HOUSE APPROPRIATIONS COMMITTEE
Full Committee Markup
FY20 Energy and Water Development Appropriations Bill

Manager’s Amendment
Offered by Ms. Kaptur of Ohio

In the bill:

On page 21, after line 3, insert the following new section:

SEC. __. The Claims Resettlement Act of 2010 (Title III, Public Law 111-291) is amended by:

(a) in subsection 309 (d) (2) by striking "2021" each place it appears and inserting "2023";
(b) in subsection 309(d)(2)(A) by striking “2021” each place it appears and inserting “2023”; and
(c) Section 311(h) by striking “2021” each place it appears and inserting “2023”.

Page 31, line 19, strike “$2,074,930,000” and insert “$2,079,930,000”.

Page 32, line 12, strike “$430,000,000” and insert “$425,000,000”.

In the report:

Page 6, at the end of the second paragraph headed “NATIONAL ENERGY POLICY”, insert the following:
“The Committee encourages innovation and technological development to reduce emissions by pursuing research in all energy sources, including wind energy, solar energy, energy efficiency, fossil energy, nuclear energy, and hydropower.”

On page 24, for the project titled “South Florida Ecosystem Restoration (Everglades), FL”, in the column titled “Budget Request”, strike “$63,255” and insert “$200,000” and in the column titled “House Recommended”, strike “$63,255” and insert “$200,000” and amend the amounts in the table under “Subtotal, Projects Listed Under States” table on page 25 accordingly. Amend the report accordingly.
On page 25, in the line titled “Flood and Storm Damage Reduction”, strike “$243,000” and insert “$208,000”. On the same page, in the line titled “Navigation”, strike “$300,000” and insert “$265,000”. On the same page, in the line titled “Other Authorized Project Purposes”, strike $147,637” and insert “$103,892”. On the same page, in the line titled “Environmental Restoration or Compliance”, strike “$150,000” and insert “$125,000”. On page 26, amend the amounts in the table under “Subtotal, Remaining Items” and “Total, Construction” accordingly. Amend the report accordingly.

On page 26, after the line titled “Project Modifications for Improvement of the Environment (Section 1135)” insert “Removal of Obstructions (Section 208)” and insert “$2,000” as the House Recommended amount.

On page 75, change House Recommended amount from “10,475” to “12,975” in the table under “Research and Development: Desalination and Water Purification Program”. On the same page, change House Recommended amount from “20,000” to “17,500” in the table under “Research and Development: Science and Technology Program”. Amend the report accordingly.

On page 78, in the first paragraph under the header “Additional Funding for Water and Related Resources”, strike “$67,000,000” and insert “$89,333,000”. On the same page, in the paragraph titled “Research and Development: Desalination and Water Purification Program”, strike “$6,000,000” and insert “$8,000,000”. On the same page, in the paragraph titled “WaterSMART Program: Title XVI Water Reclamation & Reuse Program”, strike “$10,000,000” and insert “$13,333,000”.

On page 77, after the paragraph titled, “Aquatic Nuisance Species”, insert the following new paragraph:

“Aamodt Litigation Settlement Act.—The Committee is aware that the cost of the Aamodt litigation settlement project will exceed the current authorization. The Committee understands that Reclamation and the parties to the settlement have determined through negotiations about this project the need for increasing the federal cost ceiling. The Committee directs Reclamation to use funds on hand for this settlement to initiate construction of features necessary to prevent additional cost overruns associated with delayed construction.”

On page 104, before the heading “UNCONVENTIONAL FOSSIL ENERGY TECHNOLOGIES”, insert the following new paragraph:

“Within available funds, the Committee encourages the Department to advance research and technology development opportunities between universities, industry, and the national laboratories to develop novel engineered systems that convert light hydrocarbons derived from shale gas and oil to more valuable compounds for use as fuels, chemical intermediaries, and other products.”
On page 116, after section on “Energy and Employment Report” insert the following new paragraph:

“Real Property.—The Department is reminded of its authority to transfer excess personal property and equipment to DOE-designated Community Reuse Organizations in order to promote economic diversification and job creation in communities where the Department’s sites are located and is encouraged to ensure that relevant agency employees throughout the Department are aware of current policies to implement this authority.”

