

COMMITTEE PRINT
MARCH 28, 2003

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Energy Policy Act of 2003”.

4 (b) **TABLE OF CONTENTS.**—The table of contents for
5 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—ENERGY CONSERVATION

Subtitle A—Federal Leadership in Energy Conservation

- Sec. 1001. Energy and water saving measures in congressional buildings.
- Sec. 1002. Energy management requirements.
- Sec. 1003. Energy use measurement and accountability.
- Sec. 1004. Federal building performance standards.
- Sec. 1005. Procurement of energy efficient products.
- Sec. 1006. Energy savings performance contracts.
- Sec. 1007. Voluntary commitments to reduce industrial energy intensity.
- Sec. 1008. Federal agency participation in demand reduction programs.
- Sec. 1009. Advanced Building Efficiency Testbed.
- Sec. 1010. Increased use of recovered mineral component in federally funded projects involving procurement of cement or concrete.

Subtitle B—Energy Assistance and State Programs

- Sec. 1021. LIHEAP and weatherization assistance.
- Sec. 1022. State energy programs.
- Sec. 1023. Energy efficient appliance rebate programs.
- Sec. 1024. Energy efficient public buildings.
- Sec. 1025. Low income community energy efficiency pilot program.

Subtitle C—Energy Efficient Products

- Sec. 1041. Energy Star program.
- Sec. 1042. Consumer education on energy efficiency benefits of air conditioning, heating, and ventilation maintenance.
- Sec. 1043. Additional definitions.
- Sec. 1044. Additional test procedures.
- Sec. 1045. Energy conservation standards for additional consumer and commercial products.
- Sec. 1046. Energy labeling.
- Sec. 1047. Study of energy efficiency standards.

TITLE II—OIL AND GAS

Subtitle A—Alaska Natural Gas Pipeline

- Sec. 2001. Short title.
- Sec. 2002. Findings and purposes.
- Sec. 2003. Definitions.
- Sec. 2004. Issuance of certificate of public convenience and necessity.
- Sec. 2005. Environmental reviews.
- Sec. 2006. Pipeline expansion.
- Sec. 2007. Federal Coordinator.
- Sec. 2008. Judicial review.
- Sec. 2009. State jurisdiction over in-State delivery of natural gas.
- Sec. 2010. Study of alternative means of construction.
- Sec. 2011. Clarification of ANTGA status and authorities.
- Sec. 2012. Sense of Congress.
- Sec. 2013. Participation of small business concerns.
- Sec. 2014. Alaska pipeline construction training program.

Subtitle B—Strategic Petroleum Reserve

- Sec. 2101. Full capacity of Strategic Petroleum Reserve.
- Sec. 2102. Strategic Petroleum Reserve expansion.
- Sec. 2103. Permanent authority to operate the Strategic Petroleum Reserve and other energy programs.

Subtitle C—Hydraulic Fracturing

- Sec. 2201. Hydraulic fracturing.

Subtitle D—Unproven Oil and Natural Gas Reserves Recovery Program

- Sec. 2301. Program.
- Sec. 2302. Eligible reservoirs.
- Sec. 2303. Focus areas.
- Sec. 2304. Limitation on location of activities.
- Sec. 2305. Program administration.
- Sec. 2306. Advisory Committee.
- Sec. 2307. Limits on participation.
- Sec. 2308. Payments to Federal Government.
- Sec. 2309. Authorization of appropriations.
- Sec. 2310. Public availability of project results and methodologies.
- Sec. 2311. Sunset.
- Sec. 2312. Definitions.

Subtitle E—Miscellaneous

- Sec. 2401. Appeals relating to pipeline construction projects.
- Sec. 2402. Natural gas market data transparency.
- Sec. 2403. Oil and gas exploration and production defined.

TITLE III—HYDROELECTRIC RELICENSING

Subtitle A—Alternative Conditions

- Sec. 3001. Alternative conditions and fishways.

Subtitle B—Additional Hydropower

- Sec. 3201. Hydroelectric production incentives.

3

- Sec. 3202. Hydroelectric efficiency improvement.
- Sec. 3203. Small hydroelectric power projects.
- Sec. 3204. Increased hydroelectric generation at existing Federal facilities.

