



Legislative Bulletin.....July 11, 2011

Contents:

Amendments to H.R. 2354 (PART II)—FY 2012 Energy and Water Appropriations Act

The following Legislative Bulletin contains information on the amendment about to be considered, the 26 amendments pre-printed in the Congressional Record through Friday, July 8, 2011, and other potential amendments not pre-printed that may be offered.

Order of Business: The amendments to H.R. 2354, the FY 2012, Energy and Water Appropriations Act are scheduled to be considered on Monday, July 11, and throughout the remainder of the week under an open rule. The rule ([H.Res.337](#)) waives all points of order against consideration of the bill and provisions in the bill for failure to comply with clause 2 of rule XXI. The rule also provides for the bill to be read for amendment by paragraph and under the five minute rule. The rule *provides priority for recognition to Members who have pre-printed their amendments in the Congressional Record* and provides for one motion to recommit with or without instructions.

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SUMMARY OF AMENDMENTS SCHEDULED TO BE CONSIDERED THIS VOTE SERIES

Tierney (D-MA). The amendment increases funding for the Army Corps of Engineers Construction Account by \$133,822,000 and Operations and Maintenance account by \$51,759,000 and reduces funding for Department of Energy Nuclear programs by \$140,000,000 and Fossil Energy Research and Development Programs by \$92,790,000.

Graves (R-MO). The amendment reduces funding for the Army Corps of Engineers Construction Account by \$1,750,000 and increases funding for the Operations and Maintenance Account by \$1,000,000. According the sponsor, the intent of the amendment is to message that we should fund levee maintenance farmers over habitat creation and ecosystem restoration projects

Scalise (R-LA). The amendment increases funding for the Operations and Maintenance Account of the Corps of Engineers by \$6,360,000 and reduces funding from the Expenses Account of the Corps of Engineers by \$6,360,000 (from \$185,000,000). According to the office of the sponsor, the intent of the amendment is to increase funding for Corps dredging activities because the Army Corps has indicated that they would not reprogram funds within the Corps' budget for dredging operations.

Woodall (R-GA). The amendment would reduce funding for the Department of Energy's Operation and Maintenance Account by \$4,900,000 and transfer the funding to the Spending Reduction Account. According to the sponsor, the intent of amendment is to eliminate funding for projects funded in the name of global warming.

McClintock (R-CA). The amendment would cut spending and eliminate numerous programs that would save \$3.25 billion (a little more savings than the RSC target). The savings would be transferred to the Spending Reduction Account. Heritage Action, National Taxpayer Union, and American for Tax Reform, and Freedom Works are Key Voting a Yes Vote. The cuts are:

- **Energy Efficiency and Renewable Energy Subsidies:** Eliminate this spending, savings of \$1.304 billion.
- **Nuclear Energy Subsidies:** Reduce by \$289.4 million.
- **Fossil Fuels Research Subsidies:** Eliminates and saves \$477 million.
- **Office of Science, Department of Energy:** Reduce by \$820 million.
- **Advanced Research Projects Agency:** Eliminate and save \$100 million. (Program created by COMPETES Act).
- **Innovative Technology Loan Guarantee Program:** Eliminate and save \$160 million.
- **Advanced Technology Vehicles Manufacturing Loan Program:** Eliminate and save \$6 million.
- **Office of Indian Energy Policy and Programs:** Fund at President's request and save \$500,000.
- **Eliminate the Regional Commissions—Appalachian, Delta, Denali, Northern Border, and Southern Crescent:** saves \$90 million.

SUMMARY OF AMENDMENTS PREPRINTED IN THE CONGRESSIONAL RECORD

1. **Pompeo (R-KS).** The amendment prohibits funds from being used for the Vehicle Technologies Program of the Department of Energy.
2. **Pompeo (R-KS).** The amendment reduces funding for Energy Efficiency and Renewable Energy programs by \$254,000,000 (from \$1,304,636,000) and transfers the funds into the Spending Reduction Account.
3. **Harris (R-MD).** The amendment prohibits the use of funds to be designated for any portion of the International program at the Office of Energy Efficiency and Renewable Energy of the Department of Energy other than the U.S.-Israel energy cooperative.
4. **Harris (R-MD).** The amendment reduces funding Energy Efficiency and Renewable Energy programs by \$6,000,000 and transfers the funds into the Spending Reduction Account,
5. **Lamborn (R-CO).** The amendment strips language on page 23 lines 4 through line 10 that allows the Secretary of Energy to waive allocation formulas to allocate weatherization grants to states. According to the sponsor, this provision allows the Secretary of Energy to redirect unspent stimulus weatherization funding from one state to another. Stopping the reallocation prevents the Secretary from sending leftover money from states that have declined to spend their allocated money to states that want to spend it, thus leaving the funds where they are. If the remaining funds are not spent by March

2012, the leftover funds will be returned to the U.S. Treasury. According to the sponsor, this could potentially save up to \$1.5 billion.

