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ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 2008

JUNE 11, 2007.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. VISCLOSKY, from the Committee on Appropriations, submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 2641]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for energy and water development for the fiscal year ending September 30, 2008, and for other purposes.

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SUMMARY OF ESTIMATES AND RECOMMENDATIONS

The Committee has considered budget estimates, which are contained in the Budget of the United States Government, 2008. The following table summarizes appropriations for fiscal year 2007, the budget estimates, and amounts recommended in the bill for fiscal year 2008.

SUMMARY OF THE COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

	FY 2007 [1] Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
Title I, Department of Defense - Civil.....	5,338,370	4,871,000	5,584,427	-1,362,608	+713,427
Title II, Department of the Interior.....	1,059,016	1,000,880	1,072,880	-4,136	+72,000
Title III, Department of Energy.....	24,093,193	24,762,713	25,243,119	+1,014,926	+480,406
Title IV, Independent agencies.....	309,946	252,745	239,895	-70,051	-12,850
Subtotal.....	30,800,525	30,887,338	32,140,321	-421,869	+1,252,983
Scorekeeping adjustments	-504,882	-415,321	-537,321	-32,439	-122,000
Grand Total of bill	30,295,643	30,472,017	31,603,000	-454,308	1,130,983

[1] Excludes emergency supplemental appropriations of $1,640,165.

INTRODUCTION

The Energy and Water Development Appropriations bill for fiscal year 2008 totals $31,603,000,000, $1,130,983,000 above the President's budget request, and $1,307,357,000 above the amount appropriated in fiscal year 2007.

Title I of the bill provides $5,584,427,000 for the programs of the U.S. Army Corps of Engineers, an increase of $246,057,000 above the fiscal year 2007 enacted level (adjusted for one-time emergency spending) and $713,427,000 over the budget request. The fiscal year 2008 budget request for the Corps of Engineers totals $4,871,000,000, which is composed entirely of new budget authority.

The fiscal year 2008 budget request for the Corps Civil Works program continues the performance-based ranking system with two major modifications to the guidelines. The first formalizes risks to human life for consideration along with economics for flood and storm damage reduction projects. The second changes the prioritization metric from the remaining-benefits-to-remaining-costs ratio to benefit-to-cost ratio for all projects with the exception of those for which the primary purpose is environmental restoration. This performance-based system is intended to focus limited federal resources on the efficient completion of high economic-value projects while suspending or terminating work on other projects. The Committee supports the concept of focusing limited resources on completing high-value projects already under construction. The Committee bill and report retain changes to improve the Corps' project management and execution, particularly in the areas of reprogrammings, continuing contracts, and five-year budget planning.

Title II provides $1,072,880,000 for the Department of Interior and the Bureau of Reclamation, $72,000,000 over the budget request and $13,864,000 above the fiscal year 2007 enacted level. The Committee recommends $1,029,880,000 for the Bureau of Reclamation, $72,000,000 above the budget request and $4,884,000 above the fiscal year 2007 enacted level. The Committee recommends $43,000,000 for the Central Utah Project, including $976,000 for deposit into the Utah Reclamation Mitigation and Conservation Account, both the same as the budget request.

Title III provides $25,243,119,000 for the Department of Energy, an increase of $1,149,926,000 over fiscal year 2007 and $480,406,000 over the budget request of $24,762,713,000 (adjusted for one-time emergency spending).

Beginning in fiscal year 2008, the Energy Supply and Conservation account is separated into new program accounts: Energy Efficiency and Renewable Energy; Electricity Delivery and Energy Reliability, Nuclear Energy; and Environment, Safety and Health (non-defense). The Legacy Management (non-defense) account is transferred to the Environmental Management (non-defense) account. The Committee recommends funding for renewable energy and energy efficiency programs at $1,873,844,000, an increase of $637,645,000 over the request; nuclear energy programs at $759,227,000, a decrease of $42,476,000 below the request; non-defense environment, safety and health programs at $31,625,000. The Committee recommends $4,514,082,000 for the Office of

Science an increase of $116,206,000 above the budget request and $716,788,000 over the current year.

Environmental management activities—non-defense environmental cleanup, uranium enrichment decontamination and decommissioning, non-defense legacy management, defense environmental cleanup, and defense legacy management—are funded at $6,671,361,000, a decrease of $30,883,000 below the fiscal year 2007 enacted level and an increase of $358,843,000 over the budget request.

The Committee recommends a total of $494,500,000 for the Yucca Mountain repository. This includes $202,454,000 for Nuclear Waste Disposal, the same as the request, and $292,046,000 for Defense Nuclear Waste Disposal, the same as the request.

Funding for the National Nuclear Security Administration (NNSA), which includes nuclear weapons activities, defense nuclear nonproliferation, naval reactors, and the Office of the NNSA Administrator, is $8,786,881,000, a decrease of $599,952,000 below the request, and a decrease of $294,132,000 below fiscal year 2007. The Committee recommendation includes $1,683,646,000 for Defense Nuclear Nonproliferation, an increase of $307,000 over the current year and $11,000,000 over the budget request. Funding for the Power Marketing Administrations is provided at requested levels.

Title IV provides $239,895,000 for several Independent Agencies, a decrease of $70,051,000 from fiscal year 2007 and $12,850,000 below the budget request of $252,745,000. The requested funding is provided for the Defense Nuclear Facilities Safety Board, the Delta Regional Authority, the Nuclear Regulatory Commission Inspector General, and the Nuclear Waste Technical Review Board, the Denali Commission, and the Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects. The request for the Nuclear Regulatory Commission is increased by $17,150,000. The request for the Appalachian Regional Commission is reduced by $30,000,000, and no funds are provided for the Office of Inspector General for the Tennessee Valley Authority.

PROJECTS

Congress has made significant reforms in the way it reviews and allocates funding for the Federal government, reforms that the Committee takes very seriously as it executes its constitutional authority. Earmarking or directed spending of Federal dollars does not begin with Congress. It begins with the Executive Branch. For example, the Administration requests funding for several Corps of Engineers accounts and one Bureau of Reclamation account as tabular lists of projects. The Administration, in selecting these projects, goes through a process that is the functional equivalent of earmarking. When the Committee reviews the budget request, it goes through a process of rigorous review and may alter or modify this list to reflect additional priorities.

The Executive Branch also engages in another practice which steers or directs money to specific entities or purposes through a process of contracting out various activities and services. The Executive Branch steers or directs far greater spending to specific projects or corporations than is directed or earmarked by Congress. In nearly all Department of Energy work locations, the number of

people working for contractors far exceeds the number of Federal employees at the same site. Many of the contracts at these locations, in fact, are non-competitive or sole-sourced. The Department of Energy manages its large holdings of research facilities and production sites primarily as Government-Owned, Contractor-Operated sites and facilities. These site management and operating contractors (M&O contractors) are granted great flexibility by the Department of Energy to subcontract out for goods and services and ultimately direct billions of dollars appropriated for programmatic activities to specific companies and other entities at the sole discretion of the M&O contractors.

The Committee provides no recommendation at this time for specific projects contained in either the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information.

FUNDING TO ADDRESS GAS PRICES AND CLIMATE CHANGE

For fiscal year 2008, the Energy and Water Development appropriation includes $3,403,857,000 to address climate change, an increase of $767,352,000 from the fiscal year 2007 enacted funding level and $1,065,144,000 more than requested by the President. Funding is provided for research, development, demonstration, and deployment of energy technologies that increase energy conservation and production of energy without emission of greenhouse gases. Funding also is provided for research to understand and predict climate change. While funding through this appropriation will not reduce or stabilize gas prices immediately, $503,497,000 of these funds are provided for research, development, and demonstration of improved vehicle technology and production of biofuels. On a five- to ten-year timescale, the results of these activities should reduce demand for oil and increase supplies of alternative motor fuels.

The energy research funded at the Department of Energy ranges from basic work to map the genomes of microorganisms that digest cellulous to applied work to increase the efficiency of turbines. Work on conservation aims at development of zero energy houses by 2020, improved energy efficiency for U.S. industry, and technology to further increase the fuel efficiency of vehicles along with improved batteries for electric and hybrid cars and hydrogen storage for the FreedomCar of the future. Support for deployment of available conservation technology is provided through the weatherization grants, state energy grants, and federal energy management programs. Renewable energy generation includes biofuels, solar, wind, geothermal, and hydropower. Increased renewable energy production is supported through major refurbishment by the Army Corps of Engineers of existing hydropower dams. Nuclear energy provides 20% of current electricity generation in the United States. Sustaining this level of energy production is supported with research, subsidies for first applicants to the Nuclear Regulatory Commission for new types of licenses, and demonstration of safer, gas-cooled next generation nuclear power plants. Fossil energy spending is devoted to carbon separation and sequestration so that coal can be used to generate energy without greenhouse gas emis-

sions and to improving the energy efficiency of current coal-fired power plants.

The science research features climate modeling using DOE's state-of-the-art super computers, atmospheric radiation monitoring, and long-term experiments on the response of forests and other ecosystems to increased atmospheric carbon dioxide.

REVERSING THE DECLINE IN ENERGY RD&D FUNDING SINCE THE CARTER ADMINISTRATION

In the 1970s, the United States responded to an energy crisis with substantial funding for energy research, development, and demonstration (RD&D) through the newly-created Department of Energy. With the collapse in oil prices in the 1980's, the long-term challenge of reducing U.S. dependence on imported oil was neglected and funding for these efforts was drastically reduced. Subsequently, energy RD&D funding was neglected for two decades. By fiscal year 2006, after adjusting for inflation, the research budget for renewable energy was only 20 percent of what it had been in fiscal year 1980. Similar declines occurred for nuclear energy with 2006 funding at 11 percent and fossil energy at 25.5 percent of 1980 levels. Funding for conservation fared better but also decreased to 49 percent of 1980 levels.

In the year-long continuing resolution for fiscal year 2007, Congress began to reverse this decline by providing a $300,000,000 increase for renewable energy and conservation that the Department of Energy wisely allocated mostly to RD&D. This increase brought 2007 funding for renewable energy and conservation up to 38 percent and 54 percent, respectively, of 1980 levels.

This bill continues to increase the investment in energy RD&D so that the United States can invent and innovate its way to a better energy future. The Committee provides funding increases for renewable, nuclear, and fossil energy and conservation RD&D. These increases will bring fiscal year 2008 funding compared to 1980 appropriations up to 47.5 percent for renewables, 31 percent for fossil, and 67 percent for conservation. Nuclear energy RD&D spending in the bill is still only at the 11 percent level compared to 1980 because most of the increase in nuclear energy is devoted to subsidies for licensing new nuclear power plants and fabricating mixed oxide fuel—non-research activities.

While RD&D is only one tool in addressing the current energy crisis, it is the tool available to the Committee. As the above figures make clear, there is considerable room for increased investment in all four energy areas. The Department of Energy is encouraged to pursue all the technologies that can help abate the current energy crisis and to do so in creative and innovative ways. The Department must maintain a careful eye toward what can be used in the private and public sectors in the coming five to fifteen years. The Administration is encouraged to propose future budgets that build on the increased support provided by the Committee.

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

INTRODUCTION

The Army Corps of Engineers is made up of approximately 34,600 civilian and 650 military members. The military and civilian engineers, scientists and other specialists work together on engineering and environmental matters. The diverse workforce of biologists, engineers, geologists, hydrologists, natural resource managers and other professionals is necessary to meet the demands of changing times and requirements.

The Energy and Water Development Act funds the Civil Works component of the Corps of Engineers, which encompasses approximately 23,000 civilians and 190 military personnel. Army involvement in works of civil nature dates back to the origins of the nation. Over the years, the Corps Civil Works mission has changed to accommodate changing societal needs and values. A brief legislative history of the Corps has been included in past Energy and Water Development reports. The section that follows outlines the major civil works mission areas of the Corps.

MAJOR MISSION AREAS

Currently, the Corps accomplishes the Civil Works mission through the following major business programs:

Navigation.—The role of the U.S. Army Corps of Engineers with respect to navigation is to provide safe, reliable, and efficient waterborne transportation systems, such as channels, harbors and waterways, for movement of commerce, national security needs and recreation. The Corps seeks to accomplish this mission through a combination of capital improvements and the operation and maintenance of existing projects. Capital improvement activities include the planning, design, and construction of new navigation projects, and the construction of major improvements or rehabilitation features for existing projects. The Corps currently operates and maintains 12,000 miles of commercial inland navigation channels; owns and/or operates 257 navigation lock chambers at 215 sites; and maintains 926 coastal, Great Lakes and inland harbors.

Flood damage reduction.—Section 1 of the Flood Control Act of 1936 declared flood control to be a proper Federal activity since improvements for flood control purposes are in the interest of the general welfare of the public. The Act stipulated that for Federal involvement to be justified, ". . . the benefits to whomsoever they may accrue (must be) in excess of the estimated costs, and . . . the lives and social security of people (must be) otherwise adversely affected." The Corps manages 383 major lakes and reservoirs, and inspects or controls 12,000 miles of federal levees. In addition, the Corps inspects 1,800 miles of levees that are non-Federal, but which participate in the Rehabilitation and Inspection Program. Over the last ten years, the average damages prevented by Corps projects totaled $21.1 billion per year.

Ecosystem restoration.—The Corps of Engineers incorporated ecosystem restoration as a project purpose within the Civil Works program in response to increasing national emphasis on environmental restoration and preservation. Historically, Corps involvement in environmental issues focused on compliance with National Environmental Protection Act requirements related to flood protection, navigation, and other project purposes. More recent efforts have involved pro-active restoration measures to damaged ecosystems, and the provision of local environmental infrastructure. In addition, the Corps regulates all work in wetlands and waters of the United States and manages the cleanup of former Manhattan Project and Atomic Energy Commission sites.

Hurricane and storm damage reduction.—Congress authorized Federal participation in the cost of restoring and protecting the shores of the United States, its territories and its possessions. Under current policy, shore protection projects are designed to reduce damages caused by wind-generated and tide-generated waves and currents along the nation's ocean coasts, Gulf of Mexico, Great Lakes, and estuary shores. Hurricane protection was added to the erosion control mission in 1956 when Congress authorized cost-shared Federal participation in shore protection and restoration of publicly-owned shore areas.

Federal assistance for periodic nourishment was also authorized on the same basis as new construction, for a period to be specified for each project, when it is determined that it is the most suitable and economical remedial measure.

Water supply.—National policy regarding water supply states that the primary responsibility for water supply rests with states and local entities. The Corps may participate and cooperate in developing water supplies in connection with construction, operation and modification of Federal navigation, flood damage reduction, or multipurpose projects. Certain conditions of non-federal participation are required.

Hydroelectric power generation.—Congress, through various statutes, has directed the Corps to consider the development of hydroelectric power in conjunction with other water resources development plans. The Corps owns and operates nearly one-quarter of the United States' hydropower capacity, with 75 projects in operation.

Recreation.—The Corps is one of the nation's largest providers of outdoor recreation opportunities, and ranks first among federal providers of outdoor recreation. Although known primarily for the opportunities managed at its lake projects, the Corps also participates in the planning, design and construction of recreation facilities at a wide variety of other types of water resource projects. There is no general authority for Corps participation in a single-purpose recreation project.

CONTINUING AUTHORITIES PROGRAM

The continuing authorities program (CAP) provides a mechanism for the Corps to respond to a variety of local water resource problems without the need to obtain specific congressional authorization for each project. The CAP program is comprised of ten legislative authorities under which the Secretary of the Army, acting through the Chief of Engineers, is authorized to plan, design, and

implement certain types of water resources projects. The individual authorities are as follows:

Section 14—Emergency streambank and shoreline erosion.
Section 103—Hurricane and storm damage reduction.
Section 107—Small navigation improvements.
Section 111—Shore damage caused by federal navigation works.
Section 145—Placement of dredged material on beaches.
Section 204—Beneficial uses of dredged material.
Section 205—Small flood damage reduction projects.
Section 206—Aquatic ecosystem restoration.
Section 208—Snagging and clearing for flood control.
Section 1135—Project modifications for environmental improvement.

INFRASTRUCTURE INVESTMENT IN THE UNITED STATES

Public infrastructure has played a critical role in the development and economic success of the United States. Past investment in the nation's water resource infrastructure was not made by chance, nor was it made lightly. That infrastructure must be maintained and updated to meet the current requirements of our Nation. Despite the value to our economy and the safety of our citizens, the level of investment has not kept pace with critical requirements of existing infrastructure, let alone improvements to meet changing needs. One need only look at the decline in federal investment in public infrastructure over the last five decades, as detailed by the Congressional Budget Office in its report, "Trends in Public Infrastructure Spending," to see the trend. A portion of this reduction can be attributed to elements of public infrastructure that have shifted from construction to less expensive maintenance and the move toward an economy based more on technology and services. However, public investment has declined beyond the level accounted for by these factors.

In the area of water resource infrastructure, while investment has been static or declining in real terms, the needs of the Nation are increasing. This increased demand is required in part by aging infrastructure and in part by changing national needs and values. The long-term risk to the Nation of under-investment is an important issue, as illustrated by the tragedy that resulted from the hurricanes in New Orleans and the Gulf Coast area in 2005. However, the question of whether the investments we make are the right ones should be of equal concern. Current policy favors new construction over maintenance of existing infrastructure, even when maintenance or rehabilitation may offer a better outcome. Announcing that we are adequately maintaining what the public already owns is not newsworthy—it is simply expected.

In 2005, the American Society of Civil Engineers estimated that nearly 50% of all Corps maintained locks are functionally obsolete, having reached or exceeded their design life of 50 years. While this information is necessary and important to investment decisions, project age does not always correlate directly with performance. As we move forward modernizing and updating our water resource infrastructure, we must look at the desired outcomes necessary for the future performance of the Nation's navigation and flood control projects.

As noted by the National Association of Public Administration's report "Prioritizing America's Water Resource Investments", the model used in the past for how we invest in the Nation's water resource infrastructure is no longer appropriate. We face significant challenges that require a more disciplined and rigorous approach that encompasses a broader context than has been applied in the past. The Corps of Engineers and the Administration are making progress in this regard, with increased attention to fiscal management and project execution, recognition of risk, balancing of multiple objectives and longer term planning having all contributed to this progress. Yet much work remains.

The Committee supports the Corps' efforts to prioritize its portfolio of projects. While the Committee agrees in large part with the prioritization of projects, it does not believe the level of funding provided by the Administration is sufficient to meet the needs of the Nation. In light of the need for increased investment in public infrastructure, the Committee recommends a significant increase to the Corps of Engineers budget for fiscal year 2008 to address additional priorities. Were it not for current severe fiscal constraints, the Committee would have recommended more, particularly in the Construction account for ongoing projects to address flood control and navigation. The Committee remains adamant that the Corps of Engineers continue the reforms made in the last several years regarding project management and execution and out-year planning. The Committee's expectation, regardless of the amount of the annual appropriation, is that the Corps will ensure its funding is expended in good faith and in the best interests of the public.

PROJECTS

Congress has made significant reforms in the way it reviews and allocates funding for the Federal government, reforms that the Committee takes very seriously as it executes its constitutional authority. Earmarking or directed spending of Federal dollars does not begin with Congress. It begins with the Executive Branch. For example, the Administration requests funding for Corps of Engineers on a project-specific basis for the Investigations, Construction and Mississippi River and Tributaries accounts. The Administration has historically also asked for the Operation and Maintenance account as a tabular list of projects. A change to the presentation of the budget request this year shows these projects aggregated into regions; however, the substance of the request remains the same. If Operation and Maintenance is included, these project-specific requests amount to 84 percent of the Corps of Engineers budget. The Administration, in selecting these projects, goes through a process that is the functional equivalent of earmarking. When the Committee reviews the budget request, it goes through a process of rigorous review and may alter or modify this list to reflect additional priorities.

The Committee provides no recommendation at this time for specific projects contained in either the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information.

HYDROPOWER INFRASTRUCTURE INVESTMENT

Energy security and issues of global climate change are increasingly important to the decisions made regarding infrastructure investment. Hydropower improvements at existing facilities provide a reliable, efficient, domestic, emission-free resource that is renewable. Hydropower plants have, without question, changed the natural river environment. However, with some exceptions, the environmental damages of existing dams are largely complete, and further investment in modern turbines can have the benefit of improving existing water quality and fish passage issues in addition to increasing generation efficiency and capacity. The Corps must continue to focus on minimizing the negative impacts to the environment, while maximizing the use of existing infrastructure. Hydropower benefits also include the flexibility to meet peak power demands, the displacement of additional thermal plants, and ancillary services such as voltage stability of the transmission system and system restoration after black-outs.

The Corps of Engineers is the largest operator of hydroelectric power plants in the United States, accounting for 24 percent of the nation's hydropower generating capacity. The total investment in these federal facilities is nearly $18 billion, but much of the hydropower infrastructure is approaching the end of, or exceeds, its design life. The Corps hydropower program has seen a decline in system availability that is now 15 percent below the industry standard. In addition, the force outage rate for Corps facilities has been increasing over the last five years and now is more than twice the industry standard.

The Corps is in the process of developing overall short and long term asset management strategies. The Committee urges the Administration to complete the planning for this business line and budget more fully for this activity once the plan is in place and performance metrics are clearly articulated. The investment in existing hydropower plants can contribute to our nation's energy security while providing direct repayment to the Treasury as the electricity reaches the market.

The Committee provides $95,000,000 for major hydropower rehabilitations to provide near-term benefit to the nation's energy supply.

FISCAL YEAR 2007 CONTINUING RESOLUTION EXECUTION

Fiscal year 2007 appropriations were provided to the Corps through a full-year continuing resolution; this method of funding gave the Administration broad latitude to determine project allocations among all accounts. The Committee recognizes and appreciates the efforts of the Corps and the Administration in determining the project allocations. The methodology was fair, taking into account past commitments while trying to avoid unnecessary delays or terminations of projects.

FISCAL YEAR 2008 BUDGET OVERVIEW

The fiscal year 2008 budget request for the Corps of Engineers totals $4,871,000,000, which is composed entirely of new budget authority. The Committee recommends a total of $5,584,427,000 for the Corps of Engineers, an increase of $246,057,000 from fiscal

year 2007 enacted levels (adjusted for one-time emergency spending) and $713,427,000 above the request. The budget request for fiscal year 2008 represents a continuation of the performance-based system, using the ratio of total benefits-to-costs as the primary measure. This represents a change from the previous two years, when the Administration relied on the ratio of remaining-benefits-to-remaining-costs. This performance-based system is intended to focus limited federal resources on the efficient completion of high economic-value projects while suspending or terminating work on other projects.

The Committee supports the changes the Administration has made in its project selection criteria. First and foremost in these changes is the recognition of the primary importance of human safety in project selection. Projects that address significant risk to human safety receive sufficient funding to support an uninterrupted effort during the budget year. The Committee has expressed concern over the last several years that risk to large populations was not being addressed due to the limitations of using a strict benefit-to-cost ratio. For fiscal year 2008, the budget request formalizes the consideration of risk including: the population in the 100-year floodplain, velocity and depth of flow, warning time and paths of egress. This change resulted in budget requests for 14 projects that otherwise would not have met the minimum benefit-to-cost criteria.

The second change made in project prioritization is the move from remaining-benefit-to-remaining-cost (RBRC) to benefit-to-cost ratio (BCR). RBRC introduced a perverse incentive to defer those elements of projects that provided the most benefits while focusing first on those that do not provide economic benefits. While still an imperfect measure, the BCR does not change significantly over the project development timeframe, resulting in more stability from year to year. Corps of Engineers projects are generally formulated as a total project rather than as a series of separable elements. As such, if a project is initiated, it should be done with the intent to complete the project. While the Committee believes this should be the general rule, there are inevitable circumstances where projects should be reevaluated in light of changed conditions or improved data.

The budget request includes no projects in the Construction account which would be considered "new starts"; however, it does include one new project study under the Mississippi River and Tributaries (MR&T) account. In addition, the request includes two new activities, the "Wise Use of Floodplains" study in the Investigations account and the "Portfolio Assessment for Reallocations" study in the Operation and Maintenance account.

The Committee remains concerned that the initiation of additional, new projects will adversely impact ongoing projects. Available funding is insufficient to execute existing projects in a timely fashion; adding additional projects only exacerbates the problem. The Committee notes that the latter two activities are short-term efforts which will not result in significant out-year requirements. Evaluating policy, procedural and administrative issues related to investing in infrastructure and programs that reduce risk from flooding as proposed in the floodplains study is a wise investment that may improve the implementation of future projects; the study

is a one-time cost of $1,000,000. The second study, Portfolio Assessment for Reallocations, is a two-year appraisal of the portfolio of existing Corps multipurpose projects to identify the best candidates for opportunities for operational changes and/or reallocation opportunities.

The Committee will consider funding for the major rehabilitations at Markland Lock and Dam and Locks No. 27, Mississippi River, critical elements of the Ohio and Mississippi River systems. The Committee does not view the rehabilitation of existing infrastructure as a new construction start on par with entirely new investments, but rather a necessity to ensure adequate functioning of the Nation's water resource infrastructure.

A summary table illustrating the fiscal year 2007 enacted appropriation, the fiscal year 2008 budget request, and the Committee recommended levels is shown below:

(Dollars in 000s)

Account	Fiscal year 2007 enacted	Fiscal year 2008 request	Committee recommendation
Investigations	$162,916	$90,000	$120,100
Rescission	(—)	(—)	(−100)
Emergency appropriations	8,165	(—)	(—)
Construction	2,336,368	1,523,000	2,008,874
Rescission	(—)	(—)	(−4,688)
Emergency appropriations	36,500	(—)	(—)
Mississippi River and tributaries	396,565	260,000	278,000
Operation and Maintenance	1,973,347	2,471,000	2,655,241
Emergency appropriations	3,000	(—)	(—)
Regulatory program	159,273	180,000	180,000
FUSRAP	138,672	130,000	130,000
Flood control and coastal emergencies	—	40,000	40,000
Emergency appropriations	1,561,000	(—)	(—)
Expenses	167,250	177,000	171,000
Office of Assistant Secretary of the Army (Civil Works)	3,979	([1])	6,000
TOTAL, Corps of Engineers	6,947,035	4,871,000	5,584,427
Appropriations	5,338,370	4,871,000	5,584,427
Emergency appropriations	1,608,665	(—)	(—)

[1] The budget proposes to fund this office from within the General Expenses account. For purposes of comparison, the budget request includes $6,000,000 for these activities in fiscal year 2008.

FISCAL YEAR 2008 BUDGET PRESENTATION

For the second year, the Corps of Engineers has proposed several changes to the manner that the Civil Works program is presented and appropriated. The most significant change appears in the Operation and Maintenance account, where four categories of projects and programs are moved from Construction into the Operation and Maintenance account. These categories are: the rehabilitation of infrastructure; Endangered Species Act compliance; the construction of facilities, projects or features (including islands and wetlands) to use materials dredged during Federal navigation operation and maintenance activities; and the mitigation of impacts on shorelines resulting from Federal navigation operation and maintenance activities. Additionally, the budget request rolls operation and maintenance projects into geographical regions and provides a top line appropriation for all projects contained within each of the 21 regions.

The Committee reiterates its support for a more systematic approach to funding the operation and maintenance of the nation's

waterways and understands the dynamic nature of the project needs under this account. The Committee remains concerned that the budget request simply reflects the summation of the projects under each region and is not a genuine effort to budget on a watershed basis. Moreover, it appears, on its face, to be an attempt to circumvent the Committee's reprogramming restrictions.

The Committee supports the proposal that three of the four categories be moved to the Operation and Maintenance account but maintains major rehabilitations within the Construction account. Further, the Committee recommends that the Operation and Maintenance account be appropriated based on the geographic regions contained in the budget request. Given the Committee's concerns, this recommendation is made with the following stipulations:

- The Corps will provide, under signature, to the House and Senate Committees on Appropriations the planned funding allocations by project for this account, including a detailed accounting of activities previously funded under the Columbia River Fish Mitigation Project and the Missouri River Fish Mitigation Project;
- The Corps will maintain this information on its website;
- The Corps will not deviate from this allocation of funds without a clearly articulated management plan outlining the circumstances under which a reprogramming between individual projects is justified and the process by which these decisions will be made;
- This management plan shall be provided to the House and Senate Committees on Appropriations; and
- As part of the management plan, the Corps is instructed to develop a communication plan for how this process would be coordinated with, and justified to, the affected Members of Congress, water system users and other interested parties.

Last year, the House report contained essentially the same recommendations and conditions; by contrast, the Senate report rejected the proposal in its entirety. Yet there is no evidence that the Corps has made an effort to provide additional justification for the change or detail how this new budget approach would be managed. Further, the Corps was instructed in fiscal year 2007 to reevaluate the fiscal management of this account; to the knowledge of this Committee, this review was never undertaken. If the Corps and the Administration expect this Committee to continue its support for this change, these issues must be addressed.

The fiscal year 2008 request for the Operation and Maintenance account is nine percent above the fiscal year 2007 request. However, once adjusted for the projects involved in the shift of the above mentioned activities, the fiscal year 2008 request is 14 percent above the fiscal year 2007 request. The following table provides a comparison.

Account	Fiscal year 2006 Enacted	Fiscal year 2007 Request [1]	Fiscal year 2007 Enacted	Fiscal year 2008 Request [1]	Committee Recommended [1]
Operations and Maintenance	$1,969,000	$2,258,000	$1,973,347	$2,471,000	$2,655,241
		(1,916,000)	(1,973,347)	(2,175,079)	(2,382,000)
Construction	2,348,000	1,555,000	2,336,368	1,523,000	2,008,874
		(1,897,000)	(2,336,368)	(1,818,921)	(2,282,115)

[1] Bracketed figures reflect account totals following the structure used in fiscal year 2006.

Within the funds provided, the Committee directs the Corps to implement the Ohio River and Tributaries navigation system improvements as outlined in the Lakes and River Division's Five Year Development Perspective. Though inadequate to address all identified needs, additional funding is provided to support the efforts of the Division and stakeholders. Additionally, the Committee encourages the Corps to place greater priority on navigation improvements in the Great Lakes Region.

PROGRAM MANAGEMENT AND EXECUTION

In recent years, the Committee has directed the Corps to improve program management and project execution. In the current environment of aging infrastructure, static or declining budgets, increasing backlog, and changing societal values and requirements, past Corps management practices no longer serve the Nation well. The Corps of Engineers is uniquely qualified to play a significant role in the future of our water resource infrastructure, given its role over the past several centuries. To meet this challenge, the Corps must adapt to new circumstances and focus on its core missions and responsibilities.

In executing this program, the lessons learned from the Gulf Coast hurricanes should remain at the forefront of the agency's collective consciousness to ensure that the agency regains the public's trust and mistakes of the past are not repeated. The Corps of Engineers has many talented and dedicated civil service employees, and the agency must rely on these individuals' expertise for the technical assessments necessary to execute the Corps of Engineers' program. It is incumbent upon leadership at the Corps of Engineers to provide the structure and culture that allows critical review and divergent opinions to be aired and seriously considered. The alternative to open and honest communication carries a risk far too high for the people who rely upon the Corps of Engineers.

The Committee supports the Corps' efforts to improve its budgeting and management processes, as well as the implementation of the principles in the "12 Actions for Change" introduced last year. These principles were announced in the wake of the lessons of Hurricane Katrina and fall within three areas: effective implementation of a comprehensive systems approach; improved communication; and reliable public service professionalism. Institutional change is an extremely difficult and a long process, the Committee commends the Corps for recognizing the need for action.

The Committee continues its focus on several program management issues including: five-year budget plans, conservative use of reprogramming and continuing contracts, performance based budgeting, and improved budget justification materials. The Corps and the Administration continue to improve in these areas, and the Committee commends the Corps and the Office of Management and Budget for the progress made to date. Additionally, the Committee adds accurate cost estimating as an area of focus to execution issues. The recent significant cost increases in New Orleans, as well as those on several large lock and dam projects, illustrate this is an area in which the Corps of Engineers needs to improve.

Five-year comprehensive budget planning.—The Committee reiterates its strong belief in the value of five-year budget plans and longer-term strategic visions to help guide budget requests and

Congressional spending decisions. The National Academy of Public Administration, in "Prioritizing America's Water Resources Investments", recommends both shorter term project-specific plans as well as long-range planning on a 20-year time horizon. The circumstances of our nation's economy and physical development have changed significantly from the time much of our existing infrastructure was designed and built. Global competitiveness, energy policy, and environmental values all affect our water resource needs. These longer-range budget plans are critical to understanding the outcome and timeline of current investments so that scarce resources may be spent with consideration of the future.

Additionally, such plans force discipline and regional integration in budgetary decisions and encourage stability from year to year. By providing the Congress and the Executive Branch a view of what lies ahead in the Civil Works program, a comprehensive five-year plan may alleviate some of the pressure to fund every project in each fiscal year. The development of a plan will also require the Corps to make the necessary tradeoffs to integrate individual projects into a coherent future-years Civil Works program. In the absence of a rational strategy, the long-term vitality of the Corps is placed at risk and scarce federal resources will be squandered on projects of limited national benefit. This is one of the principal lessons from the Gulf Coast hurricanes, and a lesson that must not be forgotten.

Emphasis on expenditures.—The Committee continues its direction that the Corps adhere to a fiscal management practice that fully honors congressional direction and accepts a higher level of carryover funds in order to achieve increased transparency into project costs and multi-year funding commitments.

Prior to fiscal year 2006, the Corps of Engineers used 99% expenditure of appropriated funds as its primary performance metric. This metric was initiated in response to congressional direction to "spend down" large unobligated balances. As with any performance metric, care must be taken when selecting measures to ensure that unintended consequences are minimized and that such metrics do not skew decision making in a manner that adversely impacts the ultimate performance of the program. Tying performance to fully expending an annual appropriation leads to decisions at the individual project level that would not be made if the metric was simply project budget and schedule. It also results in an inordinate amount of resources being directed to moving funds from project to project in order to meet the expenditure goal, rather than focusing on the primary task of the Corps of Engineers—planning, designing and building water resource projects.

Changing the Corps' business model to prioritize obligations as a performance measure rather than expenditures brings stability and certainty to the program and to individual projects. In addition, it honors congressional intent as to the allocations for individual projects. While this change does bring a short-term impact, it does not adversely impact projects over time, as it essentially shifts the funding profile of the program. Over any multi-year time horizon, the same number of projects will be funded at the same level—the difference is the sequencing of the funding. As fully funded contract obligations are entered into that span multiple

years, additional resources are "freed" to fund other projects in future years.

As the Corps improves its fiscal management practices, the carryover balances of unobligated funds will be reduced. Much has been made of the high carryover balances of fiscal year 2006. However, an objective analysis of unobligated funding shows that once supplemental appropriations and Act language (funding that cannot be reprogrammed without statutory language) are deducted, the carryover is approximately $460 million. If unobligated funding for congressionally directed projects is removed, the unobligated carryover is less than $200 million out of a more than $5.3 billion program.

Reprogrammings.—The Committee again provides legislative language to guide reprogramming actions in fiscal year 2008. The Committee recognizes that there are legitimate instances where reprogramming is necessary and desirable, and has endeavored to work with the Administration and the Corps to ensure those instances are addressed expeditiously. The flexibility to move funds among projects is a necessary tool to adjust to changing project conditions and needs; the guidelines imposed by the Committee do not preclude such flexibility, but do provide a method to exercise Congressional oversight to ensure that the Civil Works program is being executed consistent with Congressional intent.

It is the Committee's intent that the Corps should meet its commitments to Members and local sponsors. The Committee reminds the Corps that it is responsible for budgeting funds to fulfill the commitments made to local sponsors and Members of Congress. The Administration and the Corps made progress toward this goal in the fiscal year 2007 work plan. Additionally, the Committee has provided funding in the Construction and Investigations accounts to make further progress to this end.

To ensure that the expenditure of funds in fiscal year 2008 is consistent with congressional direction, to minimize the movement of funds, and to improve overall budget execution, the bill includes a section prohibiting the obligation or expenditure through a reprogramming of funds that:

(1) creates or initiates a new program, project or activity;

(2) eliminates a program, project or activity;

(3) increases funds for any program, project or activity for which funds have been denied or restricted by this Act;

(4) reduces funds that are directed to be used for a specific activity by this Act; or

(5) increases or reduces funds for any existing program, project or activity by more than $2,000,000 or 25 percent, whichever is less;

Notifications pursuant to this section or any other authority for reprogramming or transfer shall be made solely to the House and Senate Committees on Appropriations. This provision shall not apply to the initiation of new projects or activities under the continuing authorities program. However, new projects under the continuing authorities program not identified in the report accompanying this Act must be submitted to the House and Senate Committees on Appropriations for approval. This requirement is in recognition of the large backlog of existing projects. Until ongoing projects are complete, the Committee does not see the wisdom in

initiating new projects that the Corps does not have the financial wherewithal to address. Reprogramming approvals shall also be required for changes in a project's scope and cost relative to what was submitted in the project justifications. These guidelines vitiate all other reprogramming guidance provided in previous appropriations Acts or their accompanying reports and shall be applied to all accounts of the Corps of Engineers. In addition, the Corps is directed to submit to the House and Senate Committees on Appropriations a quarterly report detailing project execution relative to stated capability and enacted appropriations.

Continuing contracts.—The Rivers and Harbors Appropriations Act of 1890 first authorized the Corps to award continuing contracts. Later, section 10 of the Rivers and Harbor Act of 1922 provided general authority to award continuing contracts for any public work on canals, rivers, and harbors adopted by Congress. These specific authorizations for continuing contracts save the Corps from being in violation of the Anti-Deficiency Act. Unlike the multi-year contracting authorities of other agencies under titles 10 and 41 of the U.S. Code, which do not provide for the obligation of funds in advance of appropriations and are subject to reasonable bounds, the Corps continuing contract authority has few constraints. Its use has resulted over the years in a large number of long-term contracts with high out-year funding commitments, which could also involve a significant unfunded cost to the taxpayer if the Corps later terminated the contract.

In the past, when entering into such contracts, the Corps obligated the federal government to pay certain costs from future appropriations. The contract clause also allowed the contractor to perform more work than was budgeted in any fiscal year when available appropriations for the current fiscal year were exhausted, but at the contractors' risk with an expectation that payment would be made from subsequent appropriations.

These are the two fundamental objections this Committee has with the use of the "true" continuing contract clause. This Committee is unwilling to allow the Corps to make obligations on behalf of future Congresses. Also, the Federal government, not the contractor, must determine the level of resources committed to each project each year. The Committee once again reminds the Corps that Congress determines how much funding is to be available for a particular project in any given fiscal year, and the Corps must ensure that it manages its program within that amount.

In fiscal year 2006, the Committee limited the Corps' ability to use continuing contracts. This guidance was maintained under the Continuing Resolution for fiscal year 2007, and the Committee extends it for fiscal year 2008. Originally this action was the result of several years of increasing concern with the Corps' liberal use of and inadequate budgeting for continuing contracts, concerns which were confirmed by a GAO study. The Committee recognizes that the Corps has taken significant steps to address the problem, including fully budgeting for the majority of contracts rather than using incremental funding for contracts of limited duration and cost.

The Committee remains unconvinced that the Corps, in attending to these concerns, has endeavored to implement this change in a manner that balances all interests. The Committee is aware of

several different strategies that have been used on large multi-year contracts and fails to understand why refinement of one or more of these alternatives could not be used to provide certainty for Congress as well as the contracting community.

The Committee understands that the vastly varied scope of the projects the Corps is charged with constructing requires a variety of contract mechanisms and supports the use of continuing contracts on large multi-year projects as long as the two issues discussed above are directly addressed and an analysis shows this is the appropriate contract mechanism. The fiscal year 2006 Conference Report carried a provision that made continuing contracts optional rather than required. The Committee continues to believe that the continuing contract has a role; however, no specific contracting mechanism should be required without consideration to the specific circumstances of the situation.

The Committee therefore directs the Corps to develop criteria and standards for the use of continuing contracts as well as examine alternatives to this contracting mechanism. The Committee has been unwilling to eliminate the use of continuing contracts. However, if the Corps cannot refine its current approach and justification for the use of this mechanism, perhaps it is time for the Corps of Engineers to function as every other Federal agency does with respect to contracting. This Nation landed men on the moon without the use of continuing contracts; surely a lock and dam can be built without one.

The bill includes a provision that prohibits the use of funds provided in title I of this Act to execute any new continuing contract (or modifications to any existing continuing contract) that commits an amount for a project in excess of the amounts appropriated for such project that remain unobligated.

Cost estimating.—Historically, the Committee has used the Corps as an example of technical competency in providing accurate cost estimates. The Committee is becoming concerned that the Corps has not provided sufficient emphasis in this area in recent years. The cost estimates for the provision of flood protection in New Orleans have been decidedly off the mark. While the Committee recognizes the existence of significant mitigating factors in this instance, Corps' projects routinely see cost increases beyond the bounds of reason. This is not just an issue for this Committee, but adversely impacts many local sponsors. The Committee urges the Corps to take steps to improve project cost estimates, with particular attention given to using realistic funding profiles and marketplace trends.

Congressional justification materials.—The Committee remains concerned that the congressional justifications submitted by the Corps in support of the annual budget request continue to be inadequate for an appropriation request of nearly $5 billion. The Committee continues to believe the materials must include a clearly articulated overview and discussion of policy proposals included in the annual budget request beyond that which is included in the annual summary of the President's budget request.

The Committee reiterates prior direction that this information shall include, but not be limited to: discussion of the individual mission areas and their value to the nation; an analysis of appropriations language provisions and changes; comparative amounts

available for obligation; comparative amounts showing obligations by object class; summary of changes from the enacted level; a delineation of responses to significant items included in the reports accompanying annual appropriations Acts; appropriations and authorizing histories; dispositions of projects directed by Congress but not requested by the Administration; explanations of how individual projects fit in the context of larger regional objectives, and narrative and tabular summaries of program requests.

Performance-based budget.—In fiscal year 2006, the Committee directed the Corps to contract with the National Academy of Public Administration (NAPA) to study and recommend factors which should be used in determining the allocation of limited resources for the construction of water resource projects. This study resulted from concerns with the Administration's use of remaining-benefit-to-remaining-cost (RBRC) ratio as the primary factor in the consideration of projects for inclusion in the fiscal year 2006 budget request.

The report, "Prioritizing America's Water Resource Investments", released in February 2007, provides recommendations that, if implemented, would radically change the budget process at the Corps of Engineers. The Committee commends the panel responsible for the study as well as the many interested parties that contributed views and recommendations. While many of the proposals may prove to be long-term aspirations, there are several that are well within the Corps' authority and ability to implement as the budget process evolves, including increasing the number of factors used to analyze, plan and prioritize Corps construction projects and the continued development of five-year planning as well as longer-range plans.

The Committee supports the Administration's change to ranking projects based on benefit-cost ratio (BCR) from RBRC, and the more rigorous approach to the risk to human safety. The Committee continues to believe the ranking system is a valuable guide but is not determinative in the allocation of funds.

Savings and slippage.—In fiscal year 2006, the Committee discontinued the practice of assuming an estimate for savings and slippage with the Corps of Engineers Civil Works program. As noted in prior reports, the practice had devolved into a method to ratably reduce funding for individual projects in order to fund more projects than an appropriation would support. This was equivalent to an airline selling more seats than an aircraft can accommodate. The practice led to confusion, and in some cases, allocations to projects through reprogramming in excess of appropriated funding.

Continuing authorities.—The Corps has taken significant measures in managing this program in response to Congressional concern and criticism on past practices. The Committee fully supports the measures taken and the proposal to begin prioritizing projects, as well as managing the approval of new agreements to realistic expectations of annual appropriations. The Committee does not renew the prohibition that has been in place for the last two years on executing new cost sharing agreements. However, the Corps is directed to maintain approval authority for all cost-share agreements for this program with the Chief of Engineers. This authority cannot be delegated.

In addition, the Committee directs that all Congressionally-directed funding for specific Continuing Authorities projects must remain available for use on the intended project for a period of two years after the date of enactment of this Act. For Congressionally-directed projects funded in previous appropriations bills, for which funds remain, those funds shall remain available for two years from the date of enactment of this Act. After the two year period, or after completion of the Congressionally-directed projects, any remaining unobligated funding may be made available to other ongoing Continuing Authorities projects without creating any obligation to repay those funds to the source projects. Such use of unobligated funds will not require Congressional approval via the reprogramming process. The intent of this language is to ensure that Congressional intent is executed within a reasonable timeframe, while also encouraging the Corps to provide more realistic cost and schedule estimates for Continuing Authorities projects.

The Committee remains concerned regarding the backlog of existing Continuing Authority projects. The Corps current estimate of the federal requirements of these projects is almost $2 billion, for a program which receives an average of $120 million per year. Due to this backlog, the Committee continues its policy of no new starts.

INVESTIGATIONS

(INCLUDING RESCISSION OF FUNDS)

Appropriation, 2007	[1] $162,916,000
Budget estimate, 2008	90,000,000
Recommended, 2008	120,100,000
Comparison:	
Appropriation, 2007	−42,816,000
Budget estimate, 2008	+30,100,000

[1] Excludes emergency supplemental appropriations of $8,165,000.

This appropriation funds studies to determine the need, the engineering and economic feasibility, and the environmental and social suitability of solutions to water and related land resource problems; and funds preconstruction engineering and design, data collection, interagency coordination, and research.

The Committee recommends an appropriation of $120,100,000, a decrease of $42,816,000 from the fiscal year 2007 enacted level, and $30,100,000 over the budget request. The Committee recommendation includes the rescission of $100,000 appropriated in Public Law 106–554.

