

AMENDMENTS ADOPTED TO THE
ENERGY AND WATER APPROPRIATIONS BILL
FOR FY 2014

Full Committee Markup
House Appropriations Committee
Wednesday, June 26, 2013



HOUSE APPROPRIATIONS COMMITTEE
Full Committee Markup
FY14 Energy and Water Development Appropriations Bill

Manager's Amendment

In the Bill:

Page 57, after line 22:

- Insert the following new section and renumber accordingly: "SEC. ____ . The Commissioner of the Bureau of Reclamation and the Assistant Secretary of the Army (Civil Works) shall submit to the Committees on Appropriations of the House of Representatives and the Senate, at the time that the President's budget proposal for fiscal year 2015 is submitted pursuant to section 1105(a) of title 31, United States Code, a comprehensive report compiled in conjunction with the Government Accountability Office that details updated missions, goals, strategies, and priorities, and performance metrics that are measurable, repeatable, and directly linked to requests for funding."

In the Report:

On page 29, insert the following paragraph in the proper place: *“Updated capability.*—Following the submission of the budget request, the Committee received from the Corps updated information regarding the amount of work that could be accomplished in fiscal year 2014; the Committee adjusted project-specific allocations downward accordingly. If the Committee receives further capability updates, the Committee will consider further allocation updates, as appropriate. In the Investigations account, the South San Francisco Shoreline, California, allocation was adjusted.”

On page 35, insert the following paragraph in the proper place: *“Updated capability.*—Following the submission of the budget request, the Committee received from the Corps updated information regarding the amount of work that could be accomplished in fiscal year 2014; the Committee adjusted project-specific allocations downward accordingly. If the Committee receives further capability updates, the Committee will consider further allocation updates, as appropriate. In the Construction account, the following allocations were adjusted: Fort Pierce Beach, Florida; Pinellas County, Florida; Lower Savannah River Basin, Georgia; and Savannah Harbor Disposal Areas, Georgia and South Carolina.”

On page 37, strike the last paragraph and insert the following: *“Coastal Storm Damage Reduction Projects.*—Some coastal storm damage reduction projects provide for periodic nourishment. These projects are authorized for construction over a 50-year period. Some of the earliest projects initiated are coming up on the end of the authorized time period, and the non-federal sponsors have indicated interest in extending the authorizations. To date, the Corps has not clarified its policy for evaluating these requests. The Committee directs the Corps to consider existing authorities, the unique elements of these projects, and similarities to projects with other authorized purposes. The Corps shall report to the appropriate congressional committees, not later than 90 days after enactment of this Act, on any legislative changes necessary to provide a clear policy on this issue.”

On page 64, insert before the first paragraph: *“Missouri River Municipal and Industrial Water Supply Reallocation Study.*—The Committee has heard concerns from existing water supply users that this study could result in sharp increases in

monthly water bills. The Corps is encouraged to explore all reasonable options for mitigating abrupt cost increases.”

On page 64, strike the third full paragraph and insert the following: “As discussed earlier in this report, the Corps shall develop a ratings system and evaluate ongoing projects under this system prior to allocating these additional funds. The Corps shall consider developing a ratings system that takes into consideration the following: ability to complete ongoing work maintaining authorized depths and widths of harbors and shipping channels, including where contaminated sediments are present; ability to address critical maintenance backlog; presence of the U.S. Coast Guard; extent to which the work will enhance national, regional, or local economic development, including domestic manufacturing capacity; extent to which the work will promote job growth or international competitiveness; for harbor maintenance activities, total tonnage handled, total exports, total imports, dollar value of cargo handled, energy infrastructure and national security needs served, lack of alternative means of freight movement, and savings over alternative means of freight movement; number of jobs created directly by the funded activity; ability to obligate the funds allocated within the fiscal year; ability to complete the project, separable element, or project phase within the funds allocated; and the risk of imminent failure or closure of the facility.”

At the appropriate place, insert the following: “The bill includes a provision directing the Bureau of Reclamation and the Army Corps of Engineers, working with the Government Accountability Office, to provide a comprehensive report that provides updated performance metrics that are measurable, repeatable, and directly linked to requests for funding. Performance measures in future budget justifications should clearly demonstrate the extent to which prior year investments in programs, projects, and activities can be tied to progress toward achieving priority goals and include estimates for how proposed investments will contribute to additional progress. In particular, performance measures should measure outcome (results and impact), output (volume), and efficiency.” Amend the report accordingly, including the table on page 12.

