights-of-way and corridors; and (3) a plan for making available, on request, to the appropriate Federal, State, and local agencies, tribal governments, and other persons involved in the siting of oil and gas pipelines and electricity transmission facilities Geographic Information System-based information regarding the location of such existing rights-of-way and corridors and any planned ones.

(Sec. 351) Directs the Secretary of Energy to enter into a memorandum of understanding with relevant entities to coordinate all applicable Federal authorizations and environmental reviews relating to energy rights-of-way on public land.

(Sec. 352) Instructs the Secretary of the Interior, in cooperation with the Secretary of Agriculture, to report to Congress on opportunities to develop renewable energy on public lands.

Directs the Secretary of the Interior to contract with the National Academy of Sciences (NAS) to study and report to Congress on the potential for the development of wind, solar, and ocean energy on the outer Continental Shelf, and existing Federal authorities as well as recommended statutory and regulatory mechanisms for such development.

(Sec. 353) Directs the Secretary of the Interior and the Secretary of Agriculture to issue all necessary grants, easements, permits, plan amendments, and other approvals to allow for the siting and construction of a high-voltage electricity transmission line right-of-way running approximately north to south through the Trabuco Ranger District of the Cleveland National Forest in the State of California and adjacent lands under the jurisdiction of the Bureau of Land Management and the Forest Service.

(Sec. 354) Expresses the sense of Congress that any regulation of the development of oil, gas, or other minerals in the subsurface of the lands constituting Padre Island National Seashore should be made as if those lands retained the status they had on September 27, 1962.

(Sec. 355) Declares that Congress encourages: (1) the States of Illinois, Michigan, New York, Pennsylvania, and Wisconsin to continue to prohibit offshore drilling in the Great Lakes for oil and gas; and (2) the States of Indiana, Minnesota, and Ohio to enact a prohibition of such drilling.

(Sec. 356) Withdraws all Federal land within the boundary of Finger Lakes National Forest in the State of New York from: (1) all forms of entry, appropriation, or disposal under the public land laws; and (2) disposition under all laws relating to oil and gas leasing.

(Sec. 357) Directs the Secretary of the Interior to evaluate opportunities for domestic oil and gas production through the exchange of the nonproducing leases in the Badger-Two Medicine Area or the Blackleaf Area.

(Sec. 358) Requires removal of any State currently on the list of Affected States with respect to Federal coalbed methane regulation under the Energy Policy Act of 1992 if, within three years after enactment of this Act, the State takes, or before the date of enactment has taken, any of the actions required for removal from the list under such law.

(Sec. 359) Amends Federal law to repeal the reservation of Federal mineral rights in the conveyance of certain lands to

Livingston Parish, Louisiana. Directs the Secretary of the Interior to execute the legal instruments necessary to convey such rights to the Parish.

Subtitle D: Alaska Natural Gas Pipeline - Alaska Natural Gas Pipeline Act - (Sec. 373) Authorizes the Federal Energy Regulatory Commission (FERC) to consider and act on an application for a certificate of public convenience and necessity (certificate) for construction and operation of an Alaska natural gas transportation project other than the system authorized under the Alaska Natural Gas Transportation Act of 1976, following an expedited approval process.

Prohibits the grant of any license, permit, lease, right-of-way, authorization, or other required Federal approval for the construction of any natural gas pipeline from land within the Prudhoe Bay oil and gas lease area that follows a route that: (1) traverses land beneath navigable waters beneath, or the adjacent shoreline of, the Beaufort Sea; and (2) enters Canada at any point north of 68 degrees north latitude.

Directs FERC to issue regulations governing the conduct of open seasons for Alaska natural gas transportation projects.

Permits an application in accordance with the Natural Gas Act for additional or expanded pipeline facilities that may be required to transport Alaska natural gas from Canada to markets in the contiguous United States.

Requires the holder of the certificate for an Alaska natural gas transportation project to demonstrate that the holder has conducted a study of Alaska in-State needs, including tie-in points along the Alaska natural gas transportation project for instate access.

Authorizes FERC, on State request, and after a hearing, to provide for reasonable access to the Alaska natural gas transportation project by the State (or State designee) for the transportation of royalty gas of the State for the purpose of meeting local consumption needs within the State. Prohibits any resulting increase in the rates of shippers of subscribed capacity on an Alaska natural gas transportation project, as in effect as of the date on which such access is granted.

