

The following 3 pages numbered 30 through 32 were excerpted from the Text of the House Amendments to Senate Amendment to H.R. 2764 State, Foreign Operations, and Related Programs Appropriation Act, 2008 (committed on December 16, 2007). The subsequent page calculates the total earmark amount for the Science and Technology (S&T) Appropriation, taking into account the 1.56% across the board rescission.

Title II – ENVIRONMENTAL PROTECTION AGENCY

The amended bill includes \$7,579,819,000 for the Environmental Protection Agency, instead of \$8,090,915,000 as proposed by the House and \$7,772,928,000 as proposed by the Senate. In addition, the General Provisions section includes a total of \$11,000,000 as transfers for two remediation projects. The allocation of the total for the Agency, by account, program area, and where applicable by program-project and/or activity, is detailed on the table at the end of this Division.

Reprogrammings: The Environmental Protection Agency is held to the bill-wide reprogramming limitation of \$1,000,000, as recommended by the House. The limitation will apply to the program areas specified in the detailed table at the end of Division F, as proposed by the House. However, where a specific level for program-project or activity within a program area is cited, either in the detailed table or the explanatory statement below, the reprogramming limitation will apply at that level.

The Agency must provide better information in its Congressional Budget Justification and is directed to include those improvements cited in House Report 110-187. In addition, the Justification should contain a comprehensive list of programs which have been eliminated in the request.

Fixed Costs: An additional \$7,878,000 has been provided in five of the Agency's accounts to cover the fixed personnel costs and to ensure staffing levels consistent with the prior year. This increase is not spread by program area, as proposed by the Senate. Rather, a total increase for each account is provided, as indicated on the detailed table at the end of this Division. The Agency is directed to spread the funds as needed and submit a report to the Committees on Appropriations by March 1, 2008 on the allocation of these funds by program area and program-project.

SCIENCE AND TECHNOLOGY

The amended bill provides \$772,129,000 for Science and Technology, instead of \$783,269,000 as proposed by the House and \$772,530,000 as proposed by the Senate. The table at the end of this Division allocates the total for this account by program area. The Agency is further directed to allocate the funds as follows:

Air Toxics and Quality:

\$3,950,000 for the CASTNET program, an increase of \$1,000,000 over the request; \$1,400,000 to the San Joaquin Valley Air Pollution Control District to complete the Central California Ozone Study;

An additional \$2,000,000 for ongoing work on Greenhouse Gas Regulations dealing with renewable or alternative fuels and vehicle efficiency.

Climate Protection Program:

\$18,604,000 for the Clean Automotive Technology Program, as proposed by the House.

Homeland Security:

\$11,884,000 for the Water Security Initiative, as proposed by the Senate and \$10,000,000 less than proposed by the House. The Agency has carried forward into fiscal year 2008 a

large unobligated balance and will fund new pilots in fiscal year 2008. Therefore, the funding for additional pilots has been reduced until the Agency moves forward with the projects already funded. The Agency is directed to provide a report on the status, accomplishments, and future schedule for the Water Security Initiative. The report should be included as part of the Agency's FY 2009 Congressional Budget Justification. \$2,000,000 for the Safe Buildings program, as proposed by both the House and the Senate.

The \$1,000,000 general reduction proposed by the House is not included.

Operations and Administration:

The \$3,884,000 reduction proposed by the House is not included.

Research: Clean Air:

\$20,000,000 for Global Change Research, instead of \$33,308,000 proposed by the House and \$18,619,000 proposed by the Senate. The increase is intended to fund research in support of future rulemaking efforts on Greenhouse Gases. The Agency is urged to award a portion of these funds through the STAR grant program.

Research: Clean Water:

An additional \$1,000,000 for research on the human health effects and environmental impacts of carbon storage and sequestration to better inform regulatory decision making.

