

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3246) TO PROVIDE FOR A PROGRAM OF RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION IN VEHICLE TECHNOLOGIES AT THE DEPARTMENT OF ENERGY

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SEPTEMBER 15, 2009.—Referred to the House Calendar and ordered to be printed

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Ms. MATSUI, from the Committee on Rules,  
submitted the following

R E P O R T

[To accompany H. Res. 745]

The Committee on Rules, having had under consideration House Resolution 745, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 3246, the “Advanced Vehicle Technology Act of 2009,” under a structured rule. The resolution waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The resolution provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Science and Technology.

The resolution provides that the amendment in the nature of a substitute recommended by the Committee on Science and Technology now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The resolution waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure). The resolution makes in order only those amendments printed in this report. The amendments made in order may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against the

amendments except those arising under clause 9 or 10 of rule XXI are waived.

The resolution provides one motion to recommit with or without instructions. The resolution provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Science and Technology or a designee. Finally, the resolution provides that the Chair may not entertain a motion to strike out the enacting words of the bill.

#### EXPLANATION OF WAIVERS

Although the rule waives all points of order against the bill and its consideration (except those arising under clause 9 or 10 of rule XXI), the Committee is not aware of any points of order. The waivers are prophylactic.

#### COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

##### *Rules Committee record vote No. 245*

Date: September 15, 2009.

Measure: H.R. 3246.

Motion by: Mr. Lincoln Diaz-Balart of Florida.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Teague (NM), #12, which would ensure that there is investment in research of natural gas vehicle technology and that natural gas utilities participate in the Department of Energy's vehicle research and development program. It also would specify that an objective of the bill is to reduce vehicle reliance on imported petroleum-based fuels.

Results: Defeated 4–7.

Vote by Members: McGovern—Nay; Matsui—Nay; Cardoza—Nay; Arcuri—Nay; Pingree—Nay; Polis—Nay; Dreier—Yea; Diaz-Balart, L.—Yea; Sessions—Yea; Foxx—Yea; Slaughter—Nay.

#### SUMMARY OF AMENDMENTS TO BE MADE IN ORDER

1. Gordon (TN): Would (1) amend title I to require the Secretary of Energy to report to Congress after 18 months, and annually thereafter through 2015, after enactment on the technologies developed, the success of the adopted technologies for commercial applications, and whether those technologies are manufactured in the United States; (2) amend the reporting requirement in title II to clarify that the Secretary of Energy must submit the report to Congress annually; and (3) expand the nonroad systems program from heavy duty nonroad equipment to mobile nonroad equipment. (20 minutes)

2. Broun (GA): Would freeze authorization amounts at FY2010 levels through FY2013 and cut funding in FY2014. (10 minutes)

3. Broun (GA): Would add a requirement to title I that the Secretary of Energy submit to Congress an annual report describing activities undertaken in the previous year, active industry participants, efforts to recruit new participants, progress of the program

in meeting goals and timelines, and a strategic plan for funding of activities across agencies. (10 minutes)

4. Polis (CO): Would include retrofitting advanced vehicle technologies to existing vehicles as an area of research under the bill. (10 minutes)

5. Posey (FL), Kosmas (FL): Would direct the Secretary of Energy to establish within the existing Vehicle Technologies Program an Innovative Automotive Demonstration Program to make competitively awarded grants for the purpose of demonstrating and bringing to market very high energy efficiency vehicles achieving at least 70 miles per gallon. (10 minutes)

6. Kennedy (RI): Would amend industry participation in the vehicle research and development program (sec. 101) to include manufacturers of all qualified plug-in electric vehicles. (10 minutes)

7. Holt (NJ): Would explicitly include agricultural and construction equipment in the nonroad systems pilot program (sec. 204). (10 minutes)

8. Marshall (GA): Would require that research into refueling and recharging infrastructure for alternative and hybrid fuel vehicles include the unique challenges facing rural areas. (10 minutes)

9. Cohen (TN): Would add hydraulics, flywheels, and compressed air storage as technologies eligible for the proposed program. (10 minutes)

10. Donnelly (IN), Souder (IN), DeFazio (OR): Would include recreational vehicles as eligible under the Medium and Heavy Duty Commercial and Transit Vehicles research and development program (sec. 201). (10 minutes)

11. Sestak (PA): Would require the Secretary of Energy to research and develop methods of reducing waste and emissions from advanced battery technology and to increase advanced battery calendar and cycle life. (10 minutes)

12. Massa (NY): Would authorize support for public-private partnerships and industry programs that seek to overcome barriers to commercial production. (10 minutes)

#### TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GORDON, BART OF TENNESSEE OR HIS DESIGNEE, DEBATABLE FOR 20 MINUTES

Page 15, after line 9, insert the following new section:

#### **SEC. 105. REPORTING.**

Not later than 18 months after the date of enactment of this Act and annually thereafter through 2015, the Secretary of Energy shall transmit to Congress a report regarding the technologies developed as a result of the activities authorized by this title, with a particular emphasis on whether the technologies were successfully adopted for commercial applications, and if so, whether those technologies are manufactured in the United States.

