109TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
1st Session } { 109–

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 2006

MAY , 2005.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

REPORT

(To accompany H.R.)

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes.

INDEX TO BILL AND REPORT

a sufficient level of detail to verify project baselines as required under Project Management Order 413.3.

Working Capital Fund.—The Committee renews its guidance as presented in House Report 107–681 regarding management of the Working Capital Fund.

Revenues.—The recommendation for revenues is $123,000,000, consistent with the estimate of revenues provided by the Congressional Budget Office.

Transfer from Other Defense Activities.—For fiscal year 2006, the Department requested $87,575,000 as the defense contribution to the Departmental Administration account. The Committee provides the requested amount and expects the Department to continue to request a proportional defense contribution to Departmental Administration in future fiscal years.

Office of Inspector General

Appropriation, 2005	$41,176,000
Budget estimate, 2006	43,000,000
Recommended, 2006	43,000,000
Comparison:	
Appropriation, 2005	+1,824,000
Budget estimate, 2006	

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

The Committee recommendation is $43,000,000, the same as the budget request.

Atomic Energy Defense Activities

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

National Nuclear Security Administration

The Department of Energy is responsible for enhancing U.S. national security through the military application of nuclear technology and reducing the global danger from the proliferation of weapons of mass destruction. The National Nuclear Security Administration (NNSA), a semi-autonomous agency within the Department, carries out these responsibilities. Established in March 2000 pursuant to Title 32 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65), the NNSA is responsible for the management and operation of the Nation's nuclear

weapons complex, naval reactors, and nuclear nonproliferation activities. Three offices within the NNSA carry out the Department's national security mission: the Office of Defense Programs, the Office of Defense Nuclear Nonproliferation, and the Office of Naval Reactors. The Office of the NNSA Administrator oversees all NNSA programs.

The Committee recommendation for the NNSA is $8,848,449,000 a decrease of $548,792,000 from the budget request of $9,397,241,000, but an increase of $23,990,000 over fiscal year 2005 when adjusted for the one-time transfer from Department of Defense. = $524.802 M

WEAPONS ACTIVITIES

Appropriation, 2005	[1]$6,331,690,000
Budget estimate, 2006	6,630,133,000
Recommended, 2006	6,181,121,000
Comparison:	
Appropriation, 2005	−295,518,000
Budget estimate, 2006	−449,012,000

[1]Does not include $500,000,000 transferred from the Department of Defense

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 for Weapons Activities is $6,181,121,000, a decrease of $449,012,000 from the budget request of $6,630,133,000. The Committee recommendation did not include the proposed cleanup transfer from Environmental Management to the NNSA and the Committee recommendation returns the $221,386,000 back to the cleanup program. The net reduction to the Weapons Activities budget request is $227,626,000 from the budget request.

Nuclear Weapons Complex Wide Review.—The Committee tasked the previous Secretary of Energy with conducting an independent assessment of the Department of Energy's infrastructure requirements for the nuclear weapons complex over the next twenty-five years. The Secretary established a Task Force within the Secretary of Energy's Advisory Board (SEAB) to conduct the Nuclear Weapons Complex Infrastructure Study. The Committee is encouraged by the preliminary work of the Task Force but will not act on any recommendations until the final report is finished this summer. The Committee will consider the Task Force recommendations in the fiscal year 2006 Conference Report this fall. The Committee notes the timeliness of the Task Force study based on the distribution of funds requested in the fiscal year 2006 budget request. The budget request for direct stockpile support by weapon tail number is only ten percent of the total Weapons Activities request. Too much of the remaining 90 percent of the budget request supports a residual Cold War capacity within the weapons complex which is not needed for the long term sustainable stockpile.

Reliable Replacement Warhead (RRW).—Congress initiated the Reliable Replacement Warhead (RRW) program in the Consolidated Appropriations Act, 2005 (Public Law 108–447), to focus DOE and DOD on implementing a program for improving the long-term safe-

ty, reliability, and security of the nuclear weapons stockpile. The Committee is supportive of the Administration taking an accelerated approach to implement a new nuclear weapons paradigm that ensures the continued moratorium on nuclear testing and results in a dramatically smaller nuclear weapons stockpile in the near future. The RRW weapon will be designed for ease of manufacturing, maintenance, dismantlement, and certification without nuclear testing, allowing the NNSA to transition the weapons complex away from a large, expensive Cold War relic into a smaller, more efficient modern complex. A more reliable replacement warhead will allow long-term savings by phasing out the multiple redundant Cold War warhead designs that require maintaining multiple obsolete production technologies to maintain the older warheads. The Committee's qualified endorsement of the RRW initiative is based on the assumption that a replacement weapon will be designed only as a re-engineered and remanufactured warhead of an existing weapon system in the stockpile. The Committee does not endorse the RRW concept as the beginning of a new production program intended to produce new warhead designs or produce new weapons for any military mission beyond the current deterrent requirements. The Committee's support of the RRW concept is contingent on the intent of the program being solely to meet the current military characteristics and requirements of the existing stockpile.

Sustainable Stockpile Initiative.—The Committee views the RRW initiative as part of a larger Sustainable Stockpile Initiative. The end of the Cold War left the DOE production complex awash in special nuclear material and excess weapons and weapons parts with no additional mission requirement. The post-9/11 threat environment has made providing safeguards and security for these old warheads and excess materials a serious security liability and a seemingly unlimited budget liability. The Committee expects the Department to develop an integrated RRW implementation plan that challenges the complex to produce a RRW certifiable design while implementing an accelerated warhead dismantlement program and an infrastructure reconfiguration proposal that maximizes special nuclear material consolidation. The Committee recognizes all of these program initiatives implemented together with the SEAB Infrastructure Task Force recommendations as the beginning of a responsive infrastructure for maintaining the future nuclear stockpile. The Committee directs the Secretary of Energy to establish a Federal Advisory Committee on the Reliable Replacement Warhead initiative and to advise on implementation of recommendations stemming from the Nuclear Weapons Complex Infrastructure Study.

Proposed Cleanup Transfer to NNSA.—The Committee recommendation does not include the proposed transfer of Environmental Management cleanup activities at the National Nuclear Security Administration (NNSA) weapons sites to the NNSA. The Committee believes that this proposal was not sufficiently justified by the Department, and has concerns that the mission orientation and experience in the Environmental Management organization is not resident in the NNSA.

