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ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 2012

JUNE 24, 2011.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 2354]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for energy and water development for the fiscal year ending September 30, 2012, 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, Fiscal Year 2012. The following table summarizes appropriations for fiscal year 2011, the budget estimates, and amounts recommended in the bill for fiscal year 2012.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill /1	Bill vs. Enacted	Bill vs. Request
Title I, Department of Defense - Civil	4,857,213	4,573,000	4,768,406	-88,807	+195,406
Title II, Department of the Interior	1,094,525	1,051,380	934,000	-160,525	-117,380
Title III, Department of Energy	25,591,176	30,683,802	24,740,746	-850,430	-5,943,056
Title IV, Independent Agencies	246,981	267,627	266,575	+19,594	-1,052
Subtotal	31,789,895	36,575,809	30,709,727	-1,080,168	-5,866,082
Scorekeeping adjustments	-107,865	-36,000	-71,000	+36,865	-35,000
Grand total for the bill	31,682,030	36,539,809	30,638,727	-1,043,303	-5,901,082

1/ Excludes emergency appropriations

INTRODUCTION

The Energy and Water Development Appropriations bill for fiscal year 2012 totals $30,638,727,000, $1,043,303,000 below the amount appropriated in fiscal year 2011 and $5,901,082,000 below the President's budget request.

Title I of the bill provides $4,768,406,000 for the programs of the U.S. Army Corps of Engineers, $88,807,000 below fiscal year 2011 and $195,406,000 above the budget request. The fiscal year 2012 budget request for the Corps of Engineers totals $4,573,000,000, including $58,000,000 of rescissions, of which $35,000,000 is from emergency funding.

Title II provides $934,000,000 for the Department of the Interior and the Bureau of Reclamation, $160,525,000 below fiscal year 2011 and $117,380,000 below the budget request. The Committee recommends $905,296,000 for the Bureau of Reclamation, $157,289,000 below fiscal year 2011 and $113,093,000 below the budget request. The Committee recommends $28,704,000 for the Central Utah Project, $3,236,000 below fiscal year 2011 and $4,287,000 below the budget request.

Title III provides $24,740,746,000 for the Department of Energy, $850,430,000 below fiscal year 2011 and $5,943,056,000 below the budget request. Funding for the National Nuclear Security Administration (NNSA), which includes nuclear weapons activities, defense nuclear nonproliferation, naval reactors, and the Office of the NNSA Administrator, is $10,599,031,000, $76,511,000 above fiscal year 2011 and $1,113,567,000 below the request. This reduction is offset by $70,332,000 in rescinded prior-year funds, resulting in a total program increase of approximately $146,843,000 over fiscal year 2011.

The Committee recommends $4,800,000,000 for the Office of Science, $1,304,636,000 for renewable energy and energy efficiency programs; $733,633,000 for nuclear energy programs; and $476,993,000 for fossil energy research and development.

Environmental management activities—non-defense environmental cleanup, uranium enrichment decontamination and decommissioning, and defense environmental cleanup—are funded at $5,599,740,000, $100,532,000 below fiscal year 2011 and $530,331,000 below the budget request. An additional maximum of $150,000,000 from proceeds is directed for cleanup activities, resulting in a total program level of $5,749,740,000.

Funding for the Power Marketing Administrations is provided at the requested levels.

Title IV provides $266,575,000 for several Independent Agencies, $19,594,000 above fiscal year 2011 and $1,052,000 below the budget request. Net funding for the Nuclear Regulatory Commission is $136,527,000, $461,000 below fiscal year 2011 and $9,013,000 above the request. Funding for the Nuclear Regulatory Commission Inspector General is provided in addition to these sums.

Title V provides $1,028,684,400 of emergency funding for the Corps of Engineers to respond to and to repair damages caused by the flood and storm events of 2011.

DEFICIT REDUCTION

According to the nonpartisan Congressional Budget Office (CBO), the President's fiscal year 2012 budget request for the federal government would increase publicly-held debt from $10.4 trillion, 69 percent of Gross Domestic Product (GDP), in 2011, to $20.8 trillion, 87 percent of GDP, at the end of 2021. Expenditures to cover interest on the debt would nearly quadruple over that period. Disturbingly, CBO found that the President's budget request for fiscal year 2012 would actually depress the nation's economic output. This does not represent an economic strategy to place this country on a more sustainable path.

The Committee recognizes that our nation needs an economic plan which reduces government expenditures while freeing American innovation from oppressive regulation and our markets from distorting government involvement. Accordingly, the Committee's overall spending level for fiscal year 2012 is $1.019 trillion, a $30 billion reduction from fiscal year 2011, and a $121 billion reduction from the President's budget request. As a portion of that overall reduction, the Committee recommendation for the Energy and Water Development bill, excluding flood assistance, is $1.1 billion, or 3 percent, below the fiscal year 2011 level, and nearly $6 billion, or 16 percent, below the President's request.

NATIONAL DEFENSE PROGRAMS

The origins of the Department of Energy are in the Manhattan Project and the development of the first atomic bomb, and the Committee considers the Department's national defense programs, run by the National Nuclear Security Administration (NNSA), to be its core mandate. Although having the funding for nuclear weapons and naval reactors in the Department of Energy instead of the Department of Defense has been, at times, complicated, the Committee supports the clear civilian control of these most destructive of capabilities that this arrangement affords.

The Committee recommendation is strongly supportive of the President's proposals to selectively increase investments in the national defense accounts: Weapons Activities, Defense Nuclear Nonproliferation, and Naval Reactors. Our nation's defense rests on a strong nuclear deterrent, and as our stockpile ages, investments needed to keep these weapons reliable, safe, and secure will likely grow. At the same time, the Committee supports the Administration's efforts to prohibit the spread of fissile materials overseas. Since the fall of the Soviet Union, the United States government has made great strides in limiting the potential spread of fissile materials, but much more is left to be done. Finally, our country's strategic triad depends on our ballistic missile submarines, which are supported through the Naval Reactors account.

Each of these accounts is critical to our nation's defense. However, taxpayer funding will continue to be limited, and it is incumbent upon the experts at the National Nuclear Security Administration to give their best guidance and feedback to their partners at the Department of Defense, Department of State, and other countries regarding the most cost-effective opportunities to meet these defense imperatives.

SUPPORTING AMERICAN COMPETITIVENESS

Several of the agencies funded in this recommendation—the Department of Energy, the Army Corps of Engineers, and the Nuclear Regulatory Commission, in particular—have critical roles in supporting the American economy. While the Committee remains supportive of their work, it is increasingly concerned that the balance between private sector innovation and public sector intervention has tilted too much toward the public sector. It is also concerned that the role and actions of the Nuclear Regulatory Commission (NRC) are more politicized today than ever before.

Report on Opportunities for Domestic Manufacturers.—The Committee requests a study to show what manufactured products are purchased on a regular basis by or on behalf of the Department of Energy and are not currently manufactured in the United States. An interim report is required no later than 180 days after enactment of this Act, with the final study submission no later than 365 days after enactment of this Act. The final study is to be shared with the President's Manufacturing Council, the Manufacturing Extension Partnership Administrator and the Committee.

The Department of Energy hosts research and development in its laboratories, supports innovation by academia and industry, and provides market incentives to promote clean energy and energy independence. The President, in his State of the Union speech, emphasized the importance of continued work on clean energy technology research and development for American competitiveness. The Committee strongly agrees.

However, the Committee was concerned to see very little in the President's request to justify nearly $2 billion in increased funding to support the President's pledges. Simply increasing funding for a worthy objective does not in itself constitute a success. Instead of such massive, unjustified increases, the Committee's recommendation includes funding for inherently governmental functions, such as basic science, and highly-leveraged, limited government involvement in the marketplace. Appropriations are focused on long-term research and early-stage development, and high-risk, high-reward programs, areas which have the potential to bring great benefits to society, but in which the private sector finds little incentive to invest. Additionally, the recommendation reduces funding for large research and development accounts with little, if any, track-record of rewarding achievement and terminating failures. Instead, funding is redirected to more accountable projects and programs.

While the budget message of the President emphasizes generating jobs and improving American competitiveness, the budget request for the Corps of Engineers, which can contribute to significant progress towards both goals, is reduced substantially from fiscal year 2011. The budget message also claims progress toward the goal of doubling U.S. exports by 2014 and states that the budget request supports ". . . rebuilding America's infrastructure so that U.S. companies can ship their products and ideas from every corner in America to anywhere in the world." The 2007 Commodity Flow Survey, conducted by the U.S. Census Bureau and the Bureau of Transportation Statistics, indicates that 35 percent of goods by value and 73 percent by tonnage are exported via water transportation. Yet the fiscal year 2012 budget request reduces funding for

navigation maintenance and improvements by five percent from the fiscal year 2011 budget request and almost 14 percent from fiscal year 2010. The Committee recommendation begins to correct this deficiency.

The Committee has long supported nuclear power as a significant contributor to the nation's energy mix. America's reactor fleet has not grown for decades while other nations forged ahead with new reactor construction, and critical manufacturing capabilities have begun to move overseas. This bill supports Nuclear Energy activities that will help the nation regain its position as the industry's leading innovator—and as its leading manufacturer. The tragedy at the Fukushima Daiichi power plant provides important lessons for reactor safety, but the Committee believes nuclear power should and will continue to safely meet a significant portion of our energy needs in the future. This bill takes strides to make reactors even safer by funding programs that demonstrate the next generation of reactors employing inherently safe designs.

The Nuclear Regulatory Commission (NRC) is charged with overseeing the safety of our current nuclear reactors fleet and responsible development of additional nuclear power in the United States. Nuclear power is a critically important part of this nation's energy mix, and the tragic events following the earthquake and tsunami in Japan in 2011 show how important a strong safety regime is to protect public health. Now, more than ever, this country needs strong, objective regulatory oversight for the nuclear energy sector.

Unfortunately, the Commission has recently suffered from several events which have eroded the agency's reputation for non-partisan leadership and oversight for the nuclear sector. For example, Chairman Jaczko's close-out of the Yucca Mountain license application review process, in direct contravention of the NRC's Atomic Safety Licensing Board, shows a disregard for both congressional direction and technical expertise. Additionally, the Chairman's assumption of emergency powers to respond to the Japanese nuclear crisis was a questionable use of authorities provided to respond to crises with immediate, direct potential impacts on the United States. As a result, this recommendation includes greater congressional control over the actions of the NRC, including new budgetary control points. The Committee strongly urges the NRC to take whatever steps necessary to regain its reputation for non-partisan oversight and regulation.

PROJECT AND PROGRAM MANAGEMENT

Financial management has been a core concern of this Committee for many years, driven largely by repeated project overruns at the Department of Energy and questionable accounting practices at the Army Corps of Engineers. As the federal budget continues to adjust in the coming years to the nation's financial situation, taxpayer dollars must be increasingly targeted to the highest performing projects and programs. At this point, the Committee has no confidence that either agency has the capability to ensure this is being done.

The Department of Energy has been on the Government Accountability Office's "high-risk list" for project management for over two decades, due mostly to cost overruns and schedule delays for large construction projects. The Department has made some progress in

recent years to address the causes of these deficiencies, but major construction projects, especially for the National Nuclear Security Administration (NNSA), are still facing significant cost increases.

The Committee's concern is not limited to the NNSA, however, nor is it limited to construction projects. For instance, budget and timeline estimates for the Waste Treatment and Immobilization Project within the Defense Environmental Cleanup account continue to escalate, and the GAO has recently released a report criticizing the Department's management of the B61 Life Extension Program. Within the Office of Science, the Committee has little insight into the success or failure of billions of dollars in basic science grants, a deficit of information which this report begins to address. The Committee will continue to work with the Department, and with outside entities that can provide additional perspective, to improve management and oversight.

Accounting problems persist at the Corps of Engineers, as well. The Department of Defense Inspector General has repeatedly reported that the Corps has pervasive internal control weaknesses related to its financial reporting process. For instance, in November 2010 the Inspector General found that the quality of the financial management and oversight at the Corps is so poor that the Inspector General had concerns about whether the Corps would be able to continue the annual audit process. The Inspector General went on to note that entity-wide financial management weaknesses effectively prevent the Corps from producing accurate and complete financial information, which could result in significant misstatements. In March 2011 the Inspector General similarly found that internal controls over Recovery Act funding were not effective, leading to inadequate transparency and accountability of expenditures.

The Committee is deeply concerned that the Corps does not have its finances managed suitably well even to allow for outside auditors to identify instances of waste, fraud, or abuse. Moreover, the Corps has been made aware of its financial mismanagement over time and has refused to take definitive action to make improvements. If the Corps wants to assure the Committee that its budget request truly represents the highest priority projects, these deficiencies must be corrected. In fiscal year 2012, the Committee requires the Corps to undertake an initiative to improve financial management. The Committee requires periodic reporting on all major facets of the initiative, as well as cooperation with an independent audit by the Government Accountability Office.

COMMITTEE OVERSIGHT INITIATIVES

The highest priority mission of any federal agency is to be an effective steward of taxpayer dollars. Any waste, fraud, or abuse of taxpayer dollars is unacceptable. The Committee has used hearings, reviews by the Government Accountability Office, the Committee on Appropriations' Surveys and Investigations staff, and its annual appropriations Act, including the accompanying report, to promote strong oversight of the agencies under its jurisdiction, with an emphasis on the U.S. Army Corps of Engineers (Corps), the Bureau of Reclamation, and the Department of Energy.

The recommendation carries out the Committee's responsibility to conduct in-depth oversight into all activities funded in this bill

and identifies numerous inadequacies in the justification provided in the President's budget request for fiscal year 2012. Instead of the massive spending increases proposed by the Administration, the Committee proposes a more responsible approach which prioritizes investments based on performance and demonstrated return of value to the taxpayer, reduces costs, limits administrative overhead, promotes efficiency, targets funding to meet core requirements, and improves transparency. For both the Army Corps of Engineers and the Bureau of Reclamation, the Committee's oversight activities emphasize transparency in development of the budget request and prioritization of projects. For the Department of Energy, the Committee's oversight activities emphasize proper multi-year planning and justification of the total costs of all proposed initiatives. A summary of the major oversight efforts in the bill is provided below:

Agency/account	Requirement
Army Corps of Engineers/Overall	Initiative to improve financial management, including reporting requirements
Army Corps of Engineers/Overall	Development of five-year comprehensive plan
Army Corps of Engineers/Overall	Reprogramming authority set in statute
Army Corps of Engineers/Overall	Emergency funds to remain at headquarters until funds are to be obligated
Army Corps of Engineers/Overall	Establishes discretionary structure to complete ongoing projects
Army Corps of Engineers/Overall	Reports on use of emergency flooding funding
Army Corps of Engineers/Investigations	Report on project prioritization plan
Army Corps of Engineers/Construction	Report on project prioritization plan
Army Corps of Engineers/Operation and Maintenance.	Report on project prioritization plan
Army Corps of Engineers/Expenses	Outyear plan on workforce needs
Bureau of Reclamation/Overall	Improved format for communicating dam safety risk
Bureau of Reclamation/Overall	Reassessment of Rural Water Programs
Bureau of Reclamation/Overall	National Academies study on buried metallic water pipe
Bureau of Reclamation/Overall	Five-year comprehensive plan
Bureau of Reclamation/Overall	Reprogramming authority set in statute
Department of Energy/Overall	Report on opportunities for domestic manufacturers
Department of Energy/Overall	Report on progress toward multi-year budgeting
Department of Energy/Overall	Payment of audit costs from only program direction funds
Department of Energy/Overall	Prohibition on drawing funds from programs for unrelated initiatives
Department of Energy/Overall	Prohibition on committing future-year funds
Department of Energy/Overall	Prohibition on funding or initiating new activities not funded by the Congress
Department of Energy/Overall	Monthly Financial Balances Report
Department of Energy/Overall	Report on awards and announcements for non-competitive contracts
Department of Energy/Overall	Report on inventory of educational activities
Department of Energy/Overall	Additional reporting on status of contractor employee pension plans
Department of Energy/Overall	Reprogramming authority formally set in statute
Department of Energy/Energy Efficiency and Renewable Energy (EERE).	Report on redirection of funding from appropriated activities for other purposes
Department of Energy/EERE	Open competition and report on technical merits of wind demonstration projects
Department of Energy/EERE	Payment of all committed funds before awarding additional geothermal grants
Department of Energy/EERE	National Academies study on market barriers and federal role for electric vehicles
Department of Energy/EERE	Performance plan and status report on Building Systems Energy Innovation Hub
Department of Energy/EERE	Performance plan on Critical Materials Energy Innovation Hub
Department of Energy/EERE	Weatherization waiver authority to increase funding efficiency
Department of Energy/Electricity Delivery and Energy Reliability (EDER).	Report on coordination of grid modeling activities across programs
Department of Energy/EDER	Report on government-wide coordination for cyber security research
Department of Energy/Nuclear Energy	National waste repository workforce and archiving plan
Department of Energy/Nuclear Energy	Performance plan and status report on Energy Innovation Hub
Department of Energy/Nuclear Energy	Report on small modular reactor performance plan
Department of Energy/Nuclear Energy	Report on investment criteria for program priorities
Department of Energy/Nuclear Energy	Requirement to preserve data and records from Yucca Mountain program
Department of Energy/Nuclear Energy	Report on inventory of all international activities
Department of Energy/Nuclear Energy	Report on competition for research and development funds
Department of Energy/Fossil Energy	Report on panel recommendations for hydraulic fracturing