The Committee provides no recommendation at this time for specific projects contained in either the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information. The budget request for this account and the approved Committee recommendation for national programs are shown on the following table:

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	REQUEST INV.	REQUEST PLNG.	RECOMMENDED
ALASKA			
YAKUTAT HARBOR, AK	300	---	---
ARIZONA			
RILLITO RIVER, PIMA COUNTY, AZ	---	300	---
VA SHLY-AY AKIMEL SALT RIVER RESTORATION, AZ	---	658	---
CALIFORNIA			
CALIFORNIA COASTAL SEDIMENT MASTER PLAN, CA	300	---	---
COYOTE & BERRYESSA CREEKS, CA	---	250	---
COYOTE & BERRYESSA CREEKS, CA	700	---	---
ESTUDILLO CANAL, CA	625	---	---
SUTTER COUNTY, CA	339	---	---
UPPER PENITENCIA CREEK, CA	191	---	---
COLORADO			
CACHE LA POUDRE, CO	340	---	---
GEORGIA			
AUGUSTA, GA	---	750	---
LONG ISLAND, MARSH AND JOHNS CREEKS, GA	531	---	---
SAVANNAH HARBOR EXPANSION, GA	---	700	---
GUAM			
NAGATNA RIVER FLOOD CONTROL, GUAM	100	---	---
HAWAII			
ALA WAI CANAL, OAHU, HI	300	---	---
BARBERS POINT HARBOR MODIFICATION, OAHU, HI	50	---	---
KAHUKU, HI	60	---	---
MAALAEA HARBOR, MAUI, HI	---	150	---
ILLINOIS			
ILLINOIS RIVER BASIN RESTORATION, IL	400	---	---
INDIANA			
INDIANA HARBOR, IN	300	---	---
KANSAS			
TOPEKA, KS	---	100	---
LOUISIANA			
BAYOU SORREL LOCK, LA	---	1,371	---
CALCASIEU RIVER BASIN, LA	395	---	---
LOUISIANA COASTAL AREA ECOSYSTEM REST, LA (SCIENCE PRO	5,000	---	---
LOUISIANA COASTAL AREA ECOSYSTEM RESTORATION, LA	8,000	---	---
MASSACHUSETTS			
BOSTON HARBOR (45-FOOT CHANNEL), MA	377	---	---
COASTAL MASSACHUSETTS ECOSYSTEM RESTORATION, MA	100	---	---
MICHIGAN			
GREAT LAKES NAV SYST STUDY, MI, IL, IN, MN, NY, OH, PA	800	---	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	REQUEST INV.	REQUEST PLNG.	RECOMMENDED
MINNESOTA			
WILD RICE RIVER, RED RIVER OF THE NORTH BASIN, MN.....	270	---	---
MISSOURI			
KANSAS CITYS, MO & KS.....	589	---	---
KANSAS CITYS, MO & KS.....	---	100	---
SPRINGFIELD, MO.....	354	---	---
ST LOUIS FLOOD PROTECTION, MO.....	---	281	---
MONTANA			
YELLOWSTONE RIVER CORRIDOR, MT.....	200	---	---
NEBRASKA			
LOWER PLATTE RIVER AND TRIBUTARIES, NE.....	130	---	---
NEW HAMPSHIRE			
MERRIMACK RIVER WATERSHED STUDY, NH & MA.....	200	---	---
NEW JERSEY			
HUDSON - RARITAN ESTUARY, HACKENSACK MEADOWLANDS, NJ..	200	---	---
HUDSON - RARITAN ESTUARY, LOWER PASSAIC RIVER, NJ.....	200	---	---
NEW JERSEY SHORE PROTECTION, HEREFORD TO CAPE MAY INLE	256	---	---
NEW MEXICO			
MIDDLE RIO GRANDE BOSQUE, NM.....	311	---	---
NEW YORK			
BUFFALO RIVER ENVIRONMENTAL DREDGING, NY.....	100	---	---
HUDSON - RARITAN ESTUARY, NY & NJ.....	200	---	---
UPPER SUSQUEHANNA RIVER BASIN ENVIRON REST, COOPERSTOW	---	102	---
NORTH CAROLINA			
CURRITUCK SOUND, NC.....	150	---	---
NEUSE RIVER BASIN, NC.....	554	---	---
OREGON			
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR & WA...	100	---	---
SOUTH CAROLINA			
EDISTO ISLAND, SC.....	218	---	---
TENNESSE			
MILL CREEK WATERSHED, DAVIDSON COUNTY, TN.....	257	---	---
TEXAS			
BRAZOS ISLAND HARBOR, BROWNSVILLE CHANNEL, TX.....	400	---	---
DALLAS FLOODWAY, UPPER TRINITY RIVER BASIN, TX.....	---	100	---
FREEPORT HARBOR, TX.....	721	---	---
GREENS BAYOU, HOUSTON, TX.....	---	488	---
GUADALUPE AND SAN ANTONIO RIVER BASINS, TX.....	300	---	---
LOWER COLORADO RIVER BASIN, TX.....	300	---	---
NUECES RIVER AND TRIBUTARIES, TX.....	250	---	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	REQUEST INV.	REQUEST PLNG.	RECOMMENDED
RIO GRANDE BASIN, TX	223	---	---
TEXAS CITY CHANNEL (50-FOOT PROJECT), TX	---	300	---
VIRGINIA			
DISMAL SWAMP AND DISMAL SWAMP CANAL, VA	62	---	---
EASTWARD EXPANSION CRANEY ISLAND, VA	---	3,000	---
ELIZABETH RIVER, HAMPTON ROADS, VA	---	97	---
JOHN H KERR DAM AND RESERVOIR, VA & NC (SECTION 216)	300	---	---
LYNNHAVEN RIVER BASIN, VA	300	---	---
WASHINGTON			
PUGET SOUND NEARSHORE MARINE HABITAT RESTORATION, WA	400	---	---
SUBTOTAL FOR PROJECTS	26,553	8,747	60,975
NATIONAL PROGRAMS			
AUTOMATED INFORMATION SYSTEMS SUPPORT TRI-CADD	350	---	350
CHIEF'S 12 ACTIONS	3,100	---	3,100
COASTAL FIELD DATA COLLECTION	1,400	---	1,400
ENVIRONMENTAL DATA STUDIES	75	---	75
FEMA/MAP MOD COORDINATION	1,500	---	1,500
FLOOD DAMAGE DATA	220	---	220
FLOOD PLAIN MANAGEMENT SERVICES	5,625	---	10,000
FLOOD PLAIN MANAGEMENT STUDY	1,000	---	1,000
HYDROLOGIC STUDIES	250	---	250
INTERNATIONAL WATER STUDIES	200	---	200
NATIONAL INVENTORY OF FLOOD/STORM DAMAGE REDUCTION PRO	10,000	---	---
NATIONAL SHORELINE STUDY	375	---	375
OTHER COORDINATION PROGRAMS	3,880	---	3,880
PLANNING ASSISTANCE TO STATES	4,550	---	10,000
PLANNING SUPPORT PROGRAM	2,500	---	2,500
PRECIPITATION STUDIES (NATIONAL WEATHER SERVICE)	225	---	225
REMOTE SENSING / GEOGRAPHIC INFORMATION SYSTEM SUPPORT	150	---	150
REPROGRAMMING PAYBACKS	---	---	4,600
RESEARCH AND DEVELOPMENT	17,300	---	17,300
SCIENTIFIC AND TECHNICAL INFORMATION CENTERS	50	---	50
STREAM GAGING (U.S. GEOLOGICAL SURVEY)	600	---	600
TRANSPORTATION SYSTEMS	350	---	350
TRIBAL PARTNERSHIP PROGRAM	1,000	---	1,000
TOTAL	81,253	8,747	120,100

National Inventory of Flood and Storm Damage Reduction Projects.—The budget request includes $10,000,000 to continue this effort, initiated with $30,000,000 in supplemental appropriations, to create a national inventory and database of flood and storm damage reduction projects and for assessing project structural and operational integrity and their associated risks. The Committee supports this effort; however, no funding is provided due to the lack of a specific authorization for this activity.

CONSTRUCTION

(INCLUDING RESCISSIONS OF FUNDS)

Appropriation, 2007	[1] $2,336,368,000
Budget estimate, 2008	1,523,000,000
Recommended, 2008	2,008,874,000
Comparison:	
Appropriation, 2007	−327,494,000
Budget estimate, 2008	+485,874,000

[1] Excludes emergency supplemental appropriations of $36,500,000.

This appropriation funds construction, major rehabilitation, and related activities for water resource projects whose principal purpose is to provide commercial navigation, flood and storm damage reduction, or aquatic ecosystem restoration benefits to the nation. Portions of this account are funded from the Harbor Maintenance Trust and the Inland Waterways Trust funds.

The Committee recommends an appropriation of $2,008,874,000 a decrease of $327,494,000 from the fiscal year 2007 enacted appropriation and $485,874,000 over the budget request. The Committee recommendation includes the proposal to move funding in the amount of $273,241,000 for three of the four categories of projects from the Construction account to the Operation and Maintenance account. Additionally, the Committee recommendation includes the rescission of $4,688,000 for projects where the Corps has determined no federal interest exists or work is complete and the funding is no longer required.

The Committee provides no recommendation at this time for specific projects contained in either the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information. The budget request for this account and the approved Committee recommendation for national programs are shown on the following table:

CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	COMMITTEE RECOMMENDED
ARKANSAS		
OZARK - JETA TAYLOR POWERHOUSE, AR (MAJOR REHAB)	17,300	---
CALIFORNIA		
AMERICAN RIVER WATERSHED, CA	36,500	---
HAMILTON AIRFIELD WETLANDS RESTORATION, CA	4,900	---
NAPA RIVER, CA	7,500	---
OAKLAND HARBOR (50 FOOT PROJECT), CA	42,000	---
SACRAMENTO DEEPWATER SHIP CHANNEL, CA	900	---
SACRAMENTO RIVER BANK PROTECTION PROJECT, CA	21,528	---
SACRAMENTO RIVER, GLENN-COLUSA IRRIGATION DISTRICT, CA	500	---
SANTA ANA RIVER MAINSTEM, CA	17,000	---
SOUTH SACRAMENTO COUNTY STREAMS, CA	8,000	---
SUCCESS DAM, TULE RIVER, CA (DAM SAFETY)	18,000	---
FLORIDA		
CEDAR HAMMOCK, WARES CREEK, FL	5,000	---
HERBERT HOOVER DIKE, FL (SEEPAGE CONTROL)	55,776	---
SOUTH FLORIDA EVERGLADES ECOSYSTEM RESTORATION, FL	102,400	---
GEORGIA		
BRUNSWICK HARBOR, GA	6,400	---
RICHARD B RUSSELL DAM AND LAKE, GA & SC	6,900	---
ILLINOIS		
CHAIN OF ROCKS CANAL, MISSISSIPPI RIVER, IL (DEF CORR)	4,500	---
CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIER, IL	750	---
CHICAGO SANITARY AND SHIP CANAL, SECOND BARRIER, IL	6,900	---
CHICAGO SHORELINE, IL	9,000	---
DES PLAINES RIVER, IL	6,620	---
EAST ST LOUIS, IL	2,500	---
ILLINOIS WATERWAY, LOCKPORT LOCK AND DAM, IL (REPLACEM	20,445	---
LOCK AND DAM 24, IL & MO (REHABILITATION)	---	---
LOCK NO. 27, MISSISSIPPI RIVER, IL (REHABILITATION)	---	---
MCCOOK AND THORNTON RESERVOIRS, IL	33,500	---
OLMSTED LOCKS AND DAM, OHIO RIVER, IL & KY	104,000	---
UPPER MISSISSIPPI RIVER RESTORATION, IL, IA, MN, MO &.	23,464	---
INDIANA		
LITTLE CALUMET RIVER, IN	13,000	---
IOWA		
LOCK AND DAM 19, MISSISSIPPI RIVER, IA (REHAB)	---	---
LOCK AND DAM 11, MISSISSIPPI RIVER, IA (REHAB)	---	---
KANSAS		
TURKEY CREEK BASIN, KS & MO	9,000	---
TUTTLE CREEK LAKE, KS (DAM SAFETY)	28,500	---
KENTUCKY		
KENTUCKY LOCK AND DAM, TENNESSEE RIVER, KY	52,000	---
MARKLAND LOCKS AND DAM, KY & IL (REHABILITATION)	---	---
MCALPINE LOCKS AND DAM, OHIO RIVER, KY & IN	45,000	---
WOLF CREEK, KY (SEEPAGE CONTROL)	54,100	---

CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	COMMITTEE RECOMMENDED
LOUISIANA		
J BENNETT JOHNSTON WATERWAY, LA	1,500	---
MASSASSACHUSETTS		
MUDDY RIVER, MA	10,000	---
MISSOURI		
BLUE RIVER CHANNEL, KANSAS CITY, MO	3,500	---
CLEARWATER LAKE, MO (SEEPAGE CONTROL)	25,000	---
MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	2,100	---
NEBRASKA		
ANTELOPE CREEK, LINCOLN, NE	9,000	---
NEW JERSEY		
RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NJ	10,000	---
NEW MEXICO		
ALAMOGORDO, NM	4,200	---
RIO GRANDE FLOODWAY, SAN ACACIA TO BOSQUE DEL APACHE	800	---
NEW YORK		
ATLANTIC COAST OF NYC, ROCKAWAY INLET TO NORTON POINT	8,500	---
FIRE ISLAND INLET TO MONTAUK POINT, NY	4,150	---
NEW YORK AND NEW JERSEY HARBOR, NY & NJ	91,000	---
NORTH DAKOTA		
GARRISON DAM AND POWER PLANT, ND (REPLACEMENT)	6,200	---
OHIO		
METROPOLITAN REGION OF CINCINNATI, DUCK CREEK, OH	11,847	---
OKLAHOMA		
CANTON LAKE, OK (DAM SAFETY)	17,300	---
OREGON		
COLUMBIA RIVER CHANNEL IMPROVEMENTS, OR & WA	15,000	---
ELK CREEK LAKE, OR	11,030	---
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR & WA	1,000	---
PENNSYLVANIA		
EMSWORTH L&D, OHIO RIVER, PA (STATIC INSTABILITY CORRE	43,000	---
LOCKS AND DAMS 2, 3 AND 4, MONONGAHELA RIVER, PA	70,300	---
PUERTO RICO		
PORTUGUES AND BUCANA RIVERS, PR	35,000	---
RIO PUERTO NUEVO, PR	11,500	---
TENNESSEE		
CENTER HILL DAM, TN (SEEPAGE CONTROL)	25,000	---
CHICKAMAUGA LOCK, TENNESSEE RIVER, TN	35,200	---

CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	COMMITTEE RECOMMENDED
TEXAS		
BRAYS BAYOU, HOUSTON, TX	14,841	---
HOUSTON - GALVESTON NAVIGATION CHANNELS, TX	16,320	---
SIMS BAYOU, HOUSTON, TX	24,154	---
VIRGINIA		
JOHN H KERR DAM AND RESERVOIR, VA & NC (REPLACEMENT)	13,000	---
ROANOKE RIVER UPPER BASIN, HEADWATERS AREA, VA	10,150	---
WASHINGTON		
MT ST HELENS SEDIMENT CONTROL, WA	10,200	---
MUD MOUNTAIN DAM, WA (FISH PASSAGE)	11,500	---
WEST VIRGINIA		
BLUESTONE LAKE, WV (DAM SAFETY ASSURANCE)	12,000	---
MARMET LOCK, KANAWHA RIVER, WV	25,000	---
ROBERT C BYRD LOCKS AND DAM, OHIO RIVER, WV & OH	1,000	---
SUBTOTAL FOR PROJECTS	1,414,175	1,702,049
NATIONAL PROGRAMS		
AQUATIC PLANT CONTROL PROGRAM	3,000	4,000
CHIEF'S 12 ACTIONS	4,600	4,600
CONTINUING AUTHORITIES PROGRAM		
AQUATIC ECOSYSTEM RESTORATION (SECTION 206)	11,278	25,000
EMERGENCY STREAMBANK AND SHORELINE PROTECTION (SEC	907	10,000
FLOOD CONTROL PROGRAM (SECTION 205)	11,716	45,000
NAVIGATION PROGRAM (SECTION 107)	477	8,000
PROGRAM MODIFICATIONS FOR IMPROVEMENT OF THE ENVIR	11,190	25,000
SHORE PROTECTION PROGRAM (SECTION 103)	422	---
SNAGGING AND CLEARING (SECTION 208)	10	---
DAM SAFETY AND SEEPAGE/STABILITY CORRECTION PROGRAM	39,000	39,000
EMPLOYEES COMPENSATION	21,000	21,000
ESTUARY RESTORATION PROGRAM (PL 106-457)	5,000	---
HYDROPOWER REHABILITATION PROGRAM /1	---	95,000
INLAND WATERWAYS USERS BOARD - BOARD EXPENSE	40	40
INLAND WATERWAYS USERS BOARD - CORPS EXPENSE	185	185
REPROGRAMMING PAYBACKS	---	30,000
TOTAL	1,523,000	2,008,874

1/ THE BUDGET REQUEST INCLUDES $45,400 FOR THIS ACTIVITY LISTED UNDER SPECIFIC PROJECTS

MISSISSIPPI RIVER AND TRIBUTARIES

Appropriation, 2007	$396,565,000
Budget estimate, 2008	260,000,000
Recommended, 2008	278,000,000
Comparison:	
Appropriation, 2007	−118,565,000
Budget estimate, 2008	+18,000,000

This appropriation funds planning, construction, and operation and maintenance activities associated with projects to reduce flood damage in the lower Mississippi River alluvial valley below Cape Giradeau, Missouri.

The Committee recommends an appropriation of $278,000,000, a decrease of $118,565,000 from the fiscal year 2007 enacted appropriation and an increase of $18,000,000 over the budget request.

The Committee provides no recommendation at this time for specific projects contained in either the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information. The budget request for this account is shown on the following table:

FLOOD CONTROL - MISSISSIPPI RIVER AND TRIBUTARIES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST
INVESTIGATION	
ALEXANDRIA TO THE GULF, LA	200
ATCHAFALAYA BASIN FLOODWAY SYSTEM LAND STUDY, LA	200
COLDWATER RIVER BELOW ARKABUTLA LAKE, MS	300
COLLECTION AND STUDY OF BASIC DATA	400
CONSTRUCTION	
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	53,395
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	28,767
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	1,800
ATCHAFALAYA BASIN, LA	23,800
OPERATION AND MAINTENANCE	
REGION 8 LOWER MISSISSIPPI	149,642
MAPPING	1,498
TOTAL	260,000

OPERATION AND MAINTENANCE

Appropriation, 2007	[1] $1,973,347,000
Budget estimate, 2008	2,471,000,000
Recommended, 2008	2,655,241,000
Comparison:	
Appropriation, 2007	+681,894,000
Budget estimate, 2008	+184,241,000

[1] Excludes emergency appropriations of $3,000,000.

This appropriation funds operation, maintenance, and related activities at the water resource projects that the Corps of Engineers operates and maintains. Work to be accomplished consists of dredging, repair, and operation of structures and other facilities, as authorized in various River and Harbor, Flood Control, and Water Resources Development Acts. Related activities include aquatic plant control, monitoring of completed projects, removal of sunken vessels, and the collection of domestic waterborne commerce statistics. Portions of this account are financed through the Harbor Maintenance Trust Fund.

It has come to the Committee's attention that the Administration has not budgeted for the Corps of Engineers' financial obligations for the National Fish Hatchery System. The Committee expects the Corps of Engineers to work with the U.S. Fish and Wildlife Service to determine and budget for the costs associated with operating and maintaining mitigation fish hatcheries related to Corps water projects.

The Committee recommends an appropriation of $2,655,241,000, an increase of $681,894,000 over the fiscal year 2007 enacted level and $184,241,000 above the budget request. The Committee recommendation does not include the proposal to move funding in the amount of $22,680,000 for rehabilitation of existing projects from the Construction account to Operation and Maintenance.

The budget request and the approved Committee allowance are shown on the following table:

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	COMMITTEE RECOMMENDED
REGION 01 NEW ENGLAND	48,758	53,585
REGION 02 MID-ATLANTIC	163,616	179,814
REGION 03 SOUTH ATLANTIC-GULF	334,031	367,101
REGION 04 GREAT LAKES	105,475	126,907
REGION 05 OHIO	314,314	342,354
REGION 06 TENNESSEE	23,404	25,721
REGION 07 UPPER MISSISSIPPI	243,843	251,630
REGION 08 LOWER MISSISSIPPI	151,907	168,946
REGION 09 SOURIS-RED-RAINY	2,874	3,159
REGION 10 MISSOURI	177,727	162,352
REGION 11 ARKANSAS-WHITE-RED	194,268	213,500
REGION 12 TEXAS-GULF	168,943	185,668
REGION 13 RIO GRANDE	28,036	30,812
REGION 14 UPPER COLORADO	52	57
REGION 15 LOWER COLORADO	3,610	3,967
REGION 16 GREAT BASIN	745	819
REGION 17 PACIFIC NORTHWEST	270,265	286,031
REGION 18 CALIFORNIA	114,648	125,998
REGION 19 ALASKA	24,396	26,811
REGION 20 HAWAII	794	872
SUBTOTAL FOR REGIONS	2,371,706	2,554,104
ITEMS NOT LISTED UNDER REGIONS		
AQUATIC NUISANCE CONTROL RESEARCH	690	690
ASSET MANAGEMENT/FACILITIES AND EQUIPMENT MAINTENANCE	4,000	4,000
BUDGET/MANAGEMENT SUPPORT FOR O&M BUSINESS PROGRAMS	5,365	5,365
CHIEF'S 12 ACTIONS	8,737	8,737
COASTAL INLET RESEARCH PROGRAM	2,475	2,475
CONTINUING AUTHORITY PROGRAM		
BENEFICIAL USES OF DREDGED MATERIAL (SECTION 204/207/933)	2,863	4,508
NAVIGATION MITIGATION PROJECTS (SECTION 111)	4,874	4,874
CULTURAL RESOURCES (NAGPRA/CURATION)	1,500	1,500
DREDGE WHEELER READY RESERVE	8,000	8,000
DREDGING DATA AND LOCK PERFORMANCE MONITORING SYSTEM	1,062	1,062
DREDGING OPERATIONS AND ENVIRONMENTAL RESEARCH (DOER)	6,080	6,080
DREDGING OPERATIONS TECHNICAL SUPPORT PROGRAM (DOTS)	1,391	1,391
EARTHQUAKE HAZARDS REDUCTION PROGRAM	270	270
FACILITY PROTECTION	12,000	12,000
GREAT LAKES SEDIMENT TRANSPORT MODELS	900	900
INLAND WATERWAY NAVIGATION CHARTS	3,708	3,708
INSPECTION OF COMPLETED WORKS	1,780	1,780
MONITORING OF COMPLETED NAVIGATION PROJECTS	1,575	1,575
NATIONAL COASTAL MAPPING	4,000	4,000
NATIONAL DAM SAFETY PROGRAM	10,000	10,000
NATIONAL EMERGENCY PREPAREDNESS PROGRAM (NEPP)	5,000	5,000
NATIONAL NATURAL RESOURCES MANAGEMENT ACTIVITIES	3,296	3,296
NATIONAL PORTFOLIO ASSESSMENT FOR REALLOCATION	300	300
PROGRAM DEVELOPMENT TECHNICAL SUPPORT (ABS,P2,WINABS)	300	300
PROTECTION OF NAVIGATION		
PROTECT CLEAR AND STRAIGHTEN CHANNELS (SEC 3)	50	50
REMOVAL OF SUNKEN VESSELS	500	500
WATERBORNE COMMERCE STATISTICS	4,271	4,271
HARBOR MAINTENACE FEE DATA COLLECTION	725	725
RECREATION ONE STOP (R1S) NATIONAL RECREATION RESERVA	1,130	1,130
REGIONAL SEDIMENT MANAGEMENT DEMONSTRATION PROGRAM	1,391	1,391
RELIABILITY MODELS PROGRAM FOR MAJOR REHABILITATION	608	608
WATER OPERATIONS TECHNICAL SUPPORT (WOTS)	653	653
SUBTOTAL FOR ITEMS NOT LISTED UNDER REGIONS	99,294	101,137
TOTAL FOR OPERATIONS AND MAINTENANCE	2,471,000	2,655,241

REGULATORY PROGRAM

Appropriation, 2007	$159,273,000
Budget estimate, 2008	180,000,000
Recommended, 2008	180,000,000
Comparison:	
Appropriation, 2007	+20,727,000
Budget estimate, 2008	– – –

This appropriation provides funds to administer laws pertaining to regulation of activities affecting U.S. waters, including wetlands, in accordance with the Rivers and Harbors Appropriation Act of 1899, the Clean Water Act, and the Marine Protection, Research and Sanctuaries Act of 1972. Appropriated funds are used to review and process permit applications, ensure compliance on permitted sites, protect important aquatic resources, and support watershed planning efforts in sensitive environmental areas in cooperation with States and local communities.

The Committee is concerned that the Corps is not completing regulatory approvals and Environmental Impact Reports (EIR) and Environmental Impact Statements (EIS) in an expeditious manner. The Committee urges the Corps of Engineers to ensure a 12-month time frame for completion of all EIR/EIS and to undertake other improvements that would expedite regulatory processes, such as requiring an EIR/EIS on major dredge and fill projects only, and expediting or waiving superfluous review at the division level.

Additionally, the Committee is concerned with the performance of the Sacramento Regulatory Division. While the Committee does not support, in any manner, the Corps of Engineers abrogating its responsibilities under the Clean Water Act, the Sacramento District seems to have a disproportionate backlog associated with its area of jurisdiction. Given the region's continued projected growth, recent court decisions and the existing backlog, it is critical that this issue receive additional direct oversight by Corps leadership.

The Committee recommends an appropriation of $180,000,000, which is the same as the budget request and $20,727,000 over the fiscal year 2007 enacted level.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM (FUSRAP)

Appropriation, 2007	$138,672,000
Budget estimate, 2008	130,000,000
Recommended, 2008	130,000,000
Comparison:	
Appropriation, 2007	−8,672,000
Budget estimate, 2008	– – –

This appropriation funds the cleanup of certain low-level radioactive materials and mixed wastes, located mostly at sites contaminated as a result of the Nation's early efforts to develop atomic weapons.

Congress transferred FUSRAP from the Department of Energy (DOE) to the Corps of Engineers in fiscal year 1998. In appropriating FUSRAP funds to the Corps of Engineers, the Committee intended to transfer only the responsibility for administration and execution of cleanup activities at FUSRAP sites where DOE had not completed cleanup. The Committee did not transfer to the Corps ownership of and accountability for real property interests, which remain with DOE. The Committee expects DOE to continue

to provide its institutional knowledge and expertise to serve the Nation and the affected communities to ensure the success of this program.

The Committee recommends an appropriation of $130,000,000, the same level as the budget request, and $8,672,000 below the fiscal year 2007 enacted level.

FLOOD CONTROL AND COASTAL EMERGENCIES

Appropriation, 2007	– – –
Budget estimate, 2008	[1] $40,000,000
Recommended, 2008	$40,000,000
Comparison:	
Appropriation, 2007	+40,000,000
Budget estimate, 2008	– – –

[1] Excludes emergency appropriations of $1,561,000,000.

This appropriation funds the planning, training, exercises, and other measures that ensure the readiness of the Corps to respond to floods, hurricanes, and other natural disasters, and to support emergency operations in response to such natural disasters, including advance measures, flood fighting, emergency operations, providing potable water on an emergency basis, and the repair of certain flood and storm damage reduction projects. The requested amount is the base funding necessary for preparedness activities.

The Committee recommends an appropriation of $40,000,000, the same level as the budget request, and $40,000,000 above the fiscal year 2007 enacted level.

EXPENSES

Appropriation, 2007	$167,250,000
Budget estimate, 2008	[1] 177,000,000
Recommended, 2008	171,000,000
Comparison:	
Appropriation, 2007	+3,750,000
Budget estimate, 2008	– 6,000,000

[1] The budget proposes to fund the Office for the Assistant Secretary for Civil Works under this account. The Committee recommendation includes funding in the amount of $6,000,000 for this office under the seperate heading "Office of the Assistant Secretary of the Army (Civil Works)."

This appropriation funds the executive direction and management of the Office of Chief of Engineers, the Division Offices, and certain research and statistical functions of the Corps of Engineers.

The Committee is concerned that the cost of many A–76 contacting out studies exceeds the benefits of the studies, especially studies of small groups. The Committee notes that all A–76 studies performed by the Corps have been won by the Corps. The Committee believes that, in most areas, the government functions are so intermixed with the "contractible" functions that it is very difficult to reorganize to separate them into contractible and governmental functions groups.

The Corps of Engineers has requested funding for the development of a high performing organization that could dramatically affect the work performed by 3,500 employees. The Committee is aware that the Corps has successfully performed and implemented High Performing Organization (HPO) studies that follow the study process of A–76 studies with similar results, without incurring the additional time and costs associated with contracting out competitions. As the Corps moves forward on new HPO studies, the Committee urges the Corps to involve as much as possible the affected

rank-and-file employees and their union representatives in the development of the high performing organization. The Committee reminds the Corps that no high performance organization can, ultimately, be implemented without the agreement of the Congress.

The Committee recommends an appropriation of $171,000,000, an increase of $3,750,000 from the fiscal year 2007 enacted level and $6,000,000 less than the budget request. The decrease from the budget request is due to the Committee's recommendation to fund the Office of the Assistant Secretary of the Army for Civil Works separately.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS)

Appropriation, 2007	$3,979,000
Budget estimate, 2008	[1] 6,000,000
Recommended, 2008	6,000,000
Comparison:	
Appropriation, 2007	+2,021,000
Budget estimate, 2008	– – –

[1] The budget proposes this office be funded from Expenses.

The Assistant Secretary of the Army (Civil Works) oversees Civil Works budget and policy whereas the Corps' executive direction and management of the Civil Works program are funded from the Expenses account. The budget request reflects $1,800,000 in support services not previously sub-allocated to ASA (CW) by the Department of the Army and includes this amount in the Expenses account.

For purposes of transparency, the Committee recommends a separate appropriation for the Office of the Assistant Secretary of the Army (Civil Works) and has provided $6,000,000 for this account.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

The bill includes a provision that prohibits the obligation or expenditure of funds through a reprogramming of funds in this title except in certain circumstances.

The bill includes a provision prohibiting the use of funds in this Act to carry out any continuing contract that commits an amount for a project in excess of the amount appropriated for such project that remains unobligated.

The bill includes a provision that prohibits funds for the operation or maritime-related maintenance of the hopper dredge McFarland.

The bill includes language relating to the Sacramento District office of the Corps of Engineers.

The bill includes a provision prohibiting the use of funds for any A–76 study.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

Appropriation, 2007	$34,020,000
Budget estimate, 2008	43,000,000
Recommended, 2008	43,000,000
Comparison:	
Appropriation, 2007	+8,980,000
Budget estimate, 2008	– – –

The Central Utah Project Completion Act (Titles II–VI of Public Law 102–575) provides for the completion of the Central Utah Project by the Central Utah Water Conservancy District. The Act also authorizes the appropriation of funds for fish, wildlife, and recreation mitigation and conservation; establishes an account in the Treasury for the deposit of these funds and of other contributions for mitigation and conservation activities; and establishes a Utah Reclamation Mitigation and Conservation Commission to administer funds in that account. The Act further assigns responsibilities for carrying out the Act to the Secretary of the Interior and prohibits delegation of those responsibilities to the Bureau of Reclamation.

The Committee recommendation for fiscal year 2008 to carry out the Central Utah Project is $43,000,000, the same as the budget request, and $8,980,000 above the fiscal year 2007 enacted level. Within the $43,000,000 provided by the Committee, the following amounts are provided for the Central Utah Valley Water Conservation District by activity, as recommended in the budget request:

Utah Lake drainage basin delivery system	$23,597,000
Water conservation measures	5,000,000
Uinta Basin replacement project	9,518,000
Other Title II programs	1,500,000
Total, Central Utah water conservation district	39,615,000

The Committee recommendation includes the requested amount of $976,000 for deposit into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission. These funds, as proposed in the budget request, are to be used to implement the fish, wildlife, and recreation mitigation and conservation projects authorized in Title III of Public Law 102–575; and to complete mitigation measures committed to in pre–1992 Bureau of Reclamation planning documents, as follows:

Provo River/Utah Lake fish and wildlife	$150,000
Duchesne/Strawberry Rivers fish and wildlife	30,000
CRSP/Statewide fish, wildlife and recreation	535,000
Section 201(a)(1) mitigation measures	261,000
Total, Utah Reclamation Mitigation and Conservation Commission	976,000

For program oversight and administration, the Committee has provided $1,620,000, the same level as the budget request, and $112,000 below the fiscal year 2007 enacted level. For fish and wildlife conservation programs, the Committee has provided

$789,000, the same level as the budget request and $270,000 above the fiscal year 2007 enacted level.

BUREAU OF RECLAMATION

FISCAL YEAR 2008 BUDGET OVERVIEW

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public. Since its establishment by the Reclamation Act of June 17, 1902, the Bureau of Reclamation has developed water supply facilities that have contributed to sustained economic growth and an enhanced quality of life in the western states. Lands and communities served by Reclamation projects have been developed to meet agricultural, tribal, urban, and industrial needs. The Bureau continues to develop authorized facilities to store and convey new water supplies and is the largest supplier and manager of water in the 17 western states. The Bureau maintains 472 dams and 348 reservoirs with the capacity to store 245 million acre-feet of water. These facilities deliver water to one of every five western farmers for about 10 million acres of irrigated land, and to over 31 million people for municipal, rural, and industrial uses. The Bureau is also the Nation's second largest producer of hydroelectric power, generating 42 billion kilowatt hours of energy each year from 58 power plants. In addition, its facilities provide substantial flood control, recreation, and fish and wildlife benefits.

The fiscal year 2008 budget request for the Bureau of Reclamation totals $957,880,000. The Committee recommendation totals $1,029,880,000 for the Bureau of Reclamation, $72,000,000 above the budget request and $4,884,000 above the fiscal year 2007 enacted level.

A summary table illustrating the fiscal year 2007 enacted appropriation, the fiscal year 2008 budget request and the Committee recommendation is shown below:

(Dollars in 000s)

Account	Fiscal Year 2007 Enacted	Fiscal Year 2008 Request	Committee Recommendation
Water and related resources	$878,623	$816,197	$871,197
Emergency appropriations	18,000	– – –	– – –
Central Valley project restoration fund	52,150	59,122	59,122
California Bay-Delta restoration	36,648	31,750	40,750
Policy and administration	57,575	58,811	58,811
Legislative proposal, SJRRF	– – –	–8,000	– – –
Total, Bureau of Reclamation	1,042,996	957,880	1,029,880
Appropriations	1,024,996	– – –	– – –
Emergency appropriations	18,000	– – –	– – –

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

Appropriation, 2007	[1] $878,623,000
Budget estimate, 2008	816,197,000
Recommended, 2008	871,197,000
Comparison:	
Appropriation, 2007	−7,426,000
Budget estimate, 2008	+55,000,000

[1] Excludes emergency supplemental appropriations of $18,000,000.

The Water and Related Resources account supports the development, management, and restoration of water and related natural resources in the 17 western states. The account includes funds for operating and maintaining existing facilities to obtain the greatest overall levels of benefits, to protect public safety, and to conduct studies on ways to improve the use of water and related natural resources.

For fiscal year 2008, the Committee recommends $871,197,000, $55,000,000 above the budget request and $7,426,000 below the fiscal year 2007 enacted level.

Projects.—Congress has made significant reforms in the way it reviews and allocates funding for the Federal government, reforms which the Committee takes very seriously as it executes its constitutional authority. Earmarking or directed spending of Federal dollars does not begin with Congress. It begins with the Executive Branch. For example, the table following this section contains a list of individual Reclamation, Water and Related Resources projects submitted by the Administration. The Administration, in selecting these projects, goes through a process that is the functional equivalent of earmarking. When the Committee reviews the budget request, it goes through a process of rigorous review and may alter or modify this list to reflect additional priorities.

The Committee provides no recommendation at this time for specific projects contained in either the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information. The budget request for this account and the approved Committee recommendation for national programs are shown at the end of this section.

Reprogramming.—The Department is directed to conform to the following reprogramming guidelines. The Bureau is permitted to transfer, without prior Congressional approval and without regard to percentage limitation, not more than $5,000,000 per project to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments, provided that such reprogramming is necessary to discharge legal obligations of the Bureau of Reclamation.

For each project within the Resources Management and Development category for which $2,000,000 or more is available at the beginning of the fiscal year, the Bureau is permitted to transfer to such project in that fiscal year no more than fifteen percent of the amount available at the beginning of the fiscal year for such project, without prior approval from the House and Senate Committees on Appropriations. For each project within the Resources Management and Development category for which less than

$2,000,000 is available at the beginning of the fiscal year, the Bureau is permitted to transfer to such project no more than $300,000 in that fiscal year without prior approval from the House and Senate Committees on Appropriations. A transfer is defined as any movement of funds into or out of a program, project or activity.

The Bureau is further permitted to transfer funds within the Facility Operation, Maintenance and Rehabilitation category without prior Congressional approval and without regard to percentage or dollar limitation.

The Bureau may not transfer any funds, without prior approval from the House and Senate Committees on Appropriations, from either the Facilities Operation, Maintenance and Rehabilitation category or the Resources Management and Development category to any project in the other category. The Bureau is prohibited from using an internal reprogramming action to initiate, restart, or resume any program, project, or activity that does not receive a congressional appropriation in fiscal year 2008.

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	REQUEST		RECOMMENDED	
	RES. MGMT.	FAC. OM&R	RES. MGMT.	FAC. OM&R
ARIZONA				
AK CHIN WATER RIGHTS SETTLEMENT ACT PROJECT	---	8,700	---	---
CENTRAL ARIZONA PROJECT, COLORADO RIVER BASIN	26,961	218	---	---
COLORADO RIVER FRONT WORK AND LEVEE SYSTEM	3,312	---	---	---
NORTHERN ARIZONA INVESTIGATIONS PROGRAM	385	---	---	---
PHOENIX METROPOLITAN WATER REUSE PROJECT	200	---	---	---
SALT RIVER PROJECT	360	240	---	---
SAN CARLOS APACHE TRIBE WATER SETTLEMENT ACT	310	---	---	---
SOUTH/CENTRAL ARIZONA INVESTIGATIONS PROGRAM	915	---	---	---
SOUTHERN ARIZONA WATER RIGHTS SETTLEMENT ACT PROJECT	4,445	---	---	---
YUMA AREA PROJECTS	1,652	21,257	---	---
CALIFORNIA				
CACHUMA PROJECT	1,071	640	---	---
CALIFORNIA INVESTIGATIONS PROGRAM	460	---	---	---
CALLEGUAS MUNICIPAL WATER DISTRICT RECYCLING PLANT	900	---	---	---
CENTRAL VALLEY PROJECTS:				
AMERICAN RIVER DIVISION	1,903	7,725	---	---
AUBURN-FOLSOM SOUTH UNIT	4,723	100	---	---
DELTA DIVISION	11,818	5,830	---	---
EAST SIDE DIVISION	1,551	2,903	---	---
FRIANT DIVISION	2,261	3,686	---	---
MISCELLANEOUS PROJECT PROGRAMS	12,697	1,083	---	---
REPLACEMENTS, ADDITIONS, AND EXTRAORDINARY MAINT.	---	19,410	---	---
SACRAMENTO RIVER DIVISION	6,522	1,506	---	---
SAN FELIPE DIVISION	891	29	---	---
SAN JOAQUIN DIVISION	327	---	---	---
SHASTA DIVISION	584	7,957	---	---
TRINITY RIVER DIVISION	7,329	3,133	---	---
WATER AND POWER OPERATIONS	1,407	8,874	---	---
WEST SAN JOAQUIN DIVISION, SAN LUIS UNIT	3,460	6,504	---	---
YIELD FEASIBILITY INVESTIGATION	562	---	---	---
LONG BEACH AREA WATER RECLAMATION AND REUSE PROJECT	600	---	---	---
LONG BEACH DESALINATION RESEARCH AND DEVELOPMENT PROJ	250	---	---	---
NORTH SAN DIEGO COUNTY AREA WATER RECYCLING PROJECT	1,500	---	---	---
ORANGE COUNTY REGIONAL WATER RECLAMATION PROJECT, PHAS	1,500	---	---	---
ORLAND PROJECT	15	702	---	---
SALTON SEA RESEARCH PROJECT	300	---	---	---
SAN DIEGO AREA WATER RECLAMATION AND REUSE PROGRAM	3,450	---	---	---
SAN GABRIEL BASIN PROJECT	700	---	---	---
SAN JOSE AREA WATER RECLAMATION AND REUSE PROGRAM	200	---	---	---
SOLANO PROJECT	1,452	2,533	---	---
SOUTHERN CALIFORNIA INVESTIGATIONS PROGRAM	190	---	---	---
VENTURA RIVER PROJECT	402	56	---	---
COLORADO				
ANIMAS-LA PLATA PROJECT, CRSP	57,750	250	---	---
COLLBRAN PROJECT	172	1,321	---	---
COLORADO-BIG THOMPSON PROJECT	370	11,319	---	---
COLORADO INVESTIGATIONS PROGRAM	304	---	---	---
FRUITGROWERS DAM PROJECT	57	151	---	---
FRYINGPAN-ARKANSAS PROJECT	172	8,897	---	---
GRAND VALLEY UNIT, CRBSCP, TITLE II	144	1,014	---	---
LEADVILLE/ARKANSAS RIVER RECOVERY	36	1,994	---	---
MANCOS PROJECT	51	101	---	---
PARADOX VALLEY UNIT, CRBSCP, TITLE II	62	2,501	---	---
PINE RIVER PROJECT	124	145	---	---
SAN LUIS VALLEY PROJECT	272	4,715	---	---
UNCOMPAHGRE PROJECT	108	132	---	---
UPPER COLORADO RIVER OPERATIONS	200	---	---	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	REQUEST		RECOMMENDED	
	RES. MGMT.	FAC. OM&R	RES. MGMT.	FAC. OM&R
IDAHO				
BOISE AREA PROJECTS	2,420	2,743	---	---
COLUMBIA AND SNAKE RIVER SALMON RECOVERY PROJECT	15,000	---	---	---
IDAHO INVESTIGATIONS PROGRAM	331	---	---	---
LEWISTON ORCHARDS PROJECTS	576	27	---	---
MINIDOKA AREA PROJECTS	3,029	2,720	---	---
KANSAS				
KANSAS INVESTIGATIONS PROGRAM	72	---	---	---
WICHITA-CHENEY PROJECT	8	419	---	---
MONTANA				
HUNGRY HORSE PROJECT	---	913	---	---
HUNTLEY PROJECT	56	105	---	---
LOWER YELLOWSTONE PROJECT	235	65	---	---
MILK RIVER PROJECT	471	1,255	---	---
MONTANA INVESTIGATIONS	23	---	---	---
SUN RIVER PROJECT	108	262	---	---
NEBRASKA				
MIRAGE FLATS PROJECT	29	111	---	---
NEBRASKA INVESTIGATIONS PROGRAM	8	---	---	---
NEVADA				
HALFWAY WASH PROJECT STUDY	175	---	---	---
LAHONTAN BASIN PROJECT	4,875	3,704	---	---
LAKE MEAD /LAS VEGAS WASH PROGRAM	900	---	---	---
NEW MEXICO				
CARLSBAD PROJECT	2,231	660	---	---
EASTERN NEW MEXICO INVESTIGATIONS PROGRAMS	38	---	---	---
MIDDLE RIO GRANDE PROJECT	12,005	11,195	---	---
NAVAJO NATION INVESTIGATIONS PROGRAM	84	---	---	---
PECOS RIVER BASIN WATER SALVAGE PROJECT	---	197	---	---
RIO GRANDE PROJECT	833	3,683	---	---
SAN JUAN RIVER BASIN INVESTIGATIONS PROGRAM	133	---	---	---
SOUTHERN NEW MEXICO/WEST TEXAS INVESTIGATIONS PROGRAM	140	---	---	---
TUCUMCARI PROJECT	23	10	---	---
UPPER RIO GRANDE BASIN INVESTIGATIONS	76	---	---	---
NORTH DAKOTA				
DAKOTAS INVESTIGATIONS PROGRAM	204	---	---	---
PICK-SLOAN MISSOURI BASIN - GARRISON DIVERSION UNIT	15,495	4,725	---	---
OKLAHOMA				
ARBUCKLE PROJECT	51	137	---	---
MCGEE CREEK PROJECT	42	568	---	---
MOUNTAIN PARK PROJECT	15	400	---	---
NORMAN PROJECT	16	387	---	---
WASHITA BASIN PROJECT	26	1,467	---	---
W.C. AUSTIN PROJECT	18	357	---	---
OREGON				
CROOKED RIVER PROJECT	426	548	---	---
DESCHUTES PROJECT	264	172	---	---
EASTERN OREGON PROJECTS	521	289	---	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	REQUEST		RECOMMENDED	
	RES. MGMT.	FAC. OM&R	RES. MGMT.	FAC. OM&R
KLAMATH PROJECT	23,605	1,395	---	---
OREGON INVESTIGATIONS PROGRAM	232	---	---	---
ROGUE RIVER BASIN PROJECT, TALENT DIVISION	851	490	---	---
SAVAGE RAPIDS DAM REMOVAL	15,000	---	---	---
TUALATIN PROJECT	125	243	---	---
UMATILLA PROJECT	957	2,689	---	---
SOUTH DAKOTA				
LEWIS AND CLARK RURAL WATER SYSTEM	15,000	---	---	---
MID-DAKOTA RURAL WATER PROJECT	---	15	---	---
MNI WICONI PROJECT	19,474	9,526	---	---
RAPID VALLEY PROJECT, DEERFIELD DAM	---	74	---	---
TEXAS				
BALMORHEA PROJECT	41	17	---	---
CANADIAN RIVER PROJECT	72	72	---	---
LOWER RIO GRANDE VALLEY WATER RESOURCES	50	---	---	---
NUECES RIVER PROJECT	29	718	---	---
SAN ANGELO PROJECT	10	331	---	---
TEXAS INVESTIGATIONS PROGRAM	114	---	---	---
UTAH				
HYRUM PROJECT	120	33	---	---
MOON LAKE PROJECT	3	29	---	---
NEWTON PROJECT	54	25	---	---
NORTHERN UTAH INVESTIGATIONS PROGRAM	76	---	---	---
OGDEN RIVER PROJECT	160	92	---	---
PROVO RIVER PROJECT	553	314	---	---
SCOFIELD PROJECT	56	37	---	---
SOUTHERN UTAH INVESTIGATIONS PROGRAM	114	---	---	---
STRAWBERRY VALLEY PROJECT	204	16	---	---
WEBER BASIN PROJECT	1,546	421	---	---
WEBER RIVER PROJECT	48	69	---	---
WASHINGTON				
COLUMBIA BASIN PROJECT	3,658	8,299	---	---
ODESSA SUBAREA SPECIAL STUDY	185	---	---	---
STORAGE DAM FISH PASSAGE FEASIBILITY STUDY	400	---	---	---
WASHINGTON AREA PROJECTS	82	10	---	---
WASHINGTON INVESTIGATIONS PROGRAM	138	---	---	---
YAKIMA PROJECT	1,155	6,789	---	---
YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT	8,470	---	---	---
WYOMING				
KENDRICK PROJECT	108	3,839	---	---
NORTH PLATTE PROJECT	323	1,816	---	---
SHOSHONE PROJECT	76	960	---	---
SUBTOTAL FOR PROJECTS	321,433	211,064	387,433	211,064

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	REQUEST		RECOMMENDED	
	RES. MGMT.	FAC. OM&R	RES. MGMT.	FAC. OM&R
REGIONAL PROGRAMS				
COLORADO RIVER BASIN SALINITY CONTROL, TITLE I	---	9,441	---	9,441
COLORADO RIVER BASIN SALINITY CONTROL, TITLE II	7,850	---	7,850	---
COLORADO RIVER STORAGE, SECTION 5	2,110	3,884	2,110	3,884
COLORADO RIVER STORAGE, SECTION 8	4,690	---	4,690	---
COLORADO RIVER WATER QUALITY IMPROVEMENT PROGRAM	440	---	440	---
DAM SAFETY PROGRAM				
DEPARTMENT DAM SAFETY PROGRAM	---	1,400	---	1,400
INITIATE SOD CORRECTIVE ACTION	---	57,100	---	57,100
SAFETY OF EVALUATION OF EXISTING DAMS	---	18,500	---	18,500
DROUGHT EMERGENCY ASSISTANCE PROGRAM	436	---	436	---
EMERGENCY PLANNING & DISASTER RESPONSE PROGRAM	---	1,442	---	1,442
ENDANGERED SPECIES RECOVERY IMPLEMENTATION	16,614	---	16,614	---
ENVIRONMENTAL & INTERAGENCY COORDINATION ACTIVITIES	1,637	---	1,637	---
ENVIRONMENTAL PROGRAM ADMINISTRATION	855	---	855	---
EXAMINATION OF EXISTING STRUCTURES	---	6,440	---	6,440
FEDERAL BUILDING SEISMIC SAFETY PROGRAM	---	1,496	---	1,496
GENERAL PLANNING STUDIES	2,006	---	2,006	---
LAND RESOURCES MANAGEMENT PROGRAM	7,584	---	7,584	---
LOAN GUARANTEE PROGRAM	1,000	---	1,000	---
LOWER COLORADO RIVER INVESTIGATIONS PROGRAM	236	---	236	---
LOWER COLORADO RIVER OPERATIONS PROGRAM	15,418	---	15,418	---
MISCELLANEOUS FLOOD CONTROL OPERATIONS	---	675	---	675
NATIVE AMERICAN AFFAIRS PROGRAM	6,179	---	6,179	---
NEGOTIATION & ADMINISTRATION OF WATER MARKETING	1,597	---	1,597	---
OPERATIONS AND PROGRAM MANAGEMENT	828	458	828	458
PICK-SLOAN MISSOURI BASIN	4,130	36,836	4,130	36,836
POWER PROGRAM SERVICES	786	240	786	240
PUBLIC ACCESS AND SAFETY PROGRAM	1,088	155	1,088	155
RECLAMATION LAW ADMINISTRATION	2,073	---	2,073	---
RECREATION & FISH & WILDLIFE PROGRAM ADMINISTRATION	1,076	---	1,076	---
RESEARCH AND DEVELOPMENT				
DESALINATION AND WATER PURIFICATION PROGRAM	2,275	2,100	2,275	2,100
SCIENCE AND TECHNOLOGY PROGRAM	9,003	---	9,003	---
SITE SECURITY	---	35,500	---	35,500
TECHNICAL ASSISTANCE TO STATES	---	---	---	---
TITLE XVI WATER RECLAMATION AND REUSE PROGRAM	800	---	800	---
UNITED STATES/MEXICO BORDER ISSUES - TECHNICAL SUPPORT	90	---	90	---
WATER CONSERVATION FIELD SERVICES PROGRAM	6,232	---	6,232	---
WATER 2025	11,000	---	---	---
TOTAL WATER AND RELATED RESOURCES	429,466	386,731	484,466	386,731

VARIOUS PROGRAMS

Site security.—In fiscal year 2006, the Committee recognized that Federal reclamation law, specifically the Reclamation Act of 1939, allocates annual operation and maintenance (O&M) and replacement costs on Reclamation projects to a project's various authorized purposes. The ongoing costs of the additional security guards and patrols necessary to ensure the security of a project may be considered project O&M costs. The Committee remains concerned that these costs be justified and accounted for in a transparent manner. Further, the Committee directs the Department to work closely with power customers, water users and other customers to ensure these requirements are adequately communicated and justified to those parties who share in the costs.

Water 2025.—The budget request includes $11,000,000 for Water 2025. This program is intended to reduce crises and conflict over water and is to establish a framework to identify problems, solutions and plans as the Department of the Interior works with states, tribes, local governments and the private sector to meet water supply challenges. While the Committee remains supportive of the program, given its lack of authorization, the Committee has not provided funding for the Water 2025 program for fiscal year 2008.

