

**CONGRESSIONALLY DIRECTED FOSSIL ENERGY RESEARCH AND
DEVELOPMENT PROJECTS**

PROJECT	
CENTER FOR ZERO EMISSIONS RESEARCH AND TECHNOLOGY (MT)	\$1,730,000
DIRECT METHANOL FUEL CELL (IN)	\$1,000,000
FUEL CELL TECH FOR CLEAN COAL POWER PLANTS (OH)	\$1,500,000
GULF OF MEXICO HYDRATES RESEARCH CONSORTIUM (MS)	\$1,200,000
ITM REACTION-DRIVEN CERAMIC MEMBRANE SYSTEMS (PA)	\$1,000,000
METHANOL ECONOMY (CA)	\$2,000,000
MULTI-POLLUTANT REMOVAL AND ADVANCED MULTI-POLLUTANT REMOVAL AND ADVANCED CARBON CAPTURE AND STORAGE PROJECTS USING ECO TECHNOLOGY (OH)	\$1,000,000
PILOT ENERGY COST CONTROL EVALUATION (PECCE) PROJECT (WVA, PA & IN)	\$2,476,000
REDIRECTION OF FISCAL YEAR 2008 FUNDING FOR PILOT ENERGY COST CONTROL EVALUATION (WV, PA, & IN)	-\$1,476,000
ROLLS ROYCE SOLID OXIDE FUEL CELL SYSTEMS DEVELOPMENT (OH)	\$1,350,000
UNIVERSITY OF KENTUCKY STRATEGIC LIQUID TRANSPORTATION FUELS DERIVED FROM COAL (KY)	\$1,000,000
WYOMING CO2 SEQUESTRATION TESTING PROGRAM (WY)	\$900,000

NAVAL PETROLEUM AND OIL SHALE RESERVES

Appropriation, 2008	\$20,272,000
Budget estimate, 2009	19,099,000
Recommended, 2009	19,099,000
Comparison:	
Appropriation, 2008	- 1,173,000
Budget estimate, 2009	—

The Naval Petroleum and Oil Shale Reserves no longer serve the national defense purpose envisioned in the early 1900s, 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, and management of the Rocky Mountain Oilfield Testing Center at NPR-3, and continuing environmental and remediation work at Elk Hills.

The Committee recommendation for the operation of the naval petroleum and oil shale reserves is \$19,099,000, the same as the budget request.

STRATEGIC PETROLEUM RESERVE

Appropriation, 2008	\$186,757,000
Budget estimate, 2009	344,000,000
Recommended, 2009	172,600,000
Comparison:	
Appropriation, 2008	- 14,157,000
Budget estimate, 2009	- 171,400,000

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 inventory at the end of December 2007 was 696.9 million barrels providing 58 days of net import protection.

The Committee recommends \$172,600,000, a decrease of \$171,400,000 below the budget request, including the use of \$2,923,000 of prior year balances as proposed in 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. With the price of a barrel of oil nearing \$140, current cost estimates and schedule for the expansion are \$10 billion for new facilities, \$105 billion for the cost of the oil fill, and a completion date of 2027. The Committee does not believe that the benefits of doubling the capacity of the Strategic Petroleum Reserve are commensurate with this enormous cost.

NORTHEAST HOME HEATING OIL RESERVE

Appropriation, 2008	\$12,335,000
Budget estimate, 2009	9,800,000
Recommended, 2009	9,800,000
Comparison:	
Appropriation, 2008	- 2,535,000
Budget estimate, 2009	—

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 recommendation for the Northeast Home Heating Oil reserve is \$9,800,000, the same as the budget request.

ENERGY INFORMATION ADMINISTRATION

Appropriation, 2008	\$95,460,000
Budget estimate, 2009	110,595,000
Recommended, 2009	120,595,000
Comparison:	
Appropriation, 2008	+25,135,000
Budget estimate, 2009	+10,000,000

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 analyses 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 recommendation for the Energy Information Administration is \$120,595,000, an increase of \$10,000,000 over the budget request, and an increase of \$25,135,000 over the fiscal year 2008 enacted levels. Of the increase provided, the Committee directs \$1,000,000 to collect and compile data on the impacts of capital flows into regulated and unregulated futures, options and swaps markets; \$1,200,000 for gasoline import data quality issues, ethanol data collections and climate change data; \$250,000 to implement Section 804 of the Energy Independence and Security Act (EISA) regarding refinery data and impacts of refinery outages; and, \$7,550,000 for more timely State-level energy data, as authorized by Section 805 of EISA.

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 re-

sulted in radioactive, hazardous, and mixed waste contamination that requires remediation, stabilization, or some other action. Language has been included that provides for the remediation of a Tuba City, Arizona, radiation-contaminated property in the vicinity of a uranium mill tailings site.

Reprogramming authority.—The Committee continues to support the need for flexibility to meet changing funding requirements at sites. In fiscal year 2009, the Department may transfer up to \$2,000,000 between projects and programs within the Non-Defense Environmental Cleanup 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, 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, 2008	\$182,263,000
Budget estimate, 2009	213,411,000
Recommended, 2009	257,019,000
Comparison:	
Appropriation, 2008	74,756,000
Budget estimate, 2009	43,608,000

The Committee recommendation for Non-Defense Environmental Cleanup is \$257,019,000, an increase of \$43,608,000 over the budget request. The recommendation provides \$57,600,000 for solid waste stabilization and disposition, and nuclear facility decontamination and decommissioning (D&D), at the West Valley Demonstration Project, the same as the budget request. The Committee recommends \$81,296,000 for D&D of the gaseous diffusion plants, the same as the budget request. The recommendation provides \$10,755,000 for the Fast Flux Test Reactor facility, the same as the budget request.

Small Sites.—The Committee is concerned that funds for Small Sites have been maintained level 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 \$15,433,000 for Brookhaven National Laboratory, an increase of \$7,000,000 over the budget request, to accelerate the D&D of the graphite reactor.

The Committee recommends \$10,000,000 for Argonne National Laboratory (Argonne), an increase of \$9,541,000 over the budget request to address the radioactive contamination and material legacy that exists at the site for facilities that are no longer used and require remediation. Argonne is a multi-purpose and multi-program

research institution with over 60 years of operation with many DOE sponsor programs that funded work that led to contamination and waste at the site. In House report 110–185, the Committee tasked DOE to submit, by November 30, 2007, an inventory of legacy contamination at Argonne. Over six months later, DOE has still failed to submit this required report to Congress. The Committee is frustrated with the bureaucratic delay at DOE in determining the cost-share among the programs needed to address the contamination that resides at this site. As such, the Committee also provides \$10,000,000 in the Office of Science and \$10,000,000 in the National Nuclear Security Administration for a total of \$30,000,000 to address legacy remediation needs at Argonne. The Committee directs the Environmental Management program to coordinate with the DOE program offices that contributed to the contamination at Argonne, and present to the Committee a plan on the out-year remediation efforts and funding needs to address the legacy contamination within 90 days of enactment of this legislation.

The Committee recommends \$14,000,000, an increase of \$9,600,000 over the budget request, to address the excess contaminated facilities at Idaho National Laboratory. The Committee directs the Secretary of Energy to transfer radioactive cleanup liabilities at the Idaho National Laboratory, which are currently the responsibility of the Office of Nuclear Energy, to the Environmental Management program for remediation. The transfer of these liabilities shall have no negative impact on funding the Office of Nuclear Energy. The budget request for fiscal year 2010 should reflect this transfer of cleanup responsibilities.

The Committee recommends \$5,000,000, an increase of \$5,000,000 over the budget request, to carry out remedial actions at a dump site immediately adjacent to the north-northwest section of a former uranium mill tailings processing site, on the north side of Highway 160, in the vicinity of Tuba City, Arizona. The remediation of this vicinity property is necessary to address residual radioactive materials that were not determined to be present at the time of the original remediation.

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 recommends \$1,100,000, the same as the budget request, for the administration of completed sites. The Committee recommendation provides \$7,883,000 for the Stanford Linear Accelerator Center, an increase of \$3,000,000 over the budget request, to maintain baseline completion in 2010; and \$20,000,000 for nuclear facility decontamination and decommissioning at the Energy Technology Engineering Center, an increase of \$7,467,000 over the budget request, for conducting a radiological characterization survey per Environmental Protection Agency requirements. 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 \$187,000 for cleanup work at various sites in California, and \$30,513,000 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.

Use of prior-year balances.—The Committee recommends the use of \$653,000 of prior year balances, the same as the budget request.

Congressionally Directed Project.—The Committee recommendation includes \$2,000,000 for the following House-directed project.

**CONGRESSIONALLY DIRECTED NON-DEFENSE ENVIRONMENTAL
CLEANUP PROJECTS**

PROJECT

WESTERN ENVIRONMENTAL TECHNOLOGY OFFICE (MT)

\$2,000,000

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING
FUND

Appropriation, 2008	\$ 622,162,000
Budget estimate, 2009	480,333,000
Recommended, 2009	529,273,000
Comparison:	
Appropriation, 2008	- 92,889,000
Budget estimate, 2009	+48,940,000

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 \$529,273,000 for activities funded from the Uranium Enrichment Decontamination and Decommissioning Fund, an increase of \$48,940,000 over the budget request. This amount includes \$514,273,000 for decontamination and decommissioning activities at the gaseous diffusion plants and \$15,000,000 for Title X uranium and thorium reimbursements. The increase of \$48,940,000 includes \$33,940,000 for the accelerated D&D of Oak Ridge East Tennessee Technology Park nuclear facilities, and \$15,000,000 for Title X uranium and thorium reimbursements.

SCIENCE

(INCLUDING TRANSFER OF FUNDS)

Appropriation, 2008	\$4,017,711,000
Budget estimate, 2009	4,721,969,000
Recommended, 2009	4,861,669,000
Comparison:	
Appropriation, 2008	+843,958,000
Budget estimate, 2009	+139,700,000

The Science account funds the Department's work on high energy physics, nuclear physics, biological and environmental research, 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 2009. The requested 17.5 percent increase is the major incremental increase planned within the overall 10-year doubling of funding for these activities in DOE authorized by the America COMPETES Act (Public Law 110-69). A critical element of this increase is the support it would provide for 2,600 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 2009 request would fully fund 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, the 12 GeV upgrade to the Continuous Electron Beam Accelerator Facility, and the National Synchrotron Light Source II. U.S. scientific and technical leadership is also supported through the availability of advanced scientific computing facilities.

The Committee has some concerns regarding management practices at the Office of Science which must be resolved in order to ensure that the proposed increase is spent wisely. While the Office has recently shown its capacity to manage projects effectively, building the Spallation Neutron Source generally on budget, and on schedule, the Committee was disappointed to learn of the substantial cost overruns and schedule slippage that eventually forced the recent termination of the construction of the National Compact Stellarator Experiment (NCSX), after an investment of over \$100,000,000. The Committee commends the efforts by the Department to re-assess the scientific merit and technical viability of the project once they became aware of the cost and schedule issues, and supports the decision by the Department to terminate the project. However, the Committee is concerned by the lack of oversight that allowed the project to proceed as far as it did without the kind of detailed, independent technical design and costing validation that has recently been undertaken, an issue that seems to arise over and over again across the Department. It is essential that adequate support is provided up front to establish the reliability of new technologies that will be used, and that complete end-to-end system engineering and design is performed before proceeding to construction. Further, the Committee has been made aware of a recent report issued by the Department's Inspector General which has documented significant lapses of oversight in conference management at Oak Ridge National Laboratory (ORNL), such as the use of registration fees from non-Department sources to pay for alcohol, entertainment and gifts, and the lack of adequate reporting of conference information. The Department is instructed to follow the recommendations of the report and ensure that the more than \$38,000,000 spent across the Department on conferences is spent wisely. Finally, a key element of the Department's isotope production capability as well as the Manuel Lujan, Jr. Neutron Scattering Center are located at the Los Alamos Neutron Science Center (LANSCE). Unfortunately, a provision in the NNSA Act (Public Law 106-65) would preclude the employees and contractors of LANSCE from being subject to the authority, direction, and control of the Director of Science, even when LANSCE is conducting work tasked by and funded by the Office of Science. The Committee includes bill language eliminating this restriction, but only with respect to LANSCE research and operations for the isotope production mission transferred to the Office of Science.

The Committee is pleased with the efforts made by the Department to improve energy research and development integration across the Office of Science and with the applied energy programs. These efforts include cooperation in planning, through a series of twenty workshops undertaken by the Office of Science in order to

identify critical science barriers to progress in several key energy technologies, as well as in budgeting, via the inclusion of integrated budgets across the department for six key areas of importance to several of the Department's missions: Advanced Mathematics for Optimization of Complex Systems, Control Theory, and Risk Assessment; Electrical Energy Storage; Carbon Dioxide Capture and Storage; Characterization of Radioactive Waste; Predicting High Level Waste System Performance over Extreme Time Horizons; and High Energy Density Laboratory Plasmas. The request also contains funding for the first steps in the execution of these plans, including a proposal for \$100,000,000 for approximately two dozen Energy Frontier Research Centers (EFRCs) focused on addressing critical research needs identified by the recent workshops. The Committee is concerned, however, that the integration efforts have been either top-down, being undertaken at the level of Under Secretaries, or unique events such as workshop series and EFRCs. The Department should take the next step in this process and institutionalize mechanisms for coordination to ensure that these efforts are no longer the exception but the rule, and integrate such coordination with the Department's processes for planning, budgeting, and execution. With these additional steps, the Committee believes that the Department will make substantial progress in bridging the divide between basic science and applied technology, one of the main motivations underlying proposals for the creation of a new Advanced Research Projects Agency—Energy (ARPA-E).

The Committee recommendation is \$4,861,669,000, an increase of \$139,700,000 from the budget request and \$843,958,000 over the fiscal year 2008 enacted level.

HIGH ENERGY PHYSICS

The Committee recommends a total of \$804,960,000 for high energy physics, the same as the budget request and an increase of \$116,643,000 over the fiscal year 2008 enacted level. Funding is provided for the NOvA activity as well as for International Linear Collider (ILC) R&D and Superconducting Radiofrequency R&D activities. The Committee commends the Department for its efforts to engage the high energy physics scientific community to provide a bold vision for the future of the Nation's efforts in this area that is both realistic and scientifically compelling, particularly given the difficult budget constraints faced by the field in fiscal year 2008. Given the hefty estimated price tag and elongated timeframe presently envisioned for the ILC, the Committee believes that a balanced effort that addresses opportunities at the energy, luminosity, and cosmic frontiers by leveraging existing physical capital and facilities to the maximum extent possible and by engaging in international scientific cooperation is critical for the future of this field. To this end, the Committee directs the Department to work with the National Science Foundation (NSF) to pursue opportunities to couple facilities at Fermilab with facilities and experiments at the proposed Deep Underground Science and Engineering Laboratory (DUSEL) which may substantially enhance the scientific reach of both projects.

Over the past few years, the Committee has consistently supported the DOE/NASA Joint Dark Energy Mission (JDEM), a space probe which may provide a better understanding of the nature of

the “dark energy” that constitutes the majority of the universe. This approach has been strengthened by the recommendation of the National Research Council in September of 2007 that JDEM be the first of the Beyond Einstein space missions to proceed. The Committee is pleased with the efforts made by the Office of Science to work with NASA to establish a path forward for this mission which leverages the strengths of both agencies to unlock the secrets of dark energy, and encourages the organizations to formalize the agreement with a Memorandum of Understanding as soon as possible.

The control level is at the High Energy Physics level.

NUCLEAR PHYSICS

The Committee recommendation for nuclear physics is \$517,080,000, an increase of \$7,000,000 over the budget request, and \$84,354,000 above the fiscal year 2008 enacted level. 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). An additional \$7,000,000 above the budget request is provided to initiate and accelerate construction of the 12 GeV upgrade to the Continuous Electron Beam Accelerator Facility at the Thomas Jefferson National Accelerator Facility (project 06-SC-01). The Committee encourages the Department to complete PED for this upgrade and move expeditiously into the construction phase; any remaining PED funds should be applied to construction activities. The funding provided includes \$6,603,000 for nuclear physics activities relevant to the Characterization of Radioactive Waste, one of six integrated research and development areas highlighted in the request.

The request also includes funding for the isotope production program, which has been transferred to the Nuclear Physics account from the Nuclear Energy program. The Committee is encouraged to note that the request includes \$3,090,000 for research isotope development and production, an area identified by the National Academies as vital for the future of this program, and one of the motivations for the transfer of this program.

The control level is at the Nuclear Physics level.

BIOLOGICAL AND ENVIRONMENTAL RESEARCH

The Committee recommendation for Biological and Environmental Research is \$578,540,000, an increase of \$10,000,000 over the budget request. This area of the Office of Science encompasses two distinct research efforts whose funding is provided in separate subaccounts: 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. The Committee recommends that these programs be managed as independent subaccounts and component activities of the Office of Science. The control level is at the Biological Research and Climate Change Research levels.

Biological Research.—The Committee recommendation for Biological Research is \$418,613,000, an increase of \$5,000,000 over the budget request, and \$11,083,000 above the fiscal year 2008 enacted

level. The increase of \$5,000,000 above the budget request is provided for the Life Sciences component of Biological Research and is to be used to restore support for research efforts in radiochemistry and instrumentation that seek to capitalize on the Department's unique capabilities cutting across several scientific disciplines to stimulate advances in biological imaging. The funding provided also includes the requested \$1,500,000 for biological research activities relevant to the Characterization of Radioactive Waste and \$12,627,000 for biological research activities relevant to Carbon Capture and Storage, two of the six integrated research and development areas highlighted in the request.

Climate Change Research.—The Committee recommendation for Climate Change Research is \$159,927,000, an increase of \$5,000,000 above the budget request and \$23,060,000 above the fiscal year 2008 enacted level. The Committee is pleased that the Department, following Congressional direction, has finally begun to make climate change more of a priority with a request for a substantial increase in funding for climate modeling activities, an area in which the Department's considerable computational resources give it the potential to play a leading role. However, given the increasing likelihood that international action may be required to address global climate change, the Committee believes that it is critical that the Department also develop better tools for understanding, in an integrated fashion, the broader economic, environmental, and societal implications of climate change. An additional \$2,500,000 is provided to enhance integrated assessment activities, which utilize the results of climate models to assess mitigation and adaptation policies and technologies and their broader implications. Finally, as models are only as good as the science that supports them, a further increase of \$2,500,000 is provided to enhance climate forcing research activities, which address important scientific questions relevant to improving climate modeling such as the impact of aerosols and clouds on local and global temperatures.

Capabilities in climate change research are spread across multiple agencies: 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. As the Department increases its efforts in climate modeling, the Committee would like to see the Department take the initiative in coordinating these activities with the efforts supported by those agencies.

The funding provided also includes \$4,747,000 for climate change research activities relevant to Carbon Capture and Storage, one of six integrated research and development areas highlighted in the request.

BASIC ENERGY SCIENCES

The Committee recommendation for Basic Energy Sciences is \$1,599,660,000, an increase of \$31,500,000 over the budget request and an increase of \$329,758,000 over the current fiscal year. For purposes of reprogramming during fiscal year 2009, the Depart-

ment 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 \$1,142,579,000 for materials sciences and engineering, and \$297,113,000 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 Manuel Lujan, Jr. Neutron Scattering Center, the High Flux Isotope Reactor, the Linac Coherent Light Source (LCLS) linac at SLAC, and the Spallation Neutron Source (SNS) at their full optimal numbers of hours, as well as additional instrumentation for the SNS and LCLS. An additional \$17,000,000 is provided to accelerate the completion of the LCLS Ultrafast Science Instruments project and for LCLS operations to enable substantially more science to be done in the early stages of the operation of LCLS while it is the only x-ray free electron laser in the world. The recommendation includes \$8,240,000 for the Experimental Program to Stimulate Competitive Research (EPSCoR), the same as the budget request.

This funding includes \$100,000,000 for the Energy Frontier Research Center (EFRC) activities focused on addressing critical energy research needs identified by a series of ten Basic Research Needs workshops over the last several years. This Committee has long advocated the greater utilization of open competition for research funding that features head-to-head competition between national labs and universities to ensure that the best proposals will be funded regardless of the affiliation of the researchers involved, and supports the Department's decision to broadly compete the EFRCs in this manner. The Committee encourages the Department to update and expand upon its Basic Research Needs workshop series in order to ensure that any new science opportunities and challenges relevant to DOE's mission needs can be identified and addressed as they arise. Funding is provided in the Basic Energy Sciences for four integrated research and development areas: \$33,938,000 for Electrical Energy Storage, \$10,915,000 for Carbon Dioxide Capture and Storage, \$8,492,000 for Characterization of Radioactive Waste, and \$8,492,000 for Predicting High Level Waste System Performance over Extreme Time Horizons.

Construction.—The Committee recommendation includes \$159,968,000 for Basic Energy Sciences construction projects, an increase of \$14,500,000 over the budget request and \$66,703,000 above the fiscal year 2008 enacted level. The Committee recommendation provides the requested funding of \$11,500,000 for construction of the Advanced Light Source User Support Building (08-SC-01) at Lawrence Berkeley National Laboratory; \$3,728,000 for renovation of the Photon Ultrafast Laser Science and Engineering Building Renovation (08-SC-11) at the Stanford Linear Accelerator Center; \$107,773,000, \$14,500,000 above the budget request, for continued project engineering and design as well as to initiate construction of the National Synchrotron Light Source II (07-SC-06) at Brookhaven National Laboratory; and \$36,967,000 to con-

tinue construction of the Linac Coherent Light Source (05-R-320) at the Stanford Linear Accelerator Center.