TITLE IV—NUCLEAR MATTERS

Subtitle A—Price-Anderson Act Amendments

- Sec. 4001. Short title.
- Sec. 4002. Extension of indemnification authority.
- Sec. 4003. Maximum assessment.
- Sec. 4004. Department of Energy liability limit.
- Sec. 4005. Incidents outside the United States.
- Sec. 4006. Reports.
- Sec. 4007. Inflation adjustment.
- Sec. 4008. Price-Anderson treatment of modular reactors.
- Sec. 4009. Applicability.
- Sec. 4010. Prohibition on assumption by United States Government of liability for certain foreign accidents.
- Sec. 4011. Secure transfer of nuclear materials.
- Sec. 4012. Nuclear facility threats.
- Sec. 4013. Unreasonable risk consultation.
- Sec. 4014. Financial accountability.
- Sec. 4015. Civil penalties.

Subtitle B—Miscellaneous Matters

- Sec. 4021. Licenses.
- Sec. 4022. Nuclear Regulatory Commission meetings.
- Sec. 4023. NRC training program.
- Sec. 4024. Cost recovery from Government agencies.
- Sec. 4025. Elimination of pension offset.
- Sec. 4026. Carrying of firearms by licensee employees.
- Sec. 4027. Unauthorized introduction of dangerous weapons.
- Sec. 4028. Sabotage of nuclear facilities or fuel.
- Sec. 4029. Cooperative research and development and special demonstration projects for the uranium mining industry.
- Sec. 4030. Uranium sales.
- Sec. 4031. Medical isotope production.

TITLE V—VEHICLES AND FUELS

Subtitle A—Energy Policy Act Amendments

- Sec. 5011. Credit for substantial contribution toward noncovered fleets.
- Sec. 5012. Credit for alternative fuel infrastructure.
- Sec. 5013. Alternative fueled vehicle report.
- Sec. 5014. Allocation of incremental costs.

Subtitle B—FreedomCAR and Hydrogen Fuel Program

- Sec. 5021. Short title.
- Sec. 5022. Findings, purpose, and definitions.
- Sec. 5023. Plan; report.
- Sec. 5024. Public-private partnership.
- Sec. 5025. Deployment.
- Sec. 5026. Assessment and transfer.

4

- Sec. 5027. Interagency task force.
- Sec. 5028. Advisory Committee.
- Sec. 5029. Authorization of appropriations.
- Sec. 5030. Fuel cell program at National Parks.

Subtitle C—Clean School Buses

- Sec. 5031. Establishment of pilot program.
- Sec. 5032. Fuel cell bus development and demonstration program.
- Sec. 5033. Authorization of appropriations.

Subtitle D—Advanced Vehicles

- Sec. 5041. Definitions.
- Sec. 5042. Pilot program.
- Sec. 5043. Reports to Congress.
- Sec. 5044. Authorization of appropriations.

Subtitle E—Hydrogen Fuel Cell Heavy-Duty Vehicles

- Sec. 5051. Definition.
- Sec. 5052. Findings.
- Sec. 5053. Hydrogen fuel cell buses.
- Sec. 5054. Authorization of appropriations.

Subtitle F—Miscellaneous

- Sec. 5061. Railroad efficiency.
- Sec. 5062. Mobile emission reductions trading and crediting.
- Sec. 5063. Idle reduction technologies.
- Sec. 5064. Study of aviation fuel conservation and emissions.
- Sec. 5065. Diesel fueled vehicles.
- Sec. 5066. Hybrid vehicles.
- Sec. 5067. Waivers of alternative fueled vehicle fueling requirements.

TITLE VI—DOE PROGRAMS

- Sec. 6001. Purposes.
- Sec. 6002. Definitions.

Subtitle A—Energy Efficiency

PART 1—AUTHORIZATION OF APPROPRIATIONS

- Sec. 6011. Energy efficiency.

PART 2—LIGHTING SYSTEMS

- Sec. 6021. Next Generation Lighting Initiative.

PART 3—VEHICLES

- Sec. 6031. Definitions.
- Sec. 6032. Establishment of secondary electric vehicle battery use program.

Subtitle B—Distributed Energy and Electric Energy Systems

PART 1—AUTHORIZATION OF APPROPRIATIONS

- Sec. 6201. Distributed energy and electric energy systems.

5

PART 2—DISTRIBUTED POWER

- Sec. 6221. Strategy.
- Sec. 6222. High power density industry program.
- Sec. 6223. Micro-cogeneration energy technology.

PART 3—TRANSMISSION SYSTEMS

- Sec. 6231. Transmission infrastructure systems.

Subtitle C—Renewable Energy

PART 1—AUTHORIZATION OF APPROPRIATIONS

- Sec. 6301. Renewable energy.

PART 2—BIOENERGY

- Sec. 6321. Bioenergy programs.

Subtitle D—Nuclear Energy

PART 1—AUTHORIZATION OF APPROPRIATIONS

- Sec. 6411. Nuclear energy.