Agency/account	Requirement
Department of Energy/Naval Petroleum Reserves.	Long-term management plan for transitioning RMOTC to self-sustaining facility
Department of Energy/Non-Defense Environmental Cleanup.	Plan on cleanup of small sites and remaining liabilities
Department of Energy/Uranium Enrichment D&D Fund.	Directs use of miscellaneous proceeds
Department of Energy/Science	Report on effectiveness of STEM education programs
Department of Energy/Science	Report on exascale computing targets and program plan
Department of Energy/Science	Performance plan and report on Fuels from Sunlight Energy Innovation Hub
Department of Energy/Science	Performance plan on Batteries and Energy Storage Energy Innovation Hub
Department of Energy/Science	Performance plan and status report on Energy Frontier Research Centers
Department of Energy/Science	Performance assessment of multi-year research projects
Department of Energy/Science	Plan for transition of medical applications research to appropriate agency
Department of Energy/Science	Evaluation of BioEnergy Research Centers
Department of Energy/Science	Report on prioritization of magnetic fusion energy research activities
Department of Energy/Science	Assessment of alternatives for deep underground science laboratory
Department of Energy/Science	Ten-year plan for science graduate fellowships
Department of Energy/Nuclear Waste Disposal.	Directs completion of Yucca Mountain license application process
Department of Energy/Nuclear Waste Disposal.	Options for development of interim storage capacity for high-level nuclear waste
Department of Energy/ARPA-Energy	Report on guidelines for project risk profile
Department of Energy/ARPA-Energy	Project progress report and performance interim assessment
Department of Energy/Title 17 Loan Guarantee Program.	Notification requirements for awards
Department of Energy/NNSA	Development of formal guidance to collect financial information from contractors
Department of Energy/NNSA	Plan to increase the domestic supply of helium–3
Department of Energy/Weapons Activities	New reporting requirements for early life extension activities
Department of Energy/Weapons Activities	Directs separate reporting of legacy contractor pension costs
Department of Energy/Weapons Activities	Report on status of the workforce
Department of Energy/Weapons Activities	Report on footprint reduction
Department of Energy/Weapons Activities	Directs report on options to improve the safety of transporting nuclear weapons
Department of Energy/Weapons Activities	Limits funding for B61 Life Extension Program pending new reporting
Department of Energy/Weapons Activities	Plan to ensure the supply of tritium
Department of Energy/Weapons Activities	Report on aircraft capabilities needed to conduct emergency response activities
Department of Energy/Defense Nuclear Nonproliferation.	Evaluation of the effectiveness of radiation portal monitoring
Department of Energy/Defense Nuclear Nonproliferation.	Updated plan for Russian Surplus Materials Disposition
Department of Energy/Naval Reactors	Separate funding for OHIO-replacement research and development
Department of Energy/Naval Reactors	Directs transition to budgeting for research and development by ship platform
Department of Energy/Naval Reactors	Separate funding for infrastructure and operations
Department of Energy/Naval Reactors	Multi-year infrastructure recapitalization plan
Department of Energy/Defense Environmental Cleanup.	National Academies study on potential uses of H-Canyon
Department of Energy/Defense Environmental Cleanup.	Semi-annual report on status of Waste Treatment Plant
Department of Energy/Defense Environmental Cleanup.	Requirement to certify the safety of cleanup program
Department of Energy/Defense Environmental Cleanup.	Evaluation of costs to resolve safety concerns of Waste Treatment Plant
Department of Energy/Defense Environmental Cleanup.	Report on lessons learned from Recovery Act projects
Department of Energy/Defense Environmental Cleanup.	Report on projects funded within operations and maintenance accounts
Department of Energy/Other Defense Activities.	Annual report on independent health, safety and security oversight activities
Nuclear Regulatory Commission	Prohibits funding to close out Yucca Mountain license application
Nuclear Regulatory Commission	Limitations on reprogramming funding
Nuclear Regulatory Commission	Semi-annual report on licensing and regulatory activities
Nuclear Regulatory Commission	Report on pre-application activities of advanced reactors
Tennessee Valley Authority	Inspector General audit and inspection reports

TITLE I—CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

INTRODUCTION

The Energy and Water Development Appropriations Act funds the Civil Works missions of the Army Corps of Engineers (Corps). This program is responsible for activities in support of coastal and inland navigation, flood and coastal storm damage reduction, environmental protection and restoration, hydropower, recreation, water supply and disaster preparedness and response. The Corps also performs regulatory oversight of navigable waters. Approximately 23,000 civilians and almost 300 military personnel located in eight Division offices and 38 District offices work to carry out the Civil Works program.

BENEFITS OF WATER RESOURCE INVESTMENTS

Through its Civil Works program, the Corps of Engineers manages water resource investments that provide substantial and myriad economic and social benefits to the nation. For example, 41 states, including all states east of the Mississippi River, are served by the 926 coastal, Great Lakes, and inland harbors and 12,000 miles of commercial inland channels maintained by the Corps. In 2009, the value of foreign commerce handled at ports totaled $1.156 trillion. By volume, more than 2.2 billion tons of cargo were handled by U.S. ports and waterways (858.9 million tons inbound from foreign sources, 494.8 million tons outbound, and 857.1 million tons domestic). Nearly three-quarters of this volume consisted of crude oil, petroleum products, coal and coke, and food and farm products.

The 692 dams managed by the Corps and the roughly 11,750 miles of levees built or controlled by the Corps reduce the risk of flooding to people, businesses and other public infrastructure investments. In fact, Corps projects prevented damages of $29.5 billion in 2009 alone. Between 1928 and 2009, each inflation-adjusted dollar invested in these projects prevented $7.17 in damages.

Corps recreation sites host 370 million visits per year, representing 20 percent of all visits to federal recreation areas. Most Corps recreation sites are at lakes, more than 90 percent of which are located within 50 miles of a metropolitan statistical area. One-third of all U.S. freshwater lake fishing occurs at Corps sites, including 20,000 fishing tournaments each year. In total, visitors spend $18 billion annually at Corps recreation sites. This activity supports 350,000 full- and part-time jobs.

The Corps ranks first among U.S. hydropower producers with 24 percent of U.S. hydropower capacity, or three percent of total U.S. electric capacity. The 350 generating units owned and operated by the Corps generate 68 billion kilowatt-hours annually and approximately $4 billion in annual gross revenue.

Corps lakes have a total capacity of 329.2 million acre-feet of storage, of which 9.76 million acre-feet is authorized for municipal and industrial water supply. The total investment in municipal and industrial water supply storage is $1.5 billion.

Much of this existing infrastructure is old and in need of increased attention just to maintain the current level of benefits to the nation. For example, the average age of navigation lock chambers is 58 years, including 138 of 238 at more than 50 years old. Additional benefits could be achieved through improvements to existing assets and development of new assets.

FISCAL YEAR 2012 BUDGET REQUEST OVERVIEW AND ANALYSIS

The fiscal year 2012 budget request for the Civil Works program of the Corps of Engineers totals $4,573,000,000, a decrease of $284,213,000, or 5.9 percent, from fiscal year 2011. After accounting for one-time rescissions in the fiscal year 2012 budget request and the Fiscal Year 2011 Continuing Appropriations Act, the request is a decrease of $424,213,000 from current levels. As in previous years, most of the reduction is in the Construction account. Increases are requested only for the Flood Control and Coastal Emergencies, Regulatory, and Office of the Assistant Secretary of the Army for Civil Works accounts.

This level of investment, as with previous budget requests, is not reflective of the Corps' importance to the national economy, jobs, and international competitiveness. While the Committee is firmly committed to addressing the nation's deficit problem, the Committee urges the Administration to take into account while developing its budget request the extraordinary economic benefits of the projects historically funded in the Corps accounts. Investments in the water resource infrastructure discussed above, particularly navigation infrastructure, not only provide short-term economic benefits by directly creating jobs, but also provide the foundation necessary for long-term economic growth.

Deep-draft Navigation.—The scheduled opening of an expanded Panama Canal in 2014 has prompted a move toward larger ships requiring deeper drafts. The United States already is losing shipping capacity because the Corps is not fully funded to maintain the current authorized depths of ports and waterways. The nation risks losing further shares of the cargo market to Canada and Mexico if we are not prepared with deep-draft capacity sufficient to support these vessels.

The proposed reduction in funding for maintenance of deep-draft navigation is particularly perplexing since the Harbor Maintenance Trust Fund (HMTF), which is intended to fund 100 percent of the maintenance dredging requirements of coastal and Great Lakes ports, will have an estimated balance of more than $6.1 billion at the beginning of fiscal year 2012. The budget request does not propose drawing down the balance to address unmet dredging needs, and, in fact, proposes to use less than one-half the estimated receipts for fiscal year 2012 for maintenance dredging. Also included in the budget request is a proposal to expand the activities eligible for reimbursement from the HMTF, although no specific details have been provided to date. The Committee strongly opposes any attempt to divert this revenue from the purposes for which it was collected, namely maintenance dredging. Also, in general, for the top 59 ports, the Corps is only able to maintain authorized depths, only within the middle half of the channel, 33 percent of the time. The fiscal year 2012 budget request is unlikely to improve that statistic. It is clear, therefore, that this proposal to expand HMTF

uses is not based on a lack of need for funds for existing eligible dredging activities.

Inland Navigation.—Rather than attempting to fix a problem that does not exist with the HMTF, the Administration's time would be better spent working with industry and the Congress to develop a viable solution to the lack of adequate investment in the inland waterways system. The previous Administration, in its fiscal year 2008 budget request, noted the depletion of accumulated balances in the Inland Waterways Trust Fund (IWTF). The fiscal year 2009 budget proposed a shift from the existing diesel tax to a lockage fee as the revenue source of the IWTF. That proposal was developed with no stakeholder input and was soundly rejected by the navigation industry.

In April 2010, the Inland Waterways Users Board approved and forwarded to the Assistant Secretary of the Army for Civil Works its own proposal for addressing the needs of the inland system. That industry proposal was developed with technical assistance from the Corps but no Administration involvement. The Corps is in the process of implementing some of the project management recommendations, but the Administration rejected many of the other recommendations as attempts to shift current cost-share requirements from the IWTF to the general treasury.

The Committee continues to support the only prudent budgetary option under these circumstances—that of limiting investment to no more than annual revenue. This decision is not without cost or risk, however. With each fiscal year that passes with no legislative changes to provide additional funding, costs go up for projects delayed or deferred and the chance of one or more significant failures of the aging infrastructure increases. The Committee encourages the Administration to work with industry and the appropriate committees of the Congress to develop an equitable solution to this problem as soon as possible.

Recreation.—In April 2010, the President established the America's Great Outdoor Initiative to "develop a 21st Century conservation and recreation agenda." In February 2011, a report with recommendations on how to accomplish these goals was issued. Unfortunately, these recommendations focus more on acquiring new federal lands and funding city parks than on maintaining or expanding recreation opportunities at existing federal sites. The fiscal year 2012 budget request for the Corps reduces funding for recreation by $21,000,000, or 12 percent, from the fiscal year 2011 budget request. This reduction will necessitate park closures or other reductions in services at Corps parks, which provide the only recreational opportunity available to some of the population.

Hydropower.—The President has discussed a goal of generating 80 percent of our nation's electricity from clean energy sources by 2035. Existing federal hydropower infrastructure is aging and in need of re-capitalization to maintain current levels of power generated. The study conducted in response to section 1834 of the Energy Policy Act of 2005 identified significant additional hydropower potential at existing Corps facilities that could feasibly be developed. Yet the fiscal year 2012 budget request reduces hydropower funding by $25,000,000, or 12 percent, from the fiscal year 2011 request. The Committee is somewhat encouraged by the fact that the Corps is working with the Power Marketing Administrations and

private interests to explore alternative financing options. The Committee also supports continued cooperation with other agencies, including the Department of Energy, to develop improved technologies to better use this valuable domestic source of energy.

Budget Criteria.—According to the Administration, the Corps budget request is a performance-based budget developed using objective performance criteria. Within the Investigations account, funding was allocated based on continuing the "highest performing studies and design," but the Committee has been unable to ascertain what objective measures qualify a study as high-performing.

Construction funds were allocated based on a mix of factors including severity of dam safety problems, benefit-to-cost ratio, risk-to-life index, Endangered Species Act compliance, and cost-effective restoration of a nationally or regionally significant aquatic ecosystem. Operation and Maintenance funds were allocated based on a mix of factors including tonnage movements, risk and consequences assessment, and visitation at recreation sites. It is entirely unclear, though, how any of these factors were ranked or weighted during development of the budget. Most concerning is the fact that these metrics were applied almost exclusively to those studies and projects proposed for funding in a previous budget request. In other words, the hundreds of studies and projects previously funded by congressional direction were not even eligible to compete for inclusion in the President's budget. While this exclusion is not new this year, or even with this Administration, it nevertheless casts significant doubt on the true objectivity of the budget development process.

Account Details.—The budget request for the Investigations account is $104,000,000, $22,746,000 below fiscal year 2011. The request assumes initiation of the two proposed new starts in the fiscal year 2011 budget and proposes funding for four additional new studies. Funding is included to complete six planning, engineering and design phases, all within the Louisiana Coastal Area Ecosystem Restoration authorization.

The budget proposes $1,480,000,000 for the Construction account, a decrease of $133,822,000 from fiscal year 2011, or a decrease of $309,822,000 after accounting for a one-time rescission in fiscal year 2011. Full funding is requested for the most critical dam safety projects and for meeting legal requirements, such as Biological Opinions. Approximately $154,000,000 is requested for inland waterway construction and rehabilitation, an amount constrained by the amount of anticipated revenues to the IWTF. No new funding is proposed for the Continuing Authorities Program. The budget request assumes initiation of the two new starts proposed in the fiscal year 2011 budget and contains funding for one additional new project. Funding is requested to complete three projects.

The budget request proposes $152,000,000, including a one-time rescission of $58,000,000, for the Mississippi River and Tributaries account, a decrease of $89,906,000 from fiscal year 2011. Public Law 112–10, the Department of Defense and Full-Year Continuing Appropriations Act, 2011, included the rescission of $22,000,000 of the $58,000,000 rescission proposed in the fiscal year 2012 budget request. The Committee understands that the remainder of the proposed rescission, which is emergency funding, was used to respond to flooding in the Mississippi River basin.

The fiscal year 2012 Operation and Maintenance account is proposed at $2,314,000,000, a reduction of $51,759,000 from the current year. The budget request assumes initiation of the one new start activity proposed in the fiscal year 2011 budget request and proposes one additional new start activity.

Proposed funding for the Regulatory Program account is $196,000,000, an increase of $6,380,000 from fiscal year 2011.

The fiscal year 2012 budget request is $109,000,000 for the Formerly Utilized Sites Remedial Action Program account, a decrease of $20,740,000 from the current level.

The budget request includes $27,000,000 for the Flood Control and Coastal Emergencies account. No funding was appropriated in fiscal year 2011. This funding primarily is for preparedness activities, with $4,000,000 proposed for expansion of the Silver Jackets program.

The Expenses and Office of Assistant Secretary of the Army for Civil Works are proposed at $185,000,000 and $6,000,000, an increase of $370,000 and $1,010,000 respectively, from fiscal year 2011.

The budget request also includes authorization language on issues of varying urgency. This continues the more recent trend of the executive branch ignoring the established legislative authorization process in favor of piecemeal authorizations on the appropriations bill. By not working with the congressional authorizing committees on authorization matters, the Corps misses the opportunity to address policy and project matters in a more deliberative and comprehensive fashion. The Committee supports the intent of the authorization provisions included in the budget request, including the acquisition of property for the Engineer Research and Development Center laboratory facilities in New Hampshire, but the Committee includes only the most critical and time-sensitive provisions of the budget request in this bill.

FIVE-YEAR COMPREHENSIVE PLANNING

Historically, the Committee has encouraged the Administration to provide five-year investment plans for all of the agencies within the Energy and Water Development jurisdiction, particularly the Corps. The five-year plan should be based on realistic assumptions of project funding needs. It is the Committee's hope that once projects have been initiated, the Administration will request responsible annual funding levels for them through completion.