ADVANCED SCIENTIFIC COMPUTING RESEARCH

The Committee recommendation is \$378,820,000, an increase of \$10,000,000 over the budget request and \$27,647,000 over the current fiscal year. The increase includes \$5,000,000 above the budget request to expand its Innovative and Novel Computational Impact on Theory and Experiment (INCITE) activities, which leverage the Department's leadership computational facilities and expertise by pairing them with scientists and engineers in other fields from universities, national laboratories, and industry to address critical scientific and technological questions. A further \$5,000,000 is provided to enhance advanced scientific computing research activities relevant to two of the six integrated research and development areas identified in the request. Including these additional funds, \$5,000,000 is provided for Advanced Mathematics for Optimization of Complex Systems, Control Theory, and Risk Assessment, and \$2,969,000 is provided for Carbon Dioxide Capture and Storage. These increases reflect the Committee's view of the importance of scientific computation not only in revolutionizing the way science is done, but also for applying these techniques to a wide range of modeling efforts relevant to the broader missions of the department.

FUSION ENERGY SCIENCES

The Committee recommendation for fusion energy sciences is \$499,050,000, an increase of \$6,000,000 over the budget request, and \$212,502,000 above the fiscal year 2008 enacted level. The Committee provides \$214,500,000 for the U.S. contribution to ITER, as requested. The Committee recommendation includes \$24,636,000 for fusion energy sciences activities relevant to High Energy Density Laboratory Plasmas, one of six integrated research and development areas highlighted in the request. The Committee supports the decision by the Department to terminate the National Compact Stellarator Experiment (NCSX) and provides \$9,000,000 to ensure orderly closeout of the project. The additional \$6,000,000 above the request, as well as the funding which had been requested for NCSX and is not required for closeout, are to be utilized by the Department to help revitalize the domestic fusion energy sciences program. Given the tremendous potential of fusion energy to provide a long-term solution to our energy needs, this Committee believes it is essential that the U.S. continue to play a leadership role in this area. To this end, the Department is directed to provide the Committee with a report no later than March 1, 2009 which describes a bold, credible plan for a world-leading U.S. fusion program as this area becomes an increasingly international endeavor.

SCIENCE LABORATORIES INFRASTRUCTURE

The Committee recommendation provides a total of \$145,760,000 for Science Laboratories Infrastructure, \$35,500,000 above the budget request. The Committee directs the Department to continue payments in lieu of taxes at the fiscal year 2008 level.

With the most recent estimate of the projected cost for disposal of excess facilities exceeding \$400,000,000, it is encouraging to see the Department, once again following Congressional direction, has increased its request for removal and cleanup efforts at its national laboratories which reduce long-term liabilities and provide needed space for new activities. The Committee provides \$36,723,000, \$21,879,000 above the budget request, for excess facilities disposition activities. Of this amount, the Committee provides \$26,723,000, \$11,879,000 above the budget request, to demolish the Bevatron accelerator and Building 51 at Lawrence Berkeley National Laboratory, thereby freeing up 15 acres of buildable land for future activities. Last year, the Committee requested the Department to provide a detailed inventory of legacy radioactive contamination at Argonne National Laboratory (ANL) and a determination of the parent programs responsible for such contamination so that the Department could fairly apportion remediation. This report due on November 30, 2007 has yet to be submitted to the Committee, and in the absence of such information, the Committee directs the Office of Science to transfer \$10,000,000 from funds provided for excess facilities disposition to the Non-Defense Environmental Cleanup account for cleanup efforts at ANL.

This Committee has consistently voiced its concern over the inadequacy of the Department's requests for resources to address the aging infrastructure at its laboratories which often can no longer meet the requirements for the performance of world-class scientific research. With the maintenance backlog estimated to exceed \$518,000,000, the Committee is pleased to see the Department begin to address these issues with a ten-year Infrastructure Modernization Initiative. In order to accelerate these efforts, the Committee provides \$25,103,000 for modernization of laboratory facilities at Oak Ridge National Laboratory, \$11,000,000 above the budget request, and \$10,740,000 for Phase I of the Interdisciplinary Science Building project at Brookhaven National Laboratory, \$2,500,000 above the request, to expedite the initiation of construction of this project.

SAFEGUARDS AND SECURITY

The Committee recommends \$80,603,000, the same as the budget request, to meet safeguards and security requirements at Office of Science facilities.

SCIENCE PROGRAM DIRECTION

The Committee recommendation is \$203,913,000 for Science program direction, the same as the budget request. This amount includes: \$112,151,000 for program direction at DOE field offices, \$82,846,000 for program direction at DOE headquarters, and \$8,916,000 for the Office of Scientific and Technical Information (OSTI). The control level for fiscal year 2009 is at the program account level of Science Program Direction. This funding includes \$1,000,000 to support increased energy research analysis and studies relevant to DOE's energy and science missions. The Committee supports efforts by the department to improve its analytical capacity to assess its impacts on the energy system as well as innovation more broadly.

SCIENCE WORKFORCE DEVELOPMENT

The Committee provides \$13,583,000 for workforce development for teachers and scientists in fiscal year 2009, the same as the requested amount. The Committee concurs with the proposed expansion of the Department's professional development program for science teachers. By utilizing the Department's intellectual and physical assets to provide teachers with the opportunity to become teacher-scientists rather than teachers who happen to teach science, this program can significantly enhance the ability of teachers to involve their students in doing science rather than just reading about and reproducing well-established principles.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY (ARPA-E)

The Committee recommendation includes \$15,000,000 in order to establish the Advanced Research Projects Agency—Energy within the Department to overcome the long-term and high-risk technological barriers in the development of energy technologies, as authorized by section 5012 of the America COMPETES Act (Public Law 110-69).

USE OF PRIOR YEAR BALANCES

The Committee recommendation includes the use of \$15,000,000 in prior-year balances.

CONGRESSIONALLY DIRECTED PROJECTS

The Committee recommendation includes \$39,700,000 for the following House-directed projects and activities.

CONGRESSIONALLY DIRECTED SCIENCE PROJECTS

PROJECT	
ADVANCED ARTIFICIAL SCIENCE AND ENGINEERING RESEARCH INFRASTRUCTURE (TX)	\$400,000
ALVERNIA COLLEGE SCIENTIFIC INSTRUMENTATION INITIATIVE (PA)	\$600,000
BARRY UNIVERSITY INSTITUTE FOR COLLABORATIVE SCIENCES RESEARCH (FL)	\$800,000
BIOTECHNOLOGY/FORENSICS LABORATORY (UT)	\$500,000
BRONX COMMUNITY COLLEGE CENTER FOR SUSTAINABLE ENERGY (NY)	\$500,000
BROWN UNIVERSITY, BROWN ENERGY INITIATIVE (RI)	\$1,000,000
CALIFORNIA STATE UNIVERSITY, SAN BERNARDINO TWIN TOWER PROJECT (CA)	\$600,000
CENTER FOR ADVANCED SCIENTIFIC COMPUTING AND MODELING (TX)	\$600,000
CENTER FOR CATALYSIS AND SURFACE SCIENCE AT NORTHWESTERN UNIVERSITY (IL)	\$1,000,000
CHEMISTRY BUILDING RENOVATION (MI)	\$500,000
CLEMSON UNIVERSITY CYBERINSTITUTE (SC)	\$1,500,000
CLINTON JUNIOR COLLEGE SCIENCE PROGRAM (SC)	\$400,000
COLLABORATIVE INITIATIVE IN BIOMEDICAL IMAGING (NC)	\$1,500,000
CURRICULUM AND INFRASTRUCTURE ENHANCEMENT IN STEM (PA)	\$500,000
DECISION SUPPORT TOOLS FOR COMPLEX ANALYSIS (DSTCA) (OH)	\$1,500,000
EASTERN KENTUCKY UNIVERSITY EQUIPMENT FOR NEW SCIENCE BUILDING (KY)	\$1,000,000
FUSION ENERGY SPHEROMAK TURBULENT PLASMA EXPERIMENT (FL)	\$1,000,000
GEORGE MASON UNIVERSITY -- NATIONAL CENTER FOR BIODEFENSE AND INFECTIOUS DISEASE (VA)	\$1,500,000
HOFSTRA UNIVERSITY CENTER FOR CLIMATE STUDY (NY)	\$500,000
IDAHO ACCELERATOR CENTER PRODUCTION OF MEDICAL ISOTOPES (ID)	\$1,000,000
IDAHO NATIONAL LABORATORY CENTER FOR ADVANCED ENERGY STUDIES (ID)	\$1,000,000
INSTITUTE FOR INTEGRATED SCIENCES AT BOSTON COLLEGE (MA)	\$2,500,000
INSTRUMENTATION AND CONSTRUCTION COSTS FOR THREE STUDENT INDEPENDENT RESEARCH LABS DEDICATED TO BIOLOGY, CHEMISTRY AND BIOCHEMISTRY, AND PHYSICS AT ALBRIGHT COLLEGE IN READING (PA)	\$400,000
LARGE SCALE APPLICATION OF SINGLE-WALLED CARBON NANOTUBES (OK)	\$750,000
LUTHER COLLEGE SCIENCE BLDG. RENOVATION PROJECT (IA)	\$750,000
MARYGROVE COLLEGE MATTERS (MI)	\$200,000
MICHIGAN GEOLOGICAL CARBON SEQUESTRATION RESEARCH AND EDUCATION PROGRAM (MI)	\$650,000
NATIONAL BIODEPOSITORY-NATIONWIDE CHILDREN'S HOSPITAL (OH)	\$750,000
NEXT GENERATION NEUROIMAGING AT CLEVELAND CLINIC (OH)	\$500,000
PROFESSIONAL SCIENCE MASTER'S ADVANCED ENERGY AND FUELS MANAGEMENT PROGRAM (IL)	\$450,000
PURDUE CALUMET INLAND WATER INSTITUTE (IN)	\$1,000,000
RAPID DETECTION OF CONTAMINANTS IN WATER SUPPLIES USING MAGNETIC RESONANCE AND NANOPARTICLES (MA)	\$1,500,000
RNAI RESEARCH, UNIVERSITY OF MASSACHUSETTS MEDICAL SCHOOL, WORCESTER (MA)	\$1,000,000
SCANNING NEAR-FIELD ULTRASOUND HOLOGRAPHY (SNFUH) INSTRUMENTATION FOR NON-INVASIVE AND NON-DESTRUCTIVE IMAGING OF NANOPARTICLE INTERACTION WITH CELLS (IL)	\$1,000,000

CONGRESSIONALLY DIRECTED SCIENCE PROJECTS

PROJECT	
SCIENCE EDUCATION FACILITY RENOVATIONS, OCU (OH)	\$1,000,000
SCIENCE, MATH, AND TECHNOLOGY EDUCATION INITIATIVE, COLLEGE OF ST. ELIZABETH (NJ)	\$500,000
SOUTHERN METHODIST UNIVERSITY ADVANCED PARALLEL PROCESSING CENTER (TX)	\$1,000,000
SPECT IMAGING INSTRUMENTATION RESEARCH INITIATIVE (IL)	\$1,000,000
ST. THOMAS UNIVERSITY U-CORTE (FL)	\$600,000
THE NATIONAL ENERGY POLICY INSTITUTE, UNIVERSITY OF TULSA (OK)	\$750,000
ULTRA-DENSE PORPHYRIN-BASED CAPACITIVE MOLECULAR MEMORY FOR SUPERCOMPUTING (CO)	\$1,000,000
UMASS INTEGRATIVE SCIENCE BUILDING (MA)	\$2,000,000
UNIVERSITY OF THE CUMBERLANDS SCIENCE & TECHNOLOGY COMPLEX (KY)	\$1,000,000
URI CYBERINFRASTRUCTURE (RI)	\$1,000,000
WHITTIER COLLEGE SCIENCE AND MATHEMATICS INITIATIVE (CA)	\$500,000

NUCLEAR WASTE DISPOSAL

Appropriation, 2008	\$187,269,000
Budget estimate, 2009	247,371,000
Recommended, 2009	247,371,000
Comparison:	
Appropriation, 2008	+60,102,000
Budget estimate, 2009	—

The Department of Energy requested a total of \$494,742,000 for work on the Yucca Mountain nuclear waste repository in fiscal year 2009, of which \$247,371,000 was requested for Nuclear Waste Disposal and \$247,371,000 for Defense Nuclear Waste Disposal.

For Nuclear Waste Disposal in fiscal year 2009, the Committee recommends \$247,371,000, the same as the budget request. The Committee also fully funds the request of \$247,371,000 for Defense Nuclear Waste Disposal, supporting the full request for the nuclear waste repository in fiscal year 2009.

The Department submitted the license application to the Nuclear Regulatory Commission on June 3, 2008. The Committee recommends funding for fiscal year 2009 to defend the license application; advance the design of the repository and preliminary design of the Nevada Rail System; continue stakeholder interactions; and further develop the national transportation planning process.

The fiscal year 2008 House Report 110-185 directed the Department to provide a plan for taking custody of the spent fuel at the closed reactors. DOE has not delivered that plan yet, another example of DOE ignoring Congressional guidance.

The Committee supports the statutory language in the budget request that funds local units of government at levels proportional to program funding.

INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

ADMINISTRATIVE EXPENSES

GROSS APPROPRIATION

Appropriation, 2008	\$5,459,000
Budget estimate, 2009	19,880,000
Recommended, 2009	19,880,000
Comparison:	
Appropriation, 2008	+14,421,000
Budget estimate, 2009	—

OFFSETTING RECEIPTS

Appropriation, 2008	-\$1,000,000
Budget estimate, 2009	-19,880,000
Recommended, 2009	-19,880,000
Comparison:	
Appropriation, 2008	-18,880,000
Budget estimate, 2009	—

NET APPROPRIATION

Appropriation, 2008	\$4,459,000
Budget estimate, 2009	—
Recommended, 2009	—
Comparison:	
Appropriation, 2008	-4,459,000
Budget estimate, 2009	—

In the Consolidated Appropriations Act of 2008, Congress authorized the Department to issue loan guarantees under Title XVII of the Energy Policy Act of 2005 (EPACT) until September 30, 2009. The budget request seeks to extend authorization for \$20,000,000,000 for eligible projects other than nuclear power facilities through fiscal year 2010 and \$18,500,000,000 for eligible nuclear power facilities through fiscal year 2011.

The Committee recommends loan guarantee authority under Title XVII of EPACT be made available through fiscal year 2011 for eligible projects other than nuclear power facilities in the amount of \$28,500,000,000 to be allocated as follows; \$6,000,000,000 for coal based power generation and industrial gasification activities at retrofitted and new facilities that incorporate carbon capture and sequestration or other beneficial uses of carbon; \$2,000,000,000 for advanced coal gasification; \$2,000,000,000 for advanced nuclear facilities for the "front-end" of the nuclear fuel cycle; and \$18,500,000,000 for renewable and/or energy efficient systems and manufacturing, and distributed energy generation, transmission and distribution, an increase of loan authority in the amount of \$8,500,000,000 over the request. The Committee also recommends \$18,500,000,000 in loan authority for eligible nuclear power facilities to be made available through fiscal year 2011.

The Committee supports language in the budget request allowing the collection of fees to offset the administrative expenses of the loan guarantee program, in the amount of \$19,880,000.

The Committee continues language, not proposed by the Administration, that limits the use of funds until a loan guarantee implementation plan has been approved by the Committees on Appropriations.

While the EPACT assumes the Title XVII loan program to be self-financed, the Congressional Budget Office assumes there is a credit subsidy cost to the government. As such, the Committee makes available \$440,000,000 of budget authority to cover the cost of this risk, in addition to \$25,000,000 of advanced authority from the fiscal year 2008 enacted appropriation, for an overall scoring adjustment of \$465,000,000, shown in the Comparative Statement of New Budget Authority (CSBA) in the back of the report.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

GROSS APPROPRIATION

Appropriation, 2008	\$309,662,000
Budget estimate, 2009	272,144,000
Recommended, 2009	272,144,000
Comparison:	
Appropriation, 2008	- 37,518,000
Budget estimate, 2009	—

REVENUES

Appropriation, 2008	-\$161,247,000
Budget estimate, 2009	-117,317,000
Recommended, 2009	-117,317,000
Comparison:	
Appropriation, 2008	+43,930,000
Budget estimate, 2009	—

NET APPROPRIATION

Appropriation, 2008	\$148,415,000
Budget estimate, 2009	154,827,000
Recommended, 2009	154,827,000
Comparison:	
Appropriation, 2008	+6,412,000
Budget estimate, 2009	—

The Committee recommendation for Departmental Administration is \$272,144,000, the same as the budget request. The recommendation for revenues is \$117,317,000, consistent with the budget request, resulting in a net appropriation of \$154,827,000. The Congressional Budget Office concurs with this estimate for revenues in fiscal year 2009. 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.

Departmental Offices.—The Committee recommends \$65,500,000 for the Management account, a decrease of \$1,500,000 below the budget request; \$43,548,000 for the Chief Financial Officer, a decrease of \$1,500,000 below the budget request; and, \$17,969,000 for the Office of Policy and International Affairs, a decrease of \$1,500,000 below the budget request. These accounts received significant increases in fiscal year 2008 over fiscal year 2007 levels, and the Committee does not support additional increases again in fiscal year 2009.

Office of Indian Energy Policy and Programs.—The Committee recommends \$4,500,000 within the Departmental Administration account to establish an Office of Indian Energy Policy and Programs, as authorized in Section 502 of the Energy Policy Act of 2005, an increase of \$4,500,000 over the budget request. Consistent with the authorization, the Office will coordinate and implement DOE energy management, conservation, education, and delivery systems for native Americans.

Transfer from Other Defense Activities.—For fiscal year 2009, the Department requested \$108,190,000 as the defense contribution to the Departmental Administration account. The Committee recommends 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, 2008	\$46,057,000
Budget estimate, 2009	51,927,000
Recommended, 2009	51,927,000
Comparison:	
Appropriation, 2008	+5,870,000
Budget estimate, 2009	—

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 inde-

pendent 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 \$51,927,000, 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) consist 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.

NNSA's request for the Weapons Activities and Defense Nuclear Nonproliferation accounts is, in the view of the Committee, disproportionate and divergent. The request for Weapons Activities is approximately five times that of the Nuclear Nonproliferation request. The two are diverging with near symmetry as the Weapons Activities request is more than five percent above that of the previous year, while the Defense Nuclear Nonproliferation request is more than six percent under that of the previous year.

The Committee takes a dim view of these priorities. The quantity, destructive power, and variety of the U.S. weapons stockpile far exceeds any requirement for deterrence of any deterrable adversary in the post Cold War world. The U.S. nuclear stockpile is remarkably diverse, resilient, and hypersufficient, and can provide much more than a valid deterrent despite any conceivable single-point failure. In contrast, a single failure of nuclear nonproliferation could have an impact on U.S. national security that would be almost immeasurably large. The Committee urges DOE to take a more focused approach to this grave challenge in the future.

The Committee recommends \$8,823,243,000 for the NNSA, a reduction of \$274,019,000 below the budget request and a reduction of \$12,958,000 below the fiscal year 2008 level.

WEAPONS ACTIVITIES
(INCLUDING RESCISSIONS)

Appropriation, 2008	\$6,297,466,000
Budget estimate, 2009	6,618,079,000
Recommended, 2009	6,201,860,000
Comparison:	
Appropriation, 2008	- 95,606,000
Budget estimate, 2009	- 416,219,000

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 \$6,201,860,000 for Weapons Activities, a reduction of \$416,219,000 below the budget request and a reduction of \$95,606,000 below the fiscal year 2008 level.

Within this amount, the Committee recommends the rescission of \$165,300,000 in prior year balances.

U.S. Strategic Nuclear Weapons Strategy for the 21st century and the Future Nuclear Weapons Stockpile.—In fiscal year 2008 the Congress rejected funding of the proposed Reliable Replacement Warhead (RRW). The President's budget request for fiscal year 2009 nonetheless included \$10,000,000 for RRW. The Committee once again denies this funding.

The Committee is aware of the advantages of a modern warhead design and strongly supports improved surety. The Committee also understands that high margin provides protection against failure due to compound unknowns. The Committee supports trading off Cold War high yield for improved reliability, in order to move to a smaller stockpile requiring a smaller and cheaper weapons complex with no need for nuclear testing.

That said, the Committee remains to be convinced that a new warhead design will lead to these benefits. The Committee will not spend the taxpayers' money for a new generation of warheads promoted as leading to nuclear reductions absent a specified glide path to a specified, much smaller force of nuclear weapons. Similarly, the Committee finds no logic in spending the taxpayers' money on a new generation of warheads promoted as avoiding the need for nuclear testing, while the Secretary of State insists that "the Administration does not support the Comprehensive Test Ban Treaty."

The Committee also finds no validity in arguments that we should (1) first build a new nuclear weapons complex and later decide what to do with it, (2) produce a new nuclear warhead and later contemplate how to arrive at a contemporary, coherent, and durable strategy for it, or (3) design a new high-margin warhead first and consider the question of nuclear testing afterward.

Before the Committee will consider funding for most new programs, substantial changes to the existing nuclear weapons complex, or funding for the RRW, the Committee insists that the following sequence be completed:

- (1) replacement of Cold War strategies with a 21st Century nuclear deterrent strategy sharply focused on today's and tomorrow's threats, and capable of serving the national security

needs of future Administrations and future Congresses without need for nuclear testing;

(2) determination of the size and nature of the nuclear stockpile sufficient to serve that strategy;

(3) determination of the size and nature of the nuclear weapons complex needed to support that future stockpile.

