

Congress of the United States
Washington, DC 20515

November 16, 2010

Mr. Jeffrey Zients
Acting Director, Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Zients:

I write today regarding recent actions by the Chairman of the Nuclear Regulatory Commission, Gregory Jaczko, to shut down the review of the Department of Energy's application for Yucca Mountain.

While it is widely known that the Obama Administration opposes Yucca Mountain, it remains our nation's repository for spent nuclear fuel and high level defense waste under the law. In fact, the Atomic Safety Licensing Board has rejected the Department of Energy's motion to withdraw the Yucca Mountain license application. To date, the Nuclear Regulatory Commission has taken no action to overturn this ruling. And, litigation is pending in federal court.

Despite the fact that the federal government is operating under a continuing resolution based on the Fiscal Year 2010 appropriations levels that are law, Chairman Jaczko is using President Obama's Fiscal Year 2011 budget proposal as the justification for his decision to halt the license review. As you know, the Fiscal Year 2011 budget proposal was simply a request – it was never approved by Congress and does not have the force of law.

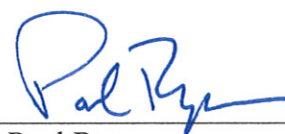
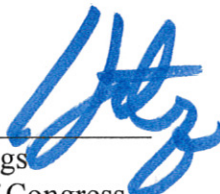
I write to request a detailed explanation from the Office of Management and Budget outlining the legal budgetary authority of Chairman Jaczko to shut down the Yucca Mountain review and terminate the project. I also request a list of other federal agencies that are operating under the President Obama's Fiscal Year 2011 budget request as opposed to the congressionally approved continuing resolution and existing law.

Thank you for your prompt attention to this request.

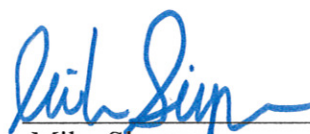
Sincerely,



Doc Hastings
Member of Congress



Paul Ryan
Member of Congress



Mike Simpson
Member of Congress