



July 8, 2024

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

The Honorable Chuck Fleischmann  
Chair  
Subcomm. on Energy & Water Dev. *et al.*  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairs Cole and Fleischmann,

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 strongly object to the House’s bill making appropriations for Energy and Water Development and Related Agencies (“Energy and Water bill”) for fiscal year 2025 (“FY25”), the full committee markup for which is scheduled for tomorrow.<sup>1</sup>

Energy and Water bills ought to be talismans of America’s ambition to reduce energy costs, drive energy technology breakthroughs, and build American energy independence. Unfortunately, the House majority has produced a measure that would stymie such efforts. *First*, the bill contains an astonishing **5.4 percent reduction in topline nondefense funding** from FY24—a cut that is accomplished, in part, by once again **attempting to ax the hugely successful Inflation Reduction Act and Bipartisan Infrastructure Law**. Despite the innumerable benefits conferred by these legislative achievements to communities across the country, the House majority would rather see their benefits slashed than admit to their undisputed benefits. It is galling. Included in these misguided cuts is:

- (i) a staggering **43% slashing** of the Department of Energy’s (“DOE’s”) **Office of Energy Efficiency and Renewable Energy** (“EERE”), which plays a pivotal role in accelerating research, development, and demonstration of technologies and solutions that boost American economic competitiveness and job creation;<sup>2</sup> and

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<sup>1</sup> H. COMM. ON APPROPRIATIONS, 118TH CONG., MAKING APPROPRIATIONS FOR ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2025, AND FOR OTHER PURPOSES (Comm. Print, as reported by H. Subcomm. on Energy & Water Dev., *et al.*, June 28, 2024) (hereinafter “House E&W Bill”).

<sup>2</sup> *Id.* at 29:10–29:21. *See generally* ABOUT THE OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY, U.S. DEP’T OF ENERGY, <https://www.energy.gov/eere/about-office-energy-efficiency-and-renewable-energy> (last visited July 8, 2024) (“EERE’s mission is to accelerate the research, development, demonstration, and deployment of technologies and solutions to equitably transition America to net-zero greenhouse gas emissions economy-wide by no later than 2050, and ensure the clean energy economy benefits all Americans, creating good paying jobs for the American people—especially workers and communities impacted by the energy transition and those historically underserved by the energy system and overburdened by pollution.”).

- (ii) a hewing of **\$8 billion from DOE’s Loan Program Office** (“LPO”), an initiative that has created over 47,000 permanent jobs and resulted in \$50 billion in total project investment since its inception.<sup>3</sup>

To be clear: recklessly hatcheting DOE’s budget in this manner only hinders our quest to develop the next generation of energy technology. Such legislative malfeasance is **a gift to our adversaries**, who are attempting to corner the clean energy market and render us reliant on *their* clean energy breakthroughs, rather than our own.

*Second*, it continues the parade of hellacious riders that have marred all of the House majority’s FY25 measures to date. These egregious **poison pill provisions** include:

- (i) the insertion of the entirety of the so-called “Unlocking Our Domestic LNG Potential Act,” which **strips away** the Federal government’s ability to examine the full **impacts of liquefied natural gas expansion** on the economy, consumer energy costs, and local communities;<sup>4</sup>
- (ii) a **prohibition** on DOE’s implementation of measures driving **energy efficiency to Federal government buildings**, resulting in emissions reductions equivalent to those generated by nearly 310,000 homes in one year;<sup>5</sup> and
- (iii) a capricious **bar on DOE’s finalization of certain rules or regulations**, regardless of their exigency in the face of threats to public health and safety.<sup>6</sup>

*Third*, and finally, the bill continues the majority’s unrelenting **attacks on diversity, equity, inclusion**, going so far as to prohibit the U.S. Army Corps of Engineers from renaming places and items that **commemorate the Confederacy**.<sup>7</sup> This is, of course, egregious. Appropriations bills are supposed to be serious, bipartisan efforts at managing the Federal fisc, not culture war fever dreams in legislative form.

In summary, the House Energy and Water bill, as drafted, represents yet another dreadful pratfall by the flailing House Appropriations Committee majority. It is time to return to the serious business of lawmaking and produce a measure that encourages technological development and American energy security while protecting the future of our planet.

Sincerely,

Kyle T. Jones  
Director, Federal Affairs

cc: The Hon. Rosa DeLauro, Committee on Appropriations, Ranking Member;  
The Hon. Marcy Kaptur, Subcomm. on Energy & Water Dev., *et al.*, Ranking Member

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<sup>3</sup> House E&W Bill, *supra* note 1, § 317. *See generally* OVERVIEW, LOAN PROGRAMS OFF., U.S. DEP’T OF ENERGY, <https://www.energy.gov/lpo/overview> (last visited July 8, 2024) (setting out the LPO’s mission as “the premier public financing partner that accelerates high-impact energy and manufacturing investments to advance America’s economic future”).

<sup>4</sup> House E&W Bill, *supra* note 1, § 315.

<sup>5</sup> *Id.* § 312.

<sup>6</sup> *Id.* § 511.

<sup>7</sup> *Id.* § 112.