CENTRAL VALLEY PROJECT RESTORATION FUND

Appropriation, 2007	$52,150,000
Budget estimate, 2008	59,122,000
Recommended, 2008	59,122,000
Comparison:	
Appropriation, 2007	+6,972,000
Budget estimate, 2008	– – –

This fund was established to carry out the provisions of the Central Valley Project Improvement Act and to provide funding for habitat restoration, improvement and acquisition, and other fish and wildlife restoration activities in the Central Valley area of California. Resources are derived from donations, revenues from voluntary water transfers and tiered water pricing, and Friant Division surcharges. The account is also financed through additional mitigation and restoration payments collected on an annual basis from project beneficiaries.

For fiscal year 2008, the Committee recommends $59,122,000, the same level as the budget request and $6,972,000 above the fiscal year 2007 enacted level. The budget request includes $7,500,000 of funds derived from Friant Division surcharges. Additional funds, as proposed in the budget request, are provided as follows:

Anadromous fish restoration program	$4,500,000
Other Central Valley project impacts	1,500,000
Dedicated project yield	800,000
Flow fluctuation study	50,000
Restoration of riparian habitat and spawning gravel	1,000,000
Central Valley comprehensive assessment/monitoring program	300,000
Anadromous fish screen program	4,432,000
Refuge wheeling conveyance	8,800,000
Refuge water supply, facility construction	5,000,000
Ecosystem/water systems operations model	7,650,000
Water acquisition program	9,990,000
San Joaquin Basin action plan	2,800,000

Land retirement program	1,000,000
Clear Creek restoration	800,000
Trinity River restoration program	1,000,000
San Joaquin River Basin resource management initiative	2,000,000
Total, Central Valley project restoration fund	51,622,000

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFER OF FUNDS)

Appropriation, 2007	$36,648,000
Budget estimate, 2008	31,750,000
Recommended, 2008	40,750,000
Comparison:	
Appropriation, 2007	+4,102,000
Budget estimate, 2008	+9,000,000

The California Bay-Delta account funds the Federal share of water supply and reliability improvements, ecosystem improvements and other activities being developed for the Sacramento-San Joaquin Delta and associated watersheds by a State and Federal partnership (CALFED). Federal participation in this program was initially authorized in the California Bay-Delta Environmental and Water Security Act enacted in 1996. That Act authorized the appropriation of $143,300,000 for ecosystem restoration activities in each of fiscal years 1998, 1999, and 2000. Absent an explicit authorization, no funds were provided in this account for the CALFED effort between fiscal years 2001 and 2005. In 2005, the CALFED Bay-Delta Authorization Act (P.L. 108–361) was enacted, authorizing $389,000,000 in Federal appropriations for fiscal year 2005 through fiscal year 2010. The authorizing legislation required an annual cross-cut budget in order to reflect the budget requests of all Federal agencies engaged in CALFED implementation. The total Federal expenditures under this Act from fiscal year 1998 through 2007 amount to almost $904,000,000.

The Committee recognizes the impending danger the Sacramento/San Joaquin Delta levees pose to the economy, environment, water users, and general welfare of the people within the State. It is the Committee's belief that, because Reclamation relies on the Delta to provide water supply for central and southern California, it should share in the responsibility of maintaining and strengthening delta levees and has provided $5,000,000 under the CALFED Bay-Delta program for this purpose to be transferred to the Corps of Engineers.

Due to the increasing need for water supply in the West, the Committee recommendation also includes an additional $5,000,000 for water use efficiency efforts. The Committee recommendation also includes a reduction of $1,000,000 for planning and management activities.

For fiscal year 2008, the Committee recommends $40,750,000, $9,000,000 above the budget request and $4,120,000 above the fiscal year 2007 enacted level. The funds provided are intended to support the following activities, as delineated below:

Science	$3,000,000
Delta Levees	5,000,000
Environmental water account	7,000,000
Storage program	8,500,000
Conveyance	5,000,000

Planning and management activities	1,000,000
Water use efficiency	5,000,000
Ecosystem restoration	1,500,000
Water Quality	4,750,000
Total, California Bay-Delta Restoration	40,750,000

POLICY AND ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

Appropriation, 2007	$57,575,000
Budget estimate, 2008	58,811,000
Recommended, 2008	58,811,000
Comparison:	
Appropriation, 2007	+1,236,000
Budget estimate, 2008	– – –

The Policy and Administration account provides for the executive direction and management of all Reclamation activities, as performed by the Commissioner's offices in Washington, DC, and Denver, Colorado, and in five regional offices. The Denver and regional offices charge individual projects or activities for direct beneficial services and related administrative and technical costs. These charges are covered under other appropriations. For fiscal year 2008, the Committee recommends $58,811,000, the same as the budget request and $1,236,000 above the fiscal year 2007 enacted level.

Five-year budget planning.—In fiscal year 2006, the Committee directed the Department of Interior to submit with its fiscal year 2007 budget request a detailed five-year budget plan for each of the major budget components including Water and Related Resources, California Bay-Delta Restoration program, Central Valley Project Restoration Fund and Central Utah Project Completion. The Department subsequently informed the Committee that it would be unable to provide a five-year plan in fiscal year 2007 and intended to make the initial submission with the fiscal year 2008 budget request. The Bureau failed to make that submission either, and now informs the Committee that the five-year plan will be submitted at some undefined time in the future. As a result of this Committee's extreme frustration with the Bureau's inability to provide a five-year budget plan, the Act contains a provision that transfers $10,000,000 from the Policy and Administration account to the Water and Related Resources account to meet unbudgeted needs in the event the five-year budget plan is not received 60 days after the date enactment of this Act.

To reiterate the Committee's expectation, the program plans shall clearly state the assumptions and priorities behind the choices the Bureau will make between competing agency programs and projects, and shall include a copy of the guidance provided to the program offices to guide their submissions into the five-year plan. The plan shall provide both fiscally constrained and unconstrained data.

GENERAL PROVISIONS

DEPARTMENT OF INTERIOR

The bill includes a provision regarding the San Luis Unit and Kesterson Reservoir in California.

TITLE III

DEPARTMENT OF ENERGY

INTRODUCTION

Funds recommended in Title III provide for all Department of Energy (DOE) programs, including Energy Efficiency and Renewable Energy, Nuclear Energy, Fossil Energy Research and Development, Electricity Delivery and Energy Reliability, Naval Petroleum and Oil Shale Reserves, the Strategic Petroleum Reserve, the Northeast Home Heating Oil Reserve, the Energy Information Administration, Non-Defense Environmental Management, Uranium Enrichment Decontamination and Decommissioning Fund, Science, Nuclear Waste Disposal, Environmental Safety and Health, Departmental Administration, Office of the Inspector General, the National Nuclear Security Administration (Weapons Activities, Defense Nuclear Nonproliferation, Naval Reactors, and the Office of the Administrator), Defense Environmental Management, Other Defense Activities, Defense Nuclear Waste Disposal, the Power Marketing Administrations, and the Federal Energy Regulatory Commission.

COMMITTEE RECOMMENDATION

The Department of Energy (DOE) has requested a total budget of $24,762,713,000 in fiscal year 2008 to fund programs in its five primary mission areas: science, energy, environment, nuclear nonproliferation and national security. The overall DOE budget request is increased 2.8 percent compared to the fiscal year 2007 enacted level—essentially the rate of inflation, but the five mission areas fare quite differently under the Department's budget proposal. Science research would increase by over 15.8 percent while the budget for Nuclear Nonproliferation decreases by 0.6 percent. When the budget for constructing a domestic fuel fabrication facility is omitted, the proposed reduction in spending on actual nonproliferation activities is 5.8 percent. The total environmental cleanup budget request proposes a reduction of 8.7 percent compared to fiscal year 2006.

Compared to fiscal year 2007 (adjusted for one-time emergency spending), the fiscal year 2008 budget request for applied energy research is actually down by 0.9 percent in the midst of an ongoing energy crisis with increased, volatile costs for petroleum and natural gas, over-reliance on imported oil, and growing emissions of greenhouse gases. The Administration is proposing a 75.4 percent increase for nuclear energy and decreases for all other energy technologies. This increase is driven by the studies of potential nuclear fuel recycling facilities and fast reactors that comprise most of the Global Nuclear Energy Partnership proposal.

The Committee recommends a number of significant changes to the fiscal year 2008 budget request to reflect specific Congressional priorities that better address our national interests. The Committee recommendation substantively funds the request for the Office of Science and supports the projected doubling of this area of research and development funding over the decade from 2006 to 2016. Significant adjustments to funding for nuclear nonproliferation, applied energy research, development, demonstration, and deployment, environmental cleanup, and weapons programs are recommended. In the current, constrained budget environment, total funding for the Department of Energy is $25,243,119,000, an increase of $1,149,925,000 over fiscal year 2007 and $480,406,000 over the budget request.

MAJOR COMMITTEE CONCERNS

Overall, the Committee is concerned with two tendencies in DOE program formulation and execution. First, like many agencies, DOE seems focused more on preserving its component institutions than on accomplishing its work and serving the people of the United States, its customers, in a cost-effective manner. Second, the Department has established a pattern of rushing into the latest new initiative with unbridled enthusiasm, neglecting the completion of on-going work, and letting haste make waste. Most major DOE projects have long time scales, longer than those of political change. This means that it is essential to take time up-front to establish the reliability of new technologies that will be used, to complete end-to-end system engineering and include all mission requirements, and to build bipartisan political support for long-term missions that is broad rather than local.

PROJECT MANAGEMENT

Project management is the Committee's number one concern at the Department of Energy. The Department of Energy is the largest civilian contracting agency in the federal government and spends over 90 percent of its annual budget on contracts to operate its laboratories, production facilities, and environmental restoration sites. In 1990, the Government Accountability Office (GAO) began an annual assessment resulting in a list of programs that are at high-risk for fraud, waste, abuse, and mismanagement. DOE contract management has been on this list since its inception.

The Committee acknowledges some improvements have been made during the last two years—policies and guidance have been revised to require senior management approval at critical decision points, earned value management systems are now required of contractors, and federal project directors are now expected to complete a training and certification program. Despite these improvements, GAO found in January 2007 that performance on DOE projects is not substantially improved, and DOE has failed to ensure that its project management guidelines are consistently followed. Recently, Department management at the highest levels has chosen to short-circuit project management policy and combine critical decision milestones rather than follow the established procedure of making these decisions in sequence.

DOE has set a performance goal of having 90 percent of its ongoing projects within a 10 percent variance of cost and schedule baseline. GAO has found that, since October 2002, DOE has achieved its performance goals for individually funded construction projects only about one-third of the time. Four significant projects, estimated to cost more than $100 million each, were not reporting cost and schedule information into DOE's tracking system. These and other findings have led GAO to conclude that DOE contract management remains, for the sixteenth year in a row, at high-risk for fraud, waste, abuse, and mismanagement.

Despite the fact that DOE contract management remains on GAO's high-risk list, the Department proposes to proceed rapidly with major projects to build the Chemistry and Metallurgy Research Replacement Building, the MOX Fuel Fabrication Facility, and the Uranium Processing Facility at Y–12, and is embarking on an aggressive plan utilizing the H–Canyon at the Savannah River Site, proceeding with development of a Reliable Replacement Warhead nuclear weapon, and conducting studies leading to construction of Global Nuclear Energy Partnership commercial scale facilities.

The Committee repeats its prior guidance on the importance of improving the project management culture within the Department and on faithful compliance with Project Management Order 413.3. It is important for the Department to maintain its focus on project management for all aspects of its work, but most especially for major capital projects.

The Committee directs the Department to work with GAO and develop an action plan with concrete steps and schedule milestones whose implementation will result in DOE contract management being removed from the GAO High-Risk List as soon as possible. This action plan is to be provided to the Committees on Appropriations of the House and Senate not later than November 1, 2007. Given the persistence of this problem, the Committee recognizes that this achievement may require more than a year, but the Committee expects the plan to include items of measurable progress that can and will be reported to the Committees on Appropriations of the House and Senate with submission to Congress of the annual budget request beginning with the request for fiscal year 2009.

The Department is directed to comply fully with Management Order 413.3 for every project exceeding $100 million in total cost, and to strengthen 413.3 by adding requirements for assessing the readiness of technology to be used in every project and to have demonstrated technology ready for project implementation before proceeding past critical decision 2. Given the cost increases that have occurred due to increased requirements to mitigate seismic risks, the Department should consider adding requirements for seismic risk assessment and appropriate designs to address this risk in all construction projects. Once the Department has certified estimates of project cost as part of reaching critical decision 2, the Department shall not proceed without obtaining Congressional approval for the project with its full construction and life-cycle costs as part of the annual appropriations process.

NUCLEAR NONPROLIFERATION

The Committee has long held that nuclear weapons material in the hands of terrorists poses the greatest threat to the United States. The most effective protection from this threat is to ensure that nuclear material is well-monitored and protected so that it does not fall into the hands of terrorists. Should material be illicitly removed from its protected locations, it is vital to detect it in transit. Accordingly, the Congress has consistently provided funding at or above the requested levels for work in partnership with Russia and other countries of the former Soviet Union, as well as others, to guard and account for fissional materials, to remove weapons-usable material from unsafe locations, and to provide and improve systems to detect radioactive materials at borders and other transportation nodes. The Administration request in this area is not commensurate with the importance of this issue, and the Committee provides significantly more funding for this work. These programs are an area where the performance of the Department has been quite good and the Committee commends the program officials responsible for their work to enhance the safety of the United States and the world.

ENERGY RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT

The United States is in the midst of a multifaceted energy crisis that threatens our economy, our independence, and the environment. Reliance on imported petroleum makes the U.S. dependent on several politically unstable regions of the world. Growth in world demand for petroleum has created tight markets where prices are high and unstable. High prices for imported oil are major contributors to the U.S. trade deficit. Burning fossil fuels with current technologies leads to emission of carbon dioxide in amounts that cannot be absorbed by the environment fast enough to prevent significant increases in its atmospheric concentration. Carbon dioxide absorbs infrared radiation and thereby contributes to the greenhouse effect. The magnitude of the results is uncertain, but generally global average temperature increases, with especially significant warming of nights, winters, and polar latitudes. This global warming has the potential to cause environmental change that occurs faster than human infrastructure and economies can comfortably adapt.

Given this threat to the well-being of the United States, the Administration request for energy research, development, demonstration, and deployment is woefully inadequate. The Committee has added significant funding for renewable energy sources and improvements to energy efficiency while providing additional funding for fossil energy technologies, particularly those to sequester carbon dioxide from coal combustion. The Committee redirects most of the major increase in funding for nuclear energy to activities that are more needed now than those associated with DOE's Global Nuclear Energy Partnership proposal. The budget structure is changed to highlight these major areas of energy investment along with electricity delivery and energy reliability. The Committee would have provided additional funds to invest in achieving energy independ-

ence and lowered emissions of greenhouse gases while supporting growth in the U.S. economy, but current constraints on the federal budget prevent this.

ENVIRONMENTAL MANAGEMENT

Creating and maintaining a credible strategic deterrent of nuclear weapons from World War II to the end of the Cold War has left a legacy of toxic and radioactive chemicals and despoiled sites to be cleaned up, excess facilities to be removed, and former employees with retirement and health care needs that must be met. Early experiments associated with establishing a nuclear energy industry have also left behind a much smaller but still significant set of sites with similar requirements. The Defense and Non-Defense Environmental Clean-Up, Uranium Enrichment Decontamination and Decommissioning, and Legacy Management accounts at the Department of Energy fund this work. With closure of the Rocky Flats site, the budget for these activities should decrease somewhat, but the reduced spending level recommended by the Administration is inadequate. The Committee recommends additional funds for these activities and would have recommended even more were there not profound constraints on funding for government programs such as this.

NUCLEAR WEAPONS ACTIVITIES

Currently, the Administration has not provided to Congress an updated strategic assessment that articulates the role of nuclear weapons in a post-Cold War world. The national security environment for the United States has changed dramatically since the fall of the Soviet Union; however, the policy objectives that continue to require a large Cold War era nuclear stockpile have not been updated to reflect the changed international security environment. The Committee directs the Administration to develop a comprehensive nuclear defense strategy that defines the future mission, global threats, and the specific characteristics of the U.S. nuclear stockpile necessary to address the nation's nuclear deterrent requirements before proceeding with the Reliable Replacement Warhead proposal or significant nuclear complex modernization plans. The Department of Energy, as a civilian agency, is charged with maintaining a reliable stockpile of strategic nuclear weapons. The Cold War has left DOE with an eight-site weapons complex. The Department appears determined to retain this expensive complex and modernize it in place. The Committee rejects any such proposal. The nuclear weapons complex modernization plan needs to focus on the near-term milestones within five-year schedule windows with the intention of reducing the number, size, and cost of the NNSA sites and facilities while also requiring the minimum number of personnel for the mission.

CONGRESSIONAL DIRECTION

The Committee renews the direction provided in previous fiscal years requiring the Secretary to submit to the House and Senate Committees on Appropriations a quarterly report on the status of all projects, reports, fund transfers, and other actions directed in

this House bill and report. Any reports, transfers, or other actions directed in prior fiscal years that have not been completed as of the date of enactment of this Act should also be included in this quarterly report.

RESEARCH PRIORITIES AND COORDINATION

The Department possesses enormous resources, both in terms of people and physical infrastructure, to conduct basic and applied research to benefit the citizens of the United States. These resources are concentrated in the physical sciences where DOE is the largest source of research funding in the federal government. The major increase in funding for the Office of Science is intended to begin to remedy years of neglect in support for these research areas and addresses the recommendations in the report by the National Academies, "Rising Above the Gathering Storm: Energizing and Employing America for a Brighter Economic Future". The Committee fully supports this increase, which will directly support an additional 3,500 individuals engaged in research sponsored by DOE's Science account. In general, the Department performs its basic science research and applied energy research missions well.

The Committee notes that the Department sponsors energy research and development through the Office of Science, the four energy programs—Energy Efficiency and Renewable Energy, Fossil Energy, Nuclear Energy, Science, and Technology, and Electricity Delivery and Energy Reliability—and through Laboratory Directed Research and Development (LDRD). The LDRD program consists of individual research projects selected at the discretion of DOE laboratory directors with Department concurrence and funded via overhead charge on all funding, direct and reimbursable, coming into each laboratory. In fiscal year 2006, the Department spent $476,000,000 on LDRD. The Committee directs the Department to make support for creative "out-of-the-box" energy research a priority within LDRD, especially at science laboratories, and to establish a process coordinating research and development across the Department.

FIVE-YEAR BUDGET PLANNING

Fiscal year 2008 was the second year in which the Department submitted five-year budget plans for all of its major programs, an integrated five-year budget plan for the entire Department, and business plans for each of the Department's national laboratories. The Administration used the uncertainty in the fiscal year 2007 budget that resulted from the enactment of three successive continuing resolutions to appropriate funds for the Department as an excuse for providing plans that were almost useless in many areas. The Committee directs the Department to submit updated versions of these plans (i.e., five-year budget plans for major DOE programs as listed in House Report 109–86, for the entire Department, and laboratory business plans) concurrent with submission of the fiscal year 2009 budget request.

The Committee renews its previous direction that program plans and the integrated Department-wide plan should state clearly the assumptions and priorities behind the choices made among competing Department programs, and should include a copy of the di-

rection provided to the program offices to guide their submissions to the five-year plan. The five-year budget plans for each major program also should identify clearly the five-year funding profiles for all major projects with total project costs in excess of $100,000,000. This direction applies to all ongoing projects (e.g., the Hanford Waste Treatment Plant), all new projects (e.g., NSLS–II), and all major cleanup projects in excess of the threshold. This information is generally available on the construction data sheets, but should be incorporated into the five-year plans as well.

The Committee appreciates the effort of the Office of Civilian Radioactive Waste Management in detailing the spending plan for licensing, opening, and operating the Yucca Mountain Geologic High-Level Nuclear Waste Repository. This plan extends well beyond five years and was critical in making the case for the fiscal year 2008 budget request for this activity. Accordingly, the Committee recommends full funding for this request. In contrast, the plan for the Office of Science was disappointing and only communicated the intention to double the overall spending level within 10 years. The budget requirements for the International Thermonuclear Energy Reactor (ITER) are known to the Department, but the variation in this major funding activity within Fusion Energy Research was not visible in the overall funding projected for this area. Were it not for the Committee's strong support for strengthening U.S. research in the physical sciences, the budget request for the Office of Science would not be funded.

The programs of the Office of Environmental Management offer a clear example of the problem. Environmental Management has developed milestone schedules for each of its cleanup sites. These schedules were developed in cooperation with local communities and regulators, and in some cases, are the result of legally-binding agreements. There are known resource requirements that are necessary to meet these existing cleanup milestones. By summing up the funding requirements that are necessary to keep all existing cleanup sites on schedule for the next five years, the Office of Environmental Management can derive the minimum funding level required for the Environmental Management programs over the next five years. Where OMB or the Department imposes a funding ceiling that provides less than the minimum necessary to keep all cleanup sites on schedule, the five-year plan then should identify clearly which sites would remain on schedule and which ones would see a schedule slip and the extent of the slippage. Absent this level of detail, the five-year plan does not inform Congress of the trade-offs that are being made at the proposed five-year funding levels.

The Department proposes significant work leading to the development of a reliable replacement warhead (RRW) within the weapons program. The Committee directs the Administration to develop a comprehensive nuclear defense strategy that defines the future mission, global threats, and the specific characteristics of the U.S. nuclear stockpile necessary to address the nation's nuclear deterrent requirements before proceeding with the RRW or significant nuclear complex modernization plans. Additionally, the Committee views this as a possibility only as part of a major consolidation of the nuclear weapons complex with significant reductions in oper-

ating costs. The plan for the complex is named by the Department the "Complex 2030". The Committee cannot support continued spending at current rates on the weapons program nor planning for the RRW absent a clear plan to restructure the complex over the coming five years and reduce the costs. The United States can ill afford to reconstitute the twentieth century Cold War nuclear weapons complex in the twenty-first century with its radically different threats and requirements.

FUNDING OF SAFEGUARDS AND SECURITY ACTIVITIES

The Committee again directs the Department of Energy (DOE) to continue to fund the safeguards and security activities within the DOE programs as a direct funded activity. The Committee notes security costs increases to fund increased requirements from changes to the Design Basis Threat (DBT) in the aftermath of the 9–11 attacks, requires a transparent accounting system to track funding across the Department of Energy's complex of sites. The Committee still is unaware of any compelling rationale to transition back to indirect funding of security activities within the DOE accounts, and therefore, the Committee will continue to appropriate funds for security activities as a direct appropriation.

BUDGET JUSTIFICATION REQUIREMENTS

The fiscal year 2009 budget justifications submitted by the Department must include the following: (1) a section identifying the last year that authorizing legislation was provided by Congress for each program; (2) funding within each construction project data sheet for elimination of excess facilities at least equal to the square footage of the new facilities being requested; and (3) funding to eliminate excess facilities at least equal to the square footage of new facilities being constructed as general plant projects (GPP). The budget justifications must also include a statement that all appropriate project management requirements from DOE Order 413.3 have been met at the time the budget justifications are submitted to Congress. The Committee understands that all such requirements may not be met, and need not be met, at the time the budget request is formulated. The Committee does expect, however, that these project management requirements will have been fulfilled at the time the fiscal year 2009 budget request is delivered to Congress.

AUGMENTING FEDERAL STAFF

The Committee expects the Department to manage closely the number of management and operating (M&O) contractor employees assigned to the Washington metropolitan area in fiscal year 2008, in accordance with the guidance provided in the fiscal year 2006 conference report. The Committee maintains the following reporting requirements:

Report on M&O contractor employees.—The Department is to provide a report to the Committee at the end of fiscal year 2007 on the use of M&O contractor employees assigned to the Washington metropolitan area. The report is to identify all M&O contractor employees who work in the Washington metropolitan area,

including the name of the employee, the name of the contractor, the organization to which he or she is assigned, the job title and a description of the tasks the employee is performing, the annual cost of the employee to the Department, the Headquarters program organization sponsoring each M&O employee, the program account funding that employee, and the length of time the employee has been detailed to the Department or elsewhere in the Washington metropolitan area (e.g., the Congress, the Executive Office of the President, and other Federal agencies). The report should also include detailed information on the cost of maintaining each M&O office in the Washington metropolitan area. This report is to include actual data for the period October 1, 2006 through September 30, 2007, and is due to the Committee no later than January 31, 2008.

Report on support service contractors.—The report is to include for each support service contract at Headquarters: the name of the contractor; the program organization (at the lowest organization level possible) hiring the contractor; a description and list of the tasks performed; the number of contractor employees working on the contract; and the annual cost of the contract. This report is to include actual data for the period October 1, 2006 through September 30, 2007, and is due to the Committee no later than January 31, 2008.

REPROGRAMMING GUIDELINES

The Committee requires the Department to inform the Committee promptly and fully when a change in program execution and funding is required during the fiscal year. To assist the Department in this effort, the following guidance is provided for programs and activities funded in the Energy and Water Development Appropriations Act. The Committee directs the Department to follow this guidance for all programs and activities unless specific reprogramming guidance is provided below for a program or activity. The Committee is aware of two instances in the previous fiscal year in which, from the Committee's perspective, the Department abused its reprogramming authorities. In the reorganization of the Environment, Safety and Health organization, the Department refused to submit a reprogramming request to the Committees, despite explicit direction to do so and despite the fact that the reorganization clearly involved the reallocation of funds in a manner significantly different than described in the budget request and approved in the conference report. In the second instance, the Department internally reprogrammed funds to begin implementation of the loan guarantee program after the Committee formally disapproved a reprogramming request for that purpose. This internal reprogramming by the Department led to a determination by the Government Accountability Office that the Department violated the Anti-Deficiency Act by these actions.

Definition.—A reprogramming includes the reallocation of funds from one activity to another within an appropriation, or any significant departure from a program, project, or activity described in the agency's budget justification as presented to and approved by Congress. For construction projects, a reprogramming constitutes the reallocation of funds from one construction project identified in the

justifications to another project or a significant change in the scope of an approved project.

Criteria for reprogramming.—A reprogramming should be made only when an unforeseen situation arises, and then only if delay of the project or the activity until the next appropriations year would result in a detrimental impact to an agency program or priority.

Reprogrammings may also be considered if the Department can show that significant cost savings can accrue by increasing funding for an activity. Mere convenience or preference should not be factors for consideration. Reprogrammings should not be employed to initiate new programs, or to change program, project, or activity allocations specifically denied, limited, or increased by Congress in the Act or report. In cases where unforeseen events or conditions are deemed to require such changes, proposals shall be submitted in advance to the Committee and be fully explained and justified.

Reporting and approval procedures.—The Committee has not provided statutory language to define reprogramming guidelines, but expects the Department to follow the spirit and the letter of the guidance provided in this report. Consistent with prior years, the Committee has not provided the Department with any internal reprogramming flexibility in fiscal year 2008, unless specifically identified in the House, Senate, or conference reports for particular programs, projects, or activities. Any reallocation of new or prior year budget authority or prior year deobligations must be submitted to the Committees in writing and may not be implemented prior to approval by the Committees on Appropriations.

COMMITTEE RECOMMENDATIONS

The Committee's recommendations for Department of Energy programs in fiscal year 2008 are described in the following sections. A detailed funding table is included at the end of this title.

ENERGY SUPPLY AND CONSERVATION

Appropriation, 2007	$2,154,504,000
Budget estimate, 2008	2,187,943,000
Recommended, 2008	– – –
Comparison:	
Appropriation, 2007	–2,154,504,000
Budget estimate, 2008	–2,187,943,000

In previous years the Committee has funded the Energy Supply and Conservation account that included the following programs: Energy Efficiency and Renewable Energy Resources; Nuclear Energy; Electricity Delivery and Energy Reliability; Environment, Safety and Health (non-defense); and Legacy Management (non-defense). The Committee views that this combination obscures the nation's true investments in energy research, development, demonstration, and deployment. Consequently, four of these five programs will now have their own accounts, and together with the Fossil Energy account, which now will subsume the full Clean Coal Technology program, spending levels for energy at DOE will be more transparent. Legacy management (non-defense) now will be funded as a subaccount of Non-Defense Environmental Management.

ENERGY EFFICIENCY AND RENEWABLE ENERGY

Appropriation, 2007	$1,474,285,000
Budget estimate, 2008	[1] 1,236,199,000
Recommended, 2008	1,873,844,000
Comparison:	
Appropriation, 2007	+399,559,000
Budget estimate, 2008	+637,645,000

[1] The budget request for Energy Efficiency and Renewable Energy of $1,236,199,000 was included in the request for Energy Supply and Conservation. The Committee is separating this line into its component accounts for FY 2008.

Energy Efficiency and Renewable Energy programs include renewable energy and energy conservation research, development, demonstration and deployment activities (RDD&D), and federal energy assistance programs. Renewable energy research, development, demonstration, and deployment activities include biomass and biorefinery systems, geothermal technology, hydrogen technology, hydropower, solar energy, and wind energy technologies. Energy conservation activities include improving the efficiency of vehicle, building, fuel cell, and industrial technologies. Federal energy assistance programs include weatherization assistance, state energy programs, international renewable energy program, tribal energy activities, and the renewable energy production incentive.

The total Committee recommendation for Energy Efficiency and Renewable Energy (EERE) programs is $1,873,844,000, an increase of $637,645,000 compared to the budget request. This increases Weatherization Assistance funding, provides facilities and equipment for research and development to further renewable energy technology, and deploys innovative renewable technologies.

The Committee directs the Department to quantify and track the progress and impact of the substantial investments the Committee has made in the Energy Efficiency and Renewable Energy portfolio. The Department shall brief the Committee on an annual basis on the return on investment for each of the accounts.

Renewable Energy and Energy Conservation Research, Development, Demonstration, and Deployment.—The Committee provides $1,558,897,000 for renewable energy and energy conservation RDD&D programs, an increase of $527,602,000 over the budget request.

Hydrogen Technology.—The Hydrogen Technology program seeks to research, develop and validate fuel cell and hydrogen production, delivery, and storage technologies. This program aims to have hydrogen from diverse domestic resources used in a clean, safe, reliable, and affordable manner in fuel cell vehicles and stationary power applications. The Committee recommendation is $194,600,000, a decrease of $18,400,000 below the budget request. Most research and development activities within this account will not generally realize benefits until the 2050 timeframe, and therefore activities more appropriately funded in the longer term have been reduced in favor of other renewable energy and efficiency programs with nearer term benefits. The Committee recommends $30,000,000 for hydrogen production and delivery, a reduction of $10,000,000 below the budget request; $14,000,000 for safety and codes and standards, a reduction of $2,000,000 below the budget request; $2,000,000 for education, a reduction of $1,900,000 below the budget request; $10,000,000 for systems analysis, $1,500,000 below

the budget request; and $2,000,000 for manufacturing, a reduction of $3,000,000 below the budget request.

Biomass and Biorefinery Systems R&D.—Biomass and Biorefinery Systems R&D conducts research, development and technology validation on advanced technologies that will enable future biorefineries to convert cellulosic biomass to fuels, chemicals, heat and power. The program focuses on reducing processing energy requirements and production costs in biomass processing plants and future integrated industrial biorefineries. The Committee recommendation for integrated research and development on biomass and biorefinery systems is $250,000,000, an increase of $70,737,000 over the budget request. The Committee provides $10,000,000 for feedstock infrastructure, $59,400,000 for platforms research and development, $104,863,000 for utilization of platform outputs, and $5,000,000 for cellulosic ethanol reverse auction, the same as the budget request. The increase of $70,737,000 includes $40,000,000 to support additional commercial biorefinery demonstrations to increase feedstock options and conversion technologies; $20,000,000 to support solicitations for new state-of-the-art biorefineries operating at 10 percent of commercial scale, enabling faster validation of cellulosic ethanol configurations and reducing the technological risks for scale-up to commercial operations; $4,000,000 for continuation of the FreedomPrize challenge to encourage private sector ideas to displace oil; and $4,237,000 to secure and upgrade high speed data infrastructure to provide access to DOE lab supercomputing capabilities to accelerate high volume protein and enzyme modeling. The Committee provides $2,500,000 for coordination with the Department of Transportation for work on the transport of biofuels, to include development of logistical movement patterns for diverse feedstock, utilizing different modes of transportation to include barges, rail and pipelines.

The Committee directs DOE to implement an aggressive program to take advantage of the Historically Black Colleges and Universities and Hispanic Serving Institutions across the country in order to deepen the recruiting pool of diverse scientific and technical staff available to support the growing renewable energy marketplace.

Solar Energy.—The Solar Energy program develops solar energy technologies, such as photovoltaics (PV) and concentrating solar power, that are reliable, affordable and environmentally sound. The Committee provides $200,000,000 for solar energy programs, an increase of $51,696,000 over the budget request. The Committee recommendation includes $149,000,000 for photovoltaic energy systems, an increase of $11,696,000 over the budget request for applied research on semi-conductor material, device and processing issues, technology acceptance and technology evaluation. The Committee recommendation includes $34,000,000 for concentrating solar power, an increase of $25,000,000 over the budget request to improve thermal storage technologies and systems to allow utilities to dispatch energy into the grid as needed, and to accelerate manufacturing technologies to enable scale-up and deployment of advanced systems. The Committee recommendation includes $12,000,000 for solar heating and lighting, an increase of $10,000,000 over the budget request to develop and validate integrated solar PV and solar thermal systems essential to the develop-

ment of cost-neutral Zero Energy Buildings. The Committee recommendation provides $5,000,000 not included in the budget request, for accelerating the development and adoption of a solar PV rating system, including EnergyStar testing and qualification to accelerate market penetration.

Wind Energy.—The Wind Energy program focuses on the development of wind turbines that can operate economically in areas with low wind speeds, small wind turbines that can serve a range of distributed power applications, and system technology in support of offshore wind systems further from shore, particularly beyond the viewshed of coastal communities. The Committee recommends $57,500,000 for wind energy systems, an increase of $17,431,000 over the budget request. The increase is to support renewable grid integration, a joint effort with the Office of Electricity Delivery and Energy Reliability to maximize and scale renewable resource, utilization and delivery.

Geothermal Technology.—The Geothermal Technology program works in partnership with U.S. industry to establish geothermal energy as an economically competitive contributor to the U.S. energy supply. Analysis published in January 2007 by a Massachusetts Institute of Technology-led panel identified the potential for enhanced geothermal systems to contribute 100,000 MWe to the Nation's energy supplies. The budget request included no funding for this activity. The Committee recommendation provides $44,258,000 for technology development and application strategies for enhanced geothermal systems, to be competitively awarded to industry, universities and national laboratories for exploration, drilling and conversion technologies.

Hydropower.—The Committee provides $22,000,000 for hydropower research, an increase of $22,000,000 over the budget request. Hydropower is a major source of energy for the nation, and increased efficiency of existing plants coupled with emerging waterpower technologies can make a major contribution to clean energy generation. The Committee recommends $4,000,000 for environmental studies to maximize the potential of conventional and alternative hydropower technologies; $6,000,000 for RDD&D of new waterpower technologies for ocean, tidal, and instream-based generation; $7,000,000 for the advanced turbine program; and $5,000,000 for hydropower resource assessments at existing dams.

Vehicle Technologies.—The Vehicle Technologies program seeks technology breakthroughs that will greatly reduce petroleum use by automobiles and trucks of all sizes, including R&D on lightweight materials, electronic power control, high power storage, and hybrid electric drive motors. The Committee recommends $235,441,000, an increase of $59,303,000 over the budget request. The recommendation provides $93,664,000 for hybrid electric systems, an increase of $13,000,000 over the budget request. Of the increase, $10,000,000 is for energy storage research and development for advanced batteries for electric, hybrid-electric and plug-in hybrid electric vehicle (PHEV) applications, and $3,000,000 is for a competitively bid award to independently test and evaluate all vehicles developed in the upcoming PHEV demonstration. The Committee is concerned that DOE is moving forward with a demonstration program for plug-in hybrid electric vehicles that will not

be independently evaluated outside of the car companies. The Committee recommends $49,550,000 for advanced combustion engine research and development, an increase of $15,000,000 to restore funding to the heavy truck engine research that was eliminated in the budget request. The Committee recommends $48,382,000 for materials technology research, an increase of $15,000,000 over the budget request to accelerate the development of cost-effective materials and manufacturing processes that contribute to fuel-efficient passenger and commercial vehicles. The Committee supports the lightweight materials technology research and development on advanced high-strength steels to reduce the weight of commercial vehicles. The Committee provides $23,845,000 for fuels technology, an increase of $10,000,000 over the request for non-petroleum based fuels and lubricants evaluation to expand and accelerate RDD&D for optimized ethanol engine and vehicle technologies. The Committee provides $20,000,000 for technology integration, an increase of $6,303,000 over the budget request. This increase is for the vehicles technologies deployment (VTD) program, formerly the Clean Cities program, and increases the budget request for VTD/Clean Cities from $9,593,000 to $15,896,000, to promote the adoption and use of petroleum reduction technologies and practices by working with local Clean Cities coalitions and their stakeholders, industry partners, fuel providers, and end users.

Building Technologies.—In partnership with the buildings industry, this program develops, promotes, and integrates energy technologies and practices to make buildings more efficient and affordable. A key program objective is the availability of market-viable, net zero energy homes by 2020. The Committee recommends $146,456,000, an increase of $60,000,000 over the budget request, for Building Technologies. The Committee provides $43,361,000 for technology validation and market introduction, an increase of $30,000,000 over the request, of which $28,751,000 is for building energy codes, an increase of $25,000,000 over the budget request. The Committee directs that $10,000,000 of the building energy code increase be directed to state compliance programs as authorized under Section 128 of EPAct 2005, and encourages states and/or local governments to provide direct training to builders and building code inspectors as part of their compliance plans. The additional $15,000,000 increase in building energy codes is to continue the development of the commercial zero-energy building initiative to improve building codes program support to code setting organizations and States. The Committee encourages the Department to work through EnergySmart schools and EnergySmart hospitals to ensure emergency preparedness while reducing energy costs. The Committee provides $11,776,000 for Energy Star, an increase of $5,000,000 over the budget request, for accelerating and modernizing Energy Star to include advanced technologies such as solar water heaters, photovoltaics, fuels cells and other consumer appliances. The Committee recommends work on early Energy Star ratings and deployment of LED white lighting, and encourages its use by the Federal Energy Management Program. The Committee provides $23,639,000 for equipment standards and analysis, an increase of $10,000,000 over the budget request, to update appliance standards. Currently the program is behind schedule on over 20

standards and the delay is costing consumers and businesses billions of dollars in higher energy bills. The Committee has also provided additional resources in the DOE Office of the General Counsel dedicated to reviewing appliance standards to expedite the promulgation of the standards. The Committee provides $52,756,000 for emerging technologies, an increase of $20,000,000 over the budget request for lighting R&D, to accelerate the solid state lighting portfolio in core technology, product development and commercialization support.

Industrial Technologies.—The Industrial Technologies program costshares research in critical technology areas identified in partnership with industry in order to realize significant energy benefits. The Committee recommends $57,000,000, an increase of $11,002,000 over the budget request, and consistent with fiscal year 2006 appropriated levels. The recommendation includes $16,254,000 for Industries of the Future (Specific), an increase of $7,000,000 over the budget request, to be allocated as follows: metal casting at $1,006,000, an increase of $812,000 over the budget request; steel industry at $3,716,000, an increase of $2,111,000 over the budget request; $2,330,000 for the aluminum industry, an increase of $580,000 over the budget request; $2,961,000 for the forest and paper products industry, an increase of $1,209,000 over the budget request; and, $5,982,000 for the chemicals industry, an increase of $2,288,000 over the budget request. The Committee provides $2,002,000 for the Inventions and Innovations program, which is not included in the Administration's budget request. This program provides small grants to independent investors and small technology-based businesses to develop skills in technology commercialization. The Committee provides $38,744,000 for Industries of the Future (crosscutting), an increase of $2,000,000 to expand outreach to the Information Technologies industry and data centers for energy savings, and development of software for verification and accountability in measuring energy savings in industry.

Federal Energy Management Programs.—Federal Energy Management Programs (FEMP) reduce the cost and environmental impact of the Federal government by advancing energy efficiency and water conservation, promoting the use of renewable energy, and managing utility costs in Federal facilities and operations. The Committee recommendation for Federal Energy Management Programs is $27,000,000, an increase of $10,209,000 over the budget request, of which $7,209,000 supports additional investment in more projects. The Federal government should lead by example in the area of energy efficiency by trying to squeeze every bit of productivity from energy use. As such, the Committee provides an additional $3,000,000 to leverage DOE specific initiatives at DOE facilities to lead the federal government in the use of energy efficiency products and practices.

Facilities and Infrastructure.—The Committee recommendation for renewable energy Facilities and Infrastructure is $195,699,000, an increase of $188,717,000 over the budget request. This amount includes the budget request of $6,982,000 for operations and maintenance of the National Renewable Energy Laboratory (NREL) in Golden, Colorado; an increase of $8,000,000 to complete recapitalization and expansion of the solar program research and develop-

ment equipment; $13,000,000 for South Table Mountain infrastructure, to include testing facilities for plug-in hybrid vehicles; and $77,000,000 for the acceleration of the NREL energy systems integration facility. The Committee provides $90,717,000 for the NREL Strategic Investments facilities program, to include $25,000,000 for project engineering and design for site planning; and $65,717,000 for the preliminary design and initial construction of the biological and chemical research facility.

Program Support.—Program Support activities for the EERE program include planning, analysis and evaluation, and information, communications and outreach. The Committee recommendation for Program Support is $18,930,000, an increase of $5,649,000 over the budget request. The Committee provides an increase of $1,000,000 to assist in the establishment of a FACA-chartered Federal Advisory Council within the Office of EERE for Finance and Investment. The goal of this advisory council will be to help generate policy within EERE to stimulate capital investments in emerging technologies and thereby bring these technologies to the marketplace. The Department is directed to report back to the Committees on Appropriations within 60 days of enactment of this Act on the plan to establish this advisory council. The Committee provides $6,000,000 for the Energy Efficiency Public Information Initiative, an increase of $4,649,000, to leverage private sector funds to provide public service information on energy efficiency. The Committee believes that there is no further benefit to be gained from the National Academy of Sciences Phase 3 study effort on Prospective Benefits of DOE's Applied Energy R&D Programs, and directs the Department to use all remaining funding for this effort to support U.S. contributions to the Global Energy Assessment.

Program Direction.—Program Direction provides for the Federal staffing resources and associated costs for supporting the management and oversight of EERE programs. The Committee recommendation for Program Direction is $110,013,000, an increase of $5,000,000 over the budget request, to provide additional federal support in the management and oversight of added resources provided by the Committee. The Committee encourages that resources first be applied to the work of promulgating appliance standards.

Federal Energy Assistance Programs.—The Committee provides a total of $314,947,000 for federal energy assistance programs, an increase of $110,043,000 over the budget request. These programs are described in detail in the following sections.

Weatherization Assistance.—The Committee recommends $245,550,000 for weatherization assistance program grants, an increase of $101,550,000 over the budget request, to include $4,550,000 for training and technical assistance. The Committee is concerned that the Department has severely under-funded this program, which almost immediately results in significant energy savings in American homes. The Secretary is directed to make FY 2008 Weatherization funding available from Oct 1, 2007, to March 31, 2009, for states that submit plans requesting allocations for all or part of this period.

International Renewable Energy Program.—The Committee recommends $10,000,000 for the International Renewable Energy Pro-

gram, an increase of $10,000,000 over the budget request. No funds are provided specifically for the Asia Pacific Initiative account, a reduction of $7,500,000 from the budget request. The Committee believes there is value in working collaboratively with our global partners in promoting renewable energy and energy efficiency efforts, and supports the work of the Office of Energy Efficiency and Renewable Energy to this end. However, singling out one part of the globe to support an Administration initiative makes no sense. The Committee is disappointed that the Department has chosen to fund only the Asia-Pacific Initiative and provide no funds for other ongoing international exchange efforts. As such, the Committee provides $10,000,000 for international efforts addressing greenhouse gas reduction technologies, energy efficiency, international standards, and energy security for continuing dialogue to include western nations, and countries with emerging economies. Within the International Renewable Energy Program account, no more than $2,000,000 may be spent on the Asia-Pacific Initiative.

Tribal Energy Activities.—The Committee provides $5,000,000, an increase of $2,043,000 over the budget request, for tribal energy activities for additional energy projects. The Committee encourages the Department to consider uniform contracts for investment, in order to leverage tribal renewable energy contracts in a more efficient manner and with a longer term vision. The Committee directs the Department to establish a director for Indian Energy Policy and Programs to provide much needed coordination of the Department's activities and services to assist Indian tribes in developing their energy resources.

Renewable Energy Production Incentive.—The Committee provides $4,946,000 for the Renewable Energy Production Incentive, the same as the budget request.

State Energy Program.—The Committee recommends $49,451,000 for the State Energy Program, an increase of $3,950,000 over the budget request, to include $10,501,000 for competitive projects, the same as the budget request. The Committee directs the Department to implement section 140 of EPAct to support state-wide pilot programs that encourage the reduction of electricity or natural gas consumption within the total funds provided.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

Appropriation, 2007	$137,000,000
Budget estimate, 2008	[1] 114,937,000
Recommended, 2008	134,161,000
Comparison:	
Appropriation, 2007	−2,839,000
Budget estimate, 2008	+19,224,000

[1] The budget request for Electricity Delivery and Energy Reliability of $114,937,000 was included in the request for Energy Supply and Conservation. The Committee is separating this line into its component accounts for FY 2008.

The mission of the Office of Electricity Delivery and Energy Reliability is to lead national efforts to modernize the electric grid, enhance security and reliability of the energy infrastructure, and facilitate recovery from disruptions to the energy supply. The Committee recommendation for Electricity Delivery and Energy Reliability is $134,161,000, an increase of $19,224,000 over the budget request. The President has designated DOE as the Lead Sector-

Specific Agency responsible for protecting the Nation's critical energy infrastructure. The Committee provides the $19,224,000 increase for infrastructure security and energy restoration, to further assist State and local governments with energy disruption and response preparedness.

NUCLEAR ENERGY

Appropriation, 2007	$482,191,000
Budget estimate, 2008	[1] 1,233,052,000
Recommended, 2008	759,227,000
Comparison:	
Appropriation, 2007	+277,036,000
Budget estimate, 2008	−473,825,000

[1] The budget request for Nuclear Energy of $801,703,000 was included in the request for Energy Supply and Conservation. The Committee is separating this line into its component accounts for FY 2008 and has transferred from Nuclear Nonproliferation to Nuclear Energy the MOX fuel fabrication facility requested at $431,349,000 and work on Generation IV reactor fuel in partnership with Russia for which the request was zero.

The Committee recommendation for the Nuclear Energy appropriation is $759,227,000, a decrease of $473,825,000 below the budget request. This net decrease reflects the Committee's recommendation to fund the Global Nuclear Energy Partnership (GNEP) program at $120,000,000, $35,000,000 below the authorization ceiling of $155,000,000, fund the Nuclear Power 2010 program at the fiscal year 2007 appropriations level, and fund the Mixed Oxide fuel fabrication facility below the budget request. The Committee has transferred the Mixed Oxide (MOX) fuel fabrication facility program from the Office of Defense Nuclear Nonproliferation to the Nuclear Energy programs account. The Committee provides increased funding for nuclear energy facility infrastructure, and for the deployment of a reactor from the Generation IV nuclear energy systems initiative. The Committee provides no funds for the university education assistance program at the DOE, the same as the budget request; however, the Committee has provided additional funding for the Nuclear Regulatory Commission to implement an education assistance program.

Of the total funding of $835,176,000 provided for Nuclear Energy programs and facilities, $75,949,000 represents costs allocated to the 050 budget function, (i.e. defense activities) for Idaho Site-wide and Security activities.

Global Nuclear Energy Partnership (GNEP).—The Department requests $405,000,000 for a major new initiative called the Global Nuclear Energy Partnership (GNEP) including $10,000,000 under Defense Nuclear Nonproliferation. This initiative claims to address the challenges of spent fuel disposal, nuclear nonproliferation, and growth in nuclear energy through the application of advanced technologies to recycle spent nuclear fuel. While the Committee is generally supportive of continued research that could lead to an eventual program of light water nuclear reactor spent fuel recycling, should that become necessary in the future, the aggressive program proposed by the Department is at best premature. The Committee has provided considerable funding in previous years and does so again in fiscal year 2008, to support a renaissance in nuclear energy generation in the United States. This renaissance appears to be coming, and the Nuclear Regulatory Commission is anticipating multiple license applications for new light water nuclear reactors

before the end of 2008. But the renaissance has not taken shape as yet. It will be some years before one can be confident the industry will be renewed. The licensing, financing and construction of new reactors have not happened, and the economic viability of nuclear power will not be known until the first few new reactors are providing energy to the electric grid.

