

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS
 BILL, 2000

JULY 23, 1999.—Committed to the Committee of the Whole House on the State of
 the Union and ordered to be printed

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

REPORT

together with

ADDITIONAL VIEWS

[To accompany H.R. 2605]

The Committee on Appropriations submits the following report in
 explanation of the accompanying bill making appropriations for en-
 ergy and water development for the fiscal year ending September
 30, 2000, and for other purposes.

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SUMMARY OF ESTIMATES AND RECOMMENDATIONS

The Committee has considered budget estimates which are contained in the Budget of the United States Government, 2000. The following table summarizes appropriations for fiscal year 1999, the budget estimates, and amounts recommended in the bill for fiscal year 2000.

	1999	2000 estimate	2000 recommendation	2000 recommendation compared with—	
				1999 appropriation	2000 estimate
Title I—Department of Defense—Civil	4,097,233,000	3,905,800,000	4,188,389,000	91,156,000	282,589,000
Title II—Department of the Interior	824,596,000	895,979,000	821,871,000	(2,725,000)	(74,108,000)
Title III—Department of Energy	17,060,796,000	17,077,197,000	15,553,535,000	(1,507,261,000)	(1,523,662,000)
Title IV—Independent Agencies	175,700,000	117,050,000	84,100,000	(91,600,000)	(32,950,000)
Subtotal	22,158,325,000	21,996,026,000	20,647,895,000	(1,510,430,000)	(1,348,131,000)
Scorekeeping adjustments	(1,088,690,000)	(438,300,000)	(458,000,000)	630,690,000	(19,700,000)
Grand Total of bill	21,069,635,000	21,557,726,000	20,189,895,000	(879,740,000)	(1,367,831,000)

INTRODUCTION

The Energy and Water Development Appropriations Bill for fiscal year 2000 reaffirms the congressional commitment to reducing the size, scope and cost of the Federal government. At \$20.2 billion, the total level of spending in this bill is \$880 million below the fiscal year 1999 level and \$1.4 billion below the Administration's budget request. Although the savings effected by this bill are real and profound, the Committee has managed to preserve cost-effective investments in high-value programs with demonstrable benefits for the U.S. taxpayer.

Over the past five years, the Energy and Water Appropriations Bill has helped turn the concept of deficit reduction into a reality. Comparisons to the fiscal year 1995 bill illustrate the point. The total level of spending in the fiscal year 2000 bill represents a reduction of more than \$300 million below the fiscal year 1995 level. The comparable reduction in non-defense discretionary spending amounts to \$1.3 billion, or 12.8%. Adjusted for inflation, this decrease in domestic discretionary spending totals 21.4%. Cumulative five-year savings realized by this reduction total \$8.4 billion in 1995 dollars.

By limiting the amount of taxpayer largesse available to Federal agencies and by instituting substantial managerial reforms, programs throughout the Energy and Water Subcommittee's jurisdiction are leaner and more efficiently executed than they were just five years ago. The benefits of Committee action are tangible and quantifiable.

Because the Committee transferred the Formerly Utilized Sites Remedial Action Program from the Department of Energy to the Corps of Engineers, residents of communities that contributed to the development of our atomic capability are seeing contaminated soils removed from their towns at less cost and on a more expeditious schedule. Because of provisions included in recent Energy and Water Bills, contracts for operation of Department of Energy laboratories—massive contracts that have not been competed in a generation—are now subject to open and competitive bidding. By adjusting expenditures in solar and renewable energy, the Committee has assured that a greater share of scarce taxpayer resources is invested in the basic science associated with the development of renewable energy technologies and that a lesser share goes to support the activities of trade associations. By reducing the Federal appropriation for the Tennessee Valley Authority from \$143 million in fiscal year 1995 to \$0 in fiscal year 2000, the Committee has significantly reduced taxpayer subsidies flowing to that New Deal-era regional electric utility.

The Energy and Water Bill for fiscal year 2000 continues this recent tradition of programmatic reform and taxpayer savings, beginning with reductions in contractor travel. In fiscal year 1998, Department of Energy contractors spent almost \$250,000,000 for travel expenses. One contractor reported over 4,500 trips to Washington, D.C., or almost 87 trips each week. The Committee has cut contractor travel in half in fiscal year 2000, saving \$125,000,000. The number of contractor employees who are assigned to Wash-

ington will also be reduced by fifty percent, saving almost \$25,000,000.

Additionally, in response to recent security reviews critical of the Department's Headquarters and field structure, the Committee is recommending a ten percent reduction in the size of the field operations. Finally, the Committee continues to insist that contracts be competed in an open and fair manner to get the best prices possible—not extended for decades with no competition.

Title I of the Energy and Water Bill includes funding for the civil works program of the U.S. Army Corps of Engineers. The Committee has been able to maintain a relatively vigorous civil works program within severe budgetary constraints. By concentrating limited resources on those traditional missions yielding the greatest economic benefits for the nation (viz., flood control and navigation), the Committee has acted to ensure the highest possible yield on taxpayer investment. At the same time, the Committee has acted to check mission creep within the Corps. Spending on new environmental programs, local water supply, recreation, waterfront development and sewer infrastructure can only be accomplished at the expense of traditional missions with national benefits. The Committee respects the importance of these other needs but acknowledges that they are, as a general proposition, more appropriately the responsibility of state and local government.

The Bureau of Reclamation is funded through title II of the Energy and Water Bill. The continued existence of the Bureau, long after its principal mission of reclaiming the American West has been accomplished, proves that, like diamonds, bureaucracy is forever. Rather than serve as an enabler in the Bureau's continued efforts to perpetuate itself through new missions and reinvention, the Committee has directed targeted programmatic reductions to better reflect the Bureau's relevance in the post-settlement era of the seventeen Reclamation states. At the same time, the Committee has provided generously for the operation and maintenance of existing Reclamation facilities in an effort to protect the considerable Federal investment in western water infrastructure.

Revivification of the national debate over the future of the Bureau is long overdue. The Committee expects that its action will help ignite that discussion. In the meantime, the Committee will actively examine options for the consolidation or reorganization of the national water bureaucracy.

All atomic energy defense activities and most civilian programs of the Department of Energy (DOE) are funded through title III of the Energy and Water Appropriations Bill. The most substantial funding reductions for fiscal year 2000 are to be found in this title of the bill. Because of its size, inefficiency, and cloudy mission (as well as the questionable value of its outputs), DOE is in a position to absorb the sizable reductions required in energy and water programs pursuant to the Balanced Budget Agreement of 1997.

Reductions in the Department of Energy, however, reflect more than budgetary constraints. They also reflect the Committee's frustrations with an unmanageable bureaucracy whose very existence is insufficiently justified. Created in direct response to the oil crisis of the early 1970s, the DOE has grown into a sprawling complex of loosely related "business lines." The current hodgepodge of DOE

activities and tasks has little to do with the mission of energy security around which the Department was originally created.

If the programs within the Department's portfolio were well managed and efficiently executed, it is conceivable that the Committee would be somewhat distracted from the larger questions surrounding the need for, and viability of, a U.S. Department of Energy. Sadly, though, DOE programs are models of mismanagement and waste. Long before the American public learned that DOE's national laboratories constituted a sieve through which our nuclear secrets poured, the Committee decried the lack of accountability for program management within Department. The Committee is aggrieved that it has taken a national security crisis of devastating proportions to bring the endemic mismanagement of DOE to the attention of the American public.

The Committee is proud of its accomplishments in instituting specific managerial reforms at DOE. Nevertheless, the Committee acknowledges that these improvements, while important, have occurred at the margins of a fundamentally flawed and irreparable government agency. The Committee shares the judgment of the President's Foreign Intelligence Advisory Board, which recently concluded that: "The Department of Energy is a dysfunctional bureaucracy that has proven it is incapable of reforming itself."

Title IV of the Energy and Water Bill contains funding for independent agencies. In fiscal year 1995, Congress appropriated \$470 million in new budget authority for these agencies. The comparable figure for fiscal year 2000 is \$84 million, a reduction of 82%. The accomplishments of the Committee in reducing or eliminating funding for the Appalachian Regional Commission, Tennessee Valley Authority, and independent river basin commissions, among other agencies, visibly and quantifiably exemplifies the success of Congress in delivering on its promise to reduce the size, scope and cost of Federal government.

Authorization for projects and agencies funded by the Energy and Water Development Appropriations Bill is in various stages of the legislative process. The Committee has worked closely with jurisdictional committees to establish the funding levels recommended in the bill. Funding has been provided for certain programs in anticipation and advance of authorization in order to avoid unnecessary disruptions in the provision of vital government services.

TITLE III

DEPARTMENT OF ENERGY

Funds recommended in Title III provide for Department of Energy programs relating to: Energy Supply, Non-Defense Environmental Management, the Uranium Enrichment Decontamination and Decommissioning Fund, Science, Nuclear Waste Disposal, Departmental Administration, the Inspector General, Weapons Activities, Defense Environmental Management, Other Defense Activities, Defense Nuclear Waste Disposal, the Power Marketing Administrations, and the Federal Energy Regulatory Commission.

COMMITTEE RECOMMENDATION

Due to severe funding constraints, funding recommendations for Department of Energy programs in fiscal year 2000 are significantly below the Department's fiscal year 2000 budget request.

DEPARTMENT OF ENERGY ORGANIZATIONAL STRUCTURE

In House Report 105-581, the Committee asked the Department to perform a comprehensive management and field structure review. Based on this review, the Secretary made several changes to realign field office reporting relationships. However, the size of the field structure and the overlapping and duplicative roles and responsibilities were not addressed. Numerous reports have identified issues with the Department's field structure which hamper the efficient and effective execution of Departmental programs. The Galvin report in February 1995 identified ". . . a counterproductive federal system of operation." A March 1997 report prepared by the Institute for Defense Analyses (IDA) identified a series of problems with Defense Program's management processes and noted that many of the issues could not be addressed by a single program, but required Department-wide management changes. The General Accounting Office has issued several reports on improving the management of Federal agencies. Finally, the President's Foreign Intelligence Advisory Board report on security problems at the Department seriously questions the layers of bureaucracy and states that:

Layer upon layer of bureaucracy, accumulated over the years, has diffused responsibility to the point where scores claim it, no one has enough to make a difference, and all fight for more. Convoluted, confusing, and often contradictory reporting channels make the relationship between DOE headquarters and the labs, in particular, tense, inter-cine, and chaotic. In between the headquarters and the laboratories are field offices, which the panel found to be the locus of much confusion. In background briefings of the panel, senior DOE officials often described them as redun-

dant operations that function as a shadow headquarters, often using their political clout and large payrolls to push their own agendas and budget priorities in Congress. Even with the latest DOE restructuring, the weapons labs are reporting to far too many DOE masters.

The list of reviews and reports questioning the Department's field structure and field and Headquarters roles and responsibilities goes on and on. The Committee had hoped that the Secretary of Energy would seek to examine the need for the overlapping and duplicative field structure which has evolved. Since that has not happened, the Committee has reduced funding for the Department's field offices and expects to see at least a 10 percent reduction in the field staffing levels by the end of fiscal year 2000. The Department is expected to analyze the functions performed in the operations offices, field offices, regional offices, and area offices, and determine which are duplicative, add little value to the process, and are no longer needed.

IMPROVING PROJECT MANAGEMENT IN THE DEPARTMENT OF ENERGY

A report released by the National Research Council on July 1, 1999, "Improving Project Management in the Department of Energy," questions the credibility of the Department's procedures to develop designs and cost estimates and to manage projects and outlines several reasons for this deficiency. The report was thorough and includes many recommendations to begin to correct the deficiencies in the Department's project management system. The Committee is well aware there are broad and systemic problems in the Department and encourages the Department to use this report as an outline to address these fundamental problems in project management. There are no quick fixes. The Committee expects the Department to continue to work with the National Research Council to address each of the recommendations in the report. The National Research Council should review and assess the Department's efforts to improve its project management and report to the Committee semi-annually on the steps to be taken and the progress being made to strengthen project management in the Department.

At the request of the Committee, the Department has had external, independent project assessments prepared for many of its current construction projects. These assessments have identified several problems with individual projects and have led to the re-scoping of several of them. The Department is to work with the National Research Council to formalize a process to ensure that the recommendations for each of the external independent reviews are implemented.

EXTERNAL, INDEPENDENT ASSESSMENTS OF CONSTRUCTION PROJECTS

None of the funds provided for fiscal year 2000 new construction projects may be obligated until an external, independent assessment of the baseline cost and schedule has been performed and provided to the House and Senate Committees on Appropriations for review and approval.

AUGMENTING FEDERAL STAFF

The Committee continues to be concerned about excessive use of support service contractors and other non-Federal employees throughout the Department of Energy. In fiscal year 1998, the Department spent approximately \$50,000,000 on management and operating (M&O) contractor employees assigned to Headquarters program organizations and to support M&O contractor offices in the Washington metropolitan area. In addition to permitting contractor employees to make policy and manage Federal programs, some M&O employees are being paid through overhead accounts to track legislation and lobby Congress, market their services to other Federal agencies, and walk the halls of the Department's headquarters office to seek more Departmental funding.

It is apparent that the Department has been completely negligent in monitoring both the direct and indirect overhead costs incurred by M&O contractors. While many of these activities are quite beneficial to the contractor, they are of significantly less benefit to the U.S. taxpayer. The Committee has drastically reduced funding for these activities in several program accounts and directs the Department to eliminate immediately all funding for contractor lobbying and marketing activities. The Department is directed to reduce these costs to not more than \$20,000,000 in fiscal year 2000. The Committee should be notified if the Department needs special authority to hire Federal employees with the skills needed to replace these contractor employees.

Reporting Requirement.—The Committee directs the Department to provide a report at the end of fiscal year 1999 on the use of all support service contractors (those funded directly by Headquarters, and those funded by M&O contractors and assigned to Headquarters) and M&O contractor employees assigned to the Washington metropolitan area. This report is to include the use of support service contractors and M&O employees at Headquarters and at each field, area, or site office. The report is to include for each support service contract: the name of the contractor; the program organization (at the lowest organization level possible) hiring the contractor; a descriptive and detailed list of the tasks performed; the number of contractor employees working on the contract; and the annual cost of the contract. The report is to identify all M&O contractor employees who work in the Washington metropolitan area, including the name of the employee, the name of the contractor, the organization to which he or she is assigned, the job title and a description of the tasks the employee is performing, the annual cost of the employee to the Department, the program account funding that employee, and the length of time the employee has been detailed to the Department. The report should also include detailed information on the cost of maintaining each M&O office in the Washington metropolitan area. This report is to include actual data for the period October 1, 1998 through September 30, 1999, and is due to the Committee on January 31, 2000.

CONTRACTOR TRAVEL

Throughout this report, the funding recommendations for many of the Department's programs include reductions for activities

which the Committee believes are inappropriate or excessive. A recent General Accounting Office (GAO) report outlined the Department's spending for contractor travel which was in the range of \$250,000,000 annually. One contractor was averaging 87 trips a week to Washington. Based on this abuse, the Committee has limited the amount of funding for contractor travel to \$125,000,000 in fiscal year 2000.

The Department is directed to review the rules and regulations pertaining to contractor travel expenses to ensure they are not more generous than the rules and regulations which pertain to the travel of Federal employees in fiscal year 2000. Domestic and international travel for contractor employees should not permit the use of first class or business class fares unless specifically approved by the appropriate Assistant Secretary funding the travel. The Department should report to the Committee by January 31, 2000 on the changes made to contractor travel regulations to be consistent with those applied to Federal employees. This report should also identify the amount of funds spent by each contractor for travel in fiscal year 1999.

LABORATORY DIRECTED RESEARCH AND DEVELOPMENT

The Department currently allows each laboratory director to use six percent of all operating funds provided to the laboratory to conduct employee-suggested research and development projects selected at the discretion of the laboratory directors. For fiscal year 2000, the Department estimates that the laboratories will spend \$273,000,000 on Laboratory Directed Research and Development (LDRD) and additional funds on Director's Discretionary Research and Development (DDR).

Discretionary research and development funding was initiated to provide funds for cutting-edge, high-risk research. However, the size of the fund has increased significantly as overall funding levels increased throughout the Department, and there are notable areas of abuse. These funds have been used for marketing and business development, international travel, research for other Federal agencies, and initiating programs in advance of Congressional funding. In addition, this funding provides a significant advantage to the largest laboratories which have more than \$50,000,000 of "walking around" money annually for the laboratory director to use to compete for research funding within the Department, with other Federal agencies, and with the private sector. This can be a significant advantage for the laboratories.

The Committee will not argue there is no value to some of these activities, but questions the lack of oversight of this spending and whether this is the best use of taxpayer dollars in times of constrained budgets. Thus, the Committee has eliminated all funding for LDRD and DRDD in fiscal year 2000.

OVERHEAD COSTS

The Committee directs the Department to review the costs included in the overhead charges of the management and operating contractors and report to the Committee on the reasonableness of these charges. In addition, the Department should determine which charges should more appropriately be funded as direct program

costs. There are many activities being charged to overhead accounts which may be more appropriately charged as direct program costs. For example, some contractors are direct funding security investigation costs while others are charging these costs to overhead accounts. The costs of management and operating contractor offices in Washington are charged to overhead accounts, and thus, have received little review. The laboratories also appear to establish centers of excellence in many areas while charging these centers to overhead accounts without the approval that would normally be required for direct program activities.

COMPUTER SECURITY

In House Report 105-581, the Committee requested a report by March 30, 1999, identifying a computer security policy and implementation plan that stated the overall Departmental policy on computer security, the roles and responsibilities of Departmental organizations for computer security both in headquarters and field installations, the steps being implemented to protect the Department's publicly accessible computer systems from external attempts to alter or delete data, and the steps being taken to ensure that all sites remove classified and sensitive information from internet-accessible computers and strengthen the programs to prevent recurrences. The Department requested a two month extension, but the Committee has not yet received the required report.

Events of the past few months have highlighted the Department's computer weaknesses, but it is still not clear that the concerns expressed by the Committee last year have been addressed. Thus, the Committee directs that all funding for the corporate management systems be withheld from obligation until the Department has provided this report to the Committee.

REPROGRAMMING GUIDELINES

The Committee requires the Department to promptly and fully inform the Committee when a change in program execution and funding is required during the fiscal year. To assist the Department in this effort, the following guidance is provided for programs and activities funded in the Energy and Water Development Appropriations Act.

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

Criteria for Reprogramming.—A reprogramming should be made only when an unforeseen situation arises, and then only if delay of the project or the activity until the next appropriations year would result in detrimental impact to an agency program or priority. Reprogrammings may also be considered if the Department can show that significant cost savings can accrue by increasing funding for an activity. Mere convenience or desire should not be factors for consideration.

Reprogrammings should not be employed to initiate new programs or to change program, project, or activity allocations specifically denied, limited, or increased by Congress in the Act or report. In cases where unforeseen events or conditions are deemed to require such changes, proposals shall be submitted in advance to the Committee and be fully explained and justified.

Reporting and Approval Procedures.—The Committee has not provided statutory language to define reprogramming guidelines, but expects the Department to follow the spirit and the letter of the guidance provided in this report. Consistent with prior years, the Committee has not provided the Department with any internal reprogramming flexibility in fiscal year 2000, unless specifically identified in the House, Senate, or conference reports. Any reallocation of new or prior year budget authority or prior year deobligations must be submitted to the Committees in writing and may not be implemented prior to approval by the Committees on Appropriations.

INAPPROPRIATE USE OF APPROPRIATIONS

The Committee continues to be concerned about the inappropriate use of trade associations and other non-governmental organizations in the development of budget requests and execution of Department programs. In prior years, the Department reimbursed certain groups for the following activities: answering the organization's phones, faxes and e-mails; updating non-DOE web sites; getting industry together to develop "consensus positions" on Department programs; conference calls with Department employees once a month; publishing association journals and other publications; and attending domestic and international conferences to represent their industry members. These contracts and grants were especially suspect considering that funds were routinely awarded non-competitively.

The Committee has been assured that the Department has discontinued these practices. The Committee commends the Department for working toward better controls and using competitive procedures in funding programs within its purview. Consistent with last year's direction, the Department should procure services from contractors in arms-length arrangements. In cases where it is determined that a specific service or product is needed, and it is in the interest of the Department to secure the service or product through a grant or contract, the Department should procure or award using competitive procedures.

COMMITTEE RECOMMENDATIONS

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

ENERGY SUPPLY

Appropriation, 1999	\$727,091,000
Budget Estimate, 2000	834,791,000
Recommended, 2000	577,579,000
Comparison:	
Appropriation, 1999	- 149,512,000
Budget Estimate, 2000	- 257,212,000

The Energy Supply account includes the following programs: solar and renewables; nuclear energy; environment, safety and health; and technical information management. The Committee recommendation includes transferring and consolidating the funding for field offices and Oak Ridge landlord activities in the Science account consistent with the Department's management restructuring. In prior years, the Committee recommended significant reductions to programs in this account including reductions to solar and renewable programs of 30%. This year, the Committee recommendation is generally supportive of the level of funding provided in the Energy and Water Development Appropriations Act, 1999.

In prior years, Administrations have sought to justify large spending increases for this account based on the Department's role to end the oil crisis, control pollution, promote solar businesses and save the environment. This year, this Administration is justifying large spending increases based on a new role for the Department: to prevent the sun from over-heating the Earth. To accomplish this goal, the Administration developed a two-pronged strategy: increase the number of spending programs and increase spending for existing programs.

The Committee rejects this strategy. As a first step, the Committee has been actively working to improve the scope and management of the Department's research and development programs. Before it can be determined whether more funding is needed for existing programs, there are basic questions about the purpose and value of these activities. These questions include: the balance of basic research versus development; the prioritization of technologies; the wisdom of awarding non-competitive grants and contracts to the same groups of beneficiaries year after year; the ability (and desire) to actually track and collect the thousands of research and development "deliverables"; the inability to spend funds appropriated in prior years; and the very basic question of the applicability of some of these activities to the lives of American taxpayers.

The Committee notes that the Department has acknowledged that improvements must be made in the Department's management practices. The Committee has enjoyed a good working relationship with the new management team and fully supports efforts to better prioritize spending for these programs. There is widespread agreement that there is greater value that can be gained from the current level of spending, which is substantial. There may never be agreement on what amount of spending is appropriate, but there should be no disagreement on the need to get better value for the dollars being spent by the Department.