On page 122, in the paragraph headed “Laboratory and Partnership Support,” strike “$30,000,000” and insert “$35,000,000”.

On pages 151-152 in the Department of Energy detail table, make the following changes to the column headed “Bill” and amend the table and report accordingly:
- In the “Laboratory and partnership support” line, strike “35,000” and insert “40,000”

On page 154 in the Department of Energy detail table, make the following changes to the column headed “Bill” and amend the table and report accordingly:
- In the “Federal Salaries and Expenses” line, strike “430,000” and insert “425,000”
- In the “Richland: River corridor and other cleanup operations” line, strike “251,102” and insert “241,102”
- In the “Richland: Central plateau remediation” line, strike “578,479” and insert “588,479”
AMENDMENT TO H.R. 

OFFERED BY MR. CALVERT OF CALIFORNIA 

Energy and water development and related agencies, FY20

Page 15, line 8, insert “the Shasta Dam and Reservoir Enlargement Project,” before “the Cle Elum Pool Raise”.

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Page 26, line 2, strike "." and insert the following:

"Provided, That notwithstanding any other provision of law, of the amount appropriated under this heading, $2,000,000 shall be for the analysis and initiation of radium decontamination and remediation at any land-grant university that may have been subject to such contamination as a result of actions of the former United States Bureau of Mines."
Amendment to Energy & Water Development Appropriations
Offered by Mr. Newhouse of Washington

In the Department of Energy Defense Environmental Cleanup detail table on page 154 of the report, make the following changes to the column headed “Bill” and adjust the remaining columns accordingly:

In Richland: River corridor and other cleanup operations, strike “251,102” and insert “246,102” and

In Richland: RL Community and regulatory support, strike “5,121” and insert “10,121.”
AMENDMENT TO ENERGY AND WATER
APPROPRIATIONS BILL
OFFERED BY MR. SIMPSON OF IDAHO

Page 7, line 21, strike "$203,000,000" and insert
"$198,000,000".

Page 25, line 5, strike "$10,200,000" and insert
"$7,989,000".

Page 26, line 10, strike "$873,479,000" and insert
"$864,000,000".

Page 26, line 12, strike "$30,514,000" and insert
"$21,035,000".

Page 27, after line 2, insert the following:

1 NUCLEAR WASTE DISPOSAL
2 For Department of Energy expenses necessary for
3 nuclear waste disposal activities to carry out the purposes
4 of the Nuclear Waste Policy Act of 1982 (Public Law 97–
5 425), as amended (hereinafter referred to as the
6 "NWPA"), including the acquisition of any real property
7 or facility construction, or expansion, $44,713,000, to re-
8 main available until expended, and to be derived from the
9 Nuclear Waste Fund: Provided, That of the funds made
available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 1.62 percent shall be provided to the Office of the Attorney General of the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the NWPA: Provided further, That of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 2.91 percent shall be provided to affected units of local government, as defined in the NWPA, to conduct appropriate activities and participate in licensing activities under Section 116(c) of the NWPA: Provided further, That of the amounts provided to affected units of local government, 7.5 percent shall be made available to affected units of local government in California with the balance made available to affected units of local government in Nevada for distribution as determined by the Nevada affected units of local government: Provided further, That of the funds made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, 0.16 percent shall be provided to the affected Federally-recognized Indian tribes, as defined in the NWPA, solely for expenditures, other than salaries and expenses of tribal employees, to conduct appropriate activities and participate in licensing activities.
1 under section 118(b) of the NWPA: Provided further, That
2 of the funds made available in this Act for nuclear waste
3 disposal and defense nuclear waste disposal activities, 3.0
4 percent shall be provided to Nye County, Nevada, 0.05
5 percent shall be provided to Clark County, Nevada, and
6 0.46 percent shall be provided to the State of Nevada as
7 payment equal to taxes under section 116(c)(3) of the
8 NWPA: Provided further, That within 90 days of the com-
9 pletion of each Federal fiscal year, the Office of the Attor-
10 ney General of the State of Nevada, each affected Fed-
11 rally-recognized Indian tribe, and each of the affected units
12 of local government shall provide certification to the De-
13 partment of Energy that all funds expended from such
14 payments have been expended for activities authorized by
15 the NWPA and this Act: Provided further, That failure
16 to provide such certification shall cause such entity to be
17 prohibited from any further funding provided for similar
18 activities: Provided further, That none of the funds herein
19 appropriated may be: (1) used for litigation expenses; or
20 (2) used to support multi-State efforts or other coalition
21 building activities inconsistent with the restrictions con-
22 tained in this Act: Provided further, That all proceeds and
23 recoveries realized by the Secretary in carrying out activi-
24 ties authorized by the NWPA, including but not limited
25 to any proceeds from the sale of assets, shall be credited
1 to this account, to remain available until expended, for
2 carrying out the purposes of this account.

