

Las Vegas Sun

Midterms may have spelled the end of Yucca Mountain:

By John Hudak

Posted at: <https://m.lasvegassun.com/news/2018/dec/26/midterms-may-have-spelled-the-end-of-yucca-mountai/>

Wednesday, December Dec. 26, 2018

Did a blue wave wash away Yucca Mountain?

Plans to restart construction of the nuclear waste storage facility 90 miles from Las Vegas were given new life during the Trump administration, inciting fear and protest among Nevadans. However, the results of the midterm elections in November may have created a political buffer against the continued construction of Yucca, and Nevadans have the blue wave to thank for that.

Trump, Congress and Yucca Mountain

While Congress authorized the construction of a nuclear waste storage facility at Yucca Mountain in 2002, Congress and President Barack Obama ended funding for the project in 2011. For nearly six years, Yucca's status remained frozen — authorized but unfunded — and construction halted. However, after Donald Trump's inauguration in 2017, supporters of the project saw a path to restart funding, and operations.

Energy Secretary Rick Perry supported the project, the funding for which runs through his department's Office of Civilian Radioactive Waste Management. Trump's budget requests included hundreds of millions of dollars to restart work on the site. And allies in Congress got to work to restart funding for Yucca.

Despite bipartisan, bicameral opposition from the Nevada delegation, Congress began to debate the Nuclear Waste Policy Amendments Act of 2018 that revised the manner in which funding could be directed for construction of the site and addressed other logistical issues. The House passed the legislation in May 2018 by a 340-72 vote, but the legislation stalled in the Senate. Meanwhile, the Trump administration has sent mixed messages about supporting the project, with Trump seeming to waver while his budget office and Energy Secretary maintained that funding for Yucca was a priority.

Opposing Yucca and Democratic politics

Sixty-seven Democrats supported the 2018 Yucca legislation, suggesting broad-based support for the reform. However, the November elections dramatically changed the politics surrounding this issue. First, a significant number of the bill's supporters will no longer be serving in the

House. For a variety of reasons including retirement, general election defeat, primary defeat, seeking other offices and resignations, 76 House members who voted “yes” on Yucca will no longer be serving there come January, while only nine of the “no” votes (including two Nevada House members) will exit.

However, 264 “yes” votes remain, and one would assume that some percentage of the incoming freshman class of congressmen will also support such legislation.

Yet, when Congress gavel out of session in early January, the Nuclear Waste Policy Amendments Act of 2018 dies. Its only hope of resurrection would require new legislation, or the same legislation to pass through the legislative process once again. And although a significant number of Democrats voted in favor of the law to help jump-start Yucca, one member’s vote matters more than any: Nancy Pelosi. The incoming speaker of the House voted “no” on the legislation in May, and while her vote was on the losing end of the roll call, her ascension to the speakership will empower that opposition.

As House speaker, Pelosi will have almost absolute control over the House calendar — a strength that can disarm even a committee chairman who wants legislation passed. That’s a possible scenario, as the incoming chairman of the committee most central to this legislation, the House Energy and Commerce Committee’s Frank Pallone, D-N.J., voted in favor of the bill. But beyond Pelosi’s personal views on Yucca, she was joined by other members of Democratic leadership, including the assistant Democratic leader, the Democratic caucus chair and the chair of the Policy and Communications Committee in voting against re-starting Yucca.

But ultimately the internal Democratic debate in Congress about Yucca pales in comparison to the elevated importance of Nevada in Democratic politics.

In the 2018 midterms, Nevada was ground zero for the greatest successes in Democratic politics in the nation. As Nevadans know half of the state’s Congressional delegation — two House seats and a Senate seat — were among the more competitive seats nationwide, and Democrats won all of them.

In addition, Democrats won five of the six constitutional offices in the state, the first time they have won all five of those offices since 1962. And Democrats gained seats in the state Legislature, as well.

Right now, the Democratic brand is powerful in Nevada, and in the lead-up to the 2020 presidential election, Democrats will want to maintain as much support as possible.

Pelosi — the de facto national leader of the party — knows this. Congressional Democrats have no interest in damaging their brand anywhere, but especially in a state in which they had overwhelming success.

Restarting Yucca construction would damage the brand in Nevada. The Democratic House is well-positioned to block it.

And that's all Nevada needs.

John Hudak is a senior fellow in Governance Studies at the Brookings Institution and guest scholar at UNLV's Brookings Mountain West