With regard to the Administration's request to increase spending for programs it identifies as part of the Climate Change Technology

Initiative (CCTI), the Committee rejects the premise of the Administration's argument for more spending. For example, the Committee believes that prior year funding levels identified by the Administration as part of the CCTI represent an arbitrary amount considering the programs not included. Why not include the tens of millions of dollars the Office of Energy budgeted for solar and renewable energy research? Why wouldn't the \$8,200,000 provided for the National Institute for Global and Environmental Change be counted in the effort to study global and environmental change?

In short, the Committee believes that the tens of billions of dollars spent on renewable energy, nuclear energy, fusion energy, and the Federal workforce needed to manage these programs, has been a significant amount of funding. The hundreds of millions recommended by the Committee last year and in this bill again this year represent a serious and significant level of funding. Rather than suggesting this funding is insufficient by proposing unrealistic and dramatic increases, the Committee observes that American taxpayers are supporting a level of effort for these technologies unrivaled by any other nation.

SOLAR AND RENEWABLE ENERGY

The Committee recommendation for solar and renewable research and development is \$326,450,000, a reduction of \$39,455,000 from the amount provided in the Energy and Water Development Appropriations Act for the current fiscal year, and a reduction of \$119,571,000 from the amount in the budget request. The Committee continues to be concerned that, over the years, the Department has placed a higher priority on providing funds to corporations and other private interests extensively expanding efforts to commercialize technologies that are not yet ready to fully compete in the marketplace. These efforts have come at the expense of a more proper role for government: fostering peer-reviewed research which could lead to cutting-edge discoveries in plant research, chemical and materials sciences and other areas fundamental to development of these technologies. With the goal of better coordinating the efforts of the Office of Energy Efficiency and Renewable Energy and the Office of Science, the Committee combined the budgets of these offices and directed the Department to submit a comprehensive research and development budget. The Committee commends the Department for its effort to coordinate the efforts of these offices, which share common goals. The Committee further encourages program managers in both offices to explore the opportunities for more relevant research and better directed development of these technologies.

Following are specific recommendations for programs:

Solar building technology research.—The Committee notes that solar water heating is a mature technology. The Committee recommendation of \$1,500,000 includes \$300,000, the amount requested, to continue efforts to establish voluntary certification standards for system installations. The remaining funds are provided to complete ongoing research and development activities.

Photovoltaic energy systems.—The Committee continues to strongly support the goals of this program. The Committee recommendation provides \$69,847,000 including \$2,847,000, the same

amount as the budget request, for related research conducted by the Office of Science. The recommendation includes support for basic research and thin-film partnerships. The Committee recommendation includes continuation of support for the ongoing research in photovoltaics conducted by the Southeast and Southwest regional photovoltaic experiment stations. The recommendation does not include an increase over the current fiscal year for PV Building Opportunities activities.

Concentrating solar power.—The Committee recommendation provides \$13,000,000 to continue and complete ongoing research and development activities. The Committee commends the Department for completing its participation in the Solar Two project. This project and other system development activities have demonstrated that these technologies can produce electricity. While there are off-grid and other niche markets for these products, there are more promising and dramatic advances for baseload generation in photovoltaics and biomass programs. The funding provided this year represents a transition from an aggressive program to use thermal systems for baseload generation to a more focused program for portable or other niche market systems.

Biomass/biofuels energy systems.—The total Committee recommendation is \$97,490,000, including \$26,740,000, the same amount as the budget request, for related research conducted by the Office of Science. The recommendation includes \$29,000,000 for the power systems program and \$41,750,000 for the transportation program. The Committee has eliminated and reduced funding for other solar programs, but strongly supports the basic research and maintenance of a Federal role in promising biomass programs. The recommendation does not include funding for the Vermont gasification project for which the Department will complete validation in fiscal year 1999, nor the Minnesota agri-power project, which the sponsors have canceled. The funding level provided represents an increase over last year's appropriation given the completion of these two projects which were budgeted to receive \$4,300,000 and \$12,000,000, respectively in fiscal year 1999.

The Committee urges the Department to follow through on its commitment to perform a government-wide assessment of biomass activities to eliminate duplication and better focus each agency's program. The Committee recommends the use of up to \$6,000,000 within the funds available for the Bioenergy Initiative. Funding for this initiative may be derived from both the power and transportation programs. The Department is directed to provide a report to the Committee as part of the fiscal year 2001 budget request which identifies each Federal agency that provides funding related to producing power or fuels from biomass and the amounts spent by each program for each agency. The report should include recommendations that eliminate duplication and lay out specific unique roles for each program listed.

Wind energy systems.—The Committee recommendation is \$25,283,000, including \$283,000, the same amount as the budget request, for related research conducted by the Office of Science. The Government Accounting Office (GAO) reported this year that U.S. taxpayers have spent close to one billion dollars on research, development and deployment of wind power systems since 1978.

Over this period of time, the cost of generating wind power has been driven down from \$0.20 to \$0.40 per kWh to \$0.03 to \$0.06 per kWh. Wind plant production is at record levels with installations in excess of 800 megawatts, representing a 55% increase in installations from the installed capacity in 1996. Wind energy is a mature technology.

The Department's budget does not recognize that wind energy has arrived in the marketplace. The Department continues to propose spending increases for this program, including an increase for product development to provide funds for a subsidiary of the largest corporate beneficiary, with reported 1998 revenues of \$1.6 billion, including its oil and gas business lines. The Committee strongly supports wind energy, but believes that funding levels should be adjusted so that prioritization can be given to hydrogen, photovoltaic, biomass and superconductivity systems. These programs promise dramatic reductions in generation costs and efficiencies.

The Committee supports the Department's efforts to focus resources of the wind program on accelerating the use of wind power in rural areas of the United States. Within the funds appropriated for the wind program, up to \$5,000,000 may be used to support certification services and standards development, wind-diesel and other hybrid systems, and monitoring and analysis of new wind projects. The Committee is pleased to see the wind program's FY 1999 accomplishment of establishing Underwriters Laboratories as the first U.S. certification agent for wind energy technology.

Renewable energy production incentive (REPI).—The Committee recommendation does not include funding for this troubled program. For several years, the Department has requested and awarded funding to a fraction of eligible applicants. This year, the Department provided testimony that \$20,000,000 would be required in fiscal year 2000 to reimburse all eligible applicants for fiscal year 1999 activities. The Department has requested only \$1,500,000 or 7.5% of the amount required. The Committee requested an estimate of fiscal year 2000 requirements, but the Department declined to provide an estimate except to state that the amount would be in excess of the 1999 requirement. The Committee has stated its opposition to the Department's prior year practice of selecting "good" renewable energy (wind and biomass, for example) over "bad" renewable energy (methane recapture). This year, the Committee recommends that this program be eliminated rather than putting the Department in the position of determining which eligible utilities will be given awards and which eligible utilities will be denied.

Solar program support.—The Committee recommendation includes \$2,000,000, an \$8,000,000 reduction from the budget request. The Committee recommendation includes \$1,000,000 for electricity restructuring activities and \$1,000,000 for feasibility studies in preparation for a competitive solicitation. The Committee looks forward to working with the Department on better prioritizing funds for various technologies supported by the Office of Energy Efficiency and Renewable Energy and cost-effective ways to support deployment of the most promising technologies.

International solar energy.—The Committee recommendation includes \$3,000,000 exclusively for the U.S. Initiative on Joint Implementation. No funds provided in this or any prior Act are to be made available for the America's 21st Century or CORECT programs.

National Renewable Energy Laboratory (NREL).—The Committee recommendation includes \$1,100,000, the same amount as the budget request, for infrastructure and general purpose equipment.

Geothermal.—The Committee recommendation is \$18,000,000, a reduction of \$4,000,000 from the amount provided in last year's Energy and Water Development appropriations bill (adjusted to exclude \$6,500,000 provided for the geothermal heat pump deployment program). Like the wind energy program, geothermal energy production is a mature technology. The Committee strongly supports geothermal energy, but believes that funding levels should be adjusted so that prioritization can be given to hydrogen, photovoltaic, biomass and superconductivity systems. These programs promise dramatic reductions in generation costs and efficiencies.

Hydrogen.—The Committee recommendation is \$23,970,000, including \$2,970,000, the same amount as the budget request, for related research conducted by the Office of Science. The Committee commends the Department for its efforts to better coordinate the research and development performed by the Office of Energy Efficiency and Renewable Energy and the Office of Science. The Department is encouraged to ensure that the work of these two offices is complementary.

Hydropower.—The Committee recommendation includes \$2,000,000 for cost-shared research and development of "fish-friendly" turbines, the same amount as provided in the current fiscal year.

Electric energy systems and storage.—The recommendation includes \$31,000,000 for high-temperature superconductivity, the same amount as the budget request. The Committee fully supports the efforts to demonstrate truly first-of-a-kind high-temperature superconducting technologies. The Committee strongly supports the goals of these programs, especially superconducting transmission lines, motors and storage devices which have the potential to greatly enhance the viability of renewable energy resources in the near term.

The recommendation also includes \$2,500,000 for transmission reliability and \$4,500,000 for energy storage systems, the same amounts as provided in the current fiscal year. Distributed power technologies that generate electricity in close proximity to the consumer have tremendous potential to improve reliability and power quality, reduce electricity costs and minimize the impact of electricity production on the environment. The Committee endorses the Department's efforts in this area and has provided up to \$500,000 to remove cross-cutting technical, regulatory, and institutional barriers to distributed power.

Program direction.—The Committee recommendation for program direction is \$17,000,000, approximately the same as the amount provided in the current fiscal year. The Office of Energy Efficiency and Renewable Energy continues to lead the Department in the ratio of salaries and expenses to program dollars. The rec-

ommendation for program direction includes all funding for support service contractors and Assistant Secretary/cross-cutting activities.

NUCLEAR ENERGY PROGRAMS

The Committee recommendation is \$265,700,000, a decrease of \$18,266,000 from the current fiscal year. The Federal government funds research to improve efficiencies in coal, natural gas, hydro-power and other renewable technologies. The modest nuclear research programs requested by this Administration and supported by this Committee represent a commitment to ensuring that nuclear power remains an important contributor to the nation's electricity generating capability. These programs address the entire spectrum of nuclear issues including safety, efficiency, advanced fuels, and long-term safe storage of wastes. Regardless of whether new plants are constructed, each of these issues are important to the people of the nation, who currently rely on nuclear power for 18% of the electricity consumed across the country.

Advanced radioisotope power systems.—The recommendation includes \$32,000,000, a \$5,000,000 reduction from the amount provided in the current fiscal year. The Committee continues to be concerned about the lack of interest the Department has shown in streamlining management, reducing the infrastructure, and reducing the extensive level of support service contractors in this program. The Committee strongly urges the Department to negotiate new agreements with the beneficiary and customer of this program, the National Aeronautics and Space Administration.

Test reactor area landlord.—The recommendation includes \$9,000,000, the same amount included in the budget request.

University reactor fuel assistance and support.—The recommendation includes \$12,000,000, an increase of \$1,000,000 over the current fiscal year. The recommendation includes \$5,000,000 for the peer-reviewed Nuclear Engineering Education Research grant program (NEER), \$1,400,000 for the university graduate fellowship program, and \$1,000,000 for the industry-matching program. The recommendation also provides support to the university nuclear engineering community with full funding for the reactor fuel, sharing, and instrumentation programs.

Nuclear energy plant optimization (NEPO).—The recommendation includes \$5,000,000, the same amount included in the budget request. The Committee strongly supports this Administration initiative to help ensure that currently operating nuclear power plants are operated as safely and efficiently as possible. The Committee directs that all awards be matched dollar for dollar from industry contributions.

Nuclear energy research initiative (NERI).—The recommendation includes \$20,000,000, an increase of \$1,000,000 over the amount provided in the current fiscal year. The Committee strongly supports this program which awards grants to laboratories, universities and consortia using a formal peer-review process. Research topics include: nuclear safety and risk analysis, proliferation-resistant reactor and fuel technologies and new technologies for nuclear wastes. The Committee strongly supports research to ensure that nuclear power remains a safe, efficient and environmentally-friendly contributor to the nation's power generation portfolio.

Fast Flux Test Facility (FFTF).—The recommendation is \$30,000,000, the same amount as the budget request. The Committee notes that the Department has announced yet another review to determine whether a mission exists for this facility. The Committee urges the Department to demonstrate leadership and bring an end to the cycle of uncertainty that has made it impossible to plan and budget for this facility in a responsible manner.

Termination costs.—The recommendation is \$75,000,000, a \$10,000,000 reduction from the current fiscal year, but a \$10,000,000 increase over the amount requested by this Administration. The recommendation includes \$40,000,000 for electrometallurgical-related activities including \$20,000,000 for the nuclear technology research and development program to continue study of treating spent fuel using electrometallurgical technology and \$20,000,000 to demonstrate electrometallurgical technology at the Fuel Conditioning Facility.

Uranium programs.—The Committee recommendation includes \$40,000,000, a \$1,000,000 reduction from the amount provided in the budget request. The Committee urges the Department to ensure that funds from the United States Enrichment Corporation (USEC) are first committed to cover the costs of the burden of USEC cylinders for which the Department has assumed responsibility.

Isotope support.—The Committee recommendation is \$18,000,000, a \$3,000,000 reduction from the amount requested. The Committee is concerned that demand for medical isotopes could require production increases of up to fourteen percent per year over the next twenty years. Human clinical trials and treatment protocols using medical isotopes are increasingly showing promise in the treatment of cancer, cardiovascular disease, arthritis and other diseases. Furthermore, the potential for reduced health care costs, less debilitating side effects, and higher quality of life made possible through these treatments should be pursued. The Committee directs the Department to work with the National Institutes of Health to identify production priorities for future research work. Furthermore, the Committee expects the Department to incorporate the recommendations and peer review process of the Nuclear Energy Research Advisory Committee in selecting the medical isotope research projects to be funded. Consideration should be given to funding options that include cost-sharing from other sources, including the National Institutes of Health.

The Department is encouraged to accelerate its plan to privatize the molybdenum production operation, which should include reimbursement of these costs.

Program direction.—The recommendation includes \$24,700,000, the same amount provided in the current fiscal year. The Committee notes that in prior years the Office failed to observe internal budget procedures by providing funding for support service contracts from program funds. The Committee directs that all support service contracts be funded from the amount provided for program direction.

ENVIRONMENT, SAFETY AND HEALTH

The recommendation includes \$36,750,000, a reduction of \$14,000,000 from the budget request of \$50,750,000. Funding for contractors who provide technical assistance to other Department of Energy contractors and Federal employees has been reduced by \$14,000,000. As the Committee has consistently noted, the Department relies too much on outside contractors for activities which should be performed by Federal employees. This should not be a significant problem as the Department currently has 1,230 Federal employees performing environment, safety and health activities at Headquarters and in the field.

ENERGY SUPPORT ACTIVITIES

Technical information management.—The Committee recommendation is \$8,600,000, a reduction of \$500,000 from the budget request. The Department is directed to reduce the redundancy currently found between its database and the National Technical Information Service database maintained by the Department of Commerce. The Committee supports the continued downsizing of this program and directs that the Department provide a program plan detailing the program and funding requirements anticipated through fiscal year 2002.

OSHA funding.—The Committee is aware that the Department of Energy and the Department of Labor have been working to clarify that Department of Energy non-nuclear facilities that are not covered by the Atomic Energy Act fall under the jurisdiction of the Occupational Safety and Health Administration (OSHA). There are also efforts to ensure the safety and health of non-Federal employees who are working in Departmental facilities which have been transferred to non-Federal entities for economic development purposes. The Committee expects the Departments of Energy and Labor to complete these agreements to ensure the proper regulation of worker health and safety of all workers at all Departmental sites. This regulatory gap has existed for too long, and the current Assistant Secretary of Energy for Environment, Safety and Health is to be commended for working quickly to clarify these issues.

The Committee recommendation provides \$1,000,000 to be transferred to the OSHA for conducting these activities.

Field offices.—The Department has reorganized the reporting structure for the field offices included in this account, and these offices now report directly to an Assistant Secretary. Accordingly, the Committee recommendation moves the funding for these offices from the Energy Supply appropriation account. Funding for the Chicago, Oakland, and Oak Ridge Operations Offices has been moved to the Science account. Funding for the Idaho Operations Office has been moved to the Environmental Management account.

Oak Ridge landlord.—In recognition of the Department's reorganization, the Committee recommendation provides funding for this program in the Science account.

FUNDING ADJUSTMENTS

The recommendation for Energy Supply includes several funding adjustments. Two adjustments are included in the budget request.

The \$47,100,000 adjustment represents the funding provided for renewable energy research programs managed by the Office of Science and funded in the Science account. The Committee recommendation also includes the Department's proposal to transfer \$5,821,000 from available prior year balances in the geothermal resources development and United States Enrichment Corporation funds. These are the same amounts as the amounts transferred in the budget request.

The recommendation also includes three adjustments not included in the budget request. Recent reviews by the General Accounting Office (GAO) and the Department's Inspector General (IG) indicate that the Department has been very lax in reviewing expenses incurred by the management and operating contractors. The Committee expects the Department to review all costs incurred by the contractors, make judgments on the validity of those costs, and reduce those which cannot be justified to the satisfaction of the taxpayer. The Department's program managers should be monitoring all of these costs. Reports by the GAO and IG indicating wasteful and excessive spending cast doubt on the validity of all the program costs.

Contractor travel.—According to the General Accounting Office (GAO), in fiscal year 1998, programs funded in the Energy Supply account were charged approximately \$6,000,000 for contractor travel expenses. The Committee recommends a reduction of \$3,000,000 to be allocated to contractor travel expenses in fiscal year 2000.

Management and operating contractor employees in Washington.—Energy Supply programs spend approximately \$6,000,000 on contractor employees and contractor offices in the Washington metropolitan area. The Committee seriously questions the need for this contractor presence in Washington and has reduced this funding by \$3,000,000.

Laboratory directed research and development (LDRD) Funding.—The Department currently allows each laboratory director to use six percent of all operating funds provided to the laboratory to conduct employee-suggested research and development projects selected at the discretion of the laboratory directors. For fiscal year 2000, the Committee estimates that approximately \$2,000,000 of that will come from the Energy Supply account, and thus, has eliminated this funding.

NON-DEFENSE ENVIRONMENTAL MANAGEMENT

Appropriation, 1999	\$431,200,000
Budget Estimate, 2000	330,934,000
Recommended, 2000	327,223,000
Comparison:	
Appropriation, 1999	- 103,977,000
Budget Estimate, 2000	- 3,711,000

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 efforts resulted in radioactive, hazardous, and mixed waste contamination which requires remediation, stabilization, or some other type of action. The three major activities are: Site Closure where cleanup will be completed by the end of fiscal year 2006 and no further

DOE mission is anticipated; Site/Project Completion where cleanup will be completed by 2006, but DOE programs will continue; and Post 2006 Completion where cleanup activities at the site will extend beyond 2006.

The Committee recommendation is \$327,223,000, a reduction of \$3,711,000 from the budget request. No funds have been provided for the National Low-Level Waste Program in fiscal year 2000. Over \$80,000,000 has been provided for the low-level waste program over the past two decades, and State expertise is now mature enough that Federal funding is no longer required.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

Appropriation, 1999	\$ 220,200,000
Budget Estimate, 2000	240,198,000
Recommended, 2000	240,198,000
Comparison:	
Appropriation, 1999	+19,998,000
Budget Estimate, 2000 .....	.....

The Uranium Enrichment Decontamination and Decommissioning (D&D) Fund supports D&D, remedial actions, waste management, and surveillance and maintenance associated with preexisting conditions at sites leased and operated by the United States Enrichment Corporation (USEC), as well as Department of Energy facilities at these and other uranium enrichment sites. The sites covered by this D&D Fund include the operating uranium enrichment facilities at Portsmouth, Ohio, and Paducah, Kentucky, and the inactive K-25 site in Tennessee, formerly called the Oak Ridge Gaseous Diffusion Plant. Environmental restoration efforts at these three sites are supported from the D&D Fund established by a tax on domestic utilities and by Congressional appropriations. In fiscal year 2000 the Department of Energy will transfer \$420,000,000 into this Fund.

The Committee recommends \$240,198,000, the same as the budget request. The Committee continues to encourage the Department to review all costs included in the UED&D program and seek to minimize those of lesser priority. The Committee believes there are many efficiencies to be made in all areas of the environmental management program.

The Committee recommendation includes \$30,000,000, the same as the budget request, to implement the reimbursement program authorized under Title X, subtitle A of the Energy Policy Act, for active uranium and thorium processing sites which sold uranium and thorium to the United States Government. This program is to assist site owners by compensating them on a per ton basis for the restoration and disposal costs of those mill tailings resulting from sale of materials to the government.

SCIENCE

Appropriation, 1999	\$ 2,682,860,000
Budget Estimate, 2000	2,839,178,000
Recommended, 2000	2,718,647,000
Comparison:	
Appropriation, 1999	+35,787,000
Budget Estimate, 2000	- 120,531,000

The Science account includes the following programs: high energy and nuclear physics; biological and environmental research; basic energy sciences; computational and technology research; other energy research; fusion energy sciences; Oak Ridge landlord; and program direction (including headquarters and field offices). The Committee continues its very strong support for these basic science programs. While the Committee has eliminated many Department of Energy programs and substantially reduced funding for others, the Committee has provided generous increases for physics programs and other basic research activities funded under this account.

The Committee has taken extraordinary steps to provide the increases included in this recommendation. This year, the Committee was forced to reduce net funding for domestic programs by more than \$200,000,000 from the amount provided in last year's bill and more than \$300,000,000 from the amount in the budget request. As in prior years, the Committee was able to identify lower priority programs for reductions while protecting basic research programs funded in the Science account.

CLIMATE CHANGE TECHNOLOGY INITIATIVE

The Committee has strongly supported the fundamental science pursued by the Department. The value and credibility of the Department's science program is dependent upon responsible leadership committed to ensuring that research is properly peer-reviewed and wholly independent from the policy positions of any Administration. While it is critical that science inform policy, it is equally critical that policy not direct scientific conclusions. The Committee strongly supports the data collection and peer-reviewed science sponsored by the Department.

