



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

September 3, 2025
(House)

STATEMENT OF ADMINISTRATION POLICY
H.R. 4553 — Energy and Water Development and Related Agencies Appropriations

Act, 2026

(Rep. Fleischmann, R-TN)

The Administration is encouraged by the investments made to modernize nuclear deterrents, advance energy technology, and support water-resources infrastructure contained in H.R. 4553.

We appreciate the House's efforts to consider individual appropriations bills while remaining below FY 2025 enacted spending levels. As reflected in the President's FY 2026 Budget, we remain committed to working with the Congress to enact legislation that funds essential programs to unleash American energy production and eliminate funding that runs counter to the President's priorities and the needs of hardworking Americans. The Administration would like to share additional views regarding the House Appropriations Committee's (Committee) version of the bill.

Department of Energy (DOE)

Office of Nuclear Energy. The bill provides \$1.9 billion for the Office of Nuclear Energy, which is \$522 million above the FY 2026 Budget request. The proposed funding would enable the Office of Nuclear Energy to implement recent Executive Orders, propelling the development of advanced nuclear technology and jumpstarting the industrial base.

National Nuclear Security Administration (NNSA). The Administration appreciates the Committee's support for NNSA, ensuring that its critical efforts to modernize the nuclear deterrent and support infrastructure are well-resourced. However, the bill does not fund key new start construction projects essential for stockpile stewardship, does not fund unique mission capabilities for Nuclear Counterterrorism and Incident Response Program, and does not fund tailored increases in Federal staffing to oversee NNSA's growing mission. The Administration looks forward to working with the Congress to address these key areas.

Office of Fossil Energy. The Administration appreciates that the bill provides \$688 million for fossil energy research and development programs which is \$93 million above the FY 2026 Budget request. While higher than the amount requested in the FY 2026 Budget, the Administration would ensure that these resources would help accelerate the domestic production of critical minerals and fossil fuels.

Energy Efficiency and Renewable Energy. The Administration urges the Congress to reconsider the excessive funding for energy efficiency and renewable energy programs at DOE. The bill provides \$1.8 billion, which is \$927 million above the FY 2026 Budget request. While the Administration agrees with the bill's investments in critical sources of baseload power, including geothermal and hydropower, as well as investments in critical material applications in the industrial sector, spending on intermittent power harms the grid and the taxpayer, and imposes serious risks on national security, which requires the Nation to always have steady, reliable power.

Office of Clean Energy Demonstration (OCED). The Administration appreciates that the bill provides no funding for OCED, which is consistent with the FY 2026 Budget request. The Administration applauds the defunding of OCED, which oversaw costly Green New Deal projects that weakened energy reliability and raised costs for taxpayers and consumers.

Office of Science. The Administration is disappointed that the bill provides \$8.4 billion, which is \$1.3 billion above the FY 2026 Budget request, for the Office of Science. While the strong support for the Office of Science to fund critical and emerging technologies such as artificial intelligence, quantum information science, and fusion energy is appreciated, the bill provides excessive funding for the Office of Science to maintain low priorities such as environmental research and cash contributions to the ITER Organization overseeing the international fusion project.

Loan Programs Office. The Administration appreciates the \$150 million provided in the bill in Title 17 credit subsidy to deploy advanced reactors and small modular reactors. However, the Administration urges consideration of the full FY 2026 Budget request of \$750 million in credit subsidy, and a repurposing of existing loan limitation, to accelerate the innovation and deployment of commercial nuclear and other reliable energy technologies.

Northeast Home Heating Oil Reserve (NEHHOR). The Administration is disappointed that the bill does not provide for the sale and closure of the NEHHOR as proposed in the FY 2026 Budget request. Maintaining funding for NEHHOR is not an effective use of taxpayer resources, as the reserve has never been used for its intended purpose.

Corps of Engineers (Corps)

Corps Topline Funding. The bill includes \$9.9 billion for water resources infrastructure through the Corps, which is \$3.2 billion above the FY 2026 Budget request. This funding is important to facilitate commercial navigation, to help communities reduce their risks from flooding, and to restore key aquatic ecosystems. The Administration believes, however, that funding should be focused on projects within the Corps' primary mission areas and those which provide a high return to the Nation or which address the most significant risks to public safety, and therefore should be limited to the FY 2026 Budget request.

Office of the Assistant Secretary of the Army for Civil Works. The Administration appreciates that the bill increases funding for the Assistant Secretary's account to \$6 million, which is \$1 million below the FY 2026 Budget request. Robust funding for this account is critical to provide appropriate oversight and supervision of the civil works

program. The Administration urges the Congress to fund the full FY 2026 Budget request.

Harbor Maintenance Trust Fund. The Administration is disappointed that the bill includes \$3.5 billion in spending out of the Harbor Maintenance Trust Fund (HMTF), which is \$1.8 billion above the FY 2026 Budget request. Federal coastal navigation channels serve an important role in facilitating commerce. However, the FY 2026 Budget request level of \$1.7 billion is sufficient to support existing levels of traffic on Federal channels at the most economically significant U.S. ports.

Funding for Federal Dredges. The Administration opposes the inclusion of \$40 million in funding from the Operation and Maintenance account (HMTF-derived) and \$10 million from the Expenses account for transfer to the Corps Revolving Fund for the replacement of Federal dredges. Consistent with longstanding practice, replacement of Corps-owned dredges, to the extent necessary to maintain the minimum federally-owned fleet capable of performing emergency and national defense work, should be financed through the Corps Revolving Fund as proposed in the FY 2026 Budget request.

Formerly Utilized Sites Remedial Action Program (FUSRAP). The Administration is disappointed that the bill eliminates funding for FUSRAP. The FY 2026 Budget requested \$200 million for FUSRAP to help protect communities by cleaning up contamination at authorized sites resulting from the Nation's early atomic energy program. The Administration urges the Congress to fund the FY 2026 Budget request for FUSRAP.

Department of the Interior, Bureau of Reclamation (Reclamation)

Reclamation Topline Funding. The bill includes \$1.8 billion for Reclamation, which is \$599 million above the FY 2026 Budget request of \$1.2 billion. This funding supports the safe, reliable, and efficient management of water resources throughout the western United States. The Administration believes that funding for Reclamation should be limited to the highest priority work from a national perspective, such as operating and maintaining Reclamation's existing infrastructure, meeting legal obligations such as Indian water rights settlements, and addressing the most significant dam safety risks, and therefore should be limited to the FY 2026 Budget request.

Other Agencies

Regional Commissions. The Administration is disappointed that the bill provides \$160 million above the FY 2026 Budget request for six regional commissions: Delta Regional Authority; Denali Commission; Great Lakes Authority; Northern Border Regional Commission; Southeast Crescent Regional Commission; and Southwest Border Regional Commission. The Budget proposed to eliminate funding and rescind the balances of these commissions, as they are an unnecessary layer of bureaucracy in an already bloated grant-making system. States and local governments are better positioned to fund and address unique regional and geographic economic development challenges.

Constitutional Concerns

Numerous provisions of the bill would require the approval of committees of Congress before Executive Branch officials may expend or transfer funds. These provisions raise significant constitutional concerns under the requirement of bicameralism and presentment and the anti-aggrandizement principle. *See INS v. Chadha*, 462 U.S. 919 (1983); *Bowsher v. Synar*, 478 U.S. 714 (1986). To avoid this constitutional problem, we recommend that the provisions requiring congressional committee pre-approval be revised to require no more than that the Executive Branch provide notice of the relevant executive action.

The Administration looks forward to working with the Congress to provide more input as the bill's legislative process unfolds.

* * * * *