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Environmental Protection Agency: FY2006 Appropriations Highlights

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Summary

As enacted in August 2005, Title II of the Interior, Environment, and Related Agencies Appropriations Act for FY2006 (P.L. 109-54, H.R. 2361) provided \$7.73 billion for the Environmental Protection Agency (EPA), subject to an across-the-board rescission of 0.476%. The law also included \$80 million for EPA in unobligated funds “rescinded” from past appropriations. Overall, P.L. 109-54 provided more funding for EPA than the Administration’s FY2006 request of \$7.52 billion, but less than the FY2005 appropriation of \$8.03 billion. Among individual programs, funding decreased for some activities and increased for others, compared with the FY2006 request and the FY2005 appropriation.

In the debate over EPA’s appropriation, considerable attention focused on the adequacy of funding for State Revolving Funds (SRFs) to assist states in issuing loans to communities for constructing and upgrading wastewater and drinking water infrastructure. Prior to the above rescission, P.L. 109-54 provided \$900 million for the clean water SRF, less than the FY2005 appropriation of \$1.09 billion but more than the request of \$730 million. The law provided \$850 million for the drinking water SRF, the same as requested, and similar to the FY2005 appropriation. Other prominent issues included the adequacy of funding for the cleanup of hazardous waste sites under the Superfund program, the cleanup of commercial and industrial sites referred to as brownfields, EPA’s homeland security activities, “congressional project priorities” or earmarks, and EPA’s use and consideration of intentional human dosing studies.

At the end of its first session, the 109th Congress enacted a government-wide rescission in Section 3801 of Title III of the Department of Defense Appropriations Act for FY2006 (P.L. 109-148, H.R. 2863). This rescission reduced FY2006 funding for EPA and all other federal agencies by 1%, except for the Department of Veterans Affairs, and excluded “emergency” spending. P.L. 109-148 also reallocated \$8 million in emergency funds to EPA for responding to leaking underground tanks in areas affected by Hurricanes Katrina and Rita. The Administration had recommended a \$15 million reallocation for this purpose in October 2005. The law did not include the \$166 million rescission for the clean water SRF that the Administration also had proposed in October.

The table below indicates congressional action on EPA’s appropriation for FY2006, the Administration’s request, and the FY2005 appropriation. (Also see CRS Report RL32856, *Environmental Protection Agency: Appropriations for FY2006*, by Robert Esworthy and David M. Bearden, Environmental Protection Agency: Appropriations for FY2006.)

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Table I. Environmental Protection Agency Appropriations Accounts: FY2005 Enacted, FY2006 Request, and Action on FY2006 Appropriations
(in millions of dollars)

Appropriations Account	FY2005 Enacted	FY2006 Request	H.R. 2361 House-passed	H.R. 2361 Senate-passed	P.L. 109-54
Science and Technology	\$744.1	\$760.6	\$765.3	\$730.8	\$741.7
+ transfer from Superfund account	+ \$35.8	+ \$30.6	+ \$30.6	+ \$30.6	+ \$30.6
Science and Technology Total	\$779.9	\$791.2	\$795.9	\$761.4	\$772.3
Environmental Programs and Management	\$2,294.9	\$2,353.8 ^a	\$2,389.5 ^a	\$2,333.4 ^a	\$2,381.8 ^a
Office of Inspector General	\$37.7	\$37.0	\$38.0	\$37.0	\$37.5
+ transfer from Superfund account	+ \$12.9	+ \$13.5	+ \$13.5	+ \$13.5	+ \$13.5
Office of Inspector General Total	\$50.6	\$50.5	\$51.5	\$50.5	\$51.0
Buildings & Facilities	\$41.7	\$40.2	\$40.2	\$40.2	\$40.2

Appropriations Account	FY2005 Enacted	FY2006 Request	H.R. 2361 House- passed	H.R. 2361 Senate- passed	P.L. 109- 54
Hazardous Substance Superfund	\$1,247.5	\$1,279.3	\$1,258.3	\$1,256.2	\$1,260.6
—transfer to Office of Inspector General	—\$12.9	—\$13.5	—\$13.5	—\$13.5	—\$13.5
—transfer to Science and Technology	—\$35.8	—\$30.6	—\$30.6	—\$30.6	—\$30.6
Hazardous Substance Superfund (Net)	\$1,198.8	\$1,235.2	\$1,214.2	\$1,212.1	\$1,216.5
Leaking Underground Storage Tank Program	\$69.4	\$73.0	\$73.0	\$73.0	\$73.0
Oil Spill Response	\$15.9	\$15.9	\$15.9	\$15.9	\$15.9
Pesticide registration Fund	\$19.2	\$15.0	\$15.0	\$15.0	\$15.0
—Pesticide Registration Fees	—\$19.2	—\$15.0	—\$15.0	—\$15.0	—\$15.0
State and Tribal Assistance Grants: Total	\$3,575.3	\$2,960.8	\$3,127.8	\$3,395.6	\$3,181.7
<i>Clean Water State Revolving Funds</i>	<i>\$1,091.2</i>	<i>\$730.0</i>	<i>\$850.0</i>	<i>\$1,100.0</i>	<i>\$900.0</i>
—Funds Previously Appropriated to EPA ^b	—	—	(\$100.0)	—	—
<i>Drinking Water State Revolving Funds</i>	<i>\$843.2</i>	<i>\$850.0</i>	<i>\$850.0</i>	<i>\$850.0</i>	<i>\$850.0</i>
<i>Other Grants</i>	<i>\$1,640.9</i>	<i>\$1,380.8</i>	<i>\$1,527.8</i>	<i>\$1,503.6</i>	<i>\$1,511.7</i>
<i>Funds Previously Appropriated to EPA^b</i>	—	—	—	(\$58.0)	(\$80.0)
Total EPA Accounts	\$8,026.5	\$7,520.6	\$7,708.0	\$7,882.1	\$7,732.4

Source: Prepared by the Congressional Research Service (CRS) based on amounts indicated in P.L. 109-54, the conference report on H.R. 2361 (H.Rept. 109-188), and the House and Senate-passed versions of H.R. 2361 and their accompanying reports (H.Rept. 109-80 and S.Rept. 109-80, respectively). FY2005 enacted amounts reflect the 0.8% across-the-board rescission required by P.L. 108-447. FY2006 enacted amounts are line-items indicated in Title II of P.L. 109-54, which do not reflect the 0.476% across-the-board rescission required by P.L. 109-54 or the 1% government-wide rescission required by P.L. 109-148. Numbers may not add due to rounding.

- a. Neither P.L. 109-54 or H.R. 2361, as passed by the House or the Senate, included a \$50 million offset in receipts from toxics and pesticides fees that the Administration had proposed in its FY2006 budget request.
- b. The total for the State and Tribal Assistance Grants account includes an offset of \$80 million per P.L. 109-54 (\$58 million in the Senate bill and \$100 million in the House bill), to be rescinded from prior year EPA appropriations not obligated for contracts, grants, and interagency agreements for which the funding authorization has since expired. P.L. 109-54 did not specify how the \$80 million in rescinded funds would be allocated among EPA activities in FY2006, nor did the Senate specify the allocation of the \$58 million in rescinded funds in passing its version of H.R. 2361. As passed by the House, H.R. 2361 would have allocated \$100 million in rescinded funds for the clean water SRF for FY2006.

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