HIGH ENERGY PHYSICS

High energy physics research seeks to understand the nature of matter and energy at the most fundamental level, as well as the basic forces which govern all processes in nature. The recommendation continues the Committee's strong support for these fundamental pursuits.

The recommendation is \$715,525,000, a \$19,025,000 increase over the amount provided in the current fiscal year and an \$18,435,000 increase over the amount of the budget request. The recommendation includes a \$16,435,000 increase over the budget request for facility operations, and a \$2,000,000 increase for the research and development program. The increase reflects the Committee's continued support for full utilization of user facilities. The recommendation also includes funding for orderly and complete transition of the use of the Alternating Gradient Synchrotron for the nuclear physics program.

NUCLEAR PHYSICS

The goal of nuclear physics research is to improve understanding of the structure and properties of atomic nuclei and the fundamental forces between the constituents that form the nucleus. Nuclear processes determine essential physical characteristics of our

universe and the composition of matter that forms it. The recommendation continues the Committee's support for these fundamental pursuits. The recommendation is \$357,940,000, a \$22,840,000 increase over the amount provided in the current fiscal year and a \$5,115,000 increase over the amount requested. The increase reflects the first full year of operations at the Relativistic Heavy Ion Collider (RHIC), the budget amendment to continue operations at the Bates Laboratory and the Committee's continued support for full utilization of the Department's world-class user facilities.

BIOLOGICAL AND ENVIRONMENTAL RESEARCH

The Committee recommendation is \$406,170,000, a \$37,430,000 reduction from the current fiscal year. The Committee recommendation is the same amount as the budget request, adjusted to exclude funding set aside for the Garden State Cancer Center.

BASIC ENERGY SCIENCES

The Committee recommendation for basic energy sciences is \$735,989,000, a reduction of \$73,111,000 from the current fiscal year, and a \$152,095,000 reduction from the budget request.

The Committee remains committed to robust basic energy research programs which are characterized by cutting-edge basic research, availability of world-class facilities to the scientific and research community, and direction to meet current and future energy-related challenges. For purposes of reprogramming during fiscal year 2000, funding may be reallocated by the Department among all operating accounts in basic energy sciences. The recommendation includes \$7,000,000, the same amount as the budget request, for the Experimental Program to Stimulate Competitive Research (EPSCoR).

High-Flux Beam Reactor.—The Committee has included statutory language prohibiting the Department from re-starting the High-Flux Beam Reactor. This reactor has been shut down since December, 1996. The Department has failed to meet its own deadlines for making a decision about the future of this reactor. The Committee directs that the Department complete the environmental impact study (EIS) no later than the date provided to the Committee, November 30, 1999, and issue a record of decision no later than thirty days after issuing the final EIS. The Committee has watched deadlines pass while the Department continues funding necessary caretaking and safety improvements with requirements of more than \$20,000,000 per year. The Committee further directs the Department to provide a budget and program plan reflecting the record of decision with the submittal of the fiscal year 2001 budget request.

Spallation Neutron Source.—The recommendation provides \$67,900,000, including \$17,900,000, the same amount as the budget request, for underlying research and development needed to confirm design for this unique machine and \$50,000,000 for construction, a reduction of \$146,100,000 from the amount requested. The Committee has again recommended a reduction in the funding level for this project based on several unfavorable reviews of the management of this project including reviews by the Department

of Energy (DOE), the General Accounting Office (GAO), and the comprehensive independent review commissioned by the Committee (EG&G). In testimony to the Committee, the Department stated that: "The only reason for the change in the total project cost is the change in the fiscal year 1999 budget for the project from \$157 million to \$130 million." Each of the reports cited problems including, for example, the need to reorganize the project office, the need for better lines of responsibility through the lab structure, and the need for project managers with project manager experience. Each of these are significant issues that must be addressed before construction commences. None of these are attributable to the Congress's recognition that this project was not ready for full funding last year. It is unfortunate that the Department chose to first blame Congress when cost estimates were increased.

Despite these problems, the Committee is encouraged that the Department is re-evaluating the costs and proposals submitted by the proposed participating laboratories. The Department has already announced that this project is now on track and that its new management team and project management structure have eliminated all of the problems and concerns of the reports cited above. The Committee has grown accustomed to the Department immediately solving all problems with the issuance of a press release; however, the Committee is holding onto its confetti.

The Committee will continue to closely follow the progress of this project and urges the Department to follow through on its stated commitment to put the goals and interests of this taxpayer-funded project above the goals and interests of the individual labs that ultimately participate in this project. Consistent with the authorization bill recently passed by the House Committee on Science, the Department is prohibited from obligating funds provided in this Act until the following are provided to the committees of jurisdiction, namely the Committee on Science of the House, the Committee on Energy and Natural Resources of the Senate, and the Committees on Appropriations of the House and the Senate:

(1) Certification that senior project management positions for the project have been filled by qualified individuals;

(2) Cost baseline and project milestones for each major construction and technical system activity, consistent with the overall cost and schedule submitted with the Department's fiscal year 2000 budget, that have been reviewed and certified by an independent entity, outside the Department and having no financial interest in the project, as the most cost-effective way to complete the project;

(3) Binding legal agreements that specify the duties and obligations of each laboratory of the Department in carrying out the project;

(4) A revised project management structure that integrates the staff of the collaborating laboratories working on the project under a single project director, who shall have direct supervisory responsibility over the duties and obligations described in subparagraph (3) above,

(5) Official delegation by the Secretary of primary authority with respect to the project to the project director;

(6) Certification from the Comptroller General that the total taxes and fees in any manner or form paid by the Federal government on the SNS and the property, activities, and income of the Department relating to the SNS to the State of Tennessee or its counties, municipalities, or any other subdivision thereof, does not exceed the aggregate taxes and fees for which the Federal government would be liable if the project were located in any other State that contains a national laboratory of the Department; and

(7) Annual reports on the SNS project, included as part of the Department's annual budget submission, including a description of the achievement of milestones, a comparison of actual costs to estimated costs, and any changes in estimated project costs or schedule.

OTHER ENERGY RESEARCH PROGRAMS

The Committee recommendation for the Computational and Technology Research program is \$143,000,000, the same amount as the current fiscal year, and a reduction of \$53,875,000 from the budget request. The recommendation does not include funds for the Scientific Simulation Initiative (SSI) or the Next Generation Internet (NGI) programs. The Committee has had to cut existing programs and make hard choices and was unable to justify starting these new spending programs.

The budget justification for NGI failed to explain the need for a multi-million dollar government program at a time when hundreds of private companies are investing billions of dollars on hardware and software innovations. The Committee was informed that funds would be used to upgrade hardware at laboratories and universities and that the Department would study ways to improve the capabilities of the internet. The Committee notes that these activities have been funded in this account and that it is unnecessary to create a new program to continue these efforts.

The budget justification for SSI failed to justify the need to establish a second supercomputing program in the Department of Energy. The Congress has been supportive of the ASCI program which the Department claimed would have benefits in addition to the defense purposes for which it was originally created. The ASCI program, for which Congress is providing more than \$300,000,000 per year, seeks to build and operate massively parallel computers with a performance goal of 100 TeraOps by 2004. The proposed SSI program has a goal of building and operating a separate, yet similar, program dedicated exclusively to domestic purposes. At this time, the Committee cannot support this massively parallel proposal to manage and fund two separate supercomputing programs.

The Committee recognizes that the Department has re-classified some of its ongoing activities and therefore has not reduced the budget request by the \$85,000,000 requested for these two "new" programs. The Committee appreciates the advantages of modeling and having computing capability to analyze complex problems. The Committee would like to work with the Department to get better answers to questions it has about this new proposal. (For example, the Department declined to answer direct questions about the out-year costs for this program.) The Committee looks forward to fur-

ther discussions to identify a program that has mutually supportable budget and program plans.

Energy research analysis.—The Committee recommendation includes \$1,000,000, the same amount as the current fiscal year and the budget request.

Multi-program energy labs.—The Committee recommendation includes \$21,260,000, an increase of \$1,000,000 over the budget request. The Committee regrets that the Department has failed to meet its obligations for payments of lieu of taxes and has provided sufficient funding to pay arrearages and obligations through fiscal year 1998. The Department is directed to make these payments, some of which are delinquent from fiscal year 1994, as expeditiously as possible.

University and science education.—The Committee has not provided funds for a new university and science education program. The Office of Energy Research informs the Committee that grants to colleges and universities amount to approximately one-half billion dollars in the current fiscal year. This level of funding is consistent with the Committee's direction that the Department fully support higher education. Three years ago, the Committee eliminated the university and science education program and directed that the Department fully support university programs by providing funds from programs. The Committee urges the Department to continue to place a high priority on graduate and post-graduate students. The Committee continues to believe that the Department should place the highest priority on university programs. The use of program funds benefits the missions of the Department and directly connects our nation's future scientists to cutting edge research.

The recommendation includes \$4,500,000, the same amount as the budget request, for the Laboratory Cooperative, National Science Bowl and Albert Einstein Distinguished Educator Fellowships programs in the program direction account.

FUSION ENERGY SCIENCES

The Committee recommendation is \$250,000,000, a \$27,386,000 increase over the budget amount. The Committee commends the Department for its efforts to pursue the most promising paths towards producing electricity from fusion. The Committee has provided sufficient funding to accelerate and fully utilize the user facilities currently in operation. The Committee will work closely with the Department to review the work done by the Secretary of Energy's Advisory Board and continue to support the goals of the fusion energy sciences program.

The Committee remains committed to a fusion program that is based on both quality science and the ultimate goal of practical fusion energy. A positive development in this regard is the "roadmapping" process, which the fusion community is now undertaking and which includes both the MFE and IFE approaches. Positive aspects of this process include the emphasis on increasing diversity in the program and strengthening of peer review. The Committee is pleased with the advanced-tokamak emphasis of current tokamak research, which is in keeping with the program emphasis on innovation.

Additional funds are provided to support new work in concept innovation in both MFE and IFE, to provide for more effective utilization of the existing national research facilities, and to support the underlying technology development which sustains this research. The Department is directed to provide an updated spending plan to the Committees on Appropriations within thirty days of enactment of the accompanying bill. The Committee looks forward to working with the Department on budget and program plans to accelerate the accomplishments in the fusion program.

The recommendation includes \$13,600,000, the same amount as the budget request, to continue landlord activities and begin decontamination and decommissioning of the Tokamak Fusion Test Reactor (TFTR). The Committee expects that decontamination and decommissioning of the TFTR facility will go forward as proposed and will be managed by the Princeton Plasma Physics Laboratory. In developing future budgets and program plans, the Committee strongly encourages the Department of Energy and the Administration to ensure that this work can proceed without negatively affecting the ongoing research program.

OAK RIDGE LANDLORD

The Committee recommendation provides \$11,800,000, a reduction of \$12,000 from the budget request. This program was transferred from the Energy Supply account.

PROGRAM DIRECTION

The recommendation is \$126,963,000. This includes \$52,360,000, the same amount as the budget request, for headquarters activities, and \$74,603,000 for the field offices for which funding was transferred to this account. The Committee has provided \$47,860,000 for standard program direction activities, and an additional \$4,500,000 to fund the Laboratory Cooperative, National Science Bowl, and Albert Einstein Distinguished Educator Fellowships programs. The Committee takes this action to establish a legitimate funding mechanism for these activities. The Office of Science is directed to provide full funding for programs as directed by the Congress. In the past, the Department has funded these and other Secretary/Director initiatives despite the lack of appropriations and at the expense of other programs. The Committee directs that the Department refrain from surreptitiously funding programs not included in the budget request and programs for which funding has been specifically denied by Congress.

Field offices.—The Department has reorganized the reporting structure for the field offices formerly included in the Energy Supply account. These offices now report directly to an Assistant Secretary. Accordingly, the Committee recommendation moves the funding for the Chicago, Oakland, and Oak Ridge Operations Offices to the Science account. The Committee recommendation includes \$74,603,000, a reduction of \$8,289,000 from the budget request. The Committee urges the Department to take a leadership role in establishing a more streamlined and efficient management structure.

FUNDING ADJUSTMENTS

The recommendation for Science includes several funding adjustments. Recent reviews by the General Accounting Office (GAO) and the Department's Inspector General (IG) indicate that the Department has been very lax in reviewing expenses incurred by the management and operating contractors. The Committee expects the Department to review all costs incurred by the contractors, make judgments on the validity of those costs, and reduce those which cannot be justified to the satisfaction of the taxpayer. The Department's program managers should be monitoring all of these costs. Reports by the GAO and IG indicating wasteful and excessive spending cast doubt on the validity of all the program costs. To the extent practicable, the Committee directs that these reductions not be applied to the operation of user facilities.

Contractor travel.—According to the General Accounting Office (GAO), in fiscal year 1998, programs funded in the Science account were charged approximately \$16,000,000 for contractor travel expenses. The Committee recommends a reduction of \$8,000,000 to be allocated to contractor travel expenses in fiscal year 2000.

The following reductions make up the \$43,000,000 general reduction recommended by the Committee.

Management and operating contractor employees in Washington.—Science programs are charged approximately \$6,000,000 on contractor employees and contractor offices in the Washington metropolitan area. The Committee seriously questions the need for this contractor presence in Washington and has reduced this funding by \$3,000,000.

Science education funding.—Rather than requesting funding for this program in a visible line item as it has in prior years, the Department chose to bury \$10,000,000 in five of the nineteen program lines. The Committee recommendation has included \$4,500,000 for Laboratory Cooperative, National Science Bowl, and Albert Einstein Distinguished Educator Fellowships programs in the program direction lines, but has not included funds for these new programs as proposed in the budget request.

Laboratory Directed Research and Development (LDRD) Funding.—The Department currently allows each laboratory director to use six percent of all operating funds provided to the laboratory to conduct employee-suggested research and development projects selected at the discretion of the laboratory directors. For fiscal year 2000, the Committee estimates that approximately \$30,000,000 of that will come from the Science account, and thus, has eliminated this funding.

NUCLEAR WASTE DISPOSAL

Appropriation, 1999	\$169,000,000
Budget Estimate, 2000	258,000,000
Recommended, 2000	169,000,000
Comparison:	
Appropriation, 1999	
Budget Estimate, 2000	– 89,000,000

The Nuclear Waste Policy Act of 1982 and the Nuclear Waste Policy Act Amendments of 1987 established a waste management system for the disposal of spent nuclear fuel and high-level radio-

active waste from commercial and atomic energy defense activities. These laws also established the Nuclear Waste Disposal Fund to finance disposal activities through the collection of fees from the owners and generators of nuclear waste.

Due to severe budget constraints, the Committee recommends \$169,000,000 to be derived from the Fund in fiscal year 2000, the same funding as provided in fiscal year 1999. Combined with the appropriation of \$112,000,000 to the Defense Nuclear Waste Disposal account, a total of \$281,000,000 will be available for program activities in fiscal year 2000.

The Department is to review all cost components to see what savings can be achieved in fiscal year 2000. The Committee has not provided funding for the State of Nevada nor for the affected units of local government.

The Committee is aware that the Department proposes to compete the contract for operating the Yucca Mountain Site. The Department should ensure that the competitive process is fair and expeditious, and that the process does not result in any additional delays to the proposed date for opening this facility.

DEPARTMENTAL ADMINISTRATION

GROSS APPROPRIATION

Appropriation, 1999	\$200,475,000
Budget Estimate, 2000	240,377,000
Recommended, 2000	193,769,000
Comparison:	
Appropriation, 1999	- 6,706,000
Budget Estimate, 2000	- 46,608,000

MISCELLANEOUS REVENUES

Appropriation, 1999	\$- 136,530,000
Budget Estimate, 2000	- 116,887,000
Recommended, 2000	- 106,887,000
Comparison:	
Appropriation, 1999	29,643,000
Budget Estimate, 2000	10,000,000

The funding recommended for Departmental Administration provides for general management and program support functions benefiting all elements of the Department of Energy. The account funds a wide array of activities not directly associated with program execution. In fiscal year 2000, the Committee has provided funding for Departmental Administration activities in two appropriation accounts. The Committee has provided \$193,769,000 in this account, and \$25,000,000 in the Other Defense Activities appropriation account, for total funding of \$218,769,000, a reduction of \$21,608,000 from the budget request.

The Committee continues to believe that Headquarters staffing for many administrative functions is excessive, and has reduced the funding for certain offices accordingly. Funding has been provided for severance payments for the Office of Field Management.

Information management.—The recommendation includes \$12,000,000, a reduction of \$1,000,000 from the budget request, for the Corporate Management Information Program. Full funding has been provided for the Corporate Business Management Information System and the Corporate Human Resources Information System.

No funding has been provided for the Corporate Technology Supported Learning new initiative.

The Committee believes that the investment in these systems has the potential to generate substantial savings over the next five years, but is concerned that the project management is not sufficient to ensure success. The Department is directed to provide the Committee with an annual status report by November 1, 1999, showing project milestones, cost schedules, performance measures, and progress to date. The report should also describe any current issues or concerns which could adversely impact the cost or schedule of the project.

Working Capital Fund.—The Department is using a charge back program similar in nature to a working capital fund which charges benefiting programs and organizations with certain administrative and housekeeping activities traditionally funded in a central account. The Committee continues to support this, but wants to reiterate its expectations that: no salaries or other expenses of Federal employees may be charged to the fund; Departmental representation on the Board establishing the policies should be broad based and include smaller organizations; the pricing policies used must be sound and defensible and not include added factors for administrative costs; the advanced payments at any time may be no more than the amount minimally required to adequately cover outstanding commitments and other reasonable activities; and a defined process must be established to dispose of excess advance payments (accumulated credits). Additionally, it is the Committee's expectation that the fund manager will ensure that the fund will neither be managed in a manner to produce a profit nor allow the program customers to use the fund as a vehicle for maintaining unencumbered funds.

The working capital fund should be audited periodically by the Department's Inspector General to ensure the integrity of the accounts, and the Committee expects to be apprised of any recommendations to improve the charge back system.

Use of Prior Year Deobligations and Construction Project Reserves.—Throughout the fiscal year, funds often become available as projects are completed and contracts closed out throughout all of the Department's appropriation accounts. These funds become available for reuse and are retained by the Controller as either prior year deobligations or transferred to construction project reserve accounts. During fiscal year 2000 these funds are not available for reallocation within the Department unless approved by Congress as part of a reprogramming or specifically identified in the budget request.

Cost of Work for Others.—The recommendation for the cost of work for others program is \$34,027,000, the same as the budget request. The Committee recognizes that funds received from reimbursable activities may be used to fund general purpose capital equipment which is used in support of those activities.

Revenues.—The Department's revenue estimate for fiscal year 2000 is \$116,887,000. However, the Committee recommendation is \$106,887,000, a decrease of \$10,000,000 from the budget request. The Congressional Budget Office (CBO) has estimated that the Department's revenues will be less than the budget request in fiscal

year 2000. The Committee has included the CBO recommended level of revenues.

Transfer from Other Defense Activities—For many years, full funding for all corporate and administrative activities of the Department has been provided in the energy portion of this bill despite the fact that over 70 percent of the Department's funding is provided in the national security programs. The Committee has distributed these costs more equitably in fiscal year 2000 and provided \$25,000,000 from national security programs.

OFFICE OF INSPECTOR GENERAL

Appropriation, 1999	\$29,000,000
Budget Estimate, 2000	30,000,000
Recommended, 2000	30,000,000
Comparison:	
Appropriation, 1999	+1,000,000
Budget Estimate, 2000	

The Office of Inspector General performs agency-wide audit, inspection, and investigative functions to identify and correct management and administrative deficiencies which 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 \$30,000,000, the same as the budget request.

ATOMIC ENERGY DEFENSE ACTIVITIES

The Atomic Energy Defense Activities programs of the Department of Energy include Weapons Activities; Defense Environmental Restoration and Waste Management; Defense Facilities Closure Projects; Defense Environmental Management Privatization; Other Defense Activities; and Defense Nuclear Waste Disposal. Descriptions of each of these accounts are provided below.

WEAPONS ACTIVITIES

Appropriation, 1999	\$4,400,000,000
Budget Estimate, 2000	4,524,900,000
Recommended, 2000	4,000,000,000
Comparison:	
Appropriation, 1999	-400,000,000
Budget Estimate, 2000	-524,900,000

The goal of the Weapons Activities program is to maintain confidence in the safety, security, reliability and performance of the Nation's enduring nuclear weapons stockpile. This must be done within the constraints of a comprehensive test ban, using a science-based approach to stockpile stewardship in a smaller, more efficient weapons complex infrastructure. The program must maintain the safety, reliability and performance of the current nuclear weapons stockpile without underground nuclear testing; maintain the capability to return to the design and production of new weapons

and to underground nuclear testing, if directed by the President; and dismantle excess weapons safely and dispose of or store excess components.

The future weapons complex will rely on scientific understanding and expert judgment, rather than on nuclear testing and the development of new weapons to predict, identify, and correct problems affecting the safety and reliability of the stockpile. Enhanced experimental capabilities and new tools in computation, surveillance, and advanced manufacturing will become necessary to recertify weapons safety, performance, and reliability without underground nuclear testing. Weapons will be maintained, modified, or retired and dismantled as needed to meet arms control objectives or remediate potential safety and reliability issues. As new tools are developed and validated, they will be incorporated into a smaller, more flexible and agile weapons complex infrastructure for the future.

The Committee's recommendation for Weapons Activities is \$4,000,000,000, a decrease of \$400,000,000 from the fiscal year 1999 appropriation, and a decrease of \$524,900,000 from the budget request of \$4,524,900,000.