Reprogramming Authority.—The Committee provides limited reprogramming authority within the Weapons Activities account

without submission of a reprogramming to be approved in advance by the House and Senate Committees on Appropriations. The reprogramming control levels will be as follows: subprograms within Directed Stockpile Work; Life Extension Programs, Stockpile Systems, Reliable Replacement Warhead, Warhead Dismantlement, and Stockpile Services. Additional reprogramming control levels will be as follows: Science Campaigns, Engineering Campaigns, Advanced Simulation and Computing, Pit Manufacturing and Certification, Readiness Campaigns, and Operations of Facilities for readiness in technical base and facilities. This should provide the needed flexibility to manage these programs.

In addition, funding of not more than $6,000,000 may be transferred between each of these categories and each construction project subject to the following limitations: only one transfer may be made to or from any program or project; the transfer must be necessary to address a risk to health, safety or the environment; and funds may not be used for an item for which Congress has specifically denied funds or for a new program or project that has not been authorized by Congress.

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

DIRECTED STOCKPILE WORK

Directed Stockpile Work (DSW) includes all activities that directly support weapons in the nuclear stockpile, including maintenance, research, development, engineering, certification and dismantlement and disposal activities. The DSW account provides all the direct funding for the Department's life extension activities, which are designed to extend the service life of the existing nuclear weapons stockpile, by providing new subsystems and components for each warhead thereby extending the operational service life. The Committee notes that the Directed Stockpile Work Life Extension activities are being reduced in anticipation of a revised outyear baseline plan from the NNSA that integrates all the elements of a long-term sustainable stockpile plan that supports the ability to maintain a safe secure and reliable nuclear deterrent with a much smaller stockpile. The Committee expects a rebaselined life extension program plan by weapon type, a Reliable Replacement Warhead program plan, and a Warhead Dismantlement plan that, taken together, will provide reliable nuclear deterrence with a post-2025 stockpile significantly smaller that the 2012 Nuclear Stockpile levels committed to in the Moscow Treaty and specified in the revised Nuclear Stockpile Plan. The current Life Extension Plans will be scoped back to lower levels and the resources will be redeployed to support the Sustainable Stockpile Initiative.

The Committee's recommendation for Directed Stockpile Activities is $1,283,682,000 a decrease of $137,349,000 from the budget request.

Life Extension Programs.—The Committee recommendation includes $313,318,000 for the DSW Life Extension Programs, a re-

duction of $35,000,000 from the budget request. The Committee directs the reduction to be taken against the W80 LEP activity.

Stockpile Systems.—The Committee provides $301,804,000 for the DSW Stockpile Systems activities, a decrease of $10,000,000 from the budget request. The Committee directs the reduction to be taken against the W80 activity.

Reliable Replacement Warhead (RRW).—The Committee recommendation includes $25,000,000 for the Reliable Replacement Warhead (RRW) initiative, an increase of $15,649,000 from the budget request. The additional funds are provided to accelerate the planning effort to initiate a competition between the NNSA weapons laboratories to develop the design for the RRW re-engineered and remanufactured warhead. The Committee expects the initial design approved by the Department will be selected based a combination of considerations including the ability to certify the warhead without underground nuclear testing, cost of production, and ease of maintenance and dismantlement.

Warhead Dismantlement.—The Committee recommendation includes $110,245,000 for the Warhead Dismantlement subprogram, an increase of $75,000,000 over the budget request. The Committee expects the NNSA to implement a robust warhead dismantlement program as part of the Sustainable Stockpile Initiative with aggressive near-term dismantlement milestones. Each year, the Committee notes with disappointment the funding levels for warhead dismantlement both in the request year and in the out-years of the NNSA Five Year National Security Plan (FYNSP). The fiscal year 2006 budget request of $35,245,000 would drop to less than $30,000,000 in fiscal year 2008 and remain flat through fiscal year 2010. The cumulative FYNSP total for warhead dismantlement is only two percent of the total Directed Stockpile Work resources through fiscal year 2010. As part of a concerted effort to relieve the weapons complex of excess Cold War era warheads and continue the development of a responsive infrastructure, the Committee expects to see significant program effort directed at the dismantlement of the existing Cold War stockpile.

Stockpile Services.—The Committee recommendation includes $533,315,000 for the DSW Stockpile Services activities, a reduction of $162,998,000 from the request. The Committee notes the fiscal year 2006 budget justification references a "Responsive Infrastructure" initiative that was to be started in fiscal year 2005 and funded out of DSW/Stockpile Services/ Research and Development Certification and Safety subprogram and the DSW/Stockpile Services/ Management, Technology, and Production subprogram. The fiscal year 2005 budget justification included no reference to a Responsive Infrastructure initiative within the Directed Stockpile Work request and, as such, the Committee did not approve funding in the fiscal year 2005 Conference agreement within the specified subprograms for a Responsive Infrastructure initiative. Further, for the "Responsive Infrastructure" initiative in the fiscal year 2006 budget request justification is inadequate and the Committee recommendation includes no funding for any related activity within the DSW Stockpile Services appropriation. The Committee supports the development of a responsive infrastructure in the context of a larger transformation of the weapons complex, and will review

a request submitted by the Department that provides an integrated program description and justification and associated budget requirements in the fiscal year 2007 request.

Robust Nuclear Earth Penetrator (RNEP).—The Committee recommendation provides no funding for RNEP. The Committee continues to oppose the diversion of resources and intellectual capital away from the more serious issues that confront the management of the nation's nuclear deterrent, primarily the transformation of the Cold War nuclear weapons complex and existing stockpile into a sustainable enterprise. The Committee has been disappointed at the bureaucracy's adherence to an initiative that threatens Congressional and public support for sustainable stockpile initiatives that will actually provide long-term security and deterrent value for the Nation.

CAMPAIGNS

Campaigns are focused efforts involving the three weapons laboratories, the Nevada Test Site, the weapons production plants, and selected external organizations to address critical capabilities needed to achieve program objectives. The Committee recommendation is $1,911,686,000, a decrease of $168,758,000 below the budget request of $2,080,444,000. The Committee's recommendation takes into consideration the reduced scope of the Life Extension activities and the existing Science-based Stockpile Stewardship program to restructure the weapons program to transition to a Sustainable Stockpile configuration.

In order to facilitate review of the President's annual budget request, the Committee continues to direct the Department to provide project baseline data for each campaign to include a brief description of the campaign with planned completion dates, the total estimated cost of each campaign, the costs by fiscal year for each major component of the campaign, and a list of major milestones by year. The Committee expects the Department to provide detailed project baseline data for each campaign showing the annual and five-year costs, schedule, scope, and deliverables for individual project activities as part of the fiscal year 2007 budget request.