While all three plans can be explored in parallel, the Committee will not support a program that skips any of these essential steps or seeks to execute them out of sequence. Plans to execute these three steps were specified in the report accompanying the fiscal year 2008 Omnibus Appropriations Act as requirements for further consideration of RRW. While the Committee has received preliminary papers on strategy and on the nuclear complex, none of the required plans have been submitted. The Committee fully affirms its fiscal year 2008 position, and in most cases will not approve new starts in Weapons Activities until this deficiency has been corrected.

The Committee urges augmented integration between the Departments of Defense and Energy in developing nuclear weapons policy. The Department of Energy builds and maintains the nuclear stockpile, but stockpile size and composition are determined by the Department of Defense and various interagency bodies. The Committee was dismayed at a recent hearing to find that the Deputy Secretary of Defense was unaware that the cost of the nuclear stockpile is the responsibility of the Department of Energy.

Annual report.—The Secretary of Energy shall, not later than December 1 of each year, submit a report to Congress specifying, for the due date of the report and projected for 5, 10, 15, and 20 years after that date, (1) the number of nuclear weapons of each type in the active and reserve stockpiles (2) the strategic rationale for each type, and (3) the past and projected future total direct lifecycle cost of each type.

Reprogramming authority.—The Committee provides limited reprogramming authority within the Weapons Activities account without submission of a reprogramming request 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, Stockpile Services, Science Campaigns, Engineering Campaigns, Advanced Simulation and Computing, Pit Manufacturing and Certification, and Readiness Campaigns. This will provide the flexibility needed to manage these programs. 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. 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, or to gain cost savings; and funds may not be used for an item for which Congress has specifically denied funds or for a new program or project.

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 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 \$1,398,651,000 for Directed Stockpile Work (DSW), a reduction of \$277,064,000 below the budget request. Directed Stockpile Work includes all activities that directly support weapons in the nuclear stockpile, including maintenance, research, development, engineering, certification, 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 as needed.

Life Extension Programs.—The Committee recommends \$211,385,000 for the DSW Life Extension Programs, the same as the request.

Stockpile Systems.—The Committee recommends \$338,682,000 for the DSW stockpile systems activities, the same as the request.

Reliable Replacement Warhead (RRW).—The Committee recommendation provides no funding for the reliable replacement warhead (RRW) and includes bill language prohibiting the expenditure of funds on this activity, for reasons described above. The Committee does not intend the fiscal year 2009 Appropriations Bill prohibition on expenditures for RRW to restrict non-RRW expenditures in other programs, including Enhanced Surety and Advanced Certification.

Weapons Dismantlement and Disposition.—The Committee recommendation provides \$189,711,000 for the warhead dismantlement program, an increase of \$5,999,000 over the budget request. Within these funds, the Committee directs \$5,000,000 for the dismantlement initiative at the Device Assembly Facility at the Nevada Test Site, in order to examine a capability to dismantle small numbers of troublesome individual warheads without interfering with the large-scale entire-type dismantlements at Pantex.

Stockpile Services.—The Committee recommendation provides \$658,873,000 for the DSW Stockpile Services activities, a decrease of \$273,063,000 from the request. The Committee recommends \$250,000,000 for Production Support which is a decrease of \$52,126,000 from the request; \$33,329,000 for Research and Development Support which is a decrease of \$2,902,000 from the request; \$161,984,000 for Research and Development Certification and Safety which is a decrease of \$31,391,000 from the request; \$160,000,000 for Management, Technology, and Production which is a decrease of \$41,375,000 from the request. All recommendations in this paragraph are the same as the House-passed recommendations in fiscal year 2008; the Committee recommends confining spending to that level in light of competing priorities.

The Committee commends NNSA for developing and certifying a new pit that does not require testing. But the W88 warhead, with its very high yield and yield/weight ratio, serves obsolete Cold War concepts rather than current or future needs, and manufacture of additional pits in order to avoid reducing the W88 force is not war-

ranted. Therefore the Committee recommends no funding for Pit Manufacturing. In order to maintain future options, the Committee recommends \$53,560,000, the same as the request, for Pit Manufacturing Capability.

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. For Campaigns the Committee recommends \$1,658,301,000, which is \$26,468,000 above the request and \$215,533,000 below the fiscal year 2008 appropriation.

From within funds provided for the various campaigns, the Committee recommends \$4,237,000, \$2,137,000 above the budget request and the same as the fiscal year 2008 funding, for the university research program in robotics (URPR) for the development of advanced robotic technologies for strategic national applications.

Science Campaign.—The Committee recommends \$307,662,000, which is \$15,408,000 less than the request. The Committee recommends \$20,000,000 for Advanced Certification Non-RRW, the same as the request for Advanced Certification, which Advanced Certification Non-RRW replaces, while specifying that no funding herein provided is available for RRW. The Committee recommends \$74,413,000 for Primary Assessment Technologies, the same as the request. The Committee recommends \$23,734,000 for Dynamic Plutonium Experiments, the same as the request. The Committee recommends \$79,292,000 for Secondary Assessment Technologies, the same as the request. The Committee recommends \$80,805,000 for Dynamic Materials Properties, which is \$5,000,000 below the request.

The Committee commends NNSA for its outstanding Stockpile Stewardship program, which has performed better than expected and has created a technically superior alternative to nuclear testing. Stockpile Stewardship has enabled us to observe nuclear weapons phenomena more directly, in far more detail, and using statistically more significant samples, than could ever be possible with nuclear testing. Because of current progress in Stockpile Stewardship, in particular the recent results from the Dual-Axis Radiographic Hydrodynamic Test Facility (DAHRT), the Committee finds no evidence that nuclear testing would add a useful increment to the immense and expanding body of weapons knowledge arising from Stockpile Stewardship. This is doubly fortuitous in that nuclear testing has become a non-executable mission, because of probable diplomatic and nuclear proliferation reactions as well as probable local opposition to nuclear testing. For all these reasons, the Committee recommends no funding for nuclear test readiness, a decrease of \$10,048,000 below the request.

Engineering Campaign.—For Engineering Campaign, the Committee recommends \$163,992,000, an increase of \$21,250,000 over the request. The Committee recommends \$70,000,000 for Enhanced Surety Non-RRW, an increase of \$34,359,000 over the request for Enhanced Surety, which Enhanced Surety Non-RRW replaces. However, the Committee directs that none of the funds herein provided are available for RRW. The Committee directs that priority for Enhanced Surety Non-RRW go to those weapon types at great-

est long-term risk. The Committee recommends \$8,644,000 for Nuclear Survivability, which is \$13,109,000 below the request and the same as the fiscal year 2008 appropriation; the Committee has significant doubts regarding the basic thrust of this program.

Inertial Confinement Fusion and High Yield Campaign.—The Committee recommendation provides \$508,062,000 for the Inertial Confinement Fusion and High Yield Campaign, an increase of \$86,820,000 over the budget request. Within the funds provided for Inertial Confinement Fusion and High Yield Campaign, the Committee recommends \$68,300,000, which is \$10,000,000 above the request, for the Laboratory for Laser Energetics. The Committee recommends increases of \$8,000,000 over the request for Ignition, \$14,600,000 for NIF Diagnostics, Cryogenics, and Experimental Support; \$200,000 for Pulsed Power Inertial Confinement Fusion; \$20,820,000 for Facility Operations and Target Production; \$25,600,000 for Inertial Fusion Technology (HAPL), \$15,000,000 for the Naval Research Laboratory, and \$2,600,000 for NIF Assembly and Installation. The Committee recommends \$3,147,000, the same as the request, for the Joint Program in High Energy Density Laboratory Plasmas.

Advanced Simulation and Computing Campaign.—The Committee recommends for the Advanced Simulation and Computing Campaign \$495,548,000, which is \$66,194,000 below the request.

Readiness Campaigns.—The Committee recommends for the Readiness Campaigns \$183,037,000, the same as the request.

READINESS IN TECHNICAL BASE AND FACILITIES (RTBF)

The Committee recommends \$1,510,968,000 for Readiness in Technical Base and Facilities, a decrease of \$209,555,000 from the request.

Operation of facilities.—The Committee recommends \$20,000,000 above the request for Pantex, to be used to improve physical security and fire-suppression capability.

The Committee recommends \$32,092,000 above the request in order for Livermore Laboratory to strengthen security and continue preparations for the safe removal of plutonium. The Committee directs the Secretary of Energy to ensure that Livermore Laboratory has, no later than 60 days of enactment of this Act, sufficient protective capability in place, as confirmed by the Office of Independent Oversight, to successfully defend Superblock against the 2005 Design Basis Threat. The Committee directs the Secretary to report to Congress, within 90 days of enactment of this Act, on all Category I Special Nuclear Material at Superblock that can be readily transferred to the Device Assembly Facility at the Nevada Test Site and/or Pantex for interim storage. The Committee directs NNSA to provide Congress, within 120 days of enactment of this Act, with a report that contains a schedule and budget for the movement of the identified material for interim storage.

The Committee recommends \$76,353,000 which is the same as the fiscal year 2008 House-passed bill, for Kansas City Plant; \$292,595,000 which is \$5,517,000 below the request and \$7,570,000 above the fiscal year 2008 appropriation, for Los Alamos National Laboratory; \$61,127,000, \$3,736,000 below the request for the Nevada Test Site; \$127,287,000, the same as the request, for Sandia National Laboratories, including \$1,500,000 for the Advanced Engi-

neering Environment; for Savannah River Site \$77,410,000, the same as the fiscal year 2008 House-passed bill; for Y-12, \$216,904,000 which is the same as the request; and for Institutional Site Support, \$57,837,000 which is the same as the request.

The Committee recommends \$73,841,000 for Program Readiness, \$72,509,000 for Material Recycle and Recovery, \$23,898,000 for Containers, and \$29,846,000 for Storage. All recommendations in this paragraph are the same as the request.

RTBF Construction.—The Committee recommends no funding for the Radioactive Liquid Waste Treatment Facility or for the Chemistry and Metallurgy Research Facility Replacement (CMRR). In the absence of critical decisions on the nature and size of the stockpile, which in turn generate requirements for the nature and capacity of the nuclear weapons complex, it is impossible to determine the capacity required of either of these facilities. It would be imprudent to design and construct on the basis of a guess at their required capacity. The Committee reiterates that significant funding for complex transformation, or for new weapons program starts, will not be provided until the steps outlined in the Explanatory Statement accompanying the Fiscal Year 2008 Omnibus Appropriations Act, and under the heading “Weapons Activities” above, have been completed.

The Committee recommends no funding for 09-D-404, Test Capabilities Revitalization II or for 08-D-806, Ion Beam Laboratory Refurbishment, both at Sandia National Laboratory. Each is a new start in the absence of a strategy defining the requirements for the facility.

The Committee recommends \$15,008,000, which is \$13,225,000 below the request and the same as the fiscal year 2008 appropriation, for 08-D-802 High Explosives Pressing Facility, Pantex. The Committee recommends \$5,885,000, which is \$2,015,000 below the request and the same as the fiscal year 2008 appropriation, for 08-D-804, TA-55 Reinvestment Project, Los Alamos National Laboratory.

The Committee recommends funding for all other RTBF Construction projects at the requested level.

FACILITIES AND INFRASTRUCTURE RECAPITALIZATION PROGRAM (FIRP)

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 Committee recommendation for Facilities and Infrastructure Recapitalization Program is \$169,549,000, the same as the budget request.

TRANSFORMATION DISPOSITION

The objective of this program is to develop and apply an integrated and prioritized inventory of excess facilities and infrastructure projects, focusing on disposition by funding the minor decontamination, dismantlement, removal and disposal through transfer or sale of excess facilities. The Committee continues to encourage efforts to reduce the overall facility footprint of the complex. The Committee recommends \$77,391,000, the same as the request, for Transformation Disposition, notwithstanding that it is a new start in the absence of the required overall strategy, because it is a strategy-independent commendable step toward reducing the cost of op-

erating the complex. The Committee continues to expect that services for decontamination, decommissioning, and demolition of excess facilities services be procured through open competition where such actions provide the best return on investment for the federal government.

SAFEGUARDS AND SECURITY

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 recommends \$221,072,000, the same as the request, for the Secure Transportation Asset.

Cyber Security.—The Committee recommends funding Cyber Security at \$122,511,000, the same as the request.

Defense Nuclear Security.—The Committee recommends \$713,649,000 for Defense Nuclear Security Operations and Maintenance, which is \$23,432,000 above the request in order for Pantex to meet the 2005 Design Basis Threat. The Committee recommends \$47,111,000, the same as the request, for Defense Nuclear Security construction.

NUCLEAR WEAPONS INCIDENT RESPONSE

The Nuclear Weapons Incident Response (NWIR) program responds to and mitigates nuclear and radiological incidents worldwide. The Committee recommends \$221,936,000, the same as the request, for Nuclear Weapons Incident Response.

ENVIRONMENTAL PROJECTS AND OPERATIONS

The Committee recommends \$40,587,000, the same as the request, for Environmental Projects and Operations.

FUNDING ADJUSTMENTS

The Committee recommends the use of \$366,000 of prior year balances as requested. In addition, the Committee rescinds \$165,300,000 in prior year balances and directs their use to meet fiscal year 2009 needs as described above.

Congressionally Directed Projects.—The Committee recommendation includes \$20,500,000 for the following House-directed projects and activities.

CONGRESSIONALLY DIRECTED WEAPONS ACTIVITIES PROJECTS

PROJECT	
ADVANCED ENGINEERING ENVIRONMENT FOR SANDIA NATIONAL LAB, CA. (MA)	\$1,500,000
CENTER FOR COMPUTATIONAL SIMULATION AND VISUALIZATION (IN)	\$5,000,000
CYBER SECURITY - CIMTRAK - IN (IN)	\$1,000,000
DISTRIBUTED DATA DRIVEN TEST ENVIRONMENT (OH)	\$3,500,000
LABORATORY FOR ADVANCED LASER-TARGET INTERACTIONS (OH)	\$2,500,000
MATTER-RADIATION INTERACTIONS IN EXTREMES (MARIE) (NM)	\$1,000,000
MULTI-DISCIPLINED INTEGRATED COLLABORATIVE ENVIRONMENT (MDICE) (MO)	\$1,000,000
SECURE ADVANCED SUPERCOMPUTING PLATFORM AT NEXTEDGE (OH)	\$4,000,000
TECHNICAL PRODUCT DATA INITIATIVE (OH)	\$1,000,000

DEFENSE NUCLEAR NONPROLIFERATION

Appropriation, 2008	\$1,657,996,000
Budget estimate, 2009	1,247,048,000
Recommended, 2009	1,530,048,000
Comparison:	
Appropriation, 2008	- 127,948,000
Budget estimate, 2009	+283,000,000

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; U.S. Uranium Disposition (formerly Fissile Materials Disposition); and the Global Threat Reduction Initiative.

The Committee's recommendation for Defense Nuclear Nonproliferation is \$1,530,048,000, which is an increase of \$283,000,000 above the budget and a decrease of \$127,948,000 below the appropriation provided in fiscal year 2008.

The Committee provides funding direction for a total program level for Defense Nuclear Nonproliferation activities in fiscal year 2009 of \$1,541,466,000, \$293,500,000 above the fiscal year 2009 budget request and \$116,530,000 below the appropriation provided in fiscal year 2008. The Committee directs the use of \$11,418,000 of prior year balances in fiscal year 2009 to accelerate high priority nuclear nonproliferation activities. This amount is significantly less than was available in fiscal year 2008 and accounts for the vast majority of the decrease from current year levels. In no sense does the decrease from fiscal year 2008 indicate a decrease in Committee support for Defense Nuclear Nonproliferation.

NATIONAL SECURITY VALUE ADDED

The Committee views NNSA's nuclear nonproliferation mission as a vital component of national security. The Committee expects NNSA to lead the U.S. Government's nuclear nonproliferation effort through strategic investment planning across all foreign and domestic stakeholders as well as the expansion of cooperative border detection opportunities around the world. The Committee directs NNSA to expand and intensify its efforts to further constrict avenues for illicit transport of nuclear and radiological material. This effort should include an appropriate allocation of resources to support proactive, intelligence-driven security operations as well as to strengthen the current and planned global nuclear detection architecture.

The Committee's increase above the request reflects recognition that nuclear nonproliferation is the front line in the global war on terror protecting the U.S. against terrorist use of a nuclear device or material on U.S. or allied soil. The consequences, domestically and internationally, of such an act are difficult to quantify or imagine; 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 on human civilization make this threat very real. Although past financial commit-

ments by the Committee to address the terrorist threat of a nuclear detonation in a U.S. city were significant, the urgency increases each year large inventories of nuclear material continue to exist in inadequately secured locations. The financial commitment in the Committee recommendation is clear Congressional direction to the Administration to shift nuclear nonproliferation issues from a marginally supported security program to one of the highest national security priorities.

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 recommends \$276,009,000 for Nonproliferation and Verification Research and Development, \$918,000 above the budget request, and directs that the increase be used for Proliferation Detection. The Committee directs that contracts for nuclear detection be awarded on basis of merit, and not be limited to the national laboratories.

NONPROLIFERATION AND INTERNATIONAL SECURITY

The Committee recommendation provides \$165,295,000 for Nonproliferation and International Security, \$24,828,000 above the budget request and \$15,302,000 above the fiscal year 2008 appropriation.

All funding for, or to support, the Global Nuclear Energy Partnership (GNEP) activities within the Office of Nonproliferation and International Security is explicitly denied. The Committee finds the nuclear nonproliferation arguments for the GNEP reprocessing initiative, which actually advocates the spread of weapons grade special nuclear materials and reprocessing technologies, to be unconvincing and contradictory.

Warhead Dismantlement and Fissile Materials Transparency.— The Committee recommends \$13,791,000 for Warhead Dismantlement and Fissile Materials Transparency, which is \$250,000 below the request and \$1,000 above the fiscal year 2008 appropriation, thus deleting funding for, or to support, this component of GNEP.

International Nuclear Safeguards and Engagement Program.— The Committee recommends \$26,036,000 for the International Nuclear Safeguards and Engagement Program, which is \$15,000,000 above the request and \$16,892,000 above the fiscal year 2008 appropriation. The Committee directs that the additional funding be used for professional recruitment programs and international cooperation programs to deploy next-generation nuclear safeguards, with priority to upgrading existing safeguarded facilities.

Global Initiatives for Proliferation Prevention (IPP) Program.— The Committee is gravely concerned about pervasive and profound problems within the Global Initiatives for Proliferation Prevention (IPP) Program. The Committee fully supports the laudable goal of

this program, which is to transition former Soviet weapons of mass destruction (WMD) scientists and engineers into non-WMD jobs and remove economic incentives for those individuals to market their abilities to terrorist groups and/or nations. Unfortunately, the program's excellent theory has been, in many respects, not consonant with its practice. The Committee is concerned that in some cases IPP funds are being used to support scientists who do not have WMD experience, and to bring in new WMD scientists rather than providing incumbent scientists with a path out. Claims of the number of successful non-WMD job placements of former WMD scientists are not independently verified. Given the significantly improved state of the Russian economy, the risk of brain drain to terrorists, and thus the fundamental need for this program, is called into doubt. Because of a sluggish and overly complex system for accounting for payments, large excess balances have been carried in this program. Of most grave concern is the fact that IPP funds have been given to Russian institutes conducting work on Iran's Bushehr reactor, with concomitant risk of contributing to an Iranian nuclear weapons program. The Committee recommends \$11,157,000, which is \$12,687,000 below the request and \$19,801,000 below the fiscal year 2008 appropriation. None of these funds may be obligated or expended for, or in support of, GNEP, or for Russian institutes conducting work on or with Iranian nuclear technology or facilities.

The Committee directs the Secretary of Energy to prepare an exit strategy for IPP from Russia, with milestones leading to terminating the program in Russia no later than January 1, 2012, and to submit a report on this strategy to all authorizing and appropriating committees of jurisdiction no later than 90 days after enactment of this Act. The report is to include an independently verifiable plan for confining the program to Soviet-era WMD scientists from states of the former Soviet Union and to scientists in any other state who began his or her specialized training before the inception of IPP in that country.

Nuclear Safeguards Program.—The Committee recommends \$26,286,000 for the Nuclear Safeguards Program, which is \$15,000,000 above the request and \$7,029,000 above the fiscal year 2008 appropriation. This additional funding is to reinvigorate international safeguards technology development, and to develop innovative concepts and techniques for nuclear safeguards. None of these funds may be obligated or expended for, or in support of, GNEP.

International Nuclear Security.—The International Nuclear Security program conducts valuable physical protection assessments to verify that foreign sites holding nuclear materials are adequately protected. The Committee recommends \$19,584,000, which is \$15,000,000 above the request and \$14,680,000 above the fiscal year 2008 appropriation. None of these funds may be obligated or expended for, or in support of, GNEP.

Treaties and Agreements.—The Committee recommends \$15,215,000, which is \$545,000 below the request and \$11,336,000 above the fiscal year 2008 appropriation, thus deleting all funds for, or in support of, this component of GNEP.

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 recommends \$509,448,000 for MPC&A activities, an increase of \$79,754,000 over the request and, because of decreased resources as explained above, \$115,034,000 below the fiscal year 2008 appropriation.

Civilian Nuclear Sites.—The Committee recommends \$54,469,000 for protection of civilian nuclear sites, an increase of \$20,000,000 above the request and \$281,000 above the fiscal year 2008 appropriation.

Second Line of Defense (SLD) core program.—The Committee recommends \$88,553,000, an increase of \$10,000,000 above the request and a decrease of \$47,482,000 below the fiscal year 2008 appropriation.

