



Wednesday, July 15, 2009

House Meets At...	Votes Predicted At...
10:00 a.m. For Legislative Business Fifteen "One-minutes" Per Side	Last vote: Evening

**Any anticipated Member absences for votes this week should be reported immediately to the Office of the Majority Whip at 226-3210.**

**Floor Schedule and Procedure**

- H. Res. 645 – Rule providing for consideration of H.R. 3183 – Energy and Water Development and Related Agencies Appropriations Act, 2010 (Rep. Matsui – Rules):** The structured rule provides for one hour of general debate equally divided and controlled by the Chair and Ranking Minority Member of the Committee on Appropriations. The rule makes in order (1) the amendments printed in part A of the report of the Committee on Rules accompanying this resolution; (2) not to exceed one of the amendments printed in part B of the report of the Committee on Rules if offered by Rep. Campbell or his designee; (3) not to exceed six of the amendments printed in part C of the report of the Committee on Rules if offered by Rep. Flake or his designee; and (4) not to exceed three of the amendments printed in part D of the report of the Committee on Rules if offered by Rep. Hensarling or his designee. The rule provides that each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule provides that for those amendments reported from the Committee of the Whole, the question of their adoption shall be put to the House en gros and without demand for division of the question. The rule provides one motion to recommit the bill with or without instructions. The rule provides that after consideration of the bill for amendment, the chair and ranking minority member of the Committee on Appropriations or their designees each may offer one pro forma amendment to the bill for the purpose of debate, which shall be controlled by the proponent. The rule provides that the Chair may entertain a motion that the Committee rise only if offered by the chair of the Committee on Appropriations or his designee. The rule also provides that the Chair may not entertain a motion to strike out the enacting words of the bill. Finally, the rule provides that during consideration of H.R. 3183, the Chair may reduce to

two minutes the minimum time for electronic voting. The rule lays H.Res. 618 on the table. Debate on the rule will be managed by Rep. Matsui, and consideration will proceed as follows:

- One hour of debate on the rule.
  - Possible vote on a Democratic Motion ordering the previous question. **Members are urged to VOTE YES.**
  - Vote on adoption of the rule. **Members are urged to VOTE YES.**
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- **H.R. 3183 – Energy and Water Development and Related Agencies Appropriations Act, 2010 (Rep. Pastor – Appropriations)**: Pursuant to H.Res. 645, general debate on the bill will be managed by Appropriations Committee Chair Rep. Dave Obey or his designee. Consideration on the bill will proceed as follows:
    - One hour of general debate on the bill.
    - Debate and possible votes on amendments to the bill.
    - Possible debate and vote on Republican motion to recommit the bill.
    - Vote on final passage of the bill. **Members are urged to VOTE YES.**
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- **Postponed Suspension Votes:**
    1. **H.Res. 476** - Celebrating the 30th anniversary of June as "Black Music Month" (Rep. Cohen - Oversight and Government Reform)
    2. **H.R. 1044** - Port Chicago Naval Magazine National Memorial Enhancement Act of 2009 (Rep. George Miller - Natural Resources)
    3. **H.R. 934** - To convey certain submerged lands to the Commonwealth of the Northern Mariana Islands in order to give that territory the same benefits in its submerged lands as Guam, the Virgin Islands, and American Samoa have in their submerged lands (Rep. Sablan - Natural Resources)
    4. **H.R. 762** - Affirming patent number 27-2005-0081 and its associated land reconfiguration issued by the Bureau of Land Management (Rep. Heller - Natural Resources)
    5. **H.R. 1442** - To provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909 (Rep. Matheson - Natural Resources)

6. **H.R. 2188** - Joint Ventures for Bird Habitat Conservation Act of 2009 (Rep. Kratovil - Natural Resources)
7. **H.R. 129** - To authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California (Rep. Gallegly - Natural Resources)
8. **H.R. 409** - To provide for the conveyance of certain Bureau of Land Management land in the State of Nevada to the Las Vegas Motor Speedway (Rep. Heller - Natural Resources)
9. **H.Res. 543** - Expressing support for designation of June as "Home Safety Month" (Rep. Halvorson - Energy and Commerce)

## **Bill Summary & Key Issues**

### **Summary of H.R. 3183 – Energy and Water Development and Related Agencies Appropriations Act, 2010**

#### **BILL TOTAL**

**2009 Enacted:** \$33.2 billion  
**President's Request:** \$34.4 billion  
**2010 Bill:** \$33.3 billion

#### **KEY INVESTMENTS**

**ARMY CORPS OF ENGINEERS:** \$5.5 billion, \$139 million above 2009 and \$416 million above the request, to address the nation's water resource investment needs.