(Sec. 374) Declares that the issuance of an Alaska project certificate shall be treated as a major Federal action significantly affecting the quality of the human environment within the meaning of NEPA.

Designates FERC as the lead agency for complying with NEPA and for preparing for an Alaska project an environmental impact statement (EIS) consolidating the environmental reviews of all Federal agencies considering any aspect of the project covered by the EIS. Requires each such agency to adopt the EIS.

Requires FERC to issue a draft EIS by one year after the project application is complete, and the final EIS by 180 days later.

(Sec. 375) Authorizes FERC, upon request, to order the expansion of such project if it determines that such expansion is required by the present and future public convenience and necessity. Specifies requirements FERC must meet before ordering such an expansion.

(Sec. 376) Establishes the Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects to: (1) coordinate the expeditious discharge of all activities by Federal agencies with respect to an Alaska natural gas transportation project; and (2) ensure Federal agency compliance.

Denies any Federal officer or agency authority to include terms and conditions that are permitted, but not required, by law on, and prohibits any Federal officer or agency from modifying or abrogating, any authorization issued to an Alaska natural gas transportation project, if the Federal Coordinator determines that such terms and conditions would prevent or

impair the expeditious construction, operation, or expansion of the project.

(Sec. 377) Grants the U.S. Court of Appeals for the District of Columbia original and exclusive jurisdiction for judicial review of final orders by any Federal agency or officer relating to the project. Requires the Court to set any such action for expedited consideration.

(Sec. 378) Deems any facility receiving natural gas from the Alaska natural gas transportation project for delivery to consumers within Alaska to be a local distribution facility under the Natural Gas Act, and so not subject to FERC jurisdiction.

(Sec. 379) Directs the Secretary of Energy to study and report to Congress on alternative approaches to the construction and operation of the project.

(Sec. 380) Allows any Federal agency responsible for granting or issuing any authorization under the Alaska Natural Gas Transportation Act of 1976 to add to, amend, or rescind any term or condition included in the authorization to meet current project requirements (including the physical design, facilities, and tariff specifications), if the addition, amendment, or rescission: (1) would not compel any change in the basic nature and general route of the Alaska natural gas transportation system; or (2) would not otherwise prevent or impair in any significant respect the expeditious construction and initial operation of the system.

Directs Secretary to require the system sponsor to submit updated environmental data, reports, permits, and impact analyses as necessary to develop detailed terms, conditions, and compliance plans.

(Sec. 381) Expresses the sense of Congress that: (1) an Alaska natural gas transportation project would provide significant economic benefits to the United States and Canada; and (2) to maximize those benefits, the sponsors of the project should make every effort to use steel that is manufactured in North America and to negotiate a project labor agreement to expedite construction of the pipeline.

(Sec. 382) Expresses the sense of Congress that an Alaska natural gas transportation project should maximize the participation of small business concerns in contracts and subcontracts awarded in carrying it out.

Directs the Comptroller General to study and report to Congress on the extent to which small business concerns participate in the construction of oil and gas pipelines in the United States.

(Sec. 383) Authorizes the Secretary of Labor to award grants to the Alaska Workforce Investment Board to train adult and dislocated workers in the skills required to construct and operate an Alaska gas pipeline system.

(Sec. 384) Expresses the sense of Congress that: (1) natural gas delivered from Alaska's North Slope will neither displace nor reduce the commercial viability of Canadian natural gas produced from the McKenzie Delta, nor production from the 48 contiguous States; (2) Alaska Native Regional Corporations, companies owned and operated by Alaskans, and individual Alaskans should have the opportunity to own shares of the Alaska natural gas pipeline in a way that promotes economic development for the State; and (3) all project sponsors should negotiate in good faith with any willing Alaskan person that desires to be involved in the project.

(Sec. 386) Cites conditions under which the Secretary of Energy may offer Federal loan guarantee instruments for qualified infrastructure projects (pipelines and related transportation and production systems used to transport natural gas from the Alaska North Slope to the continental United States). Authorizes appropriations.

Title IV: Coal - Subtitle A: Clean Coal Power Initiative - (Sec. 401) Authorizes appropriations for FY 2004 through 2012 for a Clean Coal Power Initiative campaign, including grants for coal-based gasification technologies and for universities to establish Centers of Excellence for Energy Systems of the Future.