GNEP and Nuclear Nonproliferation.—At the recent DOE-sponsored international ministerial meeting on GNEP, the Administration abandoned any pretext that GNEP will promote international nuclear nonproliferation by relenting to partner demands that "partnership" countries can continue to produce weapons-usable plutonium in their reprocessing activities. The Committee is disappointed that the Administration would support any effort that leads to increased availability of plutonium anywhere in the world.

GNEP's inclusion of fast reactors.—The Department's concept of the GNEP includes the development of fast burner reactors. The ultimate benefit of reducing the requirements for permanent geologic disposal largely results from the destruction of long-lived radionuclides in fast reactors and requires multiple cycles of reprocessing spent fast reactor fuel. Considerable research is needed before it is possible to judge the actual technology to be used or the costs and economic viability of this critical element of the GNEP approach.

There are also concerns with the development of fast reactors in general. To date, virtually all fast reactors have been configured as breeder reactors, and breeder reactors, as the name implies, create more plutonium than they consume in fissionable material. Encouraging the development of this technology and reliance on fast reactors as part of spent fuel management poses proliferation risks.

Divergence of Congressional and Department concepts for spent nuclear fuel recycling.—When Congress provided funding in fiscal year 2006 for Integrated Spent Fuel Recycling, Congress understood integrated recycling to involve four steps: an advanced separations technology such as UREX+ that would not yield separated plutonium, fabrication of new mixed oxide (MOX) fuel for use in commercial light water power reactors thereby recycling any plutonium containing product of UREX+, vitrification of waste products, and interim storage of spent fuel to support the recycling process. GNEP envisions a very different process, using fast burner reactors to destroy more completely the plutonium and other actinides in the spent fuel. The Department has failed to convince the Committee that advanced separations technology coupled with fast reactors is a viable, comprehensive approach to recycling spent fuel.

Inadequate information on waste streams and life cycle costs.—The cost estimates for construction and commissioning of the Hanford Waste Treatment Plant (WTP) have gone from $4.3 billion to over $12 billion in just three years, and there are numerous other examples of major construction projects with considerable cost growth and poor project management by the Department. Embarking on a costly process leading to major new construction projects is unwise, particularly where there is no urgency, and the Department has failed to persuade the Committee of the critical need to proceed with GNEP now. In addition, before the Department can expect the Committee to support funding for a major new initiative,

the Department must provide a complete and credible estimate of the life-cycle costs of the program demonstrate that it can manage and control the costs of its ongoing projects.

Future of nuclear energy.—At present, 103 civilian light-water nuclear reactors generate twenty percent of the Nation's electricity. The generation process produces no greenhouse gases, is carefully regulated by the Nuclear Regulatory Commission, and rate payers pay into the Nuclear Waste Fund for the permanent disposal of spent reactor fuel in Yucca Mountain. However, the current fleet of reactors are generally one-third to one-half through their expected operating lifetimes. To retain this component of our domestic energy supply, even at the twenty percent level of electricity generation, the United States will have to reach a consensus supporting the construction of dozens of new nuclear reactors beginning with improved versions of light water reactors and subsequently including thermal neutron Generation IV reactors. Delays in opening the Yucca Mountain repository and the legislated capacity limit of the repository cast a shadow over the future of nuclear energy, raising doubts about a viable disposal path for the spent fuel current and future reactors will generate.

Generation IV high-temperature gas reactors.—The Committee notes that there are designs for Generation IV, thermal-neutron, high output-temperature nuclear reactors that offer the potential of enhanced safety, improved efficiency in the generation of electricity, 950 degree Celsius output temperatures that may enable efficient generation of hydrogen from water, and the ability for higher burn-up of fissionable elements. A true nuclear renaissance should not be confined to improved versions of current light-water reactors. Accordingly, the Committee shifts significant support to the Generation IV program to accelerate demonstration of this reactor type, which is not subject to core meltdown.

University education assistance.—The Committee provides no funding in the DOE nuclear energy account for grants and fellowships that support nuclear science and engineering education, the same as the budget request. However, the Committee provides $15,000,000 for the Nuclear Regulatory Commission (NRC) to execute the university education assistance program. DOE annually requests no funding for education assistance, and the Congress sees fit every year to restore the funding. It is irresponsible for the Department to zero out education assistance at a time when the nuclear industry is attempting to revitalize. By requesting no funds for this program, the Department sends the wrong signal to aspiring students in the nuclear field that there is a lack of a commitment to a future with nuclear energy. The Committee therefore entrusts the NRC with the responsibility of providing a sustainable education assistance program.

Nuclear Power 2010.—The Committee provides $80,291,000 for Nuclear Power 2010, a decrease of $33,709,000 below the budget request and the same as fiscal year 2007. The Committee believes the funds should be to assist in addressing the financial burden of new license applicants, and not to subsidize the work of reactor designers.

NUCLEAR ENERGY RESEARCH AND DEVELOPMENT

Generation IV nuclear energy systems.—The Committee supports the Department's collaborative efforts on the research and development of a Generation IV (Gen IV) reactor design that will be safer, more cost effective, and more proliferation resistant than current designs. The Committee recommends a total of $115,145,000 for Generation IV nuclear energy systems, an increase of $79,000,000 over the budget request, which includes $70,000,000 for the Next Generation Nuclear Plant program and $9,000,000 to continue work on fuel for Gen IV reactors in partnership with Russia, transferred from the Nuclear Nonproliferation account. The Committee directs the Department to make the Next Generation Nuclear Plant a higher priority than the Global Nuclear Energy Partnership and to begin a competitive solicitation process for a commercial demonstration of a thermal-neutron gas reactor, to be located at the Department's nuclear energy laboratory, the Idaho National Laboratory (INL). The DOE cost share with industry partners should be 50/50, with the management of the construction of the reactor to be undertaken by industry. In fiscal year 2008, these funds shall be used to prepare and conduct the solicitation, to develop a licensing strategy for this reactor in partnership with the Nuclear Regulatory Commission, and to identify infrastructure needs at INL to support this endeavor.

Nuclear Hydrogen Initiative.—The Committee provides $19,265,000 for the nuclear hydrogen initiative, a reduction of $3,335,000 from the budget request. The Committee's recommendation is consistent with the Department's fiscal year 2007 operating plan. The Committee expects the Department to meet the requirements of the Hydrogen Future Act of 1996 (P.L. 104–271) for competition and industry cost sharing, and expects the Office of Nuclear Energy, Science and Technology to coordinate the Nuclear Hydrogen Initiative fully with the other hydrogen research being conducted by the Office of Science and the Office of Energy Efficiency and Renewable Energy.

NUCLEAR FUEL CYCLE

The Committee creates a new subaccount entitled Nuclear Fuel Cycle that incorporates the Advanced Fuel Cycle Initiative (AFCI) and the Mixed Oxide (MOX) Fuel Fabrication Facility transferred from Defense Nuclear Nonproliferation.

Advanced Fuel Cycle Initiative.—The Committee provides $120,000,000 for the Advanced Fuel Cycle Initiative, $35,000,000 below the fiscal year 2008 authorization level, and $275,000,000 below the budget request, but the same as the House-recommended level for fiscal year 2007. The Committee supports continued research on advanced fuel cycles, including the development of technologies for recycling spent nuclear fuel. However, the Committee does not support the Department's rushed, poorly-defined, expansive, and expensive Global Nuclear Energy Partnership (GNEP) proposal. There is no compelling urgency to reach a decision point in the summer of 2008, nor is there urgency to begin the development of commercial-scale recycling facilities. Further research is

required before the U.S. should commit the magnitude of funding proposed under the GNEP initiative.

The Department should focus its limited AFCI resources in fiscal year 2008 on research activities at the Idaho National Laboratory, the Oak Ridge National Laboratory, and the Argonne National Laboratory, with support from university and private sector researchers as appropriate. The success of AFCI will be judged on the quality of the research it produces, not on the number of national laboratories that it supports.

The Committee is pleased with the number of communities that volunteered to host GNEP facilities, and the Committee directs the Department to make available up to $5,000,000 to maintain this community interest in fiscal year 2008. Such interest may translate into candidate sites for fuel cycle facilities in the future.

The Committee notes with disapproval that the Department used the flexibility it received under the year-long Continuing Resolution to allocate $167,484,000 for the Advanced Fuel Cycle Initiative in fiscal year 2007, a level that exceeds the authorized ceiling of $150,000,000 for AFCI activities in fiscal year 2007 that was established in section 953 of the Energy Policy Act of 2005.

The Committee has learned that DOE's use of technology readiness levels in the Global Nuclear Energy Partnership technology development plan of April 2007 does not apply readiness in a manner consistent with the recommendations in the Government Accountability Office report from March 2007 (GAO–07–336). Specifically, DOE has applied technology readiness levels to an entire facility, rather than assessing and reporting readiness levels for each of the critical technologies within each of the facilities. Such an evaluation would provide the transparency needed to understand the current maturity of each of the critical technologies and processes, and a clearer understanding of the cost and schedule of intended facilities. The Committee directs the Department to provide the technology readiness levels individually for each of the specific technologies within the proposed GNEP facilities, consistent with the GAO recommendations, in a revised GNEP technology development plan, including cost and schedules, to the Committee by January 31, 2008.

Fuel Fabrication Facilities.—The Committee provides $167,849,000 for Fuel Fabrication Facilities, which includes $142,849,000 for construction of the Mixed Oxide (MOX) Fuel Fabrication Facility at the Savannah River Site, a reduction of $191,000,000 from the request. The Committee also provides $25,000,000 for other project costs associated with this facility, a decrease of $72,500,000 below the request. The MOX project has been transferred from the Defense Nuclear Nonproliferation account because the project ceased to be a nonproliferation project once it was de-linked from the companion Russian fissile material disposition project.

The Committee strongly encourages the Department to take a fresh look at how the current single-purpose MOX design can be adapted to be a more versatile fuel fabrication facility that can not only process the 34 metric tons of excess weapons-usable plutonium to fulfill the terms of the agreement with Russia, but can also fabricate fuel for advanced U.S. reactors that may be developed under

the AFCI and Gen IV research initiatives. Given the high capital costs for constructing the single-purpose MOX plant, this project may only be a worthwhile investment if the Department can find a way to maximize the utility of this plant.

The control point is at the Nuclear Fuel Cycle level, so that funds may be reprogrammed within and between the AFCI and Advanced Fuel Fabrication Facilities accounts without the need for prior Congressional approval.

Project management.—The Committee is very concerned about the past mismanagement of the MOX fuel fabrication facility. The ever-increasing project cost baseline warrants a real-time project management oversight function performed by a group outside of the Department, as the MOX facility goes into the construction phase. As such, the Committee directs the Government Accountability Office to monitor the construction and management of the MOX facility, and report to the Committee on a quarterly basis on the progress of the fuel fabrication facility, regarding scope, cost and schedule changes and performance.

RADIOLOGICAL FACILITIES MANAGEMENT

The purpose of the Radiological Facilities Management program is to maintain the critical infrastructure necessary to support users from the defense, space, and medical communities. These outside users fund DOE's actual operational, production, and research activities on a reimbursable basis.

Space and defense infrastructure.—The Committee recommendation is $35,110,000, the same as the budget request. This includes the requested amounts to operate radioisotope power systems at the Idaho National Laboratory (INL), maintain iridium capabilities at Oak Ridge National Laboratory, and maintain and operate the Pu–238 mission at Los Alamos National Laboratory.

Medical isotopes infrastructure.—The Committee recommendation is $14,964,000, the same as the budget request. The recommendation provides the requested amounts for Oak Ridge buildings 4501, 7920, 5500, and 9204–3 at Y–12, and for various facility costs at Brookhaven and Los Alamos National Laboratories.

Research reactor infrastructure.—The Committee recommendation includes $2,947,000, the same as the budget request, for fresh reactor fuel and disposal of spent fuel for university reactors.

Oak Ridge nuclear infrastructure.—The Committee provides $10,000,000, not requested in the budget, to maintain the nuclear energy facilities and technical infrastructure at Oak Ridge National Laboratory without degradation.

IDAHO FACILITIES MANAGEMENT

This program funds the operations and construction activities at the Idaho National Laboratory (INL), including the former ANL West and the Test Reactor Area.

INL operations and infrastructure.—The Committee recommendation includes $122,263,000, $17,550,000 over the budget request, for INL operations and infrastructure. The Committee provides a $20,000,000 increase for the INL Advanced Test Reactor (ATR) Life Extension Program to continue safety posture improvements to ensure that the ATR remains contemporary with industry

design and construction code standards, and for site infrastructure laboratory facilities. The Committee reduces INL operations and infrastructure by $2,450,000, which is for the Radiological and Environmental Sciences Laboratory. The Committee provides this funding in the Office of Environment, Safety and Health account in fiscal year 2008.

IDAHO SITE-WIDE SAFEGUARDS AND SECURITY

Consistent with the budget request, this activity is funded at the requested level of $75,949,000 as a 050 Defense Activity under the Other Defense Activities account.

PROGRAM DIRECTION

The Committee recommends a total funding level for program direction of $71,393,000, a reduction of $4,831,000 below the budget request. The reduction of $1,682,000 is commensurate with the reduction to the Global Nuclear Energy Partnership's overall programmatic funding. The Committee never received a reprogramming request from the Department for the movement of funds as the result of abolishing the Office of Environment, Safety, and Health. The Committee thereby reduces Nuclear Energy program direction by $3,149,000. This funding, which is for the Radiological and Environmental Sciences Laboratory, is provided by the Committee for fiscal year 2008 in the Office of Environment, Safety and Health account.

CLEAN COAL TECHNOLOGY

(INCLUDING RESCISSION OF FUNDS)

The Revised Continuing Appropriations Resolution for Fiscal Year 2007 (Public Law 110–5), deferred $257,000,000 in unobligated Clean Coal Technology balances to fiscal year 2008. The Committee recommends the transfer of $108,000,000 of the $257,000,000 deferral to the FutureGen project, and rescinds the remaining $149,000,000 from the deferral. These balances are no longer needed in the Clean Coal Technology program to complete active projects. Of the $66,000,000 in unobligated balances carried forward at the start of fiscal year 2008, $58,000,000 is transferred to the carbon sequestration program, leaving $8,000,000 in balances for closeout activities. The Committee's recommendation differs from the budget request in that the budget request transferred the $58,000,000 in balances to the Clean Coal Power Initiative program. The Committee believes carbon sequestration is a higher research, development, and demonstration priority for the future of coal.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

Appropriation, 2007	$592,621,000
Budget estimate, 2008	566,801,000
Recommended, 2008	708,801,000
Comparison:	
Appropriation, 2007	+116,180,000
Budget estimate, 2008	+142,000,000

Fossil energy research and development programs are intended to make prudent investments in long-range research and development that help protect the environment through higher efficiency power generation, advanced technologies and improved compliance and stewardship operations. These activities help to safeguard our domestic energy security.

Coal is this country's most abundant fuel for electric power generation. Faced with the threat of global warming, and increased costs of carbon sequestration and plant efficiency, the power generation technology research funded under this account has the difficult goal of developing virtually pollution-free power plants, while increasing plant efficiency in order to compete with other forms of electricity generation.

The Committee recommendation is $708,801,000, an increase of $142,000,000 over the budget request and an increase of $116,180,000 from fiscal year 2007 enacted levels.

Liquefied Natural Gas (LNG) Report.—The February 2007 Government Accountability Office report, "Public Safety Consequences of a Terrorist Attack on a Tanker Carrying Liquefied Natural Gas Need Clarification," found that the most likely public safety impact of an LNG spill is the heat hazard of a fire, but disagreed with the specific heat hazard of a fire and cascading failure conclusions, which is used by the Coast Guard to prepare Waterway Suitability Assessments for LNG facilities. Additionally, GAO found that the Department's "recently funded study involving large-scale LNG fire experiments addresses some, but not all, of the research priorities identified by the expert panel." Therefore, the Committee directs the Department to incorporate the following key issues, as identified by the expert panel, into its current LNG study: cascading failure, comprehensive modeling (interaction of physical processes), risk tolerability assessments, vulnerability of containment systems (hole size), mitigation techniques, the effect of sea water coming in as LNG flows out, and the impact of wind, weather and waves.

Clean Coal Power Initiative.—This program researches, develops, and demonstrates commercial readiness to implement advanced clean coal-based technologies that enhance electricity reliability, increase generation capacity, and reduce emissions. The Committee recommends $73,000,000 for the clean coal power initiative (CCPI), the same as the budget request. The Committee is concerned that past awards in this program were selected with priority given to factors other than technical merit. The Committee believes that no future awards should be made without a carbon capture sequestration component. The Committee believes that resources are more critical in the areas of demonstrating carbon capture, transport technologies and carbon sequestration, and directs the Department to recast the CCPI program with these objectives.

FutureGen.—FutureGen was originally a $950 million project, cost-shared with the private sector, to create the world's first coal-fired, zero emissions, electricity, heat and hydrogen producing power plant. The Committee has been informed, through testimony and follow-up information from the Department, that the costs of FutureGen now approximate $1,800,000,000. Given the Department's track record for project management, the Committee expects this cost to escalate even further in the future. The Committee

agrees with recent reports on the imperative to demonstrate the commercial viability of coal-based power generation with carbon capture and sequestration (CCS). FutureGen needs to be refocused as an integrated gasification combined cycle (IGCC) plant with carbon capture and sequestration, and drop the ambiguity of other less-critical research components. The Committee believes that, by streamlining the design to demonstrate IGCC and CCS, critical goals will be reached in a more timely and fiscally prudent manner. The Committee directs the Department to optimize the project design to support a proper sequestration demonstration. The Department is directed to provide a total life-cycle cost and project baseline for the streamlined FutureGen demonstration project by 120 days of enactment of this legislation.

The Committee recommends $108,000,000, the same as the request, for FutureGen. This funding will support the plant re-design and procurement activities, and continue permitting and site characterization efforts. It maintains the agreed level of federal commitment to this program.

Fuels and power systems.—The Committee recommends a total of $375,602,000 for fuels and power systems, an increase of $130,000,000 over the budget request. The Committee provides $50,000,000 for innovations at existing plants, an increase of $50,000,000 over the budget request. Fifty percent of the nation's electricity generated in the U.S. comes from coal. With increased concern regarding CO_2 emissions from coal plants as a contributing factor to climate change, there needs to be a rigorous research program on the potential for retrofitting existing coal plants for CO_2 capture and sequestration. The Committee directs the Department to focus R&D efforts on CO_2 capture technology for existing pulverized coal (PC) combustion plants, to include efforts on high-strength materials for heat intensive operations, plant efficiency, and oxy-fuel combustion PC retrofit technology. The recommendation provides the following amounts consistent with the budget request: $50,000,000 for advanced Integrated Gas Combined Cycle and, $22,000,000 for advanced turbines. The Committee recommends $131,577,000 for carbon sequestration, an increase of $52,500,000 over the budget request. The Department is directed to undertake large scale (i.e., one million tons per year injection) carbon sequestration experimental projects in reservoirs that are instrumented, monitored and analyzed to verify the practical reliability and implementation of sequestration. The Committee recommends $10,000,000 for fuels, the same as the budget request. The Committee provides $62,025,000 for fuel cells, the same as the budget request. The Committee provides $50,000,000 for advanced research, an increase of $27,500,000 over the budget request. Of the increased amount, $8,000,000 is to support the liquefied natural gas report. The Committee is concerned about the findings that the Department is severely deficient in engineering-economic simulation tools for analysis of integrated coal combustion and conversion systems with carbon capture sequestration. The Committee provides the increase of $19,500,000 to be awarded competitively among universities, other nonprofits, industry and national laboratories to establish a strong program for modeling and simulation capability that will permit the analysis of design tradeoffs, turbine

operation and sequestration requirements, and other factors that can accommodate validated engineering and cost data.

Petroleum-oil technologies.—The Committee recommends $2,700,000 for petroleum-oil programs, an increase of $2,700,000 over the budget request. The Energy Policy Act of 2005 (EPAct 2005) authorizes the use of $50,000,000 of mandatory receipts for oil and gas technologies, which will fund oil and gas research and development. The Committee provides $1,500,000 for the Stripper Well Consortium, and $1,200,000 for the states' Risk Based Data Management System, both important activities that fall outside of the EPAct 2005 legislation, but should continue.

Natural gas technologies.—Methane hydrates hold tremendous potential to provide abundant supplies of natural gas. Globally, more energy potential is stored in methane hydrates than in all other known fossil fuel reserves combined. It appears that the United States may be endowed with over 25 percent of total worldwide methane hydrate deposits. While EPAct 2005 authorization provides mandatory receipts for expenditures for oil and gas exploration, it is unclear where the program consortium will focus these resources. The Committee believes that the federal government should maintain a rigorous research and development program for methane hydrates, in which the research is long-term and high risk, but has the potential for a high pay-off. The Committee provides $12,000,000 for gas hydrates research and development, an increase of $12,000,000 over the budget request and the same as fiscal year 2007 enacted levels.

Program direction.—The Committee recommends $127,273,000 for program direction, a reduction of $2,700,000 from the budget request, to be taken from support services. The Committee finds the 21.4 percent increase for support services to be excessive, and questions the need for the budget's proposed levels of outside government contracting when it has been emphasized that the work performed by the laboratories is inherently governmental. The Committee directs the Department to continue to budget for all federal employees in the program direction account.

Other.—The Committee recommendation includes no funding for plant and capital equipment, the same as the budget request. The Committee provides $9,570,000 for fossil energy environmental restoration, and $656,000 for special recruitment programs, the same as the budget request.

NAVAL PETROLEUM AND OIL SHALE RESERVES

Appropriation, 2007	$21,316,000
Budget estimate, 2008	17,301,000
Recommended, 2008	17,301,000
Comparison:	
Appropriation, 2007	−4,015,000
Budget estimate, 2008	−−−

The Naval Petroleum and Oil Shale Reserves no longer serve the national defense purpose envisioned in the early 1900's, and consequently the National Defense Authorization Act for fiscal year 1996 required the sale of the Government's interest in the Naval Petroleum Reserve 1 (NPR–1). To comply with this requirement, the Elk Hills field in California was sold to Occidental Petroleum

Corporation in 1998. Following the sale of Elk Hills, the transfer of the oil shale reserves, and transfer of administrative jurisdiction and environmental remediation of the Naval Petroleum Reserve 2 (NPR–2) to the Department of the Interior, DOE retains one Naval Petroleum Reserve property, the Naval Petroleum Reserve 3 (NPR–3) in Wyoming (Teapot Dome field). This is a stripper well oil field that the Department is maintaining until it reaches its economic production limit. The DOE continues to be responsible for routine operations and maintenance of NPR–3, management of the Rocky Mountain Oilfield Testing Center at NPR–3, and continuing environmental and remediation work at Elk Hills.

The Committee recommends $17,301,000, the same as the budget request, for the operation of the naval petroleum and oil shale reserves.

STRATEGIC PETROLEUM RESERVE

Appropriation, 2007	$164,441,000
Budget estimate, 2008	331,609,000
Recommended, 2008	163,472,000
Comparison:	
Appropriation, 2007	−969,000
Budget estimate, 2008	−168,137,000

The mission of the Strategic Petroleum Reserve (SPR) is to store petroleum to reduce the adverse economic impact of a major petroleum supply interruption to the U.S. and to carry out obligations under the international energy program. The reserve's current inventory of 690.3 million barrels provides 56 days of net import protection

The Committee recommends $163,472,000, a decrease of $168,137,000 below the budget request. The Committee provides for the operation of the Strategic Petroleum Reserve (SPR), but does not support the expansion of the reserve to 1.5 billion barrels. Current cost estimates and schedule for the expansion are $10 billion for new facilities, $55 billion for the cost of the oil fill, and will not be complete until 2027. In addition, an August 2006 Government Accountability Office report recommended reviews of the proposed optimal oil mix, and said that clarity was needed in DOE's models on estimating the impact of the reserve, and the appropriate size of the SPR should be reassessed. Given the analytical shortcomings of the expansion plan, and the enormous cost and timeframe of the expansion, the Committee does not support proceeding with the expansion at this time.

NORTHEAST HOME HEATING OIL RESERVE

Appropriation, 2007	$5,000,000
Budget estimate, 2008	5,325,000
Recommended, 2008	5,325,000
Comparison:	
Appropriation, 2007	+325,000
Budget estimate, 2008	– – –

The acquisition and storage of heating oil for the Northeast began in August 2000 when the Department of Energy, through the Strategic Petroleum Reserve account, awarded contracts for the lease of commercial storage facilities and acquisition of heating oil. The purpose of the reserve is to assure home heating oil supplies

for the Northeastern States during times of very low inventories and significant threats to the immediate supply of heating oil. The Northeast Heating Oil Reserve was established as a separate entity from the Strategic Petroleum Reserve on March 6, 2001. The 2,000,000 barrel reserve is stored in commercial facilities in New York Harbor, New Haven, Connecticut, and the Providence, Rhode Island area.

The Committee recommends $5,325,000, the same as the budget request, for the Northeast Home Heating Oil reserve.

ENERGY INFORMATION ADMINISTRATION

Appropriation, 2007	$90,653,000
Budget estimate, 2008	105,095,000
Recommended, 2008	105,095,000
Comparison:	
Appropriation, 2007	+14,442,000
Budget estimate, 2008	– – –

The Energy Information Administration (EIA) is a quasi-independent agency within the Department of Energy established to provide timely, objective, and accurate energy-related information to the Congress, executive branch, state governments, industry, and the public. The information and analysis prepared by the EIA are widely disseminated and the agency is recognized as an unbiased source of energy information and projections by government organizations, industry, professional statistical organizations, and the public.

The Committee recommends $105,095,000, the same as the budget request, for the Energy Information Administration.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

The Non-Defense Environmental Management program includes funds to manage and clean up sites used for civilian, energy research, and non-defense related activities. These past activities resulted in radioactive, hazardous, and mixed waste contamination that requires remediation, stabilization, or some other action. Starting in fiscal year 2008, the Non-Defense Environmental Management program will include funding for the Office of Legacy Management (non-defense) activities. The Office of Legacy Management (non-defense) manages the Department's post-closure responsibilities, including long-term surveillance and maintenance, pension and benefit continuity for former contractor retirees, and archives management for non-defense sites.

Legacy Management consolidation.—Beginning in fiscal year 2008, the Committee has combined the Office of Legacy Management with the Environmental Management Program. The Committee believes that consolidating these activities in one organization will improve the communications and operations of both organizations. The Committee expects that the Office of Legacy Management will still operate as a separate office within the Environmental Management Program.

Reprogramming authority.—The Committee continues to support the need for flexibility to meet changing funding requirements at sites. In fiscal year 2008, the Department may transfer up to $2,000,000 between accounts, to reduce health or safety risks or to

gain cost savings as long as no program or project is increased or decreased by more than $2,000,000 during the fiscal year. The account control points for reprogramming are the Fast Flux Test Reactor Facility, West Valley Demonstration Project, Gaseous Diffusion Plants, Legacy Management, Small Sites, and construction line-items. This reprogramming authority may not be used to initiate new programs or programs specifically denied, limited, or increased by Congress in the Act or report. The Committees on Appropriations in the House and Senate must be notified within thirty days of the use of this reprogramming authority.

Economic development.—None of the Non-Defense Environmental Management funds, including those provided in the Non-Defense Environmental Cleanup and Uranium Enrichment Decontamination and Decommissioning Fund, are available for economic development activities.

NON-DEFENSE ENVIRONMENTAL CLEANUP

Appropriation, 2007	$349,687,000
Budget estimate, 2008	180,937,000
Recommended, 2008	286,041,000
Comparison:	
Appropriation, 2007	−63,646,000
Budget estimate, 2008	+105,104,000

The Committee recommendation for Non-Defense Environmental Cleanup is $286,041,000, an increase of $105,104,000 over the budget request. Of this increase, $35,104,000 reflects the consolidation of the Office of Legacy Management account within the Non-Defense Environmental Cleanup account, and $70,000,000 is provided for additional priority cleanup activities.

The recommendation provides $60,895,000 for solid waste stabilization and disposition, and nuclear facility decontamination and decommissioning (D&D) at the West Valley Demonstration Project, an increase of $6,500,000 over the budget request for the increased costs of shipping and disposing of low level waste. The Committee provides $84,620,000 for D&D of the gaseous diffusion plants, an increase of $46,500,000 over the budget request. The Committee does not support the Administration's proposed language on uranium barter, and instead funds the uranium cleanup activities through direct appropriations. As such, the Committee provides the increase of $46,500,000 for the completion of technetium-99 contaminated uranium cleanup, including appropriate staffing levels, operations, severance payments and contract close-out costs. The recommendation provides $10,342,000 for the deactivation of facilities and surveillance and maintenance of the Fast Flux Test Facility (FFTF), the same as the budget request.

Small Sites.—The Committee is concerned that funds for Small Sites have been maintained "flat" for years, which extends the cleanup activities and contributes to the overall total cost of the program because cleanup takes longer. Therefore, the Committee recommends $33,699,000 for Brookhaven National Laboratory, an increase of $10,000,000 over the budget request, to accelerate the D&D of the graphite reactor. The Committee recommends $2,437,000 for soil and water remediation and nuclear facility decontamination and decommissioning at Argonne National Labora-

tory, the same as the budget request. The Committee recommends $5,400,000, the same as the budget request, for spent nuclear fuel stabilization and disposition at Idaho National Laboratory.

Consolidated Business Center.—The Consolidated Business Center, located in Cincinnati, Ohio, provides administrative support and contractual assistance for the Environmental Management program, including the aforementioned Small Sites. The Committee provides $1,200,000, the same as the budget request, for completed sites administration. The Committee recommendation provides $5,900,000 for the Stanford Linear Accelerator Center, the same as the budget request, for soil and groundwater remediation; and $20,000,000 for nuclear facility decontamination and decommissioning at the Energy Technology Engineering Center, an increase of $7,000,000 over the budget request, to complete cleanup and remediation of all radiological contamination. The Committee recommends $1,905,000 for decontamination and decommissioning of the Tritium System Test Assembly Facility at Los Alamos National Laboratory, the same as the budget request. The Committee recommends $427,000 for soil and water remediation at the Inhalation Toxicology Laboratory, $160,000 for cleanup work at various sites in California, and $23,952,000 for soil and water remediation measures at the former Atlas uranium mill tailings site at Moab, Utah, the same as the budget request. The Committee directs the Department to provide a report within 120 days of enactment of this Act on the annual funding requirements needed to complete remediation of the Moab uranium mill tailings site and removal of the tailings to the Crescent Junction site in Utah no later than the year 2019.

Legacy Management.—The Committee recommendation includes $35,104,000 for the Office of Legacy Management, the same as the budget request.

Uranium Enrichment Decontamination and Decommissioning Fund

Appropriation, 2007	$556,606,000
Budget estimate, 2008	573,509,000
Recommended, 2008	618,759,000
Comparison:	
Appropriation, 2007	+62,153,000
Budget estimate, 2008	+45,250,000

The Uranium Enrichment Decontamination and Decommissioning Fund was established by the Energy Policy Act of 1992 (P.L. 102–486) to carry out environmental remediation at the nation's three gaseous diffusion plants, at the East Tennessee Technology Park in Oak Ridge, Tennessee, at Portsmouth, Ohio, and at Paducah, Kentucky. Title X of the 1992 Act also authorized use of a portion of the fund to reimburse private licensees for the federal government's share of the cost of cleaning up uranium and thorium processing sites.

The Committee recommends $618,759,000 for activities funded from the Uranium Enrichment Decontamination and Decommissioning Fund, an increase of $45,250,000 over the budget request. This amount includes $598,759,000 for decontamination and decommissioning activities at the gaseous diffusion plants and

$20,000,000 for Title X uranium and thorium reimbursements. The increase of $45,250,000 includes $11,000,000 for Paducah solid waste and stabilization to address the emerging problems of the soil and rubble piles; $11,000,000 for Paducah nuclear facility D&D of the C–410 complex buildings; and $23,250,000 for accelerated D&D of the K–25 and K–27 process buildings.

SCIENCE

Appropriation, 2007	$3,797,294,000
Budget estimate, 2008	4,397,876,000
Recommended, 2008	4,514,082,000
Comparison:	
Appropriation, 2007	+716,788,000
Budget estimate, 2008	+116,206,000

The Science account funds the Department's work on high energy physics, nuclear physics, biological and environmental sciences, basic energy sciences, advanced scientific computing, maintenance of the laboratories physical infrastructure, fusion energy sciences, safeguards and security, workforce development for teachers and scientists, safeguards and security at Office of Science facilities, and science program direction.

The Committee is generally pleased with the Department's budget request for the Office of Science in fiscal year 2008. This request for a 15.8 percent increase is the major incremental increase planned within the overall 10-year doubling of funding for these activities in DOE. A critical element of this increase is the support it will provide for 3,500 more research personnel, including graduate students. This addresses a major concern for the future of the United States economy, namely the availability of highly educated scientists and engineers to support the technical innovations that drive economic growth.

The fiscal year 2008 request fully funds operating time at most existing DOE user facilities and equal or increased operating time at several others. The request supports investments in major new research facilities such as the International Thermonuclear Experimental Reactor, the Linac Coherent Light Source, and the 12 GeV upgrade to the Continuous Electron Beam Accelerator Facility, along with project engineering and design for the National Synchrotron Light Source II. U.S. scientific and technical leadership also is supported through the availability of advanced scientific computing facilities, and it is noteworthy that the Leadership Computing Facility at Oak Ridge National Laboratory is projected to achieve petaflop levels of performance before the end of fiscal year 2008.

The Committee has several areas of concern. First, despite the large increase in funding, insufficient funds are proposed to fulfill the various landlord functions of the Office of Science. The considerable backlog of World War II vintage buildings cluttering the Oak Ridge National Laboratory is an example. Second, growth in the estimated cost for the International Linear Collider (ILC) means that the schedule for this major high energy physics facility, which the United States aspires to host, will be delayed. Implementation of the Dark Energy Mission without further delay can provide significant intellectual progress on the question of dark energy

while further study is done on the ILC. Third, not all user facilities can be retained as new cutting-edge capabilities come on line, and some hard choices must be made. Fourth, while total funding for Fusion Energy Sciences increases significantly, the large increase to fund the U.S. contribution to the International Thermonuclear Energy Reactor (ITER) results in an increase to the domestic fusion research program that is only slightly above the rate of inflation and far smaller than the percentage increases for most other research areas. The Committee recommends some shifts in funding and priority from those proposed by the Administration to address these concerns.

The Committee is disturbed by the lack of energy research and development coordination across the Office of Science, the applied energy programs—Energy Efficiency and Renewable Energy, Nuclear Energy, Fossil Energy, and Electricity Delivery and Energy Reliability—and the extensive funding through Laboratory Directed Research and Development (LDRD). The Department is directed to establish effective coordination mechanisms across these research efforts. The Committee recommends that LDRD emphasize advanced energy technologies.

The Committee recommendation is $4,514,082,000, an increase of $116,206,000 from the budget request and $716,788,000 over the fiscal year 2007 enacted level. The Committee disapproves of the transfer of certain security functions to the Office of Science from the Office of Security as proposed by the Department, and this removes funding for these functions from the Science budget. Funding for these functions is provided under Other Defense Activities.

HIGH ENERGY PHYSICS

The Committee recommends a total of $782,238,000 for high energy physics, the same as the budget request. The Committee supports the requested increase in research and development activities, from $30,000,000 to $60,000,000, to prepare for the International Linear Collider (ILC), including detailed studies of possible U.S. sites for the ILC.

Over the past few years, the Committee has consistently supported the DOE/NASA Joint Dark Energy Mission (JDEM), a space probe to help answer the fundamental physics question of our time on the nature of the "dark energy" that constitutes the majority of the universe. Answering this question is among the top priorities of the physics community and of the Office of Science, and the Committee strongly believes that this initiative should move forward. DOE has done its part, developing the SuperNova Acceleration Probe (SNAP) as the DOE mission concept for JDEM. Unfortunately, NASA has failed to budget and program for launch services for JDEM. Furthering this delay, the Administration has set up a panel to decide which scientific mission should go first in NASA's queue of after Einstein space science missions.

The situation with regard to JDEM raises critical science policy questions. Are scientific activities supported in the United States according the missions and interests of different agencies or according to the technology involved? DOE support for JDEM is predicated on the science priorities of High Energy Physics. The Administration's insistence that this mission be held hostage to NASA's

mission agenda sends the clear signal that space science is the purview of NASA regardless of the scientific questions to be addressed. If space science is the special preserve of NASA within the U.S. Government, then all funding for such missions should be provided by NASA and the Dark Energy Mission should proceed on that basis with NASA providing the funding for all work at DOE national laboratories selected by NASA for participation.

The Committee notes that NASA funds ground-based telescopes and that NSF funds a particle accelerator. Therefore, use of space technology by DOE to accomplish a mission that is a priority for its high energy physics program should proceed regardless of its priority to another agency. The Committee directs the Department to select, using competitive procedures, a mission science team and approach as soon as possible and proceed with a dark energy mission with a launch in fiscal year 2013. As part of this, the Committee directs DOE to explore other launch options, including cooperative international approaches and the procurement of private launch services, to get the Dark Energy Mission into space. DOE is to proceed with its project implementation in compliance with Project Management Order 413.3. Additional funding in fiscal year 2008 for proceeding with the Dark Energy Mission should be no more than $20,000,000 above the $3,500,000 requested for work by the SNAP team and should be taken from other lower-priority areas within High Energy Physics.

The control level is at the High Energy Physics level.

NUCLEAR PHYSICS

The Committee recommendation for nuclear physics is $471,319,000, the same as the budget request. The requested funding will support operations of the Thomas Jefferson National Accelerator Facility and the Relativistic Heavy Ion Collider. The requested funding will continue construction of the Electron Beam Ion Source at Brookhaven National Laboratory (project 07–SC–02) and the PED for the 12 GeV upgrade to the Continuous Electron Beam Accelerator Facility at the Thomas Jefferson National Accelerator Facility (project 06–SC–01).

The nuclear physics community has proposed a shift in its priorities for future facilities to provide rare isotope beams. Specifically, the fiscal year 2008 request includes $4,000,000 for research and development activities aimed at development of rare isotope beam capabilities. The Rare Isotope Beams (RIB) will involve modifications to existing accelerators rather than the construction of a new Rare Isotope Accelerator (RIA). This approach is projected to achieve much of the science planned for RIA but at significantly reduced cost. The Committee commends the nuclear physics research community for its constructive approach.

BIOLOGICAL AND ENVIRONMENTAL RESEARCH

The Committee notes that this area of the Office of Science encompasses two distinct research efforts: using biology to address energy production and environmental remediation and a combination of climate and ecosystem modeling, field research, and radiation monitoring as part of the Climate Change Research Program.

Funding is provided in separate subaccounts for these two efforts and this practice should be used in future fiscal years.

BIOLOGICAL RESEARCH

The Committee recommendation for Biological Research is $423,773,000, an increase of $30,000,000 above the budget request. The increase is provided for the Life Sciences component of Biological Research and is to be used to expand research efforts to develop new strategies for biofuels and sequestration of carbon, both important in addressing climate change. All of the added funds must be awarded competitively in solicitations that include all sources—universities, the private sector, and government laboratories—on an equal basis.

The Committee applauds the use of genomics to address multiple areas associated with energy production including hydrogen and ethanol. The competitive selection of the Genomes to Life Bioenergy Research Centers is a major progressive step, and the Committee hopes that the Department will not confine its research in this area to just a few major centers but will complement these centers with an extensive program of competitive research grants to university, government laboratory and for-profit and not-for-profit private sector researchers.

CLIMATE CHANGE RESEARCH

The Committee recommendation for Climate Change Research is $158,124,000, an increase of $20,000,000 above the budget request. The increase is provided for enhanced climate modeling to take advantage of the advanced computing resources of the Department. The Committee is providing this increase to accelerate progress toward horizontal spatial resolutions of 10 kilometers. When this finer resolution is achieved, models should resolve local phenomena that punctuate the climate, such as severe storms with their intense precipitation and ability to transform the local landscape.

The Climate Change Research Program at DOE is a collection of small efforts within the overall, multi-agency effort to understand and better predict climate change. This approach may prove inefficient in terms of research management and coordination and will be successful only if the extensive coordination of the Climate Change Research Program across multiple agencies, which has been a hallmark of this effort since its inception in the late 1980s, is continued. Long-term, ground-based monitoring of the environment is generally the province of the National Oceanic and Atmospheric Administration (NOAA), while the long term ecological research sites are supported through the National Science Foundation (NSF). Climate modeling at DOE benefits from the Department's preeminence in scientific computing, but climate modeling is also done by groups sponsored by NSF, NOAA, and NASA. The Committee is concerned that with the static budget for Climate Change Research and the true intellectual excitement of the other research areas in the Office of Science, climate change research is not a priority nor a unique expertise of the Department. Given the need for detailed understanding and predictions at local and regional scales to guide responses to climate change, it is time for the Department to make this area a priority.

BASIC ENERGY SCIENCES

The Committee recommendation for basic energy sciences is $1,498,497,000, the same as the budget request and an increase of $248,247,000 over the current fiscal year. For purposes of reprogramming during fiscal year 2008, the Department may allocate funding among all operating accounts within Basic Energy Sciences, consistent with the reprogramming guidelines outlined earlier in this report.

Research.—The Committee recommendation includes $1,093,219,000 for materials sciences and engineering, and $283,956,000 for chemical sciences, geosciences, and energy biosciences. The Committee recommendation funds operations of the five Nanoscale Science Research Centers, operations of the Advanced Light Source, the Advanced Photon Source, the National Synchrotron Light Source, the Stanford Synchrotron Radiation Laboratory, the Intense Pulsed Neutron Source, and the Manuel Lujan, Jr. Neutron Scattering Center at their full optimal numbers of hours, additional instrumentation for the recently-completed Spallation Neutron Source (SNS), and the science research portion ($59,500,000) of the hydrogen initiative at the requested levels. Given the long-term nature of hydrogen as an energy transfer medium, with timescales for deployment similar to those for fusion energy, funding for hydrogen research in the Office of Science is particularly appropriate. The Committee previously directed the National Nuclear Security Administration to make available, from existing stocks, sufficient heavy water to meet SNS needs, and the Committee renews this direction for fiscal year 2008. Also included within this account is $8,240,000 for the Experimental Program to Stimulate Competitive Research (EPSCoR), the same as the budget request.

Given the dismal operating record of the High Flux Isotope Reactor (HFIR) in fiscal year 2006 with 89.5% unscheduled downtime and the lack of major research accomplishments from its operation, the Committee will be watching to see that the steps taken by DOE to put HFIR back on track are successful.

Construction.—The Committee recommendation includes $121,322,000 for Basic Energy Sciences construction projects, the same as the requested amount. The Committee recommendation provides the requested funding of: $51,356,000 to continue construction of the Linac Coherent Light Source (05–R–320) at the Stanford Linear Accelerator Center; $366,000 to complete construction of the Center for Functional Nanomaterials (05–R–321) at Brookhaven National Laboratory; $45,000,000 for continued project engineering and design of the National Synchrotron Light Source II (07–SC–06) at Brookhaven National Laboratory; $17,200,000 for construction of the Advanced Light Source User Support Building (08–SC–01) at Lawrence Berkeley National Laboratory; $950,000 for PED of the Photon Ultrafast Laser Science (08–SC–10) and Engineering Building Renovation at the Stanford Linear Accelerator Center; and $6,450,000 to begin renovation of the Photon Ultrafast Laser Science and Engineering Building Renovation (08–SC–11) at the Stanford Linear Accelerator Center.

Given the extremely poor record of the Department in correctly estimating and controlling costs for major projects, particularly construction, the Committee compliments the Office of Science for completing the Spallation Neutron Source almost on schedule and almost on budget.

ADVANCED SCIENTIFIC COMPUTING RESEARCH

The Committee recommendation is $340,198,000, the same as the budget request and an increase of $56,783,000 over the current fiscal year. The Committee commends the Office of Science and the Office of Advanced Scientific Computing Research for their efforts to provide cutting-edge capabilities to meet current scientific computational needs, and at the same time to extend the boundaries of that cutting edge into the next generation of high-performance scientific computers and supporting software. Perhaps no other area of research at the Department is so critical to sustaining U.S. leadership in science and technology, revolutionizing the way science is done, and improving research productivity.

FUSION ENERGY SCIENCES

The Committee recommendation for fusion energy sciences is $427,850,000, the same as the budget request, and $108,900,000 above the previous year reflecting the $100,000,000 growth in the budget for the International Thermonuclear Experimental Reactor (ITER).

The Committee does not support funding for a new program in High Energy Density Physics and provides no funds for this research area. The Committee directs that the $12,281,000 requested for High Energy Density Physics be used to increase funding for the following: $7,500,000 for facility operations at the three U.S. user facilities—the DIII–D, Alcator C-Mod, and National Spherical Torus Experiment, $1,500,000 for Theory, $1,500,000 for materials research within Enabling R&D, and $1,781,000 for Alternative Concept Experimental Research.

The Committee notes that major growth in support for ITER, with an additional increase in this support of $54,500,000 planned for fiscal year 2009, is affecting the overall funding picture for Fusion Energy Sciences and for the Office of Science as a whole. When direct funding for ITER is excluded, Fusion Energy Sciences increases by just 3.8 percent and the increase requested for the Office of Science, while still large, is 13.4 percent rather than 15.8 percent. If delays in ITER associated with international cooperation reduce the amount that can be spent on ITER in fiscal year 2008, the Committee directs the Office of Fusion Energy Sciences to invest the funds made available in Theory, materials research within Enabling R&D, Alternative Concept Experimental Research and operating time at the three U.S. user facilities rather than retaining the money for ITER and carrying it over to future fiscal years.

SCIENCE LABORATORIES INFRASTRUCTURE

The Committee recommendation provides a total of $151,806,000 for Science Laboratories Infrastructure, $72,850,000 above the

budget request. The Committee supports the $6,145,000 for the continued demolition of the Bevatron at Lawrence Berkeley National Laboratory. The $35,000,000 requested for the Physical Sciences Facility at the Pacific Northwest National Laboratory (project 07–SC–05) is increased to $100,000,000 and should be used for all needed buildings, including those proposed for third party development. None of these funds should be held in reserve so that the pending cleanup and closure of all but three critical facilities of the 300 Area at the Hanford site can proceed without further delay. Within available funds, the Committee directs the Department to continue to make Payments In Lieu of Taxes associated with Argonne National Laboratory and Brookhaven National Laboratory at the requested level of $1,520,000. Given the $325,000,000 backlog of science facilities currently in need of demolition or cleanup for reuse, reduction in funding for Excess Facilities Disposition is unwise. Accordingly, $16,678,000 is provided for Excess Facilities Disposition, an increase of $7,850,000 above the request.

The Committee is aware of significant legacy radioactive contamination at Argonne National Laboratory, and directs the Department to prepare an inventory of such contamination, including a determination of the parent programs responsible for such contamination, so that the Committee can apportion remediation costs fairly. This inventory is due to the Committee not later than November 30, 2007.

SAFEGUARDS AND SECURITY

The Committee recommends $76,592,000, the same as the budget request, to meet safeguards and security requirements at Office of Science facilities.

SCIENCE WORKFORCE DEVELOPMENT

The Committee provides $11,000,000 for workforce development for teachers and scientists in fiscal year 2008, the same as the requested amount. The Committee concurs with the proposed expansion of the laboratory science teacher professional development program. It is desirable that science teachers at the secondary level be enabled to be scientists who teach at the precollegiate level rather than teachers who happen to teach science. Teachers should be encouraged to involve their students in doing science rather than just reading about and reproducing well-established principles.

SCIENCE PROGRAM DIRECTION

The Committee recommendation is $178,290,000 for Science program direction, $6,644,000 below the budget request. This amount includes: $104,193,000 for program direction at DOE field offices and $74,097,000 for program direction at DOE headquarters. Funding for certain security functions proposed to be transferred to the Office of Science is removed from this budget and provided in the budget for the Office of Security in Other Defense Activities. The control level for fiscal year 2008 is at the program account level of Science Program Direction.

FUNDING ADJUSTMENTS

The Committee recommendation includes an offset of $5,605,000 for the safeguards and security charge for reimbursable work, as proposed in the budget request.

NUCLEAR WASTE DISPOSAL

Appropriation, 2007	$99,206,000
Budget estimate, 2008	202,454,000
Recommended, 2008	202,454,000
Comparison:	
Appropriation, 2007	+103,248,000
Budget estimate, 2008	– – –

The Department of Energy requested a total of $494,500,000 for work on the Yucca Mountain nuclear waste repository in fiscal year 2008, $202,454,000 for Nuclear Waste Disposal and $292,046,000 for Defense Nuclear Waste Disposal. According to the Department's testimony to the Committee, it will submit a License Application to the Nuclear Regulatory Commission in June 2008, and the funding requested is required to support that effort. The requested funds will be used for preparation of the License Application and activities to keep the site safe and secure.