The executive branch has traditionally been unwilling to project five-year horizons for projects it has not previously supported through the budget process. The uncertainty caused by year-to-year federal planning leaves too many non-federal sponsors unable to make informed decisions regarding local funding. It would be beneficial for the Congress, the Administration, and project partners to have a comprehensive plan to outline requirements for all projects that have received an appropriation to date. The Committee would welcome a dialogue to reach a mutually-agreeable way to comprehensively plan for all initiated projects.

FLOODPLAIN MAPPING AND LEVEE CERTIFICATIONS

Communities from around the country have expressed concern and frustration with the process by which the Federal Emergency

Management Agency (FEMA) is updating floodplain maps and the treatment of levees within that process. The Committee supports a concerted effort by the Corps to provide proactive information on levees within its jurisdiction and to be an active partner with communities around the nation as they seek to certify their levees by producing an inventory of all levees, both federal and non-federal, within the next year. Additionally, the Committee encourages the Corps to develop and submit to the appropriate congressional committees a legislative proposal addressing any statutory impediments to providing such assistance with levee certifications. The Committee will continue to scrutinize the floodplain mapping process and the role the Corps plays in that process.

CONGRESSIONAL DIRECTION AND REPROGRAMMING

To ensure that the expenditure of funds in fiscal year 2012 is consistent with congressional direction, to minimize the movement of funds and to improve overall budget execution, the bill carries a legislative provision outlining the circumstances under which the Corps of Engineers may reprogram funds.

MANAGEMENT OF EMERGENCY FUNDS

In response to pressing national emergencies caused by natural and other disasters, the Congress has provided the Corps with billions of dollars in supplemental emergency funding, excluding Recovery Act funds, over the past five years. While some of those funds were designated for certain projects and areas, other funds were provided without congressional direction based on Corps estimates of funding needs due to extreme events. Much to the dismay of the Committee, the Corps continues to carry over hundreds of millions of dollars in emergency funds. It is understandable that some larger or more complex structural repairs may take time to plan, design, and construct. The level of unobligated funds, however, seems to be in excess of what would be expected from that type of situation.

Damage caused to Corps facilities, and other work the Corps must carry out in responding to disasters, should be the only factor the Corps considers when determining capability for supplemental funding. When the Corps expresses capability for emergency funding and does not expend those funds in a timely manner, the only conclusion the Committee can reach is that the Corps includes in its estimates activities that are not pressing needs and, therefore, should be addressed in the annual budget request.

Given the recent experiences with the Corps management of emergency funding, the Committee directs the Corps to restructure its emergency funding financial management. First, the Corps shall only express capability for emergency funding for projects that are a direct result of disasters that occur. Second, Corps Headquarters is prohibited from dispersing emergency funds to the field until capability is shown and funds must be obligated. If the field does not obligate funds within 60 days of the funds being sent to the field, Headquarters is directed to redirect those funds for use in other regions of the country where emergency activities require immediate funding.

NEW STARTS

The Administration proposes a combined reduction of $208,327,000 from Investigations, Construction, and Operation and Maintenance from fiscal year 2011 and a reduction of $693,000,000 (excluding emergency funding) from fiscal year 2010, the last time the Committee provided any new starts. While the Committee strongly supports additional investment in water resource projects, the funding limitations set forth by the Administration present the Committee with a difficult choice between starting new authorized projects in the Corps and only funding those projects that are ongoing in an effort to complete them. Faced with this difficult choice, the Committee has determined that prioritizing ongoing projects is the only responsible course of action and, therefore, recommends no new starts in any account in fiscal year 2012.

The Committee notes that the budget request seems to define a new start as any project, study or activity not previously included in the President's budget request for a particular account. That is not how the Committee defines a new start. If a project or study was funded in a particular account in an appropriations Act within the previous three fiscal years, it is not a new start. Additionally, if funding for an established activity that will remain substantively unchanged is transferred from one account to another, it is not a new start.

FORMAT OF FUNDING PRIORITIES

Traditionally, the President requested and the Congress appropriated funds for the Civil Works program on a project-level basis. Taken together, however, these funding decisions indicated programmatic priorities and policy preferences. As with non-project-based programs, the Congress at times disagreed with the priorities stated in the President's budget request and made its priorities known in appropriations bills. Final federal government priorities were established in Acts passed by both chambers of the Congress and signed by the President.

On January 5, 2011, the House of Representatives voted to prohibit congressional earmarks, as defined in House rule XXI. That definition encompasses project-level funding not requested by the President. Following that vote, the Committee has reviewed the historical format of appropriations for the Corps to see if there is a more transparent way to highlight programmatic priorities without abandoning congressional oversight responsibilities. This report includes a modification to the format used in previous years.

As in previous years, the Committee lists in report tables the studies, projects and activities within each account requested by the President along with the Committee-recommended funding level. This year, to advance its programmatic priorities, the Committee has included additional funding for certain categories of projects. Also included are criteria by which the Corps is to evaluate and select specific projects to fund within those allocations. The Corps is directed to report to the Committee, within 45 days of enactment of this Act, on its final spending plan for fiscal year 2012.

COMMITTEE RECOMMENDATION

The Committee recommends a total of $4,768,406,000 for the Corps of Engineers, $88,807,000 below fiscal year 2011 and $195,406,000 above the request. After accounting for one-time rescissions in fiscal year 2011 of $198,000,000, proposed rescissions of $58,000,000 in the request and a one-time rescission for fiscal year 2012 of $50,000,000, the recommendation is $236,807,000 below fiscal year 2011 and $187,406,000 above the request.

A table summarizing the fiscal year 2011 enacted appropriation, the fiscal year 2012 budget request, and the Committee-recommended levels is provided below.

[Dollars in thousands]

Account	FY 2011 enacted	FY 2012 request	Committee recommended
Investigations	$126,746	$104,000	$104,000
Construction	1,789,822	1,480,000	1,615,941
Rescission	*− 176,000*	—	*− 50,000*
Mississippi River and tributaries	263,906	210,000	210,000
Rescission	*− 22,000*	*− 58,000*	—
Operation and Maintenance	2,365,759	2,314,000	2,366,465
Regulatory program	189,620	196,000	196,000
FUSRAP	129,740	109,000	109,000
Flood control and coastal emergencies	—	27,000	27,000
Expenses	184,630	185,000	185,000
Office of the Assistant Secretary of the Army for Civil Works	4,990	6,000	5,000
Total, Corps of Engineers—Civil	4,857,213	4,573,000	4,768,406

INVESTIGATIONS

Appropriation, 2011	$126,746,000
Budget estimate, 2012	104,000,000
Recommended, 2012	104,000,000
Comparison:	
Appropriation, 2011	− 22,746,000
Budget estimate, 2012	—

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

The Committee recommends an appropriation of $104,000,000, $22,746,000 below fiscal year 2011 and the same as the budget request.

The budget request for this account, and the approved Committee allowance, are shown on the following table:

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			HOUSE RECOMMENDED		
	RECON	FEASIBILITY	PED	RECON	FEASIBILITY	PED
ALASKA						
MATANUSKA RIVER WATERSHED, AK	---	100	---	---	100	---
YAKUTAT HARBOR, AK	---	100	---	---	100	---
CALIFORNIA						
CALIFORNIA COASTAL SEDIMENT MASTER PLAN, CA	---	900	---	---	900	---
COYOTE & BERRYESSA CREEKS, CA	---	---	500	---	---	500
LOS ANGELES COUNTY, CA	---	80	---	---	80	---
MALIBU CREEK WATERSHED, CA	---	210	---	---	210	---
CENTRAL VALLEY INTEGRATED FLOOD MANAGEMENT STUDY, CA	---	300	---	---	300	---
SAC-SAN JOAQUIN DELTA ISLANDS AND LEVEES, CA	---	1,015	---	---	1,015	---
SAN PABLO BAY WATERSHED, CA	---	500	---	---	500	---
SOLANA BEACH, CA	---	133	---	---	133	---
SUTTER COUNTY, CA	---	339	---	---	339	---
UPPER PENITENCIA CREEK, CA	---	177	---	---	177	---
YUBA RIVER FISH PASSAGE, CA	100	---	---	---	---	---
FLORIDA						
LAKE WORTH INLET, PALM BEACH COUNTY, FL	---	293	---	---	293	---
MILE POINT, FL	---	50	---	---	50	---
GEORGIA						
SAVANNAH HARBOR EXPANSION, GA	---	---	600	---	---	---
TYBEE ISLAND, GA	---	200	---	---	200	---
HAWAII						
ALA WAI CANAL, OAHU, HI	---	400	---	---	400	---
ILLINOIS						
DES PLAINES RIVER, IL (PHASE II)	---	500	---	---	500	---
ILLINOIS RIVER BASIN RESTORATION , IL	---	400	---	---	400	---
INTERBASIN CONTROL OF GREAT LAKES-MISSISSIPPI RIVER AQUATIC NUISANCE SPECIES, IL, IN, OH & WI	---	3,000	---	---	3,000	---
INDIANA						
INDIANA HARBOR, IN	---	---	300	---	---	300
KANSAS						
TOPEKA, KS	---	---	100	---	---	100
LOUISIANA						
BAYOU SORREL LOCK, LA	---	---	2,000	---	---	2,000
CALCASIEU LOCK, LA	---	1,000	---	---	1,000	---
LOUISIANA COASTAL AREA COMPREHENSIVE PLAN, LA	100	---	---	---	---	---
LOUISIANA COASTAL AREA ECOSYSTEM RESTORATION, LA	---	10,845	5,400	---	10,845	5,400

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			HOUSE RECOMMENDED		
	RECON	FEASIBILITY	PED	RECON	FEASIBILITY	PED
MARYLAND						
CHESAPEAKE BAY COMPREHENSIVE PLAN, MD, PA & VA	250	---	---	---	---	---
EASTERN SHORE, MID CHESAPEAKE BAY ISLAND, MD	---	---	169	---	---	169
MASSACHUSETTS						
PILGRIM LAKE, TRURO & PROVINCETOWN, MA	---	113	---	---	113	---
MINNESOTA						
MINNESOTA RIVER WATERSHED STUDY, MN & SD (MINNESOTA RIVER AUTHORITY)	---	350	---	---	350	---
MISSOURI						
KANSAS CITYS, MO & KS	---	330	---	---	330	---
MISSOURI RIVER DEGRADATION, MO	---	600	---	---	600	---
MONTANA						
YELLOWSTONE RIVER CORRIDOR, MT	---	200	---	---	200	---
NEW HAMPSHIRE						
MERRIMACK RIVER WATERSHED STUDY, NH & MA	---	200	---	---	200	---
NEW JERSEY						
DELAWARE RIVER COMPREHENSIVE, NJ	---	290	---	---	290	---
HUDSON - RARITAN ESTUARY, HACKENSACK MEADOWLANDS, NJ	---	---	100	---	---	100
HUDSON - RARITAN ESTUARY, LOWER PASSAIC RIVER, NJ	---	200	---	---	200	---
NEW MEXICO						
RIO GRANDE BASIN, NM, CO & TX	---	300	---	---	300	---
NEW YORK						
HUDSON - RARITAN ESTUARY, NY & NJ	---	400	---	---	400	---
JAMAICA BAY, MARINE PARK AND PLUMB BEACH, NY	---	---	170	---	---	170
WESTCHESTER COUNTY STREAMS, BYRAM RIVER BASIN, NY & CT	---	200	---	---	200	---
NORTH CAROLINA						
CURRITUCK SOUND, NC	---	400	---	---	400	---
NEUSE RIVER BASIN, NC	---	---	450	---	---	450
SURF CITY AND NORTH TOPSAIL BEACH, NC	---	---	300	---	---	300
NORTH DAKOTA						
FARGO, ND - MOORHEAD, MN METROPOLITAN AREA	---	---	12,000	---	---	12,000
RED RIVER OF THE NORTH BASIN, ND, MN, SD & MANITOBA, CANADA	---	433	---	---	433	---
OREGON						
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR & WA	---	300	---	---	300	---
WILLAMETTE RIVER ENVIRONMENTAL DREDGING, OR	---	250	---	---	250	---
WILLAMETTE RIVER FLOODPLAIN RESTORATION, OR	---	213	---	---	213	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			HOUSE RECOMMENDED		
	RECON	FEASIBILITY	PED	RECON	FEASIBILITY	PED
PENNSYLVANIA						
SCHUYLKILL RIVER BASIN, WISSAHICKON CREEK BASIN, PA	---	200	---	---	200	---
UPPER OHIO NAVIGATION STUDY, PA	---	1,363	---	---	1,363	---
PUERTO RICO						
CANO MARTIN PEÑA, PR	---	100	---	---	---	---
SOUTH CAROLINA						
EDISTO ISLAND, SC	---	100	---	---	100	---
TEXAS						
BRAZOS ISLAND HARBOR, BROWNSVILLE CHANNEL, TX	---	726	---	---	726	---
DALLAS FLOODWAY, UPPER TRINITY RIVER BASIN, TX	---	700	---	---	700	---
GIWW, HIGH ISLAND TO BRAZOS RIVER REALIGNMENTS, TX	---	200	---	---	200	---
GUADALUPE AND SAN ANTONIO RIVER BASINS, TX	---	400	---	---	400	---
LOWER COLORADO RIVER BASIN, TX	---	425	---	---	425	---
NUECES RIVER AND TRIBUTARIES, TX	---	650	---	---	650	---
SABINE PASS TO GALVESTON BAY, TX	---	200	---	---	200	---
VIRGINIA						
CHOWAN RIVER, VA	124	---	---	124	---	---
JOHN H KERR DAM AND RESERVOIR, VA & NC (SECTION 216)	---	365	---	---	365	---
LYNNHAVEN RIVER BASIN, VA	---	---	300	---	---	300
UPPER RAPPAHANNOCK RIVER BASIN COMPREHENSIVE, VA	---	200	---	---	200	---
WASHINGTON						
MOUNT SAINT HELENS, WA	---	225	---	---	225	---
PUGET SOUND NEARSHORE MARINE HABITAT RESTORATION, WA	---	400	---	---	400	---
SUBTOTAL, PROJECTS LISTED UNDER STATES	574	31,575	22,389	124	31,475	21,789
NATIONAL PROGRAMS						
ADDITIONAL INVESTIGATIONS	---	---	---	---	3,650	---
COORDINATION STUDIES WITH OTHER AGENCIES						
ACCESS TO WATER DATA	---	350	---	---	350	---
COMMITTEE ON MARINE TRANSPORTATION SYSTEMS	---	100	---	---	100	---
OTHER COORDINATION PROGRAMS	---	4,090	---	---	4,090	---
CALFED	---	(100)	---	---	(100)	---
CHESAPEAKE BAY PROGRAM	---	(75)	---	---	(75)	---
COORDINATION WITH OTHER RESOURCE AGENCIES	---	(200)	---	---	(200)	---
GULF OF MEXICO	---	(100)	---	---	(100)	---
INTERAGENCY AND INTERNATIONAL SUPPORT	---	(600)	---	---	(600)	---
INTERAGENCY WATER RESOURCE DEVELOPMENT	---	(955)	---	---	(955)	---
INVENTORY OF DAMS	---	(400)	---	---	(400)	---
LAKE TAHOE	---	(100)	---	---	(100)	---
PACIFIC NW FOREST CASE	---	(10)	---	---	(10)	---
SPECIAL INVESTIGATIONS	---	(1,550)	---	---	(1,550)	---
PLANNING ASSISTANCE TO STATES	---	5,000	---	---	5,000	---
COLLECTION AND STUDY OF BASIC DATA						
AUTOMATED INFORMATION SYSTEMS SUPPORT TRI-CADD	---	350	---	---	350	---
COASTAL FIELD DATA COLLECTION	---	1,000	---	---	1,000	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			HOUSE RECOMMENDED		
	RECON	FEASIBILITY	PED	RECON	FEASIBILITY	PED
ENVIRONMENTAL DATA STUDIES	---	75	---	---	75	---
FLOOD DAMAGE DATA	---	220	---	---	220	---
FLOOD PLAIN MANAGEMENT SERVICES	---	9,000	---	---	9,000	---
HYDROLOGIC STUDIES	---	250	---	---	250	---
INTERNATIONAL WATER STUDIES	---	200	---	---	200	---
PRECIPITATION STUDIES	---	225	---	---	225	---
REMOTE SENSING/GEOGRAPHIC INFORMATION SYSTEM SUPPORT	---	75	---	---	75	---
SCIENTIFIC AND TECHNICAL INFORMATION CENTERS	---	50	---	---	50	---
STREAM GAGING	---	600	---	---	600	---
TRANSPORTATION SYSTEMS	---	350	---	---	350	---
RESEARCH AND DEVELOPMENT	---	17,252	---	---	17,252	---
OTHER - MISCELLANEOUS						
INDEPENDENT PEER REVIEW	---	500	---	---	500	---
NATIONAL FLOOD RISK MANAGEMENT PROGRAM	---	3,000	---	---	3,000	---
NATIONAL SHORELINE	---	175	---	---	175	---
PLANNING SUPPORT PROGRAM	---	3,100	---	---	3,100	---
TRIBAL PARTNERSHIP PROGRAM	---	1,000	---	---	1,000	---
WATER RESOURCES PRINCIPLES AND GUIDELINES	---	500	---	---	---	---
WATER RESOURCES PRIORITIES STUDY	---	2,000	---	---	---	---
SUBTOTAL, NATIONAL PROGRAMS	0	49,462	0	0	50,612	0
TOTAL, INVESTIGATIONS	574	81,037	22,389	124	82,087	21,789

Savannah Harbor Expansion, Georgia.—The Committee notes that funding for Savannah Harbor Expansion, GA, is provided in the Construction account, as in previous years.

