



APPROPRIATIONS ALERT

BY THE COMMITTEE ON THE BUDGET, REPUBLICAN CAUCUS

B-71 Cannon House Office Building
Washington, DC 20515
Representative Paul D. Ryan, *Ranking Republican*

Phone: (202)-226-7270
Fax: (202)-226-7174
Augustine T. Smythe, *Republican Staff Director*

ENERGY AND WATER APPROPRIATIONS FLAT FUNDING AFTER LARGE ‘STIMULUS’ BOOST H.R. 3183

14 July 2009

Following \$50.8 billion provided in the American Recovery and Reinvestment Act [ARRA] of 2009 (Public Law 111-5), the fiscal year 2010 Energy and Water appropriations bill provides \$33.3 billion in discretionary budget authority [BA] – an increase of \$46 million (well less than 1 percent) over the scored non-emergency 2009 enacted level, and \$1.1 billion below the President’s request. Outlays in the measure – which funds the Department of Energy, the Bureau of Reclamation, and various independent agencies – total \$42.8 billion for the budget year.

Table 1: Energy and Water Appropriations Bill
(dollars in millions)

	2009 Enacted ^a	2010 Request	302 (b) for 2010	H.R. 3183
Discretionary Budget Authority	33,261	34,394	33,300	33,307
Outlays	30,730	42,477	42,764	42,771

^a Excludes emergencies and reflects rebasing.

As reported, the bill does not comply with section 302(f) of the Congressional Budget Act of 1974 because it exceeds, by \$7 million, its 302(b) allocation of BA. A manager’s amendment will reduce BA in the bill to bring it into compliance; otherwise the Budget Act point of order would lie against the measure. The amendment also will reduce budget year outlays, removing a \$7-million breach in the subcommittee’s outlay allocation (though such violations are not enforced in the House).

In addition, the bill reclassifies as discretionary offsetting collections roughly \$198 million in budget year mandatory receipts, principally for several Power Marketing Administrations in Title III. By law reclassification of receipts is within the jurisdiction of the Budget Committee; while a section 306 Budget Act point of order therefore lies against the measure, this point of order is likely to be waived in the rule.

The bill does not contain emergency spending, advance appropriations, cap adjustments, or funding for the global war against terrorism.

Highlights of the bill include the following:

- **Department of Energy [DOE].** The bill provides the DOE a net total of \$26.4 billion in BA and \$33.4 billion in outlays, a reduction of \$54 million from the 2009 level and \$1.5 billion below the President’s request. This includes funding for Energy Efficiency and

Authorized by Paul D. Ryan, Ranking Republican

Renewable Energy (\$2.3 billion), Nuclear Energy (\$812 million), the Energy Information Administration (\$122 million), and Science activities (\$4.9 billion). The ARRA provided the Department a total of \$38.7 billion in “stimulus” funds, of which it has spent \$243 million, or less than 1 percent.

- **Bureau of Reclamation [BoR].** The BoR is provided \$1 billion in fiscal year 2010 funding, \$17 million above the President’s request, but \$25 million below the 2009 enacted level. This includes \$835 million (net of permissible transfers) to the Water and Related Resources account for various program activities, and is largely responsible for the Bureau’s increase above the President’s request.
- **Yucca Mountain.** The bill reflects the President’s budget proposal to close Yucca Mountain down permanently. The Nuclear Waste Disposal account is funded at \$98 million, about \$47 million below the 2009 enacted level but identical to the President’s 2010 budget request. Neither the President’s budget nor current law, however, offers an alternative policy to Yucca for long-term storage of spent nuclear fuel, though the bill does provide funding for a panel to study alternatives. The Federal Government has a contractual obligation to dispose of this waste. If the 2020 Nuclear Waste Policy Act deadline for storage of nuclear waste is delayed or abandoned, the cost to the taxpayer would run into the billions of dollars.
- **Terminations and Reductions.** Approximately \$1.8 billion in savings are claimed relative to the 2009 enacted level, including \$98 million from four terminations and \$1.7 billion from reductions. The bill also claims savings of \$2.5 billion below the President’s 2010 budget request, including \$31 million in terminations and \$448 million in new initiatives not funded or funded below the request. The measure contains three of seven projects the President had proposed to terminate, for savings of \$92 million.

Table 2: Energy and Water Appropriations Bill
(discretionary budget authority in millions of dollars)

	2009 Enacted	2010 Request	2010 Reported	2010 Rept. minus Reqst.	% Change Reqst./Rept.	% Change 2009/Rept.
Department of Interior	1,069	1,027	1,044	17	2%	-2%
National Nuclear Security Admin.	9,129	9,945	9,205	-740	-7%	1%
Environmental and Other Defense	7,114	6,446	6,998	552	9%	-2%
Energy Programs and Other Energy	10,238	11,531	10,199	-1,332	-12%	0%
Corps of Engineers - Civil Works	5,403	5,125	5,541	416	8%	3%
Other	308	320	320	0	-0%	4%
Total	33,261	34,394	33,307	-1,087	-3%	0%

This document was prepared by the Republican staff of the Committee on the Budget, U.S. House of Representatives. It has not been approved by the full committee and may not reflect the views of individual committee members.