Subtitle B: Clean Power Projects - (Sec. 411) Authorizes appropriations for loan guarantees including: (1) \$125 million for a coal technology loan to the owner of a specified experimental plant constructed under agreement with DOE; (2) a certain project to produce energy from a plant using integrated gasification combined cycle technology of at least 400 megawatts in capacity that produces power at competitive rates in deregulated energy generation markets, and does not receive a subsidy from ratepayers; (3) a certain project to produce energy from a plant using integrated gasification combined cycle technology located in a taconite-producing region of the United States; (4) at least one petroleum coke gasification polygeneration project; and (5) a certain integrated coal/ renewable energy system facility located in the Upper Great Plains.

(Sec. 416) Directs the Secretary to use \$5 million to demonstrate the viability of high-energy electron scrubbing technology on commercial-scale electrical generation using high-sulfur coal.

Subtitle C: Federal Coal Leases - (Sec. 421) Amends the Mineral Leasing Act to: (1) repeal the 160-acre limitation for coal leases; (2) allow the Secretary to establish a period of more than 40 years for the mining plan of a logical mining unit; and (3) modify the conditions for advance royalty payments under coal leases.

(Sec. 424) Repeals the deadline by which a coal lessee must submit for the Secretary's approval an operation and reclamation plan before taking any action on a leasehold which might cause a significant disturbance of the environment.

(Sec. 425) States that the Secretary shall not require a surety bond or any other financial assurance to guarantee payment of deferred bonus bid installments with respect to any coal lease issued on a cash bonus bid to a lessee or successor in interest having a history of a timely payment of noncontested coal royalties and advanced coal royalties in lieu of production (where applicable) and bonus bid installment payments.

(Sec. 426) Instructs the Secretary of the Interior, in consultation with the Secretary of Agriculture and the Secretary of Energy, to review coal assessments and other available data to identify: (1) public lands, other than National Park lands, with coal resources; (2) the extent and nature of any restrictions or impediments to the development of coal resources on such public lands; and (3) resources of compliant coal and supercompliant coal.

Subtitle D: Coal and Related Programs - (Sec. 441) Amends the Energy Policy Act of 1992 to direct the Secretary of Energy to implement a program to facilitate production and generation of coal-based power and the installation of pollution control equipment.

Authorizes appropriations for FY 2005 through 2009 for air pollution control and coal-based electrical generation projects.

Title V: Indian Energy - Indian Tribal Energy Development and Self-Determination Act of 2004 - (Sec. 502) Amends the Department of Energy Organization Act and the Energy Policy Act of 1992 to establish the Office of Indian Energy Policy and Programs to promote comprehensive Indian energy activities and tribal energy resource development through a program of grants and loans.

(Sec. 503) Prescribes implementation requirements governing leases, business agreements, and rights-of-way involving Indian energy development or transmission.

Directs the Administrators of the Bonneville Power Administration, the Western Area Power Administration, and any other

pertinent power administration to encourage Indian tribal energy development through programs within their respective Administrations, including power allocations and purchases.

Directs the Secretary to study and report to Congress on: (1) tribal use of Federal power allocations or sales by specified power administrations; and (2) the cost and feasibility of a demonstration project using wind energy generated by Indian tribes and hydropower generated by the Army Corps of Engineers on the Missouri River to supply firming power to the Western Area Power Administration.

(Sec. 504) Declares the Dine Power Authority (an enterprise of the Navajo Nation) eligible to receive grants and other assistance for development of a transmission line from the Four Corners Area (Utah, Colorado, New Mexico, and Arizona) to southern Nevada, including related power generation opportunities.

(Sec. 505) Instructs the Secretary of Housing and Urban Development to promote energy conservation in housing located on Indian land and assisted with Federal resources.

Title VI: Nuclear Matters - Subtitle A: Price-Anderson Act Amendments - Price-Anderson Amendments Act of 2003 [sic] - (Sec. 602) Amends the Atomic Energy Act of 1954 to modify and extend indemnification authority and liability limits for Nuclear Regulatory Commission licensees, DOE contractors, and for nonprofit educational institutions.

(Sec. 610) Prohibits assumption of liability by the U.S. Government for certain foreign incidents.

(Sec. 611) Repeals the mandate that the Secretary determine by rule whether nonprofit educational institutions should receive automatic remission of any civil monetary penalties for violation of DOE safety regulations.