Additional Investigations.—The fiscal year 2012 budget request does not reflect the extent of need for project studies funding. The Corps has numerous studies initiated that will be suspended under the limits of the budget request. These studies could lead to projects with significant economic benefits, particularly by increasing national competitiveness through marine transportation improvements and by avoiding damages caused by flooding and coastal storms. While the Committee is unable to increase Investigations funding overall, the Committee is able to provide additional funding for ongoing project studies by finding savings elsewhere in the account. The Corps is directed to allocate the "Additional Investigations" funds to feasibility and preconstruction, engineering and design activities for ongoing navigation and flood and coastal storm damage reduction project studies. No funds may be used to initiate new studies. Further, none of these funds may be used to alter any existing cost-share requirements. The Corps shall report to the Committee, within 45 days of enactment of this Act, on project-specific allocations.

Planning Program Modernization.—The Committee is aware that the Corps has undertaken a planning modernization effort, including a National Planning Pilot Program of approximately seven to nine pilot studies to help test, develop and refine improvements to the planning process. The Committee encourages the Corps to continue to focus on mechanisms to streamline project studies and increase the cost-effectiveness of federal planning investments.

Flood Risk Reduction Assistance to State and Local Governments.—The Committee includes the requested amounts for the Floodplain Management Services and the national Flood Risk Management Program. Through these programs, the Corps provides technical assistance to communities looking to better manage flood risk. The Committee encourages the Corps to explore additional ways of providing recommendations and guidance on reducing flood risk to state and local governments, particularly those communities with aging infrastructure.

CONSTRUCTION

(INCLUDING RESCISSION OF FUNDS)

Appropriation, 2011	$1,613,822,000
Budget estimate, 2012	1,480,000,000
Recommended, 2012	1,565,941,000
Comparison:	
Appropriation, 2011	−47,881,000
Budget estimate, 2012	+85,941,000

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

The Committee recommends an appropriation of $1,565,941,000, $47,881,000 below fiscal year 2011 and $85,941,000 above the budget request. After accounting for a one-time rescission in fiscal

year 2011 of $176,000,000 and the rescission of $50,000,000 in this bill, the recommendation is $173,881,000 below fiscal year 2011 and $135,941,000 above the budget request.

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

CORPS OF ENGINEERS - CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
CALIFORNIA		
AMERICAN RIVER WATERSHED (COMMON FEATURES), CA	25,548	23,149
AMERICAN RIVER WATERSHED (FOLSOM DAM MODIFICATIONS), CA	21,000	19,028
AMERICAN RIVER WATERSHED (FOLSOM DAM RAISE), CA	1,000	906
HAMILTON AIRFIELD WETLANDS RESTORATION, CA	8,250	7,475
HAMILTON CITY, CA	8,000	---
NAPA RIVER, SALT MARSH RESTORATION, CA	9,500	8,607
OAKLAND HARBOR (50 FOOT PROJECT), CA	350	317
SACRAMENTO DEEPWATER SHIP CHANNEL, CA	3,500	3,171
SACRAMENTO RIVER BANK PROTECTION PROJECT, CA	10,000	9,061
SANTA ANA RIVER MAINSTEM, CA	20,500	18,575
SANTA PAULA CREEK, CA	2,078	1,882
SOUTH SACRAMENTO COUNTY STREAMS, CA	5,000	4,530
SUCCESS DAM, TULE RIVER, CA (DAM SAFETY)	18,000	18,000
YUBA RIVER BASIN, CA	2,000	1,812
FLORIDA		
BREVARD COUNTY, CANAVERAL HARBOR, FL	350	317
DADE COUNTY, FL	15,202	13,774
DUVAL COUNTY, FL	100	90
FORT PIERCE BEACH, FL	350	317
HERBERT HOOVER DIKE, FL (SEEPAGE CONTROL)	85,000	85,000
JACKSONVILLE HARBOR, FL	7,000	6,342
MANATEE COUNTY, FL	100	90
NASSAU COUNTY, FL	700	634
SOUTH FLORIDA ECOSYSTEM RESTORATION, FL	162,724	130,000
ST JOHN'S COUNTY, FL	350	317
TAMPA HARBOR, FL	3,000	2,718
GEORGIA		
LOWER SAVANNAH RIVER BASIN, GA	45	40
RICHARD B RUSSELL DAM AND LAKE, GA & SC	3,200	2,899
SAVANNAH HARBOR DISPOSAL AREAS, GA & SC	5,040	4,566
SAVANNAH HARBOR EXPANSION, GA	---	543
ILLINOIS		
ALTON TO GALE ORGANIZED LEVEE DISTRICTS, IL & MO	500	453
CHAIN OF ROCKS CANAL, MISSISSIPPI RIVER, IL (DEF CORR)	2,250	2,038
CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIER, IL	13,500	21,805
DES PLAINES RIVER, IL	1,000	906
EAST ST LOUIS, IL	1,350	1,223
LOCK AND DAM 27, MISSISSIPPI RIVER, IL (MAJOR REHAB)	100	90
MCCOOK AND THORNTON RESERVOIRS, IL	12,000	10,873
OLMSTED LOCKS AND DAM, OHIO RIVER, IL & KY	150,000	135,915
UPPER MISSISSIPPI RIVER RESTORATION, IL, IA, MN, MO & WI	18,150	16,445
WOOD RIVER LEVEE, DEFICIENCY CORRECTION AND RECONSTRUCTION, IL	830	752

CORPS OF ENGINEERS - CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
INDIANA		
LITTLE CALUMET RIVER, IN	9,000	7,100
IOWA		
MISSOURI RIVER FISH AND WILDLIFE RECOVERY, IA, KS, MO, MT, NE, ND & SD	72,888	72,888
KANSAS		
TURKEY CREEK BASIN, KS & MO	4,000	3,624
KENTUCKY		
WOLF CREEK DAM, LAKE CUMBERLAND, KY	132,000	132,000
LOUISIANA		
LAROSE TO GOLDEN MEADOW, LA (HURRICANE PROTECTION)	5,500	4,983
LOUISIANA COASTAL AREA ECOSYSTEM RESTORATION, LA	10,620	---
MARYLAND		
ASSATEAGUE, MD	1,000	906
CHESAPEAKE BAY OYSTER RECOVERY, MD & VA	5,000	4,530
POPLAR ISLAND, MD	12,000	10,873
MASSACHUSETTS		
MUDDY RIVER, MA	4,000	3,624
MINNESOTA		
CROOKSTON, MN	1,250	1,132
MISSOURI		
BLUE RIVER CHANNEL, KANSAS CITY, MO	3,000	2,718
CLEARWATER LAKE, MO	32,900	32,900
KANSAS CITYS, MO & KS	500	453
MISSISSIPPI RIVER BETWEEN THE OHIO AND MISSOURI RIVERS (REG WORKS), MO & IL	7,320	6,632
MONARCH - CHESTERFIELD, MO	1,351	1,224
ST LOUIS FLOOD PROTECTION, MO	100	90
NEW JERSEY		
GREAT EGG HARBOR INLET AND PECK BEACH, NJ	500	453
LOWER CAPE MAY MEADOWS, CAPE MAY POINT, NJ	7,650	6,931
RARITAN BAY AND SANDY HOOK BAY(PORT MONMOUTH), NJ	3,000	2,718
RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NJ	6,000	5,436

CORPS OF ENGINEERS - CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
NEW MEXICO		
RIO GRANDE FLOODWAY, SAN ACACIA TO BOSQUE DEL APACHE, NM	10,000	9,061
NEW YORK		
ATLANTIC COAST OF NYC, ROCKAWAY INLET TO NORTON POINT, NY	100	90
FIRE ISLAND INLET TO MONTAUK POINT, NY	1,350	1,223
LONG BEACH ISLAND, NY	300	271
NEW YORK AND NEW JERSEY HARBOR, NY & NJ	65,014	58,909
OHIO		
DOVER DAM, MUSKINGUM RIVER, OH (DAM SAFETY ASSURANCE)	5,000	5,000
OKLAHOMA		
CANTON LAKE, OK	11,100	11,100
OREGON		
COLUMBIA RIVER TREATY FISHING ACCESS SITES, OR & WA	2,000	1,812
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR & WA	4,200	3,805
PENNSYLVANIA		
EMSWORTH LOCKS AND DAM, OHIO RIVER, PA	3,000	3,000
LOCKS AND DAMS 2, 3 AND 4, MONONGAHELA RIVER, PA	1,000	1,000
PRESQUE ISLE PENINSULA, PA (PERMANENT)	1,500	1,359
PUERTO RICO		
PORTUGUES AND BUCANA RIVERS, PR	45,000	40,774
RIO PUERTO NUEVO, PR	7,000	6,342
TENNESSEE		
CENTER HILL LAKE, TN	78,700	78,700
TEXAS		
BRAYS BAYOU, HOUSTON, TX	3,000	2,718
HOUSTON - GALVESTON NAVIGATION CHANNELS, TX	600	543
LOWER COLORADO RIVER BASIN (WHARTON/ONION), TX	5,000	---
VIRGINIA		
LEVISA AND TUG FORKS AND UPPER CUMBERLAND RIVER, VA, WV & KY	5,000	4,530
NORFOLK HARBOR AND CHANNELS, CRANEY ISLAND, VA	27,400	24,827
ROANOKE RIVER UPPER BASIN, HEADWATERS AREA, VA	1,075	974

CORPS OF ENGINEERS - CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
WASHINGTON		
COLUMBIA RIVER FISH MITIGATION, WA, OR & ID	128,405	128,405
DUWAMISH AND GREEN RIVER BASIN, WA	2,060	1,866
LOWER SNAKE RIVER FISH AND WILDLIFE COMPENSATION, WA, OR & ID	1,500	1,500
MOUNT SAINT HELENS SEDIMENT CONTROL, WA	6,500	5,889
MUD MOUNTAIN DAM, WA	1,000	906
WEST VIRGINIA		
BLUESTONE LAKE, WV	70,000	70,000
SUBTOTAL, PROJECTS LISTED UNDER STATES	1,423,950	1,320,479
REMAINING ITEMS		
ADDITIONAL FLOOD AND COASTAL STORM DAMAGE REDUCTION	---	124,600
ADDITIONAL NAVIGATION	---	118,400
DAM SAFETY AND SEEPAGE/STABILITY CORRECTION PROGRAM	37,155	37,155
EMPLOYEES' COMPENSATION	15,000	13,591
INLAND WATERWAYS USERS BOARD - BOARD EXPENSE	70	63
INLAND WATERWAYS USERS BOARD - CORPS EXPENSE	825	747
ESTUARY RESTORATION PROGRAM	2,000	---
PERIODIC REVIEW OF BCRS	1,000	906
SUBTOTAL, REMAINING ITEMS	56,050	295,462
TOTAL, CONSTRUCTION	1,480,000	1,615,941

South Florida Ecosystem Restoration, Florida.—For several years now, funding for Everglades restoration has constituted more than 10 percent of the total Construction account budget request. While the Committee continues to support funding for Everglades restoration, this share of funding is not sustainable or equitable, particularly as overall Construction funding trends downward. The Committee provides a total of $130,000,000 for restoration projects in the Everglades, a reduction of $32,724,000 from the President's budget request. This funding level is still eight percent of the total construction account. This reduction is based on the amount of savings from fiscal year 2011 plus the funding the unlikely to be obligated in fiscal year 2012 due to schedule delays.

Savannah Harbor Expansion, Georgia.—The President's budget request includes funding for the Savannah Harbor Expansion, Georgia project in the Investigations account. As in previous fiscal years, however, the Committee includes that funding in the Construction account.

Chicago Sanitary and Ship Canal Dispersal Barrier, Illinois.—The budget request includes funding for Chicago Sanitary and Ship Canal Dispersal Barrier in both the Construction and Operation and Maintenance accounts. Since the submission, however, the Corps informed the Committee that the entire amount is needed in the Construction account and no funding is needed in the Operation and Maintenance account. The Committee has accommodated this shift in account funding.

Additional Construction.—The fiscal year 2012 budget request does not reflect the extent of funding needed for Corps projects under construction. The Corps has ongoing, authorized Construction projects that would cost tens of billions of dollars to complete, yet it has requested a mere fraction of the funding necessary to complete those projects. The Corps is directed to allocate the "Additional Navigation" and "Additional Flood and Coastal Storm Damage Reduction" funds to specific ongoing projects based on the following set of criteria:

- number of jobs created directly by the funded activity;
- high project benefit-to-cost ratio;
- ability to obligate the funds allocated within the fiscal year, including consideration of the ability of the non-federal sponsor to provide any required cost-share;
- ability to complete the project, separable element, or project phase within the funds allocated;
- for flood and coastal storm damage reduction,
  - —population at risk; and
  - —economic activity or public infrastructure at risk; and
- for navigation, number of jobs or level of economic activity to be supported by completion of the project, separable element, or project phase.

No funds may be used to start new projects. Funds may not be used for projects in the Continuing Authorities Program. Further, none of these funds may be used to alter any existing cost-share requirements.

The Corps shall report to the Committee, within 45 days of enactment of this Act, on project-specific allocations, including an explanation for each allocation. This report shall include the project rankings based on these criteria. No funds shall be obligated for

any project under this program which has not already been justified in such a report.

Continuing Authorities Program (CAP).—The inability of the Corps to effectively and efficiently implement the Continuing Authorities Program is a source of regular frustration to the Committee. For a program that historically accounts for less than 10 percent of the funds provided to the Construction account, the Committee is deeply troubled by the amount of time it is required to spend on oversight of the program and management of the Corps.

The Committee has worked with the Corps since 2006 to make changes to how the Committee funds the program in an effort to eliminate barriers to program execution. Despite all of those changes, though, the Corps had nearly $300,000,000 in carryover funds from fiscal year 2010 to 2011. The Fiscal Year 2011 Continuing Appropriations Act rescinded $100,000,000 from this program. Based on Corps estimates of funds to be obligated in fiscal year 2011, the Committee believes there will still be sufficient carryover into fiscal year 2012 to sustain the program. Therefore, consistent with the budget request, the Committee provides no new funds for the Continuing Authorities Program. Since the Corps has not yet informed the Committee of amounts by section expected to be carried over into fiscal year 2012 in light of the rescission, the Committee is unable to approve or disapprove the proposal to reprogram funds from Sections 14, 103, 107, and 208 to the remaining sections.

For fiscal year 2012, the Committee directs the Corps to continue to fund the Continuing Authorities Program based on the nationwide prioritization of projects using the criteria set forth below. The Corps shall hold CAP funds at Headquarters until the need for a project is determined. If funds for that project cannot be used at the district level, the district immediately shall send those funds back to Headquarters for reassignment. Under no circumstances shall the Corps initiate new projects in Section 205, 206, or 1135. New projects may be initiated in the remaining sections after an assessment is made that such projects can be funded over time based on historical averages of the appropriation for that section and after approval by the House and Senate Committees on Appropriations.

The Corps shall prioritize CAP projects nationwide based on the following criteria, listed in order of priority:

Priorities for Design and Implementation (D&I) Phase:

1. D&I work for continuing projects that have executed Project Partnership Agreements (PPAs).
2. D&I funding for projects approved by Corps Headquarters to execute a PPA.
3. D&I work that does not require executed agreements (e.g. continuing or pre-PPA design) for ongoing projects.
4. D&I funding for projects with approved Feasibility Reports moving into D&I.

Priorities for Feasibility Phase:

1. Feasibility phase funding for projects with executed Feasibility Cost-Sharing Agreement (FCSA).
2. Feasibility phase funding for projects approved by Corps Headquarters to execute a FCSA.

3. Feasibility phase work which does not require a FCSA for ongoing projects.

4. Feasibility phase funding for initiations or restarts.

Remaining funds, if any, may be allocated to additional projects in accordance with the aforementioned priorities, except that all funds for Section 14 projects shall be allocated to the most urgently needed projects.

The Corps is directed to maintain a split of approximately 80–20 percent between the Design and Implementation (D&I) phase and the Feasibility phase within each authority. This split should be considered a guideline only, as there may be specific circumstances that require a slightly different weighting.