Controlling Costs.—The reduction to the fiscal year 2000 budget request reflects the Committee's concern that the Department is still not seriously seeking to control costs throughout the nuclear weapons complex. The recent GAO report on contractor travel highlighted the Department's lax attitude toward controlling costs at nuclear weapons laboratories. Contractors at the nuclear weapons complex spent \$146,000,000 on travel in fiscal year 1998, and of that amount, the three nuclear weapons laboratories accounted for \$116,000,000. A report by the Inspector General highlighted the excessive costs of operating the Department's aircraft at Albuquerque. In addition, six percent of all operating funds provided to each laboratory is allocated to the laboratory director for discretionary research. The three weapons laboratory directors control the use of approximately \$200,000,000 with little Congressional oversight. Then, there are the contractor overhead charges paid by the Department with little thought. These overhead costs include management and operating (M&O) contractor offices maintained in Washington for the convenience of the contractor, "centers of excellence" established by the contractor to support efforts to seek new missions, and tiered overhead costs which multiply the cost to the government for work performed by subcontractors to the M&O. When the Department can convince the Committee that it really understands and can control contractor costs and can show that all costs relate directly to the Federal government's interests (not the contractor's), then the Committee will be less harsh in its assessment of Departmental oversight of contractor spending.

RESTRUCTURING THE NATIONAL SECURITY PROGRAMS

The Committee has included a provision that would delay the obligation of \$1,000,000,000 until after June 30, 2000, and Congress has enacted legislation restructuring the national security programs currently under the jurisdiction of the Department of Energy. This delayed obligation will give Congress time to craft careful, bipartisan legislation while ensuring that actions are taken to

address the serious problems which have been identified at the Department of Energy.

The report by the Special Investigative Panel of the President's Foreign Intelligence Advisory Board concludes that for the past two decades, the Department of Energy has embodied science at its best and security of secrets at its worst. After going through a litany of the problems in security administration, the Panel concludes that the Department is incapable of reforming itself—bureaucratically and culturally—in a lasting way, even under an activist Secretary.

This was only the last in a long line of reports that have documented management problems at the Department of Energy and made numerous recommendations to solve these problems. Unfortunately, there have been few positive results from these reports, and the Committee is concerned that the Department will once again pay lip service to the recommendations while taking very little action.

The report of the Special Investigative Panel suggested two alternative solutions. The first would create a new semi-autonomous agency within the Department with responsibility for weapons research and development. The second proposal would create a wholly independent agency. The Committee has watched while many have developed elaborate legislation to create a new semi-autonomous agency within the Department. But, the Committee does not believe this fully addresses the problems. This solution would not free the weapons program from systemic problems. The same people staffing this new organization would be those who have created the problems over the past two decades.

Starting with a fresh slate is the only chance for solving many of the problems. Eliminating the cumbersome and redundant field structure will lead to cost savings and management efficiencies. Creating an independent agency at the sub-Cabinet level will free the agency from political influence and encourage the appointment of technically qualified managers. Direct lines of responsibility and authority will be established. Those interested primarily in maintaining the status quo will be thwarted.

There will ultimately be cost savings from this proposal. The Department of Energy has approximately 14,500 Federal employees in Headquarters and at various field offices throughout the country. Streamlining the agency and the Byzantine field structure, as recommended by the each of the independent reviews, will result in significant cost savings. The Department currently spends nearly \$1.7 billion on administrative expenses associated with these Federal employees. The report of the Special Investigative Panel questioned the need for field offices. Downsizing the Headquarters staff and streamlining the field structure will result in immediate cost savings.

STOCKPILE STEWARDSHIP

The stockpile stewardship program addresses issues of maintaining confidence in stockpile safety and reliability without nuclear testing through a science-based stockpile stewardship program using upgraded or new experimental and computational capabilities. Funding of \$2,098,472,000, a decrease of \$187,728,000 from

the budget request, has been recommended for fiscal year 2000. As noted above, the Committee believes there are many cost efficiencies to be achieved throughout the laboratory complex.

Core stockpile stewardship.—Core stockpile stewardship is funded at \$1,482,632,000, the same as fiscal year 1999, but a reduction from the budget request of \$1,635,355,000.

Accelerated Strategic Computing Initiative.—The budget request includes \$341,000,000 for the Accelerated Strategic Computing Initiative (ASCI) which will provide the software, computer platforms, and operating environments to accelerate the development of simulation capabilities to ensure confidence in a safe and reliable nuclear weapons stockpile without underground nuclear testing. This is a significant increase over the fiscal year 1999 funding level of \$300,926,000. The recommendation provides \$316,000,000.

Construction projects.—The Committee recommendation for construction projects is \$126,140,000, a reduction of \$7,005,000 from the budget request, but a significant increase over the fiscal year 1999 funding level of \$103,443,000. Funding for Project 99-D-108, Renovate Existing Roadways at the Nevada Test Site, has not been provided pending completion of additional information supporting the need for this project. No funds for fiscal year 2000 new construction projects may be obligated until an external, independent project assessment has been provided to the House and Senate Committees on Appropriations for review and approval.

Inertial Fusion.—The Committee recommends \$475,700,000 for the inertial fusion program, an increase of \$10,000,000 over the budget request of \$465,700,000, and \$32,300,000 less than fiscal year 1999. The recommendation includes \$254,000,000 for the National Ignition Facility, \$30,450,000 for the University of Rochester's OMEGA laser, and \$9,500,000 for the Naval Research Laboratory. Consistent with the fiscal year 1999 program, the recommendation includes \$10,000,000 to further the development of high average power lasers.

Technology Transfer and Education.—Due to severe funding constraints, the Committee finds it necessary to focus resources on direct stockpile stewardship activities and has significantly reduced funding for technology transfer and education activities. In the technology transfer program, the budget request of \$5,000,000 has been provided for the Amarillo Plutonium Research Center. Funding of \$9,000,000, the same level of funding as provided in fiscal year 1999, has been provided for education activities. No funds are provided for the National Atomic Museum.

STOCKPILE MANAGEMENT

The stockpile management program supports the enduring stockpile, including maintenance, system refurbishment, and weapons dismantlement, and seeks to ensure an adequate supply of tritium. The Committee recommendation for stockpile management is \$1,913,300,000, a decrease of \$85,000,000 from the budget request of \$1,998,300,000. The recommendation provides funding for activities necessary to sustain a reliable, quality production capability to support the nuclear weapons stockpile as it ages.

Transportation.—The Committee recommendation reflects the transfer of \$60,000,000 which was requested in the stockpile man-

agement for transportation activities. To more accurately reflect program activities, a separate program has been established to include all funding for the Transportation Safeguards Division.

Tritium.—The Committee recommendation for the tritium program is \$145,000,000, a reduction of \$25,000,000 from the budget request of \$170,000,000. Due to severe funding constraints, funding for the backup technology, the accelerator production of tritium, has been reduced from \$88,000,000 to \$63,000,000. The recommendation includes \$22,000,000 for operating expenses and \$41,000,000 for design activities.

Infrastructure improvements.—The Committee is aware that many areas of the nuclear weapons complex require significant upgrades and improvements to the existing infrastructure. Due to severe funding constraints, the Committee is unable to provide additional funding for these activities, but urges the Department to give such measures a high priority when allocating resources.

Construction projects.—The Committee recommendation for construction projects is \$168,679,000, an increase of \$10,000,000 over the budget request. This additional funding has been provided for design only activities in Project 98–D–126, Accelerator Production of Tritium.

TRANSPORTATION SAFEGUARDS DIVISION

The Transportation Safeguards Division provides for the safe, secure movement of nuclear weapons, strategic quantities of special nuclear material, and weapon components between military locations and nuclear complex facilities within the United States. Funding for this activity was included in the budget request in two separate accounts: salaries and other expenses of \$31,812,000 were included in the program direction account, and equipment and other expenses of \$60,000,000 were included in the stockpile management program. The Committee recommendation consolidates funding for the Transportation Safeguards Division as a separate activity and provides \$91,812,000, the same as the budget request.

PROGRAM DIRECTION

The Committee recommendation of \$199,500,000 for program direction is a reduction of \$47,000,000 from the budget request of \$246,500,000. This reflects the transfer of \$31,812,000 for the Transportation Safeguards Division to a separate program, and a reduction of \$15,188,000 for expenses at Departmental field offices.

FUNDING ADJUSTMENTS

The recommendation for Weapons Activities includes several funding adjustments. The Department has requested significant budget increases for the nuclear weapons program in fiscal year 2000. Recent reviews by the General Accounting Office (GAO) and the Department's Inspector General (IG) indicate that the Department has been very lax in reviewing expenses incurred by the nuclear weapons contractors. The Committee expects the Department to review all costs incurred by the contractors, make judgments on the validity of those costs, and reduce those which cannot be justified to the satisfaction of the taxpayer. The Department's program

managers should be monitoring all of these costs. Reports by the GAO and IG indicating wasteful and excessive spending cast doubt on the validity of all the program costs.

Contractor Travel.—According to the General Accounting Office (GAO), in fiscal year 1998, the nuclear weapons complex spent approximately \$141,400,000 on contractor travel expenses. The Committee recommends a reduction of \$75,000,000 to be allocated to contractor travel expenses in fiscal year 2000.

Management and Operating Contractor Employees in Washington.—Defense Programs spends approximately \$9,200,000 on contractor employees and contractor offices in the Washington metropolitan area. The Committee seriously questions the need for this contractor presence in Washington and has reduced this funding by \$5,000,000.

Laboratory Directed Research and Development (LDRD) Funding.—The Department currently allows each laboratory director to use six percent of all operating funds provided to the laboratory to conduct employee-suggested research and development projects selected at the discretion of the laboratory directors. For fiscal year 2000, the Department estimates that the three nuclear weapons laboratories will spend \$215,000,000 on LDRD. The Committee estimates that approximately \$100,000,000 of that will come from the Weapons Activities account, and thus, has eliminated this funding.

Use of Prior Year Balances.—Due to severe funding constraints, the Committee also recommends a reduction of \$123,084,000 in fiscal year 2000.

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

Appropriation, 1999	\$4,310,227,000
Budget Estimate, 2000	4,503,276,000
Recommended, 2000	4,157,758,000
Comparison:	
Appropriation, 1999	– 152,469,000
Budget Estimate, 2000	– 345,518,000

The Environmental Management program is responsible for identifying and reducing risks and managing waste at sites where the Department carried out nuclear energy or weapons research and production activities which resulted in radioactive, hazardous, and mixed waste contamination requiring remediation, stabilization, or some other type of cleanup action. Environmental management activities are budgeted under the following appropriation accounts: Defense Environmental Restoration and Waste Management; Defense Facilities Closure Projects; Defense Environmental Management Privatization; Non-Defense Environmental Management; and the Uranium Enrichment Decontamination and Decommissioning Fund.

The Defense Environmental Restoration and Waste Management account includes site/project completion, post 2006 completion, science and technology, and a variety of crosscutting and program management activities. The three major activities are: Site Closure where cleanup will be completed by the end of fiscal year 2006 and no further DOE mission is anticipated; Site/Project Completion where cleanup will be completed by 2006, but DOE programs will

continue; and Post 2006 Completion where cleanup activities at the site will extend beyond 2006.

The Committee's recommendation for Defense Environmental Restoration and Waste Management is \$4,157,758,000, a decrease of \$345,518,000 from the budget request, and \$152,469,000 below fiscal year 1999. Details of the recommended funding levels follow.

GENERAL

The Committee commends the environmental management organization for the submission of the budget request on a project basis for the environmental cleanup program. This approach will make it easier for Congress to review projects and track the status of individual project costs, schedules, and milestones, and it will provide additional accountability for the Department's managers who oversee the cleanup and contractors who perform the work. This can only improve the performance of the program and the credibility of the Department in managing the program.

Project Changes.—The Committee was surprised to learn that the Department was making significant changes to the individual operating projects identified in the fiscal year 1999 budget justifications without notifying the Committee of these changes. In fiscal year 2000 the Department is directed to provide a report by January 15, 2000, showing the initial funding allocation by site for each individual project. After that, the House and Senate Committees on Appropriations must be notified of any change that increases or decreases funding for any project by more than 20 percent. The Department should work with the Committee to establish the level of detail required in the initial report.

Reprogramming Authority.—The Committee continues to support the need for some flexibility to meet changing funding requirements at former defense sites which are undergoing remedial cleanup activities. In fiscal year 2000, each site manager may transfer up to \$5,000,000 between Defense Environmental Restoration and Waste Management program activities such as site/project completion and post-2006 completion, and construction projects 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 in the House and Senate must be notified within thirty days after the transfer of funds occurs.

Research Funding.—The Committee understands that some Departmental sites may be using operating funds for discretionary research and development rather than the operational activities for which the funding was requested and appropriated. The Committee wants to make very sure that the Department understands that environmental management funding is provided for cleanup activities, not as a source of discretionary funding for the sites and laboratories. The need for cleanup funds far exceeds the availability of resources. The Department is directed to separate all research funding from operational funding. All research funding is to be included in the Science and Technology account and will be allocated based on a review of the merits of such research.

Economic Development.—None of the environmental management funds are available for economic development activities. The Committee appropriates funding for the “Worker and Community Transition Program” which is the only program authorized in the Department to provide economic development funding for communities, and this is the proper forum for evaluating the merits of the many proposals which the Department receives for economic development funding.

SITE/PROJECT COMPLETION

The site/project completion account will provide funding for projects that will be completed by fiscal year 2006 at sites or facilities where a DOE mission will continue beyond the year 2006. This account focuses management attention on completing specific environmental projects at sites where the Department anticipates continuing missions, and distinguishes these projects from the long-term cleanup activities such as those associated with high level waste streams.

The Committee’s recommendation for site/project completion activities is \$970,219,000, a decrease of \$10,700,000 from the budget request of \$980,919,000. Funding has been adjusted to reflect the latest cost estimates for Project 96–D–406, Spent Nuclear Fuels Canister Storage and Stabilization Facility in Richland, Washington. Due to funding constraints, the Committee has not provided funding to move from design to construction of Project 99–D–404, the Health Physics Instrumentation Laboratory at Idaho.

POST 2006 COMPLETION

Environmental Management projects currently projected to require funding beyond fiscal year 2006 are funded in the Post 2006 completion account. This includes a significant number of projects at the largest DOE sites—the Hanford site in Washington; the Savannah River site in South Carolina; the Oak Ridge Reservation in Tennessee; and the Idaho National Engineering and Environmental Laboratory in Idaho—as well as the Los Alamos National Laboratory in New Mexico, the Nevada Test Site; and the Waste Isolation Pilot Plant in Carlsbad, New Mexico. A variety of multi-site activities are also funded in this account. The Committee’s recommendation for Post 2006 completion is \$2,848,548,000, a decrease of \$105,000,000 from the budget request of \$2,953,548,000.

Alternative Technology Development.—The Committee supports the efforts by the Department to develop alternative technologies to stabilize DOE-owned spent fuel in preparation for permanent disposal. Despite the technical and design risks, the Department’s approach of narrowing technical alternatives from a range of potential technologies should minimize those risks. The Committee also understands that the Nuclear Regulatory Commission has concluded that melt and dilute would be an acceptable concept for geologic disposal of aluminum-based spent nuclear fuel. The Department ignored Congressional intent in fiscal year 1999 when \$10,000,000 was provided for this activity. The Committee expects the Department to fund this activity in fiscal year 2000 at a level to compensate for the inequitable reduction in fiscal year 1999.

Payment-in-Lieu-of-Taxes.—The Committee directs the Hanford site to review its budget priorities, and, to the extent possible within available resources in fiscal year 2000, make a payment-in-lieu-of-taxes to the local communities.

Waste Isolation Pilot Plant.—The Department should provide to the Committee a report detailing the feasibility and methodology of transferring the funding and oversight responsibilities of the Environmental Evaluation Group, a group tasked with oversight of the Waste Isolation Pilot Plant, to the State of New Mexico to better facilitate the State's regulatory responsibilities.

Uranium Enrichment D&D Fund Contribution.—The Committee recommendation includes the budget request of \$420,000,000 for the defense contribution to the Uranium Enrichment Decontamination and Decommissioning Fund as authorized in Public Law 102-486, the Energy Policy Act of 1992.

Hazardous Waste Operations Emergency Response Program.—The Committee recommendation supports the budget request of \$8,500,000.

Health Effects Studies.—The Committee recommendation does not include the budget request of \$20,000,000 for worker and public health effects studies. All funding for worker and public health effects studies has been provided in the Defense Environment, Safety and Health account, and all studies are to be managed by the Office of Environment, Safety and Health.

SCIENCE AND TECHNOLOGY DEVELOPMENT

The Committee recommendation for science and technology development is \$230,500,000, the same as the budget request, and a reduction of \$16,500,000 from fiscal year 1999.

Technology Deployment.—Due funding constraints, the Committee is unable to provide additional funds for technology deployment, but urges the Department to reallocate funds to the extent possible to provide at least \$15,000,000, the fiscal year 1999 funding level, to continue the Department's efforts to deploy cost-effective new technologies. Deployment of new technologies is a strategic activity affecting virtually all environmental management programs and sites and should be strongly supported as a complex-wide program to help meet compliance agreement milestones within a resource constrained budget. This funding should be used to accelerate the use of new technologies and leverage funding already available for deployment activities.

The Committee urges the Department to make every effort to seek cost effective cleanup alternatives available from outside the Department, and is aware that the international agreement with AEA Technology has been very successful in bringing cheaper and more efficient technologies to the Department's cleanup problems. The Department is urged to expand the use of this existing agreement.

The Department is also urged to expedite the use of the macroencapsulation method for immobilizing and treating low-level mixed waste. The use of these technologies should not be limited to the funding provided in this account, but should be incorporated throughout the complex using any available funds.

Environmental Management Science Program.—The Committee is disappointed that the Department was unable to provide funding for new grants in fiscal year 2000. The funding for the environmental management science program has been reduced from \$47,000,000 in fiscal year 1999 to \$32,000,000 in fiscal year 2000. This is a collaborative program between the Department's Office of Environmental Management and the Office of Energy Research that identifies long-term, basic science research needs and targets the research and development toward critical cleanup problems. This program has been given high marks by the National Research Council and the Department's Environmental Management Advisory Board. The Committee believes it is critical to provide continuity of funding for this research program, and recommends \$10,000,000 from within available funds for the next round of new and innovative research grants in fiscal year 2000.

Education programs.—The Committee is aware of, and urges the Department to fully consider, a proposal from Voorhees College, Morris College, and Allen University to develop programs of study in environmental science and to develop research projects to meet the needs of the Department.

Oversight of Environmental Management Laboratories.—The Department should ensure that proper management oversight is provided for each laboratory reporting to the Office of Environmental Management. This should include a review by the Headquarters Office of Environmental Management of all research projects to assure mission relevancy and compliance with all applicable orders and regulations, as well as a review and evaluation of the institutional planning process for the program's national laboratory.

Risk Policy.—The Committee recommendation supports the budget request of \$3,000,000 for the Consortium for Risk Evaluation and Stakeholder Participation (CRESP).

University Robotics Program.—The Committee recommendation supports the budget request of \$4,000,000 for the university robotics program.

PROGRAM DIRECTION

The Committee recommends \$331,665,000 for program direction, a decrease of \$17,744,000 from the budget request of \$349,409,000. The change in funding results from transferring to this account the salaries and expenses of the Federal employees performing administrative functions at the Idaho Operations Office, consistent with the Department's new organization structure, and reducing expenses at Departmental field offices.

Formerly Utilized Sites Remedial Action Program (FUSRAP).—The Committee expects the Department to fulfill its responsibilities at FUSRAP sites, exclusive of the remedial actions to be performed by the Corps.

FUNDING ADJUSTMENTS

The recommendation for Defense Environmental Restoration and Waste Management has several funding adjustments. A reduction of \$180,764,000, including \$8,700,000 proposed in the budget request, has been applied to prior year balances. There is a \$9,000,000 reduction for contractor travel, and a \$3,000,000 adjust-

ment to reduce the use of management and operating (M&O) contractor employees at Headquarters and support for M&O contractor offices in the Washington metropolitan area.

Laboratory Directed Research and Development.—A reduction of \$30,410,000 has been included to eliminate any funds being allocated for laboratory directed research and development or director's discretionary research and development. The Committee allocates funding to Departmental laboratories to clean up contaminated properties and facilities as quickly as possible, not to provide discretionary spending for the laboratory directors. The Committee is prohibiting the use of any environmental management funds for discretionary research and development activities. A peer-reviewed science and technology program is adequately funded in this program. Any laboratory seeking to do environmental research should submit proposals to the Office of Science and Technology and compete for these funds.

DEFENSE FACILITIES CLOSURE PROJECTS

Appropriation, 1999	\$1,038,240,000
Budget Estimate, 2000	1,054,492,000
Recommended, 2000	1,054,492,000
Comparison:	
Appropriation, 1999	+16,252,000
Budget Estimate, 2000 .....	.....

The Defense Facilities Closure Projects account includes funding for sites which have established a goal of completing cleanup by the end of fiscal year 2006. After completion of cleanup, no further Departmental mission is envisioned, except for limited long-term surveillance and maintenance, and the sites will be available for some alternative use. Sites to be completed by 2006 include the Rocky Flats Closure Project in Colorado, and several sites in Ohio—Fernald, Miamisburg, Ashtabula, and Columbus.

This account is intended to highlight those sites where cleanup can be accelerated and substantial savings achieved by the resulting reduction in long-term program costs and ongoing support costs. The Committee strongly supports this program, and the recommendation for fiscal year 2000 funding is \$1,054,492,000, the same as the budget request. Funding levels for each of the sites are addressed below.

Rocky Flats Closure Project.—The Committee has challenged the Department to close the Rocky Flats Site in Colorado by 2006. The Department's current plan is for site closure by fiscal year 2010 at a total project cost of \$7.3 billion. Accelerating the cleanup schedule can save \$1.3 billion. The Committee is aware that to meet the 2006 deadline, stable funding will be required over several years, and critical path work activities must be successfully completed, not only at Rocky Flats, but at other sites throughout the Department's complex. The Department should ensure that complex-wide funding issues are addressed as they relate to the closure of the Rocky Flats Site. It is only through the closure of smaller sites like Fernald and Rocky Flats that funds will be made available to support expensive future cleanup projects like the vitrification plants needed at Hanford and Idaho.

The Committee has provided fiscal year 2000 funding of \$657,200,000, the same as the budget request.

Fernald Environmental Management Project.—The Fernald site in Ohio has implemented an accelerated cleanup schedule which provides for site closure with the completion of all currently established in-situ contaminant source remediation and risk mitigation by fiscal year 2005. Follow-up activities for fiscal years 2006 through 2008 include finalizing treatment and disposal of the silo wastes and structures. The site is currently seeking to complete all of these activities by 2006, and the Committee strongly supports these efforts. Current cost projections indicate that closing the Fernald site by 2006 would cost approximately \$2.5 billion while closing it by 2011 increases costs to approximately \$2.8 billion. The Committee recommendation for the Fernald site is \$280,589,000, the same as the budget request.

