

WHAT THE OMNIBUS SPENDING BILL MEANS FOR FRONTLINE COMMUNITIES



What is the Omnibus Appropriations Bill?

The Consolidated Appropriations Act 2021 (Pub.L.116-260/HR 133), or spending bill as it is sometimes referred to, is a \$2.3 trillion spending bill that combined \$900 billion in stimulus relief for the COVID-19 pandemic with a \$1.4 trillion omnibus spending bill for the 2021 federal fiscal year. Bills like this are referred to as “omnibus” because they package together many different proposals and measures so they can all be voted on at once. On his way out, Trump signed the Consolidated Appropriations Act into law on December 27, 2020. It will be in effect until September 30, 2021. The bill is one of the largest spending measures ever enacted, surpassing the \$2.2 trillion [CARES Act](#) enacted in March 2020. At 5,593 pages, the legislation is the longest bill Congress ever passed.

As typically occurs in Congress, **many initiatives that favor corporate and big**

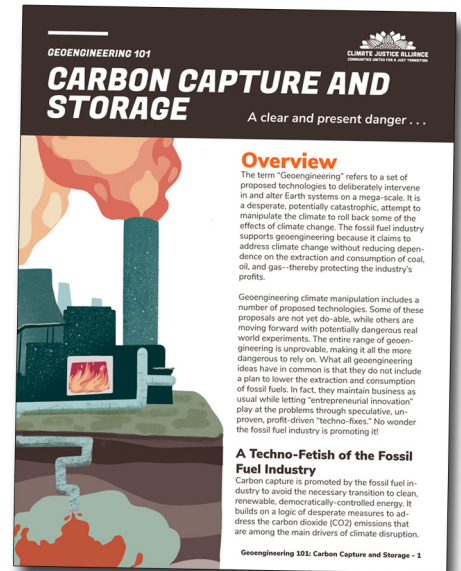
business interests (and have nothing to do with Covid relief) were added to the bill. Some of them are ways to prop up and continue subsidizing the fossil fuel industry, which is in trouble because more sustainable, renewable, and cleaner energies--such as wind and solar—are coming to the forefront. The Appropriations Act includes the bipartisan Energy Act of 2020, a comprehensive national energy policy that increases tax credits and funding for research in renewable energy. The bill provides \$35 billion over five years to support wind, solar, geothermal and hydro-power. This support also includes nuclear power, and carbon capture and storage.



How Will It Impact BIPOC, Frontline, Environmental Justice Communities?

The bill provides a lot of funding for research and development (R & D) in areas of concern for those seeking a Just Transition away from the long-time dependence on fossil fuels. These include technologies for capturing and storing carbon, which are currently being promoted as solutions to the climate crisis. Carbon capture and sequestration (CCS); carbon capture, use, and storage (CCUS); and experimental plans for capturing carbon directly from the air are all included. Support for developing biofuels and an increase in tax credits for oil companies that buy carbon for use and/or storage are provided. We also see an enthusiasm for nuclear energy that is unusual for a Democrat-controlled Congress.

The funding for all of these measures was approved with the bill. Taking practical actions to oppose these ideas is going to need ingenuity and solidarity. We should keep in mind that the technology for some proposals does not yet exist. The bill is designed to make it happen. For a closer look at the problems with carbon capture see CJA's fact sheet on [Carbon Capture and Storage: A Clear and Present Danger.](#)



The following is a quick view of some of the bill's energy provisions that present problems for frontline communities. They do nothing to cut polluting carbon emissions, and they support the continued use of fossil fuels--in other words, business as usual.

- **Fast Forward Carbon Capture, Use, and Storage**

Includes billions of dollars to accelerate the development, deployment, and commercialization of carbon capture technologies. The Department of Energy (DOE) must establish a competitive process to enter into agreements with industry stakeholders to build and operate six demonstration projects that will capture CO₂ from plants that run on coal or natural gas. The captured CO₂ will be used in products like plastic or cement. It will re-enter the atmosphere at the end of the product's life. The bill also provides for \$2 billion in loans and loan guarantees under the Rural Electrification Act for construction or retrofitting of fossil fuel power plants with CCS/CCUS.

- **Increased Tax Breaks for the Fossil Fuel Industry**

45Q is a long-running program that rewards oil companies for buying CO₂ that is removed from industrial smokestacks. Most of it gets used for Enhanced Oil Recovery (EOR), in which companies pump liquid CO₂ into old oil wells to keep them producing, so oil companies save on taxes while continuing to profit from oil extraction. It's a win-win for the industry. Companies can also get a break for storing purchased carbon underground--a dangerous practice, given there is no guarantee that the carbon will stay there.

- **Direct Air Capture (DAC)**

Authorizes fiscal investment in R & D for removing carbon from the atmosphere at large scale. This technology does not yet exist. It is concerning that the approach may be linked to agricultural practices.

- **Nuclear Energy**

\$1.5 billion for Nuclear energy research and development (an increase of \$14 million over 2020) to develop the next generation of nuclear reactors, while disregarding the numerous streams of radioactive waste, including irradiated (“spent”) nuclear fuel, which is lethally radioactive for hundreds of years and environmentally hazardous for up to a million years. Indigenous nations and communities of color are most often targeted for radioactive waste dumps.



[Anti-nuclear protest in Albuquerque, New Mexico](#). Photos by Hendrik Voss

- **Hydrogen**

Authorizes R & D and a large-scale pilot program for carbon capture and storage using a hydrogen steam methane process. This is another method of achieving controversial, unproven carbon storage.

- **Uranium Mining**

Creates a domestic uranium reserve to support uranium mining in the U.S. (Most uranium is imported.) This can be seen as a bailout for the floundering domestic uranium industry. The mining, processing, and enrichment of uranium for reactor fuel produces immense amounts of radioactive waste, and has an extensive track record of contaminating land, air, and drinking water—disproportionately affecting Indigenous peoples.



What Can We Do?

We don't know what implementation of this bill will look like, but we do know it is already affecting our members.

In Newark, New Jersey, CJA member [Ironbound Community Corporation \(ICC\)](#) and partners are getting out the word about a new sludge treatment plant that is trying to set up shop in their community. In its permit application, the company claims it will repurpose solid waste, including sewage waste (sludge), so that the CO2 can be converted to biochar and used in cement production. This is a variant on carbon capture—one of the technologies promoted by the Trump administration that was carried over to the Omnibus Appropriations Act of 2021.

So stay tuned for next steps. In the meantime, keep an eye out for new facilities proposed for your state and insist on guarantees for commu-

nity safety, given the risk of many of these unproven technologies. Watch what your Congressional representatives are doing, educate in your community, and keep questioning false promises that hinge on continued fossil fuel extraction.



[Ironbound Community Corporation](#) contingent at the [People's Climate March](#). Photo by Rae Breaux