From within funds provided for the various campaigns, the Committee directs that $4,350,000 be provided to continue the University Research Program in Robotics (URPR) for the development of advanced robotic technologies for strategic national applications at the fiscal year 2005 funding level.

Science campaigns.—The Committee recommendation for science campaigns is $216,905,000, a reduction of $45,020,000 from the budget request. The Committee's recommendation takes into consideration the reduced scope of the Life Extension activities and the existing Science-based Stockpile Stewardship program to restructure the weapons program to transition to a Sustainable Stockpile configuration.

The Committee provides $35,179,000 for the primary assessment technology subprogram, a reduction of $10,000,000 from the request. The Committee recommendation includes $15,000,000 for the Test Readiness subprogram, a reduction of $10,000,000 from the budget request. The Committee continues to oppose the 18-month test readiness posture and refers the Department to the un-

ambiguous language provided in the reports accompanying the fiscal year 2004 and 2005 Appropriation Acts requiring the Department to maintain the current 24-month test readiness posture. The initiation of the Reliable Replacement Warhead (RRW) program designed to provide for the continuance of the existing moratorium on underground nuclear testing by insuring the long-term reliability of the nuclear weapons stockpile obviates any reason to move to a provocative 18-month test readiness posture. The Committee recommendation includes $70,894,000 for the dynamic materials properties subprogram, a reduction of $10,000,000 from the budget request. The Committee recommendation includes $40,500,000 for the advanced radiography subprogram, a reduction of $9,020,000 from the budget request. The Committee is disappointed with the continued delay in the commissioning of the Dual-Axis Radiographic Hydrotest facility (DARHT), which is significantly over budget and behind schedule. The secondary assessment technologies subprogram recommendation is $55,332,000, a reduction of $6,000,000 from the budget request.

Engineering campaigns.—The Committee recommendation for engineering campaigns is $192,704,000, a decrease of $37,052,000 from the budget request. The Committee recommendation for the enhanced surety subprogram is $22,000,000, a reduction of $7,845,000 from the budget request to maintain current year funding levels. The Committee provides $15,040,000 for the Weapons Systems Engineering Assessment Technology subprogram, a decrease of $9,000,000 from the budget request. The Committee provides $9,886,000 for the Nuclear Survivability subprogram, the same as the budget request. The Committee recommendation for enhanced surveillance subprogram is $76,000,000, a reduction of $20,207,000 from the budget request.

Construction projects.—The Committee recommends $65,564,000 the same as the budget request, for Project 01–D–108, Microsystems and engineering science applications (MESA), SNL, New Mexico.

Inertial Confinement Fusion (ICF) Ignition and High Yield.—The Committee recommends $541,418,000 for the inertial confinement fusion and high yield program, which maintains the program at the current year level and is an increase of $81,000,000 over the budget request.

The Committee supports the Department's response to the Congressional concern expressed last year regarding the fiscal year 2005 budget request proposed schedule slip to the program goal of ignition demonstration in 2010 for the National Ignition Facility (NIF). The Committee continues to view ignition demonstration as the primary benchmark for success in this program. The Committee commends the Department's effort to projectize the ICF program consistent with DOE Order 413.3, and to manage the ignition, diagnostic, cryogenic and experimental programs as projects incorporating a work breakdown structure to track scope, cost, and schedule milestones, within a project management control system. The Committee directs the NNSA to report quarterly on the milestone cost and schedule variance within the respective experimental programs on progress toward the NIF 2000 rebaselined program.

The Committee recommendation includes a total of $69,623,000 for Facility Operations and Target Production, of which $15,000,000 shall be available to accelerate target fabrication. The Committee believes that a target that meets all the NIF ignition criteria should be produced and characterized in a cryogenic environment. NNSA should provide the Committee with a detailed schedule by March 2006 to accomplish this requirement. Should fabrication of the new beryllium target prove too high risk to ensure meeting the NIF milestones, NNSA is required to provide the Committee with the alternative that will be pursued in order to keep to the 2010 ignition schedule. The Committee recommendation includes $25,000,000 to continue development of high average power lasers and supporting science and technology within the Inertial Fusion Technology program line; within that amount, the Committee includes $2,000,000 for the high density matter laser at the Ohio State University Technology Park. The Committee recommendation includes $15,000,000 for the Naval Research Laboratory, and $71,558,000 for the University of Rochester's Laboratory for Laser Energetics (LLE), an increase of $26,000,000 over the budget request. The LLE is the principal research and experimentation laser facility for NNSA Science-based Stockpile stewardship activities. The Committee increase includes an additional $4,000,000 for OMEGA operations to provide additional shots to support the ICF campaign goal of an ignition demonstration in 2010 and an additional $22,000,000 to accelerate the OMEGA Extended Performance capability project, a four beam super-high-intensity, high-energy laser facility to support the nation's stockpile stewardship program. The Committee notes that the University of Rochester is providing $21 million for the building to house the OMEGA EP.

The Committee recommendation provides $141,913,000 for construction of the National Ignition Facility (NIF); the same as the budget request.

Advanced simulation and computing (ASCI).—The Committee recommendation for Advanced Simulation and Computing is $500,830,000, a reduction of $160,000,000 from the budget request. The Committee has consistently supported ASCI funding based on the assumption that spending three quarters of a billion dollars every year on high-end computing power at the three weapons laboratories; Los Alamos, Sandia, and Livermore was required to maintain the safety and reliability of the nuclear stockpile without underground testing. However, Congressional testimony by NNSA officials is beginning to erode the confidence of the Committee that the Science-based Stockpile Stewardship is performing as advertised. The Department continues to argue for an 18 month test readiness posture because of the possibility of unanticipated problems in the existing stockpile due to aging that ultimately will impact confidence in the reliability of the nuclear deterrent. The Department's argument for building a "responsive infrastructure" is also based on the need to respond to unforeseen problems in the existing stockpile. The Committee recommendation recognizes the Department's inability to achieve the promises of the Stockpile Stewardship effort and redirects ASCI funding to maintain current life extension production capabilities pending the initiation of the

Reliable Replacement Warhead program. The Committee recommendation includes the following projects from within available funds: Nonprofit AVETeC for Nextedge Technical Park, Springfield (OH), $9,725,000; Wittenberg University supercomputer (OH), $1,000,000; Notre Dame/Purdue Supercomputer Grid (IL, IN), $5,000,000; and $6,000,000 provided to continue the demonstration at the Pacific Northwest National Laboratory of advanced electronics packaging and thermal engineering for thermally-efficient electronics related to high performance data servers using three dimensional chip scale packaging integrated with spray cooling (WA).