MISSISSIPPI RIVER AND TRIBUTARIES

Appropriation, 2011	$241,906,000
Budget estimate, 2012	152,000,000
Recommended, 2012	210,000,000
Comparison:	
Appropriation, 2011	−31,906,000
Budget estimate, 2012	+58,000,000

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

The Committee recommends an appropriation of $210,000,000, $31,906,000 below fiscal year 2011 and $58,000,000 above the budget request. After accounting for a one-time rescission in fiscal year 2011, the recommendation is $53,906,000 below fiscal year 2011. The budget request includes a rescission of $58,000,000 for funds that are no longer required for their intended purposes. Of this proposed rescission, however, $23,000,000 was included in the Fiscal Year 2011 Continuing Appropriations Act, and the Committee understands that the balance is being used to support the response to recent flooding in the Mississippi River basin.

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

MISSISSIPPI RIVER AND TRIBUTARIES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
INVESTIGATIONS		
MEMPHIS METRO AREA, STORM WATER MGMT STUDY, TN	100	100
CONSTRUCTION		
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	1,900	1,900
ATCHAFALAYA BASIN, LA	6,300	6,300
CHANNEL IMPROVEMENT, REVETMENT OPERATIONS, AR, IL, KY, LA, MS, MO & TN	11,696	11,696
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	9,680	9,680
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	4,500	4,500
CHANNEL IMPROVEMENT, DIKES, AR, IL, KY, LA, MS, MO & TN	4,424	4,424
CHANNEL IMPROVEMENT, REVETMENT OPERATIONS, AR, IL, KY, LA, MS, MO & TN	17,200	17,200
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	10,000	10,000
CHANNEL IMPROVEMENT, DIKES, AR, IL, KY, LA, MS, MO & TN	8,680	8,680
CHANNEL IMPROVEMENT, REVETMENT OPERATIONS, AR, IL, KY, LA, MS, MO & TN	3,570	3,570
OPERATION AND MAINTENANCE		
HELENA HARBOR, PHILLIPS COUNTY, AR	122	122
INSPECTION OF COMPLETED WORKS, AR	189	189
LOWER ARKANSAS RIVER, NORTH BANK, AR	223	223
LOWER ARKANSAS RIVER, SOUTH BANK, AR	150	150
TENSAS BASIN, BOEUF AND TENSAS RIVERS, AR & LA	1,884	1,884
WHITE RIVER BACKWATER, AR	896	896
INSPECTION OF COMPLETED WORKS, IL	110	110
INSPECTION OF COMPLETED WORKS, KY	60	60
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	1,468	1,468
ATCHAFALAYA BASIN, LA	8,918	8,918
BATON ROUGE HARBOR, DEVIL SWAMP, LA	42	42
BAYOU COCODRIE AND TRIBUTARIES, LA	48	48
BONNET CARRE, LA	2,145	2,145
CHANNEL IMPROVEMENT, DREDGING, AR, IL, KY, LA, MS, MO & TN	576	576
CHANNEL IMPROVEMENT, REVETMENTS, AR, IL, KY, LA, MS, MO & TN	14,380	14,380
INSPECTION OF COMPLETED WORKS, LA	697	697
LOWER RED RIVER, SOUTH BANK LEVEES, LA	377	377
MISSISSIPPI DELTA REGION, LA	438	438
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	2,304	2,304
OLD RIVER, LA	6,954	6,954
TENSAS BASIN, RED RIVER BACKWATER, LA	2,473	2,473
INSPECTION OF COMPLETED WORKS, MO	125	125
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	3,471	3,471

MISSISSIPPI RIVER AND TRIBUTARIES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
ST FRANCIS BASIN, AR & MO	4,174	4,174
WAPPAPELLO LAKE, MO	4,167	4,167
CHANNEL IMPROVEMENT, DREDGING, AR, IL, KY, LA, MS, MO & TN	3,808	3,808
CHANNEL IMPROVEMENT, REVETMENTS, AR, IL, KY, LA, MS, MO & TN	15,052	15,052
GREENVILLE HARBOR, MS	18	18
INSPECTION OF COMPLETED WORKS, MS	109	109
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	2,176	2,176
VICKSBURG HARBOR, MS	32	32
YAZOO BASIN, ARKABUTLA LAKE, MS	4,606	4,606
YAZOO BASIN, BIG SUNFLOWER RIVER, MS	185	185
YAZOO BASIN, ENID LAKE, MS	4,386	4,386
YAZOO BASIN, GREENWOOD, MS	807	807
YAZOO BASIN, GRENADA LAKE, MS	4,511	4,511
YAZOO BASIN, MAIN STEM, MS	1,019	1,019
YAZOO BASIN, SARDIS LAKE, MS	5,687	5,687
YAZOO BASIN, TRIBUTARIES, MS	967	967
YAZOO BASIN, WILL M WHITTINGTON AUX CHAN, MS	378	378
YAZOO BASIN, YAZOO BACKWATER AREA, MS	517	517
YAZOO BASIN, YAZOO CITY, MS	731	731
CHANNEL IMPROVEMENT, DIKES, AR, IL, KY, LA, MS, MO & TN	1,481	1,481
CHANNEL IMPROVEMENT, DREDGING, AR, IL, KY, LA, MS, MO & TN	8,448	8,448
CHANNEL IMPROVEMENT, REVETMENTS, AR, IL, KY, LA, MS, MO & TN	17,485	17,485
INSPECTION OF COMPLETED WORKS, TN	60	60
MEMPHIS HARBOR, MCKELLAR LAKE, TN	1,394	1,394
REMAINING ITEMS		
COLLECTION AND STUDY OF BASIC DATA	500	500
MAPPING	1,202	1,202
TOTAL	210,000	210,000

OPERATION AND MAINTENANCE

Appropriation, 2011	$2,365,759,000
Budget estimate, 2012	2,314,000,000
Recommended, 2012	2,366,465,000
Comparison:	
Appropriation, 2011	+706,000
Budget estimate, 2012	+52,465,000

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

The Committee recommends an appropriation of $2,366,465,000, $706,000 above fiscal year 2011 and $52,465,000 above the budget request.

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

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
ALABAMA		
ALABAMA - COOSA COMPREHENSIVE WATER STUDY, AL	250	245
ALABAMA RIVER LAKES, AL	13,120	12,857
BLACK WARRIOR AND TOMBIGBEE RIVERS, AL	21,429	21,000
GULF INTRACOASTAL WATERWAY, AL	5,335	5,228
INSPECTION OF COMPLETED WORKS, AL	30	29
MOBILE HARBOR, AL	23,360	22,892
PROJECT CONDITION SURVEYS, AL	100	98
TENNESSEE - TOMBIGBEE WATERWAY WILDLIFE MITIGATION, AL & MS	1,847	1,810
TENNESSEE - TOMBIGBEE WATERWAY, AL & MS	23,141	22,678
WALTER F GEORGE LOCK AND DAM, AL & GA	7,744	7,589
ALASKA		
ANCHORAGE HARBOR, AK	14,000	13,720
CHENA RIVER LAKES, AK	2,948	2,889
DILLINGHAM HARBOR, AK	987	967
HOMER HARBOR, AK	453	443
INSPECTION OF COMPLETED WORKS, AK	194	190
NINILCHIK HARBOR, AK	420	411
NOME HARBOR, AK	1,066	1,044
PROJECT CONDITION SURVEYS, AK	500	490
ARIZONA		
ALAMO LAKE, AZ	1,758	1,722
INSPECTION OF COMPLETED WORKS, AZ	87	85
PAINTED ROCK DAM, AZ	1,307	1,280
SCHEDULING RESERVOIR OPERATIONS, AZ	48	47
WHITLOW RANCH DAM, AZ	288	282
ARKANSAS		
BEAVER LAKE, AR	5,784	5,668
BLAKELY MT DAM, LAKE OUACHITA, AR	7,241	7,096
BLUE MOUNTAIN LAKE, AR	1,854	1,816
BULL SHOALS LAKE, AR	6,050	5,929
DARDANELLE LOCK AND DAM, AR	7,914	7,755
DEGRAY LAKE, AR	5,712	5,597
DEQUEEN LAKE, AR	1,687	1,653
DIERKS LAKE, AR	1,421	1,392
GILLHAM LAKE, AR	1,345	1,318
GREERS FERRY LAKE, AR	5,654	5,540

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
HELENA HARBOR, PHILLIPS COUNTY, AR	100	98
INSPECTION OF COMPLETED WORKS, AR	397	389
MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR	26,610	26,077
MILLWOOD LAKE, AR	2,558	2,506
NARROWS DAM, LAKE GREESON, AR	4,342	4,255
NIMROD LAKE, AR	2,182	2,138
NORFORK LAKE, AR	9,091	8,909
OUACHITA AND BLACK RIVERS, AR & LA	7,451	7,301
OZARK - JETA TAYLOR LOCK AND DAM, AR	6,064	5,942
PROJECT CONDITION SURVEYS, AR	8	7
CALIFORNIA		
BLACK BUTTE LAKE, CA	2,337	2,290
BUCHANAN DAM, HV EASTMAN LAKE, CA	2,032	1,991
CHANNEL ISLANDS HARBOR, CA	525	514
COYOTE VALLEY DAM, LAKE MENDOCINO, CA	3,647	3,574
DRY CREEK (WARM SPRINGS) LAKE AND CHANNEL, CA	5,624	5,511
FARMINGTON DAM, CA	470	460
HIDDEN DAM, HENSLEY LAKE, CA	2,272	2,226
HUMBOLDT HARBOR AND BAY, CA	2,800	2,744
INSPECTION OF COMPLETED WORKS, CA	3,854	3,776
ISABELLA LAKE, CA	1,721	1,686
LOS ANGELES COUNTY DRAINAGE AREA, CA	5,083	4,981
MARINA DEL REY, CA	3,170	3,106
MERCED COUNTY STREAMS, CA	399	391
MOJAVE RIVER DAM, CA	332	325
MORRO BAY HARBOR, CA	1,590	1,558
NEW HOGAN LAKE, CA	2,456	2,406
NEW MELONES LAKE, DOWNSTREAM CHANNEL, CA	1,897	1,859
OAKLAND HARBOR, CA	8,755	8,579
OCEANSIDE HARBOR, CA	1,520	1,489
PINE FLAT LAKE, CA	3,291	3,225
PROJECT CONDITION SURVEYS, CA	1,710	1,675
RICHMOND HARBOR, CA	8,146	7,983
SACRAMENTO RIVER AND TRIBUTARIES (DEBRIS CONTROL), CA	1,299	1,273
SACRAMENTO RIVER SHALLOW DRAFT CHANNEL, CA	125	122
SAN DIEGO HARBOR, CA	3,800	3,724
SAN FRANCISCO BAY DELTA MODEL STRUCTURE, CA	986	966
SAN FRANCISCO HARBOR AND BAY, CA (DRIFT REMOVAL)	1,979	1,939
SAN FRANCISCO HARBOR, CA	2,548	2,497
SAN JOAQUIN RIVER, PORT OF STOCKTON, CA	3,746	3,671
SAN PABLO BAY AND MARE ISLAND STRAIT, CA	3,470	3,400
SANTA ANA RIVER BASIN, CA	3,530	3,459
SANTA BARBARA HARBOR, CA	2,040	1,999

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
SCHEDULING RESERVOIR OPERATIONS, CA	1,648	1,615
SUCCESS LAKE, CA	2,564	2,512
SUISUN BAY CHANNEL, CA	2,770	2,714
TERMINUS DAM, LAKE KAWEAH, CA	2,346	2,299
VENTURA HARBOR, CA	2,805	2,748
YUBA RIVER, CA	97	95
COLORADO		
BEAR CREEK LAKE, CO	569	557
CHATFIELD LAKE, CO	1,269	1,243
CHERRY CREEK LAKE, CO	1,162	1,138
INSPECTION OF COMPLETED WORKS, CO	260	254
JOHN MARTIN RESERVOIR, CO	2,629	2,576
SCHEDULING RESERVOIR OPERATIONS, CO	740	725
TRINIDAD LAKE, CO	1,701	1,666
CONNECTICUT		
BLACK ROCK LAKE, CT	582	570
COLEBROOK RIVER LAKE, CT	641	628
HANCOCK BROOK LAKE, CT	376	368
HOP BROOK LAKE, CT	1,022	1,001
INSPECTION OF COMPLETED WORKS, CT	368	360
LONG ISLAND SOUND DMMP, CT	1,000	980
MANSFIELD HOLLOW LAKE, CT	672	658
NORTHFIELD BROOK LAKE, CT	437	428
PROJECT CONDITION SURVEYS, CT	850	833
STAMFORD HURRICANE BARRIER, CT	463	453
THOMASTON DAM, CT	839	822
WEST THOMPSON LAKE, CT	686	672
DELAWARE		
INSPECTION OF COMPLETED WORKS, DE	15	14
INTRACOASTAL WATERWAY, DELAWARE RIVER TO CHESAPEAKE BAY, DE & MD	18,648	18,275
PROJECT CONDITION SURVEYS, DE	105	102
WILMINGTON HARBOR, DE	3,250	3,185
DISTRICT OF COLUMBIA		
INSPECTION OF COMPLETED WORKS, DC	154	150
POTOMAC AND ANACOSTIA RIVERS, DC (DRIFT REMOVAL)	875	857
PROJECT CONDITION SURVEYS, DC	40	39
WASHINGTON HARBOR, DC	25	24

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
FLORIDA		
CANAVERAL HARBOR, FL	5,150	5,047
CENTRAL & SOUTHERN FLORIDA, FL	15,063	14,761
INSPECTION OF COMPLETED WORKS, FL	1,350	1,323
JACKSONVILLE HARBOR, FL	6,500	6,370
JIM WOODRUFF LOCK AND DAM, LAKE SEMINOLE, FL, AL & GA	8,159	7,995
OKEECHOBEE WATERWAY, FL	2,008	1,967
PALM BEACH HARBOR, FL	2,850	2,793
PANAMA CITY HARBOR, FL	2,015	1,974
PORT EVERGLADES HARBOR, FL	2,000	1,960
PROJECT CONDITION SURVEYS, FL	1,575	1,543
REMOVAL OF AQUATIC GROWTH, FL	3,750	3,675
SCHEDULING RESERVOIR OPERATIONS, FL	32	31
SOUTH FLORIDA ECOSYSTEM RESTORATION, FL	5,276	5,170
TAMPA HARBOR, FL	6,287	6,161
GEORGIA		
ALLATOONA LAKE, GA	6,335	6,208
APALACHICOLA, CHATTAHOOCHEE AND FLINT RIVERS, GA, AL & FL	638	625
BRUNSWICK HARBOR, GA	3,000	2,940
BUFORD DAM AND LAKE SIDNEY LANIER, GA	8,346	8,179
CARTERS DAM AND LAKE, GA	7,722	7,567
HARTWELL LAKE, GA & SC	10,549	10,338
INSPECTION OF COMPLETED ENVIRONMENTAL PROJECTS, GA	85	83
INSPECTION OF COMPLETED WORKS, GA	141	138
J STROM THURMOND LAKE, GA & SC	9,786	9,590
PROJECT CONDITION SURVEYS, GA	149	146
RICHARD B RUSSELL DAM AND LAKE, GA & SC	7,305	7,158
SAVANNAH HARBOR, GA	17,452	17,102
SAVANNAH RIVER BELOW AUGUSTA, GA	85	83
WEST POINT DAM AND LAKE, GA & AL	7,857	7,699
HAWAII		
BARBERS POINT HARBOR, HI	266	260
INSPECTION OF COMPLETED WORKS, HI	984	964
NAWILIWILI HARBOR, HI	250	245
PROJECT CONDITION SURVEYS, HI	931	912
IDAHO		
ALBENI FALLS DAM, ID	1,404	1,375