MegaPorts.—The Committee recommends \$183,845,000 for MegaPorts, an increase of \$49,754,000 above the request and \$53,000,000 above the fiscal year 2008 appropriation.

ELIMINATION OF WEAPONS-GRADE PLUTONIUM PRODUCTION

The Committee recommendation for the Elimination of Weapons-Grade Plutonium Production Program (EWGPP) is \$141,299,000, the same as the budget request and \$38,641,000 below the fiscal year 2008 appropriation. EWGPP is a cooperative effort with the Federation of Russia to halt plutonium production at the only three nuclear plutonium power-generation reactors still in operation, two located at Seversk and one at Zheleznogorsk. The three reactors had approximately 15 years of remaining service life and could have generated an additional 25 metric tons of weapons-grade plutonium. They also would have provided heat and electricity required for the surrounding communities. The program approach is to shut down these three reactors by providing two alternative fossil-fueled energy plants to supply heat and electricity to the surrounding communities currently being supplied by the plutonium plants. The funding reduction from fiscal year 2008 to the Committee's present recommendation reflects the pending conclusion of this program, as the two plants at Seversk will be shut down by the end of 2008 and the plant at Zhelenogorsk will be shut down by 2010.

FISSILE MATERIALS DISPOSITION

The Committee recommendation provides \$41,774,000 for fissile materials disposition activities, the same as the budget request and \$24,461,000 below fiscal year 2008. No funding for Mixed Oxide Fuel Fabrication (MOX) is requested or recommended here, since funding for that program has been moved to Nuclear Energy.

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 places very high priority on this initiative, and recommends \$406,641,000 for GTRI activities, an increase of \$187,000,000 over the budget request and \$213,416,000 over the fiscal year 2008 appropriation. The additional funds are provided to accelerate securing of these materials around the world.

Within this initiative, the Committee recommends:

Highly Enriched Uranium Reactor Conversion.—The Committee recommends \$99,300,000 for Highly Enriched Uranium Reactor Conversion, which is \$50,000,000 above the request and \$65,481,000 above the fiscal year 2008 appropriation. This essential program will accelerate conversion of uranium reactors from Highly Enriched Uranium (HEU) to Low-Enriched Uranium (LEU) which is an order of magnitude less suited for use in an improvised nuclear weapon. The Committee commends NNSA for its work on new technologies that should enable conversion to LEU to become more commercially attractive for peaceful uses.

Russian-origin Nuclear Material Removal.—The Committee recommends \$49,200,000 for Russian-origin Nuclear Material Removal, which is \$10,000,000 above the request and \$49,200,000 above the fiscal year 2008 appropriation.

U.S.-origin Nuclear Material Removal.—The Committee recommends \$14,300,000 for U.S.-origin Nuclear Material Removal, which is \$10,000,000 above the request and \$14,300,000 above the fiscal year 2008 appropriation.

Gap Nuclear Material Removal.—The Committee recommends \$60,721,000 for Gap Nuclear Material Removal, which is \$20,000,000 above the request and \$60,721,000 above the fiscal year 2008 appropriation.

Emerging Threats Nuclear Material Removal.—The Committee recommends \$12,000,000 for Emerging Threats Nuclear Material Removal, which is \$10,000,000 above the request and \$12,000,000 above the fiscal year 2008 appropriation.

International Radiological Material Removal.—The Committee recommends \$23,000,000 for International Radiological Material Removal, which is \$7,000,000 above the request and \$23,000,000 above the fiscal year 2008 appropriation.

Domestic Nuclear Material Removal.—The Committee recommends \$29,400,000 for Domestic Nuclear Material Removal, which is \$15,000,000 above the request and \$29,400,000 above the fiscal year 2008 appropriation. The Committee directs NNSA to work with the Nuclear Regulatory Commission to develop and implement a cooperative plan to secure and/or remove domestic radiological sources. To the extent practicable, this plan should improve incentives for holders of radiological material to ensure its proper disposal. This plan shall be transmitted to the Committee not later than 180 days following enactment of this Act.

International Material Protection.—The Committee recommends \$23,420,000 for International Material Protection, \$15,000,000 above the request and \$23,420,000 above the fiscal year 2008 appropriation.

Domestic Material Protection.—The Committee recommends \$75,500,000 for Domestic Material Protection, which is \$50,000,000 above the request and \$75,500,000 above the fiscal year 2008 appropriation.

INTERNATIONAL NUCLEAR FUEL BANK

In fiscal year 2008, an unrequested \$49,545,000 was appropriated under Defense Nuclear Nonproliferation as the United States Government's contribution to the implementation of an International Nuclear Fuel Bank to establish a nuclear fuel supply for peaceful means under the auspices of the International Atomic Energy Agency (IAEA). The International Nuclear Fuel Bank is intended to 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.

No additional funds are recommended for fiscal year 2009. The Committee's support for the International Fuel Bank as a multinational program remains strong, and the Committee hopes to see contributions from other nations to this important initiative. But while it awaits multinational support, the Committee does not view further U.S. contributions from fiscal year 2009 funds to be warranted, and therefore recommends no additional funding, but intends to revisit this promising program in future years. The Committee directs NNSA to be prepared to report on the progress of the International Fuel Bank, including U.S. expenditures and foreign contributions.

FUNDING ADJUSTMENTS

As stated above, the Committee direction for funding adjustments in Defense Nuclear Nonproliferation includes \$11,418,000 use of prior year balances.

Congressionally Directed Projects.—The Committee recommendation includes \$1,000,000 for the following House-directed project.

**CONGRESSIONALLY DIRECTED DEFENSE NUCLEAR
NONPROLIFERATION PROJECTS**

PROJECT

NUCLEAR SECURITY SCIENCE AND POLICY INSTITUTE (TX)

\$1,000,000

NAVAL REACTORS

Appropriation, 2008	\$774,686,000
Budget estimate, 2009	828,054,000
Recommended, 2008	828,054,000
Comparison:	
Appropriation, 2008	+53,368,000
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 \$828,054,000, the same as the request, for Naval Reactors activities.

OFFICE OF THE ADMINISTRATOR

Appropriation, 2008	\$402,137,000
Budget estimate, 2009	404,081,000
Recommended, 2008	428,581,000
Comparison:	
Appropriation, 2008	26,444,000
Budget estimate, 2008	24,500,000

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 \$428,581,000, which is 26,444,000 above the fiscal year enacted level and \$24,500,000 above the request.

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

Program Direction for Defense Nuclear Nonproliferation.—The Administrator is directed to support the increase in Defense Nuclear Nonproliferation activities with sufficient resources for expanded nuclear nonproliferation activities.

Support to Minority Colleges and Universities.—The Committee commends NNSA for its aggressive program to take advantage of the Historically Black Colleges and Universities (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 President's budget request included up to \$13,600,000 for its contribution to this important program. The Committee recommends \$31,000,000 including \$3,300,000 for the Dr. Samuel P. Massie Chairs of Excellence, as the NNSA contribution to the Department's support for the HBCUs. The Committee expects the Department to provide financial support in rough parity to both HBCUs and the Hispanic Serving Institutions (HSI).

Educational Advancement Alliance HBCU Graduate program.—The Committee further recommends \$5,000,000 to support the Educational Advancement Alliance HBCU Graduate program. The

Committee directs these funds to be used for scholarships to HBCU graduates pursuing a graduate program leading to a degree in the sciences within five years of graduation from the HBCU. The program will include a National Conference for Potential Scholars and an endowment.

Defense Environmental Management Program for Argonne National Laboratories.—The Committee directs \$10,000,000 to be transferred from the Office of the Administrator to the Defense Environmental Management Program for Argonne National Laboratories to address the radioactive contamination and material legacy that exists at the site for facilities that are no longer used and require remediation.

Congressionally Directed Projects.—The Committee recommendation includes \$24,500,000 for the following House-directed projects and activities.

CONGRESSIONALLY DIRECTED OFFICE OF THE ADMINISTRATOR
(NNSA) PROJECTS

PROJECT	
ACE PROGRAM AT MARICOPA COUNTY COMMUNITY COLLEGES (AZ)	\$1,000,000
CENTRAL STATE UNIVERSITY (OH)	\$1,500,000
EAA HBCU GRADUATE PROGRAM (PA)	\$5,000,000
HISTORICALLY BLACK COLLEGES AND UNIVERSITIES SCIENCE ENHANCEMENT PROGRAM (SC)	\$10,500,000
MARSHALL FUND, MINORITY ENERGY SCIENCE INITIATIVE (NC, NY, TX, MD)	\$3,000,000
MOREHOUSE COLLEGE MINORITY ENERGY SCIENCE RESEARCH AND EDUCATION INITIATIVE (GA)	\$2,000,000
WILBERFORCE UNIVERSITY (OH)	\$1,500,000

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

The Committee continues to be dismayed with the management and accountability of the Environmental Management program. Because the Department has failed to respond thoroughly and promptly to Committee inquiries, the Committee has come to rely on the work of the Government Accountability Office to ascertain the current status of EM operations, often leaving the impression that the EM organization is in a constant state of disarray. The Committee takes its oversight responsibilities seriously, to ensure that taxpayers get good value for their money. However, the Committee is less and less confident in the ability of the Department to manage these cleanup projects and be financially accountable.

Operating Projects.—The Office of Environmental Management (EM) oversees scores of projects, worth billions of dollars, to clean up nuclear waste resulting from nuclear weapons production. EM manages work in the EM project management system according to construction projects, and operating projects. Construction projects are facilities that are designed and built; operating projects tend to be “level of effort” activities, such as stabilizing and disposing of waste, nuclear facility decontamination and decommissioning, and soil and water remediation. EM manages approximately 82 operating projects, 10 of which exceed \$1,000,000,000 over the near-term project schedule (typically five years). The Government Accountability Office (GAO) and others have consistently cited ongoing EM management and contractor oversight problems that have resulted in significant cost increases and schedule delays. Because these reviews generally focused on construction projects, the Committee recently asked the GAO to evaluate the management of EM’s operating projects, given the significant dollar value of these activities. Specifically, the Committee asked GAO to determine the extent to which scope, cost and schedule have changed; identify major factors contributing to cost, scope and schedule changes, and identify obstacles to effectively managing operating projects and contracts. GAO’s preliminary results indicate that cost increases and schedule delays for EM operating projects are not reflected in near-term baselines; instead, work scope is moved from the near-term to out-years, generally extending schedules and increasing overall costs. GAO found that DOE established scope, cost and schedule baselines using optimistic and accelerated schedule assumptions. In one case, the DOE independent validation process approved a baseline knowing the accelerated assumptions were unrealistic, but rather than revising the assumptions, agreed to have EM increase its unfunded contingency. Other GAO findings note that key policies for baseline management and cost estimating are spread across guidance documents, and are unclear in some cases; management protocols are constantly changing; performance reporting systems are inadequate and inaccurate; and baseline validations provide questionable assurance that project baseline com-

mitments can be met. The Committee sees the lack of management by the EM program in containing costs to be directly related to the lapse in oversight of program activities and projects. In light of these preliminary GAO findings, the Committee directs the EM program to develop a strict discipline in project change control for all its projects—construction and operating—and report to the Committee on its implementation within 30 days of enactment of this legislation.

Savannah River Waste Management.—When the Under Secretary of Energy unilaterally approved a decision memorandum in the fall of 2006 to extend H-canyon operations another decade, and changed the course of Environmental Impact Statements executed in previous years by adding tons of material to canyon operations for reprocessing, the Committee asked the Department to provide the analyses that supported this decision. Because the Department was unable to provide sufficient life-cycle options analyses to support this decision, the Committee asked GAO to review the impact of waste management operations as the result of the Under Secretary's decision. GAO's preliminary findings indicate it will cost approximately \$4,300,000,000 to \$4,600,000,000 through 2019 to process the material, according to DOE estimates. This estimate does not include the additional cost of storing and treating approximately 300,000 gallons of liquid radioactive wastes expected to be generated by H-canyon operations annually. GAO findings indicate DOE lacks a comprehensive lifecycle cost estimate for operating the canyon that includes all costs associated with waste processing, and continued operation of H-canyon will result in additional radioactive waste which may strain SRS's liquid waste management system. SRS waste storage tanks are nearing capacity, making efficient waste processing critical for continued H-canyon operation. GAO notes there are delays in preparing the necessary safety documentation to operate the canyons, and additional environmental analyses are required before processing additional material using H-canyon. As such, the Committee has reduced funding for these activities until the Department produces a comprehensive plan for dealing with the secondary consequences of reprocessing material in the H-canyon for another decade, and the Department has addressed all of GAO's concerns to the satisfaction of the Committee.

Hanford Tanks.—The Hanford site receives more than \$1,000,000,000 per year for its tank waste cleanup efforts. Under the Tri-Party Agreement between DOE, the Environmental Protection Agency, and the State of Washington Department of Ecology, DOE is required to complete the treatment of Hanford's tank waste by 2028. Given the risks and costs associated with maintaining the waste in aging tanks, the Committee directed GAO to examine the condition, contents and long-term stability of Hanford's underground tanks; DOE's strategy for managing the tanks and the waste they contain; and, the extent to which DOE has weighed the risks and benefits of its tank management strategy against the growing costs of that strategy. GAO's preliminary findings indicate that DOE tank management officials are uncertain about the structural integrity of the single-shell tanks with potentially significant effects on DOE's tank management strategy; DOE does not know the specific contents in each tank; and many tanks have exceeded their life spans, raising questions about continued viability. Of spe-

cific concern, DOE's tank management strategy assumes a waste retrieval pace averaging three tanks per year, however, since 1998, DOE has started retrieval on 10 tanks—only 7 of which have been emptied (4 of which were smaller tanks)—a retrieval rate of about one tank per year.

Committee expectations.—At this point in the Administration, the Committee cannot hope to see any change in the behavior of the Department in terms of laying out the reality of the Environmental Management program. For years, project management decisions, cost baselines and legally-binding agreements have been built on unrealistic assumptions and poor cost estimates. The “house of cards” that underlies the EM operations puts the Department, and the people that work and live at these sites, at risk because of the failure to truthfully relate the impact and consequences of program plans in terms of cost, or impact to human health or the environment. As the next Administration takes hold of the EM program in fiscal year 2009, the Committee expects that these findings from the Committee and the GAO will be taken into consideration in organizing priorities at the Department of Energy.

Reprogramming authority.—The Committee continues to support the need for flexibility to meet changing funding requirements at sites. In fiscal year 2009, the Department may transfer up to \$5,000,000 within accounts, and between accounts, as noted in the table below, without prior Congressional approval, 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

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

DEFENSE ENVIRONMENTAL CLEANUP

Appropriation, 2008	¹ \$5,349,325,000
Budget estimate, 2009	5,297,256,000
Recommended, 2009	5,426,202,000
Comparison:	
Appropriation, 2008	+76,877,000
Budget estimate, 2009	+128,946,000

¹ Excludes emergency supplemental appropriations.

The Committee's recommendation for Defense Environmental Cleanup totals \$5,426,202,000, an increase of \$128,946,000 over the budget request of \$5,297,256,000. Within the amounts provided, the Department is directed to fund hazardous waste worker training at \$10,000,000.

Closure Sites.—The Committee recommendation provides \$45,883,000, the same as the budget request. The recommendation provides \$13,209,000 for Closure Sites Administration, \$30,574,000 for Miamisburg, Ohio, and \$2,100,000 for Fernald, Ohio.

Savannah River Site.—The Committee recommendation provides \$1,180,001,000 for cleanup at the Savannah River Site, a decrease of \$26,424,000 below the budget request. The Committee recommends \$12,500,000 for community and regulatory support, \$24,108,000 for spent nuclear fuel stabilization and disposition, \$53,559,000 for solid waste stabilization and disposition, \$67,121,000 for soil and water remediation, and, \$2,052,000 for nuclear facility decontamination and decommissioning (D&D), the same as the budget request. The Committee recommends \$578,218,000 for tank farm activities, and \$127,524,000 for the Salt Waste Processing Facility, the same as the budget request. The Committee recommends \$314,919,000 for nuclear material stabilization and disposition, a decrease of \$24,392,000 below the budget request, and the same as fiscal year 2008 enacted levels. The Committee remains concerned with the Department's decision to proceed full speed ahead with H-canyon operations without evaluating all options for material disposition, considering the impact of waste generation on the ability of the tank farms to accommodate the addition volumes, and the impact reprocessing aluminum clad spent fuel will have on the final waste forms from the Defense Waste Processing Facility. DOE needs to develop a comprehensive lifecycle cost estimate for continuing to operate H-canyon that includes all waste disposal costs and contingency costs for additional nuclear materials that will be included in DOE's H-canyon processing plans. DOE needs to ensure all safety analyses are complete before proceeding with H-canyon operations. Until such time that the Department has completed these assessments, the Committee cannot support increased funding for this activity. The Committee recommends no funds for project 04-D-414, Project Engineering and Design, a reduction of \$2,032,000 below the request, as the Department has determined the need for this project no longer exists, and over \$10,000,000 in prior year balances remain unspent.

Waste Isolation Pilot Plant (WIPP).—The Committee recommendation provides \$231,661,000 for the Waste Isolation Pilot Project, an increase of \$20,137,000 over the budget request. The recommendation includes \$137,425,000, an increase of \$11,000,000

above the budget request for WIPP operations, and \$38,206,000 for the central characterization project, an increase of \$9,137,000 above the budget request for continued certification and receipt rates at fiscal year 2007 levels.

Idaho National Laboratory.—The Committee recommendation provides \$472,124,000, an increase of \$40,000,000 over the budget request, for cleanup activities at the Idaho National Laboratory. The Committee recommends \$100,268,000 for soil and water remediation, an increase of \$30,000,000 over the budget request, for additional buried transuranic waste removal, and \$34,133,000 for nuclear facility decontamination and decommissioning (D&D), an increase of \$10,000,000 over the budget request, for the D&D of INTEC to reduce out-year mortgage costs.

Oak Ridge Reservation.—The Committee recommendation provides \$262,670,000, an increase of \$25,000,000 over the budget request. The recommendation includes \$63,160,000 for nuclear facility decontamination and decommissioning at Oak Ridge National Laboratory (ORNL), an increase of \$5,000,000 over the budget request for the acceleration of cleanup activities at the ORNL Central Campus to meet enforceable regulatory milestones. The Committee recommends \$48,392,000 for nuclear facility decontamination and decommissioning at Y-12, an increase of \$16,000,000 over the budget request, for expansion of the solid waste disposal facility, and to address mercury mitigation and remediation at East Fork Poplar Creek Watershed. The Committee also provides an additional \$4,000,000 for solid waste stabilization and disposition at Oak Ridge.

Hanford Site.—The Committee recommendation provides \$875,787,000 for the Hanford Site, an increase of \$24,000,000 over the budget request. The Committee recommendation provides \$180,248,000 for river corridor nuclear facility decontamination and decommissioning, an increase of \$15,000,000 over the budget request to accelerate D&D of facilities to allow access to contaminated soil and groundwater. The Committee recommends \$122,483,000 for nuclear material stabilization and disposition at the Plutonium Finishing Plant (PFP), an increase of \$9,000,000 over the budget request for D&D of high risk PFP areas.

Office of River Protection.—The Committee recommendation provides \$978,443,000 for the Office of River Protection, the same as the budget request.

Program direction.—The Committee recommendation provides \$308,765,000, the same as the budget request for program direction.

Program support.—The Committee recommendation provides \$33,930,000 for program support, the same as the budget request.

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 \$32,389,000 for technology development and deployment, the same as the budget request. None of the funds may be used to support the Global Nuclear Energy Partnership.

NNSA Sites.—The Committee recommendation provides \$282,617,000, an increase of \$37,533,000 over budget request, to include \$200,000,000 for Los Alamos National Laboratory. The \$37,533,000 increase at Los Alamos is for retrieval of buried transuranic waste per the Consent Order agreement and for decontamination and decommissioning for Test Areas 21 and 54.

Safeguards and security.—The Committee recommendation provides \$251,341,000, the same as the budget request.

Use of prior year funds.—The Committee supports the use of \$1,109,000 of prior year funds, as proposed in the budget request.

Congressionally Directed Projects.—The Committee recommendation includes \$8,700,000 for the following House-directed projects and activities.

CONGRESSIONALLY DIRECTED DEFENSE ENVIRONMENTAL CLEANUP
PROJECTS

PROJECT	
MIAMISBURG MOUND, OU-1 (OH)	\$5,000,000
TESTING OF POLYMERIC HYDROGELS FOR RADIATION DECONTAMINATION (HI)	\$1,700,000
THE INTERNATIONAL ALTERNATIVE CLEAN-UP TECHNOLOGY AGREEMENT (PA)	\$2,000,000

OTHER DEFENSE ACTIVITIES

Appropriation, 2008	\$754,359,000
Budget estimate, 2009	1,313,461,000
Recommended, 2009	826,453,000
Comparison:	
Appropriation, 2008	+72,094,000
Budget estimate, 2009	-487,008,000

This account provides funding for the Office of Security and Performance Assurance; Intelligence; Counterintelligence; Health, Safety and Security; Office of Legacy Management; Funding for Defense Activities in Idaho; Defense Related Administrative Support; and the Office of Hearings and Appeals.

The Committee recommendation for Other Defense Activities totals \$826,453,000, a decrease of \$487,008,000 below the budget request and \$72,094,000 below fiscal year 2008 enacted levels. The decrease to the overall request is the result of the Committee's recommendation that the Mixed Oxide Fuel Fabrication Facility be funded in the Nuclear Energy account at the budget request.

HEALTH, SAFETY, AND SECURITY

The Office of Health, Safety, and Security 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 \$446,868,000, the same as the request. Within that, the Committee recommendation provides \$17,500,000 for the Former Worker Health Screening program, the same as the request. It also recommends \$1,000,000 for the Former Workers Medical Surveillance Program.

