

CONGRESS

\$1 trillion-plus spending bill signed

The latest omnibus appropriations bill provides more funding for the DOE's Office of Nuclear Energy and the NNSA, less for the NRC.

On May 5, President Trump signed into law his first piece of major legislation—the Consolidated Appropriations Act, 2017 (H.R. 244)—an omnibus package that funds the federal government through September, the end of the current fiscal year, and averts (yet again) a partial government shutdown. The nearly \$1.2-trillion piece of legislation was approved by the House of Representatives on May 3 by a vote of 309 to 118 (with “no” votes from 103 Republicans and 15 Democrats), and by the Senate on May 4 by a vote of 79 to 18 (with all “no” votes cast by Republicans). Trump had signed stopgap legislation the previous week to keep the government up and running past the April 28 expiration of the continuing resolution signed by President Obama last December (*NN*, Jan. 2017, p. 34).

The sweeping 1,665-page measure was lauded by supporters from both sides of the aisle, with Republican backers pointing to a \$15-billion funding increase in Pentagon spending and a \$1.5-billion boost in border security, and Democratic backers noting the administration's inability to get many of its requested cuts in domestic programs into the final bill. For instance, while the White House had called for the elimination of the Department of Energy's Advance Research Projects Agency—Energy in its budget “blueprint” (*NN*, May 2017, p. 36), H.R. 244 increases ARPA-E's budget by 5.2 percent. Sen. Charles Schumer (D., N.Y.) said that the bill's passage was “proof to many that Washington can work when we work together,” while House Speaker Paul Ryan

(R., Wis.) termed the package “a bipartisan compromise” and “a good one for conservatives.”

Despite Ryan's claim, however, a number of conservative lawmakers were fiercely critical of the bill. Sen. Rand Paul (R., Ky.), for example, wrote in a May 3 op-ed on Breitbart.com, “Looking at all the smiling faces on the other side of the aisle, I have to ask: Are Democrats still the minority party? You would be tempted to think the \$1-trillion government funding deal is like Christmas morning for them, as Republicans have handed them free media to brag about how much of the president's agenda they have stopped. You'll see it in the news as an ‘Omnibus spending bill,’ when it should really be called ‘the Status Quo Protection Act.’ President Hillary Clinton would have been proud of this bill.”

Nuclear funding

H.R. 244 provides \$1.02 billion for nuclear energy activities, a hike of some 2.8 percent from the FY 2016 enacted level, with almost \$500 million going to research and development, an increase of \$30.5 million over last year. The bill also increases funding for small modular and advanced reactors by more than the administration's requested amount, offers support for industry partnerships and collaboration, and maintains funding for programs that support nuclear power plant longevity and advanced fuel development.

“Continued support for programs that extend the life of plants and develop bet-

ter nuclear fuels will help preserve our existing nuclear fleet—the backbone of U.S. electricity production,” said Maria Korsnick, president and chief executive officer of the Nuclear Energy Institute, in an NEI press release. “Without DOE sponsorship of advanced nuclear research, the future will be invented elsewhere, an outcome that would have a grave impact on America’s national security.”

The budget of the National Nuclear Security Administration is raised as well, to \$12.94 billion, a 3.3 percent increase over the 2016 level. The NNSA’s Weapons Activities subaccount receives a 5.3 percent bump to \$9.3 billion, a large part of which is earmarked for infrastructure repair and recapitalization. The agency’s Defense Nuclear Nonproliferation subaccount, however, receives \$1.90 billion, a 2 percent drop from last year’s \$1.94 billion. Within that subaccount, the controversial and still incomplete Mixed Oxide Fuel Fabrication Facility (MFFF) at the Savannah River Site receives \$335 million, down \$5 million from last year. Notably, the bill includes \$15 million to support planning and conceptual design activities for the plutonium-disposition option favored by the Obama administration over the MFFF, the “dilute-and-dispose” option.

The bill also takes a sizeable slice out of the Nuclear Regulatory Commission’s budget, providing \$905 million, a funding decrease of \$85 million, or 8.6 percent, from 2016’s enacted \$990 million. The NRC’s Nuclear Reactor Safety subaccount receives \$462.3 million, down 39.2 percent from last year’s \$760.4 million, while Nuclear Materials and Waste Safety receives \$113.7 million, down 33.9 percent from last year’s \$172 million. Also decreasing by more than a third is Decommissioning and Low-Level Waste, which is budgeted at \$27.2 million.

According to Korsnick, “The appropriations for fiscal year 2017 will continue to drive transparency at the NRC as Congress maintains vigorous oversight of the agency’s operations, reins in regulatory overreach, and enacts responsible funding levels. Together, these changes will result in an NRC that is more effective and more accountable to the American people.”