Miamisburg.—The Department plans to complete cleanup at the Miamisburg, Ohio, site by fiscal year 2005 or earlier. The Committee recommends the budget request of \$92,353,000.

Ashtabula.—The goal at the Ashtabula site in Ohio is to achieve complete cleanup by fiscal year 2003 with an associated cost reduction of \$48,600,000 from the original baselines. The Committee supports the budget request of \$15,405,000.

Columbus Environmental Management Project.—This project consists of two geographic sites in Columbus, Ohio. Activities at one of the sites were completed in 1998, and at the remaining site will be completed by fiscal year 2006. The budget request of \$8,841,000 has been provided.

Report Requirement.—As part of the fiscal year 2001 budget submittal, the Department is directed to provide adequate detail showing the major projects to be accomplished and the project cost, scope, schedule, and technical assumptions which support closures by 2006. The Committee will work with the Department to ensure that the budget justifications provide adequate detail to permit Congress to track closure progress on an annual basis.

DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION

Appropriation, 1999	\$228,357,000
Budget Estimate, 2000	228,000,000
Recommended, 2000	228,000,000
Comparison:	
Appropriation, 1999	– 357,000
Budget Estimate, 2000	

The Committee recommendation for the Defense Environmental Management Privatization program is \$228,000,000, the same as the budget request. The recommendation includes \$106,000,000 for the Tank Waste Remediation System at Richland; \$110,000,000 for the Advanced Mixed Waste Treatment Project at Idaho; \$20,000,000 for Environmental Management/Waste Management Disposal at Oak Ridge; \$12,000,000 for Transuranic Waste Treatment at Oak Ridge; and \$5,000,000 for Spent Nuclear Fuel Dry Storage at Idaho. The total amount is reduced by the use of \$25,000,000 in prior year balances.

The Department has always relied on the private sector to accomplish environmental cleanup at DOE sites, usually through

cost-reimbursement contracts. In an effort to reduce costs and improve the timeliness of cleanup of environmental problems, the Department is pursuing an approach, referred to as "privatization," which requires the use of fixed price contracts and private financing of the construction of waste treatment facilities. The Department believes the privatization program is the most cost-effective approach for selected projects.

The Department requested advance appropriations for the Hanford Tank Waste Remediation System for fiscal years 2001 through 2004 and for the Idaho Advanced Mixed Waste Treatment Project for fiscal year 2001. The remaining privatization projects will be incrementally funded on an annual basis. The Committee has not provided advance appropriations for fiscal years 2001 and beyond, but will continue to review funding on an annual basis for all the privatization projects.

OTHER DEFENSE ACTIVITIES

Appropriation, 1999	\$1,696,676,000
Budget Estimate, 2000	1,797,991,000
Recommended, 2000	1,651,809,000
Comparison:	
Appropriation, 1999	- 44,867,000
Budget Estimate, 2000	- 146,182,000

This account provides funding for Nonproliferation and National Security Programs which include Nonproliferation and Verification Research and Development, Arms Control, Emergency Management, Nuclear Safeguards and Security, Security Investigations, HEU Transparency Implementation, International Nuclear Safety, and Program Direction; Intelligence; Counterintelligence; Environment, Safety and Health (Defense); Worker and Community Transition; Fissile Materials Disposition; National Security Programs Administrative Support; the Office of Hearings and Appeals; and Naval Reactors. Descriptions of each of these programs are provided below.

NONPROLIFERATION AND NATIONAL SECURITY PROGRAMS

Competitive Research.—The Committee is concerned that 97 percent of the funding for research and development in the nonproliferation and national security budget goes to the DOE national laboratories. The Committee is even more concerned that the Department of Energy believes that this research and development is acquired through a competitive process because the DOE laboratories are asked to provide technical proposals to solve both current and future technical challenges to nonproliferation and national security issues. Asking the Department's own laboratories for proposals is not what the Committee believes to be a competitive process by any stretch of the imagination. The Department is directed to initiate a free and open competitive process for its research and development activities during fiscal year 2000. The Committee should be notified of any research and development which cannot be openly competed due to its classified nature.

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 \$210,000,000, the same funding level as fiscal year 1999, and a reduction of \$11,000,000 from the budget request. No funding is provided for Project 00-D-192, Nonproliferation and International Security Center at Los Alamos. Funding has been provided in the Weapons Activities account for a new terascale simulation facility at Los Alamos in fiscal year 2000. In view of the Department's significant problems with project management, the Committee does not believe it is prudent to initiate construction of two new buildings at Los Alamos in fiscal year 2000.

The nonproliferation and verification research and development program consists of hundreds of projects executed primarily at the nuclear weapons laboratories. The Department has still provided no information to the Committee that shows the value of these disparate projects, and how they relate to an overriding program plan or technology roadmap. The Department should provide a report to the Committee by October 31, 1999, which identifies how the individual projects contribute to the overall objectives. The Department should also implement an external, peer-review process to examine each of the projects, their progress, and their value to the overall needs of the program.

ARMS CONTROL AND NONPROLIFERATION

The arms control and nonproliferation program supports the nation's arms control and nonproliferation policies by securing nuclear materials and expertise in Russia and the Newly Independent States; limiting weapons-usable fissile materials; establishing transparent and irreversible nuclear reductions; and controlling nuclear exports. The Committee recommendation is \$256,900,000, the same level of funding as provided in fiscal year 1999, and a reduction of \$39,100,000 from the budget request.

Materials Protection, Control and Accounting Program.—The recommendation supports the budget request of \$145,000,000, an increase of \$5,000,000 over fiscal year 1999, for the materials protection, control and accounting program to secure and safeguard nuclear materials in Russia and the Newly Independent States.

Initiatives for Proliferation Program and Nuclear Cities Initiative.—The Committee recommendation provides \$22,500,000 for the Initiatives for Proliferation Program, the same as fiscal year 1999. A recent General Accounting Office report was highly critical of the fact that as much as 63 percent of these funds have been spent in the United States, mostly by the Department's national laboratories, rather than going to the scientific institutes of the Newly

Independent States. The Committee directs that no more than 20 percent of the funding may be spent in the United States.

The Committee has provided \$1,500,000 for the Nuclear Cities Initiative, significantly less than the budget request of \$30,000,000. The Committee has several concerns with this program. First, and foremost, it is not clear that the Department of Energy is the best agency to implement this program since the most important training needed in these cities is marketing and business expertise. The Department should work with other Federal agencies that are implementing similar programs in Russia to ensure that this type of training is provided immediately. The Department relies solely on its national laboratories to implement this program, and the Committee does not believe that Department of Energy laboratories are useful guides for marketing expertise and successful commercial ventures. Additionally, the Committee is aware that access to these cities is very difficult and requires a 45 day advance notification period. With funding of \$7,500,000 provided in fiscal year 1999 and an additional \$1,500,000 in fiscal year 2000, the Committee is providing limited funds for this new initiative and will wait to see some tangible results before significantly increasing funding.

Treaty Monitoring.—The Committee believes that there is an appropriate role for university research to contribute to this program. The Department is directed to ensure there are opportunities made available for participants other than the national laboratories and that at least 50 percent of the funding should be openly competed.

EMERGENCY MANAGEMENT

The emergency management program encompasses all Departmental emergency management and threat assessment related activities, with the exception of the nuclear response activities funded in the Weapons Activities account, and ensures an integrated response to emergencies affecting Departmental operations and activities or requiring Departmental assistance. The Committee recommendation for funding is \$21,000,000, the same as the budget request.

NUCLEAR SAFEGUARDS AND SECURITY

The nuclear safeguards and security program provides policy, programmatic direction, and training for the protection of the Department's nuclear weapons, nuclear materials, classified information, and facilities. The Committee recommendation for nuclear safeguards and security is \$55,200,000, a reduction of \$3,900,000 from the budget request of \$59,100,000, but the same as fiscal year 1999. The fiscal year 1999 funding level of \$55,200,000 included several one-time costs which are not included in the base funding for fiscal year 2000.

The Committee is well aware of the recent concerns about laboratory security. However, none of the reviews have identified lack of spending by the Department of Energy as the root cause of the security problems. Instead, the report by a Special Investigative Panel of the President's Foreign Intelligence Advisory Board found that

Organizational disarray, managerial neglect, and a culture of arrogance—both at DOE headquarters and the labs themselves—conspired to create an espionage scandal waiting to happen. The physical security efforts of the weapons labs (often called “guns, guards, and gates”) have had some isolated shortcomings, but on balance they have developed some of the most advanced security technology in the world. However, perpetually weak systems of personnel assurance, information security, and counterintelligence have invited attack by foreign intelligence services.

Until the Department has demonstrated by actions rather than words that it is addressing the fundamental concerns raised by the various panels that have addressed security issues at the Department, the Committee will not be providing additional resources to the same management for the same programs going to the same contractors.

SECURITY INVESTIGATIONS

The security investigations program funds background investigations for Department of Energy and contractor personnel who, in the performance of their official duties, require access to restricted data, national security information, or special nuclear material. The Committee recommendation is \$30,000,000, the same as the budget request. In fiscal year 2000 the program organizations which request background investigations for contractors and non-Federal employees will fund the investigations. This will provide a \$20,000,000 funding offset to the budget request of \$30,000,000. In the fiscal year 2001 budget, each program organization should clearly identify the funding for security investigations

HIGHLY ENRICHED URANIUM TRANSPARENCY IMPLEMENTATION

The highly enriched uranium (HEU) transparency implementation program is responsible for ensuring that the nonproliferation aspects of the February 1993 agreement between the United States and the Russian Federation are met. This agreement covers the purchase over 20 years of low enriched uranium (LEU) derived from at least 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 purpose of the program is to put into place those measures agreed to by both sides that permit the U.S. to have confidence that the Russian side is abiding by the agreement.

The Committee recommendation is \$15,750,000, the same as the budget request.

INTERNATIONAL NUCLEAR SAFETY

The international nuclear safety program is designed to reduce the threats posed by the operation of unsafe and aging Soviet-designed nuclear power plants in Russia and the Newly Independent States. The Committee recommendation for this program is \$15,300,000, a reduction of \$18,700,000 from the budget request. This reduction should be applied to the excessive prior year balances being carried in this program. The program currently has

uncosted balances that are double the total new funding provided in fiscal year 1999. From within available funds, activities directed at upgrading unsafe nuclear reactors are to be fully funded. Funding for all other activities proposed in the budget should be reduced accordingly.

Each year the Department seeks to expand this program beyond the original mission which was to upgrade unsafe reactors. A new focus in fiscal year 2000 is to create international environmental safety centers and to initiate work at Russian nuclear materials facilities. Previous efforts have created international nuclear safety centers and research laboratories. A key feature of these new programs is that a large portion of the money goes to the Department's national laboratories for administrative and programmatic expenses. Continued attempts to expand this program are of particular concern because there are continuing delays in executing the original program to upgrade unsafe nuclear reactors. There have been delays in many of the milestones for this program, and there are large uncosted balances which indicate that program execution is lagging. The Committee directs the Department to provide an annual report showing the status of each of the Soviet-designed reactors, the work to be accomplished, the total estimated cost for each reactor, the cost of completing the upgrades to each of the reactors, the schedule by fiscal year for accomplishing this work, and the cost of each task by fiscal year. The Department should work with the Committee on the level of detail which should be included in the annual report.

PROGRAM DIRECTION

The Committee recommendation of \$86,900,000 for program direction is a reduction of \$3,550,000 from the budget request of \$90,450,000, but the same as the fiscal year 1999 funding level.

OFFICE OF INTELLIGENCE

The intelligence program provides information and technical analyses on international arms proliferation, foreign nuclear programs, and other energy related matters to policy makers in the Department and other U.S. Government agencies. The focus of the Department's intelligence analysis and reporting is on emerging proliferant nations, nuclear technology transfers, foreign nuclear materials production, and proliferation implications of the breakup of the Former Soviet Union.

The Committee recommendation is \$36,059,000, the same as the budget request.

OFFICE OF COUNTERINTELLIGENCE

The Office of Counterintelligence is to develop and implement an effective counterintelligence program throughout the Department of Energy. The goal of the program is to identify, neutralize, and deter foreign government or industrial intelligence activities directed at or involving DOE programs, personnel, facilities, technologies, classified information, and unclassified sensitive information.

The Committee recommendation is \$39,200,000, a reduction of \$591,000 from the budget request, but a significant increase over the fiscal year 1999 funding level of \$15,641,000.

ENVIRONMENT, SAFETY AND HEALTH (DEFENSE)

The Environment, Safety and Health activities included in this account provide oversight processes to evaluate the effectiveness of the Department's environment, safety, health, and safeguards and security programs; fund epidemiologic studies to examine possible linkages between conditions at DOE sites and adverse health effects among workers and offsite populations; and oversee epidemiologic studies on the health of population groups in the Marshall Islands who have been exposed to ionizing radiation. The Committee recommendation is \$96,600,000, an increase of \$4,600,000 over the budget request of \$92,000,000. The recommendation reduces funding for environment, safety and health evaluations to the fiscal year 1999 level of \$8,900,000 and eliminates contractor support for the Defense Nuclear Facilities Safety Board liaison.

Health Effects Studies.—For fiscal year 2000, the Committee recommendation for health effects studies is \$46,956,000, an increase of \$6,000,000 over the budget request. No funding has been provided in the Environmental Management program to support these studies. The Committee is pleased with the progress to date in developing public health agendas for each DOE site. No funding has been provided in fiscal year 2000 for medical monitoring programs.

Occupational Illnesses.—The Committee is aware of the concerns about the health of contractor employees who may have been exposed to beryllium during the course of their work. There are other illnesses where the link between exposure to workplace hazards and occupational diseases is difficult to establish. The Committee directs the Department to enter into an agreement with the Institute of Medicine of the National Academy of Sciences to begin a review of available scientific evidence to determine the association between workplace exposures in DOE facilities and specific diseases.

Radiation Effects Research Foundation.—The budget request of \$13,500,000 has been provided for the Radiation Effects Research Foundation (RERF) to continue to analyze the medical effects of radiation on man or diseases that may be affected by radiation. The Committee directs the Department to review the continued usefulness of this program to the understanding of radiation effects since the most useful data for protecting current workers and public health and safety pertains to low dose radiation exposures.

Program Direction.—The Committee recommendation for program direction is \$24,769,000, the same as the budget request.

WORKER AND COMMUNITY TRANSITION

The Committee's recommendation for the worker and community transition program is \$20,000,000, a decrease of \$10,000,000 from the budget request of \$30,000,000. This reduction should be applied to the excessive prior year balances being carried in this program.

The worker and community transition program was established to mitigate the impacts on workers and communities of contractor workforce restructuring by providing enhanced severance payments

to employees at defense sites, and assisting community planning for defense conversion through Federal grants. Using these tools, the Department of Energy contractor workforce has been successfully downsized from almost 150,000 to approximately 100,000 contractor employees through the end of fiscal year 1998. However, the cost of this program has not been insignificant. From fiscal year 1993 through fiscal year 1998, enhanced severance payments and benefits have totaled \$786,000,000, and Federal grants to communities have totaled \$193,000,000, for a total cost of \$1,014,000,000.

Funding at DOE cleanup sites and the nuclear weapons complex has stabilized, and the need for enhanced severance payments to contractor employees and grants to local communities has declined. Worker and community transition is not an enduring mission of the government. The Committee does not intend to continue to fund this program, and the Department should prepare for significantly decreased or no funding in fiscal year 2001.

The Committee directs that none of the funds provided for this program be used for additional severance payments and benefits for Federal employees.

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 recommendation is \$190,000,000, a reduction of \$10,000,000 from the budget request of \$200,000,000.

Funding for Project 99-D-141, Pit Disassembly and Conversion Facility, has been reduced by \$10,000,000. No funding is provided for long-lead procurement.

NATIONAL SECURITY PROGRAMS ADMINISTRATIVE SUPPORT

The Committee recommendation includes \$25,000,000 to provide administrative support for national security programs. This will fund Departmental activities performed by offices such as the Secretary, Deputy Secretary, and Under Secretary, the General Counsel, Chief Financial Officer, Human Resources, Congressional Affairs, and Public Affairs.

OFFICE OF HEARINGS AND APPEALS

The Office of Hearings and Appeals (OHA) is responsible for all of the Department's adjudicatory processes, other than those administered by the Federal Energy Regulatory Commission. The Committee recommendation is \$3,000,000, the same as the budget request.

NAVAL REACTORS

The Naval Reactors program is responsible for all aspects of Naval nuclear propulsion—from technology development through reactor operations to ultimate reactor plant disposal. This program provides for the design, development, testing, and evaluation of improved naval nuclear propulsion plants and reactor cores. These ef-

forts are critical to the continued success of over 110 reactors in operating nuclear-powered submarines and surface ships, and to the New Attack Submarine class currently under development.

The Committee recommendation is \$677,600,000, an increase of \$12,600,000 over the budget request of \$665,000,000. Additional funding has been provided to continue test reactor inactivation efforts and preclude inefficiencies due to delaying environmental cleanup activities that are scheduled to be completed in fiscal year 2002.

FUNDING ADJUSTMENTS

The Committee recommendation includes the use of \$37,700,000 of prior year balances and an offset of \$20,000,000 from user organizations which will fund security investigations through other program accounts. The recommendation does not include the Department's proposal to fund \$12,559,000 of the Counterintelligence program by taxing other Departmental entities.

A funding adjustment of \$39,000,000 reflects a reduction of \$9,000,000 for management and operating contractors assigned to the Washington metropolitan area and \$30,000,000 for eliminating Laboratory Directed Research and Development. An adjustment of \$30,000,000 has been made for contractor travel savings.

DEFENSE NUCLEAR WASTE DISPOSAL

Appropriation, 1999	\$189,000,000
Budget Estimate, 2000	112,000,000
Recommended, 2000	112,000,000
Comparison:	
Appropriation, 1999	- 77,000,000
Budget Estimate, 2000 .....	.....

Since passage of the Nuclear Waste Policy Act of 1982, as amended, the Nuclear Waste Fund has incurred costs for activities related to disposal of high-level waste generated from the atomic energy defense activities of the Department of Energy. At the end of fiscal year 1998, the balance owed by the Federal government to the Nuclear Waste Fund was approximately \$1,191,000,000 (including principal and interest). The Defense Nuclear Waste Disposal appropriation was established to ensure payment of the Federal government's contribution to the nuclear waste repository program. Through fiscal year 1998, a total of \$987,830,000 has been appropriated to support the nuclear waste repository activities attributable to atomic energy defense activities.

The Committee's recommendation is \$112,000,000, the same as the budget request. However, the budget request included \$73,000,000 in new budget authority and the release of \$39,000,000 which the Committee had earmarked previously for interim waste storage. The recommendation does not include releasing these funds.

POWER MARKETING ACTIVITIES

Management of the Federal power marketing functions was transferred from the Department of Interior to the Department of Energy as directed in the Department of Energy Organization Act (Public Law 95-91). The functions include power marketing activi-

ties authorized under section 5 of the Flood Control Act of 1944 and all other functions of the Bonneville Power Administration, Southeastern Power Administration, Southwestern Power Administration, and the power marketing functions of the Bureau of Reclamation, now included in the Western Area Power Administration.

All power marketing administrations except Bonneville are funded annually with appropriated funds. Revenues collected from power sales and transmission services are deposited in the Treasury. Bonneville operations are self-financed under authority of Public Law 93-454, the Federal Columbia River Transmission System Act of 1974, which authorizes Bonneville to use its revenues to finance operating costs, maintenance and capital construction, and sell bonds to the Treasury if necessary to finance any remaining capital program requirements.

The recommendation includes the Administration's proposal to discontinue appropriations for the power marketing administration's purchase power and wheeling programs. Across the country, electricity restructuring is opening transmission access, enabling more competitive pricing and creating opportunities for customers to form new and innovative cooperatives. Customers of the Federal power marketing administrations will no longer have to rely on the Federal government to arrange power purchase and wheeling services.

BONNEVILLE POWER ADMINISTRATION

The Bonneville Power Administration is the Department of Energy's electric power marketing agency in the Pacific Northwest, a 300,000 square-mile service area that encompasses Oregon, Washington, Idaho, western Montana, and small portions of adjacent western States in the Columbia River drainage basin. Bonneville markets hydroelectric power from 29 Corps of Engineers and Bureau of Reclamation projects, as well as thermal energy from non-Federal generating facilities in the region. Bonneville also markets and exchanges surplus electric power inter-regionally over the Pacific Northwest-Pacific Southwest Intertie with California, and in Canada over interconnections with utilities in British Columbia.

Bonneville constructs, operates and maintains the nation's largest high-voltage transmission system, consisting of 14,800 circuit-miles of transmission line and 400 substations with an installed capacity of 21,500 MW. Public Law 93-454, the Federal Columbia River Transmission System Act of 1974, placed Bonneville on a self-financed basis. With the passage in 1980 of Public Law 96-501, the Pacific Northwest Electric Power Planning and Conservation Act, Bonneville's responsibilities were expanded to include meeting the net firm load growth of the region, investing in cost-effective, region-wide energy conservation, and acquiring generating resources to meet these requirements.

Borrowing Authority.—A total of \$3,750,000,000 has been made available to Bonneville as permanent borrowing authority. Each year the Committee reviews the budgeted amounts Bonneville plans to use of this total and reports a recommendation for these borrowing requirements. For fiscal year 2000, the Committee recommendation includes an additional increment of \$352,000,000 in new borrowing authority, the same as the budget request, for

transmission system construction, power services, conservation and energy efficiency, and capital equipment programs.

Budget Revisions and Notification.—The Committee expects Bonneville to adhere to the borrowing authority estimates recommended by the Congress and promptly inform the Committee of any exceptional circumstances which would necessitate the need for Bonneville to obligate borrowing authority in excess of such amounts.

Repayment.—During fiscal year 2000, Bonneville plans to pay the Treasury \$618,000,000, of which \$164,000,000 is to repay principal on the Federal investment in these facilities.