PART 2—NUCLEAR ENERGY RESEARCH PROGRAMS

- Sec. 6421. Nuclear energy research programs.

PART 3—ADVANCED FUEL RECYCLING

- Sec. 6431. Advanced fuel recycling program.

PART 4—UNIVERSITY PROGRAMS

- Sec. 6441. University nuclear science and engineering support.

Subtitle E—Fossil Energy

PART 1—AUTHORIZATION OF APPROPRIATIONS

- Sec. 6501. Fossil energy.

PART 2—ULTRA-DEEPWATER AND UNCONVENTIONAL NATURAL GAS AND
OTHER PETROLEUM RESOURCES

- Sec. 6521. Program authority.
- Sec. 6522. Ultra-deepwater program.
- Sec. 6523. Unconventional natural gas and other petroleum resources program.
- Sec. 6524. Additional requirements for awards.
- Sec. 6525. Advisory committees.
- Sec. 6526. Limits on participation.
- Sec. 6527. Fund.
- Sec. 6528. Sunset.
- Sec. 6529. Definitions.

Subtitle F—Miscellaneous

- Sec. 6601. Waste reduction and use of alternatives.
- Sec. 6602. Coal gasification.

6

- Sec. 6603. Petroleum coke gasification.
- Sec. 6604. Other biopower and bioenergy.
- Sec. 6605. Technology transfer.
- Sec. 6606. Limitation on legal fee reimbursement.

TITLE VII—ELECTRICITY

Subtitle A—Transmission Capacity

- Sec. 7011. Transmission infrastructure improvement rulemaking.
- Sec. 7012. Siting of interstate electrical transmission facilities.

Subtitle B—Transmission Operation

- Sec. 7021. Open access transmission by certain utilities.
- Sec. 7022. Regional transmission organizations.

Subtitle C—Reliability

- Sec. 7031. Electric reliability standards.

Subtitle D—PUHCA Amendments

- Sec. 7041. Short title.
- Sec. 7042. Definitions.
- Sec. 7043. Repeal of the Public Utility Holding Company Act of 1935.
- Sec. 7044. Federal access to books and records.
- Sec. 7045. State access to books and records.
- Sec. 7046. Exemption authority.
- Sec. 7047. Affiliate transactions.
- Sec. 7048. Applicability.
- Sec. 7049. Effect on other regulations.
- Sec. 7050. Enforcement.
- Sec. 7051. Savings provisions.
- Sec. 7052. Implementation.
- Sec. 7053. Transfer of resources.
- Sec. 7054. Effective date.
- Sec. 7055. Authorization of appropriations.
- Sec. 7056. Conforming amendments to the Federal Power Act.

Subtitle E—PURPA Amendments

- Sec. 7061. Real-time pricing and time-of-use metering standards.
- Sec. 7062. Cogeneration and small power production purchase and sale requirements.

Subtitle F—Renewable Energy

- Sec. 7071. Net metering.
- Sec. 7072. Renewable energy production incentive.
- Sec. 7073. Renewable energy on Federal lands.
- Sec. 7074. Assessment of renewable energy resources.

Subtitle G—Market Transparency, Round Trip Trading Prohibition, and Enforcement

- Sec. 7081. Market transparency rules.
- Sec. 7082. Prohibition on round trip trading.
- Sec. 7083. Conforming changes.

Sec. 7084. Enforcement.

Subtitle H—Consumer Protections

- Sec. 7091. Refund effective date.
- Sec. 7092. Jurisdiction over interstate sales.
- Sec. 7093. Consumer privacy.
- Sec. 7094. Unfair trade practices.

TITLE VIII—COAL

- Sec. 8001. Authorization of appropriations.
- Sec. 8002. Project criteria.
- Sec. 8003. Report.
- Sec. 8004. Clean coal centers of excellence.

TITLE IX—MOTOR FUELS

- Sec. 9101. Renewable content of motor vehicle fuel.
- Sec. 9102. Fuels safe harbor.
- Sec. 9103. Findings and MTBE transition assistance.
- Sec. 9104. Elimination of oxygen content requirement for reformulated gasoline.
- Sec. 9105. Analyses of motor vehicle fuel changes.
- Sec. 9106. Data collection.
- Sec. 9107. Fuel system requirements harmonization study.

TITLE X—AUTOMOBILE EFFICIENCY

- Sec. 10001. Authorization of appropriations for implementation and enforcement of fuel economy standards.
- Sec. 10002. Study of feasibility and effects of reducing use of fuel for automobiles.