OFFICE OF LEGACY MANAGEMENT

The Office of Legacy Management provides long-term stewardship following site closure. The Committee recommends \$185,981,000 for Legacy Management, combining the Defense and Non-defense Legacy Management activities within Other Defense Activities, the same as the budget request.

DEFENSE-RELATED ACTIVITIES AT IDAHO NATIONAL LABORATORY

The Committee recommendation includes \$78,811,000 to fully fund defense-related (050 budget function) activities at Idaho National Laboratory at the requested level.

DEFENSE-RELATED ADMINISTRATIVE SUPPORT

The Committee recommendation includes \$108,190,000, 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 including 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 ad-

ministered by the Federal Energy Regulatory Commission. The Committee recommendation is \$6,603,000, the same as the budget request.

DEFENSE NUCLEAR WASTE DISPOSAL

Appropriation, 2008	\$199,171,000
Budget estimate, 2009	247,371,000
Recommended, 2009	247,371,000
Comparison:	
Appropriation, 2008	+48,200,000
Budget estimate, 2009	—

The Committee recommendation is \$247,371,000, the same as the budget request. Combined with the funding recommended for the Nuclear Waste Disposal, this will provide a total of \$494,742,000 for nuclear waste disposal activities in fiscal year 2009.

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.

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 2009.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
ADMINISTRATION

Appropriation, 2008	\$6,404,000
Budget estimate, 2009	7,420,000
Recommended, 2009	7,420,000
Comparison:	
Appropriation, 2008	+1,016,000
Budget estimate, 2009	-----

The Southeastern Power Administration markets the hydro-electric 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 \$7,420,000, the same as the budget request. The total program level for Southeastern in fiscal year 2009 is \$70,942,000, with \$63,522,000 for purchase power and wheeling and \$7,420,000 for program direction. The purchase power and wheeling costs will be offset by collections of \$49,520,000 provided in this Act. Additionally, Southeastern has identified \$14,002,000 in alternative financing for purchase power and wheeling that is not reflected in these totals.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER
ADMINISTRATION

Appropriation, 2008	\$30,165,000
Budget estimate, 2009	28,414,000
Recommended, 2009	28,414,000
Comparison:	
Appropriation, 2008	-1,751,000
Budget estimate, 2009	-----

The Southwestern Power Administration markets the hydro-electric 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 \$28,414,000, the same as the budget request. The total program level for Southwestern in fiscal year 2009 is \$63,414,000, including \$3,484,000 for operation and maintenance expenses, \$35,000,000 for purchase power and wheeling, \$22,130,000 for program direction, and \$2,800,000 for construction. The offsetting collections total of \$35,000,000 from collections for purchase power and wheeling yields a net appropriation of \$28,414,000. Additionally, Southwestern has identified \$25,772,000 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, 2008	\$228,907,000
Budget estimate, 2009	193,346,000
Recommended, 2009	193,346,000
Comparison:	
Appropriation, 2008	-35,561,000
Budget estimate, 2009	—

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 \$193,346,000, the same as the budget request. The total program level for Western in fiscal year 2009 is \$524,830,000, which includes \$1,881,000 for construction and rehabilitation, \$36,866,000 for system operation and maintenance, \$328,118,000 for purchase power and wheeling, and \$150,623,000 for program direction. The Committee recommendation includes \$7,342,000 for the Utah Mitigation and Conservation Fund.

Offsetting collections total \$328,118,000; with the use of \$3,366,000 of offsetting collections from the Colorado River Dam Fund (as authorized in P.L. 98-381), this requires a net appropriation of \$193,346,000. Additionally, Western has identified \$301,804,000 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, 2008	\$2,477,000
Budget estimate, 2009	2,959,000
Recommended, 2009	2,959,000
Comparison:	
Appropriation, 2008	+482,000
Budget estimate, 2009	—

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 \$2,959,000, the same as the budget request.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

Appropriation, 2008	\$260,425,000
Budget estimate, 2009	273,400,000
Recommended, 2009	273,400,000
Comparison:	
Appropriation, 2008	+12,975,000
Budget estimate, 2009	—

REVENUES

Appropriation, 2008	-260,425,000
Budget estimate, 2009	-273,400,000
Recommended, 2009	-273,400,000
Comparison:	
Appropriation, 2008	-12,975,000
Budget estimate, 2009	—

The Committee recommendation for the Federal Energy Regulatory Commission (FERC) is \$273,400,000, 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 2008 Enacted	FY 2009 Request	House Recommended
ENERGY EFFICIENCY AND RENEWABLE ENERGY			
Energy Efficiency and Renewable Energy RDD&D			
Hydrogen Technology.....	211,062	146,213	170,000
Biomass and Biorefinery Systems R&D.....	198,180	225,000	250,000
Solar energy.....	168,453	156,120	220,000
Wind energy.....	49,545	52,500	53,000
Geothermal technology.....	19,818	30,000	50,000
Water Power Energy.....	9,809	3,000	40,000
Vehicle technologies.....	213,043	221,086	305,000
Building technologies.....	108,999	123,765	168,000
Industrial technologies.....	64,408	62,119	100,000
Federal energy management program.....	19,818	22,000	30,000
Facilities and infrastructure:			
National Renewable Energy Laboratory (NREL).....	6,918	9,982	10,000
NREL Solar equipment recapitalization.....	7,927	---	---
Construction:			
08-EE-02 South-table mountain site infrastructure development, National Renewable Energy Laboratory, Golden, Co.....	6,831	---	---
08-EE-01 Energy systems integraion facility, National Renewal Energy Laboratory, Golden, Co.....	54,500	4,000	23,000
Subtotal, Construction.....	61,331	4,000	23,000
Subtotal, Facilities and infrastructure.....	76,176	13,982	33,000
Program direction.....	104,057	121,846	127,620
Program support.....	10,801	20,000	20,000
Subtotal, Energy Efficiency and Renewable Energy RDD&D.....	1,254,269	1,197,631	1,566,620
Federal energy assistance:			
Weatherization assistance.....	222,713	---	245,000
Training and technical assistance.....	4,509	---	5,000
Subtotal, Weatherization.....	227,222	---	250,000
Other:			
State energy program.....	44,095	50,000	50,000
International renewable energy program.....	---	---	7,000
Tribal energy activities.....	5,945	1,000	6,000
Renewable energy production incentive.....	4,955	---	5,000
Asia pacific.....	---	7,500	---
Subtotal, Other.....	54,995	58,500	68,000
Subtotal, Federal energy assistance.....	282,217	58,500	318,000
EISA federal assistance programs:			
Energy efficiency and conservation block grant program.....	---	---	295,000
Renewable fuel infrastructure grants.....	---	---	25,000
Domestic manufacturing conversion grant program.....	---	---	30,000
Advanced technology vehicles manufacturing incentive program (scorekeeping adjustment).....	---	---	150,000
Subtotal, EISA federal assistance programs.....	---	---	500,000
Use of prior year balances.....	---	-738	-738
Congressionally directed projects.....	185,921	---	134,670
TOTAL, ENERGY EFFICIENCY AND RENEWABLE ENERGY.....	1,722,407	1,255,393	2,518,552

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	FY 2008 Enacted	FY 2009 Request	House Recommended
=====			
ELECTRICITY DELIVERY AND ENERGY RELIABILITY			
Research and development:			
High temperature superconductivity R&D.....	27,930	28,188	28,186
Visualization and controls.....	25,075	25,305	25,305
Energy storage and power electronics.....	6,741	13,403	13,403
Renewable and distributed systems integration.....	25,466	33,306	38,308
Subtotal, Research and development.....	85,212	100,200	105,200
Operations and analysis.....	11,451	14,122	19,122
Program direction.....	17,603	19,678	19,678
Congressionally directed projects.....	24,290	---	5,250
TOTAL, ELECTRICITY DELIVERY AND ENERGY RELIABILITY.....	138,556	134,000	149,250
=====			
NUCLEAR ENERGY			
Research and development:			
Nuclear power 2010.....	133,771	241,600	157,300
Generation IV nuclear energy systems initiative.....	114,917	70,000	200,000
Nuclear hydrogen initiative.....	9,909	16,600	16,600
Subtotal, Research and development.....	258,597	328,200	373,900
Fuel Cycle Research and Facilities:			
Advanced fuel cycle initiative.....	179,353	301,500	90,000
MOX fuel fabrication facilities			
MOX other project costs.....	47,068	---	19,200
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC.....	231,721	---	467,808
Subtotal, Fuel Cycle Research and Facilities....	458,142	301,500	577,008
Infrastructure:			
Radiological facilities management:			
Space and defense infrastructure.....	30,371	35,000	40,000
Medical isotopes infrastructure.....	14,828	---	---
Research reactor infrastructure.....	2,920	3,700	6,000
Oak Ridge nuclear infrastructure.....	---	---	16,400
Subtotal, Radiological facilities management..	48,119	38,700	62,400
INL infrastructure:			
INL Operations and infrastructure.....	115,935	104,700	150,000
Idaho statewide safeguards and security.....	75,261	78,811	78,811
Subtotal, INL Infrastructure.....	239,315	222,211	291,211
Program direction.....	80,872	80,544	80,544
Use of prior year balances.....	---	---	-5,000
Subtotal, Nuclear Energy.....	1,036,928	932,455	1,317,663
=====			
Funding from other defense activities.....	-75,261	-78,811	-78,811
TOTAL, NUCLEAR ENERGY.....	961,665	853,644	1,238,852
=====			

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	FY 2008 Enacted	FY 2009 Request	House Recommended
OFFICE OF LEGACY MANAGEMENT			
Legacy management.....	33,872	---	---
CLEAN COAL TECHNOLOGY			
Deferral of unobligated balances, FY 2008.....	257,000	---	---
Deferral of unobligated balances, FY 2009.....	-149,000	149,000	149,000
Transfer to Fossil Energy R&D (CCPI).....	-69,363	---	---
Transfer to Fossil Energy R&D (CCDI).....	---	---	-149,000
Transfer to Fossil Energy R&D (FutureGen).....	-74,317	-149,000	---
Transfer to Fossil Energy R&D(Fuels & Power Systems)	-20,809	---	---
TOTAL, CLEAN COAL TECHNOLOGY.....	-56,489	---	---
FOSSIL ENERGY RESEARCH AND DEVELOPMENT			
Clean coal power initiative.....	69,363	85,000	---
FutureGen.....	74,317	156,000	---
Carbon Capture Demonstration Initiative.....	---	---	241,000
Fuels and Power Systems:			
Innovations for existing plants.....	36,081	40,000	40,000
Advanced integrated gasification combined cycle.....	53,509	69,000	60,000
Advanced turbines.....	23,782	28,000	24,000
Carbon sequestration.....	118,908	149,132	---
Fuels.....	24,773	10,000	10,000
Fuel cells.....	55,490	60,000	60,000
Advanced research.....	37,159	28,600	28,600
Subtotal, Fuels and power systems.....	349,702	382,732	220,600
Subtotal, Coal.....	493,382	623,732	461,600
Carbon sequestration.....	---	---	220,000
Natural Gas Technologies.....	19,818	---	25,000
Petroleum - Oil Technologies.....	4,954	---	3,000
Program direction.....	148,597	126,252	126,252
Plant and Capital Equipment.....	12,882	5,000	5,000
Fossil energy environmental restoration.....	9,483	9,700	9,700
Special recruitment programs.....	650	656	656
Cooperative research and development.....	4,954	---	---
Congressionally directed projects.....	48,118	---	13,680
Use of prior year balances.....	---	-11,310	-11,310
TOTAL, FOSSIL ENERGY RESEARCH AND DEVELOPMENT.....	742,838	754,030	853,578
NAVAL PETROLEUM AND OIL SHALE RESERVES.....	20,272	19,099	19,099
STRATEGIC PETROLEUM RESERVE.....	186,757	346,923	175,523
Use of prior year balances.....	---	-2,923	-2,923
TOTAL, STRATEGIC PETROLEUM RESERVE.....	186,757	344,000	172,600
NORTHEAST HOME HEATING OIL RESERVE.....	12,335	9,800	9,800
ENERGY INFORMATION ADMINISTRATION.....	95,460	110,595	120,595
NON-DEFENSE ENVIRONMENTAL CLEANUP			
West Valley Demonstration Project.....	53,900	57,600	57,600
Fast Flux Test Reactor Facility (WA).....	10,248	10,755	10,755
Gaseous Diffusion Plants.....	37,773	81,296	81,296

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	FY 2008 Enacted	FY 2009 Request	House Recommended

Small Sites:			
Argonne National Lab.....	433	459	10,000
Transfer from Science.....	---	---	10,000
Transfer from NNSA.....	---	---	10,000
Subtotal, Argonne National Lab.....	433	459	30,000
Brookhaven National Lab.....	28,438	8,433	15,433
Idaho National Lab.....	5,351	4,400	14,000
Tuba City, Arizona.....	---	---	5,000
Consolidated Business Center:			
California Site support.....	158	187	187
Inhalation Toxicology Lab.....	423	---	---
Stanford Linear Accelerator Center.....	5,846	4,883	7,883
Energy Technology Engineering Center.....	12,882	12,533	20,000
Los Alamos National Lab.....	1,888	1,905	1,905
Mcab.....	23,734	30,513	30,513
Completed sites administration and support.....	1,189	1,100	1,100
Subtotal, Consolidated Business Center.....	46,120	51,121	61,588
Funding from Science, NNSA.....	---	---	-20,000
Subtotal, small sites.....	80,342	64,413	106,021
Use of Prior year balances.....	---	-653	-653
Congressionally directed projects.....	---	---	2,000
TOTAL, NON-DEFENSE ENVIRONMENTAL CLEANUP.....	182,283	213,411	257,019
=====			
URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND			
Decontamination and decommissioning.....	602,344	480,333	514,273
Uranium/thorium reimbursement.....	19,818	---	15,000
TOTAL, UED&D FUND/URANIUM INVENTORY CLEANUP.....	622,162	480,333	529,273
=====			
SCIENCE			
High energy physics:			
Proton accelerator-based physics.....	373,274	419,577	419,577
Electron accelerator-based physics.....	76,046	48,772	48,772
Non-accelerator physics.....	61,238	86,482	86,482
Theoretical physics.....	56,391	63,036	63,036
Advanced technology R&D.....	119,368	187,093	187,093
Total, High energy physics.....	688,317	804,960	804,960
Nuclear physics.....	415,187	479,019	479,019
Construction			
07-SC-02 Electron beam ion source Brookhaven National Laboratory, NY.....	4,162	2,438	2,438
06-SC-01 Project engineering and design (PED) 12 GeV continuous electron beam accelerator facility upgrade, Thomas Jefferson National Accelerator facility (was project 07-SC-001), Newport News, VA.....	13,377	28,623	35,623
Total, Nuclear physics.....	432,726	510,080	517,080

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Biological and environmental research:			
Biological research.....	407,530	413,613	418,613
Climate change research.....	136,867	154,927	159,927
Total, Biological and environmental research.....	544,397	568,540	578,540
Basic energy sciences:			
Research:			
Materials sciences and engineering research.....	946,403	1,125,579	1,142,579
Chemical sciences, geosciences and energy biosciences.....	230,234	297,113	297,113
Subtotal, Research.....	1,176,637	1,422,692	1,439,692
Construction:			
08-SC-01 Advanced light source (ALS) user support building, LBNL, CA.....	4,954	11,500	11,500
08-SC-10 Project engineering and design (PED) Photon ultrafast laser science and engineering (PULSE) building renovation, SLAC, CA.....	941	---	---
08-SC-11 Photon ultrafast laser science and engineering (PULSE) building renovation, SLAC, CA.....	6,391	3,728	3,728
07-SC-06 Project engineering and design (PED) National Synchrotron light source II (NSLS-II)...	29,727	93,273	107,773
05-R-320 LINAC coherent light source (LCLS).....	50,689	36,967	36,967
05-R-321 Center for functional nanomaterials (BNL)	363	---	---
Subtotal, Construction.....	93,265	145,468	159,968
Total, Basic energy sciences.....	1,269,902	1,568,160	1,599,660
Advanced scientific computing research.....	351,173	368,820	378,820
Fusion energy sciences program.....	286,548	493,050	499,050
Science laboratories infrastructure:			
Laboratories facilities support:			
Infrastructure support:			
Payment in lieu of taxes.....	1,506	1,365	1,506
Excess facilities disposal.....	8,748	14,844	36,723
Oak Ridge landlord.....	5,033	5,079	5,079
Subtotal, Infrastructure support.....	15,287	21,308	43,308
Construction:			
09-SC-72 Seismic life-safety, modernization and replacement of general purpose buildings Phase 2, PED/Construction, LBNL.....	---	12,495	12,495
09-SC-73, Interdisciplinary science building Phase 1, PED, BNL.....	---	8,240	10,740
09-SC-74, Technology and engineering development facilities PED, TJNAP.....	---	3,700	3,700
08-SC-71 Modernization of laboratory facilities PED, ORNL.....	---	14,103	25,103
07-SC-05 Physical science facilities, PNNL.....	---	41,155	41,155
03-SC-001 Science laboratories infrastructure HEL-001 Multiprogram energy laboratory infrastructure projects, various locations.....	49,574	9,259	9,259
Subtotal, Construction.....	49,574	88,952	102,452

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Total, Science laboratories infrastructure.....	64,861	110,260	145,760
Safeguards and security.....	75,946	80,603	80,603
Science program direction:			
Headquarters.....	75,525	82,846	82,846
Office of Science and Technical Information.....	---	8,916	8,916
Field offices.....	102,254	112,151	112,151
Total, Science program direction.....	177,779	203,913	203,913
Workforce development for teachers and scientists.....	8,044	13,583	13,583
Advanced Research Projects Agency - Energy (ARPA-E)....	---	---	15,000
Congressionally directed projects.....	123,623	---	39,700
Subtotal, SCIENCE.....	4,023,316	4,721,989	4,876,689
Use of prior year balances.....	---	---	-15,000
Less security charge for reimbursable work.....	-5,605	---	---
TOTAL, SCIENCE.....	4,017,711	4,721,989	4,861,689
NUCLEAR WASTE DISPOSAL			
Repository program.....	117,906	172,388	172,388
Program direction.....	69,363	74,983	74,983
TOTAL, NUCLEAR WASTE DISPOSAL.....	187,269	247,371	247,371
INNOVATIVE TECHNOLOGY GUARANTEE PROGRAM			
Administrative operations.....	5,459	19,880	19,880
Offsetting collection.....	-1,000	-19,880	-19,880
Advance appropriation (P. L. 110-161).....	42,000	25,000	25,000
Proposed change in subsidy cost.....	---	355,000	440,000
TOTAL, INNOVATIVE TECHNOLOGY GUARANTEE PROGRAM..	46,459	380,000	485,000
DEPARTMENTAL ADMINISTRATION			
Administrative operations:			
Salaries and expenses			
Office of the Secretary.....	5,751	5,700	5,700
Chief Financial Officer.....	41,998	45,048	43,548
Management.....	65,033	67,000	65,500
Human capital management.....	27,986	31,436	31,436
Chief Information Officer.....	47,108	53,738	53,738
Congressional and intergovernmental affairs.....	4,733	4,700	4,700
Economic impact and diversity.....	5,814	3,545	3,545
General Counsel.....	29,889	31,233	31,233
Policy and international affairs.....	18,831	19,469	17,989
Public affairs.....	3,339	3,780	3,780
Office of Indian Energy Policy and Programs.....	---	---	4,500
Subtotal, Salaries and expenses.....	250,280	265,849	265,849
Program support:			
Minority economic impact.....	829	655	855

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Policy analysis and system studies.....	621	1,000	1,000
Environmental policy studies.....	528	531	531
Climate change technology program (prog. supp)....	1,059	2,000	2,000
Cybersecurity and secure communications.....	34,865	34,512	34,512
Corporate management information program.....	28,164	27,250	27,250
Subtotal, Program support.....	66,066	66,148	66,148
Total, Administrative operations.....	316,346	331,797	331,797
Cost of work for others.....	91,420	48,537	48,537
Subtotal, DEPARTMENTAL ADMINISTRATION.....	407,766	380,334	380,334
Funding from other defense activities.....	-98,104	-108,190	-108,190
Total, Departmental administration (gross).....	309,662	272,144	272,144
Miscellaneous revenues.....	-161,247	-117,317	-117,317
TOTAL, DEPARTMENTAL ADMINISTRATION (net).....	148,415	154,827	154,827
OFFICE OF INSPECTOR GENERAL.....	46,057	51,927	51,927
ATOMIC ENERGY DEFENSE ACTIVITIES			
NATIONAL NUCLEAR SECURITY ADMINISTRATION			
WEAPONS ACTIVITIES:			
Life extension program:			
B61 Life extension program.....	61,908	2,189	2,189
W76 Life extension program.....	172,213	209,196	209,196
Total, Life extension program.....	234,121	211,385	211,385
Stockpile systems:			
B61 Stockpile systems.....	73,655	80,434	80,434
W62 Stockpile systems.....	2,112	1,645	1,645
W76 Stockpile systems.....	67,914	68,418	68,418
W78 Stockpile systems.....	38,245	43,349	43,349
W80 Stockpile systems.....	31,753	32,034	32,034
B83 Stockpile systems.....	24,534	25,759	25,759
W87 Stockpile systems.....	58,054	37,189	37,189
W88 Stockpile systems.....	45,820	49,854	49,854
Total, Stockpile systems.....	340,087	338,682	338,682
Reliable replacement warhead.....	---	10,000	---
Weapons dismantlement and disposition:			
Operations and maintenance.....	134,675	116,822	122,821
Construction:			
99-D-141 Pit disassembly and conversion facility, SRS.....	---	66,890	66,890
Total, Weapons dismantlement and disposition....	134,675	183,712	189,711
Stockpile services:			
Production support.....	279,529	302,126	250,000
Research and development support.....	32,891	36,231	33,329
Research and development certification and safety.....	178,504	193,375	161,984
Management, technology, and production.....	201,645	201,375	160,000