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
DWORSHAK DAM AND RESERVOIR, ID	2,695	2,641
INSPECTION OF COMPLETED WORKS, ID	312	305
LUCKY PEAK LAKE, ID	2,918	2,859
SCHEDULING RESERVOIR OPERATIONS, ID	514	503
ILLINOIS		
CALUMET HARBOR AND RIVER, IL & IN	3,983	3,903
CARLYLE LAKE, IL	5,340	5,233
CHICAGO HARBOR, IL	2,158	2,114
CHICAGO RIVER, IL	523	512
CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIER, IL	10,565	---
FARM CREEK RESERVOIRS, IL	432	423
ILLINOIS WATERWAY (MVR PORTION), IL & IN	31,937	31,298
ILLINOIS WATERWAY (MVS PORTION), IL & IN	2,181	2,137
INSPECTION OF COMPLETED WORKS, IL	1,945	1,906
KASKASKIA RIVER NAVIGATION, IL	1,539	1,508
LAKE MICHIGAN DIVERSION, IL	725	710
LAKE SHELBYVILLE, IL	6,865	6,727
MISSISSIPPI RIVER BETWEEN MISSOURI RIVER AND MINNEAPOLIS (MVR PORTION), IL	49,748	48,753
MISSISSIPPI RIVER BETWEEN MISSOURI RIVER AND MINNEAPOLIS (MVS PORTION), IL	23,582	23,110
PROJECT CONDITION SURVEYS, IL	111	108
REND LAKE, IL	5,436	5,327
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IL	689	675
INDIANA		
BROOKVILLE LAKE, IN	1,155	1,131
BURNS WATERWAY HARBOR, IN	176	172
CAGLES MILL LAKE, IN	1,087	1,065
CECIL M HARDEN LAKE, IN	1,178	1,154
INDIANA HARBOR, IN	6,675	6,541
INSPECTION OF COMPLETED WORKS, IN	645	632
J EDWARD ROUSH LAKE, IN	2,270	2,224
MISSISSINEWA LAKE, IN	1,231	1,206
MONROE LAKE, IN	1,252	1,226
PATOKA LAKE, IN	1,118	1,095
PROJECT CONDITION SURVEYS, IN	185	181
SALAMONIE LAKE, IN	1,073	1,051
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IN	129	126
IOWA		
CORALVILLE LAKE, IA	4,298	4,212
INSPECTION OF COMPLETED WORKS, IA	552	540

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
MISSOURI RIVER - SIOUX CITY TO THE MOUTH, IA, KS, MO & NE	6,199	6,075
RATHBUN LAKE, IA	2,184	2,140
RED ROCK DAM AND LAKE RED ROCK, IA	4,639	4,546
SAYLORVILLE LAKE, IA	5,275	5,169
KANSAS		
CLINTON LAKE, KS	2,140	2,097
COUNCIL GROVE LAKE, KS	2,237	2,192
EL DORADO LAKE, KS	1,086	1,064
ELK CITY LAKE, KS	871	853
FALL RIVER LAKE, KS	1,308	1,281
HILLSDALE LAKE, KS	849	832
INSPECTION OF COMPLETED WORKS, KS	339	332
JOHN REDMOND DAM AND RESERVOIR, KS	1,453	1,423
KANOPOLIS LAKE, KS	1,619	1,586
MARION LAKE, KS	1,800	1,764
MELVERN LAKE, KS	2,068	2,026
MILFORD LAKE, KS	2,073	2,031
PEARSON - SKUBITZ BIG HILL LAKE, KS	1,323	1,296
PERRY LAKE, KS	2,358	2,310
POMONA LAKE, KS	2,371	2,323
SCHEDULING RESERVOIR OPERATIONS, KS	150	147
TORONTO LAKE, KS	699	685
TUTTLE CREEK LAKE, KS	2,239	2,194
WILSON LAKE, KS	1,607	1,574
KENTUCKY		
BARKLEY DAM AND LAKE BARKLEY, KY & TN	10,091	9,889
BARREN RIVER LAKE, KY	2,362	2,314
BIG SANDY HARBOR, KY	1,655	1,621
BUCKHORN LAKE, KY	1,615	1,582
CARR CREEK LAKE, KY	1,765	1,729
CAVE RUN LAKE, KY	990	970
DEWEY LAKE, KY	1,792	1,756
FALLS OF THE OHIO NATIONAL WILDLIFE, KY & IN	21	20
FISHTRAP LAKE, KY	1,969	1,929
GRAYSON LAKE, KY	1,515	1,484

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
GREEN AND BARREN RIVERS, KY	2,280	2,234
GREEN RIVER LAKE, KY	2,222	2,177
INSPECTION OF COMPLETED WORKS, KY	865	847
KENTUCKY RIVER, KY	10	9
LAUREL RIVER LAKE, KY	1,589	1,557
MARTINS FORK LAKE, KY	1,224	1,199
MIDDLESBORO CUMBERLAND RIVER BASIN, KY	240	235
NOLIN LAKE, KY	2,487	2,437
OHIO RIVER LOCKS AND DAMS, KY, IL, IN & OH	33,561	32,889
OHIO RIVER OPEN CHANNEL WORK, KY, IL, IN, OH, PA & WV	5,582	5,470
PAINTSVILLE LAKE, KY	1,195	1,171
PROJECT CONDITION SURVEYS, KY	7	6
ROUGH RIVER LAKE, KY	2,514	2,463
TAYLORSVILLE LAKE, KY	1,205	1,180
WOLF CREEK DAM, LAKE CUMBERLAND, KY	7,559	7,407
YATESVILLE LAKE, KY	1,135	1,112
LOUISIANA		
ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF & BLACK, LA	7,152	7,008
BAYOU BODCAU RESERVOIR, LA	2,057	2,015
BAYOU LAFOURCHE AND LAFOURCHE JUMP WATERWAY, LA	1,191	1,167
BAYOU PIERRE, LA	24	23
BAYOU TECHE AND VERMILION RIVER, LA	15	14
BAYOU TECHE, LA	132	129
CADDO LAKE, LA	220	215
CALCASIEU RIVER AND PASS, LA	15,474	15,164
FRESHWATER BAYOU, LA	1,695	1,661
GULF INTRACOASTAL WATERWAY, LA	30,575	29,963
HOUMA NAVIGATION CANAL, LA	885	867
INSPECTION OF COMPLETED WORKS, LA	814	797
J BENNETT JOHNSTON WATERWAY, LA	7,717	7,562
MERMENTAU RIVER, LA	1,250	1,225
MISSISSIPPI RIVER OUTLETS AT VENICE, LA	1,272	1,246
MISSISSIPPI RIVER, BATON ROUGE TO THE GULF OF MEXICO, LA	68,000	66,640
PROJECT CONDITION SURVEYS, LA	60	58
REMOVAL OF AQUATIC GROWTH, LA	200	196
WALLACE LAKE, LA	239	234
MAINE		
DISPOSAL AREA MONITORING, ME	1,050	1,029
INSPECTION OF COMPLETED WORKS, ME	117	114
PROJECT CONDITION SURVEYS, ME	800	784
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ME	20	19

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
MARYLAND		
BALTIMORE HARBOR AND CHANNELS (50 FOOT), MD	13,879	13,601
BALTIMORE HARBOR, MD (DRIFT REMOVAL)	400	392
CUMBERLAND, MD AND RIDGELEY, WV	150	147
INSPECTION OF COMPLETED WORKS, MD	171	167
JENNINGS RANDOLPH LAKE, MD & WV	1,955	1,915
PROJECT CONDITION SURVEYS, MD	500	490
SCHEDULING RESERVOIR OPERATIONS, MD	64	62
SUSQUEHANNA-HAVRE DE GRACE, MD	180	176
WICOMICO RIVER, MD	1,500	1,470
MASSACHUSETTS		
BARRE FALLS DAM, MA	687	673
BIRCH HILL DAM, MA	839	822
BUFFUMVILLE LAKE, MA	609	596
CAPE COD CANAL, MA	17,457	17,107
CHARLES RIVER NATURAL VALLEY STORAGE AREA, MA	300	294
CONANT BROOK LAKE, MA	278	272
EAST BRIMFIELD LAKE, MA	558	546
HODGES VILLAGE DAM, MA	580	568
INSPECTION OF COMPLETED WORKS, MA	437	428
KNIGHTVILLE DAM, MA	692	678
LITTLEVILLE LAKE, MA	643	630
NEW BEDFORD FAIRHAVEN AND ACUSHNET HURRICANE BARRIER, MA	446	437
PROJECT CONDITION SURVEYS, MA	1,100	1,078
TULLY LAKE, MA	781	765
WEST HILL DAM, MA	686	672
WESTVILLE LAKE, MA	633	620
MICHIGAN		
CHANNELS IN LAKE ST CLAIR, MI	722	707
CHARLEVOIX HARBOR, MI	325	318
DETROIT RIVER, MI	5,817	5,700
GRAND HAVEN HARBOR, MI	743	728
HOLLAND HARBOR, MI	10	9
INSPECTION OF COMPLETED WORKS, MI	200	196
KEWEENAW WATERWAY, MI	12	11
MUSKEGON HARBOR, MI	700	686
PROJECT CONDITION SURVEYS, MI	600	588
ROUGE RIVER, MI	960	940
SAGINAW RIVER, MI	550	539

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
SEBEWAING RIVER, MI	20	19
ST CLAIR RIVER, MI	643	630
ST MARYS RIVER, MI	26,031	25,510
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MI	2,576	2,524
MINNESOTA		
BIGSTONE LAKE - WHETSTONE RIVER, MN & SD	236	231
DULUTH - SUPERIOR HARBOR, MN & WI	7,581	7,429
INSPECTION OF COMPLETED WORKS, MN	377	369
LAC QUI PARLE LAKES, MINNESOTA RIVER, MN	611	598
MINNESOTA RIVER, MN	270	264
MISSISSIPPI RIVER BETWEEN MISSOURI RIVER AND MINNEAPOLIS (MVP PORTION), MN	44,993	44,093
ORWELL LAKE, MN	409	400
PROJECT CONDITION SURVEYS, MN	86	84
RED LAKE RESERVOIR, MN	163	159
RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER, MN	3,357	3,289
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MN	452	442
MISSISSIPPI		
BILOXI HARBOR, MS	25	24
EAST FORK, TOMBIGBEE RIVER, MS	258	252
GULFPORT HARBOR, MS	1,801	1,764
INSPECTION OF COMPLETED WORKS, MS	70	68
MOUTH OF YAZOO RIVER, MS	40	39
OKATIBBEE LAKE, MS	1,605	1,572
PASCAGOULA HARBOR, MS	5,655	5,541
PEARL RIVER, MS & LA	133	130
PROJECT CONDITION SURVEYS, MS	82	80
MISSOURI		
CLARENCE CANNON DAM AND MARK TWAIN LAKE, MO	6,330	6,203
CLEARWATER LAKE, MO	3,288	3,222
HARRY S TRUMAN DAM AND RESERVOIR, MO	7,801	7,644
INSPECTION OF COMPLETED WORKS, MO	2,255	2,209
LITTLE BLUE RIVER LAKES, MO	907	888
LONG BRANCH LAKE, MO	1,018	997
MISSISSIPPI RIVER BETWEEN THE OHIO AND MISSOURI RIVERS (REG WORKS), MO & IL	25,571	25,059
POMME DE TERRE LAKE, MO	2,415	2,366
PROJECT CONDITION SURVEYS, MO	14	13
SCHEDULING RESERVOIR OPERATIONS, MO	400	392
SMITHVILLE LAKE, MO	1,257	1,231
STOCKTON LAKE, MO	3,895	3,817

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
TABLE ROCK LAKE, MO & AR	7,082	6,940
UNION LAKE, MO	7	6
MONTANA		
FT PECK DAM AND LAKE, MT	15,366	15,058
INSPECTION OF COMPLETED WORKS, MT	200	196
LIBBY DAM, MT	1,736	1,701
SCHEDULING RESERVOIR OPERATIONS, MT	147	144
NEBRASKA		
GAVINS POINT DAM, LEWIS AND CLARK LAKE, NE & SD	7,434	7,285
HARLAN COUNTY LAKE, NE	2,722	2,667
INSPECTION OF COMPLETED WORKS, NE	345	338
MISSOURI RIVER - KENSLERS BEND, NE TO SIOUX CITY, IA	137	134
PAPILLION CREEK, NE	835	818
SALT CREEKS AND TRIBUTARIES, NE	1,267	1,241
NEVADA		
INSPECTION OF COMPLETED WORKS, NV	185	181
MARTIS CREEK LAKE, NV & CA	954	934
PINE AND MATHEWS CANYONS LAKES, NV	304	297
NEW HAMPSHIRE		
BLACKWATER DAM, NH	644	631
EDWARD MACDOWELL LAKE, NH	775	759
FRANKLIN FALLS DAM, NH	769	753
HOPKINTON - EVERETT LAKES, NH	1,489	1,459
INSPECTION OF COMPLETED WORKS, NH	91	89
OTTER BROOK LAKE, NH	653	639
PORTSMOUTH HARBOR AND PISCATAQUA RIVER, NH	500	490
PROJECT CONDITION SURVEYS, NH	250	245
SURRY MOUNTAIN LAKE, NH	735	720
NEW JERSEY		
BARNEGAT INLET, NJ	350	343
COLD SPRING INLET, NJ	360	352
DELAWARE RIVER AT CAMDEN, NJ	15	14
DELAWARE RIVER, PHILADELPHIA TO THE SEA, NJ, PA & DE	21,410	20,981
INSPECTION OF COMPLETED WORKS, NJ	238	233
MANASQUAN RIVER, NJ	300	294

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
NEWARK BAY, HACKENSACK AND PASSAIC RIVERS, NJ	60	58
PASSAIC RIVER FLOOD WARNING SYSTEMS, NJ	570	558
PROJECT CONDITION SURVEYS, NJ	1,575	1,543
RARITAN RIVER TO ARTHUR KILL CUT-OFF, NJ	65	63
RARITAN RIVER, NJ	60	58
NEW MEXICO		
ABIQUIU DAM, NM	3,738	3,663
COCHITI LAKE, NM	3,240	3,175
CONCHAS LAKE, NM	3,317	3,250
GALISTEO DAM, NM	938	919
INSPECTION OF COMPLETED WORKS, NM	843	826
JEMEZ CANYON DAM, NM	1,155	1,131
RIO GRANDE ENDANGERED SPECIES COLLABORATIVE PROGRAM, NM	2,425	2,376
SANTA ROSA DAM AND LAKE, NM	1,814	1,777
SCHEDULING RESERVOIR OPERATIONS, NM	548	537
TWO RIVERS DAM, NM	1,053	1,031
UPPER RIO GRANDE WATER OPERATIONS MODEL STUDY, NM	1,312	1,285
NEW YORK		
ALMOND LAKE, NY	696	682
ARKPORT DAM, NY	354	346
BAY RIDGE AND RED HOOK CHANNELS, NY	60	58
BLACK ROCK CHANNEL AND TONAWANDA HARBOR, NY	1,324	1,297
BUFFALO HARBOR, NY	950	931
BUTTERMILK CHANNEL, NY	60	58
EAST RIVER, NY	130	127
EAST SIDNEY LAKE, NY	823	806
FLUSHING BAY AND CREEK, NY	60	58
HUDSON RIVER CHANNEL, NY	60	58
HUDSON RIVER, NY (MAINT)	2,150	2,107
HUDSON RIVER, NY (O & C)	1,700	1,666
INSPECTION OF COMPLETED WORKS, NY	959	939
JAMAICA BAY, NY	3,360	3,292
LITTLE SODUS BAY HARBOR, NY	5	4
MOUNT MORRIS DAM, NY	2,861	2,803
NEW YORK AND NEW JERSEY CHANNELS, NY	40	39
NEW YORK HARBOR, NY	6,558	6,426
NEW YORK HARBOR, NY & NJ (DRIFT REMOVAL)	9,200	9,016
NEW YORK HARBOR, NY (PREVENTION OF OBSTRUCTIVE DEPOSITS)	1,100	1,078
NEWTOWN CREEK, NY	60	58
PROJECT CONDITION SURVEYS, NY	1,990	1,950
ROCHESTER HARBOR, NY	5	4

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
SOUTHERN NEW YORK FLOOD CONTROL PROJECTS, NY	900	882
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, NY	642	629
WHITNEY POINT LAKE, NY	822	805
NORTH CAROLINA		
B EVERETT JORDAN DAM AND LAKE, NC	1,833	1,796
CAPE FEAR RIVER ABOVE WILMINGTON, NC	806	789
FALLS LAKE, NC	2,014	1,973
INSPECTION OF COMPLETED WORKS, NC	261	255
MANTEO (SHALLOWBAG) BAY, NC	1,000	980
MOREHEAD CITY HARBOR, NC	5,900	5,782
PROJECT CONDITION SURVEYS, NC	700	686
ROLLINSON CHANNEL, NC	50	49
SILVER LAKE HARBOR, NC	250	245
W KERR SCOTT DAM AND RESERVOIR, NC	3,449	3,380
WILMINGTON HARBOR, NC	12,445	12,196
NORTH DAKOTA		
BOWMAN HALEY, ND	151	147
GARRISON DAM, LAKE SAKAKAWEA, ND	10,519	10,308
HOMME LAKE, ND	208	203
INSPECTION OF COMPLETED WORKS, ND	262	256
LAKE ASHTABULA AND BALDHILL DAM, ND	1,249	1,224
PIPESTEM LAKE, ND	702	687
SCHEDULING RESERVOIR OPERATIONS, ND	137	134
SOURIS RIVER, ND	351	343
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ND	28	27
OHIO		
ALUM CREEK LAKE, OH	1,462	1,432
BERLIN LAKE, OH	2,613	2,560
CAESAR CREEK LAKE, OH	1,599	1,567
CLARENCE J BROWN DAM, OH	1,274	1,248
CLEVELAND HARBOR, OH	9,665	9,471
DEER CREEK LAKE, OH	1,275	1,249
DELAWARE LAKE, OH	2,363	2,315
DILLON LAKE, OH	1,354	1,326
FAIRPORT HARBOR, OH	1,000	980
INSPECTION OF COMPLETED WORKS, OH	610	597
LORAIN HARBOR, OH	1,056	1,034
MASSILLON LOCAL PROTECTION PROJECT, OH	29	28
MICHAEL J KIRWAN DAM AND RESERVOIR, OH	1,356	1,328