Pit Manufacturing and Pit Certification.—The Committee recommendation for pit manufacturing and certification campaign is $241,074,000, a reduction of $7,686,000 from the budget request. The Committee commends the Los Alamos National Laboratory for its work restoring the pit production capability to the nuclear weapons production complex. The Committee continues to oppose the Department's accelerated efforts to site and begin construction activities on a modern pit facility and urges the Department to continue to concentrate its management attention on meeting the fiscal year 2007 schedule for a certified pit ready for the stockpile. The Committee provides $120,926,000 for W88 Pit Manufacturing and $61,895,000, for W88 Certification, the same as the budget request. The Committee recommendation for pit manufacturing capability is $23,071,000 the same as the budget request.

The Committee does not provide the requested $7,686,000 for the modern pit facility (MPF) pending the outcome of the Nuclear Weapons Complex Infrastructure Study and the accelerated plutonium aging experiments. The Committee recommends the NNSA focus its efforts on how best to lengthen the life of the stockpile and minimize the need for an enormously expensive infrastructure facility until the long-term strategy for the physical infrastructure of the weapons complex has incorporated the Reliable Replacement Warhead strategy, and the potential for a significantly reduced out-year stockpile requirement, and the expanding TA–55 pit production capacity at the Los Alamos National Laboratory. The post-2025 stockpile size and the evolving responsive infrastructure strategy for the weapons complex should dictate the timing and location of a pit production facility. The Committee will consider a modern pit facility site and design only when the detailed analysis of the pit aging experiments and the concomitant capacity requirements tied to the long-term stockpile size are determined. The Committee provides the budget request for Pit Campaign support activities at the Nevada Test Site.

Readiness campaigns.—The Committee recommendation for Readiness Campaigns is $218,755,000, the same as the budget request. The Committee recommends $31,400,000, for Stockpile Readiness, the same as the budget request. The Committee recommends $17,097,000 for High Explosives Manufacturing & Weapons Assembly/Disassembly, the same as the budget request. The Committee recommends $28,630,000 for Nonnuclear Readiness. The Committee recommendation includes $54,040,000 for Advanced Design and Production Technologies, the same as the budget request. The Committee recommends $87,588,000 for Tritium Readiness, the same as the budget request.

READINESS IN TECHNICAL BASE AND FACILITIES

The Readiness in Technical Base and Facilities (RTBF) program supports the physical and operational infrastructure at the laboratories, the Nevada Test Site, and the production plants. The Committee recommendation is $1,610,870,000, a reduction of $20,516,000 below the budget request.

Operations of facilities.—The Committee recommendation for Operations of Facilities is $1,204,786,000; an increase of $44,003,000,000 over the budget request. The comparison to the budget request includes a transfer of $46,997,000 from the RTBF account back to the Environmental Management appropriation. Additional funding of $51,000,000 has been provided for the Pantex plant in Texas and $40,000,000 for the Y–12 Plant in Tennessee to address chronic under-funding in the maintenance of production plant facilities. The Committee recognizes the efforts made by the NNSA to accelerate the reduction of the facility footprint at the Y–12 plant to modernize operations and reduce security costs and encourages additional aggressive efforts. The Committee recommendation includes the following projects from within available funds: $1,150,000 for risk based data management in Oklahoma (OK); $2,000,000 for Robotics repetitive system technology (OH); $3,750,000 for Plasma Separation Process High Energy Storage Isotope research (TN); $1,500,000 for Multi-Platform dosimeter radiation detection devices (WA); $2,000,000 for Secure Wireless Technologies at Y–12 (TN); $2,000,000 for Airborne Particulate Threat Assessment (PA); $2,000,000 for comand and control of Vulnerable Materials Security System (PA, NJ); $1,000,000 for Advanced Engineering Environment at Sandia National Laboratory (NM).

Program Readiness.—The Committee recommendation for Program Readiness is $105,738,000, the same as budget request.

Material Recycle and Recovery.—The Committee recommendation for material recycle and recovery is $72,730,000, the same as the budget request.

Containers.—The Committee recommendation for containers is $17,247,000, the same as the budget request.

Storage.—The Committee recommendation for storage is $25,922,000.

Special Projects.—The Committee recommendation includes no funding for Special Projects, a reduction of $6,619,000 from the budget request. The Committee directs future budget requests include all necessary activities within the RTBF Operations of Facilities account.

Construction projects.—

Project 06–D–140, Project engineering and design (PED)—RTBF, various locations. The Committee recommends $14,113,000 the same as the budget request.

Project 06–D–402, Nevada Test Site Replace Fire Stations No. 1 and No. 2, Nevada Site Office, NV. The Committee recommends $8,284,000, the same as the budget request.

Project 06–D–403, Tritium Facility Modernization, Lawrence Livermore National Laboratory, CA. The Committee recommends $2,600,000, the same as the budget request.

Project 06–D–404, Building remediation, restoration, and upgrade, Nevada Site Office, NV. The Committee recommends $16,000,000, the same as the budget request.

Project 04–D–125, Chemistry and Metallurgy Research Facility Replacement (CMRR), LANL. The Committee recommends no funding for the CMRR project, a decrease of $55,000,000 from the budget request. Construction at the CMRR facility should be delayed until the Department determines the long-term plan for developing the responsive infrastructure required to maintain the nation's existing nuclear stockpile and support replacement production anticipated for the RRW initiative. The Committee's recommendation does not prejudge the outcome of the Secretary's SEAB subcommittee's assessment of the NNSA weapons complex. However, the production capabilities proposed in the CMRR will be best located at whatever future production complex configuration the Department determines necessary to support the long term stockpile program.

Project 01–D–124, Highly Enriched Uranium Materials Facility, Y–12 National Security Complex, Oak Ridge, TN. The Committee recommends $81,350,000, an increase of $11,000,000 over the budget request. Consistent with the Committee's priority to address special nuclear material consolidation requirements across the DOE complex, the Committee directs the Department to accelerate the construction and operational start of the HEU Materials Facility to the extent practicable to provide for consolidated storage of HEU at the Y–12 plant.

Project 03–D–103, Project engineering and design (PED)—various locations. The Committee recommends $15,000,000 a reduction of $14,000,000 from the budget request. The reduction supports current year funding levels consistent with a reduction in the accelerated CMRR design activities pending the outcome of the SEAB Infrastructure Task Force assessment.