In testimony before the Committee, the Department indicated that the best achievable schedule for opening the Yucca Mountain repository would be 2017. This schedule assumes that the Nuclear Regulatory Commission would complete its review and grant a construction license to DOE in 36 months. It also assumes no delay in the opening due to litigation. The Nuclear Regulatory Commission review may require 48 months and there could be significant delays due to litigation once a license is granted. Fines and other payments due to the failure of the U.S. Government to take custody and remove spent nuclear fuel from commercial reactor sites will continue for more than two decades following the opening of the repository, as there will be a considerable backlog of waste to be emplaced. The government's liability for failure to remove spent nuclear fuel from reactor sites will grow to $7 billion and delays in opening Yucca Mountain will increase this total liability by approximately $500 million for each year of delay.

Onsite storage of spent nuclear fuel at operating commercial reactor sites is a manageable risk. A recent study by the American Physical Society concludes that moving spent fuel to an alternative interim storage site and then to Yucca Mountain does not make sense given the costs of moving the spent fuel twice and the fact that operating reactors will always have an inventory of spent fuel to be guarded and managed. The same conclusion does not hold true for spent fuel in storage at the nine decommissioned reactor sites as removal of the fuel from these sites would allow them to be completely closed. While the requirement that DOE take custody of spent fuel is a matter of law, testimony to the Committee last year pointed out that failure to take custody of the fuel undermines public confidence in the overall policy on spent fuel from commercial nuclear reactors. The Committee directs the Department to develop a plan to take custody of spent fuel currently stored at decommissioned reactor sites to both reduce costs that are ultimately borne by the taxpayer and demonstrate that DOE can

move forward in the near-term with at least some element of nuclear waste policy. The Department should consider consolidation of the spent fuel from decommissioned reactors either at an existing DOE site, at one or more existing operating reactor sites, or at a competitively-selected interim storage site. The Department should engage the 11 sites that volunteered to host GNEP facilities as part of this competitive process.

In March 2007, the Department submitted a legislative proposal to Congress intended to enhance the management and disposal of spent nuclear fuel and high-level radioactive waste. Two of the proposed legislative provisions would address the waste confidence problem: the Administration proposes to repeal the statutory 70,000 metric ton capacity limit on Yucca Mountain, and also proposes to direct the Nuclear Regulatory Commission to deem that the timely availability of sufficient repository capacity shall no longer be a consideration in licensing new reactors. While the Committee supports the effort to remove the arbitrary legislative limit on the capacity of Yucca Mountain, the Committee strongly opposes any attempt to legislate away the waste confidence problem.

For Nuclear Waste Disposal in fiscal year 2008, the Committee provides $202,454,000, same as the budget request. The Committee also fully funds the request of $292,046,000 for Defense Nuclear Waste Disposal, providing a total of $494,500,000 for the nuclear waste repository in fiscal year 2008.

ENVIRONMENT, SAFETY AND HEALTH

(NON-DEFENSE)

Appropriation, 2007	$27,841,000
Budget estimate, 2008	– – –
Recommended, 2008	31,625,000
Comparison:	
Appropriation, 2007	+3,784,000
Budget estimate, 2008	+31,625,000

The Committee recommendation for non-defense environment, safety, and health activities is $31,625,000, an increase of $31,625,000 over the budget request. Within the funds provided, the Committee directs $465,000 for the medical monitoring program at the three gaseous diffusion plants in Paducah, Kentucky, Portsmouth, Ohio, and Oak Ridge, Tennessee.

Reorganization of the Environment, Safety and Health Office.—In August 2006, the Department chose to abolish the existing Environment, Safety and Health (EH) organization and assign its functions to a number of other DOE offices, with primary responsibility resting with a new Office of Health, Safety and Security. While the Committee has no objective information to show that the new arrangement is performing better or worse than the previous EH organization, the Committee recognizes the authority of the Secretary to reorganize the Department in order to improve performance and accountability. However, the Committee reserves its own authority to determine the appropriations the Department receives for given activities in a fiscal year. In the case of the EH organization, which clearly involved moving funds from one organization to another in a manner inconsistent with the budget request or with the final appropriation, the Department refused to submit a re-

programming request to the House and Senate Committees on Appropriations.

There were two consequences to this decision by the Department. First, in the year-long Continuing Resolution for fiscal year 2007 (P.L. 110–5), Congress eliminated the long-standing transfer authority that the Department used to execute the EH reorganization. Second, the Committee for fiscal year 2008 provides funding for the EH-related functions to the original pre-reorganization offices within DOE. The Committee does not fund the new Office of Health, Safety and Security as proposed by the Department in the budget request.

Reprogramming requirement.—Per Committee reprogramming guidance and Department of Energy reprogramming guidelines, a reprogramming request submitted to the Committee for consideration is required to implement any reorganization proposal which includes moving previous appropriations between appropriation accounts. The Committee will not recognize any Departmental shift of previous appropriations for the Office of Environment, Safety and Health until a reprogramming request is submitted by the Department to the House and Senate Committees on Appropriations.

Government Accountability Office (GAO) Report.—The Committee directs the GAO to prepare a report on the programmatic impacts of the proposed dissolution of the Environment, Safety and Health organization and the reorganization of the Office of Security at the Department. A preliminary report is due to the Committee on August 31, 2007.

INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

The budget request proposes language limiting the aggregate loan amount to $9,000,000,000 for loans to be made in fiscal year 2008 under the authority of Title XVII of the Energy Policy Act of 2005. The Committee provides a fiscal year 2008 loan volume limitation of $7,000,000,000 to guarantee $2,000,000,000 in loans for carbon sequestration optimized coal power plants, $4,000,000,000 in loans for projects that promote biofuels and clean transportation fuels, and $1,000,000,000 in loans for projects using new technologies for electric transmission facilities or renewable power generation systems.

The budget request proposes $8,390,000 in administrative expenses for the loan guarantee office; the Committee provides $2,390,000 for administrative expenses for the loan guarantee office, $6,000,000 below the request, in the Departmental Administration account. Initial funds were provided for the Office of Loan Guarantees in the fiscal year 2007 Joint Resolution after the budget request was formulated, and the Committee believes there are ample resources available to fund this office with the amount provided. Language has been provided to enable the Departmental Administration account to credit loan guarantee fees as offsetting collections.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

GROSS APPROPRIATION

Appropriation, 2007	$276,832,000
Budget estimate, 2008	310,366,000
Recommended, 2008	304,782,000
Comparison:	
Appropriation, 2007	+27,950,000
Budget estimate, 2008	−5,584,000

REVENUES

Appropriation, 2007	−123,000,000
Budget estimate, 2008	−161,818,000
Recommended, 2008	−161,818,000
Comparison:	
Appropriation, 2007	−38,818,000
Budget estimate, 2008	−−−

NET APPROPRIATION

Appropriation, 2007	153,832,000
Budget estimate, 2008	148,548,000
Recommended, 2008	142,964,000
Comparison:	
Appropriation, 2007	−10,868,000
Budget estimate, 2008	−5,584,000

The Committee recommendation for Departmental Administration is $304,782,000, a decrease of $5,584,000 below the budget request. The recommendation for revenues is $161,818,000, consistent with the budget request, resulting in a net appropriation of $142,964,000. The Congressional Budget Office concurs with this estimate for revenues in fiscal year 2008. Funding recommended for Departmental Administration provides for general management and program support functions benefiting all elements of the Department of Energy, including the National Nuclear Security Administration. The account funds a wide array of headquarters activities not directly associated with the execution of specific programs.

Communications with Congress.—The Committee is aware of several instances in which the Department has attempted to suppress communication from its field personnel, both federal employees and contractors, to the committee. In one instance, laboratory personnel were threatened for responding to a direct inquiry from the Committee. The Committee will not tolerate any attempts by headquarters to intimidate field personnel answering legitimate Congressional questions. The Committee reserves the right to communicate with whoever can provide timely, accurate, and candid information on conditions and problems in the field.

DOE pension and medical benefits.—The Committee provides no funding for implementing a revised contract reimbursement policy concerning pension and medical benefits. The proposed revised Department of Energy Order N351.1 would prohibit contractors from providing traditional defined benefit pensions to future employees. To date, the Department has not provided adequate justification for such a sweeping and ill-defined change of existing policy. For instance, the Department's cost calculation for existing defined ben-

efit plans reflects only a limited snapshot in time, and fails to consider either the long-term historical costs of these plans, or future costs reasonably projected under the Pension Protection Act of 2006. The Committee notes that the three DOE contracts with disproportionate retiree benefits far outpacing the Federal DOE workforce are the three nuclear weapons design laboratories—Sandia National Laboratory, Los Alamos National Laboratory, and Lawrence Livermore National Laboratory. The Department is directed to assess reducing the government's liabilities and normalizing the pension benefits across the DOE complex by reducing the disproportionately generous pension plans at the NNSA national laboratories. The Committee recommendation includes a request for the Government Accountability Office (GAO) report assessing the adequacy of the Department's analysis of pension and medical liabilities. The Committee requests a preliminary report by October 1, 2007 and a final report due by December 31, 2007.

Management.—The Committee provides $60,725,000 for the Management account, a reduction of $3,214,000 below the budget request. The Committee provides an increase of $2,000,000 for the Office of Management to contract with the National Academy of Public Administration (NAPA). The Committee directs the Department to work with the NAPA on an organizational review of the offices of Procurement, Human Resources, and the Chief Financial Officer. The NAPA identified these three organizations as choke points for successful work flow during its review of the Environmental Management organization, and the Committee has heard this observation from DOE offices as well. As such, the Department can benefit much from a periodic review of its critical management support functions. The Committee also provides a reduction of $5,214,000 for Environmental, Safety and Health and Security Performance funds that are provided in the ES&H account and the Office of Security and Performance Assurance in fiscal year 2008.

Loan Guarantee Office.—The Committee provides an increase of $2,390,000 over the budget request for the loan guarantee office within the Departmental Administration (DA) account. This office was proposed in the budget request as a separate account outside the DA structure funded at $8,390,000. The Committee provides funding for this activity at a level $6,000,000 below the request because initial funds were provided in the fiscal year 2007 Joint Resolution, after the budget request was formulated, and provides these funds within the Departmental Administration account, consistent with the Joint Resolution. Language has been provided to enable this account to credit loan guarantee fees as offsetting collections.

General Counsel.—The Committee provides $27,086,000 for the General Counsel, a decrease of $2,990,000 below the budget request, reflecting a reduction of $3,990,000 for the transfer of funds to the Environmental Health and Safety account. Of the funds made available for the Office of the General Counsel, the Committee provides an increase of $1,000,000 to support additional attorney assistance for energy-efficiency related matters. The Committee leaves the decision to the Department on whether this additional legal support should be provided by procuring services from contractor attorneys or by hiring additional Federal employees.

However, the additional support should be obtained as soon as possible. The Committee is aware that the Department is years behind schedule in promulgating energy conservation standards for consumer appliances and industrial equipment, and in establishing appropriate test procedures. The Committee believes that these additional resources will assist the Department in catching up on any overdue activities and, therefore, intends that the additional resources provided would be used for attorneys to support that work.

The Committee provides no funds for the Competitive Sourcing Initiative (A–76), a reduction of $1,770,000 below the request. The Committee does not support the activities of this office.

The Committee renews the direction provided in the fiscal year 2006 conference report regarding the primary liaison with the House Appropriations Committee being the Department's chief financial officer rather than the Office of Congressional and Intergovernmental Affairs.

The Committee commends the work of the Department in the Clean Energy Technology Export (CETE) program.

Transfer from Other Defense Activities.—For fiscal year 2008, the Department requested $99,000,000 as the defense contribution to the Departmental Administration account. The Committee provides the requested amount and expects the Department to continue to request a proportional defense contribution to Departmental Administration in future fiscal years.

Office of Inspector General

Appropriation, 2007	$41,819,000
Budget estimate, 2008	47,732,000
Recommended, 2008	47,732,000
Comparison:	
Appropriation, 2007	+5,913,000
Budget estimate, 2008	– – –

The Office of Inspector General performs agency-wide audit, inspection, and investigative functions to identify and correct management and administrative deficiencies that create conditions for existing or potential instances of fraud, waste and mismanagement. The audit function provides financial and performance audits of programs and operations. The inspections function provides independent inspections and analyses of the effectiveness, efficiency, and economy of programs and operations. The investigative function provides for the detection and investigation of improper and illegal activities involving programs, personnel, and operations.

The Committee recommendation is $47,732,000, the same as the budget request.

Atomic Energy Defense Activities

The Atomic Energy Defense Activities programs of the Department of Energy in the National Nuclear Security Administration (NNSA) consists of Weapons Activities, Defense Nuclear Nonproliferation, Naval Reactors, and the Office of the Administrator; outside of the NNSA, these include Defense Environmental Management; Other Defense Activities; and Defense Nuclear Waste Disposal. Descriptions of each of these accounts are provided below.

NATIONAL NUCLEAR SECURITY ADMINISTRATION

The Department of Energy is responsible for enhancing U.S. national security through the military application of nuclear technology and reducing the global danger from the proliferation of weapons of mass destruction. The National Nuclear Security Administration (NNSA), a semi-autonomous agency within the Department, carries out these responsibilities. Established in March 2000 pursuant to Title 32 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65), the NNSA is responsible for the management and operation of the Nation's nuclear weapons complex, naval reactors, and nuclear nonproliferation activities. Three offices within the NNSA carry out the Department's national security mission: the Office of Defense Programs, the Office of Defense Nuclear Nonproliferation, and the Office of Naval Reactors. The Office of the NNSA Administrator oversees all NNSA programs.

The Committee provides $8,786,881,000 for the NNSA, a reduction of $599,952,000 below the budget request and a reduction of $294,132,000 below the current year level.

WEAPONS ACTIVITIES

Appropriation, 2007	$6,275,583,000
Budget estimate, 2008	6,511,312,000
Recommended, 2008	5,879,137,000
Comparison:	
Appropriation, 2007	−396,446,000
Budget estimate, 2008	−632,175,000

The goal of the Weapons Activities program is to ensure the safety, security, reliability and performance of the Nation's nuclear weapons stockpile. The program seeks to maintain and refurbish nuclear weapons to sustain confidence in their safety and reliability under the nuclear testing moratorium and arms reduction treaties. The Committee's recommendation provides $5,879,137,000, for Weapons Activities, a reduction of $632,175,000 below the budget request and a reduction of $396,446,000 below the current year level.

U.S. Strategic Nuclear Weapons Strategy for the 21st century and the Future Nuclear Weapons stockpile.—The Department of Energy (DOE) and the Department of Defense (DoD) are proposing to develop a new nuclear warhead under the Reliable Replacement Warhead (RRW) program and begin a nuclear weapons complex modernization proposal called Complex 2030. These multi-billion dollar initiatives are being proposed in a policy vacuum without any Administration statement on the national security environment that the future nuclear deterrent is designed to address. The Committee's concern is supported by statements made by nuclear weapon experts in recent reports by the Defense Science Board and the American Association for the Advancement of Science, and in congressional testimony by such credible experts as a former Chairman of the Senate Armed Services Committee and a former Secretary of Defense. These review panel and national security experts all agreed that there has been no clear policy statements that articulate the role of nuclear weapons in a post-Cold War and post–9/11 world. The lack of any definitive analysis or strategic assess-

ment defining the objectives of a future nuclear stockpile makes it impossible to weigh the relative merits of investing billions of taxpayer dollars in new nuclear weapon production activities when the United States is facing the problem of having too large a stockpile as a Cold War legacy. Currently, there exists no convincing rationale for maintaining the large number of existing Cold War nuclear weapons, much less producing additional warheads, or for the DoD requirements that drive the management of the DOE nuclear weapons complex.

The Committee believes it is premature to proceed with further development of the RRW or a significant nuclear complex modernization plan, until a three-part planning sequence is completed, including: (1) a comprehensive nuclear defense strategy, based upon current and projected global threats; (2) clearly defined military requirements for the size and composition of the nuclear stockpile derived from the comprehensive nuclear defense strategy; and (3) alignment of these military requirements to the existing and estimated future needs and capabilities of NNSA's weapons complex. The Committee views completion of this three-part planning sequence as a necessary condition before considering additional funding for Complex 2030 and RRW activities.

Therefore, the Committee directs the Secretary, in consultation with the Department of Defense and Intelligence Community, to submit to the House and Senate Committees on Appropriations, a comprehensive nuclear security plan that:

(1.) Includes a comprehensive nuclear defense and nonproliferation strategy, developed by all relevant stakeholders across the Administration, defining the future U.S. nuclear deterrent requirements and nuclear nonproliferation goals. To the extent this strategy involves the production and deployment of new warheads and acceleration of legacy warhead dismantlements, a statement of how such actions will impact the state of global security, with respect to the future U.S. nuclear deterrent and nonproliferation goals, should be included in the comprehensive strategy.

(2.) Includes a detailed description, prepared by the Department of Defense (DoD) and the Department of Energy (DOE), that translates the strategy described in (1) above into a specific nuclear stockpile, that:

a. Aligns estimated global threats to the required characteristics of the U.S. nuclear stockpile in terms of specific numbers and types of warheads, both active and inactive, and associated delivery systems.

b. Includes a complete, quantitative status of the current stockpile warhead inventory by type and delivery system and anticipated changes to reach the 2012 Moscow Treaty commitments, including an unclassified summary of the topline stockpile quantity.

c. Defines, in year by year increments planned changes in the size and composition of the nuclear stockpile through fiscal year 2030 required to meet the strategy described in (1) above. Identify changes in the stockpile related to the nuclear force structure based on the strategy described in (1) above; the impact of accelerated warhead

retirements and dismantlements based on out year stockpile requirements under the Moscow Treaty, as well as, potential reductions associated with the strategy described in (1) above; the impact of completing planned life extension milestones to extend the service life of the existing stockpile; the impact on the future stockpile employing both existing warheads and new warheads under the RRW proposal; required life extension program throughput rates; required production rates for an operationally deployed RRW replacing an existing system; and associated dismantlement rates. This should include an unclassified summary of the topline stockpile quantity, per year, up through 2030.

d. Includes a detailed analysis comparing the risks, costs and benefits, stockpile size, and relationship to achieving the nuclear defense and nonproliferation strategic goals of maintaining the existing stockpile under the Life Extension Program (LEP) versus transitioning to the reliable replacement warhead strategy, by warhead type and delivery system.

(3.) Includes a comprehensive, long-term expenditure plan, from fiscal year 2008 through fiscal year 2030, that fully defines the needs and capabilities of the NNSA weapons complex to support the stated military requirements outlined in (2) above, including:

a. A comprehensive, fiscal year 2008 complex operating cost inventory by site and activity as a baseline;

b. A year-by-year resource plan from fiscal year 2008 through fiscal year 2030, subdivided into five-year milestones for dismantlements, stockpile reduction, cost savings (with respect to the established, fiscal year 2008 baseline), complex consolidation, life extension programs, warhead refurbishments, special nuclear material consolidation, physical and cyber security requirements, proposed RRW production and deployment, and how achievement of such milestones aligns with long-term complex transformation goals, specifically identifying the cost impacts of alternative strategies. This should include an unclassified summary of dismantlement progress, relative to the topline stockpile quantity for the given year.

c. A detailed description of the potential impacts of significant reductions in the overall stockpile in terms of cost savings, physical security benefits, complex consolidation, and stockpile reliability, safety, and security.

d. Estimates of staffing requirements corresponding to achievement of five-year milestones and long-term complex transformation plans.

e. A detailed cost-benefit analysis comparing the resources required to maintain the existing facilities for the existing stockpile to new facilities required to support RRW production and deployment, and a description of how NNSA will mitigate the potential risks and costs associated with simultaneously managing both competing objectives in the near term.

The Committee does not accept the same policy argument put forward by the nuclear weapons establishment after the Cold War ended that justified the Science-Based Stockpile Stewardship program. With the demise of the Soviet Union, the U.S. halted nuclear weapons production activities and implemented a moratorium of underground nuclear testing. In 1995, the Department of Energy proposed, and Congress supported, investing billions in new science facilities and super-computing capabilities to maintain the safety, security, and reliability of the existing stockpile without underground nuclear testing. Only a decade later, and after having spent billions of dollars, the NNSA is proposing to begin production of a new nuclear warhead before the country has received any significant return on the earlier investments, even though the major Stockpile Stewardship facilities are not yet completed and fully operational.

In order to make more informed policy and funding decisions, the revised nuclear strategy and stockpile plan must address the specific threats the nuclear stockpile of the future needs to address; the arms control treaties and agreements that bound our nuclear weapons activities; the nuclear policies and programs of other nations; and the impact on nonproliferation goals, policies and programs supported by the United States. Neither the Quadrennial Defense Reviews nor the Administration's 2001 Nuclear Posture Review provided a long term nuclear weapons strategy or the defined total nuclear stockpile requirements for the 21st century. The Administration's contention that the Moscow Treaty puts the U.S. on the path toward the lowest number of nuclear weapons necessary for national security would only be accurate if the Moscow Treaty addressed the actual status of all the warheads in the U.S. stockpile and all the above concerns. It does not.

The future of the nuclear weapons complex.—At the Committee's direction in fiscal year 2004, the Secretary of Energy tasked the Secretary of Energy's Advisory Board (SEAB) to conduct an independent assessment of the Department's future infrastructure requirements for the nuclear weapons complex over the next twenty-five years. The Committee strongly commended the SEAB's Task Force efforts in developing the report on Recommendations for the Nuclear Weapons Complex of the Future. The SEAB report began the policy process of debating the future of the nation's nuclear weapons program and led the NNSA to propose its competing future vision in the spring of 2006, called "Complex 2030". The Committee notes that, on October 19, 2006, the NNSA issued in the Federal Register a Notice of Intent (NOI) to prepare an Environmental Impact Statement entitled the "Complex 2030 Supplement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement." The NOI outlines the alternatives that the NNSA will consider in transforming the nuclear weapons complex to meet the future national security requirements.

The Committee has strong reservations concerning the NNSA's preferred alternative proposed in the Complex 2030 EIS NOI. Despite the Committee's repeated attempts through the legislative process to encourage an effective, thoughtful process within the NNSA to develop a plan for transforming the nuclear weapons complex, the NNSA has rejected that support. Instead of working with

the Committee to arrive at a realistic plan that has the possibility of garnering bipartisan political support, the NNSA continues to pursue a policy of rebuilding and modernizing the entire complex *in situ* without any thought given to a sensible strategy for long-term efficiency and consolidation.

The Complex 2030 plan assumes the immediate support for an RRW design, development, and production program, while also assuming continuation of the Life Extension Program extending the service life for the legacy systems and the Science-Based Stockpile Stewardship activities supporting the legacy stockpile. The schedule implicit in the NNSA's plans requires all the current facilities, production facilities and processes be sustained for decades. As pointed out in the AAAS RRW report, this has the effect of divorcing the first RRW from complex transformation and proceeds to build the RRW using the existing legacy weapons complex. The total redundancy required by the NNSA Complex 2030 plan is the highest cost option of any possible scenario. The NNSA's program will result in maximizing the budget for the nuclear weapons complex with little thought given to efficiency or cost savings. The Committee rejects any such proposal. The nuclear weapons complex modernization plan needs to focus on the near-term milestones within five-year schedule windows with the intention of reducing the number, size, and cost of the NNSA sites and facilities while also requiring the minimum number of personnel for the mission. A "Complex 2012" plan might be credible, especially if tied to a Stockpile 2012 plan; a Complex 2030 plan not tied to any revised future nuclear stockpile plan is not. If the NNSA continues to adhere to a transformation schedule stretched out over 23 years, the Committee assumes adequate funding can be supported with marginal appropriations allocated over the same schedule.

Reliable Replacement Warhead (RRW).—Congress initiated the Reliable Replacement Warhead (RRW) program in the Consolidated Appropriations Act, 2005 (Public Law 108–447), to focus DOE and DoD on a program to improve the long-term reliability, longevity, and certifiability of the existing weapons and their components. The Committee finds the RRW program the DoD and NNSA have pursued at the direction of Congress goes far beyond the scope and purpose of the original congressional language and intent. The Committee supported the RRW design competition undertaken by the two weapons design laboratories and notes that its conclusion satisfies one of the primary objectives of the RRW proposal, that being to reestablish the design capability of the weapons laboratories. That objective has successfully been accomplished. The Committee is unconvinced that pursuing the RRW design competition to a production phase is necessary at this time.

Under any realistic future U.S. nuclear defense scenario, the existing legacy stockpile will continue to provide the nation's nuclear deterrent for well over the next two to three decades. The effort by the NNSA to apply urgency to developing a significant production capacity for the RRW while lacking any urgency to rationalize an oversized complex appears to mean simply more costs to the American taxpayer. The Committee notes that maintaining the legacy stockpile was acceptable to DoD and DOE while the large funding allocations were flowing for the Science-Based Stockpile Steward-

ship facilities and programs. Now that the Stockpile Stewardship facilities are nearing completion and the funding curve is flattening out, NNSA is raising concerns with the reliability of the existing stockpile and wants Congress to embark on a new multi-billion, multi-decade initiative that will ensure an expanding funding curve. The Committee recognizes it may be a skeptical view of the budgeting process within the nuclear weapons complex to assume a direct correlation between newly emergent concerns with the existing stockpile and the NNSA's desire to begin building a new RRW nuclear warhead, but DOE and DoD have not made a compelling national security argument to prove this view wrong.

A particularly troubling issue for the Committee related to the RRW proposal is the contradictory U.S. policy position of demanding other nations give up their nuclear ambitions while the U.S. aggressively pursues a program to build new nuclear warheads. The Administration needs to develop a policy rationale that explains why the RRW program is not contradictory and does not undermine our international nuclear nonproliferation goals. The Committee will reconsider the RRW proposal when the requisite nuclear strategy, nuclear stockpile and weapons complex transformation plans have been delivered to Congress.

Oversight model for NNSA sites.—The NNSA implemented a new Federal oversight model called Streamlined Oversight as a pilot initiative at the Kansas City Plant and the Los Alamos National Laboratory with the goal of reducing the authority and responsibility of the Federal personnel at the sites because a perception that the heavy hand of federal oversight was causing "excessive risk aversion" in achieving programmatic missions. The Committee notes with interest the NNSA implementation memorandum attributed the concern over "excessive risk aversion" to observations by outside groups. The Committee is troubled by the federal senior management's decision-process that delegates the management model for an inherently governmental responsibility such as overseeing the contractors running the nuclear weapons complex to a nongovernmental outside group. An apparent bias for accepting the complaints from the contractors instead of supporting the federal employees has resulted in mismanagement at the national laboratories and near complete erosion of credibility outside the Department that any federal oversight exists across the nuclear weapons complex. Rather than undermining the federal oversight located at the complex site offices by accepting the "trust us" model insisted on by site contractors, the Committee supports a stronger role by the federal program managers in improving safety and security and controlling costs and achieving program objectives. The underlying security and safety performance failures at LANL, coupled with the NNSA's failure to include the financial penalty clause for noncompliance in the new laboratory contract, prove the fallacy of this "management" strategy.

Cost Analysis and Improvement Group (CAIG).—The Committee is aware the Office of Management and Budget (OMB) requested the DoD Cost Analysis and Improvement Group (CAIG) provide cost analytical support for the Administration by leading an independent assessment of the NNSA's proposed Complex 2030 proposal, competing plans, and an evaluation of the risks and pro-

jected resource requirements necessary to support these plans. The Committee anticipates the fiscal year 2009 NNSA budget request will reflect more rigorous analysis developing the out year cost data.

Reprogramming authority.—The Committee provides limited reprogramming authority within the Weapons Activities account without submission of a reprogramming to be approved in advance by the House and Senate Committees on Appropriations. The reprogramming control levels will be as follows: subprograms within Directed Stockpile Work; Life Extension Programs, Stockpile Systems, Warhead Dismantlement, and Stockpile Services. Additional reprogramming control levels will be as follows: Science Campaigns, Engineering Campaigns, Advanced Simulation and Computing, Pit Manufacturing and Certification, Readiness Campaigns, and Readiness in Technical Base and Facilities (RTBF). Because the NNSA has ignored House funding direction in the past, the Committee provides no reprogramming authority between site allocations for Readiness in Technical Base and Facilities Operations of Facilities. This should provide the needed flexibility to manage these programs. In addition, funding of not more than $5,000,000 may be transferred between each of these categories and each construction project with the exception of the RTBF site allocations, subject to the following limitations: only one transfer may be made to or from any program or project; the transfer must be necessary to address a risk to health, safety or the environment; and funds may not be used for an item for which Congress has specifically denied funds or for a new program or project that has not been authorized by Congress.

The Department must notify Congress within 15 days of the use of this reprogramming authority. Transfers during the fiscal year which would result in increases or decreases in excess of $5,000,000 or which would exceed the limitations outlined in the previous paragraph require prior notification of and approval by the House and Senate Committees on Appropriations.

DIRECTED STOCKPILE WORK

The Committee recommendation provides $1,336,594,000 for Directed Stockpile Activities, a reduction of $110,642,000 from the budget request. Directed Stockpile Work (DSW) includes all activities that directly support weapons in the nuclear stockpile, including maintenance, research, development, engineering, certification and dismantlement and disposal activities. The DSW account provides all the direct funding for the Department's life extension activities, which are designed to extend the service life of the existing nuclear weapons stockpile, by providing new subsystems and components for each warhead thereby extending the operational service life.

Life Extension Programs.—The Committee provides $238,686,000 for the DSW life extension programs, the same as the budget request.

Stockpile Systems.—The Committee provides $319,345,000 for the DSW stockpile systems activities, a reduction of $27,372,000 from the budget request. The reduction is applied to the W80 ac-

tivities that have been terminated by the Nuclear Weapons Council.

Reliable Replacement Warhead (RRW).—The Committee recommendation provides no funding for the reliable replacement warhead (RRW) initiative, a decrease of $88,769,000 from the budget request. The Committee has noted elsewhere that it is premature to continue design activities for a new nuclear warhead until a revised U.S. nuclear weapons strategy is developed that describes the long term nuclear stockpile requirements and demonstrates how a new nuclear warhead is necessary to address specific U.S. national security requirements and nuclear nonproliferation commitments.

Warhead Dismantlement.—The Committee recommendation provides $173,250,000 for the warhead dismantlement program, an increase of $121,000,000 over the budget request. The Committee provides an additional $30,000,000 to begin dismantlement activities at the Device Assembly Facility (DAF) at the Nevada Test Site (NTS). During testimony before the subcommittee, the Secretary of Energy identified the Pantex Plant as the single most inefficient element of the current nuclear weapons complex. The Pantex Plant is the only weapons site presently authorized for warhead dismantlement activities. Based on the Secretary's judgment, the Committee is concerned that the workload requirements of stockpile evaluation and maintenance and ongoing life extension activities will preclude any significant warhead dismantlement progress at the Pantex Plant, particularly with increased stockpile reductions to be made over the next two decades. The Committee expects sufficient facility space at the underutilized Device Assembly Facility at NTS to be retrofit for unique dismantlement operations. The DAF was originally constructed for warhead operations and has the security posture to accommodate temporary warhead staging for the purposes of dismantlement. The Committee commends the NNSA for finally implementing a robust warhead dismantlement program as directed by the Committee for the past four years with significant funding increases over the Administration's request as part of a concerted effort to relieve the weapons complex of excess Cold War era warheads. However, the Department must view dismantlement as a priority in and of itself, rather than as a workload leveling function to fill-in for down times in the life extension workload at Pantex.

Pit Disassembly and Conversion Facility.—The Committee recommendation transfers the Department's activity to construct a Pit Disassembly and Conversion Facility (PDCF) to the Office of Defense programs from the Office of Nuclear Nonproliferation and directs the Department to begin the siting process for constructing the facility at the Pantex Plant in Amarillo, Texas. The Committee provides $91,000,000 to continue the facility design activity, the same as the budget request. The Committee recognizes that pit disassembly is the last step in the warhead dismantlement process and the Pantex plant is the only site within the NNSA complex currently authorized to conduct dismantlement operations on a nuclear warhead. Co-locating the Pit Disassembly facility with the pit storage facilities at the Pantex Plant provides an obvious security improvement and program efficiency element to the PDCF proposal. The Committee finds the Department initial decision to site

the Pit Disassembly facility at the Savannah River Site (SRS) not appropriate in light of the post 9/11 security environment. The Committee finds the security vulnerabilities inherent in transporting intact nuclear weapon pits from the storage location at the Pantex Plant to a disassembly operation 1,200 miles across the country too significant and costly to justify constructing the facility at SRS. The Committee also recognizes the sensitivity of the State of South Carolina concerning the shipment of plutonium from out of state to the Savannah River Site and assumes this programmatic change will address the State's concerns by delaying the shipment of any plutonium to South Carolina until the material is in oxide form for fuel fabrication minimizing any storage requirement at SRS. The Committee notes the PDCF is in a very early design phase and the transfer should not be significantly disruptive to the planning process.

Stockpile services.—The Committee recommendation provides $605,313,000 for the DSW stockpile services activities, a decrease of $115,501,000 from the request. The Committee provides no additional funding in fiscal year 2008 for the responsive infrastructure activities until an in-depth, schedule-driven, fully costed transformation plan for the weapons complex is developed by the NNSA. The Committee's reductions in Stockpile Services are targeted to maintain approximate current year funding levels pending the development of rigorous out-year planning documents as noted elsewhere in the report.

CAMPAIGNS

Campaigns are focused on efforts involving the three weapons laboratories, the Nevada test site, the weapons production plants, and selected external organizations to address critical capabilities needed to achieve program objectives.

The Committee recommendation provides $1,725,236,000, a decrease of $140,984,000 from the budget request.

From within funds provided for the various campaigns, the Committee supports the budget request for the university research program in robotics (URPR) for the development of advanced robotic technologies for strategic national applications.

Science campaigns.—The Committee provides $201,534,000 for the science campaigns, a reduction of $71,541,000 from the budget request.

The Committee recommendation provides $40,000,000 for the primary assessment technologies subprogram, a reduction of $23,527,000 from the budget request. The Committee recommendation provides $65,000,000 for the dynamic materials properties subprogram, a reduction of $33,014,000 from the budget request. The Committee recommendation includes $20,995,000 for the advanced radiography activities, a reduction of $10,000,000 from the budget request. The Committee reductions reflect a funding redirection away from premature funding of Complex 2030 and RRW activities. The Committee is disappointed with the delay in achieving full capability for the second axis of the Dual-Axis Radiographic Hydrotest facility (DARHT). The secondary assessment technologies subprogram recommendation is $55,539,000, a reduction of $25,000,000 from the budget request. The Committee does not sup-

port the Administration's budget request for significant funding increases for the Z machine at Sandia National Laboratory and the LANSCE center at Los Alamos National Laboratory.

Test readiness.—The Committee supports the 24-month test readiness posture at the Nevada Test Site and provides an additional $20,000,000 to restore the funding in the Administration's budget request which terminated the activity. The Committee is baffled by the Administration's decision to eliminate funding for nuclear test readiness after four budget cycles of insisting that shortening to an 18-month test readiness posture was required for national security reasons. Congress provided an additional $50 million in additional budget authority to restore the test readiness capabilities and achieve a readiness posture of 24-months rather than the more provocative 18-month posture. In the fiscal year 2008 budget request, the NNSA proposes what the Committee believes to be a wasteful investment by allowing the restored test readiness activities to be degraded. The Committee views such inconsistent program, planning and budgeting as a significant credibility issue with the NNSA decision-making process.

Engineering campaigns.—The Committee provides $152,749,000 for the engineering campaigns, the same as the budget request.

Construction projects.—The Committee recommends $11,198,000, the same as the budget request, for Project 01–D–108, Microsystems and engineering science applications (MESA), SNL, New Mexico.

Inertial Confinement Fusion (ICF) Ignition and High Yield.—The Committee recommends $524,046,000 for the inertial confinement fusion and yield program, an increase of $111,787,000 over the budget request. The Committee is disappointed the NNSA has failed to propose sufficient resources in the budget request to support key activities to ensure that the 2010 ignition goal for the National Ignition Facility (NIF) is reached. The Committee restores adequate funding to the ICF campaign to support the 2010 ignition goal.

The Committee recommendation for Facility Operations and Target Production is $114,383,000, an increase of $28,300,000 over the budget request. The additional Facility Operation funding is provided for enhanced target production and characterization capabilities. The Committee recommendation for NIF diagnostics, cryogenics and experimental support is $85,935,000, an increase of $18,000,000 over the budget request. The increased funding is provided for additional cryogenics and diagnostic activities necessary to achieve the 2010 ignition goal. The Committee recommendation includes $25,000,000 to continue development of high average power lasers and supporting science and technology within the Inertial Fusion Technology program line. The Committee recommendation includes $15,000,000 for the Naval Research Laboratory and a total of $62,044,000 for the Laboratory for Laser Energetics (LLE) operations, an increase of $9,000,000 over the budget request. The LLE is the principal research and experimentation laser facility for NNSA Science-Based Stockpile Stewardship activities. The Committee's increase is for OMEGA operations to provide additional shots to support the ICF campaign goal of an ignition demonstration in 2010. The Committee recommendation pro-

vides an additional $15,000,000 for the Ignition subprogram and $13,700,000 for the NIF demonstration program to restore funding required to meet the 2010 ignition goal for NIF.

The Committee provides $10,139,000 for construction of the National Ignition Facility (NIF), the same as the budget request.

The Committee recommendation does not include the proposed Joint program in High Energy Density Laboratory Plasmas. The Committee expects the NNSA to include sufficient operating funding for the Naval Research Laboratory in the fiscal year 2009 budget request.

Advanced simulation and computing (ASCI).—The Committee recommendation for Advanced Simulation and Computing is $535,738,000, a reduction of $50,000,000 from the budget request. No funding is provided for the Administration's budget request at Los Alamos National Laboratory for the procurement of the super computer designated Roadrunner. The Committee is aware this procurement was a laboratory initiated request and not supported by the Federal weapons program computing program and is unnecessary for providing computational capability to address weapons stockpile requirements.

Pit manufacturing and Pit certification.—The Committee recommendation for pit manufacturing and certification campaign is $150,000,000, a reduction of $131,230,000 below the budget request. The Committee notes the NNSA budget request has funding requests in multiple lines for plutonium work at Los Alamos National Laboratory that assume a preferred future programmatic approach. The ad hoc management and budgeting approach to upgrading plutonium operations in TA–55 ensures unnecessary expenditures and lack of accountability. Any future program activities for upgrading TA–55 pit manufacturing operations must strictly adhere to DOE Order 413.3A. The Committee will not continue to fund activities that are not part of a clearly articulated facilities strategy. Until the Committee receives a new nuclear weapons strategic plan that addresses the future requirements for plutonium production including specifically how plutonium facilities factor into supporting the future stockpile, the Committee will not support funding activities that assume a modernization-in-place strategy for the current nuclear weapons complex.

The Committee recommendation includes no funds for the consolidated plutonium center proposal.

Readiness campaigns.—The Committee recommendation for Readiness Campaigns is $161,169,000, the same as the budget request.

READINESS IN TECHNICAL BASE AND FACILITIES

The Readiness in Technical Base and Facilities (RTBF) program supports the physical and operational infrastructure at the laboratories, the Nevada Test Site, and the production plants. The Committee recommendation is $1,479,632,000, a reduction of $182,512,000 below the budget request as detailed below.

Operations of facilities.—The Committee recommendation for Operations of Facilities is $1,041,379,000, a decrease of $117,926,000 below the budget request. The Committee recommendation includes an additional $20,000,000 for the Lawrence Livermore National

Laboratory in California, an additional $45,000,000 for the Pantex plant in Texas, and an additional $60,000,000 is for the Y–12 Plant in Tennessee to address chronic under-funding in the maintenance of production plant facilities. Within the additional funds provided for the Y–12 Plant, the Committee provides $22,000,000 for addressing the safety and deferred maintenance issues identified by the Defense Nuclear Facilities Safety Board in the 9212 Complex Facility Risk Review. The Committee notes both the December 2001 Nuclear Posture Review (NPR) and the Defense Science Board Report on Nuclear Capabilities observed there has been a significant underinvestment in the nuclear production complex. The NNSA opted to prioritize the national laboratory funding over the production plants since the end of Cold War production activity. The Committee recommendations are intended to redress the investment imbalance and ensure a minimum capacity to maintain current nuclear weapons capabilities and restore lost capabilities at the complex production sites. The Committee directs the NNSA and the Office of Science to coordinate activities to ensure sufficient stocks of heavy water are available when needed to avoid schedule disruption for the Spallation Neutron Source requirements. The Committee provides the Operations of Facilities account funding in site specific allocations specified in the detail table at the end of Title III.

Program Readiness.—The Committee recommendation for Program Readiness is $71,466,000, the same as budget request.

Material recycle and recovery.—The Committee recommendation for material recycle and recovery is $72,962,000, an increase of $3,000,000 to budget request to fully support the required Life Extension program schedules.

Containers.—The Committee recommendation for containers is $22,184,000, an increase of $3,000,000 to the budget request to support nuclear material consolidation efforts.

Storage.—The Committee recommendation for storage is $35,133,000, the same as the budget request.

Readiness in Technical Base and Facilities (RTBF) Construction projects.—

Project 08–D–801, High pressure fire loop (HPFL), Pantex, TX.—The Committee recommends $7,000,000, the same as the budget request.

Project 08–D–802, High explosive pressing facility, Pantex, TX.—The Committee recommends $25,300,000, the same as the budget request.

Project 08–D–804, TA–55 Reinvestment project, Los Alamos National Laboratory, NM.—The Committee recommends $6,000,000, the same as the budget request.

Project 07–D–140, Project engineering and design (PED), various locations.—The Committee recommends $2,500,000, the same as the budget request.

Project 07–D–220, Radioactive liquid waste treatment facility upgrade project, Los Alamos National Laboratory, NM.—The Committee recommends $26,672,000, the same as the budget request.

Project 06–D–140, Project engineering and design (PED), various locations.—The Committee recommends $63,862,000, an increase of $40,000,000 to the budget request. The Committee provides the ad-

ditional funding to restore the baseline Uranium Processing Facility (UPF) PED funding that was reprogrammed in fiscal year 2007 to fund other purposes by the NNSA. The Committee supports the facility and material consolidation activities at the Y–12 Plant.

Project 04–D–125, Chemistry and Metallurgy Research Facility Replacement (CMRR), LANL.—The recommendation provides no funds for the CMRR project, a decrease of $95,586,000 from the budget request. The Committee direction halts the construction activity at the CMRR facility. Proceeding with the CMRR project as currently designed will strongly prejudice any nuclear complex transformation plan. The CMRR facility has no coherent mission to justify it unless the decision is made to begin an aggressive new nuclear warhead design and pit production mission at Los Alamos National Laboratory. The NNSA is directed to develop a long-term plan to maintain the nation's nuclear stockpile requirements that does not assume an a priori case for the current program. Production capabilities proposed in the CMRR should be located at the future production sites identified in a detailed complex transformation plan that supports the long-term stockpile requirements. The Committee is concerned the NNSA is proceeding with large expenditures for this project while there are significant unresolved issues, and recommends the fiscal year 2007 funding be held in reserve. Although the NNSA claims the Nuclear Facility Phase 3 of the project is under review, the Committee notes the Laboratory excavated 90,000 cubic yards of soil at the construction site where the CMRR Phase 3 Nuclear Facility is proposed to be built. The Committee also notes the Department's CMRR acquisition strategy combines Critical Decision 2 (approval of performance baseline) and Critical Decision 3 (approval to start construction) under DOE Order 413.3A on project management. The Committee does not support construction projects that fail to strictly adhere to DOE Order 413.3 requirements by abbreviating the process.

Project 04–D–128, TA–18 mission relocation project, Los Alamos National Laboratory.—The Committee recommends $14,455,000, a decrease of $15,000,000 from the budget request. The Department of Energy's Inspector General conducted an audit on the NNSA's ability to maintain capability of the TA–18 mission to conduct nuclear criticality experiments during the transfer of the special nuclear materials from the TA–18 facility at Los Alamos National Laboratory to the Device Assembly Facility (DAF) at the Nevada Test Site. Although the NNSA goal was to restore interim criticality operations as early as 2005, the current NNSA plan delays transfer and reestablishment of capability at DAF until 2010 at the earliest. The Department recognized the security requirement to remove the SNM from TA–18 in 1999; however, according to the DOE IG, it will now take over a decade for the NNSA to complete the relocation of the criticality experiments mission. While the Committee is disappointed at the failure of the NNSA and Los Alamos National Laboratory to complete the SNM consolidation activity, the funding reduction reflects the schedule slip and reallocation of funding for higher priorities.

FACILITIES AND INFRASTRUCTURE RECAPITALIZATION

The Committee recommendation for Facilities and Infrastructure Recapitalization Program (FIRP) is $137,720,000, a reduction of $156,023,000 from the budget request. The FIRP program was begun in fiscal year 2002 to work off the deferred maintenance requirements that were allowed to build up at all the nuclear weapons complex sites. The complex transformation plans will have a direct impact on the facilities required for future program activities. The Committee directs the NNSA to reassess its out-year planning for FIRP projects to coordinate the final years of FIRP activities to be consistent with the long-term facilities planning process of the weapons complex transformation.

The Committee directs not less than $25,000,000 of the facilities and infrastructure funding in fiscal year 2008 be used to dispose of excess facilities. The Committee encourages continuation of this program to reduce the overall facilities footprint of the complex. The Committee continues to expect that services for D&D and demolition of excess facilities services be procured through open competition where such actions provide the best return on investment for the federal government.

The Committee recommendation provides $62,720,000 for FIRP construction projects, the same as the budget request.

SECURE TRANSPORTATION ASSET

The Secure Transportation Asset program provides for the safe, secure movement of nuclear weapons, special nuclear materials, and non-nuclear weapon components between military locations and nuclear weapons complex facilities within the United States. The Committee recommendation is $215,646,000, the same as the budget request.

NUCLEAR WEAPONS INCIDENT RESPONSE

The Nuclear Weapons Incident Response (NWIR) program responds to and mitigates nuclear and radiological incidents worldwide. The Committee recommendation for nuclear weapons incident response is $161,748,000, the same as the budget request.

ENVIRONMENTAL PROJECTS AND OPERATIONS

The Committee provides no funding for Environmental Projects and Operations activities, consistent with the NNSA fiscal year 2007 operating plan.

SAFEGUARDS AND SECURITY

This program provides for all safeguards and security requirements for the NNSA. The Committee recommendation is $911,561,000, an increase of $30,504,000 over the budget request. Of the total S&S funding, $112,243,000 is for Cyber Security activities, an increase of $10,000,000 over the budget request. The Committee increase includes $14,000,000 for the Y–12 National Security Complex, of which $4,000,000 is for cyber security requirements, to accelerate security infrastructure upgrades required to consolidate the facility footprint, and an additional $16,000,000 for the Lawrence Livermore National Laboratory to address superblock

security and cyber security upgrades. The Committee provides $50,000,000 for a material consolidation and upgrade construction project at the Idaho National Laboratory.

The Committee is concerned about career-threatening retaliatory acts against contractor personnel at DOE sites that identify and report security vulnerabilities. The Committee takes a dim view of any management reaction that appears to be more about protecting their reputation and avoiding bad press reports than addressing potential security vulnerabilities within their institutions.

Safeguards and Security Construction Projects.—Project 08–D–701, Nuclear materials S&S upgrade project, Los Alamos National Laboratory.—The Committee recommendation provides no funds for Nuclear materials S&S upgrade project, a decrease of $49,496,000 from the budget request. The current plan to spend $250,000,000 to upgrade the security posture at the TA–55 facility and the proposed Chemistry and Metallurgy Research Facility Replacement (CMRR) is based on the assumption that the CMRR facility is going to proceed on schedule. The Committee has strong reservations about the requirements for the CMRR facility as currently configured. Production capabilities proposed in the CMRR should be located at the future production sites identified in a detailed complex transformation plan that supports the long term stockpile requirements.

Building 651 and Building 691 refurbishment, Idaho National Laboratory.—The Committee directs the start of a construction project at the Idaho National Laboratory retrofitting Building 651 and completing Building 691 to handle special nuclear material consolidation and storage. The Committee provides $50,000,000 for the Material Security and Consolidation Project at Building 651 and 691, Idaho National Laboratory. The Committee understands that Building 651 requires minimal upgrades to provide secure storage space for special nuclear material inventories. Building 691 requires more extensive planning for estimating total cost and schedule to complete upgrades for using the unfinished structure for SNM storage and other future radiological handling activities. The Committee directs the $4,900,000 provided to the Office of Security and Performance Assurance for planning the material consolidation construction activity in the fiscal year 2006 Conference report be transferred to the NNSA Office of Safeguards and Security for planning, engineering and design activities.