Repeals the specific exemption from liability for such penalties of certain universities, corporations, and their subcontractors or suppliers. Limits to the specific terms of the contract under which a violation occurs the total amount of civil penalties incurred within any one-year period by a not-for-profit contractor, subcontractor, or supplier. Defines not-for-profit to mean that no part of the net earnings of the contractor, subcontractor, or supplier inures to the benefit of any natural person or for-profit artificial person.

Subtitle B: General Nuclear Matters - (Sec. 622) Requires the Nuclear Regulatory Commission (NRC) to establish a training and fellowship program to address shortages of individuals with critical nuclear safety regulatory skills. Authorizes appropriations for FY 2004 through 2008.

(Sec. 624) Authorizes the NRC to exempt from the Federal civil service pension offset an annuitant who was formerly a NRC employee and is hired as consultant to the NRC if the annuitant's skills are critical to NRC duties.

(Sec. 625) Waives application of Federal antitrust law to applications for a license to construct or operate a utilization or production facility.

(Sec. 626) States that a general duty of the NRC is to ensure that sufficient funds will be available for the decommissioning of certain licensed production or utilization facilities, including standards and restrictions governing the control, maintenance, use, and disbursement by any former licensee that has control over any fund for the decommissioning of a facility.

(Sec. 627) Prohibits DOE from reimbursing any contractor or subcontractor for any legal fees or expenses incurred with respect to a complaint subsequent to an adverse determination or final judgment unless the determination or final

judgment is reversed upon further administrative or judicial review.

(Sec. 628) Directs the Secretary to establish a pilot program to decommission and decontaminate the sodium-cooled fast breeder experimental test-site reactor located in northwest Arkansas. Authorizes appropriations.

(Sec. 629) Instructs the Secretary to report to Congress on the feasibility of developing commercial nuclear energy generation facilities at DOE sites.

(Sec. 630) Amends the USEC Privatization Act to modify guidelines governing uranium sales, transfers and services. Authorizes the transfer or sale of uranium in any form (currently, only natural and low-enriched uranium, including low-enriched uranium derived from highly enriched uranium).

Instructs the Secretary to report to Congress on: (1) available excess uranium inventories; (2) all sales or transfers made by the United States; (3) the impact of such sales or transfers on the domestic uranium industry, the spot market uranium price, and U.S. national security interests; and (4) steps taken to remediate adverse impacts of such sales or transfers.

(Sec. 631) Authorizes appropriations for FY 2004 through 2006 for cooperative research, development, and special demonstration projects for the uranium mining industry.

(Sec. 632) Amends the Energy Reorganization Act of 1974 to extend whistleblower protections to Federal employees of either DOE or NRC, including all contractor and subcontractor employees.

Permits whistleblower complaints to be brought directly in U.S. district court for de novo review if the Secretary of Labor fails to issue a final order within the statutory deadline.

(Sec. 633) Cites conditions under which the NRC may issue an export license for highly enriched uranium for medical isotope production.

(Sec. 634) Deems the material in the concrete silos at the Fernald uranium processing facility managed by DOE to be byproduct material which DOE may dispose in a facility regulated by NRC or by an Agreement State. Directs the NRC or the Agreement State, in such a case, to regulate the material as byproduct material. Retains DOE jurisdiction over such material until it is received at a commercial, NRC-licensed, or Agreement State-licensed facility, at which time it falls subject to the health and safety requirements of either NRC or the Agreement State with jurisdiction over the disposal site.

(Sec. 635) Directs the Secretary of Energy to: (1) designate an Office within DOE charged with responsibility for developing a new or using an existing facility for safely disposing of all low-level radioactive waste with concentrations of radionuclides that exceed NRC limits for Class C radioactive waste (GTCC waste); and (2) develop a comprehensive plan for permanent disposal of GTCC waste, including plans for a disposal facility.

(Sec. 636) Amends the Atomic Energy Act of 1954 to prohibit nuclear exports to countries that sponsor terrorism. Authorizes the President to waive such prohibition under certain circumstances.

(Sec. 637) Sets forth an expedited schedule for NRC review of applications for uranium enrichment facilities.

(Sec. 638) Authorizes the Secretary to create a national low-enriched uranium stockpile in order to enhance national energy security and reduce global proliferation threats.

Subtitle C: Advanced Reactor Hydrogen Cogeneration Project - (Sec. 651) Instructs the Secretary of Energy to

establish an Advanced Reactor Hydrogen Cogeneration Project, managed within DOE by the Office of Nuclear Energy, Science, and Technology.

