

## OVERVIEW

### EPA PROVISIONS OF THE 2018 CONSOLIDATED APPROPRIATIONS ACT

#### EPA Escapes the Chopping Block, Remains at Inadequate but Level Funding

The EPA provisions of the Consolidated Appropriations Act follow the physician's principle, "first, do no harm." While the act does little to meet EPA's needs for more resources to carry out the full range of its expanding responsibilities, it does add funding in a few areas. More crucially, it emphatically rejects the Trump Administration's proposal to gut EPA by cutting its funding by 34% in FY 2018. Instead, it maintains most funding for agency programs at last year's levels, with no significant cuts, and adds funds for Superfund and infrastructure, including \$600 million in new funding for water infrastructure. The total EPA budget of roughly \$8.8 billion is 50% higher than the \$5.7 billion requested by the the administration.

The act rejects the administration's proposal for savage cuts to EPA's core programs, including its science activities, and supports a host of important programs that were on the Trump budget chopping block. These include geographic programs, such as the Great Lakes and the Chesapeake Bay; grants to manage nonpoint sources of water pollution; the National Estuary Program, which protects critically important water bodies, such as the NY-NJ Harbor; and numerous voluntary climate and energy conservation programs. It also protects grants to support state environmental protection programs, maintaining level funding and rejecting dramatic cuts.

Particularly encouraging is the explicit rebuff to the Pruitt plan for cutting agency staff. The Committee Report accompanying the act expressly notes that it does not "include any of the requested funds for workforce reshaping," and that the committee does "not expect the agency to consolidate or close any regional offices in fiscal year 2018." It goes on to underscore the need to consult with Congress on proposed reorganizations, workforce restructuring, downsizing and "relocations of offices, facilities and laboratories." The report also notes that the act fully funds the Integrated Risk Information System (IRIS), which identifies and characterizes chemicals and their hazards, and directs the agency to continue providing funding to DOJ to support Superfund enforcement.

This strong support for maintaining EPA is good news in itself, but also provides an encouraging start for deliberations on FY 2019 funding in the face of another vicious and cynical Trump Administration budget request virtually identical to the one that failed in 2018.

In sum, the 2018 Consolidated Appropriations Act reflects a bipartisan consensus that EPA and the state and local programs that it funds, deserve support. The 2018 budget is a flatout repudiation by Congress of the administration's ongoing efforts to gut the agency by starving it of staff and funding.

Finally, while it includes a few policy riders, the act omits several proposed "poison pill" riders that would have used the appropriations process to change the law by measures such as delaying the implementation of air quality protections and allowing repeal of the Waters of the United States rule without giving the public notice and an opportunity to comment.

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