FUNDING ADJUSTMENTS

The Committee directs the use of $55,000,000 of prior year balances of funds made available from cancelled construction projects. The budget request included an offset of $33,000,000 for the safeguards and security charge for reimbursable work.

DEFENSE NUCLEAR NONPROLIFERATION

Appropriation, 2007	[1] $1,683,339,000
Budget estimate, 2008	1,672,646,000
Recommended, 2008	1,683,646,000
Comparison:	
Appropriation, 2007	+307,000
Budget estimate, 2008	+11,000,000

[1] Excludes emergency appropriations of $135,000,000.

The Defense Nuclear Nonproliferation account includes funding for Nonproliferation and Verification Research and Development; Nonproliferation and International Security (Global Initiatives for Proliferation Prevention and Highly Enriched Uranium Transparency Implementation programs are funded within the Nonproliferation and International Security activities); Nonproliferation Programs with Russia including International Materials Protection, Control, and Cooperation, Elimination of Weapons-Grade Plutonium Production; Fissile Materials Disposition; and the Global Threat Reduction Initiative. The Committee recommendation for fiscal year 2008 includes a new initiative; the International Nuclear Fuel Bank.

The Committee's recommendation for Defense Nuclear Nonproliferation is $1,683,646,000 an increase of $11,000,000 above the budget request of $1,672,646,000 and approximately the same as the new budget authority provided in fiscal year 2007. The Committee provides funding direction for a total program level for Defense Nuclear Nonproliferation activities in fiscal year 2008 of $2,070,646,000, a $398,000,000 increase over the fiscal year 2008 budget request. The Committee directs the use of $387,000,000 of prior year balances in fiscal year 2008 to accelerate high priority nuclear nonproliferation activities.

Global coordination.—The Committee views NNSA's nuclear nonproliferation mission as a critical, global effort that must be choreographed amongst various military, intelligence, customs, and law enforcement entities in order to be effective. The Committee expects NNSA to lead this effort through strategic investment planning across all foreign and domestic stakeholders as well as the expansion of cooperative border detection opportunities around the world. To further this mission, the Committee provides a robust increase in available funding for Defense Nuclear Nonproliferation, as detailed later in this report. The Committee directs NNSA to expand and intensify the use of intelligence and the coordination of law enforcement and customs resources throughout Asia and, in particular, Russia and the former Soviet states, to further constrict avenues for illicit transport of nuclear and radiological material. This effort should include an appropriate allocation of resources to proactive, intelligence-driven security operations as well as the strengthening of the current and planned global nuclear detection architecture.

International Nuclear Fuel Bank.—The Committee recommendation provides $100,000,000, under Defense Nuclear Nonproliferation as the United States Government's contribution to the implementation of an International Nuclear Fuel Bank that establishes a nuclear fuel supply for peaceful means under the auspices of the International Atomic Energy Agency (IAEA). The International Nuclear Fuel Bank would provide a nuclear fuel stockpile to be available as a fuel supply reserve for nations that have made the sovereign choice to develop their civilian nuclear energy industry based on foreign sources of nuclear fuel and therefore have no requirement to develop an indigenous nuclear fuel enrichment capability.

The initiative will ensure that fuel supplies from the international market are secure by offering customer states that are in

full compliance with their nonproliferation obligations reliable access to a nuclear fuel reserve under impartial IAEA control should their traditional international market supply arrangements be disrupted. None of the funds made available for the International Nuclear Fuel Bank are available for obligation until the Secretary of Energy submits a report to the House and Senate Committees on Appropriations certifying the objectives and the conditions of use for the IAEA nuclear fuel reserve program achieves the congressional intent for the International Nuclear Fuel Bank and additional funds in a total amount of not less than $50,000,000 have been pledged for the purposes of this initiative by the other member states to the International Atomic Energy Agency. Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall transmit to the House and Senate Committees on Appropriations and the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on the progress of the United States to support the establishment of a nuclear fuel supply for peaceful means under the auspices of the International Atomic Energy Agency.

NONPROLIFERATION AND VERIFICATION RESEARCH AND DEVELOPMENT

The nonproliferation and verification research and development program conducts applied research, development, testing, and evaluation of science and technology for strengthening the United States' response to threats to national security and to world peace posed by the proliferation of nuclear weapons and special nuclear materials. Activities center on the design and production of operational sensor systems needed for proliferation detection, treaty verification, nuclear warhead dismantlement initiatives, and intelligence activities.

The Committee provides $484,313,000 for Nonproliferation and Verification research and development, an increase of $219,061,000 over the budget request. The Committee recommendation includes $267,107,000 for proliferation detection, an increase of $120,000,000 over the budget request. The Committee's recommendation reflects the urgent need to develop advanced proliferation detection technology and nuclear explosion monitoring capability. The Committee's concerns are based not only on the nuclear weapons test by North Korea and the well known nuclear ambitions of Iran, but also the clandestine and unknown nuclear ambitions of other states and non-state or terrorist and international criminal organizations. The Nonproliferation R&D program is the principal U.S. government activity focusing on long-term, next generation radiation detection capabilities that are specific for nonproliferation and counter proliferation applications expected to be fielded within 3–10 years. The Committee notes that, across all agencies, the Federal government collectively invests less than $100 million on this type of advanced, breakthrough research and development on nuclear detection capabilities. The Committee views such minimal investment for developing important capabilities such as stand off nuclear detection as a serious security issue. The Committee recommendation provides an additional $120,000,000 to aggressively expand critical research and development in high-risk, high return cutting edge nuclear detection areas.

The Committee recommendation for nuclear explosion monitoring is $173,750,000, an increase of $61,100,000 over the budget request; and $5,495,000 for supporting activities. The Committee increase for nuclear explosion monitoring is directed at expanding nuclear explosion monitoring for very low yield nuclear testing around the world. The Committee notes the Nonproliferation R&D program is the sole science-based provider for the U.S. national nuclear test monitoring system.

The Committee provides $37,961,000 for Project 06–D–180, National Security Laboratory at the Pacific Northwest National Laboratory (PNNL), an increase of $37,961,000 over the budget request. The Committee is exasperated by the continued failure to make meaningful progress within the Department on building the facilities necessary for the relocation of laboratory personnel and facilities displaced by the planned shutdown and cleanup of the 300 Area at the Hanford reservation in Washington. The Committee is concerned at the possibility of an interruption in critical capabilities maintained in the 300 area attributable to the Department's apparent lack of interest in this project. The Committee recommendation accelerates the NNSA fiscal year 2009 funding share based on the project baseline in the budget request.

The Committee recommendation includes an increase of $25,000,000 for ground-based systems treaty monitoring activities. The additional funds should be allocated through a competitive process open to all Federal and non-Federal entities on an equal basis.

Annual reporting requirement.—The Committee directs the Department to prepare an annual report on each project with the baseline cost, scope and schedule, deliverables, and the public or private entity performing the research and development, and the proposed user and submit this with the fiscal year 2009 budget request.

NONPROLIFERATION AND INTERNATIONAL SECURITY

The Committee recommendation provides $144,870,000 for Nonproliferation and International Security, an increase of $20,000,000 above the budget request. The Committee provides an additional $20,000,000 for the Dismantlement and Transparency subprogram, and an additional $10,000,000 for the Global Security Engagement and Cooperation subprogram to restore funding for the Nuclear Cities Initiative eliminated in the budget request.

The Committee recommendation supports none of the proposed $10,000,000 for the Global Nuclear Energy Partnership (GNEP) activities within the Office of Nonproliferation and International Security. The Committee finds the nuclear nonproliferation arguments proposed by the Department describing the GNEP reprocessing initiative advocating separating weapons grade special nuclear materials as a nonproliferation initiative unpersuasive and largely contradictory.

INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION

The International Nuclear Materials Protection and Cooperation (MPC&A) program is designed to work cooperatively with Russia and the border states of the former Soviet Union to secure weapons

and weapons-usable nuclear material. The focus is to improve the physical security at facilities that possess or process significant quantities of nuclear weapons-usable materials that are of proliferation concern. Programmatic activities include installing monitoring equipment, inventorying nuclear material, improving the Russian security culture, and establishing a security infrastructure.

The Committee provides $831,771,000 for MPC&A activities, an increase of $359,041,000 over the Department's FY 2007 operating plan and $460,000,000 over the budget request. The Committee's increase is in recognition that the MPC&A activities securing nuclear material in Russia and at other vulnerable locations is the front line in the global war on terror protecting the U.S. against a terrorist using a nuclear device on U.S. soil. The devastating consequences domestically and internationally of such an act are difficult to quantify or imagine; however, the large inventories of special nuclear material in vulnerable locations worldwide and the well-known hostile intent of terrorist movements to inflict the maximum devastation to U.S. interests make this threat very real. Although past financial commitments by the Committee to address the terrorist threat of a nuclear detonation in a U.S. city were significant, the urgency increases with each year as large inventories of nuclear material continue to exist in unsecured international locations. The increased financial commitment in the Committee recommendation is clear congressional direction to the Administration to shift the nuclear nonproliferation issues beyond marginally supported security programs to one accorded the highest priority in the war on world wide terror.

The Committee's increase to the MPC&A program recognizes the expanded opportunities for high priority work at Rosatom and the 12th Main Directorate sites in Russia. The Committee supports the Department's efforts to continue to negotiate greater access to the Russian serial production enterprise and accelerate aggressively opportunities to secure material as site access is granted. The Committee recommendation includes $127,114,000 for the Rosatom Weapons Complex, an increase of $67,000,000 over the budget request. The additional funds are provided to conduct expanded training programs for Russian nuclear facility security forces, force-on-force exercises, and to upgrade facility perimeter detection. The Committee provides an additional $85,000,000 for Material, Consolidation and Conversion, Civilian Nuclear sites and other National Programs and Sustainability subprograms. The additional funds are provided for new security upgrades focused on insider threats to secure materials against theft or unauthorized diversion. The Committee supports additional sustainability activities to implement rigorous regulation, inspections protocols, and training programs at the nuclear facilities. The Committee supports these activities to institutionalize a "best practices" security culture and U.S.-Russian long-term coordination in program collaboration to ensure sustainability of security improvements funded through cooperative security programs. The Committee provides an additional $15,000,000 for expanded activities within the Strategic Rocket Force subprogram to secure nuclear warhead storage and transfer locations in Russia.

The recommendation provides $412,331,000 for the Second Line of Defense program, an increase of $293,000,000 over the budget request. The Committee recommendation provides an additional $125,000,000 for the core Second Line of Defense (SLD) program to accelerate installation activities in the Baltic and Caucasus regions and other critical border activities. The Committee is aware that nearly 200 priority border crossings in twelve countries remain to be secured with nuclear detection capability. The Committee directs the Department to expand the SLD activities to take advantage of mobile detection capabilities and coordination with law enforcement and custom agencies in countries of interest. In addition, the Committee directs targeted SLD activities to protect against the diversion of nuclear material from North Korea. The Committee supports coordinating activities with the International Atomic Energy Agency (IAEA) to develop a security "best practices" organization for addressing security deficiencies at nuclear material storage and operational facilities world wide.

The Committee provides $214,797,000 for the Second Line of Defense megaports initiative, a $168,000,000 increase over the budget request. The additional funding for megaports activities will address port security activities in twelve countries with either signed implementation agreements or agreements anticipated in fiscal year 2007 that are not funded in the fiscal year 2008 budget request to complete deployment of radiation detection equipment for scanning U.S.-bound cargo containers at high-risk foreign seaports.

MegaAirports.—The Committee recommendation provides $20,000,000 within the megaports activities to expand Second Line of Defense nuclear detection activities to include selected high-risk major international airports. The Committee is aware the Second Line of Defense program has installed detection equipment at a limited number of airports in sensitive locations. The Committee believes the policy rationale supports rapid expansion of the MegaPorts activity for nuclear detection scanning for air cargo bound for the U.S., particularly factoring in the much shorter time frames with air transport.

ELIMINATION OF WEAPONS-GRADE PLUTONIUM PRODUCTION

The Committee recommendation for the Elimination of Weapons-Grade Plutonium Production Program (EWGPP) is $191,593,000, a $10,000,000 increase to the budget request. The Committee provides the additional funding to accelerate work on the backup boilers to achieve early reactor shutdown and cost savings at the Zheleznogorsk reactor. EWGPP is a cooperative effort with the Federation of Russia to halt plutonium production at three nuclear reactors still in operation in Russia, two located at Seversk and one at Zheleznogorsk. The three reactors have approximately 15 years of remaining service life and could generate an additional 25 metric tons of weapons-grade plutonium. They also provide heat and electricity required for the surrounding communities. The program approach is to shutdown these three reactors within five years by providing two alternative fossil-fueled energy plants to supply heat and electricity to the surrounding communities.

FISSILE MATERIALS DISPOSITION

The Committee recommendation provides $66,843,000 for U.S. uranium disposition activities, the same as the budget request.

The Committee recommendation funds the activities for the Mixed Oxide (MOX) Fuel Fabrication Facility construction project and the Pit Disassembly and Conversion Facility (PDCF) activity, previously funded under Fissile Materials Disposition, in the Office of Nuclear Energy and the NNSA Office of Defense Programs, respectively. The fissile materials disposition program was originally created to execute the September 2000 agreement between the United States and Russia on plutonium management and disposition. Under that agreement, the United States and Russia each committed to dispose of 34 metric tons of surplus weapons-grade plutonium.

However, to date Congress has appropriated $1.7 billion for the domestic MOX program facilities without any nuclear nonproliferation benefit accrued to the U.S. taxpayer. The Committee points to the continued delays in this activity, including the Administration's year-long delay in 2001 reviewing the disposition activity, the lengthy impasse with the Russian Government over liability protection for U.S. contractors working in Russia, and the current program redirection by the Russian Government in 2006, abandoning the MOX-light water reactor disposition path for surplus Russian plutonium unless the U.S. and international community bear the full cost of such disposition. Instead, the Russian Government announced a new approach, with limited disposition in an existing BN–600 fast breeder reactor and the bulk of disposition to be accomplished in the yet-to-be-built BN–800 fast reactor. The Russian action resulted in the U.S. Government delinking the requirements under the Agreement, thereby marginalizing the original nuclear nonproliferation goals of the program. The Committee notes the Administration's decision to terminate U.S. support in the budget request for the Russian Surplus Fissile Materials Disposition activities under the Agreement as a sensible acknowledgement of the failure of the bilateral process under the Agreement.

Given these changes in the United States and Russia, the Committee sees no further reason to proceed with the U.S. MOX program as a nonproliferation activity. The plutonium disposition program, as it relates to domestic priorities, is primarily a fuel fabrication facility construction project for domestic nuclear energy goals. However, the Committee recommendation reflects the redirection of plutonium disposition activities within the United States in light of continued Russian inaction and the domestic choices on GNEP and the future of nuclear energy in the U.S.

The Committee action recognizes that continued funding of the MOX and PDCF construction activities within the "Defense Nuclear Nonproliferation" appropriation in a flat out year budget environment will result in the quick erosion of funding available for true nuclear nonproliferation activities that protect against direct and potentially immediate terrorist nuclear threats. The Committee cannot, and will not, support such a misguided prioritization of resources.

GLOBAL THREAT REDUCTION INITIATIVE

The Global Threat Reduction Initiative (GTRI) mission is to identify, secure, remove and facilitate the disposition of high-risk, vulnerable nuclear and radiological materials and equipment around the world. The Committee provides $251,256,000 for GTRI activities, an increase of $131,630,000 over the budget request. The Committee provides an additional $20,000,000 for the Reduced Enrichment for Research and Test Reactors to accelerate the reactor conversion from highly enriched uranium (HEU) fuel to low enriched uranium (LEU) fuel, $7,000,000 for Russian Research Reactor Fuel Return, $10,000,000 in Emerging Threats and Gap Materials for recovery of U.S.-origin orphaned material overseas, and $94,630,000 in the International Radiological Threat Reduction program to accelerate the significant inventory of nuclear materials in vulnerable, unsecured or poorly guarded international locations. The Committee is aware that delaying the recovery schedule to secure these materials increases the risk for theft and diversion of the material for use as an improvised nuclear device (IND) or a radiological dispersal device (RDD). The Committee recommendation includes $31,722,000 for the Kazakhstan Spent Fuel Disposition initiative, the same as the budget request. None of the funds provided for this activity in fiscal year 2008, or previous fiscal years, may be obligated for transportation equipment or activities without written notification to the House and Senate Appropriations Committees.

FUNDING ADJUSTMENTS

The Committee recommendation for funding adjustments in Defense Nuclear Nonproliferation includes the use of $387,000,000 of prior year balances. The sources of the prior year balances are $57,000,000 from the Russian Surplus Materials Disposition program, $230,000,000 from unobligated, uncosted balance within the Mixed oxide fuel fabrication facility construction line, and $100,000,000 from the remaining $151,000,000 of unexpended balances from the Russian material disposition funding provided in the fiscal year 1999 emergency supplemental (P.L. 105–277).

NAVAL REACTORS

Appropriation, 2007	$781,800,000
Budget estimate, 2008	808,219,000
Recommended, 2008	808,219,000
Comparison:	
Appropriation, 2007	+26,419,000
Budget estimate, 2008	– – –

The Naval Reactors program is responsible for all aspects of naval nuclear propulsion from technology development through reactor operations to ultimate reactor plant disposal. The program provides for the design, development, testing, and evaluation of improved naval nuclear propulsion plants and reactor cores. These efforts are critical to ensuring the safety and reliability of 102 operating Naval reactor plants and to developing the next generation reactor. The Committee recommendation provides $808,219,000, the same as the request, for Naval Reactors activities.

OFFICE OF THE ADMINISTRATOR

Appropriation, 2007	$340,291,000
Budget estimate, 2008	394,656,000
Recommended, 2008	415,879,000
Comparison:	
Appropriation, 2007	+75,588,000
Budget estimate, 2008	+21,223,000

The Office of the Administrator of the National Nuclear Security Administration (NNSA) provides corporate planning and oversight for Defense Programs, Defense Nuclear Nonproliferation, and Naval Reactors, including the NNSA field offices in New Mexico, Nevada, and California. The Committee recommendation is $415,879,000, an increase of $21,223,000 above the budget request. The Committee recommendation provides $31,000,000 as the NNSA contribution to the Department's support for the Historically Black Colleges and Universities (HBCUs).

Defense Nuclear Nonproliferation.—The Committee provides $75,000,000 for program direction support for Federal employees in the Office of Defense Nuclear Nonproliferation. The Committee provides an additional $15,000,000 program direction funding and directs the NNSA to increase the Federal personnel workforce to oversee the additional nuclear nonproliferation activities proposed in the Committee's fiscal year 2008 recommendation. The Committee directs the "Office of the Administrator" funding for Defense Nuclear Nonproliferation be identified and executed separately from other "Office of the Administrator" funding categories. The Committee identifies the nuclear nonproliferation funding to allow greater management flexibility and more effective Federal oversight when implementing NNSA activities to address international nuclear proliferation threats. None of these funds may be taxed by the NNSA for any purpose without prior notification and approval by the House and Senate Committees on Appropriations.

The Committee recommendation provides $12,000, the same as the budget request, for official reception and representation expenses for the NNSA.

Support to Minority Colleges and Universities.—The Committee appreciates the serious effort of the NNSA to implement an aggressive program to take advantage of the HBCU educational institutions across the country in order to deepen the recruiting pool of diverse scientific and technical staff available to the NNSA and its national laboratories in support of the nation's national security programs. The Committee is providing $31,000,000 of additional funding to expand the support to the HBCUs' scientific and technical programs in fiscal year 2008. The Committee expects the Department to ensure the Dr. Samuel P. Massie Chairs of Excellence are fully supported within the HBCU program. The Committee expects the Department to provide financial support in rough parity to both HBCUs and the Hispanic Serving Institutions (HSI).

DEFENSE ENVIRONMENTAL MANAGEMENT

The Defense Environmental Management (EM) program is responsible for identifying and reducing risks and managing waste at sites where the Department carried out defense-related nuclear research and production activities that resulted in radioactive, haz-

ardous, and mixed waste contamination requiring remediation, stabilization, or some other cleanup action.

Workforce and Technology Development Investments.—The Committee views that the oversight of contractor performance by the federal workforce is critical to ensure that taxpayers are getting good value for their money. The Committee is providing resources to improve this oversight, such as increasing the federal staff by 120 positions in the areas of contract management and project management. These resource recommendations are consistent with the preliminary recommendations of the National Academy of Public Administration's review of the EM program, which will be complete in the fall of 2007. The Committee also provides a significant increase to the Technology Development program, to improve the technical approaches to waste treatment, and produce cost-savings in the long run. The National Academy of Sciences (NAS) is currently working with EM on a technology roadmap, and the Committee endorses EM's effort to engage the NAS.

Project management.—The Committee is pleased with the Assistant Secretary's emphasis on project management and his follow-through to this commitment by seeing that managers are trained and certified in project management. The Committee re-emphasizes the Government Accountability Office's (GAO) findings that DOE must "ensure that project management guidelines are consistently followed . . . and that exceptions to follow the guidelines are allowed only after senior management review". The Committee also notes that while earned-value reports are an information tool, they are not a substitute for regular project baseline and technical reviews. The Committee directs that the Department incorporate the GAO's technology readiness recommendations into the management of all EM projects.

Unfunded Environmental Liabilities.—The Committee is aware that the Environmental Management program has responsibility for facility decontamination and decommissioning for legacy buildings across the complex. The Committee needs to be aware of environmental liabilities that the EM program will assume in the future, and directs the Department to prepare a report on the scope of this liability, the facilities and sites to be considered, life-cycle cost estimates of work to be performed, and the schedule as to when the work will begin and end. The report is due to the Committee by June 30, 2008.

Hanford Waste Treatment and Immobilization Plant (WTP).—In the fall of 2005, the total cost of WTP was estimated at $9.3 billion with start-up being delayed to 2015. On April 6, 2006, the Government Accountability Office (GAO) testified before the Committee that the cost of the Hanford waste treatment plant was nearly $11 billion, and the completion schedule extended to at least 2017. The fiscal year 2008 budget request now indicates the total project cost for the WTP is $12,263,000,000, with a completion date of November, 2019. The project has had extensive reviews for the past two years, and the Committee expects that the project is on track in resolving technical issues, and sequencing work so that construction begins when designs are mature, and that facilities are not sitting idle waiting for waste to be processed. The Committee also expects

that the latest project cost for WTP has taken into account all the "findings" of the reviews, and cost growth is now under control.

However, the Committee remains concerned that the necessary management improvements on the project are not fully realized. There are two senior federal manager positions at the Hanford site that are vacant, including the one for WTP. Providing a strong management team at the federal level is critical, particularly as an Administration transition begins in 18 months. The Committee notes there was a dearth of executive leadership in calendar year 2000, which contributed to the shoddy contract transfer for WTP, and may be a contributing factor as to why the total project cost is now $12.2 billion. The federal coffers cannot afford another lapse in management oversight at WTP.

The Committee has learned of preliminary findings of a review of the DOE's internal controls for accounting and monitoring contractor costs for WTP. The findings indicate there is little review of contractor invoices or supporting documents, with a reliance on periodic reviews by outside auditors, rather than ongoing oversight of WTP-specific costs. There also appears to be little oversight of contractor-accountability for government-owned property, and lack of adequate procedures and policies for maintaining property accountability. The Committee will not comment on the findings while they still are preliminary, but emphasizes it is a critical function of the federal workforce to ensure payments to contractors are tracked, verified and appropriately reported, and government-owned assets are accounted for. The Committee expects an immediate action plan from the Department should the preliminary findings become final.

Economic development.—None of the Defense Environmental Management funds are available for economic development activities unless specifically authorized by law.

Reprogramming authority.—The Committee continues to support the need for flexibility to meet changing funding requirements at sites. In fiscal year 2008, the Department may transfer up to $5,000,000 within accounts, and between accounts, as noted in the table below, to reduce health or safety risks or to gain cost savings as long as no program or project is increased or decreased by more than $5,000,000 in total during the fiscal year. This reprogramming authority may not be used to initiate new programs or to change funding for programs specifically denied, limited, or increased by Congress in the Act or report. The Committees on Appropriations in the House and Senate must be notified within thirty days of the use of this reprogramming authority.

Account Control Points:

Closure Sites
Savannah River site, nuclear material stabilization and disposition
Savannah River site, 2012 accelerations
Savannah River site, 2035 accelerations
Savannah River Tank Farm
Waste Isolation Pilot Plant
Idaho National Laboratory
Oak Ridge Reservation
Hanford site 2012 accelerated completions

Hanford site 2035 accelerated completions
Office of River Protection (ORP) Waste Treatment & Immobilization (WTP) Pretreatment facility:
ORP WTP High-level waste facility
ORP WTP Low activity waste facility
ORP WTP Analytical laboratory
ORP WTP Balance of facilities
Program Direction
Program Support
UE D&D Fund contribution
Technology Development
Legacy Management
Office of Material Consolidation

Details of the recommended funding levels follow for the Defense Environmental Cleanup account.

DEFENSE ENVIRONMENTAL CLEANUP

Appropriation, 2007	$5,731,839,000
Budget estimate, 2008	5,363,905,000
Recommended, 2008	5,766,561,000
Comparison:	
Appropriation, 2007	+34,722,000
Budget estimate, 2008	+402,656,000

The Committee's recommendation for Defense Environmental Cleanup totals $5,766,561,000, an increase of $402,656,000 over the budget request of $5,363,905,000. Within the amounts provided, the Department is directed to fund hazardous waste worker training at $10,000,000.

Closure Sites.—The Committee recommendation provides $42,437,000, the same as the budget request. The recommendation provides $11,834,000 for Closure Sites Administration, $30,308,000 for Miamisburg, Ohio, and $295,000 for Ashtabula, Ohio.

Savannah River Site.—The Committee recommendation provides $1,160,463,000 for cleanup at the Savannah River Site, a decrease of $45,627,000 below the budget request. The Committee provides $31,000,000 for container surveillance, $12,500,000 for community and regulatory support, and $31,133,000 for spent nuclear fuel stabilization and disposition, the same as the budget request. The Committee provides several increases for environmental cleanup activities at the site: the Committee provides $80,000,000 for solid waste stabilization and disposition, an increase of $18,472,000 over the budget request for the acceleration of transuranic waste disposal; $90,000,000 for soil and water remediation, an increase of $14,809,000 over the budget request for increased groundwater corrective actions; and, $24,000,000 for nuclear facility decontamination and decommissioning (D&D), an increase of $21,092,000 over the budget request, for deferred D&D workscope. The Committee provides $665,019,000 for tank farm activities, the same as the budget request.

The Committee was not sufficiently informed of the Department's decision to utilize H-canyon for a 10-year campaign, despite several meetings with a senior EM official who was coordinating the Department's material consolidation efforts. The Committee received DOE planning documents from the Government Accountability Of-

fice that brought these decisions to the Committee's attention. The Committee was struck by the lack of rigorous options analysis contained in these documents, and in particular, the disregard for addressing the proper National Environmental Policy Act (NEPA) implications. The Committee is very concerned about the lack of data supporting the decision to operate the canyon another decade, including costs of operations, canyon upgrades, assessment of plausible alternatives, and waste generation impacts on the tank farms. The Committee provides $226,811,000 for nuclear material stabilization and disposition, a reduction of $85,000,000 for H canyon/HB line operations and surveillance and maintenance. The fiscal year 2008 budget request for this activity was predicated on full operations of H-canyon in a high state of readiness. The Committee transfers $30,270,000 of the $85,000,000 reduction, to the new Office of Material Consolidation, located at Headquarters, to be held in reserve until a rigorous options analysis for the excess materials consolidation has been performed, taking into account all DOE sites interested in a materials consolidation mission, and presented to the Committees on Appropriations to their satisfaction. The Committee provides no funding for plutonium vitrification at Savannah River Site, a reduction of $15,000,000 from the budget request. The Committee transfers these funds to the new Office of Materials Consolidation at Headquarters, to be held in reserve until the aforementioned analysis has been presented to Committee.

Waste Isolation Pilot Plant (WIPP).—The Committee recommendation provides $219,739,000 for the Waste Isolation Pilot Project, the same as the budget request.

Idaho National Laboratory.—The Committee recommendation provides $600,815,000, an increase of $96,789,000 for cleanup activities at the Idaho National Laboratory. The Committee provides an increase of $39,377,000 for solid waste stabilization and disposition to operate the Advanced Mixed Waste Treatment Plant at capacity, and complete remote-handled transuranic shipments to the WIPP by the end of fiscal year 2008. The Committee provides an increase of $57,412,000 for nuclear facility deactivation and decommissioning, to accelerate the deactivation of the Materials Testing Reactor facility, the Fuel Reprocessing Complex, and complete close-out of the Engineering Test Reactor Demolition and the TAN–607 Hot Shop demolition.

Oak Ridge Reservation.—The Committee recommendation provides $235,284,000, an increase of $56,000,000 over the budget request. The recommendation includes $50,000,000 for the disposition of material in building 3019, an increase of $30,000,000 over the budget request. The Committee continues to view building 3019 as a high priority, and the Committee provides the increased funds to begin the disposition of the material in fiscal year 2008. The recommendation includes $61,446,000 for nuclear facility decontamination and decommissioning at Oak Ridge National Laboratory (ORNL), an increase of $10,000,000 for the acceleration of cleanup activities at the ORNL Central Campus to meet enforceable regulatory milestones. The Committee provides $29,855,000 for nuclear facility decontamination and decommissioning at Y–12, an increase of $10,000,000 over the budget request, to meet en-

forceable regulatory milestones to remediate the Y–12 scrap yard and Bear Creek burial ground. The Committee provides $12,379,000 for soil and water remediation at offsite locations, an increase of $6,000,000 to accelerate the completion of the David Witherspoon sites.

Hanford Site.—The Committee recommendation provides $949,980,000 for the Hanford Site, an increase of $72,900,000 over the budget request, and $114,664,000 over fiscal year 2007 enacted levels. The Committee recommendation provides $7,500,000 for the Volpentest Hazardous Materials Management and Emergency Response (HAMMER) training and education center, not included in the budget request. The Committee provides $98,002,000 for nuclear material stabilization and disposition at the Plutonium Finishing Plant, and $99,815,000 for spent nuclear fuel stabilization and disposition, the same as the budget request.

The Committee is very concerned that sufficient resources have not been requested to accommodate existing Tri-Party Agreement milestones. As such, the Committee recommendation provides $238,221,000 for river corridor nuclear facility decontamination and decommissioning, an increase of $23,000,000 over the budget request for additional soil and groundwater remediation along the Columbia River corridor to meet compliance milestones. The Committee provides $259,788,000 for solid waste stabilization and disposition, an increase of $23,000,00 over the budget request for additional transuranic waste retrieval and mixed-low level and low level waste disposal to meet compliance milestones. The Committee recommendation also provides $118,153,000, for Hanford nuclear facility decontamination and decommissioning, an increase of $19,400,000 over the budget request, for soil remediation in the Central Plateau, and a PUREX remedial investigation/feasibility study to meet compliance milestones.

The Committee recommendation provides $3,329,000 to operate the waste disposal facility, and $19,620,000 for Richland community and regulatory support, the same as the budget request. The Committee is pleased to see and supports the budget request of $105,552,000 for soil and water remediation, which is an increase of $18,238,000 over fiscal year 2007 levels for Columbia River cleanup technologies, a Committee priority.

Office of River Protection.—The Committee recommendation provides $863,443,000 for the Office of River Protection, a decrease of $100,000,000 below the request. During fiscal years 2005 and 2006, DOE slowed construction on the pretreatment and high-level waste facilities to address technical and management problems. This slowdown is expected to continue through at least half of fiscal year 2007, and possibly through 2008, resulting in uncommitted carryover from fiscal year 2007 that will be available to offset a portion of the fiscal 2008 funding request. Based on this slowdown of work pending technical and managerial resolution, the GAO estimates that approximately $100,000,000 in uncosted balances would be available to offset the fiscal year 2008 appropriation. As such, the Committee has provided $590,000,000 for the Waste Treatment Plant, a decrease of $100,000,000 below the request of $690,000,000. The recommendation includes $212,000,000 for the pretreatment facility, a decrease of $41,000,000 below the budget

request of $253,000,000; $118,000,000 for the high level waste vitrification facility, a decrease of $59,000,000 below the budget request of $177,000,000; $143,000,000 for the low activity waste facility, $45,000,000 for the analytical laboratory, and $72,000,000 for the balance of facilities, the same as the budget request. The Committee has provided language under the Nuclear Regulatory Commission (NRC) account to prepare a resource plan and regulatory framework should NRC become the regulator of the Waste Treatment Plant.

The recommendation includes $272,972,000 for radioactive liquid tank waste stabilization and disposition, the same as the budget request. The recommendation provides $471,000, the same as the budget request, for community and regulatory support.

Bulk vitrification.—The Committee requested the Government Accountability Office (GAO) review and report on the budget and life-cycle costs estimates for bulk vitrification, and the technical challenges and performance issues that have emerged so far on the demonstration of this technology. GAO reports that the extent which DOE continues to need a supplemental technology to treat a portion of the low-activity tank waste at Hanford is unclear, but DOE does not plan to reassess the need for the bulk vitrification project before completing the demonstration. In the four years since DOE selected the bulk vitrification technology for further development, conditions have changed. The original objectives DOE used to justify the project are no longer achievable. As a result, it is no longer clear when, or if, a supplemental technology will be needed. For example, DOE has estimated that the waste treatment plant operations may continue for 20 to 55 years, which may reduce the need for a supplemental technology as more of the low-activity waste could be treated in waste treatment plant facilities. In addition, DOE does not have a strategy that shows how the project will be integrated with the Waste Treatment Plant to meet mission requirements while controlling costs. Although DOE's management guidance specifies that, when conditions have significantly changed, DOE should reassess the mission need of a project, DOE does not intend to conduct this reassessment because DOE officials said they want more information about the technology. Proceeding with the demonstration project before reaffirming the need for the project increases the risk that DOE will spend an additional $140 million or more to develop a technology that may not be needed. Therefore, the Committee directs the Department to reassess the need for the bulk vitrification project, as well as present a defined integrated strategy for low-level waste, and present this strategy to the House and Senate Committees on Appropriations. The Committee will revisit the need for bulk vitrification for low-level waste in conference negotiations.

Program direction.—The Committee recommendation provides $341,760,000, an increase of $32,000,000 over the budget request for program direction. The increase reflects an increase of $11,000,000 due to the transfer of Legacy Management activities under the Environmental Management program. The recommendation also provides an increase of $21,000,000 to fund approximately 120 new full-time equivalent (FTE) positions, for contract management and project management. This increase, which bolsters the

federal workforce contractor oversight function, implements a preliminary recommendation from the National Academy of Public Administration's ongoing management review of the EM program.

Program support.—The Committee recommendation provides $35,146,000 for program support, an increase of $2,000,000 over the budget request, and a decrease $2,885,000 from FY 2007 levels. The increase is for analytical work in support of the program's mission.

Federal Contribution to Uranium Enrichment Decontamination and Decommissioning Fund.—The Energy Policy Act of 1992, (Public Law 102–486), created the Uranium Enrichment Decontamination and Decommissioning Fund to pay for the cost of cleanup of the gaseous diffusion facilities located in Oak Ridge, Tennessee; Paducah, Kentucky; and Portsmouth, Ohio. The Committee recommendation includes the budget request of $463,000,000 for the Federal contribution to the Uranium Enrichment Decontamination and Decommissioning Fund as authorized in Public Law 102–486.

Technology development and deployment.—The Committee recommendation provides $108,100,000, an increase of $86,711,000 over the budget request. The EM technology development program funding has declined over the years, while at the same time, many technological challenges continue to face the program. This lack of a technology R&D program exacerbates project management, because new or better cleanup approaches are not adopted, resulting in delays in projects, and increased overall project costs. The Committee supports an increased, expanded technology development program, and suggests the following overall areas for pursuit: tank wastes, soil and groundwater initiatives, and decontamination and decommissioning initiatives. The Committee's immediate priorities are the following: (1) evaluation of alternative supplemental treatment of low-activity waste at Hanford, using a systems-analysis approach; (2) increased waste loading in glass; and (3) improving methods to remove non-radioactive components from the sludge-heels in the high-level waste tanks. The Committee directs the Department to report back to the Committee on the EM technology development plan in these areas by January 31, 2008.

NNSA Sites.—The Committee recommendation provides $271,130,000, the same as the budget request.

Safeguards and security.—The Committee recommendation provides $278,381,000 an increase of $5,000,000 over the budget request for safeguards and security. The recommendation includes $5,000,000 for the Paducah site, an increase of $5,000,000 over the budget request of no funds.

Legacy Management consolidation.—Beginning in fiscal year 2008, the Committee has combined the Office of Legacy Management with the Environmental Management Program. The Committee believes that consolidating these activities in one organization will improve the communications and operations of both organizations. The Committee expects that the Office of Legacy Management will still operate as a separate office within the Environmental Management Program. The Committee provides $148,063,000, the same as the budget request, for legacy management activities.

Material Consolidation Office.—Beginning in fiscal year 2008, the Committee has provided $50,270,000 for a new Office of Material Consolidation. Of this amount, $15,000,000 was proposed in the budget request for plutonium vitrification activities at Savannah River, and $30,270,000 was proposed in the budget request for H-canyon operations at Savannah River. The Committee transfers these amounts to the Headquarters for material consolidation activities, to be held in reserve until a rigorous options analysis for the excess materials consolidation has been performed, taking into account all DOE sites interested in a materials consolidated mission, and presented to the Committees on Appropriations to their satisfaction. The Committee provides $5,000,000, not proposed in the budget request, for preparation of the options analysis and general support of this office.

Environment, Safety and Health transfer.—The Committee recommendation includes a transfer of $1,450,000 to the Environment, Safety and Health account.

OTHER DEFENSE ACTIVITIES

Appropriation, 2007	$635,577,000
Budget estimate, 2008	763,974,000
Recommended, 2008	604,313,000
Comparison:	
Appropriation, 2007	−31,264,000
Budget estimate, 2008	−159,661,000

This account provides funding for the Office of Security and Performance Assurance; Intelligence; Counterintelligence; Environment, Safety and Health (Defense); Funding for Defense Activities in Idaho; Defense Related Administrative Support; and the Office of Hearings and Appeals. Descriptions of each of these programs are provided below.

OFFICE OF SECURITY AND PERFORMANCE ASSURANCE

The Office of Security and Performance Assurance (SSA) provides domestic safeguards and security for nuclear weapons, nuclear materials, nuclear facilities, and classified and unclassified information against sabotage, espionage, terrorist activities, or any loss or unauthorized disclosure that could endanger the national security or disrupt operations. The Committee recommendation for security and emergency operations is $345,959,000 the same as the budget request. The Committee provides the fiscal year 2008 funding in the same appropriation accounts as proposed in the fiscal year 2007 budget request until a reprogramming request is submitted for approval by the House and Senate Committees on Appropriations. The Committee recommendation includes bill language transferring $4,900,000 included in the fiscal year 2006 conference report for a special nuclear material consolidation building at the Idaho National Laboratory from the Office of Security and Performance Assurance to Weapons Activities.

OFFICE OF INTELLIGENCE

The intelligence program provides information and technical analyses on international arms proliferation, foreign nuclear programs, and other energy related matters to policy makers in the

Department and other U.S. Government agencies. The focus of the Department's intelligence analysis and reporting is on emerging proliferant nations, nuclear technology transfers, foreign nuclear materials production, and proliferation implications of the breakup of the Former Soviet Union. The Committee expects the Office of Intelligence to assist and advise the Administrator of the NNSA in the prioritization of resources for Defense Nuclear Nonproliferation activities.

OFFICE OF COUNTERINTELLIGENCE

The Office of Counterintelligence seeks to develop and implement an effective counterintelligence program throughout the Department of Energy. The goal of the program is to identify, neutralize, and deter foreign government or industrial intelligence threats directed at the Department's facilities, personnel, information, and technologies.

ENVIRONMENT, SAFETY AND HEALTH (DEFENSE)

The Office of Environment, Safety and Health develops programs and policies to protect the workers and the public, conducts independent oversight of performance, and funds health effects studies. The Committee recommendation is $81,801,000, a $4,000,000 increase above the budget request. The Committee recommendation provides $16,500,000 for the former Worker Health Screening program, an increase of $4,000,000 over the budget request.

Reorganization of the Environment, Safety, and Health Office.—In August 2006, the Department chose to abolish the existing Environment, Safety and Health (EH) organization and assign its functions to a number of other DOE offices, with primary responsibility resting with a new Office of Health, Safety and Security. While the Committee has no objective information to show that the new arrangement is performing better or worse than the previous EH organization, the Committee recognizes the authority of the Secretary to reorganize the Department in order to improve performance and accountability. However, the Committee reserves its own authority to determine the appropriations the Department receives for given activities in a fiscal year. In the case of the EH organization, which clearly involved moving funds from one organization to another in a manner inconsistent with the budget request or with the final appropriation, the Department refused to submit a reprogramming request to the House and Senate Committees on Appropriations.

There were two consequences to this decision by the Department. First, in the year-long Continuing Resolution for Fiscal Year 2007 (P.L. 110–5), Congress eliminated the long-standing transfer authority that the Department used to execute the EH reorganization. Second, the Committee for fiscal year 2008 provides funding for the EH-related functions to the original pre-reorganization offices within DOE. The Committee does not fund the new Office of Health, Safety and Security as proposed by the Department in the budget request.

Reprogramming requirement.—Per Committee reprogramming guidance and Department of Energy reprogramming guidelines, a reprogramming request submitted to the Committee for consider-

ation is required to implement any reorganization proposal which includes moving previous appropriations between appropriation accounts. The Committee will not recognize any Departmental shift of previous appropriations for the Office of Environment, Safety and Health until a reprogramming request is submitted by the Department to the House and Senate Committees on Appropriations.

Government Accountability Office (GAO) Report.—The Committee directs the GAO to prepare a report on the programmatic impacts of the proposed dissolution of the Environment, Safety, and Health organization and the reorganization of the Office of Security at the Department. A preliminary report is due to the Committee on August 31, 2007.

LEGACY MANAGEMENT

The Committee recommendation transfers the Office of Legacy Management to the Office of Environmental Management and provides the funding within the defense Environmental Management account.

FUNDING FOR DEFENSE ACTIVITIES IN IDAHO

The Committee recommendation includes $75,949,000 to fund the defense-related (050 budget function) activities at the Idaho National Laboratory (INL).

DEFENSE RELATED ADMINISTRATIVE SUPPORT

The Committee recommendation includes $99,000,000, the same as the budget request, to provide administrative support for programs funded in the atomic energy defense activities accounts. This will fund Departmental activities performed by offices such as the Secretary, Deputy Secretary and Under Secretaries, the General Counsel, Chief Financial Officer, Human Resources, Congressional Affairs, and Public Affairs, which support the organizations and activities funded in the atomic energy defense activities accounts.

OFFICE OF HEARINGS AND APPEALS

The Office of Hearings and Appeals (OHA) is responsible for all of the Department's adjudicatory processes, other than those administered by the Federal Energy Regulatory Commission. The Committee recommendation is $4,607,000, the same as the budget request.

FUNDING ADJUSTMENTS

The Committee recommendation for funding adjustments includes an offset of $3,003,000 for the safeguards and security charge for reimbursable work and $990,000 use of prior year balances in the Office of Security and Performance Assurance, the same as the budget request.

DEFENSE NUCLEAR WASTE DISPOSAL

Appropriation, 2007	$346,500,000
Budget estimate, 2008	292,046,000
Recommended, 2008	292,046,000
Comparison:	
Appropriation, 2007	−54,454,000
Budget estimate, 2008	−−−

DEFENSE NUCLEAR WASTE DISPOSAL

The Committee recommendation is $292,046,000, the same as the budget request. Combined with the funding recommended for the Nuclear Waste Disposal, this will provide a total of $494,500,000 for nuclear waste disposal activities in fiscal year 2008.

POWER MARKETING ADMINISTRATIONS

Management of the Federal power marketing functions was transferred from the Department of Interior to the Department of Energy by the Department of Energy Organization Act (P.L. 95–91). These functions include the power marketing activities authorized under section 5 of the Flood Control Act of 1944 and all other functions of the Bonneville Power Administration, the Southeastern Power Administration, the Southwestern Power Administration, and the power marketing functions of the Bureau of Reclamation that have been transferred to the Western Area Power Administration.

All power marketing administrations except the Bonneville Power Administration are funded annually with appropriated funds. Revenues collected from power sales and transmission services are deposited in the treasury to offset expenditures.

Operations of the Bonneville Power Administration are self-financed under the authority of the Federal Columbia River Transmission System Act (P.L. 93–454). Under this Act, the Bonneville Power Administration is authorized to use its revenues to finance the costs of its operations, maintenance, and capital construction, and to sell bonds to the Treasury if necessary to finance any additional capital program requirements.

The Committee rejects the Administration's proposal to recover expenses related to operations and maintenance activities and program direction expenditures using offsetting collections and the proposal to increase the power marketing administration rates to reflect market based rates.

BONNEVILLE POWER ADMINISTRATION

The Bonneville Power Administration is the Department of Energy's marketing agency for electric power in the Pacific Northwest. Bonneville provides electricity to a 300,000 square mile service area in the Columbia River drainage basin. Bonneville markets the power from Federal hydropower projects in the Northwest, as well as power from non-Federal generating facilities in the region, and exchanges and markets surplus power with Canada and California. The Committee recommendation provides no new borrowing authority during fiscal year 2008.

Operation and Maintenance, Southeastern Power Administration

Appropriation, 2007	$5,602,000
Budget estimate, 2008	6,463,000
Recommended, 2008	6,463,000
Comparison:	
Appropriation, 2007	+861,000
Budget estimate, 2008	– – –

The Southeastern Power Administration markets the hydroelectric power produced at 23 Corps of Engineers Projects in eleven states in the southeast. Southeastern does not own or operate any transmission facilities, so it contracts to "wheel" its power using the existing transmission facilities of area utilities.

The Committee recommendation for the Southeastern Power Administration is $6,463,000, the same as the budget request. The total program level for Southeastern in fiscal year 2007 is $54,876,000, with $48,413,000 for purchase power and wheeling and $6,463,000 for program direction. The purchase power and wheeling costs will be offset by collections of $48,413 provided in this Act. Additionally, Southeastern has identified $13,802,000 in alternative financing for purchase power and wheeling that is not reflected in these totals.

Operation and Maintenance, Southwestern Power Administration

Appropriation, 2007	$29,998,000
Budget estimate, 2008	30,442,000
Recommended, 2008	30,442,000
Comparison:	
Appropriation, 2007	+444,000
Budget estimate, 2008	– – –

The Southwestern Power Administration markets the hydroelectric power produced at 24 Corps of Engineers projects in the six-state area of Arkansas, Kansas, Louisiana, Missouri, Oklahoma and Texas. Southwestern operates and maintains 1,380 miles of transmission lines, with the supporting substations and communications sites. Southwestern gives preference in the sale of its power to publicly and cooperatively owned utilities.

The Committee recommendation for the Southwestern Power Administration is $30,442,000, the same as the budget request. The total program level for Southwestern in fiscal year 2008 is $65,442,000, including $5,674,000 for operating expenses, $35,000,000 for purchase power and wheeling, $21,337,000 for program direction, and $3,431,000 for construction. The offsetting collections total of $35,000,000 from collections for purchase power and wheeling yields a net appropriation of $30,442,000. Additionally, Southwestern has identified $18,050,000 in alternative financing for program direction, operations and maintenance, construction, and purchase power and wheeling that is not reflected in these totals.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

Appropriation, 2007	$232,326,000
Budget estimate, 2008	201,030,000
Recommended, 2008	201,030,000
Comparison:	
Appropriation, 2007	−31,296,000
Budget estimate, 2008	− − −

The Western Area Power Administration is responsible for marketing the electric power generated by the Bureau of Reclamation, the Corps of Engineers, and the International Boundary and Water Commission. Western also operates and maintains a system of transmission lines nearly 17,000 miles long. Western provides electricity to 15 Central and Western states over a service area of 1.3 million square miles.

The Committee recommendation for the Western Area Power Administration is $201,030,000, the same as the budget request. The total program level for Western in fiscal year 2007 is $463,669,000, which includes $15,000,000 for construction and rehabilitation, $41,300,000 for system operation and maintenance, $258,702,000 for purchase power and wheeling, and $141,500,000 for program direction. The Committee recommendation includes $7,167,000 for the Utah Mitigation and Conservation Fund.

