

**Opening Statement of the Honorable Fred Upton  
Subcommittee on Environment and the Economy  
Hearing on “The Nuclear Waste Fund: Budgetary, Funding, and Scoring Issues”  
December 3, 2015**

*(As Prepared for Delivery)*

When President Obama took office in 2009, the national debt had just surpassed ten trillion dollars. Now, as we approach the final year of the Obama administration, that number will soon eclipse nineteen trillion dollars. This long-term financial burden will be passed along to our children and grandchildren. I was proud to be a partner in a bipartisan solution to reduce Medicare’s long term liability by three trillion dollars when Congress fixed the Medicare Sustainable Growth Rate formula. Now, I look forward to finding a bipartisan solution to reduce skyrocketing long-term liabilities in another important policy area, our nation’s nuclear waste management policy.

For over thirty years, ratepayers, including my constituents back in Michigan who rely on clean nuclear power, paid a tax on electricity generated from commercial nuclear power plants to study, license, and construct a permanent repository for spent fuel. When the current administration decided the Yucca Mountain project was “unworkable,” and illegally moved to withdraw its license application, it attempted to abandon a thirty-year, \$15 billion investment. In 2013, the D.C. Court of Appeals rightly suspended the federal government’s collection of the nuclear waste fee, reasoning that the absence of a repository program meant DOE could not collect the tax. It is time for consumers to get what they paid for: a decision whether Yucca Mountain can be licensed by the Nuclear Regulatory Commission. If that decision is yes, the Department of Energy should proceed with construction of the facility.

But the ratepayer’s financial support is only one aspect of the funding story. This spring, Secretary Moniz announced a significant departure from the bipartisan, 30-year nuclear waste management policy in which both defense waste and commercial spent nuclear fuel are jointly disposed in a permanent repository located at Yucca Mountain, Nevada.

DOE is now seeking to redirect defense material, which has long been destined for Yucca Mountain along with commercial spent nuclear fuel. Ranking member Pallone and I wrote to Secretary Moniz to express our concerns about this decision. Central to our concerns is the potential budgetary impact of walking away from the scientific and technical work that was already completed, paid from our national security accounts, and starting over in a new location. The federal government has already spent \$3.7 billion in defense funding to develop the Yucca Mountain site. With turmoil in the Middle East and threats on our homeland, that money would be better spent addressing these major and immediate national security concerns instead of grasping in the short term for a new shiny object.

I appreciate the testimony from the experts today about budget, funding and scoring issues with a nuclear waste management program.

###