(Sec. 653) Designates the Idaho National Engineering and Environmental Laboratory as the lead laboratory for the project, providing the site for the reactor construction. Authorizes appropriations for FY 2004 through 2008.

Subtitle D: Nuclear Security - (Sec. 661) Directs the President to study and identify to Congress nuclear facility threats, and report on actions taken to address such threats.

(Sec. 662) Amends the Atomic Energy Act of 1954 to direct the NRC to require fingerprinting for criminal history record checks for individuals engaged in activities subject to its regulations.

(Sec. 663) Authorizes the use of firearms by security personnel of NRC licensees and certificate holders.

(Sec. 665) Specifies additional kinds of nuclear facilities whose sabotage incurs certain Federal criminal penalties. Increases such penalties, including imprisonment for up to life without parole.

(Sec. 666) Directs the NRC to establish a system to ensure that byproduct materials, source materials, special nuclear materials, high-level radioactive waste, spent nuclear fuel, transuranic waste, and low-level radioactive waste materials, when transferred or received in the United States by any party pursuant to an import or export license, are accompanied by a manifest describing the type and amount of such materials. Requires each individual receiving or accompanying the transfer of such materials to be subject to a security background check conducted by appropriate Federal entities.

(Sec. 667) Requires the NRC to consult with the Department of Homeland Security (DHS), before issuing a utilization facility license, concerning the potential vulnerabilities of the proposed facility's location to terrorist attack.

(Sec. 668) Authorizes appropriations.

Title VII: Vehicles and Fuels - Subtitle A: Existing Programs - (Sec. 701) Amends the Energy Policy and Conservation Act to cite circumstances that permit an agency to qualify for a waiver of the alternative fuel use requirement applicable to dual fueled Federal light duty vehicles.

(Sec. 702) Redefines alternative fueled vehicle to include a neighborhood electric vehicle.

(Sec. 703) Amends the Energy Policy Act of 1992 to prescribe guidelines for the allocation of Federal credits for the purchase of medium and heavy duty dedicated vehicles.

(Sec. 704) Changes from discretionary to mandatory the authority of the General Services Administration (GSA), and any other Federal agency that procures motor vehicles for distribution to other Federal agencies, to allocate the incremental cost of alternative fueled vehicles over the cost of comparable gasoline vehicles across the entire fleet of motor vehicles distributed by such agency.

(Sec. 705) Sets forth conditions under which the Secretary may waive compliance with either the Federal fleet requirements program or the mandate for alternative fuel providers.

Directs the Secretary to allocate credit for: (1) certain fleets for alternative fueled vehicle acquisition; (2) investment in alternative fuel infrastructure; and (3) use of lease condensate fuel components.

(Sec. 706) Instructs the Secretary to review the impact that specified programs of the Energy Policy Act of 1992 have had

upon: (1) the development of alternative fueled vehicle technology; (2) the availability of that technology in the market; and (3) the cost of alternative fueled vehicles.

Subtitle B: Hybrid Vehicles, Advanced Vehicles, and Fuel Cell Buses - Part I: Hybrid Vehicles - (Sec. 711) Directs the Secretary to accelerate efforts directed toward the improvement of batteries and other rechargeable energy storage systems, power electronics, hybrid systems integration, and other hybrid vehicles technologies.

Part II: Advanced Vehicles - (Sec. 722) Directs the Secretary to establish a competitive grant pilot program, through the DOE Clean Cities Program, to provide up to 15 geographically dispersed project grants to State or local governments or metropolitan transportation authorities for acquisition of alternative fueled vehicles, hybrid vehicles, or fuel cell vehicles, including the infrastructure necessary to support such vehicles directly.

(Sec. 724) Authorizes appropriations.

Part III: Fuel Cell Buses - (Sec. 731) Directs the Secretary to: (1) establish a transit bus demonstration program to make competitive, merit-based awards for five-year projects to demonstrate up to 25 fuel cell transit buses (and necessary infrastructure) in five geographically dispersed localities; and (2) give preference to projects most likely to mitigate congestion and improve air quality. Authorizes appropriations for FY 2004 through 2008.

Subtitle C: Clean School Buses - (Sec. 742) Instructs the Administrator of EPA to establish a grant program to: (1) replace school buses manufactured before model year 1991 with alternative fuel school buses and ultra-low sulfur diesel fuel school buses; and (2) install retrofit technologies for diesel school buses. Authorizes appropriations for FY 2004 through 2009.