Offsetting collections total $262,639,000; with the use of $3,937,000 of offsetting collections from the Colorado River Dam Fund (as authorized in P.L. 98–381), this requires a net appropriation of $201,030,000. Additionally, Western has identified $242,242,000 in alternative financing for program direction, operations and maintenance, construction and rehabilitation, and purchase power and wheeling that is not reflected in these totals.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

Appropriation, 2007	$2,665,000
Budget estimate, 2008	2,500,000
Recommended, 2008	2,500,000
Comparison:	
Appropriation, 2007	−165,000
Budget estimate, 2008	− − −

Falcon Dam and Amistad Dam are two international water projects located on the Rio Grande River between Texas and Mexico. Power generated by hydroelectric facilities at these two dams is sold to public utilities through the Western Area Power Administration. The Foreign Relations Authorization Act for Fiscal Years 1994 and 1995 created the Falcon and Amistad Operating and Maintenance Fund to defray the costs of operation, maintenance, and emergency activities. The Fund is administered by the Western Area Power Administration for use by the Commissioner of the U.S. Section of the International Boundary and Water Commission.

The Committee recommendation is $2,500,000, the same as the budget request.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

Appropriation, 2007	$221,902,000
Budget estimate, 2008	255,425,000
Recommended, 2008	255,425,000
Comparison:	
Appropriation, 2007	+33,523,000
Budget estimate, 2008	– – –

REVENUES

Appropriation, 2007	– 221,902,000
Budget estimate, 2008	– 255,425,000
Recommended, 2008	– 255,425,000
Comparison:	
Appropriation, 2007	– 33,523,000
Budget estimate, 2008	– – –

The Committee recommendation for the Federal Energy Regulatory Commission (FERC) is $255,425,000, the same as the budget request. Revenues for FERC are established at a rate equal to the budget authority, resulting in a net appropriation of $0.

COMMITTEE RECOMMENDATION

The Committee's detailed funding recommendations for programs in Title III are contained in the following table.

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

		FY 2007 Enacted	FY 2008 Request	House Recommended
200	ENERGY EFFICENCY AND RENEWABLE ENERGY			
600	Hydrogen Technology	193,551	213,000	194,600
700	Biomass and Biorefinery Systems R&D	199,687	179,263	250,000
800	Solar energy	159,372	148,304	200,000
900	Wind energy	49,319	40,069	57,500
1000	Geothermal technology	5,000	---	44,258
1100	Hydropower	---	---	22,000
1200	Vehicle technologies	188,024	176,138	235,441
1300	Building technologies	104,329	86,456	146,456
1400	Industrial technologies	56,563	45,998	57,000
1600	Federal Energy Management Program:			
1700	Departmental energy management program	---	---	3,000
1800	Federal energy management program	19,480	16,791	24,000
1900	Subtotal, Federal Energy Management Program	19,480	16,791	27,000
2000	Facilities and infrastructure:			
2100	National Renewable Energy Laboratory (NREL)	24,035	6,982	6,982
2220	NREL Solar equipment recapitalization	---	---	8,000
2230	NREL South-table Mountain infrastructure	---	---	13,000
2240	NREL energy systems integration facility	---	---	77,000
2250	Strategic investment facilities	---	---	90,717
2300	Construction			
2400	07-EE-01 Integrated biorefinery research facility,			
2600	NREL, Golden, CO	20,000	---	---
2700	06-EE-01 Research support facility Project-1			
2900	NREL, Golden, CO	63,000	---	---
3100	Total, Construction	83,000	---	---
3200	Total, Facilities and infrastructure	107,035	6,982	195,699
3220	Program Support	10,930	13,281	18,930
3230	Program Direction	99,264	105,013	110,013
3240	Total, Renewable Energy and Energy Conservation			
3250	RDD&D	1,192,554	1,031,295	1,558,897
3300	Federal energy assistance			
3400	Weatherization assistance	200,000	139,450	241,000
3500	Training and technical assistance	4,550	4,550	4,550
3700	Subtotal, Weatherization	204,550	144,000	245,550
3800	Other:			
3900	State energy program	49,457	45,501	49,451
4000	State energy activities	9,348	---	---
4200	International renewable energy program	9,473	---	10,000
4300	Tribal energy activities	3,957	2,957	5,000
4400	Renewable energy production incentive	4,946	4,946	4,946
4500	Asia pacific	---	7,500	---
4600	Subtotal, Other	77,181	60,904	69,397
4800	Total, Federal energy assistance	281,731	204,904	314,947
5500	TOTAL, ENERGY EFFICENCY AND RENEWABLE ENERGY	1,474,285	1,236,199	1,873,844

DEPARTMENT OF ENERGY
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	FY 2007 Enacted	FY 2008 Request	House Recommended
5600 ELECTRICITY DELIVERY AND ENERGY RELIABILITY			
5700 High temperature superconductivity R&D	47,000	28,186	28,186
6300 Visiualization and controls	25,054	25,305	25,305
6400 Energy storage and power electonics	2,900	6,803	6,803
6500 Distributed systems integration	24,189	25,700	25,700
6600 Total, Research and development	99,143	85,994	85,994
6800 Operations and analysis	20,500	11,556	30,780
6900 Program direction	17,357	17,387	17,387
7400 TOTAL, ELECTRICITY DELIVERY AND ENERGY RELIABILITY	137,000	114,937	134,161
7500 NUCLEAR ENERGY			
7600 University reactor infrastructure and education assist	16,547	---	---
7700 Nuclear power 2010	80,291	114,000	80,291
7900 Research and development			
8100 Generation IV nuclear energy systems initiative	35,586	36,145	115,145
8200 Nuclear hydrogen initiative	19,265	22,600	19,265
8220 Total, Research and development	54,851	58,745	134,410
8280 Fuel Cycle Facilities			
8300 Advanced fuel cycle initiative	167,484	395,000	120,000
8340 MOX fuel fabrication facilities			
8360 MOX construction	---	---	142,849
8380 MOX other project costs	---	---	25,000
8400 Total, Fuel Cycle Facilities	167,484	395,000	287,849
8500 Infrastructure			
8600 Radiological facilities management			
8700 Space and defense infrastructure	30,650	35,110	35,110
8800 Medical isotopes infrastructure	15,634	14,964	14,964
9400 Enrichment facility and uranium management	491	---	---
9500 Research reactor infrastructure	---	2,947	2,947
9520 Oak Ridge nuclear infrastructure	---	---	10,000
9600 Subtotal, Radiological facilities management	46,775	53,021	63,021
9700 Idaho facilities management			
9800 INL Operations and infrastructure	107,693	104,713	122,263
9900 INL infrastructure			
10000 Construction			
10100 06-E-200 Project engineering and design			
10200 (PED), INL, ID	6,030	---	---
10800 Subtotal, Idaho facilities management	113,723	104,713	122,263
10900 Idaho sitewide safeguards and security	75,919	---	75,949
11000 Total, Infrastructure	236,417	157,734	261,233
11200 Program direction	62,600	76,224	71,393
11300 Subtotal, Nuclear Energy	618,190	801,703	835,176
11400 Funding from other defense activities	-122,634	---	-75,949
11500 Funding from Naval Reactors	-13,365	---	---
11700 TOTAL, NUCLEAR ENERGY	482,191	801,703	759,227

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	FY 2007 Enacted	FY 2008 Request	House Recommended
11710 ENVIRONMENT, SAFETY AND HEALTH			
11720 Office of Environment, Safety and Health (non-defense)	7,848	---	---
11740 Program direction	19,993	---	---
11760 TOTAL, ENVIRONMENT, SAFETY AND HEALTH	27,841	---	---
12200 OFFICE OF LEGACY MANAGEMENT			
12300 Legacy management	33,187	35,104	---
12600 TOTAL, ENERGY SUPPLY AND CONSERVATION	2,154,504	2,187,943	2,767,232
12700 CLEAN COAL TECHNOLOGY			
12800 Deferral of unobligated balances, FY 2005	257,000	---	---
12900 Deferral of unobligated balances, FY 2007	-257,000	---	---
13000 Deferral of unobligated balances, FY 2008	---	257,000	257,000
13200 Rescission, uncommitted balances	---	-149,000	-149,000
13300 Transfer to Fossil Energy R&D (CCPI)	---	-58,000	-58,000
13400 Transfer to Fossil Energy R&D (FutureGen)	---	-108,000	-108,000
13500 Total, Clean Coal Technology	---	-58,000	-58,000
13600 FOSSIL ENERGY RESEARCH AND DEVELOPMENT			
13700 Clean coal power initiative	60,433	73,000	73,000
13800 FutureGen	54,000	108,000	108,000
13900 Fuels and Power Systems:			
14000 Innovations for existing plants	16,015	---	50,000
14100 Advanced integrated gasification combined cycle	56,952	50,000	50,000
14200 Advanced turbines	20,000	22,000	22,000
14300 Carbon sequestration	100,000	79,077	131,577
14400 Fuels	22,127	10,000	10,000
14500 Fuel cells	63,352	62,025	62,025
14600 Advanced research	32,868	22,500	50,000
14900 Subtotal, Fuels and power systems	311,314	245,602	375,602
15000 Subtotal, Coal	425,747	426,602	556,602
15100 Natural Gas Technologies	12,000	---	12,000
15200 Petroleum - Oil Technologies	2,700	---	2,700
15400 Program direction	129,803	129,973	127,273
15500 Plant and Capital Equipment	12,000	---	---
15600 Fossil energy environmental restoration	9,715	9,570	9,570
16000 Special recruitment programs	656	656	656
16400 Total, FOSSIL ENERGY RESEARCH AND DEVELOPMENT	592,621	566,801	708,801
16700 NAVAL PETROLEUM AND OIL SHALE RESERVES	21,316	17,301	17,301
17200 STRATEGIC PETROLEUM RESERVE	164,441	331,609	163,472
17300 NORTHEAST HOME HEATING OIL RESERVE	5,000	5,325	5,325
17400 ENERGY INFORMATION ADMINISTRATION	90,653	105,095	105,095
17500 NON-DEFENSE ENVIRONMENTAL CLEANUP			
17600 West Valley Demonstration Project	78,591	54,395	60,895
17700 Gaseous Diffusion Plants	66,860	38,120	84,620
17800 Depleted Uranium Hexafluoride Conversion, 02-U-101	52,179	---	---
17900 Fast Flux Test Reactor Facility (WA)	34,843	10,342	10,342

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		FY 2007 Enacted	FY 2008 Request	House Recommended
18000	Small Sites:			
18100	Argonne National Lab	10,726	2,437	2,437
18200	Brookhaven National Lab	28,860	23,699	33,699
18300	Idaho National Lab	7,000	5,400	5,400
18400	Consolidated Business Center:			
18500	California Site support	160	160	160
18600	Inhalation Toxicology Lab	3,358	427	427
18700	Lawrence Berkeley National Lab	1,710	---	---
18800	Stanford Linear Accelerator Center	5,720	5,900	5,900
18900	Energy Technology Engineering Center	16,000	13,000	20,000
19000	Los Alamos National Lab	1,025	1,905	1,905
19200	Moab	28,056	23,952	23,952
19400	Completed sites administration and support	14,599	1,200	1,200
19500	Subtotal, Consolidated Business Center	70,628	46,544	53,544
19600	Subtotal, small sites	117,214	78,080	95,080
19620	Legacy management	---	---	35,104
19700	TOTAL, NON-DEFENSE ENVIRONMENTAL CLEANUP	349,687	180,937	286,041
19800	URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING			
19900	FUND			
20000	Decontamination and decommissioning	536,806	553,509	598,759
20100	Uranium/thorium reimbursement	19,800	20,000	20,000
20400	TOTAL, UED&D FUND/URANIUM INVENTORY CLEANUP	556,606	573,509	618,759
20500	SCIENCE			
20600	High energy physics			
20700	Proton accelerator-based physics	374,733	389,672	389,672
20800	Electron accelerator-based physics	104,127	79,763	79,763
20900	Non-accelerator physics	59,865	72,430	72,430
21000	Theoretical physics	56,407	56,909	56,909
21100	Advanced technology R&D	156,654	183,464	183,464
21800	Total, High energy physics	751,786	782,238	782,238
21900	Nuclear physics	410,646	453,619	453,619
22000	Construction			
22100	07-SC-02 Electron beam ion source Brookhaven			
22200	National Laboratory, NY	5,000	4,200	4,200
22300	06-SC-01 Project engineering and design (PED)			
22400	12 GeV continuous electron beam accelerator			
22500	facility upgrade, Thomas Jefferson National			
22600	Accelerator facility (was project 07-SC-001),			
22700	Newport News, VA	7,000	13,500	13,500
22800	06-SC-02 Project engineering and design (PED),			
22900	Electron beam ion source, Brookhaven National			
23000	Laboratory, Upton, NY	120	---	---
23100	Total, Nuclear physics	422,766	471,319	471,319
23200	Biological and environmental research			
23300	Biological research	349,097	393,773	423,773
23400	Climate change research	134,398	138,124	158,124
23600	Total, Biological and environmental research	483,495	531,897	581,897

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		FY 2007 Enacted	FY 2008 Request	House Recommended
23700	Basic energy sciences			
23800	Research			
23900	Materials sciences and engineering research.....	898,481	1,093,219	1,093,219
24000	Chemical sciences, geosciences and energy			
24100	biosciences.....	226,740	283,956	283,956
24200	Subtotal, Research.....	1,125,221	1,377,175	1,377,175
24300	Construction			
24400	08-SC-01 Advanced light source (ALS) user support			
24500	building, LBNL, CA.....	---	17,200	17,200
24600	08-SC-10 Project engineering and design (PED)			
24700	Photon ultrafast laser science and engineering			
24800	(PULSE) building renovation, SLAC, CA.....	---	950	950
24900	08-SC-11 Photon ultrafast laser science and			
25000	engineering (PULSE) building renovation,			
25100	SLAC, CA.....	---	6,450	6,450
25200	07-SC-06 Project engineering and design (PED)			
25300	National Synchrotron light source II (NSLS-II)..	3,000	45,000	45,000
25400	07-SC-12 Project engineering and design (PED)			
25500	Advanced light source user building, LBNL.....	1,500	---	---
25600	05-R-320 LINAC coherent light source (LCLS).....	101,000	51,356	51,356
25700	05-R-321 Center for functional nanomaterials (BNL)	18,864	366	366
25800	04-R-313 The molecular foundry (LBNL).....	257	---	---
25900	03-SC-002 Project engineering & design (PED) SLAC.	161	---	---
26200	03-R-313 Center for Integrated Nanotechnology.....	247	---	---
26500	Subtotal, Construction.....	125,029	121,322	121,322
26600	Total, Basic energy sciences.....	1,250,250	1,498,497	1,498,497
26800	Advanced scientific computing research.....	283,415	340,198	340,198
26900	Fusion energy sciences program.....	318,950	427,850	427,850
27000	Science laboratories infrastructure			
27100	Laboratories facilities support			
27200	Infrastructure support.....	1,520	1,520	1,520
27400	Construction			
27500	07-SC-05 Physical science facilities, PNNL.....	10,000	---	---
27600	07-SC-04 Science laboratories infrastructure			
27700	project engineering and design (PED).....	8,908	---	---
28000	03-SC-001 Science laboratories infrastructure			
28100	MEL-001 Multiprogram energy laboratory			
28200	infrastructure projects, various locations....	10,131	63,529	128,529
28300	Subtotal, Construction.....	29,039	63,529	128,529
28400	Subtotal, Laboratories facilities support.....	30,559	65,049	130,049
28500	Oak Ridge landlord.....	5,079	5,079	5,079
28600	Excess facilities disposal.....	6,348	8,828	16,678

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		FY 2007 Enacted	FY 2008 Request	House Recommended
28700	Total, Science laboratories infrastructure	41,986	78,956	151,806
28800	Safeguards and security	75,830	76,592	76,592
28900	Workforce development for teachers and scientists	7,952	11,000	11,000
29000	Science program direction			
29100	Field offices	95,716	104,193	104,193
29200	Headquarters	70,753	80,741	74,097
29400	Total, Science program direction	166,469	184,934	178,290
29600	Subtotal, Science	3,802,899	4,403,481	4,519,687
29800	Less security charge for reimbursable work	-5,605	-5,605	-5,605
29900	TOTAL, SCIENCE	3,797,294	4,397,876	4,514,082
30000	NUCLEAR WASTE DISPOSAL			
30100	Repository program	33,566	127,780	127,780
30300	Program direction	65,640	74,674	74,674
30600	TOTAL, NUCLEAR WASTE DISPOSAL	99,206	202,454	202,454
30620	ENVIRONMENT, SAFETY AND HEALTH			
30640	Office of Environment, Safety and Health (non-defense)	---	---	9,494
30660	Program direction	---	---	22,131
30680	TOTAL, ENVIRONMENT, SAFETY AND HEALTH	---	---	31,625
30690	Innovative Technology Loan Guarantee Program			
30695	administrative operations	---	8,390	---
30700	DEPARTMENTAL ADMINISTRATION			
30800	Administrative operations			
30900	Salaries and expenses			
31000	Office of the Secretary	5,429	5,787	5,787
31100	Board of contract appeals	147	---	---
31200	Chief financial officer	38,044	40,260	40,260
31300	Management	54,161	63,939	60,725
31400	Human capital management	22,107	28,161	28,161
31500	Chief information officer	39,172	47,502	47,502
31600	Congressional and intergovernmental affairs	4,813	4,762	4,762
31700	Economic impact and diversity	5,477	5,649	5,649
31800	General counsel	23,202	30,076	27,086
32000	Policy and international affairs	15,054	18,948	18,948
32100	Public affairs	4,493	3,860	3,860
32200	Loan guarantee office	7,000	---	2,390
32300	Subtotal, Salaries and expenses	219,099	248,944	245,130
32400	Program support			
32500	Minority economic impact	677	834	834
32600	Policy analysis and system studies	389	625	625
32700	Environmental policy studies	558	531	531
32800	Climate change technology program (prog. supp)	501	1,066	1,066
32900	Cybersecurity and secure communications	43,075	35,184	35,184
33000	Corporate management information program	22,825	28,421	28,421

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		FY 2007 Enacted	FY 2008 Request	House Recommended
33100	Subtotal, Program support	68,025	66,661	66,661
33200	Competitive sourcing initiative (A-76)	2,464	1,770	---
33300	Total, Administrative operations	289,588	317,375	311,791
33400	Cost of work for others	74,243	91,991	91,991
33500	Subtotal, Departmental Administration	363,831	409,366	403,782
33600	Funding from other defense activities	-86,999	-99,000	-99,000
33800	Total, Departmental administration (gross)	276,832	310,366	304,782
33900	Miscellaneous revenues	-123,000	-161,818	-161,818
34000	TOTAL, DEPARTMENTAL ADMINISTRATION (net)	153,832	148,548	142,964
34100	Office of Inspector General	41,819	47,732	47,732
34400	ATOMIC ENERGY DEFENSE ACTIVITIES			
34500	NATIONAL NUCLEAR SECURITY ADMINISTRATION			
34600	WEAPONS ACTIVITIES			
34700	Life extension program			
34800	B61 Life extension program	58,302	63,115	63,115
34900	W76 Life extension program	193,566	175,571	175,571
35000	W80 Life extension program	12,491	---	---
35100	Subtotal, Life extension program	264,359	238,686	238,686
35200	Stockpile systems			
35300	B61 Stockpile systems	67,879	75,091	75,091
35400	W62 Stockpile systems	2,075	2,153	2,153
35500	W76 Stockpile systems	62,481	69,238	69,238
35600	W78 Stockpile systems	38,667	38,991	38,991
35700	W80 Stockpile systems	36,558	32,372	5,000
35800	B83 Stockpile systems	24,412	25,012	25,012
36000	W87 Stockpile systems	63,098	57,147	57,147
36100	W88 Stockpile systems	41,024	46,713	46,713
36200	Subtotal, Stockpile systems	336,194	346,717	319,345
36300	Reliable replacement warhead	35,846	88,769	---
36400	Weapons dismantlement and disposition	75,000	52,250	173,250
36500	Stockpile services			
36600	Production support	258,722	284,979	250,000
36700	Research and development support	68,245	33,329	33,329
36800	Research and development certification and safety	194,998	181,984	161,984
36900	Management, technology, and production	166,928	205,576	160,000
37000	Responsive infrastructure	25,430	14,946	---
37100	Subtotal, Stockpile services	714,323	720,814	605,313
37200	Total, Directed stockpile work	1,425,722	1,447,236	1,336,594

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		FY 2007 Enacted	FY 2008 Request	House Recommended
37300	Campaigns			
37400	Science campaign			
37500	Primary assessment technologies	54,844	63,527	40,000
37600	Test readiness	14,644	---	20,000
37700	Dynamic materials properties	84,238	98,014	65,000
37800	Advanced radiography	36,387	30,995	20,995
37900	Secondary assessment technologies	80,345	80,539	55,539
38000	Subtotal, Science campaigns	270,458	273,075	201,534
38100	Engineering campaign			
38200	Enhanced surety	26,666	24,803	24,803
38300	Weapons system engineering assessment technology	21,102	19,691	19,691
38400	Nuclear survivability	15,962	8,813	8,813
38500	Enhanced surveillance	87,533	80,614	80,614
38600	Microsystem and engineering science applications			
38700	(MESA), other project costs	4,603	7,630	7,630
38800	Construction			
38900	01-D-108 Microsystem and engineering science			
39000	applications (MESA), SNL, Albuquerque, NM	6,920	11,198	11,198
39100	Subtotal, MESA	11,523	18,828	18,828
39200	Subtotal, Engineering campaign	162,786	152,749	152,749
39300	Inertial confinement fusion ignition and high yield			
39400	campaign:			
39500	Ignition	78,827	97,537	112,537
39600	Support of stockpile programs	5,872	---	---
39700	NIF diagnostics, cryogenics and experimental			
39800	support	45,959	67,935	85,935
39900	Pulsed power inertial confinement fusion	9,584	10,440	10,440
40000	University grants/other ICF support	12,186	---	---
40100	Joint program in high energy density			
40200	laboratory plasmas	---	3,213	---
40300	Facility operations and target production	53,796	86,083	114,383
40400	Inertial fusion technology	26,412	---	40,000
40500	NIF demonstration program	143,438	136,912	150,612
40600	High-energy petawatt laser development	2,213	---	---
40700	Subtotal	378,287	402,120	513,907
40800	Construction			
40900	96-D-111 National ignition facility, LLNL	111,419	10,139	10,139
41000	Subtotal, Inertial confinement fusion	489,706	412,259	524,046
41100	Advanced simulation and computing	611,973	585,738	535,738
41700	Pit manufacturing and certification			
41800	W88 pit manufacturing	152,709	155,838	100,000
41900	W88 pit certification	55,536	45,999	30,000
42000	Pit manufacturing capability	34,147	54,479	20,000
42300	Consolidated plutonium center: other project cost	---	24,914	---
42400	Subtotal, Pit manufacturing and certification	242,392	281,230	150,000
42500	Readiness campaign			
42600	Stockpile readiness	21,964	18,924	18,924
42700	High explosives and weapon operations	19,256	9,835	9,835
42800	Non-nuclear readiness	31,139	25,592	25,592
42900	Advanced design and production technologies	51,609	33,587	33,587
43000	Tritium readiness	77,745	73,231	73,231

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		FY 2007 Enacted	FY 2008 Request	House Recommended
43400	Subtotal, Readiness campaign	201,713	161,169	161,169
43500	Total, Campaigns	1,979,028	1,866,220	1,725,236
43700	Readiness in technical base and facilities (RTBF)			
43800	Operations of facilities			
43900	Kansas City Plant	---	96,353	76,353
44000	Lawrence Livermore National Laboratory	---	81,044	101,044
44100	Los Alamos National Laboratory	---	270,582	200,000
44200	Nevada Test Site	---	66,127	66,127
44300	Pantex	---	95,012	140,012
44400	Sandia national Laboratory	---	156,872	106,872
44500	Savannah River Site	---	97,410	77,410
44600	Y-12 Productions Plant	---	188,561	248,561
44700	Institutional Site Support	---	107,344	25,000
44800	Operations of facilities	1,150,141	---	---
44900	Subtotal, operations of facilities	1,150,141	1,159,305	1,041,379
45100	Program readiness	75,167	71,466	71,466
45300	Material recycle and recovery	69,982	69,962	72,962
45400	Containers	20,130	19,184	22,184
45500	Storage	35,285	35,133	35,133
45700	Subtotal, Readiness in technical base and fac	1,350,705	1,355,050	1,243,124
45800	Construction			
45900	08-D-801 High pressure fire loop (HPFL) Pantex, TX	---	7,000	7,000
46000	08-D-802 High explosive pressing facility			
46100	Pantex Plant, Amerillo, TX	---	25,300	25,300
46200	08-D-804 TA-55 Reinvestment project			
46300	Los Almos National Laboratory (LANL)	---	6,000	6,000
46600	07-D-140 Project engineering and design (PED),			
46700	various locations	---	2,500	2,500
46800	07-D-220 Radioactive liquid waste treatment			
46900	facility upgrade project, LANL	---	26,672	26,672
47000	06-D-140 Project engineering and design (PED),			
47100	various locations	16,577	23,862	63,862
47200	06-D-402 NTS replace fire stations 1 & 2			
47300	Nevada Test Site, NV	13,919	6,719	6,719
47400	06-D-403 Tritium facility modernization			
47500	Lawrence Livermore National Laboratory,			
47600	Livermore, CA	7,926	---	---
47900	05-D-140 Project engineering and design (PED),			
48000	various locations	9,615	7,000	7,000
48300	05-D-402 Berylium capability (BEC) project, Y-12			
48400	National security complex, Oak Ridge, TN	7,494	---	---
48500	04-D-103 Project engineering and design (PED),			
48600	various locations	3,478	---	---
48700	04-D-125 Chemistry and metallurgy facility			
48800	replacement project, Los Alamos National			
48900	Laboratory, Los Alamos, NM	53,422	95,586	---
49200	04-D-128 TA-18 mission relocation project, Los			

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		FY 2007 Enacted	FY 2008 Request	House Recommended
49300	Alamos Laboratory, Los Alamos, NM	24,197	29,455	14,455
49600	03-D-103 Project engineering and design (PED),			
49700	various locations	14,161	---	---
50400	01-D-103 Project engineering and design (PED),			
50500	various locations	1,565	---	---
50600	01-D-124 HEU materials facility, Y-12 plant, Oak			
50700	Ridge, TN	110,182	77,000	77,000
50800	Subtotal, Construction	262,536	307,094	236,508
50900	Total, Readiness in technical base and facilities.	1,613,241	1,662,144	1,479,632
51000	Facilities and infrastructure recapitalization program	123,750	231,023	75,000
51100	Construction			
51200	08-D-601 Mercury highway, Nevada Test Site, NV	---	7,800	7,800
51300	08-D-602 Portable water system upgrades			
51400	Y-12 Plant, Oak Ridge, TN	---	22,500	22,500
51500	07-D-253 TA 1 heating systems modernization			
51600	(HSM) Sandia National Laboratory	14,500	13,000	13,000
51700	06-D-160 Project engioneering and design (PED),			
51800	various locations	2,700	---	---
51900	06-D-601 Electrical distribution system			
52000	upgrade, Pantex Plant, Amarillo, TX	6,429	2,500	2,500
52100	06-D-602 Gas main and distribution system			
52200	upgrade, Pantex Plant, Amarillo, TX	3,145	1,900	1,900
52300	06-D-603 Steam plant life extension			
52400	project (SLEP), Y-12 National Security Complex,			
52500	Oak Ridge, TN	17,811	15,020	15,020
52600	05-D-160 Facilities and infrastructure			
52700	recapitalization program project			
52800	engineering design (PED), various locations	1,048	---	---
53700	Subtotal, Construction	45,633	62,720	62,720
53800	Total, Facilities and infrastructure			
53900	recapitalization program	169,383	293,743	137,720
54000	Secure transportation asset			
54100	Operations and equipment	134,777	130,845	130,845
54200	Program direction	74,760	84,801	84,801
54500	Total, Secure transportation asset	209,537	215,646	215,646
54600	Nuclear weapons incident response	133,514	161,748	161,748
54700	Environmental projects and operations			
54900	Long term stewardship	---	17,518	---
55100	Safeguards and security			
55200	Defense nuclear security	656,653	721,318	741,318
55240	Cybersecurity	104,505	102,243	112,243
55300	Construction			
55400	08-D-701 Nuclear materials S&S upgrade project			
55500	Los Almos National Laboratory	---	49,496	---

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

		FY 2007 Enacted	FY 2008 Request	House Recommended
55600	05-D-170 Project engineering and design (PED), various locations	---	8,000	8,000
55800	Material security and consolidation project, Idaho National Lab, ID	---	---	50,000
56200	Subtotal, Construction	---	57,496	58,000
56300	Subtotal, Defense nuclear security	761,158	881,057	911,561
56500	Subtotal, Safeguards and security	761,158	881,057	911,561
56600	Subtotal, Weapons activities	6,291,583	6,545,312	5,968,137
56800	Less security charge for reimbursable work	-33,000	-34,000	-34,000
56900	Transfer to Office of the Administrator	17,000	---	---
57000	Use of prior year balances	---	---	-55,000
57300	TOTAL, WEAPONS ACTIVITIES	6,275,583	6,511,312	5,879,137
57600	DEFENSE NUCLEAR NONPROLIFERATION			
57700	Nonproliferation and verification, R&D	262,467	265,252	446,352
57800	Construction			
57900	07-SC-05 Physical Science Facility, Pacific Northwest National Laboratory, Richland, WA	4,220	---	37,961
58100	06-D-180 06-01 Project engineering and design(PED) National Security Laboratory, PNNL	3,700	---	---
58300	Subtotal, Nonproliferation & verification R & D	270,387	265,252	484,313
58400	Nonproliferation and international security	128,911	124,870	144,870
58500	International nuclear materials protection and cooperation	472,730	371,771	831,771
59000	Elimination of weapons-grade plutonium production program	225,754	181,593	191,593
59200	Fissile materials disposition			
59300	U.S. surplus materials disposition	159,273	148,842	---
59440	U.S. uranium disposition	---	66,843	66,843
59500	Construction			
59600	99-D-141 Pit disassembly and conversion facility, Savannah River, SC	48,289	60,000	---
59800	99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	262,500	333,849	---
60000	Subtotal, Construction	310,789	393,849	---
60400	Total, Fissile materials disposition	470,062	609,534	66,843
60600	Global threat reduction initiative	115,495	119,626	251,256
60640	International nuclear fuel bank	---	---	100,000
60700	Subtotal, Defense Nuclear Nonproliferation	1,683,339	1,672,646	2,070,646
60740	Use of prior year balances - Russian Surplus Fissile			

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	FY 2007 Enacted	FY 2008 Request	House Recommended
60760 Materials Disposition program	---	---	-57,000
60780 Use of prior year balances - Fissile Materials			
60800 Disposition MOX construction line	---	---	-230,000
60820 Use of prior year balances for Emergency Supplemental			
60840 for FY 1999 (H.R. 4328, P.L. 105-277)	---	---	-100,000
60860 Supplemental Appropriations - H. R. 2206 (emergency)	135,000	---	---
60900 TOTAL, DEFENSE NUCLEAR NONPROLIFERATION	1,818,339	1,672,646	1,683,646
61000 NAVAL REACTORS			
61100 Naval reactors development	734,283	765,519	765,519
61200 Transfer to Nuclear Energy	13,365	---	---
61300 Construction			
61400 08-D-901 Shipping and receiving and warehouse			
61500 complex (SRWC), BAPL	---	9,000	9,000
61600 08-D-190 Project engineering and design			
61700 Expended Core Facility M-290 recovering			
61800 discharge station, Naval Reactor Facility, ID	---	550	550
61900 07-D-190 Materials research technology complex			
62000 (MRTC)	1,485	450	450
62300 05-N-900 Materials development facility building,			
62400 Schenectady, NY	1,287	---	---
62700 Subtotal, Construction	2,772	10,000	10,000
62800 Total, Naval reactors development	750,420	775,519	775,519
62900 Program direction	31,380	32,700	32,700
63200 TOTAL, NAVAL REACTORS	781,800	808,219	808,219
63300 Office of the Adminstrator			
63320 Office of the Administrator	340,291	394,656	---
63330 Defense Nuclear Nonproliferation	---	---	75,000
63340 All other Office of the Administrator	---	---	312,751
63360 HBCU contribution from NNSA	---	---	31,000
63520 ES & H transfer	---	---	-2,872
63600 TOTAL, OFFICE OF THE ADMINISTRATOR	340,291	394,656	415,879
63700 TOTAL, NATIONAL NUCLEAR SECURITY ADMINISTRATION	9,216,013	9,386,833	8,786,881
63800 DEFENSE ENVIRONMENTAL CLEANUP			
63900 Closure Sites:			
64000 Ashtabula	1,295	295	295
64200 Closure sites administration	56,648	11,834	11,834
64300 Fernald	254,754	---	---
64400 Miamisburg	39,869	30,308	30,308
64500 Rocky Flats	115,487	---	---
64600 Total, closure sites	468,053	42,437	42,437

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

		FY 2007 Enacted	FY 2008 Request	House Recommended
64700	Hanford Site:			
64800	Nuclear material stabilization & disposition PFP....	77,565	98,002	98,002
64900	SNF stabilization and disposition.....	136,086	99,815	99,815
65000	Nuclear facility D&D, river corridor closure project	210,755	215,221	238,221
65100	Solid waste stablilzation and disposition.....	798	---	---
65200	HAMMER facility.....	---	---	7,500
65400	Subtotal, 2012 accelerated completions.....	425,204	413,038	443,538
65500	Solid waste stabilization & disposition - 2035.....	218,036	236,788	259,788
65600	Soil & water remediation - groundwater/vadose zone..	87,314	105,552	105,552
65700	Nuclear facility D&D - remainder of Hanford.....	83,231	98,753	118,153
65800	Operate waste disposal facility.....	3,199	3,329	3,329
66000	Richland community and regulatory support.....	18,332	19,620	19,620
66200	Subtotal, 2035 accelerated completions.....	410,112	464,042	506,442
66300	Total, Hanford Site.....	835,316	877,080	949,980
66400	Office of River Protection:			
66600	01-D-16A Low activity waste facility.....	186,000	143,000	143,000
66700	01-D-16B Analytical laboratory.....	59,000	45,000	45,000
66800	01-D-16C Balance of facilities.....	57,000	72,000	72,000
66900	01-D-16D High-level waste facility.....	177,000	177,000	118,000
67000	01-D-16E Pretreatment facility.....	211,000	253,000	212,000
67100	Subtotal, Waste treatment & immobilization plant	690,000	690,000	590,000
67200	Tank Farm activities			
67300	Rad liquid tank waste stabil. and disposition.....	276,656	272,972	272,972
67500	River protection community and regulatory support.	471	471	471
67600	Subtotal, Tank Farm activities.....	277,127	273,443	273,443
67700	Total, Office of River Protection.....	967,127	963,443	863,443
67800	Idaho National Laboratory:			
68000	Nuclear material stabilization and disposition.....	4,000	2,250	2,250
68100	SNF stabilization and disposition - 2012.....	35,415	29,188	29,188
68200	Solid waste stabilization and disposition.....	215,210	168,623	208,000
68300	Radioactive liquid tank waste stabilization			
68400	and disposition.....	65,514	61,616	61,616
68500	06-D-401, Sodium bearing waste treatment project, ID	31,000	112,800	112,800
68800	Soil and water remediation - 2012.....	92,520	112,389	112,389
68900	Nuclear facility D&D.....	79,562	13,373	70,785
69200	Idaho community and regulatory support.....	3,683	3,787	3,787
69400	Total, Idaho National Laboratory.....	526,904	504,026	600,815
69500	NNSA:			
69600	Lawrence Livermore National Laboratory.....	24,136	8,680	8,680
69700	NNSA Service Center.....	27,222	29,096	29,096
69800	Nevada.....	79,668	81,106	81,106
69900	Kansas City Plant.....	1,697	---	---
70000	California site support.....	370	370	370
70100	Pantex.....	23,726	12,411	12,411
70200	Sandia National Laboratories.....	4,658	---	---
70300	Nevada off-sites.....	5,132	---	---
70400	Los Alamos National Laboratory.....	139,900	139,467	139,467
70500	Total, NNSA sites and Nevada off-sites.....	306,509	271,130	271,130
70600	Oak Ridge Reservation:			
70900	Solid waste stabilization and disposition - 2012....	82,657	72,285	72,285

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(AMOUNTS IN THOUSANDS)

		FY 2007 Enacted	FY 2008 Request	House Recommended
71000	Soil and water remediation - offsites	7,033	6,379	12,379
71100	Nuclear facility D&D, E. Tenn. Technology Park	---	3,353	3,353
71200	Nuclear facility D&D Y-12	23,573	19,855	29,855
71300	Nuclear facility D&D ORNL	31,556	51,446	61,446
71400	Solid waste stabilization & disp. - science			
71500	current gen	18,544	---	---
71900	OR reservation community & regulatory support	4,999	5,966	5,966
72000	Building 3019	35,500	20,000	50,000
72100	Total, Oak Ridge Reservation	203,862	179,284	235,284
72200	Savannah River site:			
72300	Nuclear facility D&D	778	---	---
72400	Nuclear material stabilization and disposition 2012	243,848	---	---
72500	04-D-423 Container surveillance capability in 235F	---	31,000	31,000
72600	04-D-414 Project Engineering and Design, 105-K	2,935	---	---
72700	Subtotal, 2012 accelerated completions	247,561	31,000	31,000
72740	Nuclear material stabilization and disposition	86,841	311,811	226,811
72900	SR community and regulatory support	12,542	12,500	12,500
73100	Spent nuclear fuel stabilization and disposition	26,184	31,133	31,133
73200	Solid waste stabilization and disposition	79,357	61,528	80,000
73300	Soil and water remediation	84,230	75,191	90,000
73400	Nuclear facility D&D	11,370	2,908	24,000
73500	Construction:			
73600	08-D-414 Project engineering and design			
73700	Plutonium Vitrification Facility, VL	---	15,000	---
73800	Subtotal, 2035 accelerated completions	213,683	198,260	237,633
73900	Radioactive liquid tank waste stabil. & disposition	513,809	524,018	524,018
74100	05-D-405, Salt waste processing facility	---	131,000	131,000
74300	03-D-414, Salt waste processing facility PED SR	51,500	10,001	10,001
74500	Subtotal, Tank farm activities	565,309	665,019	665,019
74600	Total, Savannah River site	1,113,394	1,206,090	1,160,463
74700	Waste Isolation Pilot Plant:			
74800	Operate WIPP	138,569	133,018	133,018
74900	Central Characterization Project	27,550	32,898	32,898
75000	Transportation	37,584	27,134	27,134
75100	Community and regulatory support	25,115	26,689	26,689
75200	Total, Waste Isolation Pilot Plant	228,818	219,739	219,739
75300	Program direction (EM & legacy management)	294,516	309,760	341,760
75400	Program support	38,031	33,146	35,146
75500	Safeguards and Security:			
75600	Waste Isolation Pilot Project	4,232	4,927	4,927
75700	Oak Ridge Reservation	18,900	18,490	18,490
75800	Fernald	377	---	---
76000	West Valley	1,600	1,600	1,600
76100	Paducah	8,707	---	5,000
76200	Portsmouth	15,642	11,667	11,667
76300	Richland/Hanford Site	77,836	87,297	87,297
76500	Savannah River Site	148,626	149,400	149,400
76600	Total, Safeguards and Security	275,920	273,381	278,381
76700	Technology development	21,389	21,389	108,100
76800	Uranium enrichment D&D fund contribution	452,000	463,000	463,000
76900	Legacy management	---	---	148,063

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(AMOUNTS IN THOUSANDS)

		FY 2007 Enacted	FY 2008 Request	House Recommended
77000	Material Consolidation Office	---	---	5,000
77020	Canyons and pu vitrification	---	---	45,270
77040	Subtotal, Material consolidation	---	---	50,270
77100	SUBTOTAL, DEFENSE ENVIRONMENTAL CLEAN UP	5,731,839	5,363,905	5,768,011
77140	ES & H transfer	---	---	-1,450
77150	TOTAL, DEFENSE ENVIRONMENTAL CLEAN UP	5,731,839	5,363,905	5,766,561
77200	OTHER DEFENSE ACTIVITIES			
77300	Health, safety and security			
77400	Health, safety and security	---	329,305	---
77500	Program direction	---	100,043	---
77600	Total, Health, safety and security	---	429,348	---
78300	Office of Security and safety performance assurance			
78400	Nuclear safeguards and security	196,546	---	234,000
78500	Security investigations	40,531	---	37,000
78600	Program direction	76,818	---	75,949
78640	Use of prior year balances	---	-990	-990
78700	Subtotal, Office of Security and safety			
78800	performance assurance	313,895	-990	345,959
79000	Environment, safety and health (Defense)	60,304	---	59,777
79100	Program direction - EH	20,076	---	22,024
79200	Subtotal, Environment, safety & health (Defense)	80,380	---	81,801
79300	Office of Legacy Management			
79400	Legacy management	19,733	148,063	---
79500	Program direction	11,202	11,000	---
79600	Subtotal, Office of Legacy Management	30,935	159,063	---
79700	Nuclear energy			
79800	Infrastructure			
79900	Idaho facilities management	15,923	---	---
80000	Idaho sitewide safeguards and security	75,949	75,949	75,949
80100	Subtotal, Infrastruture	91,872	75,949	75,949
80200	Program direction	30,844	---	---
80300	Subtotal, Nuclear energy	122,716	75,949	75,949
80400	Defense related administrative support	86,999	99,000	99,000
80600	Office of hearings and appeals	4,349	4,607	4,607
80700	Subtotal, Other Defense Activities	639,274	766,977	607,316
80900	Less security charge for reimbursable work	-3,003	-3,003	-3,003
81000	TOTAL, OTHER DEFENSE ACTIVITIES	636,271	763,974	604,313

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	FY 2007 Enacted	FY 2008 Request	House Recommended
81100 DEFENSE NUCLEAR WASTE DISPOSAL			
81200 Defense nuclear waste disposal	346,500	292,046	292,046
81300 TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES	15,930,623	15,806,758	15,449,801
81400 POWER MARKETING ADMINISTRATIONS			
81500 SOUTHEASTERN POWER ADMINISTRATION			
81600 Operation and maintenance			
81700 Purchase power and wheeling	47,198	62,215	62,215
81800 Program direction	5,602	6,463	6,463
81900 Subtotal, Operation and maintenance	52,800	68,678	68,678
82000 Less alternative financing (PPW)	-14,485	-13,802	-13,802
82200 Offsetting collections	-32,713	-48,413	-48,413
82500 TOTAL, SOUTHEASTERN POWER ADMINISTRATION	5,602	6,463	6,463
82600 SOUTHWESTERN POWER ADMINISTRATION			
82700 Operation and maintenance			
82800 Operating expenses	5,604	11,978	11,978
82900 Purchase power and wheeling	12,400	45,000	45,000
83000 Program direction	20,782	22,214	22,214
83100 Construction	3,612	4,300	4,300
83200 Subtotal, Operation and maintenance	42,398	83,492	83,492
83300 Less alternative financing (for program direction)	---	-877	-877
83400 Less alternative financing (ofr O&M)	---	-6,304	-6,304
83500 Less alternative financing (PPW)	-9,400	-10,000	-10,000
83600 Less alternative financing (Const.)	---	-869	-869
83800 Offsetting collections	-3,000	-35,000	-35,000
84100 TOTAL, SOUTHWESTERN POWER ADMINISTRATION	29,998	30,442	30,442
84200 WESTERN AREA POWER ADMINISTRATION			
84300 Operation and maintenance			
84400 Construction and rehabilitation	60,205	62,915	62,915
84500 Operation and maintenance	45,734	53,271	53,271
84600 Purchase power and wheeling	427,931	425,254	425,254
84700 Program direction	147,748	157,304	157,304
84800 Utah mitigation and conservation	6,633	7,167	7,167
84900 Subtotal, Operation and maintenance	688,251	705,911	705,911
85000 Less alternative financing (for O&M)	-2,058	-11,971	-11,971
85100 Less alternative financing (for Const.)	-17,177	-47,915	-47,915
85200 Less alternative financing (for Program direction)	-5,054	-15,804	-15,804
85300 Less alternative financing (for PPW)	-148,931	-166,552	-166,552
85500 Offsetting collections (P.L. 108-477 and P.L. 109-103)	-279,000	-258,702	-258,702
85600 Offsetting collections (P.L. 98-381)	-3,705	-3,937	-3,937
85900 TOTAL, WESTERN AREA POWER ADMINISTRATION	232,326	201,030	201,030
86000 FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND			
86100 Operation and maintenance	2,665	2,500	2,500

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

		FY 2007 Enacted	FY 2008 Request	House Recommended
86400	TOTAL, POWER MARKETING ADMINISTRATIONS.....	270,591	240,435	240,435
86500	FEDERAL ENERGY REGULATORY COMMISSION			
86600	Federal energy regulatory commission.....	221,902	255,425	255,425
86700	FERC revenues.....	-221,902	-255,425	-255,425
86800	GRAND TOTAL, DEPARTMENT OF ENERGY.....	24,228,193	24,762,713	25,243,119
86900	(Total amount appropriated).....	(24,093,193)	(24,911,713)	(25,392,119)
87000	(Emergency appropriations).....	(135,000)	---	---
87200	(Rescissions).....	---	(-149,000)	(-149,000)

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	FY 2007 Enacted	FY 2008 Request	House Recommended
87300 ENERGY AND WATER DEVELOPMENT ACCOUNTS			
87400 Energy efficiency and renewable energy	1,474,285	1,236,199	1,873,844
87420 Electrcity delivery and energy reliability	137,000	114,937	134,161
87440 Nuclear energy	482,191	801,703	759,227
87460 Office of Legacy Management	33,187	35,104	---
87500 Clean coal technology	---	-58,000	-58,000
87600 Fossil Energy Research and Development	592,621	566,801	708,801
87700 Naval Petroleum & Oil Shale Reserves	21,316	17,301	17,301
87900 Strategic petroleum reserves	164,441	331,609	163,472
88000 Northeast home heating oil reserve	5,000	5,325	5,325
88100 Energy Information Administration	90,653	105,095	105,095
88200 Non-defense environmental clean up	349,687	180,937	286,041
88300 Uranium enrichment D&D fund	556,606	573,509	618,759
88400 Science	3,797,294	4,397,876	4,514,082
88500 Nuclear waste disposal	99,206	202,454	202,454
88520 Environmental safety and health	---	---	31,625
88540 Innovative Tehcnology Loan Guarantee Program	---	8,390	---
88600 Departmental administration	276,832	310,366	304,782
88700 Revenues	-123,000	-161,818	-161,818
88800 Total, Departmental administration	153,832	148,548	142,964
88900 Office of the Inspector General	41,819	47,732	47,732
89000 Atomic energy defense activities:			
89100 National Nuclear Security Administration:			
89200 Weapons activities	6,275,583	6,511,312	5,879,137
89300 Defense nuclear nonproliferation	1,818,339	1,672,646	1,683,646
89400 Naval reactors	781,800	808,219	808,219
89500 Office of the Administrator	340,291	394,656	415,879
89600 Subtotal, National Nuclear Security Admin	9,216,013	9,386,833	8,786,881
89700 Defense environmental cleanup	5,731,839	5,363,905	5,766,561
89800 Other defense activities	636,271	763,974	604,313
89900 Defense nuclear waste disposal	346,500	292,046	292,046
90000 Total, Atomic energy defense activities	15,930,623	15,806,758	15,449,801
90100 Power marketing administrations:			
90200 Southeastern Power Administration	5,602	6,463	6,463
90300 Southwestern Power Administration	29,998	30,442	30,442
90400 Western Area Power Administration	232,326	201,030	201,030
90500 Falcon and Amistad operating and maintenance fund	2,665	2,500	2,500
90600 Total, Power marketing administrations	270,591	240,435	240,435
90700 Federal Energy Regulatory Commission:			
90800 Salaries and expenses	221,902	255,425	255,425
90900 Revenues	-221,902	-255,425	-255,425
91000 TOTAL, ENERGY AND WATER DEVELOPMENT ACCOUNTS	24,200,352	24,762,713	25,243,119
91100 FUNCTION RECAP:			
91200 NON-DEFENSE	8,432,570	9,022,798	9,955,161
91300 DEFENSE	15,795,623	15,739,915	15,287,958
91400 Environmental restoration and waste management:			
91500 Defense function	(5,731,839)	(5,363,905)	(5,768,011)
91600 Non-defense function	(309,299)	---	---

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

		FY 2007 Enacted	FY 2008 Request	House Recommended
91700	Total, Environmental restoration and waste mgmt...	(6,041,138)	(5,363,905)	(5,768,011)
91800	Nuclear waste disposal:			
91900	Defense function.....	(346,500)	(292,046)	(292,046)
92000	Non-defense function.....	(99,206)	(202,454)	(202,454)
92100	Total, Nuclear waste disposal.....	(445,706)	(494,500)	(494,500)

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	Enacted	Budget Request	House Recommended
Nuclear waste disposal:			
Defense function	(346,500)	(292,046)	(292,046)
Non-defense function	(99,206)	(202,454)	(202,454)
Total, Nuclear waste disposal	(445,706)	(494,500)	(494,500)

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

Contract Competition.—Section 301 provides that none of the funds in this Act may be used to award a management and operating contract, or a contract for environmental remediation or waste management, in excess of $100 million in annual funding at a current or former management and operating contract site of facility, or award a significant extension or expansion to an existing management and operating contract, or other contract covered by this section, unless such contract is awarded using competitive procedures, or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. Within 30 days of formally notifying an incumbent contractor of the intent to grant such a waiver, the Secretary of Energy must submit to the House and Senate Committees on Appropriations a report notifying the Committees of the waiver and setting forth, in specificity, the reasons for the waiver. Section 301 does not preclude extensions of a contract awarded using competitive procedures, but does establish a presumption of competition unless the Secretary invokes the waiver option.