6. **McClintock (R-CA).**The amendment would cut spending and eliminate numerous programs that would save \$3.25 billion (a little more savings than the RSC target). The savings would be transferred to the Spending Reduction Account. The cuts are:
 - **Energy Efficiency and Renewable Energy Subsidies:** Eliminate this spending, savings of \$1.304 billion.
 - **Nuclear Energy Subsidies:** Reduce by \$289.4 million.
 - **Fossil Fuels Research Subsidies:** Eliminates and saves \$477 million.
 - **Office of Science, Department of Energy:** Reduce by \$820 million.
 - **Advanced Research Projects Agency:** Eliminate and save \$100 million. (Program created by COMPETES Act).
 - **Innovative Technology Loan Guarantee Program:** Eliminate and save \$160 million.
 - **Advanced Technology Vehicles Manufacturing Loan Program:** Eliminate and save \$6 million.
 - **Office of Indian Energy Policy and Programs:** Fund at President's request and save \$500,000.
 - **Eliminate the Regional Commissions—Appalachian, Delta, Denali, Northern Border, and Southern Crescent:** saves \$90 million.
7. **McClintock (R-CA).** The amendment eliminates all funding (\$1,304,636,000) for Energy Efficiency and Renewable Energy programs and would transfer those funds into the Spending Reduction Account.
8. **McClintock (R-CA).** The amendment strikes language on page 25; lines 18 through 20 that requires sales from the Strategic Petroleum Reserve to deposit proceeds from sales into the General Fund of the Treasury.
9. **McClintock (R-CA).** The amendment would reduce funding for Nuclear Energy programs by \$289,420,000 (from \$733,633,000) and transfer those funds to the Spending Reduction Account.
10. **McClintock (R-CA).** The amendment eliminates all funding (\$476,993,000) for Fossil Energy Research and Development programs and would transfer those funds into the Spending Reduction Account.
11. **McClintock (R-CA).** The amendment would reduce funding for the Department of Energy Science programs by \$820,488,000 (from 4,800,000,000) and would transfer those funds to the Spending Reduction Account.
12. **McClintock (R-CA).** The amendment would eliminate funding (\$100,000,000) from the Department of Energy Advanced Research Projects Agency to carry out the activities authorized by section 5012 of the [America COMPETES](#) Act.
13. **McClintock (R-CA).** The amendment eliminates all funding (\$160,000,000) for the Innovative Technology Loan program and would transfer those funds into the Spending Reduction Account.

- 14. McClintock (R-CA).** The amendment eliminates all funding (\$6,000,000) for the Advanced Technology Vehicle Manufacturing Loan program and transfers the funding into the Spending Reduction Account.
- 15. McClintock (R-CA).** The amendment reduces funding from the Departmental Administration Account of the Department of Energy by \$500,000 and transfers the funding in the Spending Reduction Account.
- 16. McClintock (R-CA).** The bill eliminates funding for the Appalachian Regional Commission of \$68,400,000 and transfers the funds into the Spending Reduction Account.
- 17. McClintock (R-CA).** The bill eliminates funding for the Delta Regional Commission of \$11,700,000 and transfers the funds into the Spending Reduction Account.
- 18. McClintock (R-CA).** The bill eliminates funding for the Denali Commission of \$10,700,000 and transfers the funds into the Spending Reduction Account.
- 19. McClintock (R-CA).** The bill eliminates funding for the Northern Border Regional Commission of \$1,350,000 and transfers the funds into the Spending Reduction Account.
- 20. McClintock (R-CA).** The bill eliminates funding for the Southeast Crescent Regional Commission of \$250,000 and transfers the funds into the Spending Reduction Account.
- 21. Luetkemeyer (R-MO).** The amendment prohibits the use funds for the study of Missouri River Projects authorized in section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (division C of Public Law 111-8).
- 22. Luetkemeyer (R-MO).** The amendment prohibits the use of funds to continue the study conducted by the Army Corps of Engineers pursuant to section 5018(a)(1) of the Water Resources Development Act of 2007 or to implement activities proposed by such study.
- 23. Fleming (R-04).** The amendment eliminates all funding (\$160,000,000) for the Innovative Technology Loan program and would transfer those funds into the Spending Reduction Account.
- 24. Pompeo (R-KS).** The amendment prohibits the use of funds to be used to carry out the Vehicle Technologies Program of the Department of Energy.
- 25. McKinley (R-WV).** The amendment increases funding for the Fossil Energy Research and Development program by \$39,000,000 (from \$476,993,000) and decreases funding for Department of Energy Science programs by \$39,000,000 (from \$4,800,000,000).
- 26. Cole (R-OK).** The bill prohibits the use of funds to be used to implement any rule, regulation, or executive order regarding the disclosure of political contributions that takes effect on or after the date of enactment of this Act

