

109TH CONGRESS
1ST SESSION

H. R. 4420

To repeal tax subsidies enacted by the Energy Policy Act of 2005 for oil and gas, to repeal certain other oil and gas subsidies in the Internal Revenue Code of 1986, and to use the proceeds to carry out the Low-Income Home Energy Assistance Act of 1981 and to provide weatherization assistance.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2005

Mr. SANDERS (for himself and Mr. KUCINICH) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Education and the Workforce, and 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

A BILL

To repeal tax subsidies enacted by the Energy Policy Act of 2005 for oil and gas, to repeal certain other oil and gas subsidies in the Internal Revenue Code of 1986, and to use the proceeds to carry out the Low-Income Home Energy Assistance Act of 1981 and to provide weatherization assistance.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. REPEAL OF TAX SUBSIDIES FOR THE OIL AND**
2 **GAS INDUSTRY.**

3 (a) REPEAL OF CERTAIN OIL AND GAS PROVISIONS
4 ENACTED BY THE ENERGY POLICY ACT OF 2005.—

5 (1) IN GENERAL.—The following provisions,
6 and amendments made by such provisions, of the
7 Energy Policy Act of 2005 are hereby repealed:

8 (A) Section 1323 (relating to temporary
9 expensing for equipment used in refining of liq-
10 uid fuels).

11 (B) Section 1329 (relating to amortization
12 of geological and geophysical expenditures).

13 (2) ADMINISTRATION OF INTERNAL REVENUE
14 CODE OF 1986.—The Internal Revenue Code of 1986
15 shall be applied and administered as if the provi-
16 sions, and amendments, specified in paragraph (1)
17 had never been enacted.

18 (b) REPEAL OF ENHANCED OIL RECOVERY CRED-
19 IT.—Section 43 (relating to enhanced oil recovery credit)
20 is amended by adding at the end the following new sub-
21 section:

22 “(f) TERMINATION.—This section shall not apply to
23 taxable years beginning after the date of enactment of this
24 subsection.”.

25 (c) REPEAL OF CREDIT FOR PRODUCTION OF LOW
26 SULFUR DIESEL FUEL.—Section 45H (relating to credit

1 for production of low sulfur diesel fuel) is amended by
2 adding at the end the following new subsection:

3 “(h) TERMINATION.—This section shall not apply to
4 taxable years beginning after the date of enactment of this
5 subsection.”.

6 (d) REPEAL OF CREDIT FOR PRODUCING FUEL
7 FROM A NONCONVENTIONAL SOURCE.—Subpart D of
8 part IV of subchapter A of chapter 1 of such Code is
9 amended by striking section 45K (relating to credit for
10 producing fuel from a nonconventional source).

11 (e) REPEAL OF DEDUCTION FOR CAPITAL COSTS IN-
12 CURRED IN COMPLYING WITH ENVIRONMENTAL PROTEC-
13 TION AGENCY SULFUR REGULATIONS.—Section 179B
14 (relating to deduction for capital costs incurred in com-
15 plying with Environmental Protection Agency sulfur regu-
16 lations) is amended by adding at the end the following
17 new subsection:

18 “(f) TERMINATION.—This section shall not apply to
19 taxable years beginning after the date of enactment of this
20 subsection.”.

21 (f) REPEAL OF CERTAIN INTANGIBLE DRILLING AND
22 DEVELOPMENT COSTS.—Subsection (c) of section 263 of
23 such Code (relating to intangible drilling and development
24 costs in the case of oil and gas wells and geothermal wells)
25 is amended by adding at the end the following new sen-

1 tence: “This subsection shall not apply to costs incurred
 2 in the case of oil and gas wells after the date of enactment
 3 of this sentence.”.

4 (g) REPEAL OF CERTAIN OIL AND GAS PROVI-
 5 SIONS.—

6 (1) IN GENERAL.—Part I of subchapter I of
 7 chapter 1 of such Code (relating to deductions) is
 8 amended by adding at the end the following new sec-
 9 tion:

10 **“SEC. 618. OIL AND GAS LIMITATION.**

11 “This part shall not apply with respect to any ex-
 12 penditure relating to any oil or gas well paid or incurred
 13 after the date of enactment of this section.”.

14 (2) CLERICAL AMENDMENT.—The table of sec-
 15 tions for part I of subchapter I of chapter 1 of such
 16 Code is amended by adding at the end the following
 17 new item:

“Sec. 618. Oil and gas limitation.”.

18 (h) EFFECTIVE DATE.—The amendments made by
 19 this section shall take effect on the date of enactment of
 20 this section.

21 **SEC. 2. LIHEAP.**

22 (a) AVAILABILITY OF FUNDS.—There are appro-
 23 priated to the Secretary of Health and Human Services
 24 for allotment under section 2604(e) of the Low-Income
 25 Home Energy Assistance Act of 1981 (42 U.S.C. 8623(e))

1 \$15,000,000,000 for fiscal year 2006, to remain available
2 through 2015.

3 (b) EMERGENCY DESIGNATION.—Amounts appro-
4 priated under subsection (a) are designated as an emer-
5 gency requirement pursuant to section 402 of H. Con.
6 Res. 95 (109th Congress), the concurrent resolution on
7 the budget for fiscal year 2006, or the equivalent section
8 contained in concurrent resolutions on the budget for each
9 subsequent fiscal year.

10 **SEC. 3. WEATHERIZATION ASSISTANCE.**

11 (a) AVAILABILITY OF FUNDS.—There are appro-
12 priated to the Secretary of Energy for carrying out part
13 A of title IV of the Energy Conservation and Production
14 Act (42 U.S.C. 6861 et seq.) \$7,380,000,000 for fiscal
15 year 2006, to remain available through 2015.

16 (b) EMERGENCY DESIGNATION.—Amounts appro-
17 priated under subsection (a) are designated as an emer-
18 gency requirement pursuant to section 402 of H. Con.
19 Res. 95 (109th Congress), the concurrent resolution on
20 the budget for fiscal year 2006, or the equivalent section
21 contained in concurrent resolutions on the budget for each
22 subsequent fiscal year.

○