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Pit manufacturing.....	---	145,289	---
Pit manufacturing capability.....	---	53,560	53,560
Total, Stockpile services.....	692,369	931,938	658,873
Total, Directed stockpile work.....	1,401,252	1,675,715	1,398,651
Campaigns:			
Science campaign:			
Advanced certification, non-RRW.....	14,866	20,000	20,000
Primary assessment technologies.....	62,312	74,413	74,413
Dynamic plutonium experiments.....	---	23,734	23,734
Dynamic materials properties.....	96,140	85,805	80,805
Advanced radiography.....	30,402	29,418	29,418
Secondary assessment technologies.....	78,999	79,292	79,292
Test readiness.....	4,905	10,408	---
Subtotal, Science campaigns.....	287,624	323,070	307,662
Engineering campaign:			
Enhanced surety, non-RRW.....	34,137	35,641	70,000
Weapons system engineering assessment technology	19,314	17,105	17,105
Nuclear survivability.....	8,644	21,753	8,844
Enhanced surveillance.....	79,073	68,243	68,243
Microsystem and engineering science applications (MESA), other project costs.....	7,485	---	---
Construction:			
08-D-806 Ion beam laboratory refurbishment, SNL, Albuquerque, NM.....	9,911	---	---
01-D-108 Microsystem and engineering science applications (MESA), SNL, Albuquerque, NM....	10,984	---	---
Subtotal, MESA.....	28,380	---	---
Subtotal, Engineering campaign.....	169,548	142,742	163,992
Inertial confinement fusion ignition and high yield campaign:			
Ignition.....	103,029	103,644	111,844
NIF diagnostics, cryogenics and experimental support.....	68,107	68,248	62,848
Pulsed power inertial confinement fusion.....	10,241	8,920	9,120
Joint program in high energy density laboratory plasmas.....	3,152	3,147	3,147
Facility operations and target production.....	112,012	180,384	201,204
Inertial fusion technology.....	29,426	---	25,600
Naval Research Laboratory.....	---	---	15,000
NIF assembly and installation.....	134,284	56,899	59,499
Subtotal.....	460,261	421,242	508,062
Construction:			
96-D-111 National ignition facility, LLNL.....	9,945	---	---
Subtotal, Inertial confinement fusion.....	470,206	421,242	508,062
Advanced simulation and computing.....	574,537	561,742	495,548
Pit manufacturing and certification:			
Pit manufacturing.....	137,323	---	---
Pit certification.....	37,273	---	---
Pit manufacturing capability.....	39,235	---	---
Subtotal, Pit manufacturing and certification	213,831	---	---

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Readiness campaign:			
Stockpile readiness.....	18,562	28,731	28,731
High explosives and weapon operations.....	9,647	8,927	8,927
Nonnuclear readiness.....	25,103	40,165	40,165
Tritium readiness.....	71,831	82,265	82,265
Advanced design and production technologies.....	32,945	22,949	22,949
Subtotal, Readiness campaign.....	158,088	183,037	183,037
Total, Campaigns.....	1,873,834	1,831,833	1,658,301
Readiness in technical base and facilities (RTBF):			
Operations of facilities:			
Kansas City Plant.....	84,702	122,389	76,353
Lawrence Livermore National Laboratory.....	89,303	85,160	117,252
Los Alamos National Laboratory.....	285,025	298,112	292,595
Nevada Test Site.....	64,863	92,203	61,127
Pantex.....	112,813	104,361	124,381
Sandia national Laboratory.....	153,873	127,827	127,827
Savannah River Site.....	85,738	108,114	77,410
Y-12 Productions Plant.....	224,190	216,904	216,904
Institutional Site Support.....	53,948	57,837	57,837
Subtotal, operations of facilities.....	1,154,455	1,212,907	1,151,666
Program readiness.....	70,099	73,841	73,841
Material recycle and recovery.....	71,567	72,509	72,509
Containers.....	21,760	23,398	23,398
Storage.....	34,462	29,848	29,848
Subtotal, RTBF.....	1,352,343	1,412,501	1,351,260
Construction:			
09-D-404, Test capabilities revitalization II, Sandia National Laboratories, Albuquerque, NM.....	---	3,200	---
08-D-801 High pressure fire loop (HPFL) Pantex Plant, Amarillo, TX.....	6,866	2,000	2,000
08-D-802 High explosive pressing facility Pantex Plant, Amarillo, TX.....	15,008	28,233	15,008
08-D-804 TA-55 Reinvestment project, Los Alamos National Laboratory (LANL).....	5,885	7,900	5,885
08-D-808 Ion beam laboratory refurbishment, SNL Albuquerque, NM.....	---	10,014	---
07-D-140 Project engineering and design (PED), various locations.....	2,452	7,446	7,446
07-D-220 Radioactive liquid waste treatment facility upgrade project, LANL.....	26,162	19,660	---
06-D-140 Project engineering and design (PED), various locations.....	41,552	104,661	104,661
06-D-402 NTS replace fire stations 1 & 2 Nevada Test Site, NV.....	6,591	9,340	9,340
05-D-140 Project engineering and design (PED), various locations.....	1,961	---	---
05-D-402 Beryllium capability (BEC) project, Y-12 National security complex, Oak Ridge, TN.....	---	5,015	5,015

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04-D-125 Chemistry and metallurgy facility replacement project, Los Alamos National Laboratory, Los Alamos, NM.....	74,141	100,200	---
04-D-128 TA-18 mission relocation project, Los Alamos Laboratory, Los Alamos, NM.....	28,892	10,353	10,353
01-D-124 HEU materials facility, Y-12 plant, Oak Ridge, TN.....	75,528	---	---
Subtotal, Construction.....	285,038	308,022	159,708
Total, Readiness in technical base and facilities.....	1,637,381	1,720,523	1,510,968
Facilities and infrastructure recapitalization pgm: Construction	118,471	99,550	99,550
08-D-601 Mercury highway, Nevada Test Site, NV..	7,651	11,700	11,700
08-D-602 Portable water system upgrades Y-12 Plant, Oak Ridge, TN.....	22,070	27,686	27,686
07-D-253 TA 1 heating systems modernization (HSM) Sandia National Laboratory.....	12,751	15,755	15,755
08-D-601 Electrical distribution system upgrade, Pantex Plant, Amarillo, TX.....	2,452	4,000	4,000
08-D-602 Gas main and distribution system upgrade, Pantex Plant, Amarillo, TX.....	1,863	---	---
08-D-603 Steam plant life extension project (SLEP), Y-12 National Security Complex, Oak Ridge, TN.....	14,733	10,878	10,878
Subtotal, Construction.....	61,520	69,999	69,999
Total, Facilities and infrastructure recapitalization program.....	179,991	169,549	169,549
Transformation disposition.....	---	77,391	77,391
Safeguards and security:			
Secure transportation asset:			
Operations and equipment.....	128,343	131,651	131,651
Program direction.....	83,180	89,421	89,421
Subtotal, Secure transportation asset.....	211,523	221,072	221,072
Cybersecurity.....	100,287	122,511	122,511
Defense nuclear security.....	728,123	690,217	713,649
Construction:			
08-D-701 Nuclear materials S&S upgrade project Los Alamos National Laboratory.....	48,550	46,000	46,000
05-D-170 Project engineering and design (PED), various locations.....	7,847	1,111	1,111
08-D-702 Material security consolidation project, Idaho National Lab, ID.....	14,713	---	---
Subtotal, Construction.....	71,110	47,111	47,111
Subtotal, Defense nuclear security.....	799,233	737,328	760,760

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Total, Safeguards and security.....	799,233	737,328	760,760
Environmental projects and operations:			
Long term stewardship.....	8,592	40,587	40,587
Nuclear weapons incident response.....	158,655	221,936	221,936
Congressionally directed projects.....	47,232	---	20,500
Less security charge for reimbursable work.....	-34,000	---	---
Use of prior year balances.....	-86,514	-366	-366
Subtotal, WEAPONS ACTIVITIES.....	6,297,466	6,618,079	6,201,860
Rescission of prior year balances.....	---	---	-165,300
TOTAL, WEAPONS ACTIVITIES.....	6,297,466	6,618,079	6,036,560
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DEFENSE NUCLEAR NONPROLIFERATION			
Nonproliferation and verification, R&D.....	382,424	261,944	262,862
Construction			
07-SC-05 Physical Science Facility, Pacific			
Northwest National Laboratory, Richland, WA.....	---	13,147	13,147
08-D-180 06-01 Project engineering and design(PED)			
National Security Laboratory, PNNL.....	24,772	---	---
Subtotal, Nonproliferation & verification R&D.....	387,196	275,091	276,009
Nonproliferation and international security.....	149,993	140,467	165,295
International nuclear materials protection and			
cooperation.....	624,482	429,694	509,448
Elimination of weapons-grade plutonium production			
program.....	179,940	141,299	141,299
Fissile materials disposition:			
U.S. surplus fissile materials disposition.....	---	40,774	40,774
U.S. uranium disposition.....	66,235	---	---
Subtotal, U.S. surplus fissile materials disp.....	66,235	40,774	40,774
Russian surplus materials disposition.....	---	1,000	1,000
Total, Fissile materials disposition.....	66,235	41,774	41,774
Global threat reduction initiative.....	193,225	219,641	406,641
International nuclear fuel bank.....	49,545	---	---
Congressionally directed projects.....	7,380	---	1,000
Subtotal, Defense Nuclear Nonproliferation.....	1,657,996	1,247,966	1,541,466
Use of prior year balances.....	---	-918	-11,418
Subtotal, Defense Nuclear Nonproliferation.....	1,657,996	1,247,048	1,530,048
Rescissions:			
Rescission of prior year balances - Russian Surplus			
Materials Disposition program.....	-57,000	---	---
Rescission of prior year balances - Fissile			
materials disposition MOX construction line	-115,000	---	---
Rescission of prior year balances for Emergency			
Supplemental for FY 1999 (H.R. 4328, P.L. 102-277)	-150,000	---	---
Total, Rescissions.....	-322,000	---	---
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TOTAL, DEFENSE NUCLEAR NONPROLIFERATION.....	1,335,996	1,247,048	1,530,048
NAVAL REACTORS			
Naval reactors development.....	732,374	771,600	771,600
Construction:			
09-D-190, PED, Infrastructure upgrades, KAPL.....	---	1,000	1,000
09-D-902, NRF Office Building #2, ECC upgrade, Idaho	---	8,300	8,300
08-D-901 Shipping and receiving and warehouse			
complex (SRWC), BAPL.....	8,918	---	---
09-D-190 Project engineering and design, Expended			
Core Facility M-290 recovering discharge station,			
Naval Reactor Facility, ID.....	545	300	300
07-D-190 Materials research technology complex			
(MRTC).....	446	12,400	12,400
Subtotal, Construction.....	9,909	22,000	22,000
Total, Naval reactors development.....	742,283	793,600	793,600
Program direction.....	32,403	34,454	34,454
TOTAL, NAVAL REACTORS.....	774,686	828,054	828,054
OFFICE OF THE ADMINISTRATOR			
Office of the Administrator.....	379,997	404,081	404,081
Congressionally directed projects.....	22,140	---	24,500
TOTAL, OFFICE OF THE ADMINISTRATOR.....	402,137	404,081	428,581
TOTAL, NATIONAL NUCLEAR SECURITY ADMINISTRATION...	8,810,285	9,097,262	8,823,243
DEFENSE ENVIRONMENTAL CLEANUP			
Closure Sites:			
Ashtabula.....	292	---	---
Closure sites administration.....	11,726	13,209	13,209
Fernald.....	---	2,100	2,100
Miamisburg.....	30,032	30,574	30,574
Total, closure sites.....	42,050	45,883	45,883
Hanford Site:			
Nuclear facility D&D, river corridor closure project	223,172	165,248	180,248
Nuclear material stabilization & disposition PFP....	97,110	113,483	122,483
SNF stabilization and disposition.....	98,907	122,171	122,171
Subtotal, 2012 accelerated completions.....	419,189	400,902	424,902
Nuclear facility D&D - remainder of Hanford.....	97,854	85,653	85,653
Operate waste disposal facility.....	3,299	---	---
Richland community and regulatory support.....	19,441	19,620	19,620
Soil & water remediation - groundwater/vadose zone..	104,591	169,882	169,882
Solid waste stabilization & disposition - 200 area..	242,124	175,930	175,930
Subtotal, 2035 accelerated completions.....	467,309	450,885	450,885
Total, Hanford Site.....	886,498	851,787	875,787
Idaho National Laboratory:			
Nuclear material stabilization and disposition.....	2,230	2,030	2,030

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SNF stabilization and disposition - 2012.....	28,922	20,334	20,334
Solid waste stabilization and disposition.....	152,225	178,767	178,767
Radioactive liquid tank waste stabilization and disposition.....	66,010	46,025	46,025
08-D-401, Sodium bearing waste treatment project, ID	111,774	86,700	86,700
Soil and water remediation - 2012.....	111,368	70,288	100,288
Nuclear facility D&D.....	32,078	24,133	34,133
Idaho community and regulatory support.....	3,753	3,867	3,867
Total, Idaho National Laboratory.....	508,358	432,124	472,124
NNSA:			
Lawrence Livermore National Laboratory.....	8,601	---	---
NNSA Service Center/SPRU.....	28,831	16,943	16,943
Nevada.....	80,368	65,674	65,674
California site support.....	367	---	---
Pantex.....	20,027	---	---
Los Alamos National Laboratory.....	152,070	162,467	200,000
Total, NNSA sites and Nevada off-sites.....	290,264	245,084	282,617
Oak Ridge Reservation:			
Building 3019.....	29,727	58,000	58,000
Nuclear facility D&D ORNL.....	50,978	58,160	63,160
Nuclear facility D&D Y-12.....	19,674	32,392	48,392
Nuclear facility D&D, E. Tenn. Technology Park.....	3,323	105	105
OR reservation community & regulatory support.....	5,912	6,100	6,100
Soil and water remediation - offsites.....	9,294	4,730	4,730
Solid waste stabilization and disposition - 2012....	71,627	78,183	82,183
Total, Oak Ridge Reservation.....	190,535	237,670	262,670
Office of River Protection:			
01-D-16A Low activity waste facility.....	141,699	160,000	160,000
01-D-16B Analytical laboratory.....	44,591	65,000	65,000
01-D-16C Balance of facilities.....	71,345	75,000	75,000
01-D-16D High-level waste facility.....	175,389	125,000	125,000
01-D-16E Pretreatment facility.....	250,698	265,000	265,000
Subtotal, Waste treatment & immobilization plant	683,722	690,000	690,000
Tank Farm activities:			
Rad liquid tank waste stabil. and disposition.....	285,351	288,443	288,443
River protection community and regulatory support.	467	---	---
Subtotal, Tank Farm activities.....	285,818	288,443	288,443
Total, Office of River Protection.....	969,540	978,443	978,443
Savannah River site:			
04-D-423 Container surveillance capability in 235F..	10,900	---	---
04-D-414 Project Engineering and Design, 105-K.....	---	2,032	---
Subtotal, 2012 accelerated completions.....	10,900	2,032	---
SR community and regulatory support.....	12,386	12,500	12,500
Nuclear material stabilization and disposition.....	314,919	339,311	314,919
Spent nuclear fuel stabilization and disposition....	30,850	24,108	24,108
Solid waste stabilization and disposition.....	72,859	53,559	53,559
Soil and water remediation.....	74,507	67,121	67,121
Nuclear facility D&D.....	2,882	2,052	2,052
Construction:			
08-D-414 Project engineering and design Plutonium Vitrification Facility, VL.....	991	---	---
Subtotal, 2035 accelerated completions.....	509,394	498,651	474,259

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Tank Farm activities:			
Rad liquid tank waste stabil. and disposition.....	513,799	578,218	578,218
05-D-405, Salt waste processing facility.....	87,199	127,524	127,524
03-D-414, Salt waste processing facility PED SR....	9,910	---	---
Subtotal, Tank farm activities.....	610,908	705,742	705,742
Total, Savannah River site.....	1,131,202	1,206,425	1,180,001
Waste Isolation Pilot Plant:			
Operate WIPP.....	148,653	126,425	137,425
Central Characterization Project.....	32,599	29,069	38,206
Transportation.....	26,887	28,170	28,170
Community and regulatory support.....	26,446	27,860	27,860
Total, Waste Isolation Pilot Plant.....	234,585	211,524	231,661
Program direction.....	306,941	308,765	308,765
Program support.....	32,844	33,930	33,930
Safeguards and Security:			
Waste Isolation Pilot Project.....	4,882	5,124	5,124
Dak Ridge Reservation.....	18,322	27,020	27,020
West Valley.....	1,585	1,400	1,400
Paducah.....	---	8,196	8,196
Richland/Hanford Site.....	86,503	75,265	75,265
Savannah River Site.....	148,040	134,336	134,336
Total, Safeguards and Security.....	259,332	251,341	251,341
Technology development.....	21,194	32,389	32,389
Uranium enrichment D&D fund contribution.....	458,787	463,000	463,000
SUBTOTAL, DEFENSE ENVIRONMENTAL CLEAN UP.....	5,332,130	5,298,365	5,418,611
Congressionally directed projects.....	17,195	---	8,700
Use of prior year balances.....	---	-1,109	-1,109
TOTAL, DEFENSE ENVIRONMENTAL CLEAN UP.....	5,349,325	5,297,256	5,426,202
OTHER DEFENSE ACTIVITIES			
Health, safety and security:			
Health, safety and security.....	328,324	347,271	347,271
Program direction.....	99,137	99,597	99,597
Total, Health, safety and security.....	425,461	446,868	446,868
Office of Legacy Management:			
Legacy management.....	144,060	174,397	174,397
Program direction.....	10,901	11,584	11,584
Total, Office of Legacy Management.....	154,961	185,981	185,981
Nuclear energy:			
Infrastructure:			
Idaho sitewide safeguards and security.....	75,261	78,811	78,811
Mixed oxide fuel fabrication facility:			
Operations and maintenance.....	---	19,200	---
Construction and other project costs:			
99-D-143 MOX fuel fabrication facility.....	---	467,808	---
Subtotal, Mixed oxide fuel fabrication facility.....	---	487,008	---

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	FY 2008 Enacted	FY 2009 Request	House Recommended
Total, Nuclear energy.....	75,281	565,819	78,811
Defense related administrative support.....	98,104	108,190	108,190
Office of hearings and appeals.....	4,565	6,603	8,603
Subtotal, Other Defense Activities.....	758,352	1,313,481	826,453
Less security charge for reimbursable work.....	-3,003	---	---
Use of prior year balances.....	-990	---	---
TOTAL, OTHER DEFENSE ACTIVITIES.....	754,359	1,313,481	826,453
DEFENSE NUCLEAR WASTE DISPOSAL.....	199,171	247,371	247,371
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES.....	15,113,140	15,955,350	15,323,269
POWER MARKETING ADMINISTRATIONS			
SOUTHEASTERN POWER ADMINISTRATION			
Operation and maintenance:			
Purchase power and wheeling.....	62,215	63,522	63,522
Program direction.....	6,404	7,420	7,420
Subtotal, Operation and maintenance.....	68,619	70,942	70,942
Less alternative financing (PPW).....	-13,802	-14,002	-14,002
Offsetting collections.....	-48,413	-49,520	-49,520
TOTAL, SOUTHEASTERN POWER ADMINISTRATION.....	6,404	7,420	7,420
SOUTHWESTERN POWER ADMINISTRATION			
Operation and maintenance:			
Operating expenses.....	11,892	12,865	12,865
Purchase power and wheeling.....	45,000	46,000	46,000
Program direction.....	22,054	24,330	24,330
Construction.....	4,289	5,991	5,991
Subtotal, Operation and maintenance.....	83,215	89,186	89,186
Less alternative financing (for program direction).....	-877	-2,200	-2,200
Less alternative financing (ofr O&M).....	-8,304	-9,381	-9,381
Less alternative financing (PPW).....	-10,000	-11,000	-11,000
Less alternative financing (Const.).....	-869	-3,191	-3,191
Offsetting collections.....	-35,000	-35,000	-35,000
TOTAL, SOUTHWESTERN POWER ADMINISTRATION.....	30,165	28,414	28,414
WESTERN AREA POWER ADMINISTRATION			
Operation and maintenance:			
Construction and rehabilitation.....	62,419	74,544	74,544
Operation and maintenance.....	52,873	52,365	52,365
Purchase power and wheeling.....	475,254	525,960	525,960
Program direction.....	158,128	166,423	166,423
Utah mitigation and conservation.....	7,114	7,342	7,342