Page 18, line 20, through page 19, line 2, amend subsection (c) to read as follows:

(c) **REPORTING.**—At the end of each fiscal year, the Secretary shall submit to the Congress an annual report describing activities undertaken in the previous year, active industry participants, efforts to recruit new participants, progress of the program in meet-

ing goals and timelines, and a strategic plan for funding of activities across agencies.

Page 20, line 13, strike “heavy duty”.

Page 20, line 13, insert “mobile” after “nonroad”.

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2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROUN,  
PAUL OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 6, line 8, strike “\$560,000,000” and insert “\$550,000,000”.

Page 6, line 9, strike “\$570,000,000” and insert “\$550,000,000”.

Page 6, line 10, strike “\$580,000,000” and insert “\$550,000,000”.

Page 6, line 11, strike paragraph (5).

Page 6, line 17, strike “\$210,000,000” and insert “\$200,000,000”.

Page 6, line 18, strike “\$220,000,000” and insert “\$200,000,000”.

Page 6, line 19, strike “\$230,000,000” and insert “\$200,000,000”.

Page 6, line 20, strike paragraph (5).

Page 7, line 2, strike paragraph (5).

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3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BROUN,  
PAUL OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 15, after line 9, insert the following new section:

**SEC. 105. REPORTING.**

At the end of each fiscal year the Secretary shall submit to the relevant Congressional committees of jurisdiction an annual report describing activities undertaken in the previous year under this title, active industry participants, efforts to recruit new participants, progress of the program in meeting goals and timelines, and a strategic plan for funding of activities across agencies.

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4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POLIS,  
JARED OF COLORADO OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 9, lines 11 and 14, redesignate paragraphs (24) and (25) as paragraphs (25) and (26), respectively.

Page 9, after line 10, insert the following new paragraph:

(24) retrofitting advanced vehicle technologies to existing vehicles;

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5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE POSEY,  
BILL OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 15, after line 9, insert the following new section:

**SEC. 105. INNOVATIVE AUTOMOTIVE DEMONSTRATION PROGRAM.**

The Secretary shall establish an Innovative Automotive Demonstration Program, within the existing Vehicle Technologies Program, to encourage the introduction of new vehicles into the marketplace that are designed in their entirety to achieve very high energy efficiency but still provide the capabilities required by the American consumer. This program shall encourage introduction of new light duty vehicles into the marketplace capable of achieving energy efficiencies significantly greater than required under current and pending Federal Corporate Average Fuel Economy

(CAFE) standards. This program shall also encourage the use of materials and manufacturing techniques that minimize environmental impacts. Awards under this section shall be made on a competitive basis for demonstration of vehicles that—

- (1) carry at least four passengers;
- (2) meet all Federal safety requirements;
- (3) achieve at least 70 miles per gallon or the equivalent on the Environmental Protection Agency drive cycle;
- (4) provide vehicle performance that is judged acceptable to the United States consumer;
- (5) be affordable to the American consumer;
- (6) use materials and manufacturing processes that minimize environmental impacts;
- (7) meet all Federal and State emission requirements; and
- (8) provide new high technology engineering and production employment opportunities.

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6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KENNEDY, PATRICK OF RHODE ISLAND OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 10, line 12, insert “qualified plug-in electric vehicle manufacturers,” after “transit vehicle manufacturers,”.

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7. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HOLT, RUSH OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 20, line 13, insert “including agricultural and construction equipment,” after “nonroad equipment,”.

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8. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MARSHALL, JIM OF GEORGIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 8, line 24, insert “, including the unique challenges facing rural areas” after “electric hybrid vehicles”.

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9. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COHEN, STEVE OF TENNESSEE OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 10, lines 1 through 3, amend paragraph (2) to read as follows:

- (2) multiple battery chemistries and novel energy storage devices, including nonchemical batteries and electromechanical storage technologies such as hydraulics, flywheels, and compressed air storage;

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10. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DONNELLY, JOE OF INDIANA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 15, line 20, insert “, recreational,” after “heavy-duty commercial”.

Page 17, line 11, insert “, recreational,” after “heavy-duty commercial”.

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11. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SESTAK, JOE OF PENNSYLVANIA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 14, line 5, insert “advanced battery” after “vehicle, engine,”.

Page 14, line 16, strike “; and” and insert a semicolon.

Page 14, line 17, redesignate paragraph (8) as paragraph (9).

Page 14, after line 16, insert the following new paragraph:

(8) improve the calendar life and cycle life of advanced batteries; and

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12. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE MASSA, ERIC OF NEW YORK OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 11, lines 12 through 14, amend paragraph (4) to read as follows:

(4) give consideration to conversion of existing or former vehicle technology development or manufacturing facilities for the purposes of this Act, and support public-private partnerships dedicated to overcoming barriers in commercial application of transformational vehicle technologies that utilize such industry-led facilities; and