

HR 3893

Gasoline for America's Security Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Energy

Introduced: Sep 26, 2005

Current Status: Read twice and referred to the Committee on Energy and Natural Resources.

Latest Action: Read twice and referred to the Committee on Energy and Natural Resources. (Oct 24, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/3893>

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
Armed Services Committee	House	Referred to	Oct 5, 2005
Energy and Commerce Committee	House	Reported By	Oct 7, 2005
Energy and Natural Resources Committee	Senate	Referred To	Oct 24, 2005
Natural Resources Committee	House	Referred to	Sep 27, 2005
Transportation and Infrastructure Committee	House	Discharged from	Sep 28, 2005

Subjects & Policy Tags

Policy Area:

Energy

Related Bills

Bill	Relationship	Last Action
109 HRES 481	Procedurally related	Oct 7, 2005: The title of the measure was amended. Agreed to without objection.

Gasoline for America's Security Act of 2005 - Sets forth a statutory framework in the wake of Hurricanes Katrina and Rita to: (1) increase refinery capacity for gasoline, heating oil, diesel fuel, and jet fuel; (2) reduce environmental and other regulations affecting refineries under the Clean Air Act; and (3) coordinate permitting requirements and other regulations affecting refineries at the federal, state, and local levels.

Title I: Increasing Refinery Capacity - (Sec. 101) Prescribes guidelines for federal-state regulatory coordination between a state Governor, the Secretary of Energy (Secretary), and the Administrator of the Environmental Protection Agency (EPA Administrator), including financial, technical and legal assistance, in order to facilitate refinery siting, construction, expansion, or operation.

Instructs the President to designate sites on federal lands for siting of a refinery, including at least three military installations closed or approved for closure. Requires real property at such military installations, even those found suitable for refinery siting, to be managed and disposed of in the manner provided by the applicable base closure law.

(Sec. 102) Designates the Department of Energy (DOE) as the lead agency for coordinating all federal refinery authorizations and related environmental reviews.

Requires federal and state agencies or officials to cooperate with the Secretary and comply with deadlines.

Instructs the Secretary to establish a federal refinery authorization schedule.

(Sec. 103) Amends the Energy Policy Act of 2005 to repeal refinery revitalization guidelines governing federal-state regulatory coordination and assistance.

(Sec. 104) Authorizes the Secretary to contract with certain non-federal entities to construct new refineries in the United States or refurbish and return to commercial operation existing but nonoperating refineries.

Establishes in the Treasury the Standby Refinery Support Account to cover specified costs of new or refurbished refinery operations. Authorizes appropriations.

(Sec. 105) Empowers the President to authorize the design, construction, and site selection for a refinery for the exclusive purpose of manufacturing petroleum products for consumption by the Armed Forces, if the President determines that there is not sufficient refining capacity in the United States.

Prescribes funding guidelines that: (1) prohibit funds appropriated for the Department of Defense or for Department of Energy national security programs from being used to enter into contracts for such refinery design, construction, or operation; and (2) permit funds appropriated for the Department of Defense to be used to purchase petroleum products manufactured at a refinery constructed under this Act by the Armed Forces.

(Sec. 106) Amends Clean Air Act requirements for air pollution prevention to authorize the President, during an extreme and unusual fuel or fuel additive supply emergency resulting from a natural disaster, to waive temporarily: (1) any control or prohibition respecting the use of a fuel or fuel additive; and (2) any related or equivalent control or prohibition respecting the use of a federally required fuel or fuel additive.

Declares that this Act shall not be construed to authorize the waiver of, or to affect in any way, any federal or state law or regulation pertaining to ethanol or methyl tertiary butyl ether (MTBE).

(Sec. 107) Instructs the Administrator, in coordination with the Secretary of Energy, to publish a Federal Fuels List composed of specified gasoline and diesel fuel blends. Prohibits such blends from controlling fuel sulfur or toxic levels beyond those required by Administrator.

(Sec. 108) Sets forth extended attainment dates for certain downwind ozone nonattainment areas.

(Sec. 109) Directs the Secretary of the Interior to issue and begin implementing regulations for paying to a qualified small refinery a rebate for any sale to it of crude oil obtained by the United States as royalty-in-kind. Subjects such rebate requirement to the availability of funds provided in advance in appropriations Acts.

