
On June 15, 2011, the House Appropriations Committee approved the fiscal year 2012 Energy and Water Appropriations bill, by a vote of 26-20 (H.R. 2354/H.Rpt. 112-118). The legislation totals $30.6 billion, $5.9 billion below the President's request and $1 billion below last year. The legislation provides the annual funding for the Department of Energy, as well as the Army Corps of Engineers, the Interior Department's Bureau of Reclamation, the Nuclear Regulatory Commission, and various regional water and power authorities.


CORPS OF ENGINEERS

DEPARTMENT OF THE INTERIOR

DEPARTMENT OF ENERGY

CORPS OF ENGINEERS

The fiscal year 2012 budget request for the Corps of Engineers is composed of $4,800,000,000 in new budget authority. This is a decrease of $89,000,000 from the fiscal year 2011 request. There are no congressionally earmarked projects within the bill.

The Army Corps of Engineers (Corps) is responsible for activities in support of coastal and inland navigation, flood and coastal storm damage reduction, environmental protection and restoration, hydropower, recreation, water supply and disaster preparedness and response. The Corps also performs regulatory oversight of navigable waters. Approximately 23,000 civilians and almost 300 military personnel located in eight Division offices and 38 District offices work to carry out the Civil Works program.

The legislation provides more than $1.75 billion for navigation projects and studies. The bill also funds flood and coastal storm damage reduction activities at $1.54 billion - including $474 million for critical dam safety improvements.

The bill does not fund all of the presidentially requested projects for the Army Corps - redirecting $59 million to navigation and flood control activities that the Committee believes will have a more immediate impact on job creation and the economy.
General Investigations
The budget request for the Investigations account is $104,000,000, $22,746,000 below fiscal year 2011. The request assumes initiation of the two proposed new starts in the fiscal year 2011 budget and proposes funding for four additional new studies.

Construction, General
The budget proposes $1,480,000,000 for the Construction account, a decrease of $133,822,000 from fiscal year 2011, or a decrease of $309,822,000 after accounting for a one-time rescission in fiscal year 2011. Full funding is requested for the most critical dam safety projects and for meeting legal requirements, such as Biological Opinions.

Operation and Maintenance, General
The fiscal year 2012 Operation and Maintenance account is proposed at $2,314,000,000, a reduction of $51,759,000 from the current year. The budget request assumes initiation of the one new start activity proposed in the fiscal year 2011 budget request and proposes one additional new start activity.

DEPARTMENT OF THE INTERIOR
Bureau of Reclamation
The fiscal year 2012 budget request for the Bureau of Reclamation totals $1,018,389,000. The Committee recommendation totals $905,296,000, $157,289,000 below fiscal year 2011 and $113,093,000 below the budget request.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public. Since its establishment by the Reclamation Act of 1902, the Bureau of Reclamation has developed water supply facilities that have contributed to sustained economic growth and an enhanced quality of life in the western states.

Water and Related Resources
The Water and Related Resources account supports the development, construction, management, and restoration of water and related natural resources in the 17 western states. The account includes funds for operating and maintaining existing facilities to obtain the greatest overall levels of benefits, to protect public safety, and to conduct studies on ways to improve the use of water and related natural resources.

For fiscal year 2012, the Committee recommends $822,300,000, $89,373,000 below fiscal year 2011 and $17,113,000 above the budget request. Included in the Committee recommendation is funding for certain Indian Water Rights Settlements proposed for funding under a separate account in the President's budget request.

No funding is included for the San Joaquin River Restoration Fund, which the President's request also proposed as a new separate account. Adjusted for these proposed new accounts, the recommendation is $43,370,000 below the budget request, according to the Committee Report.