Research: Congressional Priorities:

\$5,400,000, instead of \$7,000,000 as proposed by the Senate, for the following high priority projects:

\$2,100,000 -- Water Environment Research Foundation (WERF);

\$1,725,000 – American Water Works Research Foundation (AWWRF)

\$1,050,000 – Southwest Consortium for Environmental Research and Policy (SCERP)

\$525,000 – Consortium for Plant Biotechnology Research

Research: Extramural Research Grants:

Funds are not included for a new extramural research grant program, as proposed by the Senate.

Research: Human Health and Ecosystems:

\$38,856,000 for Human Health Risk Assessment;

\$12,327,000 for Research: Computational Toxicology;

\$10,481,000 for Research: Endocrine Disruptors;

\$10,000,000 for Research: Fellowships: The increase above the request is to be used for STAR fellowships.

\$155,046,000 for Research: Human Health and Ecosystems, which is an increase of \$10,000,000 above the request. From within the amount provided, the Agency is directed to allocate \$6,000,000 to restore basic human health research and \$4,000,000 to restore the proposed reduction to the EMAP program.

The increases to these programs include the Administration's request for a \$6,098,000 increase to Human Health Risk Assessment. In recognition of these increases, the Agency is directed to follow the language in House Report 110-187 on the following issues:

- Trichloroethylene

- Polycyclic Aromatic Hydrocarbons (PAH)
- The mineral Trona

In addition, the Agency is urged to report to Congress on the PAH study referenced in the House Report and also to develop an updated health standard for ingested hexavalent chromium, which then should be used to revise the Maximum Contaminant Level Goal as soon as possible.

In addition:

1. The Agency is directed to report on the short term results and long term assessment plans to reduce lab support costs Agency-wide.

2. The general reduction to this account, as proposed by the House, is not included.

3. It is imperative that EPA issue its decision on the December, 2005 waiver application submitted by the State of California to enact vehicle emission standards to reduce greenhouse gases by 30 percent in 2016 by no later than December 31, 2007. The Committees on Appropriations are dismayed that the EPA Administrator has unreasonably delayed his decision on the petition and forced the State of California to file suit in order to compel a decision. If no decision is made by that date, the Agency is directed to provide a report detailing why there is further delay, as proposed by the House.

Further, the Committees on Appropriations are concerned by reports that officials at other Federal agencies, including the Department of Transportation and the White House Office of Environmental Quality, may have engaged in inappropriate lobbying efforts to deny the waiver. The decision on California's waiver petition must be made on the petition's legal and technical merits and the approval process must not be politicized in any way.

CLIMATE CHANGE COMMISSION

The amended bill does not include the House proposal to fund a new Climate Change Commission.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

The amended bill provides \$2,364,854,000 for Environmental Programs and Management, instead of \$2,370,582,000 as proposed by the House and \$2,384,121,000 as proposed by the Senate. The table at the end of this Division allocates the total for this account by program area. The Agency is further directed to allocate the funds as follows:

Air Toxics and Quality:

~~The amended bill includes~~ \$700,000 to restore the Sunwise program to prior year levels.

Brownfields:

~~An additional~~ \$527,000 above the request to restore the Smart Growth program to prior year levels.

Climate Protection Program:

\$49,000,000 for the Energy Star program;

\$4,436,000 for the Methane to Markets program;

\$3,500,000 within the Federal Support Air Quality Management program for the Agency to use its existing authority under the Clean Air Act to develop and publish a rule

FY 2008 Earmarks in Science and Technology (S&T) Appropriation

<u>Description</u>	<u>Amount</u> <i>(whole dollars)</i>	<u>Count</u>
San Joaquin Valley Air Pollution Control District to complete the Central California Ozone Study	\$1,400,000	1
Water Environment Research Foundation to fund water quality research grants	\$2,100,000	1
American Water Works Research Foundation to fund drinking water research grants	\$1,725,000	1
Southwest Consortium for Environmental Research and Policy to fund university environmental research projects related to the U.S.-Mexico border	\$1,050,000	1
Consortium for Plant Biotechnology Research for research and technology transfer on plant biotechnology issues	\$525,000	1
Total	\$6,800,000	5
1.56%	-\$106,080	
Total after 1.56% Recission	\$6,693,920	