(Sec. 110) Instructs the Administrator to study and report to Congress on ways to streamline certain paperwork requirements associated with the Clean Air Act and corresponding state law requirements, particularly with regard to states with requirements more stringent than the federal government's in this area.

(Sec. 111) Sets forth conditions under which the Secretary of Energy may authorize any facility to use as fuel biomass debris.

States that activities needed to qualify a facility to burn biomass debris as fuel in accordance with this Act do not trigger Clean Air Act requirements regarding new source review or new source performance standards.

Title II: Increasing Delivery Infrastructure - (Sec. 201) Grants the consent of Congress to two or more contiguous states to enter into an interstate compact, subject to congressional approval, establishing regional pipeline siting agencies to facilitate siting of future crude oil or refined petroleum product pipeline facilities within those states.

(Sec. 202) Designates the Federal Energy Regulatory Commission (FERC) as the lead agency to coordinate federal pipeline authorizations and related environmental reviews for a crude oil or refined petroleum product pipeline facility.

Requires applicable federal and state agencies to cooperate with FERC and to comply with its deadlines.

Requires FERC to establish a schedule for all federal pipeline authorizations regarding a crude oil or refined petroleum product pipeline facility.

(Sec. 203) Requires the Secretary of Energy to assess for Congress the adequacy of backup power capacity, and the need for any additional capacity, to provide for the continuing operation during any reasonably foreseeable emergency situation, of those crude oil or refined petroleum product pipeline facilities significant to the nation's supply needs, in areas that have historically been subject to higher incidents of natural disasters.

(Sec. 204) Amends the Alaska Natural Gas Pipeline Act regarding federal loan guarantees for infrastructure projects to prohibit the Secretary from entering into such an agreement if the state of Alaska has not entered into one pursuant to Alaska Stranded Gas Development Act which contractually binds the parties to deliver North Slope natural gas to markets via the proposed Alaska Natural Gas Pipeline.

(Sec. 205) Amends the Natural Gas Act to require gas service providers to submit to FERC annually specified conditions of service for each shipper served.

Title III: Conservation and Education - (Sec. 301) Directs the Secretary to establish a program of grants to state and local governments to encourage the use of carpooling and vanpooling to reduce the consumption of gasoline.

(Sec. 302) Instructs the Administrator to assess and report to Congress on carpool and vanpool projects funded under a

certain congestion mitigation and air quality program.

(Sec. 303) Instructs the Secretary to evaluate and report to Congress on: (1) the capacity of the Internet to facilitate carpool and vanpool operations; and (2) enter into a partnership with interested industry groups to create a fuel consumption education campaign.

(Sec. 305) Amends the National Energy Conservation Policy Act to require the head of a federal agency to procure the most energy efficient lighting devices for use in that agency's facilities and buildings.

(Sec. 306) Amends the Energy Policy Act of 2005 to direct the Secretary of Energy to establish a program to encourage minority students to study the earth sciences and enter the field of geology in order to qualify for employment in the oil, gas, and mineral industries.

Title IV: Gasoline Price Reform - Gas Price Gouging Prevention Act - (Sec. 402) States that during a period and in an area of a major disaster, it shall be an unfair or deceptive act or practice in violation of the Federal Trade Commission Act for any person to sell crude oil, gasoline, diesel fuel, or home heating oil at a price which constitutes price gouging as defined by the Federal Trade Commission (FTC). Grants the FTC (or, to a specified extent, the Attorney General) exclusive enforcement powers. Subjects violators to a civil penalty.

(Sec. 403) Instructs the FTC to investigate and report to certain congressional committees on nationwide gasoline prices in the aftermath of Hurricane Katrina, including any evidence of price-gouging by subject companies.

(Sec. 404) Requires the FTC to report to Congress on the price of refined petroleum products on the New York Mercantile Exchange and the effects on such price of specified market factors.

Title V: Strategic Petroleum Reserve - (Sec. 501) Authorizes the Secretary to drawdown and sell petroleum products from the Strategic Petroleum Reserve (SPR) to construct, purchase, lease, or otherwise acquire additional capacity sufficient to permit filling the SPR to its maximum authorized level.

Requires the Secretary of the Treasury to establish the "SPR Expansion Fund." Requires deposit of sale proceeds from the SPR into the Fund.

Permits the Secretary to obligate amounts in the Fund to implement SPR expansion.