The California Bay-Delta Restoration
The California Bay-Delta Restoration account funds the federal share of water supply and reliability improvements, ecosystem improvements and other activities being developed for the Sacramento-San Joaquin Delta and associated watersheds by a state and federal partnership (CALFED). Federal participation in this program was initially authorized in the California Bay-Delta Environmental and
Water Security Act enacted in 1996. For fiscal year 2012, the Committee recommends $35,928,000, $3,992,000 below fiscal year 2011 and $3,723,000 below the budget request. Within this amount, the Committee provides funding for programs and activities proportionate to the Administration's request.

**San Joaquin River Restoration Fund**

The budget request proposes an account separate from the Water and Related Resources account for discretionary funding of San Joaquin River Restoration activities. The report states, "When asked by the Committee, Reclamation acknowledged that implementation would not be affected by which account included funding. The Committee sees no compelling reason to create yet another project-specific appropriations account, and, therefore, includes San Joaquin River Restoration within the Water and Related Resources account, although no funding is provided.

**Central Valley Project Restoration Fund**

This fund was established to carry out the provisions of the Central Valley Project Improvement Act and to provide funding for habitat restoration, improvement and acquisition, and other fish and wildlife restoration activities in the Central Valley area of California. Resources are derived from donations, revenues from voluntary water transfers and tiered water pricing, and Friant Division surcharges. The account also is financed through additional mitigation and restoration payments collected on an annual basis from project beneficiaries.

For fiscal year 2012, the Committee recommends $53,068,000, $3,154,000 above fiscal year 2011 and the same as the budget request. Within this amount, the Committee provides funding for programs and activities according to the Administration's request. The Committee notes that the increase for this account in the budget request and recommendation is based on a three-year rolling average of collections, in accordance with the authorizing statute.

**Changes in the Application of Existing Law**

- The bill continues a provision regarding the San Luis Unit and the Kesterson Reservoir in California.
- The bill contains a provision permanently rescinding mandatory funds from the San Joaquin River Restoration Fund.

Language has been included under Bureau of Reclamation, California Bay-Delta Restoration, permitting the transfer of funds to appropriate accounts of other participating federal agencies to carry out authorized programs; allowing funds made available under this heading to be used for the federal share of the costs of the CALFED Program management; making the use of any funds provided to the California Bay-Delta Authority for program-wide management and oversight activities subject to the approval of the Secretary of the Interior; and requiring that CALFED implementation be carried out with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the program.

**DEPARTMENT OF ENERGY**

The total funding recommended for the Department of Energy is $24,740,746,000, $850,430,000 below fiscal year 2011 and $5,943,056,000 below the budget request.

The Department of Energy has requested a total budget of $30,683,802,000, including a rescission of $241,332,000, as estimated by the Congressional Budget Office, in fiscal year 2012 to fund programs in its four primary mission areas: science, energy, environment, and national security. The overall Department of Energy budget request is $5,092,626,000 above fiscal year 2011 and includes significant increases to renewable energy programs and national defense mission areas, as well as to Science and
the Loan Guarantee Program.

The Committee recommends a number of significant changes to the fiscal year 2012 budget request, "driven primarily by budgetary realities and poor justification by the Administration on its rational for these proposed increases," according to the Committee Report.

Energy Programs

The bill includes funding of $1.3 billion, $491 million below last year's level, for programs to help lower the cost of renewable energy technologies and to develop new technology. The bill also includes $734 million for nuclear energy research, development, and demonstration activities to further the next generation of safe, secure, and economically beneficial nuclear power. In addition, the legislation provides $477 million, $32 million above last year's level, for research and development to advance coal, natural gas, and other fossil energy power generation technologies. The bill also includes $100 million to support the activities of the Advanced Research Projects Agency and $160 million to support loan guarantees for innovative projects.

Energy Efficiency and Renewable Energy

The Committee recommends a total of $1,304,636,000 for Energy Efficiency and Renewable Energy, $491,005,000 below fiscal year 2011 and $1,895,417,000 below the budget request. After accounting for a one-time rescission of $30,000,000 in fiscal year 2011 and the use of $26,364,000 in prior-year balances in this bill, the recommendation is $494,641,000 below fiscal year 2011.

