



Friday, July 17, 2009

House Meets At...	Votes Predicted At...
9:00 a.m. For Legislative Business Five "One-minutes" Per Side	Last vote: 2:00 – 3:00 p.m.

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. 653 – Rule providing for consideration of H.R. 1018 – Restore Our American Mustangs Act (Rep. McGovern – 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 Natural Resources. The rule provides that the committee amendment in the nature of a substitute recommended by the Committee on Natural Resources, now printed in the bill, shall be considered as adopted. The rule makes in order the amendment printed in part A of the Report of the Committee on Rules if offered by Rep. Rahall or his designee which, shall be considered as read, and shall be separately debatable for 10 minutes equally divided and controlled by the proponent and an opponent. The rule makes in order the amendment in the nature of a substitute printed in part B of the report of the Committee on Rules, if offered by Rep. Doc Hastings or his designee, which shall be separately debatable for 30 minutes equally divided and controlled by the proponent and an opponent. Finally, the rule provides one motion to recommit the bill with or without instructions. Debate on the rule will be managed by Rep. McGovern, 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.**

- **H.R. 1018 – Restore Our American Mustangs Act (Rep. Rahall – Natural Resources)**: Pursuant to H.Res. 653, general debate on the bill will be managed by Natural Resources Committee Chair Rep. Nick Joe Rahall or his designee. Consideration on the bill will proceed as follows:
 - One hour of general debate on the bill.
 - 10 minutes of debate and possible vote on Rahall (Manager's) Amendment. **Members are urged to VOTE YES.**
 - 30 minutes of debate and possible vote on Doc Hastings (Republican substitute) Amendment. **Members are urged to VOTE NO on the Republican substitute.**
 - Possible debate and vote on Republican motion to recommit the bill.
 - Vote on final passage of the bill. **Members are urged to VOTE YES.**

- **Complete Consideration of H.R. 3183 – Energy and Water Development and Related Agencies Appropriations Act, 2010 (Rep. Pastor – Appropriations)**: Pursuant to H.Res. 645, completion of consideration of the bill will proceed as follows:
 - 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.**

Bill Summary & Key Issues

Summary of H.R. 1018 – Restore Our American Mustangs Act

Starting in the 1950's, the public became aware that wild horses and burros were being unnecessarily subjected to cruelty, disease and even death on federal lands. Public outrage over this mistreatment led to enactment of the Wild Free-Roaming Horse and Burro Act of 1971. The Act declared that, "wild free-roaming horses and burros are living symbols of the historic and pioneer spirit of the West," and that these animals were to be considered, "an integral part of the natural system of the public lands."

However, while this landmark legislation dramatically improved the plight of wild horses and burros, the law has proven to be far from perfect. The Act originally identified 53 million acres of public land on which these herds could roam freely; the BLM has since removed horses and burros from nearly 19 million of those acres. As a result, since 1971, more than 200,000 wild horses and burros have been rounded up and either adopted or placed in long-term holding facilities. Recently, the BLM announced that a combination of a lack of

funding, facilities and options may require the destruction of as many as 30,000 *healthy* wild horses and burros.

A report by the Government Accountability Office (GAO), requested by Chairman Rahall, identified a number of deficiencies plaguing the BLM wild horse and burro program. H.R. 1018, the ROAM Act, amends the 1971 legislation to include the GAO recommendations as well as other improvements.

The legislation amends the 1971 Act to expand the areas available for wild horses and burros in order to provide BLM needed flexibility in maintaining healthy herds on public lands. The bill will require more scientific methods for estimating the number of wild horses and burros and will make that information public through annual reports. Following a specific GAO recommendation, BLM will be required to develop standard criteria for managing wild horses and burros and, after an opportunity for public input, employ those criteria uniformly across the states where wild horses and burros are found. The establishment of sanctuaries and use of contraception will also be required.

In instances where these management tools fail to produce an appropriate herd size, the legislation will authorize BLM to humanely capture and remove animals from the range so long as adoption demand exists. The bill tightens adoption requirements and requires BLM to strengthen its adoption program. The ROAM Act specifically prohibits the killing of healthy wild horses and burros.

H.R. 1018 includes no direct spending. The Rahall Manager's Amendment to be offered on the House Floor tomorrow will NOT require land acquisition but makes providing additional land for wild horses to roam a GOAL, not a mandate. This goal can be met using existing federal land at little or no cost to the taxpayers. Furthermore, the other management tools contained in the legislation – more aggressive adoptions, contraception, and other management efficiencies – will lead to long-term savings. The status quo is both more expensive and less humane and must not be allowed to continue.

Amendments to H.R. 1018 – Restore Our American Mustangs Act:

1. **Rahall (Manager's):** The manager's amendment to H.R. 1018 broadens the types of fertility controls authorized under the bill, narrows the definition of prohibited "commercial" uses for wild horses and burros and clarifies the membership of the Wild Horse and Burro Advisory Council. Lastly, the amendment relaxes the requirement that the acreage available to wild horses and burros never be less than when the original Act passed in 1971; the amendment makes restoration of the acreage a goal, rather than a requirement.

(10 minutes)

Members are urged to VOTE YES.

2. **Doc Hastings (Republican substitute):** The substitute lacks any of the new management strategies identified by the Government Accountability Office study released last year. The substitute fails to address the root causes of the problem. The substitute would significantly weaken the

underlying bill, H.R. 1018. Unlike the Republican substitute, the bill stops slaughter but will also provide the Bureau of Land Management new tools to manage horses and burros more efficiently and more cost-effectively.

(30 minutes)

Members are urged to VOTE NO.

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 on which further proceedings were postponed:

1. **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.
2. **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.
3. **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.
4. **Campbell #2:** 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.
5. **Flake #1:** 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.
6. **Flake #3:** 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.
7. **Flake #4:** 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.

8. **Flake #5:** 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.
9. **Flake #10:** 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.
10. **Flake #11:** 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.
11. **Hensarling #1:** 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.
12. **Hensarling #2:** 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.
13. **Hensarling #4:** 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.

Quote of the Day

"There is something about the outside of a horse that is good for the inside of a man."

— Winston Churchill