The Committee's concern is to establish clearly that competition is the norm for the Department of Energy. The waiver for non-competitive awards or extensions should be invoked only in truly exceptional circumstances, not as a matter of routine. A non-competitive award or extensions may be in the taxpayers' interest, but the burden of proof is on the Department to make that case in the waiver notice.

Unfunded Requests for Proposals.—Section 302 provides that none of the funds in this Act may be used to initiate requests for proposals or other solicitations or expressions of interest for new programs that have not yet been presented to Congress in the annual budget submission, and that have not yet been approved and funded by Congress.

Unexpended Balances.—Section 303 permits the transfer and merger of unexpended balances of prior appropriations with appropriation accounts established in this bill.

Bonneville Power Administration Service Territory.—Section 304 provides that none of the funds in this or any other Act may be used by the Administrator of the Bonneville Power Administration to perform energy efficiency services outside the legally defined Bonneville service territory unless the Administrator certifies in advance that such services are not available from private sector businesses.

User Facilities.—Section 305 establishes certain notice and competition requirements with respect to the involvement of universities in Department of Energy user facilities. A similar provision was included in the Energy and Water Development Appropriations Act, 2005. The detailed guidance on the application of this provision was provided in House Report 107–681 and continues to apply.

Intelligence Activities.—Section 306 authorizes intelligence activities of the Department of Energy for purposes of section 504 of the

National Security Act of 1947 during fiscal year 2008 until the enactment of the Intelligence Authorization Act for fiscal year 2008.

Laboratory Directed Research and Development.—Section 307 provides for authorization of Laboratory Directed Research and Development (LDRD), Site Directed Research and Development, and Plant Directed Research and Development (PDRD) activities.

Contractor Pension Benefits.—Sec. 308 includes language prohibiting funding to implement Department of Energy Order N 351.1 modifying contractor employee pension and medical benefits policy from defined benefit plans to a defined contribution plan.

International Nuclear Fuel Bank.—Sec. 309 reallocates unexpended balances provided in Public Law 105–277 for Other Defense Activities to provide the U.S. contribution to an International Nuclear Fuel Bank under the auspices of the International Atomic Energy Agency, subject to authorization.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

Appropriation, 2007	$64,858,000
Budget estimate, 2008	65,000,000
Recommended, 2008	35,000,000
Comparison:	
Appropriation, 2007	−29,858,000
Budget estimate, 2008	−30,000,000

The Appalachian Regional Commission (ARC) is a regional economic development agency established in 1965. It is comprised of the Governors of the thirteen Appalachian States and has a Federal co-chairman, who is appointed by the President. For fiscal year 2008, the budget request includes $65,000,000, of which $54,087,000 is for program development; $5,316,000 is local development districts and technical assistance; and $5,597,000 is for salaries and expenses.

The ARC budget justification indicates that it targets fifty percent of its funds to distressed counties or distressed areas in the Appalachian region. In times of budget austerity, the Committee believes this should be the primary, and in fact the sole, focus of the ARC. The Committee recommendation for ARC is $35,000,000, $29,817,000 less than the fiscal year 2007 enacted level and $30,000,000 less than the budget estimate. The reduction is to be taken from the area development activities that serve other than distressed counties and distressed areas.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Appropriation, 2007	$21,914,000
Budget estimate, 2008	22,499,000
Recommended, 2008	22,499,000
Comparison:	
Appropriation, 2007	+585,000
Budget estimate, 2008	– – –

The Defense Nuclear Facilities Safety Board (DNFSB) was created by the Fiscal Year 1989 National Defense Authorization Act. The Board, composed of five members appointed by the President,

provides advice and recommendations to the Secretary of Energy regarding public health and safety issues at the Department's defense nuclear facilities. The Board is responsible for reviewing and evaluating the content and implementation of the standards relating to the design, construction, operation, and decommissioning of defense nuclear facilities of the Department of Energy. The Committee recommendation for fiscal year 2008 is $22,499,000, the same as the budget request.

DELTA REGIONAL COMMISSION

Appropriation, 2007	$11,888,000
Budget estimate, 2008	6,000,000
Recommended, 2008	6,000,000
Comparison:	
Appropriation, 2007	−5,888,000
Budget estimate, 2008	− − −

The Delta Regional Authority (DRA) is a federal-state partnership serving a 240-county/parish area in an eight-state region. Led by a Federal Co-Chairman and the governors of each participating state, the DRA is designed to remedy severe and chronic economic distress by stimulating economic development and fostering partnerships that will have a positive impact on the region's economy. The DRA seeks to help economically distressed communities leverage other federal and state programs, which are focused on basic infrastructure development and transportation improvements, business development, and job training services. Under federal law, at least 75 percent of funds must be invested in distressed counties and parishes and pockets of poverty, with 50 percent of the funds earmarked for transportation and basic infrastructure improvements.

The Committee is concerned with the level of administrative expenses and with the Authority's lack of direction and strategic planning. The Committee directs the Federal Co-Chairman to provide to the House and Senate Committees on Appropriations a five-year strategic plan that comprehensively addresses the development of annual and long-term measures for ensuring the performance and accountability of the Authority and its program partners. As part of this plan, the Federal Co-Chairman shall ensure that administrative expenses shall comply with the 5 percent limit of total appropriations, as provided in the authorizing legislation. As part of this plan, the Federal Co-Chairman shall outline an approach to ensure that administrative expenses shall comply with the 5 percent limit of total appropriations within 2 years.

It has come to the Committee's attention that the Delta Regional Authority is not responsive to Congressional inquiries. The Delta Regional Authority should be able to respond in a timely manner to inquiries regarding its budget and expenditures.

For fiscal year 2008, the Committee recommends $6,000,000, the same as the budget request.

DENALI COMMISSION

Appropriation, 2007	$49,509,000
Budget estimate, 2008	1,800,000
Recommended, 2008	1,800,000
Comparison:	
Appropriation, 2007	−47,709,000
Budget estimate, 2008	− − −

Introduced by Congress in 1998, the Denali Commission is a federal-state partnership designed to provide critical utilities, infrastructure, and economic support throughout Alaska. For fiscal year 2008, the Committee recommends $1,800,000 for the costs of the Commission's operations, the same as the budget request.

NUCLEAR REGULATORY COMMISSION

GROSS APPROPRIATION

Appropriation, 2007	$816,639,000
Budget estimate, 2008	908,409,000
Recommended, 2008	925,559,000
Comparison:	
Appropriation, 2007	+108,920,000
Budget estimate, 2008	+17,150,000

REVENUES

Appropriation, 2007	−659,328,000
Budget estimate, 2008	−757,720,000
Recommended, 2008	−757,720,000
Comparison:	
Appropriation, 2007	−98,392,000
Budget estimate, 2008	− − −

NET APPROPRIATION

Appropriation, 2007	157,311,000
Budget estimate, 2008	150,689,000
Recommended, 2008	167,839,000
Comparison:	
Appropriation, 2007	+10,528,000
Budget estimate, 2008	+17,150,000

The Committee recommendation for the Nuclear Regulatory Commission (NRC) salaries and expenses for fiscal year 2008 is $925,559,000, an increase of $17,150,000 above the budget request. The total amount of budget authority is offset by estimated revenues of $757,720,000, resulting in a net appropriation of $167,839,000. The recommendation includes the requested amount of $37,250,000 to be derived from the Nuclear Waste Fund to support the Department of Energy's effort to develop a permanent geologic repository at Yucca Mountain for spent nuclear fuel and high-level waste.

The Committee is pleased that the Commission is continuing to fund academic scholarships and fellowships to enable students to pursue education in science, engineering, and other fields of study that constitute critical skills areas needed to sustain the NRC's regulatory mission. The Committee provides an additional $15,000,000 to support the Commission's efforts. Some of these funds are to be used to help support scholarships to attend trade school programs that develop skills needed to facilitate construction

and operation of nuclear facilities and the handling of nuclear materials. In addition, these funds are to be used for college scholarships and graduate fellowships to develop critical nuclear regulatory skills and those skills needed by the regulated industries, including engineering and health physics, and for faculty development grants supporting faculty in these academic areas in the first six years of their careers.

The Committee recommendation provides $3,000,000 for international program activities at the Commission, an increase of $2,150,000 above the request. These funds are included in the homeland security responsibilities of the NRC and provided to enable the Commission to provide support to foreign regulators in addressing the control of high-risk radioactive sources.

The Committee directs the NRC to provide, not later than November 30, 2007, a report to the House and Senate Committees on Appropriations, and appropriate authorizing Committees, on a plan for NRC regulation of the Hanford Waste Treatment Plant that includes resource requirements and regulatory structure.

Fee Recovery.—The Committee recommendation assumes that the NRC will recover 90 percent of its budget authority from user fees and annual charges, as authorized in Section 637 of the Energy Policy Act of 2005 (P.L. 109–58), less the appropriation derived from the Nuclear Waste Fund, the amount necessary to implement Section 3116 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (P.L. 108–375), the $15,000,000 added above the request for nuclear education support, and the amount necessary for homeland security activities of the Commission. Of the $923,409,000 gross appropriation for fiscal year 2008, $37,250,000 is drawn from the Nuclear Waste Fund, $2,000,000 is drawn from the General Fund of the Treasury to execute NRC's responsibilities to provide oversight of certain Department of Energy activities under Section 3116 of Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (P.L. 108–375), and $29,398,000 is drawn from the General Fund of the Treasury to execute NRC's homeland security responsibilities. Ninety percent of the balance of $841,911,000 (i.e., $757,720,000) is funded by fees collected from NRC licensees, and the remaining 10 percent (i.e., $84,191,000) is funded from the General Fund of the Treasury.

Reports.—The Committee directs the Commission to continue to provide quarterly reports on the status of its licensing and other regulatory activities. The Committee has been very supportive of the Commission in recent years by providing substantial additional resources to meet an anticipated round of new plant licensing activities. The Committee believes the NRC should use these additional resources, both from taxpayer funds and from licensees, to conduct an efficient, understandable, and predictable licensing process.

Office of Inspector General

GROSS APPROPRIATION

Appropriation, 2007	$8,285,000
Budget estimate, 2008	8,144,000
Recommended, 2008	8,144,000
Comparison:	
Appropriation, 2007	−141,000
Budget estimate, 2008	−−−

REVENUES

Appropriation, 2007	−7,410,000
Budget estimate, 2008	−7,330,000
Recommended, 2008	−7,330,000
Comparison:	
Appropriation, 2007	+80,000
Budget estimate, 2008	−−−

NET APPROPRIATION

Appropriation, 2007	875,000
Budget estimate, 2008	814,000
Recommended, 2008	814,000
Comparison:	
Appropriation, 2007	−61,000
Budget estimate, 2008	−−−

The Committee recommends an appropriation of $8,144,000, the same as the budget request. Given the formula for fee recovery, the revenue estimate is $7,330,000, resulting in a net appropriation for the NRC Inspector General of $814,000.

Nuclear Waste Technical Review Board

Appropriation, 2007	$3,591,000
Budget estimate, 2008	3,621,000
Recommended, 2008	3,621,000
Comparison:	
Appropriation, 2007	+30,000
Budget estimate, 2008	−−−

The Nuclear Waste Technical Review Board was established by the 1987 amendments to the Nuclear Waste Policy Act of 1982 to provide independent technical oversight of the Department of Energy's nuclear waste disposal program. The Committee sees the Nuclear Waste Technical Review Board as having a continuing independent oversight role, as is specified in Section 503 of the Nuclear Waste Policy Act of 1982, as amended, as the Department begins to focus on the packaging and transportation of high-level radioactive waste and spent nuclear fuel.

The Committee recommends an appropriation of $3,621,000 for the Nuclear Waste Technical Review Board in fiscal year 2008, the same as the budget request and an increase of $30,000 over fiscal year 2007 funding.

Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects

Appropriation, 2007	– – –
Budget estimate, 2008	$2,322,000
Recommended, 2008	2,322,000
Comparison:	
Appropriation, 2007	+2,322,000
Budget estimate, 2008	– – –

The Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects was established as an independent agency in the Executive Branch on December 13, 2006, pursuant to the Alaska Natural Gas Pipeline Act of 2004. The Federal Coordinator is responsible for coordinating all Federal activities for an Alaska natural gas transportation project, including joint surveillance and monitoring with the State of Alaska of construction of a project. An Alaska natural gas transportation project could deliver significant natural gas supply to the U.S. lower 48 states. Action by the State of Alaska in reaching agreement with potential project owners as to fiscal terms is necessary before project development can move forward.

The Committee recommends an appropriation of $2,322,000 to support the activities of this office in fiscal year 2008, the same as the budget request.

Tennessee Valley Authority

Office of Inspector General

GROSS APPROPRIATION

Appropriation, 2007	– – –
Budget estimate, 2008	$15,000,000
Recommended, 2008	– – –
Comparison:	
Appropriation, 2007	– – –
Budget estimate, 2008	– 15,000,000

Offset From Tennessee Valley Authority Fund

Appropriation, 2007	– – –
Budget estimate, 2008	– 15,000,000
Recommended, 2008	– – –
Comparison:	
Appropriation, 2007	– – –
Budget estimate, 2008	+15,000,000

The Committee recommendation does not include the Administration proposal to establish a Congressionally-funded Office of Inspector General to oversee the Tennessee Valley Authority. In recent years, the TVA has funded the requests of the TVA–IG office out of power revenues and receipts. This process has worked well and the Committee sees no compelling reason to change that mechanism for financing the TVA–IG.

Reports.—The Committee directs the Inspector General to forward copies of all audit and inspection reports to the Committee immediately after they are issued, and immediately make the Committee aware of any review that recommends cancellation of, or modification to, any major acquisition project or grant, or which recommends significant budgetary savings. The Inspector General

is also directed to withhold from public distribution for a period of 15 days any final audit or investigation report that was requested by the House Committee on Appropriations.

TITLE V

GENERAL PROVISIONS

The Committee recommendation includes several general provisions pertaining to specific programs and activities funded in the Energy and Water Development Appropriations Act.

Prohibition on lobbying.—The bill includes a provision that none of the funds appropriated in this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in section 1913 of Title 18, United States Code.

Transfers.—The bill includes language regarding the transfer of funds made available in this Act to other departments or agencies of the Federal government.

HOUSE OF REPRESENTATIVES REPORT REQUIREMENTS

The following items are included in accordance with various requirements of the Rules of the House of Representatives.

CONSTITUTIONAL AUTHORITY

Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives states that:

> Each report of a committee on a public bill or public joint resolution shall contain the following: (1) A statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.

The Committee on Appropriations bases its authority to report this legislation from Clause 7 of Section 9 of Article I of the Constitution of the United States of America which states:

> No money shall be drawn from the Treasury but in consequence of Appropriations made by law.

Appropriations contained in this Act are made pursuant to this specific power granted by the Constitution.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

> The Committee on Appropriations considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

TRANSFER OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following is submitted describing the transfer of funds provided in the accompanying bill.

TITLE II—BUREAU OF RECLAMATION

Under "'Water and Related Resources", $57,615,000 is available for transfer to the Upper Colorado River Basin Fund and $26,825,000 is available for transfer to the Lower Colorado River Basin Development Fund. Such funds as may be necessary may be advanced to the Colorado River Dam Fund. The amounts of transfers may be increased or decreased within the overall appropriation under the heading.

TITLE III—DEPARTMENT OF ENERGY

Under "Fossil Energy Research and Development", $166,000,000 is transferred from "Clean Coal Technology", including $58,000,000 in unexpended balances.

Under "Other Defense Activities", $4,900,000 of funds provided under Public Law 109–103, are transferred to "Weapons Activities" for planning activities associated with special nuclear material consolidation.

Under Section 305, "General Provision—Department of Energy", unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1)(A) of rule XIII of the Rules of the House of Representatives, the following statements are submitted describing the effect of provisions in the accompanying bill which directly or indirectly change the application of existing law.

TITLE I—CORPS OF ENGINEERS

Language has been included under Corps of Engineers, Investigations, providing for detailed studies and plans and specifications of projects prior to construction.

Language has been included under Corps of Engineers, Construction, to provide appropriations that remain available until expended for South Florida Everglades Restoration projects.

Language has been included under Corps of Engineers, Construction, permitting the use of funds from the Inland Waterways Trust Fund and the Harbor Maintenance Trust Fund.

Language has been included under Corps of Engineers, Construction, delineating the amounts available for the continuing authorities program.

Language has been included under the Corps of Engineers, Operation and Maintenance, stating that funds can be used for: the operation, maintenance, and care of existing river and harbor, flood

and storm damage reduction, aquatic ecosystem restoration, and related authorized projects, including the construction of facilities, projects, or features (including islands and wetlands) to use materials dredged during Federal navigation maintenance activities; the mitigation of impacts on shorelines resulting from Federal navigation operation and maintenance activities; to address the effects of civil works projects owned or operated by the Corps on federally listed species; to provide security for infrastructure operated by the Corps, or operated on its behalf, including administrative buildings and facilities, and laboratories; the maintenance of authorized harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce; and surveys and charting of northern and northwestern lakes and connecting waters, clearing channels, and removal of obstructions to navigation.

Language has been included under Corps of Engineers, Operation and Maintenance, delineating the amount of funding available to various regions.

Language has been included under Corps of Engineers, Operation and Maintenance, permitting the use of funds from the Harbor Maintenance Trust Fund; providing for the use of funds from a special account for resource protection, research, interpretation, and maintenance activities at outdoor recreation areas; and allowing use of funds to cover the cost of operation and maintenance of dredged material disposal facilities for which fees have been collected.

Language has been included under Corps of Engineers, Expenses, regarding support of the Humphreys Engineer Support Center Activity, the Institute for Water Resources, the United States Army Corps of Engineers Research and Development Center, and headquarters support functions at the United States Army Corps of Engineers Finance Center.

Language has been included under Corps of Engineers, Expenses, prohibiting the use of other funds in this Act for the Office of the Chief of Engineers and the division offices.

Language has been included to provide for funding for the Office of the Assistant Secretary of the Army (Civil Works).

Language has been included under Corps of Engineers, Administrative Provisions, providing that funds are available for official reception and representation expenses, and for purchase and hire of motor vehicles.

Language has been included under Corps of Engineers, General Provisions, pertaining to the reprogramming of funds contained in title I of this Act.

Language has been included under Corps of Engineers, General Provisions, prohibiting the execution of any continuing contract that reserves an amount for a project in excess of the amount appropriated for such project in this Act.

Language has been included under Corps of Engineers, General Provisions, prohibiting the expenditure of funds on rehabilitation and lead and asbestos abatement of the dredge McFarland.

Language has been included regarding staffing at the Sacramento District Corps of Engineers.

Language has been included relating to the funding of A–76 studies.

TITLE II—DEPARTMENT OF THE INTERIOR

Language has been included under Bureau of Reclamation, Water and Related Resources providing that funds are available for fulfilling Federal responsibilities to Native Americans and for grants to and cooperative agreements with State and local governments and Indian tribes.

Language has been included under Bureau of Reclamation, Water and Related Resources allowing fund transfers within the overall appropriation to the Upper Colorado River Basin Fund and the Lower Colorado River Basin Development Fund; providing that such sums as necessary may be advanced to the Colorado River Dam Fund; providing that funds may be used for work carried out by the Youth Conservation Corps; and providing that transfers may be increased or decreased within the overall appropriation.

Language has been included under Bureau of Reclamation, Water and Related Resources providing that funds may be derived from the Reclamation Fund or the special fee account established by 16 U.S.C. 4601–6a(i); that funds contributed under 43 U.S.C. 395 by non-Federal entities shall be available for expenditure; and that funds advanced under 43 U.S.C. 397a for operation and maintenance of reclamation facilities are to be credited to the Water and Related Resources account. Language has been included under Bureau of Reclamation, Water and Related Resources permitting the use of funds available for the Departmental Irrigation Drainage Program for site remediation on a non-reimbursable basis.

Language has been included under Bureau of Reclamation, Central Valley Project Restoration Fund directing the Bureau of Reclamation to assess and collect the full amount of additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575.

Language has been included under Bureau of Reclamation, Central Valley Project Restoration Fund providing that none of the funds under the heading may be used for the acquisition or lease of water for in-stream purposes if the water is already committed to in-stream purposes by a court order adopted by consent or decree.

Language has been included under Bureau of Reclamation, California Bay-Delta Restoration permitting the transfer of funds to appropriate accounts of other participating Federal agencies to carry out authorized programs; providing that funds made available under this heading may be used for the Federal share of the costs of the CALFED Program management; providing that use of any funds provided to the California Bay-Delta Authority for program-wide management and oversight activities shall be subject to the approval of the Secretary of the Interior; providing that CALFED implementation shall be carried out with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the program.

Language has been included under Bureau of Reclamation, Policy and Administration providing that funds may be derived from the Reclamation Fund and providing that no part of any other ap-

propriation in the Act shall be available for activities budgeted as policy and administration.

Language has been included under Bureau of Reclamation, Policy and Administration providing for the transfer of $10,000,000 from this account to Water and Related Resources, if a five-year budget plan is not received from the Secretary of the Interior within the 60-day period following the date of enactment.

Language has been included under Bureau of Reclamation, Administrative Provisions providing for the purchase of motor vehicles.

Language has been included under Title II, General Provisions, regarding the San Luis Unit and the Kesterson Reservoir in California. This language has been carried in prior appropriations Acts.

TITLE III—DEPARTMENT OF ENERGY

Activities formerly funded under Energy Supply and Conservation are now funded as Energy Efficiency and Renewable Energy, Electricity Distribution and Energy Reliability, Nuclear Energy, Environment, Safety and Health, and as part of Non-Defense Environmental Cleanup.

Language has been included under Energy Efficiency and Renewable Energy for the purchase, construction, and acquisition of plant and capital equipment.

Language has been included under Electricity Distribution and Energy Reliability for the purchase, construction, and acquisition of plant and capital equipment.

Language has been included under Nuclear Energy for the purchase, construction, and acquisition of plant and capital equipment and for the purchase of motor vehicles.

Language has been included under Fossil Energy Research and Development providing for vehicle and guard services, and uniform allowances; providing funding and limitations for the FutureGen program; permitting the use of funds from other program accounts for the National Energy Technology Laboratory; and, prohibiting the field-testing of nuclear explosives for the recovery of oil and gas.

Language has been included under the Naval Petroleum and Oil Shale Reserves, permitting the use of unobligated balances, and the hire of passenger vehicles.

Language has been included under the Strategic Petroleum Reserve providing for vehicle, aircraft, and guard services, and uniform allowances.

Language has been included under Non-Defense Environmental Cleanup providing for the purchase of motor vehicles.

Language has been included under Science providing for the purchase of motor vehicles.

Language has been included under Nuclear Waste Disposal limiting the use of external oversight funds.

Language has been included under Innovative Technology Loan Guarantee Program setting a fiscal year 2008 loan volume limitation.

Language has been included under Departmental Administration, notwithstanding 31 U.S.C. 3302, and consistent with the authorization in Public Law 95–238, to permit the Department of En-

ergy to use revenues to offset appropriations. The appropriations language for this account reflects the total estimated program funding to be reduced as revenues are received. This language has been carried in prior appropriations Acts.

Language has been included under Departmental Administration that fees collected for loan guarantee administrative expenses are credited as offsetting collections to this account.

Language has been included under Departmental Administration providing, notwithstanding the provisions of the Anti-Deficiency Act, such additional amounts as necessary to cover increases in the estimated amount of cost of work for others, as long as such increases are offset by revenue increases of the same or greater amounts. This language has been carried in prior appropriations Acts.

Language has been included under Departmental Administration providing not to exceed $5,000 for official reception and representation expenses.

Language has been included under the Office of the Administrator providing not to exceed $12,000 for official reception and representation expenses.

Language has been included under Defense Environmental Cleanup for the purchase, construction, and acquisition of plant and capital equipment.

Language has been included under Other Defense Activities providing for the purchase of motor vehicles.

Language has been included under Bonneville Power Administration Fund providing not to exceed $1,500 for official reception and representation expenses, and precluding any new direct loan obligations.

Language has been included under Southeastern Power Administration providing that, not withstanding the provisions of 31 U.S.C. 3302, funds received from any state, municipality, corporation, association, firm, district, or individual as advance payment for work that is associated with Southeastern's Operation and Maintenance, consistent with that authorized in section 5 of the Flood Control Act of 1944, shall be credited to the account and be available until expended.

Language has been included under Southeastern Power Administration providing that, not withstanding the provisions of 31 U.S.C. 3302, amounts collected to recover purchase power and wheeling expenses shall be credited to the account as offsetting collections and remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

Language has been included under Southwestern Power Administration providing that, not withstanding the provisions of 31 U.S.C. 3302, amounts collected to recover purchase power and wheeling expenses shall be credited to the account as offsetting collections and remain available until expended for the sole purpose of making purchase power and wheeling expenditures, and to provide not to exceed $1,500 for official reception and representation expenses.

Language has been included under Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration,

providing not to exceed $1,500 for official reception and representation expenses.

Language has been included under Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration, providing that, not withstanding the provisions of 31 U.S.C. 3302, amounts collected to recover purchase power and wheeling expenses shall be credited to the account as offsetting collections and remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

Language has been included under Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration, providing for the operation, maintenance, and purchase through transfer, exchange or sale of one helicopter for replacement only.

Language has been included under Federal Energy Regulatory Commission to permit the hire of passenger motor vehicles, to provide official reception and representation expenses, not to exceed $3,000 and to permit the use of revenues collected to reduce the appropriation as revenues are received.

Language has been included under Department of Energy, General Provisions, Section 301, providing that none of the funds may be used to make payments for a noncompetitive management and operating contract unless certain conditions are met.

Language has been included under Department of Energy, General Provisions, Section 302, prohibiting the use of funds to prepare or initiate requests for proposals for programs that have not yet been funded by Congress.

Language has been included under Department of Energy, General Provisions, Section 303, providing that unexpended balances of prior appropriations may be transferred and merged with new appropriation accounts established in this Act.

Language has been included under Department of Energy, General Provisions, Section 304, prohibiting the Administrator of the Bonneville Power Administration to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory.

Language has been included under Department of Energy, General Provisions, Section 305, requiring the Department of Energy to ensure broad public notice when it makes a user facility available to universities and other potential users or seeks input regarding significant characteristics or equipment in a user facility or a proposed user facility, and requiring competition when the Department partners with a university or other entity for the establishment or operation of a user facility.

Language has been included under Department of Energy, General Provisions, Section 306, providing that funds for intelligence activities are deemed to be specifically authorized for purposes of section 504 of the National Security Act of 1947 during fiscal year 2008 until enactment of the Intelligence Authorization Act for fiscal year 2008.

Language has been included under Department of Energy, General Provisions, Section 307, regarding the laboratory directed research and development activities.

Language has been included under Department of Energy, General Provisions, Section 308, providing that none of the funds may

be used to implement a Department of Energy order modifying contractor employee pension and medical benefits policy.

Language has been included under Department of Energy, General Provisions, Section 309, relating to allocation of funds provided under Public Law 105–277.

TITLE IV—INDEPENDENT AGENCIES

Language has been included under Appalachian Regional Commission providing of the hire of passenger vehicles.

TITLE V—GENERAL PROVISIONS

Language has been included under General Provisions, prohibiting the use of funds in this Act to influence congressional action on any legislation or appropriation matters pending before Congress.

Language has been included under General Provisions, prohibiting the transfer of funds in this Act except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

COMPLIANCE WITH RULE XIII, CL. 3(E) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee notes that the accomplanying bill doesn ot propose to repeal or amend a statute or part thereof.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized:

Appropriations Not Authorized by Law
(thousand dollars)

Agency/Program	Last Year of Authorization	Authorization Level	Appropriation in Last Year of Authorization	Appropriation in this bill
Corps FUSRAP	(1)	(1)	130,000	130,000
Energy Supply and Conservation:				
Energy Efficiency and Renewable Energy:				
Hydrogen Technology	2006	530,500	155,627	194,600
Biomass and Biorefinery Systems R&D	2006	629,000	90,718	250,000
Solar Energy	2006	100,000	83,113	200,000
Wind Energy	1993	55,000	23,841	57,500
Geothermal Technology	1993	23,000	23,252	44,258
Hydropower	1980	100,000	20,939	22,000
Vehicle Technologies	2006	495,000	182,104	235,441
Building Technologies	2006	56,000	69,266	146,456
Federal Energy Management Program	2000	10,000	23,918	27,000
Facilities and Infrastructure	1977	(2)	(2)	195,699
Weatherization and Intergovernmental Activities	2006	880,000	242,550	314,947
Program Direction	2006	110,500	164,198	110,013
Electricity Delivery and Energy Reliability	1992	(2)	(2)	134,161
Nuclear Energy	1974	(2)	(2)	759,227
Environment, Safety and Health	1977	(2)	(2)	31,625
Legacy Management (non-defense)	2004	29,547	29,705	35,104
Naval Petroleum and Oil Shale Reserves	2005	20,000	18,000	17,301
Strategic Petroleum Reserve	2005	(2)	(2)	163,472
Energy Information Administration	2006	(2)	85,314	105,095
Non-Defense Environmental Cleanup:				
West Valley Demonstration	1981	5,000	5,000	60,895
UMTRA Groundwater and Long-Term Surveillance and Maintenance	1998	(2)	5,052	(2)
Other Uranium Activities				
DUF6 Conversion	2004	(3)	98,800	(2)
Departmental Administration	1984	246,963	185,682	142,964
Office of Economic Impact and Diversity	1981	6,000	583	5,649
Office of Inspector General	1984	(2)	14,670	47,732
Atomic Energy Defense Activities:				
National Nuclear Security Administration:				
Weapons Activities	2007	6,417,676	(2)	5,879,137
Defense Nuclear Nonproliferation	2007	1,701,426	(2)	1,683,646
Naval Reactors	2007	795,133	(2)	808,219
Office of Administrator	2007	386,576	(2)	415,879
Defense Environmental Cleanup	2007	5,435,312	(2)	5,766,561
Other Defense Activities	2007	717,788	(2)	604,313
Defense Nuclear Waste Disposal	2007	358,080	(2)	292,046
Power Marketing Administrations:				
Southeastern	1984	24,240	20,594	6,463
Southwestern	1984	40,254	36,229	30,442
Western Area	1984	259,700	194,630	201,030
Federal Energy Regulatory Commission	1984	(2)	(2)	255,425 (4)
Appalachian Regional Commission	2007	92,000	64,858	35,000

(1) Program was initiated in 1972 and has never received a separate authorization.
(2) No amount specified
(3) Such sums as necessary
(4) Fully offset by revenues

RESCISSIONS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

Department or Activity	
Corps of Engineers-Civil: Investigations	$100,000
Corps of Engineers-Civil: Construction	$4,688,000
Department of Energy: Clean Coal Technology	$149,000,000

EARMARKS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

COMPARISON WITH THE BUDGET RESOLUTION

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a)(1)(A) of the Congressional Budget Act of 1974, the following table compares the levels of new budget authority provided in the bill with the appropriate allocation under section 302(b) of the Budget Act.

[in millions of dollars]

302(b) allocation		This bill		
Budget authority	Outlays	Budget authority	Outlays	
Discretionary	31,603	32,774	31,603	32,744
Mandatory	.....	1	.....	1

FIVE-YEAR OUTLAY PROJECTIONS

Pursuant to section 308(a)(1)(B) of the Congressional Budget Act of 1974, the following table contains five-year projections prepared by the Congressional Budget Office of outlays associated with the budget authority provided int he accompanying bill:

[in millions of dollars]

Budget Authority	$31,603
Outlays:	
2008	19,566
2009	8,963
2010	2,637
2011	194
2012	77

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Pursuant to section 308(a)(1)(C) of the Congressional Budget Act of 1974, the amount of financial assistance to State and local governments is as follows:

[In millions of dollars]

Budget Authority	$39
Fiscal Year 2008 outlays resulting therefrom	5

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each rollcall vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 1

Date: June 6, 2007.

Measure: Energy and Wagter Development Bill, FY 2008.

Motion by: Mr. Hinchey.

Description of Motion: To prohibit funds from being used by the Secretary of Energy to designagte a national electric transmission corridor or by the Federal Energy Regulatory Commission to take any action related to the processing or issuance of a permit under section 216(b) of the Federal Power Act.

Results: Rejected 30 yeas to 35 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Alexander	Mr. Aderholt
Mr. Berry	Mr. Bishop
Mr. Boyd	Mr. Calvert
Mr. Chandler	Mr. Carter
Mr. Culberson	Mr. Cramer
Ms. DeLauro	Mr. Crenshaw
Mr. Dicks	Mr. Edwards
Mr. Farr	Mrs. Emerson
Mr. Fattah	Mr. Goode
Mr. Frelinghuysen	Ms. Granger
Mr. Hinchey	Mr. Hobson
Mr. Israel	Mr. Honda
Mr. Jackson	Ms. Kaptur
Mr. Kennedy	Ms. Kilpatrick
Ms. Lee	Mr. Kingston
Mrs. Lowey	Mr. Kirk
Ms. McCollum	Mr. Knollenberg
Mr. Mollahan	Mr. LaHood
Mr. Moran	Mr. Latham
Mr. Murtha	Mr. Lewis
Mr. Obey	Mr. Olver
Mr. Pastor	Mr. Peterson
Mr. Price	Mr. Rehberg
Mr. Rodriguez	Mr. Rogers
Mr. Rothman	Ms. Roybal-Allard
Mr. Udall	Mr. Ruppersberger
Mr. Walsh	Mr. Ryan
Ms. Wasserman Schultz	Mr. Schiff
Mr. Wicker	Mr. Serrano
Mr. Wolf	Mr. Simpson
	Mr. Tiahrt
	Mr. Visclosky
	Mr. Wamp
	Dr. Weldon
	Mr. Young

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

		FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
400	TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
500	DEPARTMENT OF THE ARMY					
600	Corps of Engineers - Civil					
700	Investigations	162,916	90,000	120,100	-42,816	+30,100
800	Rescission	---	---	-100	-100	-100
810	Supplemental Appropriations - H.R. 2206					
820	(emergency)	8,165	---	---	-8,165	---
900	Total, Investigations	171,081	90,000	120,000	-51,081	+30,000
1000	Construction	2,336,368	1,523,000	2,008,874	-327,494	+485,874
1100	Rescission	---	---	-4,688	-4,688	-4,688
1110	Supplemental Appropriations - H.R. 2206					
1120	(emergency)	36,500	---	---	-36,500	---
1400	Total, Construction	2,372,868	1,523,000	2,004,186	-368,682	+481,186
1700	Mississippi River and tributaries	396,565	260,000	278,000	-118,565	+18,000
1900	Operations and Maintenance	1,973,347	2,471,000	2,655,241	+681,894	+184,241
1910	Supplemental Appropriations - H.R. 2206					
1920	(emergency)	3,000	---	---	-3,000	---
1930	Total, Operations and Maintenance	1,976,347	2,471,000	2,655,241	+678,894	+184,241
2200	Regulatory program	159,273	180,000	180,000	+20,727	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
2300 FUSRAP	138,672	130,000	130,000	-8,672	---
2400 Flood control and coastal emergencies	---	40,000	40,000	+40,000	---
2410 Supplemental Appropriations - H.R. 2206					
2420 (emergency)	1,561,000	---	---	-1,561,000	---
2430 Total, Flood control and coastal emergencies	1,561,000	40,000	40,000	-1,521,000	---
2800 Expenses	167,250	177,000	171,000	+3,750	-6,000
3000 Office of Assistant Secretary of the Army (Civil					
3100 Works)	3,979	---	6,000	+2,021	+6,000
3200 Total, title I, Department of Defense - Civil	6,947,035	4,871,000	5,584,427	-1,362,608	+713,427
3700 TITLE II - DEPARTMENT OF THE INTERIOR					
3800 Central Utah Project Completion Account					
3900 Central Utah project construction	31,351	40,404	40,404	+9,053	---
4000 Fish, wildlife, and recreation mitigation and					
4100 conservation	937	976	976	+39	---
4200 Subtotal	32,288	41,380	41,380	+9,092	---
4300 Program oversight and administration	1,732	1,620	1,620	-112	---
4400 Total, Central Utah project completion account	34,020	43,000	43,000	+8,980	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
4500 Bureau of Reclamation					
4600 Water and related resources	878,623	816,197	871,197	-7,426	+55,000
4610 Supplemental Appropriations - H.R. 2206					
4620 (emergency)	18,000	---	---	-18,000	---
4630 Total, Water and related resources	896,623	816,197	871,197	-25,426	+55,000
5000 Central Valley project restoration fund	52,150	59,122	59,122	+6,972	---
5100 California Bay-Delta restoration	36,648	31,750	40,750	+4,102	+9,000
5200 Policy and administration	57,575	58,811	58,811	+1,236	---
5220 Legislative proposal SJRRF	---	-8,000	---	---	+8,000
5300 Total, Bureau of Reclamation	1,042,996	957,880	1,029,880	-13,116	+72,000
5400 Total, title II, Department of the Interior	1,077,016	1,000,880	1,072,880	-4,136	+72,000
5500 TITLE III - DEPARTMENT OF ENERGY					
5540 Energy Programs					
5650 Energy efficiency and renewable energy	1,474,285	1,236,199	1,873,844	+399,559	+637,645
5660 Electricity delivery and energy reliability	137,000	114,937	134,161	-2,839	+19,224
5670 Nuclear energy	482,191	801,703	759,227	+277,036	-42,476

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

		FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
5673	(Reallocation from Energy supply and conservation)	---	---	(591,378)	(+591,378)	(+591,378)
5675	(Reallocation from Nuclear nonproliferation).....	---	---	(167,849)	(+167,849)	(+167,849)
5680	Office of Legacy Management.....	33,187	35,104	---	-33,187	-35,104
5700	Clean coal technology:					
5800	Deferral of unobligated balances, FY 2005.....	257,000	---	---	-257,000	---
5900	Deferral of unobligated balances, FY 2007.....	-257,000	---	---	+257,000	---
5920	Deferral of unobligated balances, FY 2008.....	---	257,000	257,000	+257,000	---
6000	Rescission, uncommitted balances.....	---	-149,000	-149,000	-149,000	---
6100	Transfer to Fossil Energy R&D.....	---	-166,000	-166,000	-166,000	---
6200	Total, Clean coal technology.....	---	-58,000	-58,000	-58,000	---
6300	Fossil Energy Research and Development.....	592,621	400,801	542,801	-49,820	+142,000
6400	Transfer from Clean Coal Technology	---	166,000	166,000	+166,000	---
6500	Subtotal, Fossil Energy Research and Development	592,621	566,801	708,801	+116,180	+142,000
6600	Naval Petroleum and Oil Shale Reserves.....	21,316	17,301	17,301	-4,015	---
7100	Strategic petroleum reserve.....	164,441	331,609	163,472	-969	-168,137
7200	Northeast home heating oil reserve.....	5,000	5,325	5,325	+325	---
7300	Energy Information Administration.....	90,653	105,095	105,095	+14,442	---
7400	Non-defense environmental clean up.....	349,687	180,937	286,041	-63,646	+105,104
7420	(Reallocation from Energy supply and conservation)	---	---	(35,104)	(+35,104)	(+35,104)
7500	Uranium enrichment decontamination and decommissioning					
7600	fund.....	556,606	573,509	618,759	+62,153	+45,250
7700	Science.....	3,797,294	4,397,876	4,514,082	+716,788	+116,206
7800	Nuclear Waste Disposal.....	99,206	202,454	202,454	+103,248	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
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(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
7840 Environment, safety and health (Reallocation from 7850 Energy supply and conservation)	27,841	---	31,625	+3,784	+31,625
7870 Innovative Technology Loan Guarantee Program	---	8,390	---	---	-8,390
7900 Departmental administration	276,832	310,366	304,782	+27,950	-5,584
8000 Miscellaneous revenues	-123,000	-161,818	-161,818	-38,818	---
8100 Net appropriation	153,832	148,548	142,964	-10,868	-5,584
8200 Office of the Inspector General	41,819	47,732	47,732	+5,913	---
8400 Atomic Energy Defense Activities					
8500 National Nuclear Security Administration:					
8600 Weapons activities	6,275,583	6,511,312	5,879,137	-396,446	-632,175
8900 Defense nuclear nonproliferation	1,683,339	1,672,646	1,683,646	+307	+11,000
8920 (Reallocation to Nuclear energy)	---	---	(-167,849)	(-167,849)	(-167,849)
8930 Supplemental Appropriations - H.R. 2206 8940 (emergency)	135,000	---	---	-135,000	---
8950 Subtotal, Defense nuclear nonproliferation	1,818,339	1,672,646	1,683,646	-134,693	+11,000
9000 Naval reactors	781,800	808,219	808,219	+26,419	---
9100 Office of the Administrator	340,291	394,656	415,879	+75,588	+21,223
9200 Subtotal, National Nuclear Security 9300 Administration	9,216,013	9,386,833	8,786,881	-429,132	-599,952
9400 Defense environmental cleanup	5,731,839	5,363,905	5,766,561	+34,722	+402,656

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

		FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
9600	Other defense activities	636,271	763,974	604,313	-31,958	-159,661
9700	Defense nuclear waste disposal	346,500	292,046	292,046	-54,454	---
9800	Total, Atomic Energy Defense Activities	15,930,623	15,806,758	15,449,801	-480,822	-356,957
9900	Power Marketing Administrations					
10000	Operation and maintenance, Southeastern Power					
10100	Administration	38,315	54,876	54,876	+16,561	---
10200	Offsetting collection	-32,713	-48,413	-48,413	-15,700	---
10300	Subtotal, O&M, Southeastern Power Administration	5,602	6,463	6,463	+861	---
10400	Operation and maintenance, Southwestern Power					
10500	Administration	32,998	65,442	65,442	+32,444	---
10600	Offsetting collection	-3,000	-35,000	-35,000	-32,000	---
10800	Subtotal, O&M, Southwestern Power Administration	29,998	30,442	30,442	+444	---
10900	Construction, rehabilitation, operation and					
11000	maintenance, Western Area Power Administration	515,031	463,669	463,669	-51,362	---
11100	Offsetting collection	-279,000	-258,702	-258,702	+20,298	---
11140	Offsettting collection Colorado River Dam Fund	-3,705	-3,937	-3,937	-232	---
11400	Subtotal, O&M, Western Area Power Administration	232,326	201,030	201,030	-31,296	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

		FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
11500	Falcon and Amistad operating and maintenance fund.....	2,665	2,500	2,500	-165	---
11800	Total, Power Marketing Administrations.....	270,591	240,435	240,435	-30,156	---
11900	Federal Energy Regulatory Commission					
12000	Salaries and expenses.....	221,902	255,425	255,425	+33,523	---
12100	Revenues applied.....	-221,902	-255,425	-255,425	-33,523	---
12200	Total, title III, Department of Energy.....	24,228,193	24,762,713	25,243,119	+1,014,926	+480,406
12300	Appropriations.....	(24,093,193)	(24,911,713)	(25,392,119)	(+1,298,926)	(+480,406)
12500	Rescissions.....	---	(-149,000)	(-149,000)	(-149,000)	---
12600	TITLE IV - INDEPENDENT AGENCIES					
12700	Appalachian Regional Commission.....	64,858	65,000	35,000	-29,858	-30,000
12800	Defense Nuclear Facilities Safety Board.....	21,914	22,499	22,499	+585	---
12900	Delta Regional Authority.....	11,888	6,000	6,000	-5,888	---
13000	Denali Commission.....	49,509	1,800	1,800	-47,709	---
13100	Nuclear Regulatory Commission:					
13200	Salaries and expenses.....	816,639	908,409	925,559	+108,920	+17,150
13300	Revenues.....	-659,328	-757,720	-757,720	-98,392	---
13400	Subtotal.....	157,311	150,689	167,839	+10,528	+17,150

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

		FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
13500	Office of Inspector General	8,285	8,144	8,144	-141	---
13600	Revenues	-7,410	-7,330	-7,330	+80	---
13700	Subtotal	875	814	814	-61	---
13800	Total, Nuclear Regulatory Commission	158,186	151,503	168,653	+10,467	+17,150
13900	Nuclear Waste Technical Review Board	3,591	3,621	3,621	+30	---
14000	Tennessee Valley Authority: Office of Inspector					
14100	General	---	15,000	---	---	-15,000
14200	Offset	---	-15,000	---	---	+15,000
14220	Office of the Federal Coordinator for Alaska natural					
14230	gas transportation projects	---	2,322	2,322	+2,322	---
14300	Total, title IV, Independent agencies	309,946	252,745	239,895	-70,051	-12,850
14400	Grand total	32,562,190	30,887,338	32,140,321	-421,869	+1,252,983
14500	Appropriations	(30,800,525)	(31,036,338)	(32,294,109)	(+1,493,584)	(+1,257,771)
14600	Emergency appropriations	(1,761,665)	---	---	(-1,761,665)	---
14800	Rescission	---	(-149,000)	(-153,788)	(-153,788)	(-4,788)

ADDITIONAL VIEWS OF REPRESENTATIVES LEWIS OF CALIFORNIA AND HOBSON

302(B) ALLOCATION

The 302(b) discretionary allocation for the fiscal year 2008 Energy and Water Development Appropriations Bill is $31.6 billion, an increase of $1.13 billion (3.7 percent) above the President's request and $1.3 billion (4.3 percent) above the amount provided in fiscal year 2007. Much of this increase in discretionary funding would be justified to address chronic underfunding of water resources infrastructure, but only if accompanied by project-specific guidance directing how these funds are to be spent. If the House is not able to include such project-specific guidance in the final conference report, then we do not support providing these increased funding levels to the agencies.

PRIORITIES IN THE BILL

This bill addresses some very difficult issues, including reversing the degradation of our nation's water infrastructure, developing domestic energy sources with less impact on global climate, and fostering our national security through rational efforts on nuclear nonproliferation and nuclear weapons. While these are legitimate priorities, the absence of Congressional direction for these large funding increases and the decision to defer such direction to conference is not only an abdication of our constitutional responsibilities, but a fundamental disservice to our constituents as well. We also caution that increased spending at the Department of Energy is no guarantee of increased results. The subcommittee must continue intensive oversight to ensure that the increases in funding are accompanied by increased results.

NUCLEAR WEAPONS

The concept of the Reliable Replacement Warhead (RRW) has merit if it allows the United States to meet our strategic defense goals while maintaining a smaller stockpile of more reliable weapons that will not require nuclear testing. Unfortunately, what the National Nuclear Security Administration (NNSA) has presented to Congress is little more than a vague promise that RRW might lead to a smaller future stockpile. At the same time, the NNSA is planning to modernize its infrastructure to meet anticipated needs out to the year 2030, and is basing this modernization plan on the assumption that the current stockpile remains largely unchanged in terms of systems and total numbers. What is needed is a specific stockpile plan from the Administration, based upon validated strategic goals and military requirements, that shows how developing the RRW will actually get us to a much smaller, more responsible future stockpile. Such a stockpile plan is absolutely essential before

we invest in the modernization of the DOE nuclear weapons complex. NNSA must strive to transform its existing complex from a Cold War relic, with weapons laboratories plagued by security lapses, safety accidents, and persistent mismanagement, to a streamlined operation aligned with the national security demands and economic constraints of the post-9/11 environment. NNSA laboratories should not aspire to involvement in other program activities of the Department until they demonstrate they can execute their primary weapons responsibilities in a safe, secure, and efficient manner.

MIXED OXIDE (MOX) FUEL FABRICATION FACILITY

This project, which DOE originally told Congress would cost only $1 billion, has now escalated to $4.7 billion before construction has even started. The life cycle cost for all of the activities and facilities necessary to dispose of 34 metric tons of excess U.S. weapons usable plutonium is currently estimated at $11 billion, and will most certainly climb higher. This project is simply a waste of money. It has completely lost its way from being a cooperative nonproliferation program with Russia to being little more than a jobs program in South Carolina. While we are appreciative of the majority's proposed reduction in funding for this project, this funding should be eliminated entirely and applied to other higher priority needs.

JERRY LEWIS.
DAVE HOBSON.

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