FACILITIES AND INFRASTRUCTURE RECAPITALIZATION

The Committee recommendation for Facilities and Infrastructure Recapitalization Program (FIRP) is $250,509,000, a reduction of $33,000,000 from the budget request. The Committee directs the NNSA to reassess its out-year planning for FIRP projects to ensure coordination between the highly allocated FIRP funds and the reduced facility requirements consistent with the consolidation of the complex under the long-term Responsive Infrastructure planning.

FIRP is a corporate program to restore, rebuild, and revitalize the physical infrastructure of the nuclear weapons complex. Its purpose is to stem the deterioration of the complex and address the backlog of maintenance, repair, and upgrade projects. The Committee directs the NNSA to ensure that funds for recapitalization are not diverted to fund ongoing maintenance and programmatic needs while at the same time guarding against the inefficiency of large uncosted balances. The Committee directs the NNSA to reassess its outyear planning for FIRP projects to ensure coordination between the highly allocated FIRP funds and the reduced facility requirements consistent with the consolidation of the complex under the long term responsive infrastructure planning.

The Committee directs that not less than $30,000,000 of the facilities and infrastructure funding in fiscal year 2006 be used to

dispose of excess facilities. The Committee encourages continuation of this program to reduce the overall facilities footprint of the complex. The Committee continues to expect that services for D&D and demolition of excess facilities services be procured through open-competition where such actions provide the best return on investment for the federal government. The Committee directs the NNSA to continue a free and open competition process for at least 70 percent of the funds provided for disposal of excess facilities.

The Committee recommendation provides $50,025,000 for FIRP construction projects, the same as the budget request.

Facility Infrastructure and Recapitalization Construction Projects.—

06–D–160 FIRP project engineering design (FED), various locations. The Committee recommends $5,811,000, the same as the budget request.

06–D–601 Electrical Distribution System Upgrade, Pantex Plant, TX. The Committee recommends $4,000,000, the same as the budget request.

06–D–602 Gas Main & Distribution System upgrade, Pantex Plant, TX. The Committee recommends $3,700,000, the same as the budget request.

06–D–603 Steam Plant Life Extension project, Y–12 National Security Complex. The Committee recommends $729,000, the same as the budget request.

SECURE TRANSPORTATION ASSET

The Secure Transportation Asset program provides for the safe, secure movement of nuclear weapons, special nuclear materials, and non-nuclear weapon components between military locations and nuclear weapons complex facilities within the United States. The Committee recommendation is $212,100,000, the same as the budget request.

NUCLEAR WEAPONS INCIDENT RESPONSE

The Committee recommendation for nuclear weapons incident response is $118,796,000, the same as the budget request.

SAFEGUARDS AND SECURITY

This program provides for all safeguards and security requirements at NNSA landlord sites. The Committee recommendation is $825,478,000, an increase of $85,000,000 over the budget request. The Committee increase includes $60,000,000 for the Y–12 National Security Complex to accelerate security infrastructure upgrades and consolidate the facility footprint, and $25,000,000 for the Pantex Plant to cover a shortfall in security personnel, enhanced weapons and vehicle procurements to meet critical security requirements. The Committee urges the Department to review its DBT implementation strategy to bring innovative technology to bear on the problems of increased physical safeguards and security measures. Additional manpower is only a stopgap solution to address security concerns throughout the weapons complex if the Department hopes to have any resources remaining to execute the program. With program needs going unmet and infrastructure de-

teriorating, the Committee strongly encourages the NNSA to review these growing costs and seek smarter and more efficient ways to meet necessary security improvements.

Construction Projects.—

05–D–170 Project engineering and design (PED), various locations. The Committee recommends $41,000,000, the same as the budget request.

FUNDING ADJUSTMENTS

The budget request included an offset of $32,000,000 for the safeguards and security charge for reimbursable work.

DEFENSE NUCLEAR NONPROLIFERATION

Appropriation, 2005	$1,493,033,000
Budget estimate, 2006	1,637,239,000
Recommended, 2006	1,500,959,000
Comparison:	
Appropriation, 2005	+7,926,000
Budget estimate, 2006	−136,280,000

The Defense Nuclear Nonproliferation account includes funding for Nonproliferation and Verification Research and Development; Nonproliferation and International Security; Nonproliferation Programs with Russia including International Materials Protection, Control, and Cooperation, Russian Transition Initiative, Highly Enriched Uranium (HEU) Transparency Implementation, Elimination of Weapons-Grade Plutonium Production; Fissile Materials Disposition; and Global Threat Reduction Initiative and Program Direction funding. Descriptions of each of these programs are provided below.

The Committee's recommendation for Defense Nuclear Nonproliferation is $1,500,959,000, a decrease of $136,280,000 from the budget request of $1,637,239,000, but an increase of $7,926,000 over fiscal year 2005.

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 recommendation is $335,218,000, an increase of $63,000,000 over the budget request, and includes $177,471,000 for proliferation detection, an increase of $25,000,000 over the budget request for high priority research requirements; $138,642,000 for nuclear explosion monitoring, an increase of $30,000,000 over the request, of which $25,000,000 is for ground-based systems for treaty monitoring; and $6,105,000 for supporting activities. The Committee provides $13,000,000 for Project 06–D–180, National Security Laboratory at the Pacific Northwest National Laboratory (PNNL), an increase of $8,000,000 from the budget request. The additional $8,000,000 is provided as construction funds to maintain

the aggressive schedule in fiscal year 2006 for the relocation of laboratory personnel and facilities displaced by the planned shutdown and cleanup of the 300 Area at the Hanford reservation in Washington. The Committee supports the Department's cleanup goal for 300 Area and the timely development of replacement infrastructure to maintain the national security capabilities resident at PNNL. From within available funds, the Committee recommendation includes $4,000,000 for portable high purity germanium detectors for incident response and radiation detection applications. The Committee recommendation includes the following projects from within available funds: $1,000,000 for the National Center for Biodefense at George Mason University (VA); $1,000,000 for the Offshore Detection Integrated System (OH); and $300,000 for the Texas A&M Moscow Physics Institute-Nonproliferation and International Security Program (TX).

The Committee expects the Department to provide significantly greater opportunities for open competition where appropriate for nonproliferation and verification research and development activities and directs the Department to conduct a free and open competitive process for at least $20,000,000 of its research and development activities during fiscal year 2006 for ground-based systems treaty monitoring. The Committee is concerned with the potential for systematic bias against non-Federal entities in the conduct of competitive procurements if non-Federal entities are required to team with DOE national laboratories. The competitive process should be open to all Federal and non-Federal entities on an equal basis.

Annual Reporting Requirement.—The Committee directs the Department to prepare an annual report on each project with the baseline cost, scope and schedule, deliverables, lab performing the research and development, and the proposed user and submit this with the fiscal year 2007 budget.