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
MISSISSIPPI FLOOD CONTROL, OH	1,993	1,953
MOSQUITO CREEK LAKE, OH	1,454	1,424
MUSKINGUM RIVER LAKES, OH	12,381	12,133
NORTH BRANCH KOKOSING RIVER LAKE, OH	444	435
PAINT CREEK LAKE, OH	1,740	1,705
PROJECT CONDITION SURVEYS, OH	305	298
ROSEVILLE LOCAL PROTECTION PROJECT, OH	35	34
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OH	270	264
TOLEDO HARBOR, OH	5,982	5,862
TOM JENKINS DAM, OH	655	641
WEST FORK OF MILL CREEK LAKE, OH	838	821
WILLIAM H HARSHA LAKE, OH	1,069	1,047
OKLAHOMA		
ARCADIA LAKE, OK	591	579
BIRCH LAKE, OK	987	967
BROKEN BOW LAKE, OK	2,058	2,016
CANTON LAKE, OK	3,902	3,823
COPAN LAKE, OK	1,420	1,391
EUFAULA LAKE, OK	6,049	5,928
FORT GIBSON LAKE, OK	4,992	4,892
FORT SUPPLY LAKE, OK	1,089	1,067
GREAT SALT PLAINS LAKE, OK	711	696
HEYBURN LAKE, OK	634	621
HUGO LAKE, OK	1,549	1,518
HULAH LAKE, OK	772	756
INSPECTION OF COMPLETED WORKS, OK	201	196
KAW LAKE, OK	2,149	2,106
KEYSTONE LAKE, OK	7,071	6,929
MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM, OK	6,827	6,690
OOLOGAH LAKE, OK	4,369	4,281
OPTIMA LAKE, OK	32	31
PENSACOLA RESERVOIR, LAKE OF THE CHEROKEES, OK	128	125
PINE CREEK LAKE, OK	1,254	1,228
ROBERT S. KERR LOCK AND DAM AND RESERVOIR, OK	5,399	5,291
SARDIS LAKE, OK	1,002	981
SCHEDULING RESERVOIR OPERATIONS, OK	1,000	980
SKIATOOK LAKE, OK	1,767	1,731
TENKILLER FERRY LAKE, OK	4,055	3,973
WAURIKA LAKE, OK	1,537	1,506
WEBBERS FALLS LOCK AND DAM, OK	4,913	4,814
WISTER LAKE, OK	1,231	1,206

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
OREGON		
APPLEGATE LAKE, OR	931	912
BLUE RIVER LAKE, OR	561	549
BONNEVILLE LOCK AND DAM, OR & WA	6,640	6,507
CHETCO RIVER, OR	561	549
COLUMBIA AND LOWER WILLAMETTE RIVERS BELOW VANCOUVER, WA & PORTLAND, OR	24,378	23,890
COLUMBIA RIVER AT THE MOUTH, OR & WA	12,857	12,599
COLUMBIA RIVER BETWEEN VANCOUVER, WA AND THE DALLES, OR	693	679
COOS BAY, OR	4,793	4,697
COQUILLE RIVER, OR	298	292
COTTAGE GROVE LAKE, OR	1,299	1,273
COUGAR LAKE, OR	1,682	1,648
DETROIT LAKE, OR	830	813
DORENA LAKE, OR	1,100	1,078
ELK CREEK LAKE, OR	60	58
FALL CREEK LAKE, OR	1,130	1,107
FERN RIDGE LAKE, OR	1,771	1,735
GREEN PETER - FOSTER LAKES, OR	1,658	1,624
HILLS CREEK LAKE, OR	702	687
INSPECTION OF COMPLETED ENVIRONMENTAL PROJECTS, OR	20	19
INSPECTION OF COMPLETED WORKS, OR	575	563
JOHN DAY LOCK AND DAM, OR & WA	4,394	4,306
LOOKOUT POINT LAKE, OR	1,835	1,798
LOST CREEK LAKE, OR	3,487	3,417
MCNARY LOCK AND DAM, OR & WA	5,309	5,202
PROJECT CONDITION SURVEYS, OR	200	196
ROGUE RIVER AT GOLD BEACH, OR	574	562
SCHEDULING RESERVOIR OPERATIONS, OR	95	93
SIUSLAW RIVER, OR	551	539
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OR	7,400	7,252
WILLAMETTE RIVER AT WILLAMETTE FALLS, OR	104	101
WILLAMETTE RIVER BANK PROTECTION, OR	459	449
WILLOW CREEK LAKE, OR	685	671
YAQUINA BAY & HARBOR, OR	1,962	1,922
PENNSYLVANIA		
ALLEGHENY RIVER, PA	4,000	3,920
ALVIN R BUSH DAM, PA	816	799
AYLESWORTH CREEK LAKE, PA	384	376
BELTZVILLE LAKE, PA	1,473	1,443
BLUE MARSH LAKE, PA	2,891	2,833
CONEMAUGH RIVER LAKE, PA	1,356	1,328

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
COWANESQUE LAKE, PA	2,446	2,397
CROOKED CREEK LAKE, PA	2,086	2,044
CURWENSVILLE LAKE, PA	893	875
DELAWARE RIVER, PHILADELPHIA, PA TO TRENTON, NJ	1,095	1,073
EAST BRANCH CLARION RIVER LAKE, PA	1,660	1,626
FOSTER JOSEPH SAYERS DAM, PA	898	880
FRANCIS E WALTER DAM, PA	1,216	1,191
GENERAL EDGAR JADWIN DAM AND RESERVOIR, PA	400	392
INSPECTION OF COMPLETED WORKS, PA	1,101	1,078
JOHNSTOWN, PA	80	78
KINZUA DAM AND ALLEGHENY RESERVOIR, PA	1,565	1,533
LOYALHANNA LAKE, PA	1,611	1,578
MAHONING CREEK LAKE, PA	2,005	1,964
MONONGAHELA RIVER, PA	17,018	16,677
OHIO RIVER LOCKS AND DAMS, PA, OH & WV	23,140	22,677
OHIO RIVER OPEN CHANNEL WORK, PA, OH & WV	626	613
PROJECT CONDITION SURVEYS, PA	120	117
PROMPTON LAKE, PA	623	610
PUNXSUTAWNEY, PA	63	61
RAYSTOWN LAKE, PA	4,507	4,416
SCHEDULING RESERVOIR OPERATIONS, PA	46	45
SCHUYLKILL RIVER, PA	250	245
SHENANGO RIVER LAKE, PA	2,426	2,377
STILLWATER LAKE, PA	514	503
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, PA	112	109
TIOGA - HAMMOND LAKES, PA	2,752	2,696
TIONESTA LAKE, PA	2,421	2,372
UNION CITY LAKE, PA	390	382
WOODCOCK CREEK LAKE, PA	1,431	1,402
YORK INDIAN ROCK DAM, PA	883	865
YOUGHIOGHENY RIVER LAKE, PA & MD	2,210	2,165
PUERTO RICO		
SAN JUAN HARBOR, PR	2,700	2,646
RHODE ISLAND		
FOX POINT BARRIER, NARRANGANSETT BAY, RI	558	546
GREAT SALT POND, BLOCK ISLAND, RI	250	245
INSPECTION OF COMPLETED WORKS, RI	90	88
PROJECT CONDITION SURVEYS, RI	450	441
WOONSOCKET, RI	420	411

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
SOUTH CAROLINA		
CHARLESTON HARBOR, SC	13,841	13,564
COOPER RIVER, CHARLESTON HARBOR, SC	5,408	5,299
INSPECTION OF COMPLETED WORKS, SC	65	63
PROJECT CONDITION SURVEYS, SC	875	857
SOUTH DAKOTA		
BIG BEND DAM, LAKE SHARPE, SD	8,285	8,119
COLD BROOK LAKE, SD	296	290
COTTONWOOD SPRINGS LAKE, SD	222	217
FORT RANDALL DAM, LAKE FRANCIS CASE, SD	8,818	8,641
INSPECTION OF COMPLETED WORKS, SD	189	185
LAKE TRAVERSE, SD & MN	554	542
OAHE DAM, LAKE OAHE, SD & ND	10,318	10,111
SCHEDULING RESERVOIR OPERATIONS, SD	84	82
TENNESSEE		
CENTER HILL LAKE, TN	6,020	5,899
CHEATHAM LOCK AND DAM, TN	6,346	6,219
CHICKAMAUGA LOCK, TENNESSEE RIVER, TN	3,098	3,036
CORDELL HULL DAM AND RESERVOIR, TN	6,358	6,230
DALE HOLLOW LAKE, TN	5,925	5,806
INSPECTION OF COMPLETED WORKS, TN	34	33
J PERCY PRIEST DAM AND RESERVOIR, TN	4,380	4,292
OLD HICKORY LOCK AND DAM, TN	8,106	7,943
PROJECT CONDITION SURVEYS, TN	8	7
TENNESSEE RIVER, TN	21,845	21,408
WOLF RIVER HARBOR, TN	109	106
TEXAS		
AQUILLA LAKE, TX	1,081	1,059
ARKANSAS - RED RIVER BASINS CHLORIDE CONTROL - AREA VIII, TX	1,593	1,561
BARDWELL LAKE, TX	1,861	1,823
BAYPORT SHIP CHANNEL, TX	3,776	3,700
BELTON LAKE, TX	3,516	3,445
BENBROOK LAKE, TX	2,464	2,414
BRAZOS ISLAND HARBOR, TX	3,878	3,800
BUFFALO BAYOU AND TRIBUTARIES, TX	3,670	3,596
CANYON LAKE, TX	3,580	3,508
CEDAR BAYOU, TX	350	343

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
CORPUS CHRISTI SHIP CHANNEL, TX	5,912	5,793
DENISON DAM, LAKE TEXOMA, TX	6,939	6,800
ESTELLINE SPRINGS EXPERIMENTAL PROJECT, TX	44	43
FERRELLS BRIDGE DAM, LAKE O' THE PINES, TX	3,464	3,394
FREEPORT HARBOR, TX	4,796	4,700
GALVESTON HARBOR AND CHANNEL, TX	3,738	3,663
GIWW, CHANNEL TO VICTORIA, TX	3,519	3,448
GIWW, CHOCOLATE BAYOU, TX	500	490
GRANGER DAM AND LAKE, TX	2,305	2,258
GRAPEVINE LAKE, TX	2,981	2,921
GREENS BAYOU, TX	800	784
GULF INTRACOASTAL WATERWAY, TX	24,277	23,791
HORDS CREEK LAKE, TX	1,635	1,602
HOUSTON SHIP CHANNEL, TX	18,188	17,824
INSPECTION OF COMPLETED WORKS, TX	1,343	1,316
JIM CHAPMAN LAKE, TX	1,586	1,554
JOE POOL LAKE, TX	1,956	1,916
LAKE KEMP, TX	183	179
LAVON LAKE, TX	3,062	3,000
LEWISVILLE DAM, TX	3,199	3,135
MATAGORDA SHIP CHANNEL, TX	4,307	4,220
NAVARRO MILLS LAKE, TX	2,867	2,809
NORTH SAN GABRIEL DAM AND LAKE GEORGETOWN, TX	2,447	2,398
O C FISHER DAM AND LAKE, TX	1,802	1,765
PAT MAYSE LAKE, TX	1,211	1,186
PROCTOR LAKE, TX	3,526	3,455
PROJECT CONDITION SURVEYS, TX	100	98
RAY ROBERTS LAKE, TX	1,922	1,883
SABINE - NECHES WATERWAY, TX	14,182	13,898
SAM RAYBURN DAM AND RESERVOIR, TX	5,045	4,944
SCHEDULING RESERVOIR OPERATIONS, TX	242	237
SOMERVILLE LAKE, TX	3,246	3,181
STILLHOUSE HOLLOW DAM, TX	2,087	2,045
TEXAS CITY SHIP CHANNEL, TX	4,667	4,573
TEXAS WATER ALLOCATION ASSESSMENT, TX	100	98
TOWN BLUFF DAM, B A STEINHAGEN LAKE, TX	2,935	2,876
WACO LAKE, TX	3,035	2,974
WALLISVILLE LAKE, TX	1,990	1,950
WHITNEY LAKE, TX	5,397	5,289
WRIGHT PATMAN DAM AND LAKE, TX	3,847	3,770
UTAH		
INSPECTION OF COMPLETED WORKS, UT	31	30
SCHEDULING RESERVOIR OPERATIONS, UT	642	629

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
VERMONT		
BALL MOUNTAIN, VT	889	871
INSPECTION OF COMPLETED WORKS, VT	79	77
NORTH HARTLAND LAKE, VT	748	733
NORTH SPRINGFIELD LAKE, VT	941	922
TOWNSHEND LAKE, VT	879	861
UNION VILLAGE DAM, VT	1,993	1,953
VIRGINIA		
ATLANTIC INTRACOASTAL WATERWAY - ACC, VA	1,742	1,707
ATLANTIC INTRACOASTAL WATERWAY - DSC, VA	1,156	1,132
CHINCOTEAGUE INLET, VA	600	588
GATHRIGHT DAM AND LAKE MOOMAW, VA	2,253	2,207
HAMPTON ROADS, NORFOLK & NEWPORT NEWS HARBOR, VA (DRIFT REMOVAL)	1,048	1,027
HAMPTON ROADS, VA (PREVENTION OF OBSTRUCTIVE DEPOSITS)	75	73
INSPECTION OF COMPLETED WORKS, VA	461	451
JAMES RIVER CHANNEL, VA	4,363	4,275
JOHN H KERR LAKE, VA & NC	10,629	10,416
JOHN W FLANNAGAN DAM AND RESERVOIR, VA	2,341	2,294
NORFOLK HARBOR, VA	11,050	10,829
NORTH FORK OF POUND RIVER LAKE, VA	486	476
PHILPOTT LAKE, VA	4,694	4,600
PROJECT CONDITION SURVEYS, VA	902	883
WASHINGTON		
CHIEF JOSEPH DAM, WA	708	693
EVERETT HARBOR AND SNOHOMISH RIVER, WA	2,445	2,396
GRAYS HARBOR, WA	8,500	8,330
HOWARD HANSON DAM, WA	3,050	2,989
ICE HARBOR LOCK AND DAM, WA	3,734	3,659
INSPECTION OF COMPLETED ENVIRONMENTAL PROJECTS, WA	70	68
INSPECTION OF COMPLETED WORKS, WA	730	715
LAKE WASHINGTON SHIP CANAL, WA	10,553	10,341
LITTLE GOOSE LOCK AND DAM, WA	2,062	2,020
LOWER GRANITE LOCK AND DAM, WA	2,823	2,766
LOWER MONUMENTAL LOCK AND DAM, WA	2,172	2,128
MILL CREEK LAKE, WA	3,021	2,960
MOUNT SAINT HELENS SEDIMENT CONTROL, WA	313	306
MUD MOUNTAIN DAM, WA	3,549	3,478
PROJECT CONDITION SURVEYS, WA	516	505
PUGET SOUND AND TRIBUTARY WATERS, WA	995	975

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
SCHEDULING RESERVOIR OPERATIONS, WA	453	443
SEATTLE HARBOR, WA	4,240	4,155
STILLAGUAMISH RIVER, WA	271	265
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WA	55	53
TACOMA, PUYALLUP RIVER, WA	145	142
THE DALLES LOCK AND DAM, WA & OR	3,236	3,171
WEST VIRGINIA		
BEECH FORK LAKE, WV	1,366	1,338
BLUESTONE LAKE, WV	2,039	1,998
BURNSVILLE LAKE, WV	2,695	2,641
EAST LYNN LAKE, WV	2,116	2,073
ELKINS, WV	60	58
INSPECTION OF COMPLETED WORKS, WV	528	517
KANAWHA RIVER LOCKS AND DAMS, WV	12,401	12,152
OHIO RIVER LOCKS AND DAMS, WV, KY & OH	34,232	33,547
OHIO RIVER OPEN CHANNEL WORK, WV, KY & OH	2,805	2,748
R D BAILEY LAKE, WV	2,407	2,358
STONEWALL JACKSON LAKE, WV	1,064	1,042
SUMMERSVILLE LAKE, WV	2,692	2,638
SUTTON LAKE, WV	2,587	2,535
TYGART LAKE, WV	1,406	1,377
WISCONSIN		
EAU GALLE RIVER LAKE, WI	741	726
FOX RIVER, WI	2,889	2,831
GREEN BAY HARBOR, WI	3,406	3,337
INSPECTION OF COMPLETED WORKS, WI	69	67
PROJECT CONDITION SURVEYS, WI	288	282
STURGEON BAY HARBOR AND LAKE MICHIGAN SHIP CANAL, WI	19	18
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WI	524	513
WYOMING		
INSPECTION OF COMPLETED WORKS, WY	55	53
JACKSON HOLE LEVEES, WY	1,014	993
SCHEDULING RESERVOIR OPERATIONS, WY	111	108
SUBTOTAL, PROJECTS LISTED UNDER STATES	2,112,016	2,059,118