Energy Efficiency and Renewable Energy programs include research, development, demonstration and deployment activities advancing energy efficiency and renewable energy technologies, as well as federal energy assistance programs. Renewable energy research, development, demonstration and deployment activities include biomass and biorefinery systems, geothermal technology, hydrogen and fuel cell technology, water power, solar energy, and wind energy technologies. Energy efficiency activities include reducing the energy consumption of vehicle, building and industrial technologies, and the Federal Energy Management Program. Federal energy assistance programs include weatherization assistance, state energy programs, the international renewable energy program, and tribal energy activities.

Wind Energy

The Wind Energy program funds research and development to improve the reliability and decrease the cost of wind power. The Committee recommends $76,000,000 for Wind Energy, $4,000,000 below fiscal year 2011 and $50,859,000 below the budget request.

Electricity Delivery and Energy Reliability

The Committee recommends $139,496,000 for Electricity Delivery and Energy Reliability, $1,514,000 below fiscal year 2011 and $98,221,000 below the budget request. After accounting for a one-time rescission of $3,700,000 in fiscal year 2011 and the use of $504,000 of prior-year balances in this bill, the recommendation is $4,710,000 below fiscal year 2011.

Non-Defense Environmental Cleanup

The Non-Defense Environmental Cleanup program includes funds to manage and cleanup sites used for civilian energy research and non-defense related activities. These past activities resulted in radioactive, hazardous and mixed waste contamination that requires remediation, stabilization, or some other action.

The Committee recommendation for Non-Defense Environmental Cleanup is $213,121,000, $10,329,000 below fiscal year 2011 and $6,000,000 below the budget request. After accounting for a
onetime rescission in fiscal year 2011 of $900,000, the recommendation is $11,229,000 below fiscal year 2011.

Science
The Committee recommendation is $4,800,000,000, $42,665,000 below fiscal year 2011 and $616,114,000 below the budget request. After accounting for a one-time rescission of $15,000,000 in fiscal year 2011 and the use of $2,749,000 of prior-year balances in this bill, the recommendation is $54,916,000 below fiscal year 2011.

The Report states: "Understanding that harnessing scientific and technological ingenuity has long been at the core of the nation's prosperity, the Department has programs designed to increase the number of underrepresented minorities in science, technology, engineering, and mathematics (STEM) areas. The Committee encourages the Department to maintain this commitment by engaging in competitions supporting programs that increase the number of underrepresented college minorities in STEM fields. The Secretary of Energy shall submit a report to the Congress concurrent with the fiscal year 2013 budget request evaluating the effectiveness of this initiative."

High Energy Physics
The Committee recommends $797,200,000 for High Energy Physics, $1,780,000 above fiscal year 2011 and the same as the budget request.

Basic Energy Sciences
The Committee recommends $1,688,145,000 for Basic Energy Sciences, $9,950,000 above fiscal year 2011 and $296,855,000 below the request. Basic Energy Sciences supports research in materials science, chemistry, geoscience and bioscience to provide the foundations for future innovations in energy technologies and national security.

Fusion Energy Sciences
Fusion Energy Sciences conducts basic science research and experimentation seeking to harness nuclear fusion for energy production purposes. The Committee recommends $406,000,000 for fusion energy sciences, $30,537,000 above fiscal year 2011 and $6,300,000 above the request.

Advanced Research Projects Agency - Energy (ARPA-E)
The Committee recommends $100,000,000 for the Advanced Research Projects Agency-Energy, $79,640,000 below fiscal year 2011 and $450,011,000 below the budget request.

The Advanced Research Projects Agency-Energy (ARPA-E) supports research aimed at rapidly developing energy technologies whose development and commercialization are too risky to attract sufficient private sector investment, but that are capable of significantly changing the energy sector to address our critical economic and energy security challenges. Projects funded by ARPA-E include such wide-ranging areas as production processes for transportation fuel alternatives that can reduce our dependence on imported oil, heating and cooling technologies with exceptionally high energy efficiency, and improvements in petroleum refining processes.