NONPROLIFERATION AND INTERNATIONAL SECURITY

The Nonproliferation and International Security program (formerly the Arms Control program) seeks to detect, prevent, and reverse the proliferation of weapons of mass destruction materials, technology, and expertise. The major functional areas of the program include: nonproliferation policy; international safeguards; export control; treaties and agreements; and international emergency management and cooperation. The Committee recommendation for Nonproliferation and International Security is $75,836,000, a reduction of $4,337,000 from the budget request. The Committee does not support the increase over current year level for the International Emergency Management activities. The Committee recommendation includes $25,321,000 for Nonproliferation Policy, $26,045,000 for International Safeguards, $19,970,000 for Export Control activities, $2,000,000 for Treaties and Agreements, and $2,500,000 for International Emergency Management and Cooperation.

NONPROLIFERATION PROGRAMS WITH RUSSIA

The Department of Energy funds many nonproliferation programs with Russia. These programs help secure Russian nuclear

weapons and weapons material, prevent the outflow of scientific expertise from Russia, eliminate excess nuclear weapons materials, and help downsize the Russian nuclear weapons complex.

Limitation on Russian Program Funds.—The Committee remains concerned that the Department is not placing a high management priority on ensuring that as much of the funds appropriated for the Russian programs as practical be spent in Russia, rather than at the Department's own national laboratories in the United States. The Department's contracting mechanisms are resulting in excessive funds paying laboratories for contract administration and oversight that would be better performed by Federal personnel. The Committee expects more direct contracting will be a result of the Nuclear Nonproliferation office achieving its Federal staffing goals in the current year. The Department's national laboratories should be used to provide technical oversight and programmatic guidance in those areas where they have special expertise. The Committee directs that not more than 40 percent of the funding for Russian programs may be spent in the United States.

INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION

The International Nuclear Materials Protection and Cooperation (MPC&A) program is designed to work cooperatively with Russia 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. Activities include installing monitoring equipment, inventorying nuclear material, improving the Russian security culture, and establishing a security infrastructure.

The Committee recommendation is $428,435,000, in increase of $85,000,000 over the budget request. The Committee's increase to the MPC&A program recognizes the expanded opportunities for high priority work at the 12th Main Directorate sites in Russia. The Committee supports the Department's efforts to continue to negotiate greater access to the Russian serial production enterprise and accelerate aggressively opportunities to secure material as site access is granted. Given budget constraints, the Committee views the hundreds of metric tons of nuclear material in Russia still stored under inadequate security and subject to theft or diversion as the highest risk potential for weapons-usable nuclear material diversion. Within funds provided for MPC&A, the Committee provides an additional $40,000,000 for Strategic Rocket Forces activities to accelerate securing nuclear warhead sites in Russia. The Committee recommendation includes $86,185,000 for the Rosatom Weapons Complex, the same as the budget request. The Committee provides $142,929,000 for the Second Line of Defense program, an increase of $45,000,000 over the budget request. The Committee recommendation provides an additional $25,000,000 for the core Second Line of Defense program to accelerate installation of radiation detection equipment in the Baltic and Caucasus regions and other critical border areas. The Committee provides $93,929,000 for the MegaPorts initiative, a $20,000,000 increase over the budget request, to accelerate this work at additional high-risk ports.

RUSSIAN TRANSITION INITIATIVES

The Committee recommendation for the Russian Transition Initiative (RTI) program is $30,812,000, a reduction of $7,578,000 from the budget request. The Russian Transition Initiative includes the Initiative for Proliferation Prevention (IPP) program and the Nuclear Cities Initiatives (NCI) to develop projects to employ Russian weapons scientists and downsize the Russian weapons complex. The Committee is disappointed that the Department chose to lower the RTI Annual Performance Targets in the fiscal 2006 budget request compared to the fiscal 2005 budget request. The program performance target is defined as the annual percentage of non-US Government project funding contributions obtained. The fiscal year 2005 budget request included a goal of reaching 80% matching contributions of non-US Government contributions in fiscal year 2006 and 100% by fiscal year 2008. Instead of improving performance to achieve the goal, the Department lowered the fiscal year 2006 goal to 70% and abandoned the 100% goal altogether. The Committee expects the RTI program will be able to meet the Annual Performance Target in the fiscal year 2005 budget request at the revised fiscal year 2006 budget level. The Committee does not agree with the requested name change for the Russian Transition Initiatives program.

HIGHLY ENRICHED URANIUM (HEU) TRANSPARENCY IMPLEMENTATION

The highly enriched uranium (HEU) transparency implementation program develops and implements mutually agreeable transparency measures for the February 1993 agreement between the United States and the Russian Federation. This agreement, which has an estimated value of $12 billion, covers the purchase over 20 years of low enriched uranium (LEU) derived from 500 metric tons of HEU removed from dismantled Russian nuclear weapons. Under the agreement, conversion of HEU components into LEU is performed in Russian facilities. The Committee recommendation is $20,483,000, the same as the budget request.

ELIMINATION OF WEAPONS-GRADE PLUTONIUM PRODUCTION

The Elimination of Weapons-Grade Plutonium Production Program (EWGPP) is a cooperative effort with the Federation of Russia to halt plutonium production at three nuclear reactors still in operation in Russia, two located at Seversk and one at Zheleznogorsk. The three reactors have approximately 15 years of remaining lifetime and could generate an additional 25 metric tons of weapons-grade plutonium. They also provide heat and electricity required for the surrounding communities. The current approach is to shut down these three reactors within six years by providing two alternative fossil-fueled energy plants to supply heat and electricity to the surrounding communities generated by the nuclear plants. The Committee recommendation is $197,000,000, a $65,000,000 increase to the budget request. The Committee is concerned that the Department's plan for funding the Zheleznogorsk reactor shutdown by soliciting contributions from international partners will not succeed given the recent setbacks in receiving commitments from the G–8 partners. The Committee provides $65,000,000 in additional

funding to maintain the Zheleznogorsk reactor shutdown schedule. The Committee acknowledges the management improvements implemented by NNSA since the program transfer from the Defense Department and supports the program goal of halting plutonium production at all three Russian reactors.