(Sec. 744) Directs the Secretary of Energy to establish a program for entering into cooperative agreements: (1) with private sector fuel cell bus developers for the development of fuel cell-powered school buses; and (2) with local government entities using natural gas-powered school buses and such developers to demonstrate the use of such buses. Authorizes appropriations for FY 2004 through 2006.

Subtitle D: Miscellaneous - (Sec. 751) Directs the Secretary of Energy to establish a cost-shared, public-private research partnership involving the Federal Government, railroad carriers, locomotive manufacturers and equipment suppliers, and the Association of American Railroads to develop and demonstrate railroad locomotive technologies that increase fuel economy, reduce emissions, and lower costs of operation. Authorizes appropriations for FY 2005 through 2007.

(Sec. 752) Instructs the Administrator of EPA to report to Congress on the trading of mobile source emission reduction credits for use by owners and operators of stationary source emission sources to meet emission offset requirements within a nonattainment area.

(Sec. 753) Requires such Administrator and the Administrator of the Federal Aviation Administration (FAA) to study and report to Congress on: (1) the impact of aircraft emissions on air quality in nonattainment areas; and (2) ways to promote fuel conservation measures for aviation.

(Sec. 754) Instructs the Secretary to accelerate efforts to improve diesel combustion and after-treatment technologies for use in diesel fueled motor vehicles.

(Sec. 755) Establishes within the Department of Transportation the Conserve by Bicycling Program. Authorizes appropriations.

(Sec. 756) Directs the Administrator of EPA to: (1) review Clean Air Act mobile source air emission models to determine whether they accurately reflect emissions resulting from long-duration idling of vehicles and engines; (2) review emission reductions achieved by the use of idle reduction technology; (3) revise EPA regulations and guidance as appropriate; and (4) establish a program to support deployment of idle reduction technology in consultation with the Secretary of Transportation. Authorizes appropriations for FY 2004 through 2006.

Requires the Secretary of Transportation to study and report on all locations at which heavy-duty vehicles stop for long-duration idling.

(Sec. 757) Instructs the Secretary of Energy to initiate a partnership with diesel engine, diesel fuel injection system, and diesel vehicle manufacturers and diesel and biodiesel fuel providers, to include biodiesel testing in advanced diesel engine and fuel system technology.

(Sec. 758) Authorizes a State to permit a dedicated or hybrid vehicle with fewer than two occupants to operate in high occupancy vehicle lanes.

Subtitle E: Automobile Efficiency - (Sec. 771) Authorizes appropriations for FY 2004 through 2008 for implementation and enforcement of fuel economy standards.

(Sec. 772) Amends Federal transportation law to: (1) revise considerations for decisions on maximum feasible average fuel economy; and (2) extend manufacturing incentives and the maximum fuel economy increase for alternative fueled vehicles.

(Sec. 774) Directs the Administrator of the National Highway Traffic Safety Administration (NHTSA) to study the feasibility and effects of reducing by model year 2012, by a significant percentage, the amount of fuel consumed by automobiles.

Title VIII: Hydrogen - (Sec. 802) Directs the Secretary to: (1) transmit to Congress a coordinated plan for the programs under this title and any others directly related to fuel cells or hydrogen; and (2) arrange with NAS to review it.

(Sec. 803) Directs the Secretary to conduct programs in partnership with the private sector that address: (1) hydrogen production from diverse energy sources; (2) use of hydrogen for commercial, industrial, and residential electric power generation; (3) safe delivery of hydrogen or hydrogen-carrier fuels, and (4) advanced vehicle technologies.

(Sec. 804) Directs the President to establish an interagency task force to work toward: (1) a fuel infrastructure for hydrogen and hydrogen-carrier fuels, including an infrastructure that supports buses and other fleet transportation; (2) fuel cells in government and other applications; (3) distributed power generation; (4) uniform hydrogen codes, standards, and safety protocols; and (5) vehicle hydrogen fuel system integrity safety performance.

(Sec. 805) Establishes the Hydrogen Technical and Fuel Cell Advisory Committee.

(Sec. 809) Authorizes appropriations for FY 2004 through 2008.

Title IX: Research and Development - (Sec. 901) Directs the Secretary to conduct research, demonstration, and commercial application activities to support Federal energy policy and programs.

Subtitle A: Energy Efficiency - (Sec. 904) Authorizes appropriations for: (1) FY 2004 through 2008 for energy efficiency and conservation research, development, demonstration, and commercial application activities; and (2) for FY 2009 through 2013 for Next Generation Lighting Initiative activities.