- **Operations and Maintenance:** \$2.5 billion, \$7 million above the request and \$309 million above 2009, to address the over \$1 billion backlog of operations and maintenance needs of navigation infrastructure critical to the U.S. economy.
- **Construction:** \$2.1 billion, \$405 million above the request and \$19 million below 2009, for projects including on-going flood protection efforts.
- **Investigations:** \$142 million, \$42 million above the request and \$26 million below 2009, to plan and design America's next generation of water resource infrastructure.
- **Management Reforms:** Continues management reforms instituted at the Corps of Engineers, including the requirement for five-year development plans to guide budget decisions and limitations on reprogramming and contracting methods.

**DEPARTMENT OF ENERGY:** \$26.9 billion, \$86 million above 2009 and \$1.5 billion below the request, to fund the five primary mission areas for the Department: science, energy, environment, nuclear nonproliferation, and national security.

**Energy Efficiency and Renewable Energy:** \$2.25 billion, \$321 million above 2009, to increase investments in technologies that use energy more effectively and produce clean, inexpensive energy from domestic sources.

- **Solar Energy:** \$259 million for research, development, and demonstration projects to make solar energy more affordable.
- **Biofuels:** \$235 million for grants to improve production of alternative fuels such as cellulosic ethanol and biodiesel.
- **Vehicle Technology:** \$373 million, including \$40 million for hydrogen transportation systems, to collaborate with industry to improve fuel efficiency with better engines, better batteries and engines that burn clean fuel.
- **Energy Efficient Buildings:** \$210 million to research conservation technologies for buildings and industry to reduce energy demand.
- **Industrial Technologies:** \$100 million to help businesses improve energy efficiency.
- **Water Power:** \$30 million to research new ways of generating power from flowing water.
- **Weatherization Grants:** \$220 million for insulation and energy conservation measures to reduce utility bills for low-income families.

**Electricity Delivery and Energy Reliability:** \$208 million, \$71 million over 2009, to modernize and secure the nation's electricity grid.

- **Smart Grid Technologies:** \$62.9 million, \$30 million above 2009, for smart grid research and development.
- **Energy Storage:** \$15 million, more than triple 2009, for research and development of grid-connected energy storage technologies.
- **Cyber Security:** \$46.5 million for energy delivery cyber security, an increase of \$34.5 million from 2009, to develop secure grid technologies as cyber attacks increase worldwide and the grid becomes increasingly network-connected.
- **Clean Energy Transmission and Reliability:** \$42 million to increase the efficiency of the grid and enable the widespread deployment of clean, domestic renewable energy.

**Office of Science:** \$4.9 billion, \$171 million above 2009, for scientific research critical to addressing long-term energy needs. This funding, in addition to the \$4.8 billion appropriated in fiscal year 2009 and \$1.6 billion in the Recovery Act, exceeds the goals in the America COMPETES Act.

- **Basic Energy Sciences:** \$1.7 billion for basic research primarily on materials sciences and on chemical sciences, energy biosciences and geosciences. This work places heavy emphasis on advancing the frontiers of using ever-faster tools, including \$409 million in the Advanced Scientific Computing Research program, to better understand ever-smaller and more detailed phenomena.
- **Applied Research:** \$2.4 billion for Nuclear Physics, High Energy Physics, Biological and Environmental Research, and Fusion Energy Sciences.

**Environmental Clean-up:** A half-century of national security and civilian nuclear activity has resulted in an enduring need to mitigate the environmental impacts of these sites on affected communities and the environment.

- \$5.4 billion to clean up contamination from nuclear weapons manufacturing and cancelled projects for handling spent nuclear fuel.
- \$238 million for non-defense clean-up associated with civilian nuclear energy activities.
- \$559 million from the Uranium Enrichment Decontamination and Decommissioning Fund for clean-up at uranium processing facilities.