    Page 29, line 18, strike "$264,378,000" and insert
    "$260,418,000".

    Page 30, line 11, strike "$171,000,000" and insert
    "$167,040,000".

    Page 33, after line 16, insert the following:

        DEFENSE NUCLEAR WASTE DISPOSAL

        For Department of Energy expenses necessary for
        nuclear waste disposal activities to carry out the purposes
        of the Nuclear Waste Policy Act of 1982, as amended,
        including the acquisition of real property or facility con-
        struction or expansion, $12,000,000, to remain available
        until expended.

    Page 48, after line 19, insert the following:

        SEC. 310. (a) Of the unobligated balances from ap-
        propriations for "Department of Energy—Energy Pro-
        grams" for fiscal years prior to fiscal year 2016,
        $40,000,000 is hereby rescinded.

        (b) Of the unobligated balances from appropriations
        for "Department of Energy—Atomic Energy Defense Ac-
        tivities" for fiscal years prior to fiscal year 2016,
        $12,000,000 is hereby rescinded.
(c) No amounts may be rescinded by this section from amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

Page 51, strike line 8 and that follows through page 52, line 19, and insert the following:

For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, $892,216,000, including official representation expenses not to exceed $25,000, to remain available until expended, of which $16,980,000 shall be derived from the Nuclear Waste Fund: Provided, That of the amount appropriated herein, not more than $9,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2021, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $748,632,000 in fiscal year 2020 shall be retained and
used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That of the amounts appropriated under this heading, not less than $15,478,000 shall be for activities related to the development of regulatory infrastructure for advanced nuclear technologies, and $12,492,000 shall be for international activities, except that the amounts provided under this proviso shall not be derived from fee revenues, notwithstanding 42 U.S.C. 2214: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2020 so as to result in a final fiscal year 2020 appropriation estimated at not more than $143,584,000: Provided further, That of the amounts appropriated under this heading, $10,500,000 shall be for university research and development in areas relevant to the Commission’s mission, and $5,500,000 shall be for a Nuclear Science and Engineering Grant Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

On page 105 of the report, at the end of the last paragraph, insert the following: “Additionally, since the costs of maintaining the Northeast Gasoline Supply Reserve are fully funded in the Strategic Petroleum Reserve
account, the Department is directed to use $2,211,000 in prior-year balances allocated to the Northeast Gasoline Supply Reserve in this account for the costs of drawdown operations related to statutorily-directed sales.”

On page 143 of the report, change Bill amount from “164,413” to “160,453” in the table under “Other Departmental Administration” and amend the summary amounts in the table accordingly.

On page 170 of the report, change Cmte. rec. amount from “---” to “-10,000”, and at the appropriate place, insert the following new paragraph: “The recommendation includes $10,000,000 in savings for fiscal year 2020 that was not included in the budget request. The Committee directs the Commission to apply these savings in a manner that continues to ensure the protection of public health and safety and maintains the effectiveness of the current inspection program. Since the Commission has already collected fees corresponding to these activities in prior years, these funds are not included within the fee base calculation for determining authorized revenues and does not provide authority to collect additional offsetting receipts for their use.”
Amend the report to make technical and conforming changes to reflect the previous amendments to the bill and report.