



February 8, 2007

H.R. 547 – Advanced Fuels Infrastructure Research and Development Act

Floor Situation

The Advanced Fuels Infrastructure Research and Development Act (H.R. 547) is being considered on the floor under an open rule that provides 60 minutes of debate equally divided and controlled with one motion to recommit with or without instructions.

The rule waives all points of order against its consideration except for clauses 9 (earmark disclosure requirements) and 10 (“PAYGO”) of Rule XXI.

This legislation was introduced by Representative Bart Gordon (D-TN) on January 18, 2007, and the bill was ordered to be reported from the Committee on Science and Technology, by voice vote, on January 31, 2007. House Report [110-7](#) was filed on February 5, 2007.

H.R. 547 is expected to be considered on February 8, 2007.

Note: Pursuant to the adoption of H.Res. 78 (Delegating Voting rule change), this will be the first piece of legislation considered in the 110th Congress that will allow the 4 Delegates and 1 Resident Commissioner to vote on the adoption of amendments in the Committee of the Whole.

The House Republican leadership has made it clear that they intend to revote any amendments adopted in the Committee of the Whole by requesting votes on the amendments in the House in response to the new Delegate voting rule.

Legislative History

Similar legislation was introduced in the House of Representatives 3 times in the 109th Congress.

- Rep. Biggert introduced *Alternative Energy Research and Development Act* (H.R. 6203). H.R. 6203 contained similar language to H.R. 547 and was passed by the House of Representatives by voice vote on September 29, 2006. The Senate received H.R. 6203 but did not take any action on the bill.

Summary

Biofuel Infrastructure and Additives Research and Development

H.R. 547 directs the Assistant Administrator of the Office of Research and Development of the Environmental Protection Agency (The Assistant Administrator), in the consultation with the Secretary of Energy (The Secretary) and the National Institute of Science and Technology (NIST), to carry out a research and development program of materials to be added to biofuels to make them more compatible with existing infrastructure.

Note: Biofuel is any fuel that is produced from biomass. Biomass is any recently living organisms or their metabolic byproducts, such as manure from cows.

Specifically, the program must address:

- Materials to prevent or mitigate:
 - Corrosion of metal, plastic, rubber, cork, fiberglass, glues, or any other material used in pipes and storage tanks;
 - Dissolving of storage tank sediments;
 - Clogging of filters;
 - Contamination from water or other adulterants or pollutants;
 - Poor flow properties related to low temperatures;
 - Oxidative and thermal instability in long-term storage use;
 - Microbial contamination;
 - Problems associated with electrical conductivity;

- Alternatives to conventional methods for refurbishment and cleaning of gasoline and diesel tanks, including tank lining applications; and,

- Other problems as identified by the Assistant Administrator, in consultation with the Secretary and the NIST.

Sulfur Testing for Diesel Fuels

The bill requires the Assistant Administrator, in consultation with the NIST, to carry out a research and development program on portable, low-cost, and accurate methods and technologies for testing of sulfur content in fuel.

Standard Reference Materials and Database Development

H.R. 547 requires the NIST to develop a physical properties database and standard reference materials for biofuels. The bill also requires that the database should be updated as needed when additional biofuels become available.

Funding

H.R. 547 grants a one-time authorization of \$10 million to the Environmental Protection Agency to carry out the requirements of this act.

Note: There has not been a Senate companion bill introduced.

Amendments that may be offered on Thursday, February 8, 2007

Amendments Preprinted in the Congressional Record

Rep. Mike Rogers (R-MI) may offer an amendment (#1). The amendment creates an Energy Security Fund in the United States Treasury. This fund shall be equal to one half of all penalties, fines and other enforcement actions from the previous fiscal year that have been obtained through enforcement actions for manufacturing violations of fuel economy standards (section 32912 of title 49, USC). Additionally, this amendment would create a Department of Energy grant program in order to expand the availability to consumers of alternative fuels. Entities eligible for these grants would include any entity eligible under the Clean Cities Program, except for any “large, vertically-integrated oil company” and any entity that receives other Federal funds for “the construction or expansion of alternative refueling infrastructure.”

Note: This language is similar to language contained in H.R. 570, which was introduced by Rep Rogers (R-MI).

Rep. Michael Burgess (R-TX) may offer an amendment (#2). The amendment ensures that the EPA biofuels research and development program authorized in the bill will address potential issues regarding increased volatile emissions and nitrogen oxide emissions at the research and development stage.

Germane Amendments Submitted to the Committee on Rules

Rep. Charles Dent (R-PA) may offer an amendment. The amendment directs the Secretary of Energy, in consultation with NIST, to consider the challenges for design, reforming, storage, handling and dispensing hydrogen fuel from various feedstocks including biomass. The amendment also stipulates that the Secretary of Energy develop a demonstration project that examines the challenges of changes in quality of hydrogen fuel through the process of reforming, storage, handling, and dispensing from local and regional fueling stations.

Reps. Anna Eshoo (D-CA)/Dennis Cardoza (D-CA) may offer an amendment. The amendment will ensure that the EPA biofuels research and development program authorized in the bill addresses emissions that may be released from infrastructure used to store and deliver biofuels.

Note: Summaries of additional amendments offered on the floor tomorrow will be made available at www.gop.gov.

Additional Information

Please find attached the Conference talking points on the Delegate voting issue.

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