(Sec. 502) Amends the Energy Policy and Conservation Act to require SPR petroleum product sales contracts to include a requirement that the acquirer of such product agrees: (1) not to resell the petroleum products before they are refined; and (2) to refine them primarily for consumption in the United States.

(Sec. 503) Expands the capacity of the Northeast Home Heating Oil Reserve from two million to five million barrels of petroleum distillate.

Title VI: Critical Energy Assurance - (Sec. 601) Requires the Secretary to review and report to Congress on the fuel supply plan components of state evacuation plans and the National Capital region.

(Sec. 602) Authorizes the Secretary to provide direct assistance to private sector entities that operate critical energy infrastructure, including refineries. Permits such assistance to include emergency preparation and recovery assistance, including power generation equipment, other protective or emergency recovery equipment, assistance to restore access to water, power, or other raw materials, and transportation and housing for critical employees.

(Sec. 603) Establishes in the Treasury the Critical Energy Assurance Account to hold amounts appropriated to implement this Critical Energy Assurance program.

Actions Timeline

- **Oct 24, 2005:** Read twice and referred to the Committee on Energy and Natural Resources.
- **Oct 17, 2005:** Received in the Senate.
- **Oct 7, 2005:** Rule H. Res. 481 passed House.
- **Oct 7, 2005:** Considered under the provisions of rule H. Res. 481. (consideration: CR H8750-8793; text of measure as introduced: CR H8750-8756; text of measure as reported in House: CR H8756-8762)
- **Oct 7, 2005:** Rule provides for consideration of H.R. 3893 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions.
- **Oct 7, 2005:** DEBATE - The House proceeded with one hour of debate on H.R. 3893.
- **Oct 7, 2005:** DEBATE - The House resumed debate on H.R. 3893.
- **Oct 7, 2005:** DEBATE - The House proceeded with forty minutes of debate on the Stupak amendment.
- **Oct 7, 2005:** DEBATE - The House continued with debate on the Stupak amendment.
- **Oct 7, 2005:** The previous question was ordered pursuant to the rule. (consideration: CR H8787)
- **Oct 7, 2005:** Mr. Bishop (NY) moved to recommit with instructions to Energy and Commerce. (consideration: CR H8788-8791; text: CR H8788-8790)
- **Oct 7, 2005:** Floor summary: DEBATE - The House proceeded with 10 minutes of debate on the Bishop (NY) motion to recommit with instructions.
- **Oct 7, 2005:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H8790)
- **Oct 7, 2005:** On motion to recommit with instructions Failed by recorded vote: 200 - 222 (Roll no. 518).
- **Oct 7, 2005:** Passed/agreed to in House: On passage Passed by recorded vote: 212 - 210 (Roll no. 519).
- **Oct 7, 2005:** On passage Passed by recorded vote: 212 - 210 (Roll no. 519).
- **Oct 7, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 6, 2005:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 109-244, Part I.
- **Oct 6, 2005:** Reported (Amended) by the Committee on Energy and Commerce. H. Rept. 109-244, Part I.
- **Oct 6, 2005:** Committee on Transportation discharged.
- **Oct 6, 2005:** Committee on Transportation discharged.
- **Oct 6, 2005:** Committee on Armed Services discharged.
- **Oct 6, 2005:** Committee on Armed Services discharged.
- **Oct 6, 2005:** Committee on Resources discharged.
- **Oct 6, 2005:** Committee on Resources discharged.
- **Oct 6, 2005:** Placed on the Union Calendar, Calendar No. 135.
- **Oct 6, 2005:** Rules Committee Resolution H. Res. 481 Reported to House. Rule provides for consideration of H.R. 3893 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions.
- **Oct 5, 2005:** Referred to the Subcommittee on Readiness.
- **Sep 28, 2005:** Subcommittee on Highways, Transit and Pipelines Discharged.
- **Sep 28, 2005:** Committee Consideration and Mark-up Session Held.
- **Sep 28, 2005:** Ordered to be Reported (Amended) by Voice Vote.
- **Sep 27, 2005:** Referred to the Subcommittee on Energy and Mineral Resources.
- **Sep 27, 2005:** Referred to the Subcommittee on Highways, Transit and Pipelines.
- **Sep 26, 2005:** Introduced in House
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- **Sep 26, 2005:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Armed Services, and Resources, 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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