



Legislative Bulletin.....July 9, 2014

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Amendments to H.R. 4923 – Energy and Water Appropriations Act, 2015 (Simpson, R-ID) – Part II

Further updates on amendments will be sent as they become available.

**Amendments to H.R. 4923 – Energy and Water Appropriations Act, 2015
(Simpson, R-ID) – Part II**

The Committee Report can be found [here](#), and the text of the legislation can be found [here](#).

1. **[McClintock \(R-CA\)](#)**: This amendment would reduce unauthorized non-defense programs in the bill to no higher than enacted FY14 levels. Specifically this amendment reduces the EERE Weatherization Activities / State Energy Programs, Nuclear Energy, Fossil Energy, Departmental Administration, and the Nuclear Regulatory Commission by a combined total of \$121 million. The statutory authorization for each of these programs has expired - some as long ago as the 1980’s – yet the underlying legislation increases spending on them.

Clause 2(a)(1) of Rule XXI of the [Rules of the House](#) states, in pertinent part, “An appropriation may not be reported in a general appropriation bill, and may not be in order as an amendment thereto, for an expenditure not previously authorized by law, except to continue appropriations for public works and objects that are already in progress.” [The rule](#) providing for consideration of H.R. 4923 waived this rule.

2. **[Bonamici \(D-OR\)](#)**: Increase funding for hydropower within Energy Efficiency and Renewable Energy (EERE) by \$9 million and reduces DOE Departmental Administration by the same amount. The underlying legislation funds hydropower research at \$38.5 million.
3. **[Speier \(D-CA\)](#)**: Cuts Fossil Energy Research and Development by \$31 million. Fossil Energy Research and Development is appropriated \$593 million in the underlying bill, a level that is \$118 million above the President’s budget request, \$31 million above the FY14 enacted level, and \$143 million above the level proposed by the House Appropriations Committee for FY14. This program conducts research on fossil fuels, such as coal, oil, and natural gas. Of the total amount, \$412 million is for coal. Several conservative groups have opposed this program, including [Cato](#), [Citizens Against](#)

[Government Waste](#), [Heritage](#), and [National Taxpayers Union](#).

4. [Titus \(D-NV\)](#): Would eliminate funding for the Yucca Mountain nuclear waste repository. The bill provides \$150 million for Yucca Mountain. Under the Nuclear Waste Policy Act of 1982, the federal government has a legal responsibility to assume responsibility for spent civilian nuclear fuel. Because the Administration has halted the Yucca Mountain project, the taxpayers face a liability of \$25.1 billion in penalties, according to the [Committee Report](#). In August, 2013, the D.C. Circuit Court of Appeals ruled that the Administration's refusal to complete the Yucca project was in contravention of the Nuclear Waste Policy Act. [CRS](#) has additional background on nuclear waste management. [Heritage](#) has said that "finishing the review of Yucca Mountain is a critical part of any plan moving forward."
5. [Schiff \(D-CA\)](#): increases funding for the Advanced Research Projects Agency - Energy (ARPA-E) by \$20 million and reduces funding for DOE Administration by the same amount. ARPA-E is appropriated \$280 million in the underlying legislation, a level that is \$45 million below the President's budget request, equal to the FY14 enacted level, and \$230 million above the level proposed by the House Appropriations Committee for FY14.

The RSC Budget proposed eliminating ARPA-E, stating: "This agency was started by the failed 2009 stimulus law and is meant to fund high-risk green energy projects. Taxpayers should not bear the burden for research projects that the energy industry will not even take on for itself." [Heritage](#) has supported eliminating this program. In 2012, ARPA-E was criticized in a GAO report, which was the [subject of a hearing](#) in the House Science Committee.

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