FISSILE MATERIALS DISPOSITION

The fissile materials disposition program is responsible for the technical and management activities to assess, plan and direct efforts to provide for the safe, secure, environmentally sound long-term storage of all weapons-usable fissile materials and the disposition of fissile materials declared surplus to national defense needs. The Committee concludes that the continued impasse between the United States and Russia over liability protections for U.S. companies and personnel conducting nonproliferation work in Russia has created a programmatic environment incompatible with the efficient execution of the Fissile Materials Disposition program. The latest financial data from the Department shows an available prior year balance of over $650,000,000 in the Mixed Oxide (MOX) construction project. The fiscal year 2006 budget request would increase those balances to over $1,000,000,000, yet no nuclear nonproliferation or national security benefits have been realized due to continued program delays. Faced with severe budget constraints, the Committee cannot support the continued inefficient use of these nonproliferation funds. To restate the Committee's position from last year, there is no reason to proceed with the fiscal year 2006 budget request under the assumption that the liability dispute is nearing resolution. The Department assured the Committee during fiscal year 2006 budget hearings that a resolution was imminent, as it did last year at this time, and the year before that. While the Committee supports successful implementation of the Department's nuclear nonproliferation activities, it is troubled by the inability of the Department to maintain the continuity of the government-to-government implementing agreements for Plutonium Disposition activities. The Committee's severe budget constraints in other high priority areas of Congressional interest make it an irresponsible act to allocate hundreds of millions for a program that is currently prohibited from spending the funds. The Committee will recommend a General Accounting Office (GAO) report on the realistic expenditure rates for the MOX construction project if the liability impasse is resolved to assess the most efficient use of the large uncosted balances that exist on this project.

The Committee recommendation is $301,700,000, a reduction of $351,365,000 from the budget request, to accommodate a delay in full funding until program activities can continue under a revised U.S.-Russia Plutonium Disposition implementing agreement. The Committee includes $35,000,000 in the MOX construction project to fund site preparation activities if resolution of the liability provision allows construction activities to proceed in fiscal year 2006. Funding of $52,300,000 is provided for U.S. surplus materials disposition and $64,000,000 for the Russian plutonium disposition program. The Committee recommendation maintains O&M program activities at roughly current year levels.

Construction projects.—The Committee recommendation includes $35,000,000 in fiscal year 2006 for Project 99–D–143, the Mixed Oxide Fuel Fabrication facility project, a reduction of $303,565,000 from the budget request. Funding of $24,000,000 is provided for Project 99–D–141, the Pit Disassembly and Conversion Facility project. The Committee recommendation includes $10,000,000 for conceptual design activities for the plutonium immobilization facility requested under the Environmental Management program. The Committee determines that the Fissile Materials program more suitably manages the plutonium disposition activities for the Department.

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 recommendation is $111,975,000, a $14,000,000 increase to the President's request. The Committee provides an additional $20,000,000 for the Reduced Enrichment for Research and Test Reactors (RERTR) program to accelerate the conversion of domestic research reactors fuel from highly enriched uranium to low enriched uranium. The Committee recommendation includes $2,000,000 for the Kazakhstan Spent Fuel Disposition initiative, a reduction of $6,000,000 from the request. The Committee is concerned the baseline plan for the BN–350 reactor spent fuel does not reflect the post-9/11 threat environment of the region and requires additional review. None of the funds provided for this activity in fiscal year 2006, or previous fiscal years, may be obligated for transportation equipment or activities without first notifying the House and Senate Appropriations Committees.

NAVAL REACTORS

Appropriation, 2005	$801,437,000
Budget estimate, 2006	786,000,000
Recommended, 2006	799,500,000
Comparison:	
Appropriation, 2005	−1,934,000
Budget estimate, 2006	+13,500,000

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 is $799,500,000, an increase of $13,500,000 over the budget request. This additional amount is to be transferred to the Office of Nuclear Energy to support the Idaho National Laboratory's Advanced Test Reactor (ATR). The Committee's increase is provided to maintain the current level of operations and implement the Long Range Operating Plan at the ATR.

OFFICE OF THE ADMINISTRATOR

Appropriation, 2005	$353,350,000
Budget estimate, 2006	343,869,000
Recommended, 2006	366,869,000
Comparison:	
Appropriation, 2005	+13,019,000
Budget estimate, 2006	+23,000,000

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 $366,369,000, an increase of $22,500,000 above the budget request. The increase is provided as the NNSA contribution to the Department's support for the Historically Black Colleges and Universities (HBCUs). The Committee expects the Administrator to continue to maintain separate program direction budget and reporting accounting codes for the Office of Defense Nuclear Nonproliferation to maintain cost accountability between the separate programs within the NNSA. The Committee recommendation provides funds to support two additional Federal employees for the NNSA counterintelligence program. The additional staff is needed to support NNSA counterintelligence (CI) initiatives, integration with national level counterintelligence objectives and NNSA CI program management.

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

Historically Black Colleges and Universities (HBCUs).—The Committee appreciates the serious effort of the NNSA to follow last year's Congressional direction to implement an aggressive program to take advantage of the HBCU educational institutions across the country in order to deepen the recruiting pool of diverse scientific and technical staff available to the NNSA and its national laboratories in support of the nation's national security programs. The Committee is again providing $22,500,000 of additional funding to expand the support to the HBCUs scientific and technical programs in fiscal year 2006. The Committee expects the Department to provide financial support in rough parity to both HBCUs and the Hispanic Serving Institutions (HSI). The Committee recommendation includes $2,000,000 each for Wilberforce University and Central State University in Wilberforce, Ohio; $2,000,000 for Claflin College in Orangeburg, SC; $4,000,000 for Allen University in Columbia, SC; and $1,000,000 each for Voorhees College in Denmark, SC and South Carolina State University in Orangeburg, SC, and Florida Memorial University for the Carrie Meek Health and Science Complex in Miami Gardens, FL. The Committee directs the Department to provide funds to HBCU institutions to allow for infrastructure improvements and technical programs. The Committee expects the Department to ensure the Dr. Samuel P. Massie Chairs of Excellence are fully supported within the HBCU program.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL MANAGEMENT

The Defense Environmental Management 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 type of cleanup action. These responsibilities include facilities and areas at 114 geographic sites. These sites are located in 30 States and one territory and occupy an area equal to that of Rhode Island and Delaware combined, or about two million acres.

The Defense Environmental Management activities were previously funded in two separate accounts, Defense Site Acceleration Completion and Defense Environmental Services, and are now combined into one account, Defense Environmental Cleanup.

The Committee remains committed to the strategy of accelerating cleanup and closing sites. However, the categorization of funding activities by planning goals has diminished in utility over time—dates slip, and activities that do not fit the "2012" timeframe were merely moved into the "2035" timeframe as a matter of course. As such, the Committee no longer finds this display of activities useful, and has moved to a location/site-based display, to increase the transparency of where environmental cleanup dollars are being spent. The Committee requests that Congressional budget submissions be submitted in this format in the future.