**SUMMARY OF POTENTIAL AMENDMENTS NOT PRE-PRINTED IN THE
CONGRESSIONAL RECORD**

Sessions (R-TX). The amendment will strike Section 102 of the bill. This section of the bill prohibits the use of any funds to convert any functions performed by federal employees to private competition pursuant to a study conducted under OMB Circular A-76 or High Performing Organizations for the Army Corps Engineers.

Flores (R-TX). The amendment would prohibit the use of funds to enforce section 526 of the Energy Independence and Security Act of 2007. The RSC's [plan](#) to reduce gas prices repeals section 526 of the 2007 energy bill, which bars federal agencies from buying alternative or synthetic fuels if they have higher lifecycle greenhouse gas emissions than conventional petroleum fuels. These resources are abundant in North America and should be utilized rather than sending taxpayer dollars overseas to pay for foreign petroleum fuels. The federal government should embrace and not prohibit the use of advanced alternate fuels.

Pompeo (R-KS). The amendment reduces funding for Energy Efficiency and Renewable Energy programs by \$45,641,000 (from \$1,304,636,000) and transfers the funds into the Spending Reduction Account. According to the sponsor, this reduction would fund the EERE at 2008 levels.

Reed (R-NY)/ Higgins (D-NY). The amendment would increase funding from Department of Energy Non-defense Environmental Clean Up fund by \$41,000,000 (from \$213,121,000) and reduce funding for the Departmental Administration for the Department of Energy by \$21,000,000 (from \$221,000,000) and reduce funding for the Office of the Administration in the National Nuclear Security Administration by \$20,000,000 (from \$420,000,000).

SUMMARY OF POTENTIAL AMENDMENTS NOT PRE-PRINTED & NON-REVIEWED TEXT (Summaries based on Dear Colleagues)

Chaffetz (R-UT). The amendment would reduce funding for Fossil Energy Research by \$32.464 million and transfer to spending reduction account.

Chaffetz (R-UT). The amendment would eliminate funding for the Appalachian Regional Commission (\$68.4 million) and transfer to spending reduction account.

Chaffetz (R-UT). The amendment would eliminate funding for Delta Regional Authority (\$11.7 million) and transfer to spending reduction account.

Chaffetz (R-UT). The amendment would eliminate funding for Denali Commission (\$10.7 million) and transfer to spending reduction account

Blackburn (R-TN). The amendment would cut total funding in the bill by 1%.

Blackburn (R-TN). The amendment would cut total funding in the bill by 5%.

Sessions (R-TX). The amendment will strike Section 102 of the bill. This section of the bill prohibits the use of any funds to convert any functions performed by federal employees to private competition pursuant to a study conducted under OMB Circular A-76 or High Performing Organizations for the Army Corps Engineers.

Moran (D-VA). The amendment would strike Section 109 of the bill. Section 109 prohibits the Corps of Engineers from developing, adopting, implementing, administering, or enforce a change or supplement to the rule dated November 13, 1986, or guidance documents dated

January 15, 2003, and December 2, 2008, pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.). This provision has to deal with defining what constitute the definition of “navigable waters.”

Markey (D-MA): To increase Energy Efficiency and Renewable Energy by \$100 million.
Reduces Nuclear Energy and Fossil Energy Research and Development by \$50 million each