



May 24, 2006

Possible Amendments to H.R. 5427, the Energy and Water Appropriations Act, 2007

Part 1

The following contains information on the six amendments that have been pre-printed in the *Congressional Record* and other amendments not pre-printed that may also be offered.

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Amendments Pre-Printed in the Congressional Record

1. **Deal (R-GA)**. Strikes Section 110 from the underlying bill.

SEC. 110. None of the funds made available under this Act may be used to revise the master control plans and master manuals of the Corps of Engineers for the Alabama, Coosa, Tallapoosa River basin in Alabama and Georgia or the Apalachicola, Chattahoochee, Flint River Basin in Alabama, Georgia, and Florida.

The sponsor's office did not provide additional talking points for this amendment.

2. **Hefley (R-CO)**. Reduces funding in the Act by \$300,170,000. This amount is equal to one percent of the total amount of discretionary funding in the bill.
3. **Brown (D-OH)**. Provides that none of the funds made available may be used to enter into a no-bid contract with a company based outside the United States for the purpose of nuclear weapons screening of cargo shipping containers. *The sponsor has indicated the amendment will be offered and withdrawn.*
4. **Barton (R-TX)**. Provides that none of the funds made available by this Act from the Nuclear Waste Fund may be used to carry out the Global Nuclear Energy Partnership program.

According to the sponsor, “\$26 billion dollars have been collected from our nation’s electricity consumers to pay for disposal of spent nuclear fuel in a repository. \$8 billion has been spent, leaving a balance of \$18 billion in the Nuclear Waste Fund. ... While DOE has not yet proposed to use this Fund for the Global Nuclear Energy Partnership, they believe they have the authority under the Nuclear Waste Policy Act subject to appropriations. ... [This] amendment simply prohibits DOE from looting the Nuclear Waste Fund for the Global Nuclear Energy Partnership, a program that is overly broad, premature, and poorly defined.”

5. Bishop (D-NY). Provides that none of the funds made available may be used by the Federal Energy Regulatory Commission to review applications for floating storage and regasification units in areas designated under section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) as an estuary of national significance.

According to the sponsor’s office, the amendment affects a project in Bishop’s district. The sponsor is in opposition to the permanent placement of a barge that’s a ¼ mile long Liquefied Natural Gas terminal in an estuary that has a lot of barge traffic. The amendment is an attempt to delay the project for one year in an effort to change the type of terminal it is to possibly a turret style or a buoy style. The sponsor also claims the barge will destroy tourism and fishing in the area.

6. Pallone (D-NJ). Earmarks \$6 million of the \$143.2 million appropriated for Corps of Engineers funding for the Mid Atlantic region, to be used for the NY/NJ Harbor drift removal program. *According to the sponsor’s office, Rep. Pallone will not be offering this amendment.*

Amendments Not Pre-printed in the Congressional Record

Tiahrt (R-KS). Prohibits funds from being used to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses. *This amendment is subject to a point of order. The amendment sponsor will offer the amendment, discuss the issue, and withdraw the amendment.*

Markey (D-MA). Prohibits funds from being used to administer the Ultra-Deep Water and Unconventional Research and Development Program (Subtitle J of Title IX of the Energy Policy Act of 2005—Public Law 109-58), which is currently authorized at \$100 million a year through FY2016. Funding for this program from oil and gas lease revenues would NOT be affected by this amendment (since such funding is direct spending). The program, proposed for elimination by the Bush Administration, provides incentives for oil and gas exploration.

Markey (D-MA). Reduces funds for the Energy Department’s \$2.3 billion energy supply and conservation account by \$40 million. The amendment sponsor has indicated that this reduction is intended for the Global Nuclear Energy Partnership (GNEP)—a controversial program for reprocessing spent nuclear fuel. The amendment sponsor’s office notes that the U.S. Department of Energy estimates that it will cost taxpayers over \$100 billion to clean-up the reprocessing waste from the nuclear weapons sites at

Hanford (WA), Savannah River (SC), and Idaho National Laboratory (ID). A similar amendment last year (H.Amdt 197) failed by a vote of 110-312:
<http://clerk.house.gov/evs/2005/roll207.xml>.