Limitation on Direct Loans.—The Committee recommends that no new direct loans be made in fiscal year 2000.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

Appropriation, 1999	\$7,500,000
Budget Estimate, 2000	
Recommended, 2000	
Comparison:	
Appropriation, 1999	-7,500,000
Budget Estimate, 2000	

The Southeastern Power Administration markets hydroelectric power produced at Corps of Engineers projects in 10 southeastern states. There are 23 projects now in operation with an installed capacity of 3,092 megawatts. Southeastern does not own or operate any transmission facilities and carries out its marketing program by utilizing the existing transmission systems of the power utilities in the area. This is accomplished through “wheeling” arrangements between Southeastern and each of the area utilities with transmission lines connected to the projects. The utility agrees to deliver specified amounts of Federal power to customers of the Government, and Southeastern agrees to compensate the utility for the wheeling service performed.

Consistent with the budget request, the Committee recommends no funding in fiscal year 2000. No appropriation is necessary for fiscal year 2000 funding requirements of \$4,727,000 due to the availability of \$5,500,000 in prior year balances. The recommendation includes the Department’s proposal to transfer \$773,000 in surplus funds to the Southwestern Power Administration.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

Appropriation, 1999	\$26,000,000
Budget Estimate, 2000	27,940,000
Recommended, 2000	27,940,000
Comparison:	
Appropriation, 1999	+1,940,000
Budget Estimate, 2000	

The Southwestern Power Administration is the marketing agent for the power generated at Corps of Engineers’ hydroelectric plants in the six-state area of Kansas, Oklahoma, Texas, Missouri, Arkansas, and Louisiana with a total installed capacity of 2,158 megawatts. It operates and maintains some 1,380 miles of transmission lines, 24 generating projects, and 24 substations, and sells

its power at wholesale primarily to publicly and cooperatively owned electric distribution utilities.

The Committee recommendation is \$27,940,000, including the transfer of \$773,000 from the Southeastern Power Administration. The appropriation and the transfer are the same amounts as recommended in the budget request.

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

Appropriation, 1999	\$203,000,000
Budget Estimate, 2000	171,471,000
Recommended, 2000	171,471,000
Comparison:	
Appropriation, 1999	- 31,529,000
Budget Estimate, 2000 .....	.....

The Western Area Power Administration is responsible for marketing electric power generated by the Bureau of Reclamation, the Corps of Engineers, and the International Boundary and Water Commission. Western operates hydropower generating plants in 15 central and western states encompassing a 1.3 million square-mile geographic area. Western is also responsible for the operation and maintenance of 16,727 miles of high-voltage transmission lines with 257 substations.

Western, through its power marketing program, must secure revenues sufficient to meet the annual costs of operation and maintenance of the generating and transmission facilities, and other expenses, in order to repay all of the power investment with interest, and to repay that portion of the Government's irrigation and other non-power investments which are beyond the water users' repayment capability. Under the Colorado River Basins Power Marketing Fund, which encompasses the Colorado River Basin, Fort Peck, and Colorado River Storage Facilities, all operation and maintenance and power marketing expenses are financed from revenues.

Due to severe budget constraints, the Committee recommendation is \$171,471,000, the same amount as the budget request, and a reduction of \$31,529,000 from the amount provided in the current fiscal year. The Committee has recommended \$5,036,000, the same amount as the budget request, for deposit in the Utah reclamation mitigation and conservation account.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

Appropriation, 1999	\$1,010,000
Budget Estimate, 2000	1,309,000
Recommended, 2000	1,309,000
Comparison:	
Appropriation, 1999	+299,000
Budget Estimate, 2000 .....	.....

Creation of the Falcon and Amistad Operation and Maintenance Fund was directed by the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995. This legislation also directed that the Fund be administered by the Administrator of the Western Area Power Administration for use by the Commissioner of the United States Section of the International Boundary and Water Commission to defray operation, maintenance, and emergency costs for the

hydroelectric facilities at the Falcon and Amistad Dams in Texas. Prior to fiscal year 1996, funds for Falcon and Amistad were included in the appropriations of the Department of State.

The Committee recommendation is \$1,309,000, the same as the amount requested, and \$299,000 more than the amount provided in the current fiscal year.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

Appropriation, 1999	\$167,500,000
Budget Estimate, 2000	179,900,000
Recommended, 2000	174,950,000
Comparison:	
Appropriation, 1999	+7,450,000
Budget Estimate, 2000	-4,950,000

SALARIES AND EXPENSES—REVENUES APPLIED

Appropriation, 1999	\$ - 167,500,000
Budget Estimate, 2000	- 179,900,000
Recommended, 2000	- 174,950,000
Comparison:	
Appropriation, 1999	- 7,450,000
Budget Estimate, 2000	+4,950,000

The Committee recommendation is \$174,950,000, an increase of \$7,450,000 over the amount provided in the current fiscal year. Revenues are established at a rate equal to the amount provided for program activities, resulting in a net appropriation of zero.

The Committee is very concerned about the reliability of the grid in a restructured regulatory environment. The Committee will work with the Commission during the budget process to ensure that sufficient resources are available to ensure reliability.

The Committee understands that the Commission is beginning to consider how it will implement the stranded cost provisions of Order 888 in the context of "retail turned wholesale" customers. The Committee urges the Commission to stand by its commitment to full cost recovery and believes that the agency should carefully examine, in this context, the use of a methodology that contains a recovery period sufficient to ensure the recovery of all generating assets included in state approved rates used to serve the departing customers.

The Committee is concerned that the Federal Energy Regulatory Commission's (FERC) Draft Environmental Impact Statement for the proposed market link expansion project in Northern New Jersey (known as the TRANSCO pipeline) insufficiently addresses environmental impact and public safety, most specifically the dangers from a potential explosion. The Committee notes that the proposed pipeline's route through the Great Swamp National Wildlife Refuge poses a tremendous potential risk to Federal land designated by Congress as a wildlife preserve in 1966 and urges the Commission to provide better safeguards for this Federal land in the Final Environmental Impact Statement. The Committee also notes that the area in New Jersey where this pipeline is planned is one of the most densely populated regions in the country and an explosion involving this pipeline would have devastating consequences. Safety concerns need to be a high priority in any pipeline proposal. Fi-

nally, the Committee is concerned by the Commission's lack of analysis and future plan for capacity needs in this area. Therefore, the Committee directs the Commission to provide an analysis of how much expansion is anticipated for this area. The analysis should provide, but not be limited to, a 20-year outlook of the number of pipelines that will be needed to handle future capacity in this region.

COMMITTEE RECOMMENDATION

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

DEPARTMENT OF ENERGY (IN THOUSANDS OF DOLLARS)

	FY 1999 ENACTED	BUDGET ESTIMATE	HOUSE ALLOWANCE
ENERGY SUPPLY			
SOLAR AND RENEWABLE RESOURCES TECHNOLOGIES			
Solar energy			
Solar building technology research.....	2,900	5,500	1,500
Photovoltaic energy systems.....	66,800	93,309	67,000
Photovoltaic energy research.....	2,883	2,847	2,847
Subtotal, Photovoltaic.....	69,683	96,156	69,847
Concentrating solar power.....	17,000	18,850	13,000
Biomass/biofuels energy systems			
Power systems.....	31,000	38,950	29,000
Transportation.....	41,750	53,441	41,750
Subtotal, Biomass/biofuels energy systems.....	72,750	92,391	70,750
Biomass/biofuels energy research.....	27,199	26,740	26,740
Subtotal, Biomass.....	99,949	119,131	97,490
Wind energy systems.....	33,200	45,600	25,000
Wind energy research.....	283	283	283
Subtotal, Wind.....	33,483	45,883	25,283
Renewable energy production incentive program.....	4,000	1,500	---
Solar program support.....	---	10,000	2,000
International solar energy program.....	3,750	6,000	3,000
National renewable energy laboratory.....	2,000	1,100	1,100
Solar photoconversion energy research.....	14,532	14,260	14,260
Total, Solar Energy.....	247,297	318,380	227,480
Geothermal			
Geothermal technology development.....	28,500	29,500	18,000
Hydrogen research.....	21,000	28,000	21,000
Hydrogen energy research.....	3,008	2,970	2,970
Total, Hydrogen.....	24,008	30,970	23,970
Hydropower.....	2,000	7,000	2,000
Renewable Indian energy resources.....	3,500	---	---
Electric energy systems and storage			
Transmission reliability.....	2,500	4,000	2,500
High temperature superconducting R&D.....	32,500	31,000	31,000
Energy storage systems.....	4,500	6,000	4,500
Total, Electric energy systems and storage.....	39,500	41,000	38,000
Federal building/Remote power initiative.....	4,000	---	---
Program direction.....	17,100	19,171	17,000
TOTAL, SOLAR AND RENEWABLE RESOURCES TECHNOLOGIES.....	365,905	446,021	326,450
NUCLEAR ENERGY			
Nuclear energy R&D			
Advanced radioisotope power system.....	37,000	37,000	32,000
Test reactor area landlord.....	4,000	6,070	6,070
Construction			
95-E-200 Test reactor area electrical utility upgrade, Idaho National Engineering Laboratory, ID.....	341	1,430	1,430
95-E-201 Test reactor area fire and life safety improvements, Idaho National Engineering Laboratory, ID.....	2,425	1,500	1,500
Subtotal, Construction.....	2,766	2,930	2,930
Subtotal, Test reactor area landlord.....	6,766	9,000	9,000
University reactor fuel assistance and support.....	11,000	11,345	12,000
Nuclear energy plant optimization.....	---	5,000	5,000
Nuclear energy research initiative.....	19,000	25,000	20,000
Total, Nuclear energy R&D.....	73,766	87,345	78,000
Fast flux test facility (FFTF).....	30,000	30,000	30,000
Termination costs.....	85,000	65,000	75,000
Uranium programs.....	49,000	41,000	40,000

DEPARTMENT OF ENERGY (IN THOUSANDS OF DOLLARS)

	FY 1999 ENACTED	BUDGET ESTIMATE	HOUSE ALLOWANCE
Isotope support.....	15,500	13,000	10,000
Construction			
99-E-201 Isotope production facility (LANL).....	6,000	8,000	8,000
Total, Isotope support.....	21,500	21,000	18,000
Program direction.....	24,700	24,960	24,700
TOTAL, NUCLEAR ENERGY.....	283,966	269,305	265,700
ENVIRONMENT, SAFETY AND HEALTH			
Environment, safety and health.....	32,000	31,752	17,752
Program direction.....	18,398	18,998	18,998
TOTAL, ENVIRONMENT, SAFETY AND HEALTH.....	50,398	50,750	36,750
ENERGY SUPPORT ACTIVITIES			
Technical information management program.....	1,600	1,600	1,600
Program direction.....	7,000	7,500	7,000
Total, Technical information management program...	8,600	9,100	8,600
Transfer to OSHA.....	1,000	---	1,000
Field operations.....	104,127	102,000	---
Oak Ridge Landlord.....	11,000	11,812	---
TOTAL, ENERGY SUPPORT ACTIVITIES.....	124,727	122,912	9,600
Subtotal, Energy supply.....	824,996	888,988	638,500
Renewable energy research program.....	-47,905	-47,100	-47,100
Use of prior year balances.....	-50,000	---	---
General reduction.....	---	---	-5,000
Transfer from Geothermal and USEC.....	---	-5,821	-5,821
Contractor travel savings.....	---	-1,276	-3,000
TOTAL, ENERGY SUPPLY.....	727,091	834,791	577,579
NON-DEFENSE ENVIRONMENTAL MANAGEMENT			
Site closure.....	254,344	211,146	211,146
Site/project completion.....	102,948	98,366	94,655
Construction			
93-E-900 Long-term storage of TMI-2 fuel, INEL.....	---	2,500	2,500
Subtotal, Site/project completion.....	102,948	100,866	97,155
Post 2006 completion.....	83,908	18,922	18,922
Use of prior year balances.....	-10,000	---	---
TOTAL, NON-DEFENSE ENVIRONMENTAL MANAGEMENT.....	431,200	330,934	327,223
URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND			
Decontamination and decommissioning.....	190,200	210,198	210,198
Uranium/thorium reimbursement.....	30,000	30,000	30,000
TOTAL, URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING.....	220,200	240,198	240,198
SCIENCE			
High energy physics			
Research and technology.....	215,865	227,190	229,190
Facility operations.....	459,635	441,200	457,635
Construction			
00-G-307 SLAC office building.....	---	2,000	2,000
99-G-306 Wilson hall safety improvements, Fermilab.....	6,700	4,700	4,700
98-G-304 Neutrinos at the main injector, Fermilab.....	14,300	22,000	22,000
Subtotal, Construction.....	21,000	28,700	28,700
Subtotal, Facility operations.....	480,635	469,900	486,335
Total, High energy physics.....	696,500	697,090	715,525

DEPARTMENT OF ENERGY (IN THOUSANDS OF DOLLARS)

	FY 1999 ENACTED	BUDGET ESTIMATE	HOUSE ALLOWANCE
Nuclear physics.....	318,480	352,825	357,940
Construction			
91-G-300 Relativistic heavy ion collider (BNL).....	16,620	---	---
Total, Nuclear physics.....	335,100	352,825	357,940
Biological and environmental research.....	443,600	411,170	406,170
Basic energy sciences			
Materials sciences.....	417,216	407,636	407,636
Chemical sciences.....	209,582	215,577	209,582
Engineering and geosciences.....	44,413	37,545	37,545
Energy biosciences.....	32,489	31,226	31,226
Construction			
99-E-334 Spallation neutron source (ORNL).....	101,400	196,100	50,000
96-E-300 Combustion research facility, Phase II, SNL/L.....	4,000	---	---
Subtotal, Construction.....	105,400	196,100	50,000
Total, Basic energy sciences.....	809,100	888,084	735,989
Other energy research			
Computational and technology research.....	143,000	196,875	143,000
Energy research analyses.....	1,000	1,000	1,000
Multiprogram energy labs - facility support			
Infrastructure support.....	1,160	1,160	2,160
Construction			
MCL-001 Multiprogram energy laboratory infrastructure projects, various locations.....	14,924	18,351	18,351
Multiprogram general purpose facilities			
Construction			
94-E-363 Roofing improvements (ORNL).....	4,908	749	749
Environment, safety and health			
Construction			
96-E-323 Multiprogram energy laboratories upgrades, various locations.....	268	---	---
Subtotal, Multiprogram energy labs - fac. suppor	21,260	20,260	21,260
Total, Other energy research.....	165,260	218,135	165,260
Fusion energy sciences program.....	223,300	222,614	250,000
Oak Ridge landlord.....	---	---	11,800
Program direction			
Headquarters.....	49,800	52,360	52,360
Field offices.....	---	---	74,603
Total, Program direction.....	49,800	52,360	126,963
Subtotal, Science.....	2,722,660	2,842,278	2,769,647
Use of prior year SSC balances.....	-7,600	---	---
Use of other prior year balances.....	-13,000	---	---
Contractor travel savings.....	---	-3,100	-8,000
General reduction.....	-5,700	---	-43,000
General reduction for policy papers for CCTI.....	-13,500	---	---
TOTAL, SCIENCE.....	2,682,860	2,839,178	2,718,647
DEPARTMENTAL ADMINISTRATION			
Administrative operations			
Salaries and expenses			
Office of the Secretary.....	4,175	4,940	4,940
Board of contract appeals.....	715	838	838
Chief financial officer.....	22,350	23,792	23,792
Contract reform.....	3,200	3,200	3,000
Congressional and intergovernmental affairs.....	4,900	4,910	4,910
Economic impact and diversity.....	4,700	5,046	4,700
Field management.....	7,500	8,080	1,000
General counsel.....	19,250	21,434	21,000
Management and administration.....	97,000	101,273	97,000
Policy office.....	14,000	17,430	12,000
Public affairs.....	3,500	3,963	3,700
Subtotal, Salaries and expenses.....	181,290	194,906	176,880
Program support			
Minority economic impact.....	1,700	1,700	1,700
Policy analysis and system studies.....	350	1,000	350
Environmental policy studies.....	2,000	2,432	500

DEPARTMENT OF ENERGY (IN THOUSANDS OF DOLLARS)

	FY 1999 ENACTED	BUDGET ESTIMATE	HOUSE ALLOWANCE
Scientific and technical training.....	450	450	450
Corporate management information program.....	8,000	13,000	12,000
Subtotal, Program support.....	12,500	18,582	15,000
Total, Administrative operations.....	193,790	213,488	191,880
Cost of work for others.....	44,312	34,027	34,027
Subtotal, Departmental Administration.....	238,102	247,515	225,907
Use of prior year balances and other adjustments.....	---	-7,138	-7,138
Transfer from other defense activities.....	-37,627	---	-25,000
Total, Departmental administration (gross).....	200,475	240,377	193,769
Miscellaneous revenues.....	-136,530	-116,887	-106,887
TOTAL, DEPARTMENTAL ADMINISTRATION (net).....	63,945	123,490	86,882
OFFICE OF INSPECTOR GENERAL			
Office of Inspector General.....	29,000	30,000	30,000
TOTAL, OFFICE OF INSPECTOR GENERAL.....	29,000	30,000	30,000
ATOMIC ENERGY DEFENSE ACTIVITIES			
WEAPONS ACTIVITIES			
Stockpile stewardship			
Core stockpile stewardship.....	1,482,632	1,636,355	1,482,632
Construction			
00-D-103, Terascale simulation facility, LLNL, Livermore, CA.....	---	8,000	8,000
00-D-105 Strategic computing complex, LANL Los Alamos, NM.....	---	26,000	26,000
00-D-107 Joint computational engineering Laboratory, SNL, Albuquerque, NM.....	---	1,800	1,800
99-D-102 Rehabilitation of maintenance facility, LLNL, Livermore, CA.....	4,000	3,900	3,900
99-D-103 Isotope sciences facilities, LLNL, Livermore, CA.....	2,000	2,000	2,000
99-D-104 Protection of real property (roof reconstruction-Phase II), LLNL, Livermore, CA....	2,500	2,400	2,400
99-D-105 Central health physics calibration facility, LANL, Los Alamos, NM.....	2,900	1,000	1,000
99-D-106 Model validation & system certification center, SNL, Albuquerque, NM.....	1,600	6,500	6,500
99-D-108 Renovate existing roadways, Nevada Test Site, NV.....	2,000	7,005	---
97-D-102 Dual-axis radiographic hydrotest facility (LANL), Los Alamos, NM.....	36,000	61,000	61,000
96-D-102 Stockpile stewardship facilities revitalization (Phase VI), various locations....	20,423	2,640	2,640
96-D-103 ATLAS, Los Alamos National Laboratory..	6,400	---	---
96-D-104 Processing and environmental technology Laboratory (SNL).....	18,920	10,900	10,900
96-D-105 Contained firing facility addition (LLNL).....	6,700	---	---
Subtotal, Construction.....	103,443	133,145	126,140
Subtotal, Core stockpile stewardship.....	1,586,075	1,768,500	1,608,772
Inertial fusion.....	223,800	217,600	227,600
Construction			
96-D-111 National ignition facility, LLNL.....	284,200	248,100	248,100
Subtotal, Inertial fusion.....	508,000	465,700	475,700
Technology transfer/education			
Technology transfer.....	45,000	22,200	5,000
Education.....	9,000	29,800	9,000
Subtotal, Technology transfer/education.....	54,000	52,000	14,000
Total, Stockpile stewardship.....	2,148,075	2,286,200	2,098,472

DEPARTMENT OF ENERGY (IN THOUSANDS OF DOLLARS)

	FY 1999 ENACTED	BUDGET ESTIMATE	HOUSE ALLOWANCE
Stockpile management.....	1,986,803	1,839,621	1,744,621
Construction			
99-D-122 Rapid reactivation, various locations....	11,200	11,700	11,700
99-D-123 Replace mechanical utility systems, Y-12, Oak Ridge, TN.....	1,900	---	---
99-D-125 Replace boilers and controls, Kansas City plant, Kansas City, MO.....	1,000	---	---
99-D-127 Stockpile management restructuring initiative, Kansas City plant, Kansas City, MO....	13,700	17,000	17,000
99-D-128 Stockpile management restructuring initiative, Pantex consolidation, Amarillo, TX....	1,108	3,429	3,429
99-D-132 SMRI nuclear material safeguards and security upgrade project (LANL), Los Alamos, NM....	9,700	11,300	11,300
98-D-123 Stockpile mgmt. restructuring initiative Tritium factory modernization and consolidation, Savannah River, SC.....	27,500	21,800	21,800
98-D-124 Stockpile mgmt. restructuring initiative Y-12 consolidation, Oak Ridge, TN.....	10,700	3,150	3,150
98-D-125 Tritium extraction facility, SR..... various locations.....	---	33,000 31,000	33,000 41,000
97-D-122 Nuclear materials storage facility renovation (LANL), Los Alamos, NM.....	2,500	---	---
97-D-123 Structural upgrades, Kansas City plant, Kansas City, KS.....	6,400	4,800	4,800
96-D-122 Sewage treatment quality upgrade (STOU), Pantex plant.....	3,700	---	---
95-D-102 Chemistry and metallurgy research (CMR) upgrades project (LANL).....	5,000	18,000	18,000
93-D-122 Life safety upgrades, Y-12 plant.....	3,250	---	---
88-D-123 Security enhancements, Pantex plant, Amarillo, TX.....	---	3,500	3,500
Subtotal, Construction.....	97,658	158,679	168,679
Total, Stockpile management.....	2,084,461	1,998,300	1,913,300
Transportation safeguards division			
Operations and equipment.....	---	---	60,000
Program direction.....	---	---	31,812
Total, Transportation safeguards division.....	---	---	91,812
Program direction.....	250,000	246,500	199,500
Subtotal, Weapons activities.....	4,482,536	4,531,000	4,303,084
Use of prior year balances.....	-82,536	---	-123,084
Contractor travel savings.....	---	-6,100	-75,000
Directed savings.....	---	---	-105,000
TOTAL, WEAPONS ACTIVITIES.....	4,400,000	4,524,900	4,000,000
DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MGMT.			
Site/project completion			
Operation and maintenance.....	858,090	892,629	892,629
Construction			
99-D-402 Tank farm support services, F&H area, Savannah River site, Aiken, SC.....	2,745	3,100	3,100
99-D-404 Health physics instrumentation laboratory (INEL), ID.....	950	7,200	---
98-D-401 H-tank farm storm water systems upgrade, Savannah River, SC.....	3,120	2,977	2,977
98-D-453 Plutonium stabilization and handling system for PFP, Richland, WA.....	26,814	16,860	16,860
98-D-700 Road rehabilitation (INEL), ID.....	7,710	2,590	2,590
97-D-450 Savannah River nuclear material storage, Savannah River Site, Aiken, SC.....	79,184	4,000	4,000
97-D-470 Regulatory monitoring and bioassay laboratory, Savannah River site, Aiken, SC.....	7,000	12,220	12,220
96-D-406 Spent nuclear fuels canister storage and stabilization facility, Richland, WA.....	38,680	24,441	20,941

