

ML Strategies Weekly Energy and Environment Update – Week of October 28 2013

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By David Leiter, Sarah Litke, Jean Cornell, Bryan Stockton, Jordan Collins and Neal Martin

Following the House's approval of the Water Resources Reform and Development Act last week, three conference committees will spend this week attempting negotiate compromise language. The Senate passed its counterpart in May. If a compromise agreement is met, it will be the first time since 2007 that a water infrastructure bill has been passed. The White House released a statement of administration policy on Wednesday, saying it will recommend that the president sign the final bill.

Two other conference committees will hold their first meetings on Wednesday. The Farm Bill Conference Committee will begin trying to resolve differences surrounding the House- and Senate-passed versions of the Farm Bill. Funding for food stamps and aid to farm producers remain the major points of contention. The same day, the FY14 budget conference committee will meet.

In the Senate, a third version of Shaheen-Portman (currently **S. 1392** and previously **S. 761**) is nearing introduction. The first two versions were overwhelmed by germane and non-germane amendments. Potential amendments for the third version include:

- An amendment by Senators Michael Bennet (D-CO) and Kelly Ayotte (R-NH) on energy savings measurements by individual users in multiuse buildings;
- An amendment by Senators Tom Coburn (R-OK) and Tom Carper (D-DE) on thermal efficiency;
- An amendment by Senators Jeff Sessions (R-AL) and Mark Pryor (D-AR) promoting third-party product certification programs;
- An amendment by Senators Mark Pryor (D-AR), Mary Landrieu (D-LA), and Roger Wicker (R-MS) protecting certain materials from General Service Administration building certifications disfavor;
- An amendment by Senators Mark Pryor (D-AR) and John Hoeven (R-ND) on grid-enabled water heaters;
- An amendment by Senators Mark Udall (D-CO) and Jim Risch (R-ID) on federal data center energy consumption;
- An amendment by Senators John Hoeven (R-ND) and Joe Manchin (D-WV) on federal building fossil fuel usage; and
- An amendment by Senators Michael Bennet (D-CO) and Johnny Isakson (R-GA) on energy efficiency in home mortgages.

While the current vote tally is uncertain, many agree the 60-vote threshold is needed to spur Senate Majority Leader Harry Reid (D-NV) to move the bill. House Energy and Commerce Chairman Fred Upton (R-MI) said October 25 that he would take up Shaheen-Portman if the Senate passed the bill soon.

For more on the latest energy and clean technology regulatory and legislative developments please see **ML Strategies'** most recent [Energy and Environmental Update](#).

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