**Nuclear Energy:** \$812 million, \$20 million above 2009, to support ongoing research and development projects and to maintain the infrastructure supporting this work.

- \$71 million for the Nuclear Power 2010 program, \$107 less than 2009.
- \$272 million for Generation IV research and development, including \$245 million for the Next Generation Nuclear Plant (NGNP).
- \$129 million for fuel cycle research and development.
- \$261 million for Idaho National Laboratory and other Radiological Infrastructure.

**Nuclear Nonproliferation:** \$1.5 billion, the same as the budget request, excluding domestic construction projects shifted to Other Defense Activities. This funding will protect the American people by reducing the risk that more countries will acquire nuclear weapons and improve our ability to stop nuclear and radiological materials and weapons from being smuggled into the United States.

- **International Nuclear Material Protection and Cooperation:** \$592 million, \$192 million above 2009, to strengthen the security of nuclear materials in Russia and elsewhere, as well as to bolster border and port security worldwide against illicit nuclear trafficking.

**Nuclear Weapons Programs:** \$6.3 billion, \$60 million below 2009 and \$64 million below the request, for our nation's nuclear weapons, with a shift in priority to greater security. The bill recommends a \$40 million increase from the request in Security, a \$52 million increase in Weapons Dismantlement activities from 2009, and an increase of \$45 million from the request for the Uranium Processing Facility to greatly improve security at the Oak Ridge site.

**Loan Programs:** The bill continues to support the Title XVII Innovative Technology Loan Guarantee and the Advanced Technology Vehicle Manufacturing Loan programs to accelerate the implementation of renewable energy generation and to establish a domestic manufacturing base. Recognizing sufficient loan authority for these programs currently exists, the bill includes no additional loan authority. The bill does include statutory language on wage-rate requirements for the Title XVII program.

**DEPARTMENT OF THE INTERIOR:** \$1.1 billion, \$17 million above the request and \$38 million below 2009, to continue to support and improve the nation's water infrastructure, including \$1 billion for the Bureau of Reclamation for dams, canals, water treatment and conservation, and rural water projects.

## **SIGNIFICANT CUTS**

**Nuclear Waste Disposal:** The Administration has terminated the Yucca Mountain nuclear waste repository. The bill provides \$197 million, \$92 million below 2009, to continue the licensing process and establish a Blue Ribbon Commission to evaluate alternatives for nuclear waste disposal.

**B61-12 nuclear bomb:** The Committee recommends no funding for the B61-12 nuclear bomb. Until the Administration finalizes its plans for the nation's nuclear strategy, stockpile, and complex plans, the Committee does not support the effort to develop what is essentially a new nuclear weapon.z`

### **Amendments to H.R. H.R. 3183 – Energy and Water Development and Related Agencies Appropriations Act, 2010**

#### **Amendments in Part A of the Rules Committee report – all made in order:**

1. **Connolly:** Decreases funding for Corps of Engineers, Expenses by \$7,000,000 and increases funding for the Corps of Engineers, Construction. This will provide additional funding for construction projects.  
**Chairman Obey recommends that Members VOTE YES.**
2. **Wamp:** Decreases funding for Corps of Engineers, Expenses by \$14 million and increases funding for the Corps of Engineers, Construction. This will provide additional funding for construction projects.  
**Chairman Obey recommends that Members VOTE YES.**
3. **Pastor (Manager's):** Decreases funding for Corps of Engineers, Expenses by \$10.8 million, the Department of Energy, Departmental Administration by \$30 million, the Office of Electricity by \$15 million and Other Defense Activities by \$2.5 million and increases funding for several important programs within the bill including: \$2.5 million for the Northern Border Regional Commission to address economic challenges in border counties from Maine to New York; \$1.8 million for the Army Corps of Engineers to help address the chronic backlog of regulatory permit applications; and \$45 million for the Energy Efficiency and Renewable Energy. The amendment prohibits funds in the bill from being used to purchase light bulbs unless they have the "Energy Star" or "Federal Energy Management Program" designation or passenger motor vehicles unless they are purchased from Ford, GM, or Chrysler.  
**Chairman Obey recommends that Members VOTE YES.**
4. **Doc Hastings:** Makes available \$5 million from the Bureau of Reclamation Water and Related Resources account to begin implementation of hydroelectric facility upgrades at Bureau of Reclamation dams.  
**Chairman Obey recommends that Members VOTE YES.**