DEPARTMENT OF ENERGY (IN THOUSANDS OF DOLLARS)

	FY 1999 ENACTED	BUDGET ESTIMATE	HOUSE ALLOWANCE
96-D-464 Electrical & utility systems upgrade, Idaho chemical processing plant (INEL), ID.....	11,544	11,971	11,971
96-D-471 CFC HVAC/chiller retrofit, Savannah River site, Aiken, SC.....	8,000	931	931
95-D-456 Security facilities consolidation, Idaho chemical processing plant (INEL), ID.....	485	---	---
92-D-140 F&H canyon exhaust upgrades Savannah River, SC.....	3,667	---	---
86-D-103 Decontamination and waste treatment facility (LLNL), Livermore, CA.....	4,752	2,000	2,000
Subtotal, Construction.....	194,651	88,280	77,590
Total, Site/project completion.....	1,052,741	980,919	970,219
Post 2006 completion			
Operation and maintenance.....	2,261,107	2,478,997	2,373,997
Uranium enrichment D&D fund contribution.....	398,088	420,000	420,000
Construction			
00-D-401 Spent Nuclear Fuel treatment and storage facility Title I & II, Savannah River, SC.....	---	7,000	7,000
99-D-403 Privatization Phase I infrastructure support, Richland, WA.....	14,800	13,988	13,988
97-D-402 Tank farm restoration and safe operations, Richland, WA.....	22,723	20,516	20,516
96-D-408 Waste management upgrades, Richland, WA..	171	---	---
94-D-407 Initial tank retrieval systems, Richland, WA.....	32,860	4,060	4,060
93-D-187 High-level waste removal from filled waste tanks, Savannah River, SC.....	15,214	8,987	8,987
Subtotal, Construction.....	85,768	54,551	54,551
Total, Post 2006 completion.....	2,744,963	2,953,548	2,848,548
Science and technology.....	247,000	230,500	230,500
Program direction.....	337,073	349,409	331,665
Subtotal, Defense environmental management.....	4,381,777	4,514,376	4,380,932
Use of prior year balances/general reduction.....	-71,550	---	-180,754
Contractor travel savings.....	---	-2,400	-9,000
Offsetting collections.....	---	-8,700	---
Directed savings.....	---	---	-33,410
TOTAL, DEFENSE ENVIRON. RESTORATION AND WASTE MGMT	4,310,227	4,503,276	4,157,758
DEFENSE FACILITIES CLOSURE PROJECTS			
Closure projects.....	1,038,240	1,054,492	1,054,492
DEFENSE ENVIRONMENTAL MANAGEMENT PRIVATIZATION			
Privatization initiatives, various locations.....	228,357	253,000	253,000
Use of prior year balances.....	---	-25,000	-25,000
TOTAL, DEFENSE ENVIRONMENTAL MGMT. PRIVATIZATION..	228,357	228,000	228,000
TOTAL, DEFENSE ENVIRONMENTAL MANAGEMENT.....	5,576,824	5,785,768	5,440,250
OTHER DEFENSE ACTIVITIES			
Other national security programs			
Nonproliferation and national security			
Verification and control technology			
Nonproliferation and verification, R&D.....	210,000	215,000	210,000
Construction			
00-D-192 Nonproliferation and international security center (NISC), LANL.....	---	6,000	---
Subtotal, Nonproliferation & verification...	210,000	221,000	210,000
Arms control.....	256,900	296,000	256,900
Intelligence.....	41,600	---	---
Subtotal, Verification and control technology.	508,500	517,000	466,900
Emergency management.....	21,000	21,000	21,000
Nuclear safeguards and security.....	55,200	59,100	55,200
Security investigations.....	30,000	30,000	30,000
HEU transparency implementation.....	---	15,750	15,750

DEPARTMENT OF ENERGY (IN THOUSANDS OF DOLLARS)

	FY 1999 ENACTED	BUDGET ESTIMATE	HOUSE ALLOWANCE
International nuclear safety.....	---	34,000	15,300
Program direction - NN.....	86,900	90,450	86,900
Subtotal, Nonproliferation and national security	701,600	767,300	691,050
Intelligence.....	---	36,059	36,059
Counterintelligence.....	---	39,791	39,200
Environment, safety and health (Defense).....	66,731	67,231	71,831
Program direction - EH.....	24,769	24,769	24,769
Subtotal, Environment, safety & health (Defense)	91,500	92,000	96,600
Worker and community transition.....	26,000	26,500	16,500
Program direction - WT.....	3,900	3,500	3,500
Subtotal, Worker and community transition.....	29,900	30,000	20,000
Fissile materials disposition.....	116,372	129,766	129,766
Program direction - MD.....	4,588	7,343	7,343
Construction			
00-D-142 Immobilization and associated processing facility, various locations.....	---	21,765	21,765
99-D-141 Pit disassembly and conversion facility, various locations.....	20,000	28,751	18,751
99-D-143 Mixed oxide fuel fabrication facility, various locations.....	28,000	12,375	12,375
Subtotal, Construction.....	48,000	62,891	52,891
Subtotal, Fissile materials disposition.....	168,960	200,000	190,000
Nuclear energy (Defense)			
International nuclear safety: Soviet designed reactors.....	30,000	---	---
National Security programs administrative support...	37,627	---	25,000
Office of hearings and appeals.....	2,400	3,000	3,000
Subtotal, Other national security programs.....	1,061,987	1,168,150	1,100,909
Contractor travel savings.....	---	-2,600	-30,000
Total, Other national security programs.....	1,061,987	1,165,550	1,070,909
Naval reactors			
Naval reactors development.....	628,289	620,400	633,000
Construction			
GPN-101 General plant projects, various locations.....	9,000	9,000	9,000
98-D-200 Site laboratory/facility upgrade, various locations.....	7,000	3,000	3,000
90-N-102 Expanded core facility dry cell project, Naval Reactors Facility, ID.....	5,800	12,000	12,000
Subtotal, Construction.....	21,800	24,000	24,000
Subtotal, Naval reactors development.....	650,089	644,400	657,000
Program direction.....	20,100	20,600	20,600
Total, Naval reactors.....	670,189	665,000	677,600
Subtotal, Other defense activities.....	1,732,176	1,830,550	1,748,509
Use of prior year balances.....	-15,500	---	-37,700
Offset to user organizations.....	-20,000	-20,000	-20,000
Contribution from Labs.....	---	-12,559	---
Directed savings.....	---	---	-39,000
TOTAL, OTHER DEFENSE ACTIVITIES.....	1,696,676	1,797,991	1,651,809

DEPARTMENT OF ENERGY (IN THOUSANDS OF DOLLARS)

	FY 1999 ENACTED	BUDGET ESTIMATE	HOUSE ALLOWANCE
DEFENSE NUCLEAR WASTE DISPOSAL			
Defense nuclear waste disposal.....	189,000	112,000	112,000
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES.....	11,862,500	12,220,659	11,204,059
POWER MARKETING ADMINISTRATIONS			
SOUTHEASTERN POWER ADMINISTRATION			
Operation and maintenance			
Operation and maintenance/program direction.....	4,370	---	---
Purchase power and wheeling.....	6,130	---	---
Subtotal, Operation and maintenance.....	10,500	---	---
Use of prior year balances.....	-3,000	---	---
TOTAL, SOUTHEASTERN POWER ADMINISTRATION.....	7,500		
SOUTHWESTERN POWER ADMINISTRATION			
Operation and maintenance			
Operating expenses.....	2,722	3,625	3,625
Purchase power and wheeling.....	59	---	---
Program direction.....	16,402	17,631	17,631
Construction.....	6,817	6,684	6,684
Subtotal, Operation and maintenance.....	26,000	27,940	27,940
Transfer from Southeastern Power.....	---	-773	-773
TOTAL, SOUTHWESTERN POWER ADMINISTRATION.....	26,000	27,167	27,167
WESTERN AREA POWER ADMINISTRATION			
Operation and maintenance			
Construction and rehabilitation.....	20,802	26,802	26,802
System operation and maintenance.....	36,469	35,096	35,096
Purchase power and wheeling.....	53,886	---	---
Program direction.....	107,383	104,537	104,537
Utah mitigation and conservation.....	5,036	5,036	5,036
Subtotal, Operation and maintenance.....	223,576	171,471	171,471
Use of prior year balances.....	-20,576	---	---
TOTAL, WESTERN AREA POWER ADMINISTRATION.....	203,000	171,471	171,471
FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND			
Operation and maintenance.....	1,010	1,309	1,309
TOTAL, POWER MARKETING ADMINISTRATIONS.....	237,510	199,947	199,947
FEDERAL ENERGY REGULATORY COMMISSION			
Federal energy regulatory commission.....	167,500	179,900	174,950
FERC revenues.....	-167,500	-179,900	-174,950
TOTAL, FEDERAL ENERGY REGULATORY COMMISSION.....	---	---	---
NUCLEAR WASTE DISPOSAL			
Repository program.....	106,514	198,189	109,189
Program direction.....	58,486	59,811	59,811
Subtotal from Nuclear Waste Disposal Fund.....	165,000	258,000	169,000
Transfer from defense nuclear waste disposal.....	---	(39,000)	---
Civilian research and development.....	4,000	---	---
TOTAL, NUCLEAR WASTE DISPOSAL.....	169,000	258,000	169,000
GRAND TOTAL, DEPARTMENT OF ENERGY.....	16,423,306	17,077,197	15,563,535

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 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. At least 60 days before such action, 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 the reasons for the waiver. Section 301 does not preclude extensions of a contract awarded using competitive procedures.

The Committee's concerns regarding the Department's contracting procedures result from the Department's history of having management and operating contracts which have never been bid competitively, in some cases for over four decades. Ensuring competition for these situations in particular, and establishing competition as the norm for the Department's contracting, is imperative. However, the Committee is well aware that there may be circumstances where the existing contract has been competed in the past few years; the existing contractor has been doing a good job; the mission at a specific site has been scheduled to end in a limited amount of time; or the time required for a full competitive procurement would result in significant delays to an ongoing project. In particular, the Committee is concerned that the delays, additional costs, and loss of momentum involved in competing contracts for sites designated for accelerated closure could hamper the Committee's overriding interest in completing cleanup of these sites as quickly as possible. In those instances where it is clearly in the taxpayers' interest, the Committee would not object to a contract extension.

Use of Standard Contracting Clauses.—Section 302 provides that none of the funds in this Act may be used to award, amend, or modify a contract in a manner that deviates from the Federal Acquisition Regulation, unless the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. At least 60 days before such action, 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 the reasons for the waiver.

The Committee directs the Department, as contracts are awarded or renegotiated, to standardize its contracts in accordance with the Federal Acquisition Regulation.

Limitation on Benefits for Federal Employees.—Section 303 provides that none of the funds in this Act may be used to prepare or implement workforce restructuring plans or provide enhanced severance payments and other benefits and community assistance grants for Federal employees of the Department of Energy under section 3161 of the National Defense Authorization Act of Fiscal Year 1993, Public Law 102-484. The Committee has provided no funds to implement workforce restructuring plans which would provide benefits to Federal employees of the Department of Energy

which are not available to other Federal employees of the United States Government.

Limitation on Funding for Section 3161 Benefits.—Section 304 provides that none of the funds in this Act may be used to augment the \$20,000,000 made available for obligation in this Act for severance payments and other benefits and community assistance grants authorized under the provisions of section 3161 of the National Defense Authorization Act of Fiscal Year 1993, Public Law 102-484.

Limitation on Initiation of Requests for Proposals.—Section 305 provides that none of the funds in this Act may be used to initiate requests for proposals or expressions of interest for new programs which have not yet been presented to Congress in the annual budget submission, and which have not yet approved and funded by Congress.

Transfer and Merger of Unexpended Balances.—Section 306 permits the transfer and merger of unexpended balances of prior appropriations with appropriation accounts established in this bill.

Termination and Cancellation Costs.—Section 307 provides that funds may be used to enter into or continue multi-year contracts without obligating the estimated costs associated with cancellation or termination of the contract.

Laboratory Directed Research and Development.—Section 308 provides that none of the funds in this Act may be used for Laboratory Directed Research and Development (LDRD). Currently, the Department of Energy laboratory directors are allowed to take up to six percent from all operating funding sent the laboratory to use for research and development of a creative and innovative nature selected by the director of a laboratory. They have the flexibility to use this funding with little Congressional oversight. While the Committee does not dispute the value of some level of funding for these activities, there are many instances where this funding has been used to augment program funding, circumvent program funding denials, initiate new programs which are not part of the Department's mission, and seek business and marketing advantages. The Committee is particularly concerned that work performed at the Departmental laboratories to clean up contaminated sites incurs an additional charge of six percent. In light of the Committee's constrained funding levels, the Committee has eliminated all funding for LDRD in fiscal year 2000.

Contractor Travel.—Section 309 provides that not more than \$125,000,000 of the funds provided in this Act for the Department of Energy are available for reimbursement of contractor travel expenses.

Submission of Laboratory Funding Plans.—Section 310 provides that none of the funds in this Act or any future appropriations Act may be expended under a contract for the management and operation of any of the Department's weapons laboratories except in accordance with a Laboratory Funding Plan that has been approved by the Secretary of Energy. The Committee has included this provision to ensure that the Secretary has a greater role in overseeing the activities funded by Federal dollars at the weapons laboratories. The Committee expects that Laboratory Funding Plans will be submitted by the Laboratory Directors at such level of detail as

the Secretary may require to enable him to exercise his role as the Federal official with ultimate responsibility for the activities of these facilities.

The Committee believes that imposing this requirement for Secretarial approval prior to expenditure of appropriated funds at the laboratories will increase transparency of laboratory fiscal management and improve communications with the Department regarding planned activities. The Department would benefit from receiving a greater level of detail in the budget proposal process than has been the case in the past.

Each broad budget category of the Department's programs: e.g. Stockpile Stewardship and Stockpile Management in the Weapons Program, should be supported by a breakdown structure that includes each program element. Each program element, in turn, would be broken down into more detailed work packages. Departmental personnel are expected to work closely with the weapons laboratories at this level. In addition to the benefit that would result from both parties achieving a better understanding of expectations and planned activities early in the budget process, the availability of this level of detail will provide the basis for the weapons laboratories to construct the Laboratory Funding Plans for approval in accordance with the requirements of this section.

Contract Approvals.—Section 311 requires the Secretary of Energy to become directly involved in several details of laboratory management that are currently executed at the field office and Headquarters program office level. Recent events, such as the security breach at Los Alamos, have once again demonstrated the need for the Department to take control of the activities of its laboratories. Such involvement on the part of the Secretary will ensure closer oversight of laboratory spending, more uniformity in the application of incentives, greater responsiveness from laboratory officials, and, generally, a much needed high level of attention to Laboratory issues within the Department. The Committee is requiring this for the three nuclear weapons laboratories, but encourages the Secretary to extend this requirement to all multi-purpose national laboratories.

Centers and Partnerships Established for Various Purposes at DOE Laboratories.—Section 312 provides that none of the funds in the Act may be used to establish or maintain any center or programmatic partnership at a Department of Energy Laboratory or facility unless such funds have been specifically identified in the budget submission. Department of Energy laboratories have been establishing independent centers and funding them through a combination of direct program funds, overhead, and laboratory directed research and development funds with little oversight. These centers cover a broad range of programs: the Center for Global Security Research; the Center for International Security Affairs; the Center for Space Science and Exploration, and the Partnership for Natural Disaster Reduction. The merits of these centers and partnerships are not reviewed nor the costs identified in the Department's budget submission. The Committee objects to this process and has deleted all funding for such activities.

The Department should provide by November 30, 1999, a report identifying all centers which have been established, the funding

provided in fiscal year 1999 and proposed for fiscal year 2000, and the source of that funding. The report should provide a brief description of each center and the Assistant Secretary who approved the establishment of the center.

Waiving Overhead and Added Factor Charges.—Section 313 provides that none of the funds provided in this Act may be used to waive overhead charges for other Federal agencies or for other Department of Energy programs. The Department of Energy's laboratories have been trying to lower the cost of doing business with other Federal agencies by eliminating the overhead or added factor which the Department applies to work performed for other Federal agencies. This has the effect of augmenting other Federal agencies budgets while penalizing the rest of the Department. The Inspector General has also identified instances in which DOE field offices are not equitably distributing overhead costs resulting in windfalls for some programs at the expense of other DOE programs. The Committee objects to this type of inequitable financial practice.

Repeal of Prohibitions on Studies at Federal Public Power Authorities.—Section 314 repeals section 505 of Public Law 102-377, the Fiscal Year 1993 Energy and Water Development Appropriations Act, and section 208 of Public Law 99-349, the Urgent Supplemental Appropriations Act, 1986. Section 505 prohibits the use of funds to conduct studies relating to consideration of market or other non-cost pricing of hydroelectric power sales by the six Federal public power authorities. Section 208 prohibits the use of funds to conduct studies relating to selling the assets of the six Federal public power authorities. These provisions inhibit full participation by the Federal public power authorities as the Nation pursues extensive discussions on electricity restructuring.

Restart of the High Flux Beam Reactor.—Section 315 provides that no funds may be used to restart the High Flux Beam Reactor at the Brookhaven National Laboratory in New York.

Limitation on Federal Power Marketing Administrations.—Section 316 provides that no funds may be used by the Federal power marketing administrations for construction, expansion, or upgrades of fiber optic telecommunication lines, associated facilities, or purchase of equipment directly related to such efforts.

Additional Limitation on Federal Power Marketing Administrations.—Section 317 provides that no funds may be used by the Federal power marketing administrations to: rent or sell construction equipment, provide construction-type services, perform contract construction work, provide construction engineering services, or provide financing or leasing services for construction, maintenance, operational, or engineering services.

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 bill.

Prohibition on Lobbying.—Section 501 provides that none of the funds appropriated by 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.

Buy American.—Section 502 requires that American-made equipment and goods be purchased to the greatest extent practicable.

Drainage of the San Luis Unit.—Section 503 provides language clarifying the funding requirements for the San Luis Unit.

Extension of Authority for Nuclear Regulatory Commission to Collect Fees and Charges.—Section 504 provides a one-year extension of the authority of the Nuclear Regulatory Commission to collect fees and charges to offset appropriated funds.

Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration.—Section 505 repeals the Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration Act.

Denali Commission.—Section 506 repeals legislation authorizing the Denali Commission and amendments thereto.

Technical Change.—Section 507 makes a technical change to the provision of the Water Resources Development Act of 1996 authorizing reimbursement for work by non-Federal interests on certain civil works projects of the Corps of Engineers.

Prohibition on Implementation of Kyoto Protocol.—Section 508 prohibits the use of funds to propose or issue rules, regulations, decrees or orders for implementing the Kyoto Protocol prior to Senate ratification.

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.

COMPARISON WITH BUDGET RESOLUTION

Clause 3(c)2 of rule XIII of the Rules of the House of Representatives requires an explanation of compliance with section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended, which requires that the report accompanying a bill providing new budget authority contain a statement detailing how that authority compares with the reports submitted under section 302 of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year from the Committee’s section 302(a) allocation. This information follows:

[In millions of dollars]

	302(b) Allocation		This bill	
	Budget authority	Outlays	Budget authority	Outlays
Discretionary	19,390	19,168	20,190	19,673
Mandatory				

FIVE-YEAR OUTLAY PROJECTIONS

In compliance with section 308(a)(1)(B) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended, the following table contains five-year projections associated with the budget authority in the accompanying bill:

Millions

Budget Authority	20,190
Outlays:	
2000	12,131
2001	6,342
2002	1,310
2003	83
2004 and beyond	205

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(C) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended, the financial assistance to State and local governments is as follows:

Millions

Budget authority	43
Fiscal year 2000 outlays resulting therefrom	10

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.

The following table shows the appropriations affected by the transfers:

Under Title I, Formerly Utilized Sites Remedial Action Program:

* * * Provided further, That the unexpended balances of prior appropriations provided for these activities in this Act or any previous Energy and Water Development Appropriations Act may be transferred to and merged with this appropriation account, and thereafter, may be accounted for as one fund for the same time period as originally enacted.

Under Title II, Bureau of Reclamation, Water and Related Resources:

* * * of which \$2,247,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$24,089,000 shall be available for transfer to the Lower Colorado River Basin Development Fund, and of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: Provided, That such transfers may be increased or decreased within the overall appropriations under this heading: * * *

Under Title II, Bureau of Reclamation, California Bay-Delta Restoration:

* * * and of which such amounts as may be necessary to conform with such plans shall be transferred to appropriate accounts of such Federal agencies: * * *

Under Title III, Energy Supply:

* * * of which \$820,953 shall be derived by transfer from the Geothermal Resources Development Fund, and of

which \$5,000,000 shall be derived by transfer from the United States Enrichment Corporation Fund.

Under Title III, Operation and Maintenance, Southwestern Power Administration:

* * * of which \$773,000 shall be derived by transfer from unobligated balances in "Operation and Maintenance, Southeastern Power Administration" * * *

Under Title, III, General Provisions:

SEC. 306. The 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.

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:

The bill proposes to rescind \$18,000,000 from funds provided in Public Law 105-245 for the Denali Commission.

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1) 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, General Investigations, providing for detailed studies and plans and specifications of projects prior to construction. Language is also included under General Investigations directing the Secretary of the Army to use unobligated funds appropriated in Public Law 102-377 for the feasibility phase of the Red River navigation, Southwest Arkansas, study.