National Nuclear Security Administration
The Office of the Administrator of the National Nuclear Security Administration (NNSA) provides corporate planning and oversight for Defense Programs, Defense Nuclear Nonproliferation and Naval Reactors, including the NNSA field offices in New Mexico, Nevada and California. The Committee recommendation is $420,000,000, $26,707,000 above fiscal year 2011 and $30,060,000 below the budget request.
After accounting for a one-time rescission in fiscal year 2011 of $5,700,000, the recommendation is $21,007,000 above fiscal year 2011. The increase takes into account that the fiscal year 2011 level assumed significant prior-year balances were available to maintain federal employee workforce levels, and that these balances are no longer available to offset workforce requirements in fiscal year 2012.

**Campaigns**

The campaigns support scientific research, experimental activities and advanced computation, which make up the core of the science-based stockpile stewardship program. This program has enabled the U.S. Government to ensure the safety, reliability, and security of our nuclear weapons stockpile without underground nuclear testing for the past 17 years. For Campaigns, the Committee recommends $1,605,937,000, $84,702,000 below fiscal year 2011 and $190,790,000 below the budget request.

**Science Campaign**

For the Science Campaign, the Committee recommends $312,094,000, $50,425,000 below fiscal year 2011 and $93,845,000 below the budget request. Within these funds, $19,400,000 is recommended for the Advanced Certification subprogram to continue building the scientific basis for improving the weapons certification process. The Committee report states: "The activities under this subprogram were originally focused on addressing comments of the JASONs scientific advisory group on the ability to certify the Reliable Replacement Warhead. That program has been cancelled and the Administration has stated it does not intend to produce a new nuclear weapon. Therefore, it is unclear why such large increases are being requested and the recommendation provides funding consistent with the pre-NPR level. The NNSA should clarify the goals of the Advanced Certification subprogram and how they are related to current stockpile requirements."

**Engineering Campaign**

For the Engineering Campaign, the Committee recommends $143,078,000, $2,146,000 above fiscal year 2011 and the same as the request.

**Inertial Confinement Fusion and High Yield Campaign**

The Committee recommendation provides $471,174,000 for the Inertial Confinement Fusion and High Yield Campaign, $6,427,000 below fiscal year 2011 and $5,100,000 below the budget request. Within these funds, $62,500,000 shall be for the Laboratory for Laser Energetics as requested. The recommendation includes $4,000,000 for the Joint Program in High Energy Density Laboratory Plasmas, the same as fiscal year 2011 and $5,100,000 below the budget request.

The Report states: "The Committee continues to support the National Ignition Facility (NIF) and urges the NNSA to maintain its schedule towards achieving fusion ignition. The Committee recommendation includes the full request to pursue ignition at NIF and to perform supporting weapons-related experiments on its pulsed power facilities. The Committee notes that NIF is already contributing to stockpile stewardship through experiments which ensure the aging nuclear weapons stockpile continues to be safe, secure and effective without nuclear testing."

**Advanced Simulation and Computing**

The Committee recommends $616,000,000 for the Advanced Simulation and Computing (ASC) Campaign, $5,005,000 above fiscal year 2011 and $12,945,000 below the budget request. The report says, "The Committee recognizes that the request is part of a crosscutting endeavor with the Office of Science to maintain U.S. leadership in high performance computing. The Committee commends the Department's effort for its collaborative approach to develop exascale computing, which will serve to complement the strengths of both offices and limit duplication. The Committee supports initiation of this endeavor within ASC, consistent with other national security requirements of the Campaign. However, undertaking such a major initiative will require considerable funding, and the NNSA has yet
to tie the need for this level of computing to any specific requirements of the stockpile in its 20-year plan."

To view the entire appropriations bill and other documents, visit: http://www.thomas.loc.gov and http://appropriations.house.gov/.