



July 8, 2024

The Honorable Tom Cole
Chair
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Hal Rogers
Chair
Subcomm. on Commerce, Justice, Science, *et al.*
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairs Cole and Rogers,

I write on behalf of the Natural Resources Defense Council (“NRDC”), a national, non-profit environmental organization with more than three million members and activists, along with an array of lawyers, scientists, and other environmental specialists who have worked since 1970 to protect the world’s natural resources, public health, and environment. We are appalled by the House’s bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies (“CJS”) for fiscal year 2025 (“FY25”), which the Appropriations Committee plans to mark up tomorrow.¹

CJS appropriations bills are supposed to undergird the pillars of our democracy by supporting the sound functioning of our economy and the fair administration of our justice system. This year, however, the House majority has put forward a measure that only can be described as a retributive political farce. *First*, it carries an astonishing **\$1.3 billion reduction in topline funding** from FY24. Of course, such a cut would threaten numerous environmental and climate programs that we at NRDC believe to be essential, like those of the **National Oceanic and Atmospheric Administration** (“NOAA”), which would see its budget **axed by \$676 million**.² Perhaps even more insidiously, however, it would affect a galling attack on the levers of government charged with protecting our democracy from malign actors, in what can only be described as a shameful attempt to “defund the police.”³

Second, like the many sorry House FY25 products before it, the bill is overrun by a rabble of outrageous riders. These awful provisions run the gamut, but in the environmental space they include prohibitions on funding for:

- (i) initiatives to save **critically endangered whale species**, like the North Atlantic Right Whale and the near-extinct Rice’s whale;⁴

¹ H. COMM. ON APPROPRIATIONS, 118TH CONG., MAKING APPROPRIATIONS FOR THE DEPARTMENTS OF COMMERCE AND JUSTICE, SCIENCE, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2025, AND FOR OTHER PURPOSES (Comm. Print, as reported by H. Subcomm. on Commerce, Justice, Science, *et al.*, June 26, 2024) (hereinafter “House CJS Bill”).

² *See id.* at 14:13–20:18.

³ *See, e.g., id.* at 32:5–32:14 (cutting funding for United States Attorneys by \$299 million from FY24), 37:11–37:19 (cutting the Federal Bureau of Investigation’s budget by \$368 million).

⁴ *Id.* §§ 610 (barring funding for vessel speed restrictions designed to protect Rice’s whales), 620 (same, for North Atlantic Right Whales), 622 (prohibiting monies from being used to designate critical habitat for the Rice’s whale). *See generally* 2017–2024 NORTH ATLANTIC RIGHT WHALE UNUSUAL MORTALITY EVENT, NOAA FISHERIES,

- (ii) the “Billions Project,” an effort by NOAA’s National Centers for Environmental Information to **track weather and climate disasters** where the damages and/or costs reach or exceed \$1 billion—perhaps in the majority’s pursuit of the fantasy that climate-related calamities do not exist;⁵ and
- (iii) an array of important **efforts** across the Federal government **to combat** the existential threat that is **climate change**.⁶

Third, and finally, the bill perpetuates the House majority’s tiresome culture war, with provisions assailing key initiatives related to **diversity, equity, inclusion, immigration, voting rights**, and even **women’s health**.⁷ Odious language like this has no place in legislation of any type, let alone a measure so central to good governance.

In short, the House CJS appropriations bill—as it stands—is a fiasco. We implore you to save the House’s valuable time by returning to the negotiating table, reaching across the aisle, and putting forward a presentable work product, rather than allowing this woeful measure to die an inevitable, protracted death.

Thank you for your attention to this matter.

Sincerely,

Kyle T. Jones
Director, Federal Affairs

cc: The Hon. Rosa DeLauro, Committee on Appropriations, Ranking Member;
The Hon. Matt Cartwright, Subcomm. on Commerce, Justice, Science, *et al.*, Ranking Member

<https://www.fisheries.noaa.gov/national/marine-life-distress/2017-2024-north-atlantic-right-whale-unusual-mortality-event> (last visited July 8, 2024) (observing that “[t]here are approximately 360 [North Atlantic right whales] remaining, including fewer than 70 reproductively active females”); Leysha Caraballo, *Rice’s Whale in the Spotlight at Smithsonian Symposium*, NRDC EXPERT BLOG (Apr. 26, 2024), <https://www.nrdc.org/bio/leysha-caraballo/rices-whale-spotlight-smithsonian-symposium> (noting that, “with fewer than 100 of these whales left, scientists agree that stronger protections are critical to save them from the first ever human-caused whale extinction”).

⁵ House CJS Bill, *supra* note 1, § 608. See BILLION-DOLLAR WEATHER AND CLIMATE DISASTERS, NAT’L CTRS. FOR ENV’T INFO., <https://www.ncei.noaa.gov/access/billions/> (last visited June 26, 2024) (“The U.S. has sustained 387 weather and climate disasters since 1980 where overall damages/costs reached or exceeded \$1 billion (including CPI adjustment to 2024). The total cost of these 387 events exceeds \$2.740 trillion.”).

⁶ House CJS Bill, *supra* note 1, § 554.

⁷ See, e.g., *id.* §§ 553 (defunding a panoply of diversity, equity, and inclusion programs), 556 (preventing the provision of legal representation to aliens in removal proceedings), 580 (prohibiting funds for litigation over laws that restrict or limit abortion), 582 (barring funding for redistricting lawsuits).