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	FY 2008 Enacted	FY 2009 Request	House Recommended
Subtotal, Operation and maintenance.....	753,788	826,634	826,634
Less alternative financing (for O&M).....	-5,000	-15,499	-15,499
Less alternative financing (for Const.).....	-30,690	-72,863	-72,863
Less alternative financing (for Program direction)..	-10,000	-15,800	-15,800
Less alternative financing (for PPW).....	-166,552	-197,842	-197,842
Offsetting collections (P.L. 108-477, P.L. 109-103)..	-308,702	-328,118	-328,118
Offsetting collections (P.L. 98-381).....	-3,937	-3,366	-3,366
TOTAL, WESTERN AREA POWER ADMINISTRATION.....	228,907	193,346	193,346
FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND			
Operation and maintenance.....	2,477	2,959	2,959
TOTAL, POWER MARKETING ADMINISTRATIONS.....	267,953	232,139	232,139
FEDERAL ENERGY REGULATORY COMMISSION			
Federal energy regulatory commission.....	260,425	273,400	273,400
FERC revenues.....	-260,425	-273,400	-273,400
GRAND TOTAL, DEPARTMENT OF ENERGY.....	24,489,102	25,917,888	27,204,820
(Total amount appropriated).....	(24,881,102)	(25,743,888)	(27,196,120)
(Rescissions, including emergency funding)....	(-322,000)	---	(-185,300)
(Deferrals).....	(108,000)	(149,000)	(149,000)
(Advance appropriation).....	(42,000)	(25,000)	(25,000)

DEPARTMENT OF ENERGY
(AMOUNTS IN THOUSANDS)

	FY 2008 Enacted	FY 2009 Request	House Recommended
SUMMARY OF ACCOUNTS			
Energy efficiency and renewable energy.....	1,722,407	1,255,393	2,518,552
Electricity delivery and energy reliability.....	138,566	134,000	149,250
Nuclear energy.....	961,685	853,644	1,238,852
Office of Legacy Management.....	33,872	---	---
Clean coal technology.....	-56,489	---	---
Fossil Energy Research and Development.....	742,838	754,030	853,578
Naval Petroleum & Oil Shale Reserves.....	20,272	19,099	19,099
Strategic petroleum reserves.....	186,757	344,000	172,600
Northeast home heating oil reserve.....	12,335	9,800	9,800
Energy Information Administration.....	95,460	110,595	120,595
Non-defense environmental clean up.....	182,263	213,411	257,019
Uranium enrichment D&D fund.....	822,162	480,333	529,273
Science.....	4,017,711	4,721,969	4,861,669
Nuclear waste disposal.....	187,269	247,371	247,371
Departmental administration.....	309,662	272,144	272,144
Revenues.....	-161,247	-117,317	-117,317
Total, Departmental administration.....	148,415	154,827	154,827
Office of the Inspector General.....	46,057	51,927	51,927
Innovative Technology Loan Guarantee Program.....	46,459	380,000	465,000
Atomic energy defense activities:			
National Nuclear Security Administration:			
Weapons activities.....			
Defense nuclear nonproliferation.....	6,297,466	6,618,079	6,036,560
Naval reactors.....	1,335,996	1,247,048	1,530,048
Office of the Administrator.....	774,686	828,054	828,054
Subtotal, National Nuclear Security Admin.....	402,137	404,081	428,581
Subtotal, National Nuclear Security Admin.....	8,810,285	9,097,262	8,823,243
Defense environmental cleanup.....	5,349,325	5,297,256	5,426,202
Other defense activities.....	754,359	1,313,461	826,453
Defense nuclear waste disposal.....	199,171	247,371	247,371
Total, Atomic energy defense activities.....	15,113,140	15,955,350	15,323,266
Power marketing administrations:			
Southeastern Power Administration.....	6,404	7,420	7,420
Southwestern Power Administration.....	30,165	28,414	28,414
Western Area Power Administration.....	228,907	193,346	193,346
Falcon and Amistad operating and maintenance fund....	2,477	2,959	2,959
Total, Power marketing administrations.....	267,953	232,139	232,139
Federal Energy Regulatory Commission:			
Salaries and expenses.....	260,425	273,400	273,400
Revenues.....	-260,425	-273,400	-273,400
Total Summary of Accounts, Department of Energy...	24,489,102	25,917,888	27,204,820
FUNCTION RECAP:			
NON-DEFENSE.....	9,371,503	9,962,538	11,718,251
DEFENSE.....	15,117,599	15,955,350	15,488,569
Environmental management.....	(6,162,504)	(6,256,403)	(6,376,649)
DEFENSE RELATED.....	(5,332,130)	(5,298,365)	(5,418,611)
NON-DEFENSE.....	(830,374)	(958,038)	(958,038)
Nuclear waste disposal.....	(388,440)	(494,742)	(494,742)
DEFENSE RELATED.....	(199,171)	(247,371)	(247,371)
NON-DEFENSE.....	(187,269)	(247,371)	(247,371)

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.

Section 3161 Assistance.—Section 303 prohibits the use of funds for workforce restructuring or enhanced severance payments under the worker and community transition program under section 3161 of Public Law 102-484.

Unexpended Balances.—Section 304 permits the transfer and merger of unexpended balances of prior appropriations with appropriation accounts established in this bill.

Bonneville Power Administration Service Territory.—Section 305 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 306 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 307 authorizes intelligence activities of the Department of Energy for purposes of section 504 of the National Security Act of 1947 during fiscal year 2009.

Laboratory Directed Research and Development.—Section 308 provides for authorization of Laboratory Directed Research and Development (LDRD), Site Directed Research and Development, and Plant Directed Research and Development (PDRD) activities.

Reimbursable Work.—Section 309 requires that DOE accounts for its reimbursable activities in the accounts that are most closely related in mission to the work being carried out. In the event that the activity is not related to DOE's mission, the Department must report these activities in the account that would normally supply the preponderance of the funding of the resources being used in reimbursable work, or owns the assets being used in reimbursable work.

Reliable Replacement Warhead.—Section 310 prohibits the use of funds for the Reliable Replacement Warhead (RRW).

Global Nuclear Energy Partnership.—Section 311 prohibits the use of funds for the Global Nuclear Energy Partnership (GNEP).

General Plant Projects.—Section 312 sets the limit on the use of funds for General Plant Projects (GPP) at \$10,000,000. The Committee directs the Department to apply this new dollar threshold to all projects and activities of the Department, consistent with past practice."

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

Appropriation, 2008	\$73,032,000
Budget estimate, 2009	65,000,000
Recommended, 2009	65,000,000
Comparison:	
Appropriation, 2008	—8,032,000
Budget estimate, 2009	—

The Appalachian Regional Commission (ARC) is a regional economic development agency established in 1965. It is composed of the Governors of the thirteen Appalachian States and has a Federal co-chairman, who is appointed by the President. For fiscal year 2009, the budget request includes \$65,000,000, of which \$53,957,000 is for area development; \$5,316,000 is local development districts and technical assistance; and \$5,727,000 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 \$65,000,000, the same as the budget request.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Appropriation, 2008	\$21,909,000
Budget estimate, 2009	25,499,000
Recommended, 2009	25,499,000
Comparison:	
Appropriation, 2008	+3,590,000
Budget estimate, 2009	—

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 2009 is \$25,499,000, the same as the budget request.

DELTA REGIONAL AUTHORITY

Appropriation, 2008	\$11,685,000
Budget estimate, 2009	6,000,000
Recommended, 2009	6,000,000
Comparison:	
Appropriation, 2008	-5,685,000
Budget estimate, 2009	—

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, with 50 percent of the funds earmarked for transportation and basic infrastructure improvements.

It has come to the Committee's attention that the DRA has failed to provide assistance in several counties within its jurisdiction that are among the most economically distressed. In the view of this Committee, this lapse is unacceptable, given the Authority's primary mission is to assist the counties where the most need exists. The DRA is instructed to provide a report outlining the assistance provided in its territory, by county, ranked in order of rates of poverty and economic distress as defined by the Census Bureau. The DRA is also directed to review the process by which assistance is provided to ensure an equitable distribution of the resources is provided to the counties within its jurisdiction according to need.

Since 2002, the DRA has distributed nearly \$56,000,000 through its grant program. The Committee is concerned the Authority lacks a monitoring program to ensure grantee compliance with program requirements and statutory goals. The Committee directs the Authority to develop and implement improved grant auditing proce-

dures, in order to (1) certify the impact of individual initiatives funded through the grant program; and (2) document and verify grantee compliance with statutory program requirements. The Committee directs the Federal Co-Chairman to provide to the House and Senate Committees on Appropriations a report comprehensively addressing the development of annual and long-term measures for ensuring the performance and accountability of the Authority and its grantees within 90 days of the enactment of this legislation.

For fiscal year 2009, the Committee recommends \$6,000,000, the same as the budget request.

DENALI COMMISSION

Appropriation, 2008	\$21,800,000
Budget estimate, 2009	1,800,000
Recommended, 2009	1,800,000
Comparison:	
Appropriation, 2008	- 20,000,000
Budget estimate, 2009	—

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 2009, 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, 2008	\$917,334,000
Budget estimate, 2009	1,007,956,000
Recommended, 2009	1,058,956,000
Comparison:	
Appropriation, 2008	+141,622,000
Budget estimate, 2009	+51,000,000

REVENUES

Appropriation, 2008	-\$771,220,000
Budget estimate, 2009	- 847,357,000
Recommended, 2009	- 860,857,000
Comparison:	
Appropriation, 2008	- 89,637,000
Budget estimate, 2009	- 13,500,000

NET APPROPRIATION

Appropriation, 2008	\$146,114,000
Budget estimate, 2009	160,599,000
Recommended, 2009	198,099,000
Comparison:	
Appropriation, 2008	+51,985,000
Budget estimate, 2009	+37,500,000

The Committee recommendation for the Nuclear Regulatory Commission (NRC) salaries and expenses for fiscal year 2009 is \$1,058,956,000, an increase of \$51,000,000 over the budget request of \$1,007,956,000. The total amount of budget authority is offset by estimated revenues of \$860,857,000, resulting in a net appropriation of \$198,099,000. The recommendation includes \$73,300,000 to be derived from the Nuclear Waste Fund to support the NRC's review of the Department of Energy's licensing application to con-

struct and operate a permanent geologic repository at Yucca Mountain for spent nuclear fuel and high-level waste. The Committee also recommends an additional \$15,000,000 to continue the academic scholarships and fellowships program. These funds are to be used for college scholarships and graduate fellowships in nuclear science, engineering, and health physics, and for faculty development grants supporting faculty in these academic areas for the first six years of their careers. The education supported by this funding is intended to broadly benefit all sectors using nuclear technology and radioactive materials (i.e., federal agencies, industry, medicine, and academia) rather than solely to benefit the Nuclear Regulatory Commission. Accordingly, notwithstanding the requirements of Section 243 of the Energy Policy Act of 2005, which makes employment at the Commission a condition of receiving educational assistance, the Commission is directed to make generous use of the waiver or suspension provisions available in Section 243(c)(2).

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). Of the \$1,058,900,000 gross appropriation for fiscal year 2009, \$73,300,000 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 \$27,148,000 is drawn from the General Fund of the Treasury to execute NRC's homeland security responsibilities. Ninety percent of the balance of \$956,508,000 (i.e., \$860,857,000) is funded by fees collected from NRC licensees, and the remaining 10 percent (i.e., \$95,651,000) is funded from the General Fund of the Treasury.

Fire Protection.—The Committee is concerned with the conclusions of the NRC's Inspector General's Office report regarding NRC's oversight of fire protection barriers. The report states that the NRC ignored repeated evidence that the fire safety insulation used by some nuclear power plants did not meet NRC fire safety standards. The Committee's concern is compounded by the preliminary findings of a Government Accountability Office investigation on fire safety at nuclear power plants that indicate the NRC has allowed many exceptions to existing fire safety requirements. The Committee is aware that the NRC is currently piloting an alternative, risk-based approach to fire safety that is likely to reduce fire safety requirements in certain "low risk" areas of nuclear power plants. As the NRC continues to work on these pilots, it must ensure that its methodology for assessing risk is fully validated by independent third parties and is transparent to the public. With regard to the current fire safety regime or any future risk-based regime, the NRC must require licensees to come into full compliance with regulatory requirements on an expedited basis. The Committee directs the NRC to provide a report to the Committees on Appropriations within 30 days of enactment of this legisla-

tion providing the status of the fire safety pilot projects and the timeline for licensees to comply with regulatory requirements.

Next Generation Nuclear Plant Licensing.—The licensing process that the Commission uses for nuclear facilities places all of the risk on the applicant for implementing corrective measures to satisfy Commission safety requirements. With a two-step process, first licensing a facility for construction and then later licensing for facility operation, some technical issues may not be resolved until relatively late in the licensing process. In the case of federal nuclear facilities, this introduces a significant financial risk for the federal government if changes required to satisfy NRC requirements necessitate costly design and construction changes. The Committee encourages the Nuclear Regulatory Commission to engage early and often with the Department of Energy on the Next Generation Nuclear Plant, so that technical issues involved in licensing this new nuclear reactor will be identified and resolved as early as possible in the design process, before significant federal funds are expended on facility construction.

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, 2008	\$8,744,000
Budget estimate, 2009	9,044,000
Recommended, 2009	10,860,000
Comparison:	
Appropriation, 2008	+2,116,000
Budget estimate, 2009	+1,816,000

REVENUES

Appropriation, 2008	-\$7,870,000
Budget estimate, 2009	-8,140,000
Recommended, 2009	-9,774,000
Comparison:	
Appropriation, 2008	-1,904,000
Budget estimate, 2009	-1,634,000

NET APPROPRIATION

Appropriation, 2008	\$874,000
Budget estimate, 2009	904,000
Recommended, 2009	1,086,000
Comparison:	
Appropriation, 2008	+212,000
Budget estimate, 2009	+182,000

The Committee recommends an appropriation of \$10,860,000, an increase of \$1,816,000 over the budget request. The Nuclear Regulatory Commission's gross appropriation increased twelve percent in fiscal year 2009 over fiscal year 2008 levels, and the Committee

recommendation for fiscal year 2009 is nearly a 30 percent increase since fiscal year 2008. As such, the Committee recommendation for the Office of the Inspector General reflects a commensurate increase of 30 percent since fiscal year 2008, to be proportionate with the growth of NRC activities. Given the formula for fee recovery, the revenue estimate is \$9,774,000, resulting in a net appropriation for the NRC Inspector General of \$1,086,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

Appropriation, 2008	\$3,621,000
Budget estimate, 2009	3,811,000
Recommended, 2009	3,817,000
Comparison:	
Appropriation, 2008	+196,000
Budget estimate, 2009	+6,000

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 \$3,817,000 for the Nuclear Waste Technical Review Board in fiscal year 2009, an increase of \$6,000 over the budget request and an increase of \$196,000 over fiscal year 2008 funding.

OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

Appropriation, 2008	\$2,261,000
Budget estimate, 2009	4,400,000
Recommended, 2009	4,400,000
Comparison:	
Appropriation, 2008	+2,139,000
Budget estimate, 2009	—

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 \$4,400,000 to support the activities of this office in fiscal year 2009, the same as the budget request.

TENNESSEE VALLEY AUTHORITY
OFFICE OF INSPECTOR GENERAL
GROSS APPROPRIATION

Appropriation, 2008	—
Budget estimate, 2009	\$17,000,000
Recommended, 2009	—
Comparison:	
Appropriation, 2008	—
Budget estimate, 2009	- 17,000,000

OFFSETS FROM TENNESSEE VALLEY AUTHORITY FUND

Appropriation, 2008	—
Budget estimate, 2009	\$17,000,000
Recommended, 2009	—
Comparison:	
Appropriation, 2008	—
Budget estimate, 2009	- 17,000,000

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.

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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", \$149,000,000 is transferred from "Clean Coal Technology".

Under "Other Defense Activities", \$4,900,000 of funds provided under Public Law 109-103, is 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 the Corps of Engineers, Investigations, rescinding funds provided under the Investigations heading of Public Law 110-161.

Language has been included under the Corps of Engineers, Construction, providing for detailed studies and plans and specifications to be conducted for projects authorized or made eligible for selection by law.

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 the Corps of Engineers, Mississippi River and Tributaries, permitting the use of funds from the Harbor Maintenance Trust Fund.

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; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining authorized harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation.

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 Engineer Research and Development Center, and headquarters support functions at the 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, Section 101, 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, Section 102, prohibiting the award of a continuing contract for any project funded out of the Inland Waterway Trust Fund.

Language has been included under Corps of Engineers, General Provisions, Section 103, prohibiting the use of funds provided under this Act or previous Acts for implementation of A-76 studies.

TITLE II—DEPARTMENT OF THE INTERIOR

Language has been included under the Central Utah Project that requires the deposit of funds into the Utah Reclamation Mitigation and Conservation Account; and allows the use of up to \$1,500,000 for administrative expenses.

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.

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 main-

tenance of reclamation facilities are to be credited to the Water and Related Resources account.

Language has been included under the Bureau of Reclamation, Water and Related Resources requiring funds to be deposited in the San Gabriel Basin Restoration Fund established by section 110 of Title I of appendix D of Public Law 106-554.

Language has been included under Bureau of Reclamation, Water and Related Resources rescinding funds provided for Desert Terminal Lakes under section 2507 of the Farm Security and Rural Investment Act of 2002, as amended by section 2807 of the Food, Conservation, and Energy Act of 2008.

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 appropriation 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 90-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

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

Language has been included under Energy Efficiency and Renewable Energy that makes funds available for the cost of direct loans under subsection (d) of section 136 of the Energy Independence and Security Act of 2007; and limits commitments for direct loans.

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; for the purchase of motor vehicles; and for the appropriation of funds for Project 99-D-143 Mixed Oxide Fuel Fabrication Facility, adherence to DOE Order 413.3A for that project, and the management and execution of that project by the Office of Nuclear Energy.

Language has been included under Fossil Energy Research and Development on Clean Coal Technology and Carbon Capture Demonstration Initiative that provides for funds to be derived by transfer from "Clean Coal Technology"; provides funds for the carbon capture demonstration solicitation under title VII of the Energy Independence and Security Act of 2007; allows the use of funds appropriated under the Clean Coal Technology Program, Power Plant Improvement Initiative, the Clean Coal Power Initiative, and FutureGen to be utilized for the carbon capture demonstration solicitations under the EISA in accordance with the requirements of EISA; prohibits selection of a carbon capture demonstration project if full funding is not available; places limitations on the time period for negotiations on carbon capture demonstration applications and on carbon capture financial demonstration financial assistance; requires 50 percent non-federal cost-sharing of carbon capture demonstration projects; requires funds to be expended in accordance with Clean Coal Technology provisions of 42 U.S.C. 5903d and prior appropriation acts; and provides for designation of any technology selected under the carbon capture demonstration solicitation as Clean Coal Technology and projects under the programs as Clean Coal Technology Projects.

Language has been included under Fossil Energy Research and Development providing for a limitation on the use of funds made available to 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 Non-Defense Environmental Cleanup for the purchase, construction, and acquisition of plant and capital equipment; and to make funds available for remedial actions carried out at a dump site in the vicinity of the Tuba City processing site.

Language is included under the Uranium Enrichment Decontamination and Decommissioning Fund that makes \$15,000,000

available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

Language has been included under Science providing for the purchase, construction, and acquisition of plant and capital equipment; and for the purchase of motor vehicles.

Language has been included under Science that makes work for the Office of Science at Los Alamos subject to the direction and control of the Director of the Office of Science.

Language has been included under Nuclear Waste Disposal limiting the provision of funds to state, local and tribal entities for oversight and licensing activities; providing and limiting the funds that may be provided as payment equal to taxes under section 116(c)(3) of NWPA to Nye County, Nevada; requiring funds for the State of Nevada to be paid by direct payment to the Nevada Division of Emergency Management and units of local government; requiring certification from the Nevada Division of Emergency Management, Governor of the State of Nevada and affected units of local government that funds expended from payments were expended for activities authorized by NWPA and this Act and making further funds contingent upon such certification; prohibiting the use of funds for influencing legislative action, litigation expenses, or support of coalition building activities inconsistent with this Act; and providing that all proceeds and recoveries realized in carrying out activities under NWPA are available without further appropriation and remain available until expended.

Language has been included under Innovative Technology Loan Guarantee Program limiting commitments to guarantee loans under Title XVII of the Energy Policy Act of 2005 during fiscal years 2008 through 2011 for eligible projects other than nuclear power facilities and for eligible nuclear power facilities.

Language has been included under Innovative Technology Loan Guarantee Program requiring sums derived from borrowers pursuant to section 1702(b)(2) of the Energy Policy Act of 2005 under this Program to be collected in accordance with section 502(7) of the Congressional Budget Act of 1974.

Language has been included under Innovative Technology Loan Guarantee Program that prohibits the use of the funds provided in this Act for a new guaranteed loans solicitation until 45 days after the Department of Energy submits a loan guarantee implementation plan to the Committee on Appropriations of the House of Representatives and Senate; and prohibits the Department from deviating from the submitted plan without 45 days notice to the Committees on Appropriations.

Language has been included under Innovative Technology Loan Guarantee Program that prohibits the use of funds provided in this Act to pay subsidy costs of guarantees.

Language has been included under Innovative Technology Loan Guarantee Program making \$19,880,000 available for administrative expenses required to carry out the Loan Guarantee Program; requiring those funds to be offset by fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005; and prohibiting the use of fees collected under section 1702(h) in excess of the amount appropriated for administrative expenses until appropriated.

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 Energy 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 not to exceed \$30,000 for hire of passenger vehicles and for official reception and representation expenses.

Language has been included under Weapons Activities rescinding funds appropriated in prior years and providing for the purchase of motor vehicles.

Language has been provided under Defense Nuclear Non-proliferation for the purchase of one motor vehicle.

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; and for the purchase of motor vehicles.

Language has been included under Defense Environmental Cleanup requiring the transfer of funds to the Uranium Enrichment Decontamination and Decommissioning Fund.

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, notwithstanding 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, notwithstanding 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

that requires the deposit of \$7,342,000 into the Utah Reclamation mitigation and Conservation account.