Milestone report.—While the budget structure has changed, the Committee remains interested in whether the Department has met its goals for completion for years 2006, 2012, and 2035. Beginning December 31, 2005, the Committee requests a quarterly report by site that tracks accelerated clean-up milestones, whether they are being met or not, and includes annual budget estimates and life-cycle costs.

NNSA Transfer.—The Committee does not support the transfer of environmental cleanup responsibilities to the National Nuclear Security Administration (NNSA). The Committee believes that this proposal was not sufficiently justified by the Department, and has concerns that the mission orientation and experience in environmental cleanup is not resident in NNSA. As currently proposed, the transfer has the potential for unintentional adverse outcomes for both the weapons mission and cleanup programs. The Committee will consider future transfer requests when the Department has provided a more extensive, thoughtful justification.

Low-level radioactive waste disposal costs.—The Energy and Water Development Appropriations Act, 2002, directed the Department to prepare analysis of life-cycle costs of disposing of low-level radioactive waste and mixed low-level radioactive waste (LLW/MLLW). The conference committee was concerned with DOE's practices for disposal of LLW. These concerns centered on DOE's use of federal versus commercial disposal facilities and the life-cycle costs of each option. The House Committee on Appropriations noted that (1) DOE's was relying too heavily on its on-site and off-site disposal facilities, inhibiting development of a viable and competi-

tive commercial disposal industry, and (2) commercial disposal facilities may offer DOE the lowest life-cycle cost for waste disposal. DOE responded with a July 2002 life-cycle cost report to Congress, which specified actions it would take to ensure that sites use life-cycle cost analyses, including justification for expansion or new construction of on-site disposal facilities. DOE issued guidance in July 2002 directing its field offices to use full "cradle to grave" life cycle costs and analysis of options in making LLW disposal decisions. The Committee requested that the Government Accountability Office (GAO) review the Department's implementation of using life-cycle analyses to evaluate LLW/MLLW disposal options. GAO found that DOE sites do not consistently use life-cycle analyses to evaluate LLW/MLLW disposal options, which may be caused by DOE's ineffective communication and implementation of life cycle cost analysis guidance, and lack of oversight. GAO found that sites may conduct cost analyses of disposal options for major waste streams or projects, but most analyses did not include all life-cycle cost elements; some sites pursue waste disposal without fully considering alternatives; and DOE sites do not always use life-cycle analyses to evaluate on-site versus off-site disposal options. The Committee is most concerned with the Department's response to GAO that, rather than relying on life-cycle cost analyses, DOE is relying increasingly on incentive-based contracts to ensure cost-effective decisionmaking. The Committee could not disagree more.

Report Requirement.—The lack of implementing life-cycle cost analyses when considering LLW/MLW disposal options is a blatant disregard for Congressional direction. While contractors should pursue cost-effective clean-up activities at a site, it is up to the Federal management responsible for those contractors to provide guidance and make decisions that benefit the whole DOE complex. Relying on incentive-based contracts to "take care of it all" is an abrogation of duty by the federal managers. As such, the Secretary is directed to report to the Committee, within 30 days of enactment, on the specific steps the Department will take to ensure that life-cycle cost guidance is implemented in the consideration of LLW/MLW options by DOE contractors, and that a robust federal cadre of employees will oversee the implementation of such guidance.

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

Reprogramming Authority.—The Committee continues to support the need for flexibility to meet changing funding requirements at sites. In fiscal year 2006, the Department may transfer up to $5,000,000 within accounts, and between accounts, as noted in the table below, to reduce health or safety risks or to gain cost savings as long as no program or project is increased or decreased by more than $5,000,000 once during the fiscal year. 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 of the House and Senate must be notified within thirty days of the use of this reprogramming authority.

ACCOUNT CONTROL LEVELS FOR REPROGRAMMING

Savannah River site, 2012 accelerations
Savannah River site, 2035 accelerations
Waste Isolation Pilot Plant
Idaho National Laboratory
Oak Ridge Reservation
Hanford site, 2012 accelerated completions
Hanford site, 2035 accelerated completions
Office of River Protection, waste treatment & immobilization
Office of River Protection, tank farm activities
Closure sites
Program direction
Program support
UE D&D fund contribution
Technology development
All construction line items
NNSA sites & Nevada off-sites
Safeguards and Security

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

DEFENSE ENVIRONMENTAL CLEANUP

Appropriation, 2005	$6,808,319,000
Budget estimate, 2006	6,015,044,000
Recommended, 2006	6,468,336,000
Comparison:	
Appropriation, 2006	−339,983,000
Budget estimate, 2006	+453,292,000

The Committee's recommendation for Defense Environmental Cleanup totals $6,468,336,000, an increase of $453,292,000 to the budget request of $6,015,044,000. Within the amounts provided, the Department is directed to fund hazardous waste worker training at $10,000,000.

Closure Sites.—The Committee recommendation provides $1,038,589,000, an increase of $30,000,000 over the budget request. Cleanup of this category of sites is expected to be complete in fiscal year 2006. The recommendation provides $579,950,000 for Rocky Flats, Colorado; $327,609,000 for Fernald, Ohio; $16,000,000 for Ashtabula, Ohio; and $9,500,000 for West Jefferson site, Columbus, Ohio. The Committee provides $105,530,000, an increase of $30,000,000 for the Miamisburg Closure Project. The increase over the request is to address the remaining hazardous wastes serving as the source term for Operable Unit 1 (OU–1).

The Committee directs the Department to work with the Miamisburg Mound Community Improvement Corporation (MMCIC) to establish a remedy for OU–1 that is protective of human health and the environment, complies with regulatory requirements, is permanent, reduces contaminants, demonstrates an efficient use of the Government's resources, and permits reuse as provided in the MMCIC Comprehensive Reuse Plan. The Committee directs the Department to report back to the House and Senate Committees on Appropriations on the path forward for remediating OU–1 not later than December 1, 2005.

Savannah River Site.—The Committee recommendation provides $1,219,082,000 for cleanup at the Savannah River Site, a reduction of $10,000,000 from the budget request. The Committee does not support the request of $10,000,000 for the melt and dilute technology for excess weapons-grade plutonium, because it is more appropriately funded within the National Nuclear Security Administration, as it addresses the disposition of fissile material, not cleanup responsibilities.

Waste Isolation Pilot Plant (WIPP).—The Committee recommendation provides $212,629,000 for the Waste Isolation Pilot