



## Amendments to H.R. 5055: Fiscal Year 2017 Energy and Water Appropriations (Rep. Simpson, R-ID) – Part II

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

**This Legislative Bulletin includes summaries of amendments for which votes remain pending. Additional amendments will be summarized in Legislative Bulletins as they become available.**

### SUMMARY AND ANALYSIS OF AMENDMENTS:

1. **[Weber \(R-TX\)](#)**: Would reduce funding for the Title 17 Loan Guarantee Program by \$7 million, which would eliminate the net appropriation for administrative expenses, thereby preventing any new loans from being made under the program.

The [RSC Budget](#) proposed eliminating this program, stating: “This is the program that gave us the Solyndra scandal that resulted in the taxpayers losing more than \$500 million after the administration gambled on a politically favored company.” Several conservative groups have supported eliminating this program, including [American Energy Alliance](#), [Americans for Prosperity](#), [Cato](#), [Heritage](#), [Mercatus](#), and [Taxpayers for Common Sense](#).

**Key Vote Yes:** [National Taxpayers Union](#)

2. **[Ellison \(D-MN\)](#)**: Would establish Congressional intent that \$1 million of DOE Departmental Administration funding would be to create an “Office of Good Jobs”.

Such an office has been advocated for by the [leadership PAC associated with the Congressional Progressive Caucus](#) on a federal government-wide basis.

3. **[Farr \(D-CA\)](#)**: Would strike the rider in the bill inserted in the base bill by RSC Chairman Flores to prohibit the use of funds to carry out the [National Ocean Policy](#) under Executive Order 13547.

The National Ocean Policy was established by an Executive Order that mandates new priorities for all federal agencies to follow when issuing permits or authorizing activities for any activity which might affect ocean quality – including inland activities. In addition to creating a further level of

bureaucracy without statutory authorization, these policies would create more uncertainty for inland businesses, mandating where activities can and cannot occur in the ocean and coastal zones, could over-ride local and state zoning authorities, and will lead to litigation attempting to stop or needlessly delay Federally-permitted activities.

**Outside Group Opposition:** Council for Citizens Against Government Waste (CCAGW)

4. [Garamendi \(D-CA\)](#): Would prohibit funds made available by the bill to expand plutonium pit production capacity at the [PF-4 facility](#) at the Los Alamos National Laboratory. These pits are at the core of weapons in the U.S. strategic arsenal, and an increase in production may be necessary to accommodate the [life extension programs](#) for various warheads, including the W78 and W88.
5. [Pittenger \(R-NC\)](#): Would state that “none of the funds made available by this Act may be used to revoke funding previously awarded, to or within the State of North Carolina.”

Earlier this year, the City of Charlotte passed an [ordinance](#) that requires private businesses and non-profits in the city to make accommodations based on sexual orientation, gender identity, and gender expression, including by allowing individuals to use facilities such as bathrooms and locker rooms of their choosing.

In response, the state enacted [HB 2](#), the [Public Facilities Privacy and Security Act](#), which would [allow](#) “the private sector free to do what they think best with their bathrooms, and it says government-run facilities will operate according to biological sex.”

The Department of Justice (DOJ) then [sued](#) the state. Despite the fact that the state has *not* been found guilty of violating any federal law, [Attorney General Loretta Lynch stated](#) that the DOJ retains “the option of curtailing federal funding to the North Carolina Department of Public Safety and the University of North Carolina as this case proceeds.”

In addition, multiple other officials have attempted to coerce North Carolina in the midst of pending litigation. These officials include:

- [Department of Transportation Secretary Anthony Foxx;](#)
- [Department of Education Spokesperson Dorie Nolt;](#)
- [Department of Housing and Urban Development spokesperson Cameron French;](#)
- [White House Press Secretary Josh Earnest; and](#)
- [Senior Advisor to the President Valerie Jarrett.](#)

6. [Gosar \(R-AZ\)](#): Would prohibit the use of funds for regulations that reference or rely on the administration’s “[Social Cost of Carbon](#)”. This analysis requires regulators to assign a dollar value to carbon emissions to justify regulations such as the EPA’s recent Methane Rule. The administration recently moved to increase the dollar value of carbon emissions without following the Administrative Procedures Act. A Heritage Foundation event on the problems with the Social Cost of Carbon can be viewed online [here](#). A Democrat amendment to the FY 2016 Interior Appropriations bill supporting the Social Cost of Carbon failed by a [186 – 243](#) vote.

**Outside Group Support:** Americans for Limited Government, Americans for Tax Reform, Arch Coal, the Council for Citizens Against Government Waste, FreedomWorks, the National Taxpayers Union, the Taxpayers Protection Alliance, Concerned Citizens for America Arizona Chapter, the Gila County Cattle Growers Association, and the Sulphur Springs Valley Electric Cooperative.

7. **Foster (D-IL)**: Would prohibit funds provided by the bill for the Experimental Program to Stimulate Competitive Research (**EPSCoR**) program. This program is run by the National Science Foundation (NSF) and determines grant eligibility based on the level of NSF funding that has been given to a state over the last three years. According to the amendment sponsor, it is meant to steer funding to small population states.

Currently, Alabama, Alaska, Arkansas, Delaware, Hawaii, Idaho, Kansas, Kentucky, Louisiana, Maine, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Oklahoma, Rhode Island, South Carolina, South Dakota, Vermont, West Virginia, and Wyoming are [eligible](#) for EPSCoR funding.

A dear colleague in support for the amendment can be found [here](#) and a dear colleague in opposition to the amendment can be found [here](#).

A similar amendment to the FY 2016 Commerce, Justice, Science Appropriations bill failed by a [195 - 232](#) vote.

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