5. **Costa:** Increases funding for the California Bay-Delta Restoration Program by \$10 million, and decreases funding for the Bureau of Reclamation, Policy and Administration by \$10 million.  
**Chairman Obey recommends that Members VOTE YES.**
6. **Cardoza:** Facilitates water transfers within the Central Valley Project and transfers from outside the Central Valley Project to allow for efficient and practical water use. The amendment directs the Secretary of Interior to implement a recovery plan for the Giant Garter Snake, an endangered species to allow planned water projects to move forward.  
**Chairman Obey recommends that Members VOTE YES.**
7. **Boren:** Increases funding for Energy Efficiency and Renewable Energy in the Department of Energy by \$5 million, and reduces funding for the Energy Department's Departmental Administration by the same amount.  
**Chairman Obey recommends that Members VOTE YES.**
8. **Candice Miller:** Increases funding for Energy Efficiency and Renewable Energy in the Department of Energy by \$10 million, and decreases funding for the Energy Department's Departmental Administration by the same amount.  
**Chairman Obey recommends that Members VOTE YES.**
9. **Heinrich:** Increases the percentage of laboratory-directed research from 6% to 7%. This increases the ability of laboratories to retain expertise and pursue innovative projects by providing additional discretion for Department of Energy laboratories to select research activities.  
**Chairman Obey recommends that Members VOTE YES.**
10. **Cao:** Reduces the time for submission of a report by the Nuclear Regulatory Commission from 90 to 60 days.  
**Chairman Obey recommends that Members VOTE YES.**
11. **Blackburn:** Makes a 5% across-the-board cut to all funding accounts in the bill. This would reduce the bill by a total of \$1.7 billion and undercut a number of high priority energy and water activities.  
**Chairman Obey recommends that Members VOTE NO.**

**Amendments in Part B of the Rules Committee report – ONE made in order:**

1. **Campbell #8:** Eliminates \$1,000,000 in project funding for the Institute for Environmental Stewardship. This project saves energy through energy efficiency improvements at a research institute at St. Joseph's University. Rep. Fattah requested this project.  
**Chairman Obey recommends that Members VOTE NO.**
2. **Campbell #9:** Eliminates \$1,000,000 in project funding for the Housatonic River Net-Zero Energy Building. This project reduces energy consumption by funding cutting-edge energy efficiency improvements. Rep. Olver requested this project.

**Chairman Obey recommends that Members VOTE NO.**

3. **Campbell #10:** Eliminates \$500,000 in project funding for South Jersey Wind Turbines. This project installs wind turbines on public municipal waste sites which would otherwise go unused. Rep. LoBiondo requested this project.

**Chairman Obey recommends that Members VOTE NO.**

**Amendments in Part C of the Rules Committee report – SIX made in order:**

1. **Flake #75:** Eliminates \$1,500,000 in project funding for a solar power demonstration at the Maret Center. This project reduces net energy consumption through the installation of renewable energy generation. Rep. Blunt requested this project.

**Chairman Obey recommends that Members VOTE NO.**

2. **Flake #76:** Eliminates \$1,000,000 in project funding for the Running Springs Retreat Center Solar Upgrade. This project saves energy by installing solar electric power capabilities at a nonprofit camp. Rep. Jerry Lewis requested this project.

**Chairman Obey recommends that Members VOTE NO.**

3. **Flake #77:** Eliminates \$1,000,000 in project funding for the Consortium for Plant Biotechnology, a consortium of universities that competitively awards grants to develop novel biotechnologies, such as biomass and biofuels production processes. Reps. Abercrombie, Sanford Bishop, Conyers, Etheridge, John Lewis, Brad Miller, David Price, Harold Rogers, Mike Rogers (MI), Rothman, and Stupak requested this project.

**Chairman Obey recommends that Members VOTE NO.**

4. **Flake #78:** Eliminates \$500,000 in project funding for the Ethanol from Agriculture project. This project performs research and development of technologies to produce alternatives to petroleum-based fuels. Rep. Berry requested this project.