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

Language has been included under Operation and Maintenance, General, stating the following:

* * * including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; * * *

Language has been included under Operation and Maintenance, General, providing for construction, operation, and maintenance of outdoor recreation facilities and permitting the use of funds from the Harbor Maintenance Trust Fund.

Language has been included under the Regulatory Program regarding the regulation of navigable waters and wetlands. Language is also included directing the Corps of Engineers to implement an administrative appeals process and to prepare analyses of the impacts of the proposed replacement permits for the nationwide permit 26. Language is also included prohibiting termination of the nationwide permit 26 until such time as the aforementioned analyses are submitted to jurisdictional committees of Congress.

Language has been included under General Expenses regarding support of the Coastal Engineering Research Board, the Humphreys Engineer Support Center Activity, the Water Resources Support Center and headquarters support functions at the USACE Finance Center. Language is also included under General Expenses prohibiting the use of other Title I funds for the Office of the Chief of Engineers and the division offices. Language is also included prohibiting the use of funds to support an office of congressional affairs within the executive office of the Chief of Engineers. Language is also included prohibiting the use of funds to support an office of congressional affairs within the executive office of the Chief of Engineers. Language is also included prohibiting the use of funds to support more than one regional office in each Corps of Engineers division.

Language has been included under Administrative Provision providing that funds are available for purchase and hire of motor vehicles.

TITLE II—DEPARTMENT OF INTERIOR

Language has been included under 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 is included under Water and Related Resources providing that such sums as necessary may be advanced to the Colorado River Dam Fund. Language is included under Water and Related Resources which permits fund transfers within the overall appropriation to the Upper Colorado River Basin Fund and the Lower Colorado River Basin Development Fund. Language is included under Water and Related Resources providing that funds may be derived from the Reclamation Fund of the special fee account established by 16 U.S.C. 460l—6a(i). Language is included under Water and Related Resources which provides that funds contributed by non-Federal entities shall be available for expenditure. Language is included providing that funds advanced for operation and maintenance of reclamation facilities are to be credited to the Water and Related Resources account. Language is also included permitting the use of funds available for the Departmental Irrigation Drainage Program for site remediation on a non-reimbursable basis.

Language has been included under the Bureau of Reclamation Loan Program providing that funds may be derived from the Reclamation Fund.

Language has been included under the 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 the California Bay-Delta Restoration account, imposing limitations on the obligation of funds for ecosystem restoration and other activities.

TITLE III—DEPARTMENT OF ENERGY

Language has been included under Nuclear Waste Disposal providing that none of the funds appropriated under that heading shall be distributed to the State of Nevada or affected units of local government for financial assistance.

Language has been included under the Departmental Administration account, notwithstanding 31 U.S.C. 3302, and consistent with the authorization in Public Law 95-238, to permit the Department of Energy to utilize 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 the Departmental Administration account providing that notwithstanding the provisions of the Anti-Deficiency Act, such additional amounts as necessary to cover increases in the estimated amount of cost of work for others, as long as such increases are offset by revenue increases of the same or greater amounts.

Language has been included under the Other Defense Activities account providing not to exceed \$5,000 for official reception and representation expenses for national security and nonproliferation activities.

Language has been included under the Bonneville Power Administration account approving the Northeast Oregon Hatchery Master Plan, providing not to exceed \$1,500 for official reception and representation expenses, and precluding any new direct loan obligations.

Language has been included under the Southwestern Power Administration to permit Southwestern to utilize reimbursements, notwithstanding 31 U.S.C. 3302. This language has been carried in previous appropriations Acts.

Language has been included under the Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration account providing \$5,036,000 for deposit into the Utah Reclamation mitigation and Conservation Account pursuant to Title IV of the Reclamation Projects Act of 1992.

Language has been included under the Federal Energy Regulatory Commission to permit the hire of passenger motor vehicles, to provide official entertainment 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, providing that management and operating contracts must be awarded using competitive procedures unless Congress is notified 60 days in advance.

Language has been included under Department of Energy, General Provisions, requiring 60 days notice to the Committees on Appropriations if the Secretary of Energy awards, amends, or modifies

a contract in a manner that deviates from the Federal Acquisition Regulation.

Language has been included under Department of Energy, General Provisions, prohibiting the use of funds to prepare workforce restructuring plans or to provide enhanced severance payments and other benefits for Department of Energy employees under section 3161 of Public Law 102-484.

Language has been included under Department of Energy, General Provisions, prohibiting the use of funds to augment the funding provided for section 3161 of Public Law 102-484.

Language has been included under Department of Energy, General Provisions, prohibiting the use of funds to prepare or initiate requests for proposals for programs which have not yet been funded by Congress.

Language has been included under Department of Energy, General Provisions, 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, permitting the use of funds to enter into or continue multi-year contracts without obligating the estimated costs associated with cancellation or termination of the contract.

Language has been included under Department of Energy, General Provisions, prohibiting the use of funds for Laboratory Directed Research and Development and Director's Discretionary Research and Development.

Language has been included under Department of Energy, General Provisions, limiting to no more than \$125,000,000 the funds available for reimbursement of contractor travel expenses.

Language has been included under Department of Energy, General Provisions, prohibiting the expenditure of funds under a laboratory contract unless the funds are expended in accordance with a Laboratory Funding Plan that has been approved by the Secretary of Energy.

Language has been included under Department of Energy, General Provisions, requiring the Secretary of Energy to review and approve various contractor fees and costs.

Language has been included under Department of Energy, General Provisions, prohibiting the expenditure of funds to establish independent program centers or partnerships at a Department of Energy facility or laboratory unless such funds are specifically identified in the budget.

Language has been included under Department of Energy, General Provisions, prohibiting the Department from waiving overhead or added factor charges for work performed for other Federal agencies or other Department of Energy programs.

Language has been included under Department of Energy, General Provisions, repealing section 505 of Public Law 102-377, the Fiscal Year 1993 Energy and Water Development Appropriations Act, and section 208 of Public Law 99-349, the Urgent Supplemental Appropriations Act, 1986.

Language has been included under General Provisions prohibiting the restart of the High Flux Beam Reactor.

Language has been included under General Provisions prohibiting the use of funds by the Federal power marketing administrations for construction, expansion, or upgrades of fiber optic telecommunications lines, associated facilities, or purchase of equipment directly related to such efforts.

Language has been included under General Provisions prohibiting the use of funds by the Federal power marketing administrations to provide construction equipment or related services to other entities.

TITLE IV—INDEPENDENT AGENCIES

Language has been included under the Nuclear Regulatory Commission excluding the costs of NRC prelicensing activities related to the cleanup of the Hanford site from license fee revenues. Language is also included to permit the NRC to utilize revenues collected to offset appropriations, notwithstanding 31 U.S.C. 3302. This language has been carried in previous appropriations Acts.

Language has been included under the Nuclear Regulatory Commission, Office of Inspector General, to utilize revenues collected to offset appropriations, notwithstanding 31 U.S.C. 3302. This language has been carried in previous appropriations Acts.

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 requiring, to the greatest extent practicable, that all equipment and products purchased should be American-made, and prohibiting contracts with persons falsely labeling products as “Made in America.”

Language has been included under General Provisions prohibiting the use of funds to determine the point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of Interior and the State of California of a plan to minimize the impact of drainage waters.

Language has been included under General Provisions directing the Secretary of Interior to classify the costs of the Kesterson Reservoir Cleanup program and San Joaquin Valley Drainage Program as reimbursable or nonreimbursable.

Language has been included under General Provisions providing a one-year extension of the authority of the Nuclear Regulatory Commission to collect fees and charges to offset appropriated funds.

Language has been included under General Provisions repealing the Cheyenne River Sioux Tribe, Lower Brule Sioux Tribe, and State of South Dakota Terrestrial Wildlife Habitat Restoration Act.

Language has been included under General Provisions repealing legislation, as amended, authorizing the Denali Commission.

Language has been included under General Provisions making a technical change to the provision of the Water Resources Development Act of 1996 authorizing reimbursement for work by non-Federal interests on certain civil works projects of the Corps of Engineers.

Language has been included under General Provisions prohibiting the use of funds to propose or issue rules, regulations, decrees or orders for implementing the Kyoto Protocol prior to Senate ratification.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1) 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 by law:

U.S. Army Corps of Engineers:

Construction, General

Formerly Utilized Sites Remedial Action Program

Department of Energy:

Energy Supply

Non-Defense Environmental Management

Science

Nuclear Waste Disposal Fund

Departmental Administration

Office of the Inspector General

Weapons Activities

Defense Environmental Restoration and Waste Management

Defense Facilities Closure Projects

Defense Environmental Management Privatization

Other Defense Activities

Defense Nuclear Waste Disposal

Power Marketing Administrations

Federal Energy Regulatory Commission

Defense Nuclear Facilities Safety Board

Nuclear Regulatory Commission

Office of Inspector General

The Committee notes that the annual authorizing legislation for many of these programs is in various stages of the legislative process. It is anticipated these authorizations will be enacted into law later this year.

COMPLIANCE WITH CLAUSE 3 OF RULE XIII (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

The accompanying bill would repeal section 505 of Public Law 102-337, the fiscal year 1993 Energy and Water Development Appropriations Act.

[SEC. 505. Notwithstanding any other provision of this Act, subsequent Energy and Water Development Appropriations Acts or any other provision of law hereafter, none of the funds made available under this Act, subsequent Energy and Water Development Appropriations Acts or any other law hereafter shall be used for the purposes of conducting any studies relating or leading to the possibility of changing from the currently required "at cost" to a "market rate" or any other noncost-based method for the pricing of hydroelectric power by the six Federal public power authorities, or

gency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.】

The accompanying bill would amend Section 211(e)(2)(A) of the Water Resources Development Act of 1996 (Public Law 104-303, 110 Stat. 3682), as follows:

(A) REIMBURSEMENT.—For work (including work associated with studies, planning, design, and construction) carried out by a non-Federal interest with respect to a project described in subsection (f), the Secretary shall, subject to amounts being made available [in advance in appropriations Acts], reimburse, without interest, the non-Federal interest an amount equal to the estimated Federal share of the cost of such work if such work is later recommended by the Chief of Engineers and approved by the Secretary.

The accompanying bill would establish a new independent agency for all matters pertaining to atomic energy defense activities.

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(a)(1)(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 1

Date: July 20, 1999.

Measure: Energy and Water Development Appropriations Bill, FY 2000.

Motion by: Mr. Visclosky.

Description of Motion: To delete from the bill language providing that the results of an administrative appeals process for jurisdictional determinations under section 404 of the Clean Water Act shall be considered final agency action under the Administrative Appeals Act.

Results: Rejected 23 yeas to 32 nays.

Members Voting Yea

Mr. Clyburn
 Ms. DeLauro
 Mr. Dicks
 Mr. Dixon
 Mr. Edwards
 Mr. Farr
 Mr. Jackson
 Ms. Kaptur
 Ms. Kilpatrick
 Mrs. Lowey
 Mrs. Meek
 Mr. Mollohan
 Mr. Moran
 Mr. Obey
 Mr. Olver
 Mr. Pastor
 Ms. Pelosi
 Mr. Porter
 Mr. Price
 Ms. Roybal-Allard
 Mr. Sabo
 Mr. Serrano
 Mr. Visclosky

Members Voting Nay

Mr. Aderholt
 Mr. Bonilla
 Mr. Boyd
 Mr. Callahan
 Mr. Cramer
 Mr. Cunningham
 Mr. Dickey
 Mrs. Emerson
 Mr. Frelinghuysen
 Ms. Granger
 Mr. Hobson
 Mr. Hoyer
 Mr. Istook
 Mr. Kingston
 Mr. Knollenberg
 Mr. Kolbe
 Mr. Latham
 Mr. Lewis
 Mr. Miller
 Mr. Metherecutt
 Mr. Packard
 Mr. Regula
 Mr. Rogers
 Mr. Skeen
 Mr. Sununu
 Mr. Taylor
 Mr. Tiahrt
 Mr. Walsh
 Mr. Wamp
 Mr. Wicker
 Mr. Wolf
 Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(a)(1)(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 2

Date: July 20, 1999.

Measure: Energy and Water Development Appropriations Bill, FY 2000.

Motion by: Mr. Visclosky.

Description of Motion: To delete from the bill language requiring the preparation of studies and analyses of the impacts on the Corps of Engineers Regulatory Branch workload and on the cost of compliance by the regulated community of proposed replacement permits for the nationwide permit 26 under section 404 of the Clean Water Act.

Results: Rejected 22 yeas to 35 nays.

Members Voting Yea

Mr. Clyburn
 Ms. DeLauro
 Mr. Dicks
 Mr. Dixon
 Mr. Edwards
 Mr. Farr
 Mr. Jackson
 Ms. Kaptur
 Ms. Kilpatrick
 Mrs. Lowey
 Mrs. Meek
 Mr. Mollohan
 Mr. Moran
 Mr. Murtha
 Mr. Obey
 Mr. Olver
 Ms. Pelosi
 Mr. Price
 Ms. Roybal-Allard
 Mr. Sabo
 Mr. Serrano
 Mr. Visclosky

Members Voting Nay

Mr. Aderholt
 Mr. Blunt
 Mr. Bonilla
 Mr. Boyd
 Mr. Callahan
 Mr. Cramer
 Mr. Cunningham
 Mr. Dickey
 Mrs. Emerson
 Mr. Frelinghuysen
 Ms. Granger
 Mr. Hobson
 Mr. Istook
 Mr. Kingston
 Mr. Knollenberg
 Mr. Kolbe
 Mr. Latham
 Mr. Lewis
 Mr. Miller
 Mr. Nethercutt
 Mrs. Northup
 Mr. Packard
 Mr. Pastor
 Mr. Porter
 Mr. Regula
 Mr. Rogers
 Mr. Skeen
 Mr. Sununu
 Mr. Taylor
 Mr. Tiahrt
 Mr. Walsh
 Mr. Wamp
 Mr. Wicker
 Mr. Wolf
 Mr. Young

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1999
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2000
(Amounts in thousands)**

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil					
General investigations.....	161,747	135,000	158,993	-2,754	+ 23,993
Construction, general.....	1,429,885	1,239,900	1,412,591	-17,294	+ 172,691
Supplemental appropriations (P.L. 105-277).....	35,000	.....	.....	-35,000	.....
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee	321,149	280,000	313,324	-7,825	+ 33,324
Emergency appropriations (P.L. 105-277).....	2,500	.....	.....	-2,500	.....
Operation and maintenance, general.....	1,653,252	1,835,900	1,888,481	+ 235,229	+ 52,581
Emergency appropriations (P.L. 105-277).....	99,700	.....	.....	-99,700	.....
Regulatory program	106,000	117,000	117,000	+ 11,000	.....
FUSRAP.....	140,000	150,000	150,000	+ 10,000	.....
General expenses.....	148,000	148,000	148,000	.....	.....
	4,097,233	3,905,800	4,188,389	+ 91,156	+ 282,589
TITLE II - DEPARTMENT OF THE INTERIOR					
Central Utah Project Completion Account					
Central Utah project construction	25,741	21,002	20,431	-5,310	-571
Fish, wildlife, and recreation mitigation and conservation.....	10,476	12,047	10,476	.....	-1,571

Utah reclamation mitigation and conservation account	5,000	5,000	5,000	.....	.....
Subtotal	41,217	38,049	35,907	-5,310	-2,142
Program oversight and administration	1,283	1,321	1,283	.....	-38
Total, Central Utah project completion account	42,500	39,370	37,190	-5,310	-2,180
Bureau of Reclamation					
Water and related resources	617,045	652,838	604,910	-12,135	-47,928
(By transfer).....	(25,800)	.....	.....	(-25,800)	.....
Supplemental appropriations (P.L. 106-31)	1,500	.....	.....	-1,500	.....
Loan program.....	8,421	12,425	12,425	+4,004	.....
(Limitation on direct loans)	(38,000)	(43,000)	(43,000)	(+5,000)	.....
Central Valley project restoration fund	33,130	47,346	47,346	+14,216	.....
California Bay-Delta ecosystem restoration.....	75,000	95,000	75,000	.....	-20,000
Policy and administration	47,000	49,000	45,000	-2,000	-4,000
Total, Bureau of Reclamation	782,096	856,609	784,681	+2,585	-71,928
Total, title II, Department of the Interior	824,596	895,979	821,871	-2,725	-74,108
(By transfer).....	(25,800)	.....	.....	(-25,800)	.....
TITLE III - DEPARTMENT OF ENERGY					
Energy supply	727,091	834,791	577,579	-149,512	-257,212
(By transfer).....	.....	(5,821)	(5,821)	(+5,821)	.....
Supplemental appropriations (P.L. 105-277)	60,000	.....	.....	-60,000	.....
Non-defense environmental management	431,200	330,934	327,223	-103,977	-3,711
Uranium enrichment decontamination and decommissioning fund.....	220,200	240,198	240,198	+19,998	.....

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1999
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2000—Continued**
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
Science.....	2,682,860	2,839,178	2,718,647	+ 35,787	-120,531
Supplemental appropriations (P.L. 105-277).....	15,000	.....	.....	-15,000	.....
Nuclear Waste Disposal.....	169,000	258,000	169,000	.....	-89,000
(By transfer).....	.....	(39,000)	.....	.....	(-39,000)
Departmental administration.....	200,475	240,377	193,769	-6,706	-46,608
Miscellaneous revenues.....	-136,530	-116,887	-106,887	+ 29,643	+ 10,000
Net appropriation.....	63,945	123,490	86,882	+ 22,937	-36,608
Y2K conversion (emergency appropriations).....	10,000	.....	.....	-10,000	.....
Office of the Inspector General.....	29,000	30,000	30,000	+ 1,000	.....
Environmental restoration and waste management:					
Defense function.....	(5,576,824)	(5,785,768)	(5,440,250)	(-136,574)	(-345,518)
Non-defense function.....	(651,400)	(571,132)	(567,421)	(-83,979)	(-3,711)
Total.....	(6,228,224)	(6,356,900)	(6,007,671)	(-220,553)	(-349,229)
Atomic Energy Defense Activities					
Weapons activities.....	4,400,000	4,524,900	4,000,000	-400,000	-524,900
Defense environmental restoration and waste management.....	4,310,227	4,503,276	4,157,758	-152,469	-345,518
Y2K conversion (emergency appropriations).....	10,340	.....	.....	-10,340	.....
Defense facilities closure projects.....	1,038,240	1,054,492	1,054,492	+ 16,252	.....
Y2K conversion (emergency appropriations).....	3,500	.....	.....	-3,500	.....

Defense environmental management privatization.....	228,357	228,000	228,000	-357	.....
Subtotal, Defense environmental management	5,590,664	5,785,768	5,440,250	-150,414	-345,518
Other defense activities	1,696,676	1,797,991	1,651,809	-44,867	-146,182
Emergency appropriations (P.L. 105-277).....	525,000	.....	.....	-525,000	.....
Y2K conversion (emergency appropriations).....	13,650	.....	.....	-13,650	.....
Defense nuclear waste disposal	189,000	112,000	112,000	-77,000	.....
Total, Atomic Energy Defense Activities.....	12,414,990	12,220,659	11,204,059	-1,210,931	-1,016,600
Power Marketing Administrations					
Operation and maintenance, Southeastern Power Administration	7,500	.....	.....	-7,500	.....
Operation and maintenance, Southwestern Power Administration	26,000	27,167	27,167	+1,167	.....
(By transfer).....	.....	(773)	(773)	(+ 773)	.....
Construction, rehabilitation, operation and maintenance, Western Area Power Administration.....	203,000	171,471	171,471	-31,529	.....
Falcon and Amistad operating and maintenance fund	1,010	1,309	1,309	+299	.....
Total, Power Marketing Administrations	237,510	199,947	199,947	-37,563	.....
Federal Energy Regulatory Commission					
Salaries and expenses.....	167,500	179,900	174,950	+7,450	-4,950
Revenues applied	-167,500	-179,900	-174,950	-7,450	+4,950
Total, title III, Department of Energy.....	17,060,796	17,077,197	15,553,535	-1,507,261	-1,523,662
Appropriations.....	(16,423,306)	(17,077,197)	(15,553,535)	(-869,771)	(-1,523,662)
Supplemental appropriations	(75,000)	.....	.....	(-75,000)	.....
Emergency appropriations.....	(525,000)	.....	.....	(-525,000)	.....
Y2K conversion (emergency appropriations).....	(37,490)	.....	.....	(-37,490)	.....

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1999
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2000—Continued**
(Amounts in thousands)

	FY 1999 Enacted	FY 2000 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission.....	66,400	66,400	60,000	-6,400	-6,400
Defense Nuclear Facilities Safety Board	16,500	17,500	16,500	.....	-1,000
Denali Commission	20,000	.....	.....	-20,000	.....
Rescission .....	.....	.....	-18,000	-18,000	-18,000
Nuclear Regulatory Commission:					
Salaries and expenses	465,000	465,400	455,400	-9,600	-10,000
Revenues	-444,800	-442,400	-432,400	+12,400	+10,000
Subtotal	20,200	23,000	23,000	+2,800	.....
Office of Inspector General.....	4,800	6,000	6,000	+1,200	.....
Revenues	-4,800	-6,000	-6,000	-1,200	.....
Subtotal .....	.....	.....	.....	.....	.....
Total.....	20,200	23,000	23,000	+2,800	.....
Nuclear Waste Technical Review Board.....	2,600	3,150	2,600	.....	-550
Tennessee Valley Authority: Tennessee Valley Authority Fund.....	.....	7,000	.....	.....	-7,000
Supplemental appropriations (P.L. 105-277)	50,000	.....	.....	-50,000	.....
Total, title IV, Independent agencies.....	175,700	117,050	84,100	-91,600	-32,950

Grand total:					
New budget (obligational) authority	22,158,325	21,996,026	20,647,895	-1,510,430	-1,348,131
Appropriations	(21,493,635)	(21,996,026)	(20,665,895)	(-827,740)	(-1,330,131)
Rescissions			(-18,000)	(-18,000)	(-18,000)
Emergency appropriations	(664,690)			(-664,690)	
(By transfer).....	(25,800)	(45,594)	(6,594)	(-19,206)	(-39,000)