



## **CRS Report for Congress**

# **Environmental Protection Agency: FY2007 Appropriations Highlights**

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The 110<sup>th</sup> Congress completed action on FY2007 appropriations for the Environmental Protection Agency (EPA) with the enactment of the Revised Continuing Appropriations Resolution for FY2007 (P.L. 110-5, H.J.Res. 20). P.L. 110-5 provides funding through the end of the fiscal year for EPA and other federal agencies not funded in the appropriations laws for the Department of Defense (P.L. 109-289) and Homeland Security (P.L. 109-295). P.L. 110-5 provides funding for EPA in FY2007 at the same level, and under the authority and conditions, specified in the Interior, Environment, and Related Agencies Appropriations Act for FY2006 (P.L. 109-54), unless otherwise specified in P.L. 110-5.

As for other agencies, P.L. 110-5 did not indicate a total dollar amount for EPA, but specified dollar amounts only for certain agency activities. The two EPA activities specified in the law received an increase above the FY2006 appropriation. The law provided \$1.25 billion for the cleanup of hazardous waste sites under the Superfund program, and \$1.08 billion for capitalization grants for Clean Water State Revolving Funds (SRFs). Other EPA activities would be funded at the same level as in P.L. 109-54, including the 0.476% across-the-board rescission required in that statute, and the 1% government-wide rescission required in the Department of Defense Appropriations Act for FY2006 (P.L. 109-148). Emergency supplementals in FY2006 would not continue in FY2007. EPA received \$15 million in FY2006 supplementals to respond to leaking underground tanks in hurricane-damaged areas in the Gulf Coast region.

With the exception of Superfund and Clean Water SRF grants, the determination of FY2007 funding at the FY2006 level applies to activities specified in P.L. 109-54. Within that statute, Congress specified funding for the eight accounts that fund EPA, and for relatively few program activities in those accounts. Congress specified funding for most program activities in the accompanying reports, rather than in the statute. Therefore, EPA may have some discretion in allocating funding to such activities in FY2007. Further, P.L. 110-5 states that any language specifying an “earmark” in reports accompanying an FY2006 appropriations act “shall have no legal effect” on FY2007 funding. The law also states that within EPA’s State and Tribal Assistance Grants Account “no funds shall be available for making special project grants” in FY2007 for water infrastructure, which were identified in the conference report on the FY2006 Interior, Environment, and Related Agencies appropriations bill (H.R. 2361, H.Rept. 109-188).

As Congress specified dollar amounts for relatively few program activities in P.L. 110-5, the law requires federal agencies to report their allocations of FY2007 funding to the House and Senate Appropriations Committees. The Office of Management and Budget (OMB) is required to submit a report specifying allocations of FY2007 funding by account for each executive department and agency. Then, each agency is required to submit a spending, expenditure, or operating plan for FY2007 at a level of detail below the account level for programs and activities funded within each respective account.

For comparative purposes, the following table indicates appropriations enacted for FY2006 for EPA's eight statutory accounts, the President's FY2007 budget request, and proposals for FY2007 funding in the 109<sup>th</sup> Congress prior to enactment of P.L. 110-5.

### **EPA Appropriations, by Account: FY2006 Enacted, FY2007 Request, and Amounts Proposed in H.R. 5386 during the 109<sup>th</sup> Congress**

Environmental Protection Agency Accounts	(in millions of dollars)			
	FY2006 Enacted	FY2007 Request	House-Passed	Senate-Reported
Science and Technology				
— Direct Appropriations	\$730.8	\$788.3	\$808.0	\$793.4
— Transfer in from Superfund account	\$30.2	\$27.8	\$30.0	\$27.8
<b>Science and Technology Total</b>	<b>\$761.0</b>	<b>\$816.1</b>	<b>\$838.0</b>	<b>\$821.2</b>
<b>Environmental Programs and Management</b>	<b>\$2,352.7</b>	<b>\$2,306.6</b>	<b>\$2,338.2</b>	<b>\$2,310.7</b>
Office of Inspector General				
— Direct Appropriations	\$36.9	\$35.1	\$35.1	\$35.1
— Transfer in from Superfund account	\$13.3	\$13.3	\$13.3	\$13.3
<b>Office of Inspector General Total</b>	<b>\$50.2</b>	<b>\$48.4</b>	<b>\$48.4</b>	<b>\$48.4</b>
<b>Buildings &amp; Facilities</b>	<b>\$39.6</b>	<b>\$39.8</b>	<b>\$39.8</b>	<b>\$39.8</b>
Hazardous Substance Superfund Total	\$1,242.1	\$1,259.0	\$1,256.9	\$1,261.3
— Transfer out to Office of Inspector General	(\$13.3)	(\$13.3)	(\$13.3)	(\$13.3)
— Transfer out to Science and Technology	(\$30.2)	(\$27.8)	(\$30.0)	(\$27.8)
— <b>Net Appropriations After Transfers</b>	<b>\$1,198.6</b>	<b>\$1,217.8</b>	<b>\$1,213.6</b>	<b>\$1,220.2</b>
<b>Leaking Underground Storage Tank Program</b>	<b><sup>a</sup> \$87.0</b>	<b>\$72.8</b>	<b>\$72.8</b>	<b>\$72.8</b>
<b>Oil Spill Response</b>	<b>\$15.6</b>	<b>\$16.5</b>	<b>\$16.5</b>	<b>\$16.5</b>
State and Tribal Assistance Grants (STAG)				
— Clean Water State Revolving Fund	\$886.8	\$687.6	\$687.6	\$687.6
— Drinking Water State Revolving Fund	\$837.5	\$841.5	\$841.5	\$841.5
— Categorical and Other Grants	\$1,489.4	\$1,268.3	\$1,480.2	\$1,471.3
— Rescission and Redirection of Prior Funds	(\$80.0)	n/a	n/a	n/a
<b>State and Tribal Assistance Grants Total</b>	<b>\$3,133.7</b>	<b>\$2,797.4</b>	<b>\$3,009.3</b>	<b>\$3,000.4</b>
<b>Total Appropriations</b>	<b>\$7,638.4</b>	<b>\$7,315.5</b>	<b>\$7,576.7</b>	<b>\$7,529.9</b>

**Source:** Prepared by the Congressional Research Service. Amounts are from the House Appropriations Committee and the Senate Appropriations Committee, reflecting rescissions and supplementals. Numbers may not add due to rounding.

a. Includes \$15 million in emergency supplemental appropriations for leaking underground tanks in the Gulf Coast.