Prohibits the use of such funds for: (1) the issuance and implementation of energy efficiency regulations; (2) the Weatherization Assistance Program; (3) the State Energy Program; or (4) the Federal Energy Management Program.

(Sec. 905) Instructs the Secretary to: (1) implement a Next Generation Lighting Initiative to develop advanced solid-state organic and inorganic lighting technologies based on certain white light emitting diodes; and (2) select an Industry Alliance to represent private, for-profit firms broadly representative of solid state lighting research, development, infrastructure, and manufacturing expertise.

(Sec. 906) Instructs the Director of the Office of Science and Technology Policy to establish an interagency group to develop a National Building Performance Initiative, and to work with the National Institute of Building Sciences, to integrate governmental and private sector efforts to reduce the costs of construction, operation, maintenance, and renovation of commercial, industrial, institutional, and residential buildings.

Directs the Secretary to establish an advisory committee to review and provide recommendations on a plan submitted by the interagency group to Congress regarding the Federal role in such Initiative.

(Sec. 907) Directs the Secretary to conduct R&D programs on: (1) secondary electric vehicle battery use; (2) an Energy Efficiency Science Initiative; and (3) electric motor control technology.

(Sec. 910) Directs the Secretary to: (1) make grants to nonprofit institutions, State and local governments, or universities (or consortia thereof) to establish a geographically dispersed network of Advanced Energy Technology Transfer Centers; and (2) establish an advisory committee to advise the Secretary on the establishment of such Centers.

Subtitle B: Distributed Energy and Electric Energy Systems - (Sec. 911) Authorizes appropriations for FY 2004 through 2008 for distributed energy and electric energy systems activities.

(Sec. 912) Instructs the Secretary of Energy to develop and transmit to Congress research, development, demonstration, and commercial application programs for: (1) hybrid distributed power systems; (2) energy efficiency of high power density facilities, including data centers, server farms, and telecommunications facilities; and (3) fuel system optimization and emissions reduction after-treatment technologies for industrial reciprocating engines.

(Sec. 914) Directs the Secretary of Energy to make grants to consortia for the development of micro-cogeneration energy technology.

(Sec. 915) Authorizes the Secretary to provide financial assistance to coordinating consortia of interdisciplinary participants for demonstrations designed to accelerate the utilization of distributed energy technologies.

Subtitle C: Renewable Energy - (Sec. 918) Authorizes appropriations for FY 2004 through 2008 for renewable energy programs including: (1) bioenergy, biofuels and bio-based products; (2) the concentration of solar power for hydrogen production; and (3) renewable energy in public buildings.

(Sec. 923) Instructs the Secretary of Energy to arrange with NAS to study marine renewable energy options.

Subtitle D: Nuclear Energy - (Sec. 924) Authorizes appropriations for FY 2004 through 2008 for nuclear energy research, development, demonstration, and commercial application activities and nuclear infrastructure support. Prohibits the use of such funds for decommissioning the Fast Flux Test Facility.

(Sec. 925) Directs the Secretary to implement: (1) a Nuclear Energy Research Initiative; (2) Nuclear Energy Plant

Optimization Program (addressing reliability, availability, productivity, component aging, safety, and security of existing nuclear power plants); (3) a Nuclear Power 2010 Program; (4) a Generation IV Nuclear Energy Systems Initiative; (5) a strategy for the facilities of the Office of Nuclear Energy, Science, and Technology; (6) an advanced fuel recycling technology R&D program; (7) a human resources and infrastructure program in the nuclear sciences and engineering and related fields; (8) an R&D program on cost-effective technologies for increasing the safety of reactor designs; (9) a study of alternatives to industrial radioactive sources; and (10) a study on the feasibility of deep borehole disposal of spent nuclear fuel and high-level radioactive waste.

Subtitle E: Fossil Energy - Part I: Research Programs - (Sec. 931) Authorizes appropriations for FY 2004 through 2008 for fossil energy research, development, demonstration, and commercial application activities. Prohibits the use of such funds for Fossil Energy Environmental Restoration or Import/Export Authorization.

Authorizes additional appropriations for FY 2009 through 2012 for the Office of Arctic Energy.