Alexander
AG RECORDS

**AMENDMENT TO ENERGY AND WATER
APPROPRIATIONS BILL
OFFERED BY MR. ALEXANDER OF LOUISIANA AND
MR. RYAN OF OHIO**

At the appropriate place on page 99 of the Committee Report, insert the following:

Natural Gas Export Applications.—The Committee is concerned about the process and backlog at the Department of Energy for considering pending applications for natural gas export. Under current Department processes, the application for export to free trade agreement (FTA) countries is handled quickly and without objection. However, the Department's handling of export applications to non-FTA countries has been prone to lengthy delays, with only two applications approved to date. The Committee notes that multiple applications have been pending at the Department for more than two years, and that the Department has not identified a plan to expeditiously process the remaining applications for export to non-FTA countries. The Committee supports a clearly communicated, timely process to make an appropriate determination on each of the pending applications at the Department and directs the Secretary to submit

to the Committees on Appropriations of the House of Representatives and the Senate, not later than 30 days after enactment of this Act, its plan to finish consideration of all applications filed with the Department.

At the appropriate place on page 148 of the Committee Report, insert the following:

Natural Gas Export Project Consideration.—The Committee is concerned with the pace of the Federal Energy Regulatory Commission’s consideration of natural gas export projects, including the use of “tolling orders” to extend statutory deadlines. The Committee supports a clearly communicated, expedited process to make an appropriate determination on each of the pending applications and directs the Commission to submit to the Committees on Appropriations of the House of Representatives and the Senate, not later than 30 days after the date of the enactment of this Act, its plan to finish consideration of all applications filed with the Commission.



#4

Graves
AG 04070
32-17

**AMENDMENT TO ENERGY AND WATER
DEVELOPMENT APPROPRIATIONS ACT
OFFERED BY MR. GRAVES OF GEORGIA**

At the appropriate place, insert the following:

1 SEC. _____. As of the date of enactment of this Act
2 and thereafter, the Secretary of the Army shall not pro-
3 mulgate or enforce any regulation that prohibits an indi-
4 vidual from possessing a firearm, including an assembled
5 or functional firearm, at a water resources development
6 project covered under section 327.0 of title 36, Code of
7 Federal Regulations (as in effect on the date of enactment
8 of this Act), if (1) the individual is not otherwise prohib-
9 ited by law from possessing the firearm; and (2) the pos-
10 session of the firearm is in compliance with the law of
11 the State in which the water resources development
12 project is located.

☒

~~Barbara Lee~~
Accepted
VV

**AMENDMENT TO ENERGY AND WATER
APPROPRIATIONS BILL
OFFERED BY MS. LEE OF CALIFORNIA**

At the end of the bill (before the spending reduction account), insert the following:

- 1 SEC. _____. It is the sense of the Congress that the
- 2 Congress should not pass any legislation that authorizes
- 3 spending cuts that would increase poverty in the United
- 4 States.



Adersholt

AGREED TO WV

AMENDMENT TO H.R. _____

OFFERED BY MR. ADERHOLT OF ALABAMA

Energy and Water Appropriations Bill, 2014

At the appropriate place in the bill, insert the following:

1 SEC. _____. Notwithstanding any other provision of
2 law, until the pipeline reliability study required in the Con-
3 solidated Appropriations Act, 2012, is completed, and any
4 necessary changes are made to Technical Memorandum
5 No. 8140-CC-2004-1, the Bureau of Reclamation shall not
6 deny approval, funding, or assistance to any project, nor
7 disqualify any material from use, based, in whole or in
8 part, on the corrosion control used, if the corrosion control
9 meets the requirements of a published national or inter-
10 national standard promulgated by the American Water
11 Works Association ("AWWA"), ASTM International, the
12 American National Standards Institute ("ANSI"), NACE
13 International ("NACE") or the American Society for
14 Testing and Materials ("ASTM"). The Bureau shall allow
15 any project initiated during the study to use any corrosion
16 control meeting the above standards.