Language has been included under Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration, providing that, notwithstanding 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 Federal Energy Regulatory Commission to provide, not to exceed \$3,000 for the hire of passenger motor vehicles and the provision of official reception and representation expenses; 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, regarding Section 4604 of the Atomic Energy Defense Act (50 U.S.C. 2704), that prohibits the use of funds appropriated by this Act to augment funds made available for severance payments and other benefits and assistance grants under that Section without prior submission of a reprogramming request to the appropriate congressional committees; and the provision of enhanced severance payments or other benefits under that Section.

Language has been included under Department of Energy, General Provisions, Section 304, 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 305, 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 306, 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 307, 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 2009 until enactment of the Intelligence Authorization Act for fiscal year 2009.

Language has been included under Department of Energy, General Provisions, Section 308, regarding the laboratory directed research and development activities.

Language has been included under Department of Energy, General Provisions, Section 309, that requires reimbursable work to be accounted for in the account that owns the assets used for the work.

Language has been included under Department of Energy, General Provisions, Section 310, prohibiting the use of funds provided in the Act for the Reliable Replacement Warhead (RRW).

Language has been included under Department of Energy, General Provisions, Section 311, prohibiting the use of funds provided in the Act for the Global Nuclear Energy Partnership (GNEP).

Language has been included under Department of Energy, General Provisions, Section 312, that identifies what is considered, for purposes of this Act and subsequent appropriations acts, a plant projects for which the approved total estimated cost does not exceed the minor construction threshold under section 4703 of Public Law 107-314 and a construction project with a current estimated cost of less than a minor construction under section 4704 of Public Law 107-314.

TITLE IV—INDEPENDENT AGENCIES

Language has been included under Appalachian Regional Commission providing for 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 accompanying bill does not 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:

Department of Energy
FY 2009 Congressional Budget

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		5		140,000
Energy Efficiency and Renewable Energy:				
Hydrogen Technology	2006	530,500	155,627	170,000
Biomass and Biorefinery Systems R&D	2006	629,000	90,718	250,000
Solar Energy	2006	100,000	83,113	220,000
Wind Energy	1993	55,000	23,841	53,000
Geothermal Technology	2008	90,000	20,000	50,000
Water Power Energy	1980 & 2008	150,000	10,000	40,000
Vehicle Technologies	2006	495,000	182,104	305,000
Building Technologies	2006	56,000	69,266	168,000
Federal Energy Management Program	2000 & 2008	14,000	20,000	30,000
Facilities and Infrastructure	1977	-	-	33,000
Weatherization and Intergovernmental Activities	2006	880,000	242,550	318,000
Program Direction	2006	110,500	164,198	127,620
Electricity Delivery and Energy Reliability	1992	-	-	149,250
Nuclear Energy	1974	-	-	1,238,852
Legacy Management	2004	29,547	29,705	185,981
Naval Petroleum and Oil Shale Reserves	2008	17,301	20,472	19,099
Strategic Petroleum Reserve	2005	-	-	172,600
Northeast Home Heating Oil Reserve	2003	-	-	9,800
Energy Information Administration	2006	-	85,314	120,595
Non-Defense Environmental Cleanup:				
West Valley Demonstration	1981	5,000	5,000	57,600
Commercial Waste Management/ Operating Expenses	1984	300,000	-	-
Commercial Waste Management/ Plant and Capital Equipment	1982	975	-	-
UMTRA Groundwater and Long-Term Surveillance and Maintenance	1998	-	5,052	-
Other Uranium Activities				
DUF6 Conversion	2004	-	98,800	81,296
Nuclear Waste Disposal	1983	-	-	247,371
Departmental Administration	1984	246,963	185,682	272,144
Office of Inspector General	1984	-	14,670	51,927
Innovative Technology Loan Guarantee Program	2008	-	4,500	465,000
Atomic Energy Defense Activities:				
National Nuclear Security Administration:				
Weapons Activities	2008	6,465,574	6,355,833	6,036,560
Defense Nuclear Nonproliferation	2008	1,902,646	1,351,275	1,530,048
Naval Reactors	2008	808,219	7,818,000	828,054
Office of Administrator	2008	399,556	405,987	428,581
Defense Environmental Cleanup	2008	5,367,905	5,398,573	5,426,202
Other Defense Activities	2008	763,974	761,290	826,453
Defense Nuclear Waste Disposal	2008	292,046	201,000	247,371
Power Marketing Administrations:				
Southeastern	1984	24,240	20,594	7,420
Southwestern	1984	40,264	36,229	28,414
Western Area	1984	259,700	194,630	193,346
WAPA Emergency Fund	1984	500	500	-
Federal Energy Regulatory Commission	1984	-	-	-

¹ Includes \$50M authorized in P.L. 110-140 Energy Independence and Security Act of 2008 for non-dam related water research

² Includes \$4M authorized for High Performing Federal Buildings in P.L. 110-140 the Energy Independence and Security Act of 2008.

³ No amount specified

⁴ Such sums as necessary

⁵ Program was initiated in 1972 and has never received a separate authorization

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:

<i>Department or Activity</i>	<i>Amount</i>
Corps of Engineers: Investigations	\$1,900,000
Department of Energy: Weapons Activities	165,300,000

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.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil					
Investigations.....	167,261	91,000	142,900	-24,361	+51,900
Rescissions.....	-100	---	-1,900	-1,800	-1,900
Total, Investigations.....	167,161	91,000	141,000	-26,161	+50,000
Construction.....	2,294,029	1,402,000	2,070,000	-224,029	+668,000
Rescissions.....	-4,688	---	---	+4,688	---
Total, Construction.....	2,289,341	1,402,000	2,070,000	-219,341	+668,000
Mississippi River and tributaries.....	387,402	240,000	278,000	-109,402	+38,000
Operations and Maintenance.....	2,243,637	2,475,000	2,300,000	+56,363	-175,000
Regulatory program.....	180,000	180,000	180,000	---	---
FUSRAP.....	140,000	130,000	140,000	---	+10,000
Flood control and coastal emergencies.....	---	40,000	40,000	+40,000	---
Expenses.....	175,046	177,000	177,000	+1,954	---
Office of Assistant Secretary of the Army (Civil Works).....	4,500	8,000	5,000	+500	-1,000
Total, title I, Department of Defense - Civil... Appropriations.....	5,587,087	4,741,000	5,331,000	-256,087	+590,000
Rescissions.....	(5,591,875)	(4,741,000)	(5,332,900)	(-258,975)	(+591,900)
	(-4,788)	---	(-1,900)	(+2,888)	(-1,900)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
=====					
TITLE II - DEPARTMENT OF THE INTERIOR					
Central Utah Project Completion Account					
Central Utah project construction.....	40,404	39,373	39,373	-1,031	---
Fish, wildlife, and recreation mitigation and conservation.....	976	987	987	+11	---
Subtotal.....	41,380	40,360	40,360	-1,020	---
Program oversight and administration.....	1,620	1,640	1,640	+20	---
Total, Central Utah project completion account..	43,000	42,000	42,000	-1,000	---
Bureau of Reclamation					
Water and related resources.....	949,882	779,320	888,000	-61,882	+108,680
Rescission.....	---	-175,000	-120,000	-120,000	+55,000
Subtotal, Water and related resources.....	949,882	604,320	768,000	-181,882	+163,680
Central Valley project restoration fund.....	59,122	56,079	56,079	-3,043	---
California Bay-Delta restoration.....	40,098	32,000	37,000	-3,098	+5,000
Policy and administration.....	58,811	59,400	54,400	-4,411	-5,000
Total, Bureau of Reclamation.....	1,107,913	751,799	915,479	-192,434	+163,680
=====					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Total, title II, Department of the Interior.....	1,150,913	793,799	957,479	-193,434	+163,680
Appropriations.....	(1,150,913)	(988,799)	(1,077,479)	(-73,434)	(+108,680)
Rescissions.....	---	(-175,000)	(-120,000)	(-120,000)	(+55,000)
=====					
TITLE III - DEPARTMENT OF ENERGY					
Energy Programs					
Energy efficiency and renewable energy.....	1,722,407	1,255,393	2,518,552	+796,145	+1,263,159
Electricity delivery and energy reliability.....	138,556	134,000	149,250	+10,694	+15,250
Nuclear energy.....	961,665	853,644	1,238,852	+277,187	+385,208
(Reallocation from Energy supply and conservation)	(662,877)	---	---	(-662,877)	---
(Reallocation from Nuclear nonproliferation).....	(278,789)	---	---	(-278,789)	---
Office of Legacy Management.....	33,872	---	---	-33,872	---
Clean coal technology:					
Deferral of unobligated balances, FY 2008.....	257,000	---	---	-257,000	---
Deferral of unobligated balances, FY 2009.....	-149,000	149,000	149,000	+298,000	---
Transfer to Fossil Energy R&D.....	-164,489	-149,000	-149,000	+15,489	---
Total, Clean coal technology.....	-56,489	---	---	+56,489	---
Fossil Energy Research and Development.....	578,349	605,030	704,578	+126,229	+99,548
Transfer from Clean Coal Technology.....	164,489	149,000	149,000	-15,489	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill Enacted	Bill vs. Request
Subtotal, Fossil Energy Research and Development	742,838	754,030	853,578	+99,548
Naval Petroleum and Oil Shale Reserves.....	20,272	19,099	19,099	---
Strategic petroleum reserve.....	186,757	344,000	172,800	-111,400
Northeast home heating oil reserve.....	12,335	9,800	9,800	---
Energy Information Administration.....	95,460	110,595	120,595	+10,000
Non-defense environmental clean up.....	182,263	213,411	257,019	+43,608
Uranium enrichment decontamination and decommissioning fund.....	622,162	480,333	529,273	+48,940
Science.....	4,017,711	4,721,969	4,861,669	+139,700
Nuclear Waste Disposal.....	187,269	247,371	247,371	---
Innovative Technology Loan Guarantee Program.....	5,450	19,880	19,880	---
Offsetting collection.....	-991	-19,880	-18,880	---
Proposed change in subsidy cost.....	---	355,000	440,000	+85,000
(P.L. 110-161):				
Current year advance appropriation.....	42,000	---	---	---
Advance appropriation from previous years.....	---	25,000	25,000	---
Subtotal, Innovative Technology Guarantee Pgm...	46,459	380,000	465,000	+85,000
Departmental administration.....	309,662	272,144	272,144	---
Miscellaneous revenues.....	-161,247	-117,317	-117,317	---
Net appropriation.....	148,415	154,827	154,827	---
Office of the Inspector General.....	46,057	51,927	51,927	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Atomic Energy Defense Activities					
National Nuclear Security Administration:					
Weapons activities.....	6,297,466	6,618,079	6,201,860	-95,606	-416,219
Rescissions.....	---	---	-165,300	-165,300	-165,300
Subtotal, Weapons activities.....	6,297,466	6,618,079	6,036,560	-260,906	-581,519
Defense nuclear nonproliferation.....	1,657,996	1,247,048	1,530,048	-127,948	+283,000
Rescissions.....	-322,000	---	---	+322,000	---
Subtotal, Defense nuclear nonproliferation..	1,335,996	1,247,048	1,530,048	+194,052	+283,000
Naval reactors.....	774,686	828,054	828,054	+53,368	---
Office of the Administrator.....	402,137	404,081	428,581	+26,444	+24,500
Subtotal, National Nuclear Security Administration.....	8,810,285	9,097,262	8,823,243	+12,958	-274,019
Defense environmental cleanup.....	5,349,325	5,297,256	5,426,202	+76,877	+128,946
Other defense activities.....	754,359	1,313,461	826,453	+72,094	-487,008
Defense nuclear waste disposal.....	199,171	247,371	247,371	+48,200	---
Total, Atomic Energy Defense Activities.....	15,113,140	15,955,350	15,323,269	+210,129	-632,081

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Power Marketing Administrations					
Operation and maintenance, Southeastern Power Administration.....	54,817	56,940	56,940	+2,123	---
Offsetting collection.....	-48,413	-49,520	-49,520	-1,107	---
Subtotal, O&M, Southeastern Power Administration	6,404	7,420	7,420	+1,016	---
Operation and maintenance, Southwestern Power Administration.....	65,165	63,414	63,414	-1,751	---
Offsetting collection.....	-35,000	-35,000	-35,000	---	---
Subtotal, O&M, Southwestern Power Administration	30,165	28,414	28,414	-1,751	---
Construction, rehabilitation, operation and maintenance, Western Area Power Administration.....	541,546	524,830	524,830	-16,716	---
Offsetting collection.....	-308,702	-328,118	-328,118	-19,416	---
Offsetting collection Colorado River Dam Fund.....	-3,937	-3,366	-3,366	+571	---
Subtotal, O&M, Western Area Power Administration	228,907	193,346	193,346	-35,561	---
Falcon and Amistad operating and maintenance fund.....	2,477	2,959	2,959	+482	---
Total, Power Marketing Administrations.....	267,953	232,139	232,139	-35,814	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Energy Regulatory Commission					
Salaries and expenses.....	260,425	273,400	273,400	+12,975	---
Revenues applied.....	-260,425	-273,400	-273,400	-12,975	---
Total, title III, Department of Energy.....	24,489,102	25,917,888	27,204,820	+2,715,718	+1,286,932
Appropriations.....	(24,661,102)	(25,743,888)	(27,196,120)	(+2,555,018)	(+1,452,232)
Rescissions.....	(-322,000)	---	(-165,300)	(+156,700)	(-165,300)
Deferrals.....	(108,000)	(149,000)	(149,000)	(+41,000)	---
Previous year advance appropriations.....	---	(25,000)	(25,000)	(+25,000)	---
Advance appropriations.....	(42,000)	---	---	(-42,000)	---

TITLE IV - INDEPENDENT AGENCIES

Appalachian Regional Commission.....	73,032	65,000	65,000	-8,032	---
Defense Nuclear Facilities Safety Board.....	21,909	25,499	25,499	+3,590	---
Delta Regional Authority.....	11,685	6,000	6,000	-5,685	---
Denali Commission.....	21,800	1,800	1,800	-20,000	---
Nuclear Regulatory Commission:					
Salaries and expenses.....	917,334	1,007,956	1,058,956	+141,622	+51,000
Revenues.....	-771,220	-847,357	-860,857	-89,637	-13,500
Subtotal.....	148,114	160,599	198,099	+51,985	+37,500
Office of Inspector General.....	8,744	9,044	10,860	+2,116	+1,816
Revenues.....	-7,870	-8,140	-9,774	-1,904	-1,634

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2008
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	Bill	Bill vs. Enacted	Bill vs. Request
Subtotal.....	374	904	1,086	+212	+182
Total, Nuclear Regulatory Commission.....	146,988	161,503	199,185	+52,197	+37,682
Nuclear Waste Technical Review Board.....	3,621	3,811	3,817	+196	+6
Tennessee Valley Authority: Office of Inspector General.....	---	17,000	---	---	-17,000
Offset.....	---	-17,000	---	---	+17,000
Office of the Federal Coordinator for Alaska natural gas transportation projects.....	2,261	4,400	4,400	+2,139	---
Total, title IV, Independent agencies.....	281,296	268,013	305,701	+24,405	+37,688
Grand total.....	31,508,398	31,720,700	33,799,000	+2,290,602	+2,078,300
Appropriations.....	(31,685,186)	(31,721,700)	(33,912,200)	(+2,227,014)	(+2,190,500)
Rescissions.....	(-326,788)	(-175,000)	(-287,200)	(+39,588)	(-112,200)
Deferrals.....	(108,000)	(149,000)	(149,000)	(+41,000)	---
Previous year advance appropriations.....	---	(25,000)	(25,000)	(+25,000)	---
Advance appropriations.....	(42,000)	---	---	(-42,000)	---

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 in the accompanying bill:

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:

Budget Authority	<i>Millions</i>
Fiscal Year 2008 outlays resulting therefrom	

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:

CONGRESSIONAL EARMARKS

The following table is submitted in compliance with clause 9 of Rule XXI, and lists the congressional earmarks (as defined in paragraph (d) of clause 9) contained in the bill or in this report. Neither the bill nor the report contain any limited tax benefits or limited tariff benefits as defined in paragraphs (e) or (f) of clause 9 of Rule XXI.



ENERGY AND WATER DEVELOPMENT

Agency	Account	Project	Amount	Requester(s)
Corps of Engineers	Investigations	ABILENE, TX (BRAZOS RIVER BASIN-ELM CREEK)	\$200,000	Neugebauer, Randy
Corps of Engineers	Investigations	ALA WAI CANAL, OAHU, HI	\$300,000	Abercrombie, Neil, The President
Corps of Engineers	Investigations	ALASKA REGIONAL PORTS, AK	\$550,000	Young, Don
Corps of Engineers	Investigations	ALISO CREEK MAINSTEM, CA	\$390,000	Calvert, Ken; Sanchez, Loretta
Corps of Engineers	Investigations	ANACOSTIA RIVER AND TRIBUTARIES COMPREHENSIVE PLAN, MD	\$847,000	Hoyer, Steny H.; Van Hollen, Clints
Corps of Engineers	Investigations	ANCHORAGE HARBOR DEEPENING, AK	\$100,000	The President
Corps of Engineers	Investigations	ARROYO SECO WATERSHED, CA	\$200,000	Becerra, Xavier; Roybal-Allard, Lucille; Schiff, Adam B.
Corps of Engineers	Investigations	AUGUSTA, GA	\$278,000	The President
Corps of Engineers	Investigations	BALLONA CREEK ECOSYSTEM RESTORATION, CA	\$500,000	Harman, Jane; Roybal-Allard, Lucille
Corps of Engineers	Investigations	BALTIMORE METRO WATER RESOURCES—PATAPSCO URBAN RIVER RESTORATION (PURRI), MD	\$100,000	Ruppersberger, C. A. Dutch; Sarbanes, John P.
Corps of Engineers	Investigations	BARROW COASTAL STORM DAMAGE REDUCTION, AK	\$400,000	The President
Corps of Engineers	Investigations	BAYOU SORREL LOCK, LA	\$1,599,000	Alexander, Rodney, The President
Corps of Engineers	Investigations	BISCAYNE BAY, FL	\$500,000	Diaz-Balart, Lincoln
Corps of Engineers	Investigations	BLACKSTONE RIVER WATERSHED RESTORATION, MA & RI	\$307,000	McGovern, James P.; Oliver, John W.
Corps of Engineers	Investigations	BOSTON HARBOR (45-FOOT CHANNEL), MA	\$2,300,000	The President
Corps of Engineers	Investigations	BRAZOS ISLAND HARBOR, BROWNSVILLE CHANNEL, TX	\$600,000	Ortiz, Solomon P., The President
Corps of Engineers	Investigations	BRONX RIVER BASIN, NY	\$700,000	Crowley, Joseph; Lowey, Nita M.; Serrano, Jose; Sires, Albio

ENERGY AND WATER DEVELOPMENT—Continued

Agency	Account	Project	Amount	Requester(s)
Corps of Engineers	Investigations	BUFFALO BAYOU AND TRIBUTARIES, TX (MAIN STEM)	\$100,000	Culberson, John Abney
Corps of Engineers	Investigations	BUFFALO BAYOU AND TRIBUTARIES, WHITE OAK BAYOU, TX	\$100,000	Culberson, John Abney
Corps of Engineers	Investigations	BUFFALO RIVER ENVIRONMENTAL DREDGING, NY	\$100,000	Higgins, Brian, The President
Corps of Engineers	Investigations	CALCASIEU LOCK, LA	\$600,000	Boustany, Jr., Charles W., The President
Corps of Engineers	Investigations	CALCASIEU RIVER BASIN, LA	\$67,000	Boustany, Jr., Charles W., The President
Corps of Engineers	Investigations	CALIFORNIA COASTAL SEDIMENT MASTER PLAN, CA	\$900,000	Roinrabacher, Dana, The President
Corps of Engineers	Investigations	CEDAR RIVER TIME CHECK AREA, CEDAR RAPIDS, IA	\$300,000	Loebbeck, David
Corps of Engineers	Investigations	CENTRAL WABASH RIVER, IN	\$100,000	Buyer, Steve
Corps of Engineers	Investigations	CENTRALIA, WA	\$500,000	Baird, Brian; Dicks, Norman D.
Corps of Engineers	Investigations	CHAFFIELD, CHERRY CREEK AND BEAR CREEK RESERVOIRS, CO	\$54,000	DeGette, Diana; Perlmutter, Ed; Tancredo, Thomas G.
Corps of Engineers	Investigations	CHEHALIS RIVER BASIN, WA	\$250,000	Baird, Brian; Dicks, Norman D.
Corps of Engineers	Investigations	CITY OF NORWALK, CA	\$250,000	Napolitano, Grace F.
Corps of Engineers	Investigations	CITY OF PADUCAH, KY	\$368,000	Whitfield, Ed
Corps of Engineers	Investigations	CLINTON RIVER, MI	\$100,000	Knollenberg, Joe
Corps of Engineers	Investigations	COASTAL FIELD DATA COLLECTION: SOUTHERN CALIFORNIA BEACH PROCESSES STUDY, CA	\$1,000,000	Bilbray, Brian P.
Corps of Engineers	Investigations	CONNECTICUT RIVER ECOSYSTEM RESTORATION, CT, MA, NH & VT	\$450,000	Courtney, Joe; DeLauro, Rosa L.; Hodes, Paul W.; Murphy, Christopher S.; Oliver, John W.
Corps of Engineers	Investigations	CORPUS CHRISTI SHIP CHANNEL, TX	\$150,000	Edwards, Chet; Ortiz, Solomon P., The President