(Sec. 932) Instructs the Secretary of Energy to implement the following activities: (1) oil and gas research; (2) a contract award program to a nonprofit entity experienced in management of an offshore and maritime industry consortium and in transferring technologies developed with public funds to the offshore and maritime industry; (3) R&D on coal mining technologies; (4) technologies related to coal and power systems; and (5) a Complex Well Technology Testing Facility at the Rocky Mountain Oilfield Testing Center.

(Sec. 937) Directs the Secretary of Energy to establish a program to provide guarantees of loans by private lending institutions for the construction of facilities for the production of Fischer-Tropsch diesel fuel and commercial byproducts of that production.

Part II: Ultra-deepwater and Unconventional Natural Gas and Other Petroleum Resources - (Sec. 941) Directs the Secretary of Energy to implement a program for ultra-deepwater and unconventional natural gas and other petroleum resource exploration and production by: (1) increasing the supply of such resources; and (2) reducing the cost and increasing the efficiency of exploration for and production of such resources, while improving safety and minimizing environmental impacts; and (3) establish the Ultra-Deepwater Advisory Committee and the Unconventional Resources Technology Advisory Committee.

(Sec. 949) Prescribes funding guidelines. Establishes in the Treasury the Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund.

Subtitle F: Science - (Sec. 951) Authorizes appropriations for FY 2004 through 2008 for research, development, demonstration, and commercial application activities of the Office of Science, including basic energy sciences, advanced scientific computing research, biological and environmental research, fusion energy sciences, high energy physics, nuclear physics, and research analysis and infrastructure support, and for construction costs associated with the international burning plasma fusion research project (ITER).

(Sec. 952) Prescribes guidelines for U.S. participation in ITER.

(Sec. 953) Declares that it shall be U.S. policy to conduct research, development, demonstration, and commercial application to provide for the scientific, engineering, and commercial infrastructure necessary to ensure that the United States is competitive with other nations in providing fusion energy for its own needs and the needs of other nations, including by demonstrating electric power or hydrogen production for the U.S. energy grid utilizing fusion energy.

Actions Timeline

- **Jun 17, 2004:** Received in the Senate.
- **Jun 15, 2004:** Considered under the provisions of rule H. Res. 671. (consideration: CR H3990-4132)
- **Jun 15, 2004:** Rule provides for consideration of H.R. 4503 and H.R. 4517 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit. Measure will be considered read. Bill is closed to amendments.
- **Jun 15, 2004:** DEBATE - The House proceeded with one hour of debate on H.R. 4503.
- **Jun 15, 2004:** Mr. Dingell moved to recommit with instructions to Energy and Commerce. (consideration: CR H4126-4132; text: CR H4126-4130)
- **Jun 15, 2004:** DEBATE - The House proceeded with ten minutes of debate on the Dingell motion to recommit with instructions.
- **Jun 15, 2004:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H4131)
- **Jun 15, 2004:** On motion to recommit with instructions Failed by the Yeas and Nays: 192 - 230 (Roll No. 240).
- **Jun 15, 2004:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 244 - 178 (Roll no. 241).(text: CR H3990-4114)
- **Jun 15, 2004:** On passage Passed by the Yeas and Nays: 244 - 178 (Roll no. 241). (text: CR H3990-4114)
- **Jun 15, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 14, 2004:** Rules Committee Resolution H. Res. 671 Reported to House. Rule provides for consideration of H.R. 4503 and H.R. 4517 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit. Measure will be considered read. Bill is closed to amendments.
- **Jun 7, 2004:** Referred to the Subcommittee on Energy and Air Quality.
- **Jun 4, 2004:** Referred to the Subcommittee on Aviation.
- **Jun 4, 2004:** Referred to the Subcommittee on Coast Guard and Maritime Transportation.
- **Jun 4, 2004:** Referred to the Subcommittee on Water Resources and Environment.
- **Jun 4, 2004:** Referred to the Subcommittee on Economic Development, Public Buildings and Emergency Management.
- **Jun 4, 2004:** Referred to the Subcommittee on Highways, Transit and Pipelines.
- **Jun 4, 2004:** Referred to the Subcommittee on Railroads.
- **Jun 3, 2004:** Introduced in House
- **Jun 3, 2004:** Introduced in House
- **Jun 3, 2004:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Science, Ways and Means, Resources, Education and the Workforce, Transportation and Infrastructure, Financial Services, Agriculture, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Jun 3, 2004:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Science, Ways and Means, Resources, Education and the Workforce, Transportation and Infrastructure, Financial Services, Agriculture, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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