**Chairman Obey recommends that Members VOTE NO.**

5. **Flake #79:** Eliminates \$2,000,000 in project funding for the Fort Mason Center Pier 2 Project. This project performs energy efficiency and seismic safety upgrades at a public landmark building.

**Chairman Obey recommends that Members VOTE NO.**

6. **Flake #80:** Eliminates \$500,000 in project funding for Prototyping and Development of Commercial Nano-crystalline Thin Film Silicon for Photovoltaic Manufacturing. This project funds research and development of cutting-edge solar energy technologies. Rep. Tonko requested this project.

**Chairman Obey recommends that Members VOTE NO.**

7. **Flake #81:** Eliminates \$450,000 in project funding for Institute for Energy and the Environment at Vermont Law School. This project researches

legal and regulatory issues that prevent the modernization of the electric transmission grid. Rep. Welch requested this project.

**Chairman Obey recommends that Members VOTE NO.**

8. **Flake #82:** Eliminates \$500,000 in project funding for the Henderson, Solar Energy Project. This project installs solar electricity generation at a municipal site to eventually provide clean power for a water reclamation facility. Rep. Titus requested this project.

**Chairman Obey recommends that Members VOTE NO.**

9. **Flake #83:** Eliminates \$600,000 in project funding for the Green Roof Demonstration Project. This project saves energy and money by increasing the energy efficiency of the Summit Middle School. Rep. Souder requested this project.

**Chairman Obey recommends that Members VOTE NO.**

10. **Flake #84:** Eliminates \$300,000 in project funding for Whitworth University Stem Equipment. This project purchases equipment for a center that educates the next generation of scientists and engineers. Rep. McMorris Rodgers requested this project.

**Chairman Obey recommends that Members VOTE NO.**

11. **Flake #85:** Eliminates \$1,600,000 in project funding for The Boston Architectural College's Urban Sustainable Initiative. This project conserves energy and generates renewable energy at a college. Rep. Capuano requested this project.

**Chairman Obey recommends that Members VOTE NO.**

12. **Flake #86:** Eliminates \$1,500,000 in project funding for Today's Leaders for a Sustainable Tomorrow: A Sustainable Energy Program. This project installs energy efficiency improvements and renewable energy generation at five accredited learning centers. Rep. Oberstar requested this project.

**Chairman Obey recommends that Members VOTE NO.**

**Amendments in Part D of Rules Committee report – THREE made in order:**

1. **Hensarling #58:** Eliminates \$500,000 in project funding for the Energy Conservation and Efficiency Upgrade of HVAC project in New York. The project would further energy efficiency and conservation efforts at New York's Metropolitan Museum of Art by upgrading an obsolete heating, ventilation and air conditioning system with direct digital control systems. Rep. Maloney requested this project.

**Chairman Obey recommends that Members VOTE NO.**

2. **Hensarling #59:** Eliminates \$6,220,000 million in project funding for the Pier 36 remove project in California. This project removes the deteriorating Pier 36 located along the San Francisco waterfront. The deteriorating pier poses navigational and environmental hazards.

**Chairman Obey recommends that Members VOTE NO.**

3. **Hensarling #60:** : Eliminates \$2,000,000 in project funding for Ohio River Greenway Public Access in Indiana. This authorized project provides a number of communities a common linkage to access the Ohio River. Rep. Hill requested this project.  
**Chairman Obey recommends that Members VOTE NO.**
  
4. **Hensarling #62:** Eliminates \$500,000 in project funding for the Automated Remote Electric and Water Meters in South River. This project purchases and installs bi-directional real time meters that demonstrate to demonstrate smart grid net-metering technologies at a public utility. Rep. Holt requested this project.  
**Chairman Obey recommends that Members VOTE NO.**
  
5. **Hensarling #63:** Eliminates \$500,000 in project funding for the Hospital Lighting Retrofit project in Illinois. This project funds the purchase and installation of high-efficiency sound-proof windows at the Holy Cross Hospital, which is adjacent to Midway airport. Rep. Rush requested this project.  
**Chairman Obey recommends that Members VOTE NO.**

### **Quote of the Day**

“Delay is the deadliest form of denial.”

— C. Northcote Parkinson