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
REMAINING ITEMS		
ADDITIONAL FLOOD AND COASTAL STORM DAMAGE REDUCTION	---	10,400
ADDITIONAL NAVIGATION	---	123,313
AQUATIC NUISANCE CONTROL RESEARCH	690	676
ASSET MANAGEMENT/FACILITIES AND EQUIPMENT MANAGEMENT (FEM)	4,750	4,655
BUDGET/MANAGEMENT SUPPORT FOR O&M BUSINESS PROGRAMS		
STEWARDSHIP SUPPORT PROGRAM	750	735
PERFORMANCE-BASED BUDGETING SUPPORT PROGRAM	4,000	3,920
RECREATION MANAGEMENT SUPPORT PROGRAM	1,650	1,617
OPTIMIZATION TOOLS FOR NAVIGATION	392	384
COASTAL AND OCEAN DATA SYSTEM	3,000	3,920
COASTAL INLET RESEARCH PROGRAM	2,700	2,646
RESPONSE TO CLIMATE CHANGE AT CORPS PROJECTS	5,000	4,900
CULTURAL RESOURCES (NAGPRA/CURATION)	4,500	4,410
DREDGE MCFARLAND READY RESERVE	12,000	11,760
DREDGE WHEELER READY RESERVE	12,000	11,760
DREDGING DATA AND LOCK PERFORMANCE MONITORING SYSTEM	1,150	1,127
DREDGING OPERATIONS AND ENVIRONMENTAL RESEARCH (DOER)	6,300	6,174
DREDGING OPERATIONS TECHNICAL SUPPORT PROGRAM (DOTS)	2,820	2,763
EARTHQUAKE HAZARDS REDUCTION PROGRAM	270	264
FACILITY PROTECTION (CISP)	6,500	6,370
FERC HYDROPOWER COORDINATION	3,000	2,940
FISH & WILDLIFE OPERATING FISH HATCHERY REIMBURSEMENT	3,800	3,724
GREAT LAKES TRIBUTARY MODEL	1,080	1,058
GLOBAL CHANGE SUSTAINABILITY	10,000	---
INLAND WATERWAY NAVIGATION CHARTS	3,420	3,351
INTERAGENCY PERFORMANCE EVALUATION TASK FORCE/HURRICANE PROTECTION DECISION CHRONOLOGY (IPET/HPDC) LESSONS LEARNED IMPLEMENTATION	6,000	2,450
INSPECTION OF COMPLETED FEDERAL FLOOD CONTROL PROJECTS	26,780	26,244
MONITORING OF COMPLETED NAVIGATION PROJECTS	3,920	3,841
NATIONAL (LEVEE) FLOOD INVENTORY	21,000	20,580
NATIONAL (MULTIPLE PROJECT) NATURAL RESOURCES MANAGEMENT ACTIVITIES	4,230	4,145
NATIONAL COASTAL MAPPING PROGRAM	6,300	6,174
NATIONAL DAM SAFETY PROGRAM (PORTFOLIO RISK ASSESSMENT)	15,000	14,700
NATIONAL EMERGENCY PREPAREDNESS PROGRAM (NEPP)	6,750	6,615
NATIONAL PORTFOLIO ASSESSMENT FOR REALLOCATIONS	571	559
PROGRAM DEVELOPMENT TECHNICAL SUPPORT	300	294
PROTECT, CLEAR AND STRAIGHTEN CHANNELS	50	49
REMOVAL OF SUNKEN VESSELS	500	490
WATERBORNE COMMERCE STATISTICS	4,771	4,675
HARBOR MAINTENANCE FEE DATA COLLECTION	825	808
RECREATIONONESTOP (R1S) NATIONAL RECREATION RESERVATION SERVICE	65	63
REGIONAL SEDIMENT MANAGEMENT PROGRAM	1,800	1,764
RELIABILITY MODELS PROGRAM FOR MAJOR REHAB	300	294

CORPS OF ENGINEERS - OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	HOUSE RECOMMENDED
SHORELINE USE PERMIT STUDY	250	245
SUSTAINABILITY AND ENERGY	12,300	---
WATER OPERATIONS TECHNICAL SUPPORT (WOTS)	500	490
SUBTOTAL, REMAINING ITEMS	201,984	307,347
TOTAL, OPERATION AND MAINTENANCE	2,314,000	2,366,465

Chicago Sanitary and Ship Canal Dispersal Barrier, Illinois.—The recommendation includes funding for this project solely in the Construction account, due to updated requirements submitted by the Corps subsequent to the submission of the fiscal year 2012 budget request.

Additional Operation and Maintenance.—As discussed earlier in the report, the fiscal year 2012 budget request does not fund operation, maintenance and rehabilitation of our nation's aging infrastructure sufficiently to ensure continued competitiveness in a global marketplace. Federal navigation channels maintained at only a fraction of authorized dimensions, and navigation locks and hydropower facilities well beyond design life all result in economic inefficiencies and risks of infrastructure failure, which cause substantial economic losses. The Committee believes that investing in operation, maintenance, and rehabilitation of infrastructure today will save taxpayers vast sums of money in the future. The Committee provides funds for "Additional Flood and Coastal Storm Damage Reduction" and "Additional Navigation" activities. The Corps is directed to allocate these funds based on the following set of criteria:

- number of jobs created directly by the funded activity;
- high benefit-to-cost ratio or high cost-effectiveness;
- ability to obligate the funds allocated within the fiscal year;
- ability to complete the project, separable element, or project phase within the funds allocated;
- risk of imminent failure or closure of the facility;
- for flood and coastal storm damage reduction,
  - —population at risk; and
  - —economic activity or public infrastructure at risk; and
- for navigation,
  - —number of jobs or level of economic activity to be supported by completion of the project, separable element, or project phase; and
  - —revenues collected for the purpose of the activity.

No funds may be used to start new projects or programs. Further, none of these funds may be used to alter any existing cost-share requirements.

The Committee recognizes the importance of small harbors and waterways to regional and local economies. While federal activities must be focused on the greatest national benefits, especially in this tight budgetary climate, the Corps should give consideration to the needs of these smaller projects, particularly those with national defense or public health and safety importance, in order to develop a reasonable and equitable allocation under this account.

The Corps shall report to the Committee, within 45 days of enactment of this Act, on project-specific allocations, including an explanation for each allocation. This report shall include the project rankings based on these criteria. No funds shall be obligated for any project under this program which has not already been justified in such a report.

REGULATORY PROGRAM

Appropriation, 2011	$189,620,000
Budget estimate, 2012	196,000,000
Recommended, 2012	196,000,000
Comparison:	
Appropriation, 2011	+6,380,000
Budget estimate, 2012	—

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

The Committee recommends an appropriation of $196,000,000, $6,380,000 above fiscal year 2011 and the same as the budget request.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM (FUSRAP)

Appropriation, 2011	$129,740,000
Budget estimate, 2012	109,000,000
Recommended, 2012	109,000,000
Comparison:	
Appropriation, 2011	−20,740,000
Budget estimate, 2012	—

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

The Congress transferred FUSRAP from the Department of Energy to the Corps of Engineers in fiscal year 1998. In appropriating FUSRAP funds to the Corps of Engineers, the Committee intended to transfer only the responsibility for administration and execution of cleanup activities at FUSRAP sites where the Department had not completed cleanup. The Committee did not transfer to the Corps ownership of and accountability for real property interests, which remain with the Department. The Committee expects the Department to continue to provide its institutional knowledge and expertise to ensure the success of this program and to serve the nation and the affected communities.

The Committee recommends an appropriation of $109,000,000, $20,740,000 below fiscal year 2011 and the same as the request. The Committee continues to support the prioritization of sites, especially those that are nearing completion. Within the funds provided in accordance with the budget request, the Corps is directed to complete the Remedial Investigation/Feasibility Study of the former Sylvania nuclear fuel site at Hicksville, New York, and, as appropriate, to proceed expeditiously to a Record of Decision and initiation of any necessary remediation in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

FLOOD CONTROL AND COASTAL EMERGENCIES

Appropriation, 2011	$—
Budget estimate, 2012	27,000,000
Recommended, 2012	27,000,000
Comparison:	
Appropriation, 2011	+27,000,000
Budget estimate, 2012	—

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

The Committee regrets the loss of livelihood and property due to the recent flooding in the Mississippi River region and notes that billions more in losses would be sustained each year were it not for the flood control infrastructure the Corps has developed and maintains in the region. The Committee strongly encourages the Corps to develop detailed and specific requests, in a timely fashion, for needed funding to respond to the recent flooding in the Mississippi River region and to keep the Committee updated should these needs change.

The Committee recommends $27,000,000 for this account, $27,000,000 above fiscal year 2011 and the same as the budget request.

EXPENSES

Appropriation, 2011	$184,630,000
Budget estimate, 2012	185,000,000
Recommended, 2012	185,000,000
Comparison:	
Appropriation, 2011	+370,000
Budget estimate, 2012	—

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

The Committee recommends an appropriation of $185,000,000, $370,000 above fiscal year 2011 and the same as the budget request. The Committee requests that the Corps evaluate its current workforce model in light of the reduction in appropriated resources since fiscal year 2010 and provide an outyear plan to the Committee not later than 180 days following enactment of the Act.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

Appropriation, 2011	$4,990,000
Budget estimate, 2012	6,000,000
Recommended, 2012	5,000,000
Comparison:	
Appropriation, 2011	+10,000
Budget estimate, 2012	−1,000,000

The Assistant Secretary of the Army for Civil Works oversees the Civil Works budget and policy, whereas the Corps' executive direc-

tion and management of the Civil Works program are funded from the Expenses account.

The Committee recommends an appropriation of $5,000,000, $10,000 above fiscal year 2011 and $1,000,000 below the budget request.

ADMINISTRATIVE PROVISION

The bill includes an administrative provision allowing for the purchase or hire of passenger motor vehicles.

GENERAL PROVISIONS, CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFERS OF FUNDS)

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

The bill continues a provision prohibiting the use of funds for any A–76 or High Performing Organizations competitive sourcing actions.

The bill continues a provision prohibiting the use of funds in this Act to carry out any contract that commits funds beyond the amounts appropriated for that program, project, or activity.

The bill continues a provision prohibiting the award of continuing contracts for any project for which funds are derived from the Inland Waterways Trust Fund until such time as a long-term mechanism to enhance revenues sufficient to meet the cost-sharing requirements is enacted.

The bill continues a provision requiring the submission of any Chief's report to the appropriate committees of the Congress.

The bill contains a provision allowing the Corps to implement actions to prevent aquatic nuisance species from dispersing into the Great Lakes by way of any hydrologic connection between the Great Lakes and the Mississippi River Basin.

The bill contains a provision authorizing the transfer of funds from the Flood Control and Coastal Emergencies account to the Construction account in order to continue progress on the Greater New Orleans Hurricane and Storm Damage Risk Reduction System.

The bill contains a provision authorizing the transfer of up to $3,800,000 to the Fish and Wildlife Service to mitigate for fisheries lost due to Corps of Engineers projects.

The bill contains a provision prohibiting funds from being used to implement revised guidance on determining jurisdiction under the Clean Water Act.

The bill contains a provision prohibiting funds from being used to relocate, or study the relocation of, any regional division headquarters located at a military installation.

The bill contains a provision to expand existing authorization to receive and use funds provided by non-federal sponsors and to require congressional notification of use of such authority.

TITLE II—DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

Appropriation, 2011	$31,940,000
Budget estimate, 2012	32,991,000
Recommended, 2012	28,704,000
Comparison:	
Appropriation, 2011	−3,236,000
Budget estimate, 2012	−4,287,000

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

The Committee recommendation for fiscal year 2012 to carry out the Central Utah Project is $28,704,000, $3,236,000 below fiscal year 2011 and $4,287,000 below the request. Within the funds recommended, the following amounts are provided for the Central Utah Water Conservation District by activity, as outlined in the budget request:

Utah Lake Drainage Basin Delivery System	$14,200,000
Water Conservation Measures	10,000,000
Total, Central Utah Water Conservation District	24,200,000

The Committee recommendation includes the requested amount of $2,000,000 for deposit into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission. These funds, as proposed in the budget request, are to be used to implement the fish, wildlife, and recreation mitigation and conservation projects authorized in Title III of Public Law 102–575; and to complete mitigation measures committed to in pre–1992 Bureau of Reclamation planning documents, as follows:

Provo River/Utah Lake Fish and Wildlife	$600,000
Diamond Fork Fish and Wildlife	400,000
Duchesne/Strawberry Rivers Fish and Wildlife	500,000
CRSP/Statewide Fish, Wildlife and Recreation	300,000
Section 201(a)(1) Mitigation Measures	200,000
Total, Utah Reclamation Mitigation and Conservation Commission	2,000,000

For program oversight and administration, the Committee recommends $1,550,000, the same as the budget request. For fish and wildlife conservation programs, the Committee provides $954,000, the same as the budget request.

BUREAU OF RECLAMATION

FISCAL YEAR 2012 BUDGET OVERVIEW

The mission of the Bureau of Reclamation (Reclamation) is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public. Since its establishment by the Reclamation Act of 1902, the Bureau of Reclamation has developed water supply facilities that have contributed to sustained economic growth and an enhanced quality of life in the western states. Lands and communities served by Reclamation projects have been developed to meet agricultural, tribal, urban, and industrial needs. Reclamation continues to develop authorized facilities to store and convey new water supplies and is the largest supplier and manager of water in the 17 western states. Reclamation maintains 476 dams and 348 reservoirs with the capacity to store 245 million acre-feet of water. These facilities deliver water to more than 31 million people for municipal, rural, and industrial uses and to one of every five western farmers resulting in approximately 10 million acres of irrigated land that produces 60 percent of the nation's vegetables and 25 percent of its fruits and nuts. Reclamation also is the nation's second largest producer of hydroelectric power, generating, on average, 40 billion kilowatt hours of electricity each year from 58 power plants. In addition, its facilities provide substantial flood control, recreation, and fish and wildlife benefits.

As Reclamation's large impoundments and appurtenant facilities reach their design life, the projected cost of operating, maintaining, and rehabilitating Reclamation infrastructure continues to grow, yet Reclamation has not budgeted funding sufficient to implement a comprehensive program to reduce its maintenance backlog. At the same time, Reclamation is increasingly relied upon to provide water supply to federally-recognized Indian tribes through water settlements, rural communities through its Title I Rural Water Program, and municipalities through its Title XVI Water Reclamation and Reuse Program. Balancing these competing priorities will be challenging and requires active participation and leadership on the part of Reclamation and its technical staff.

The fiscal year 2012 budget request for the Bureau of Reclamation totals $1,018,389,000. The Committee recommendation totals $905,296,000, $157,289,000 below fiscal year 2011 and $113,093,000 below the budget request.

A table summarizing the fiscal year 2011 enacted appropriation, the fiscal year 2012 budget request, and the Committee recommendation is provided below.

[Dollars in thousands]

Account	FY 2011 enacted	FY 2012 request	Committee recommended
Water and Related Resources	$911,673	$805,187	$822,300
Central Valley Project Restoration Fund	49,914	53,068	53,068
California Bay-Delta Restoration	39,920	39,651	35,928
Policy and Administration	61,078	60,000	60,000
Indian Water Rights Settlements	—	51,483	—
San Joaquin River Restoration Fund	—	9,000	−66,000,000
Total, Bureau of Reclamation	1,062,585	1,018,389	905,296,000

WATER AND RELATED RESOURCES

(INCLUDING TRANSFERS OF FUNDS)

Appropriation, 2011	$911,673,000
Budget estimate, 2012	805,187,000
Recommended, 2012	822,300,000
Comparison:	
Appropriation, 2011	−89,373,000
Budget estimate, 2012	+17,113,000

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

For fiscal year 2012, the Committee recommends $822,300,000, $89,373,000 below fiscal year 2011 and $17,113,000 above the budget request. Included in the Committee recommendation is funding for certain Indian Water Rights Settlements proposed for funding under a separate account in the President's budget request.

No funding is included for the San Joaquin River Restoration Fund, which the President's request also proposed as a new separate account. Adjusted for these proposed new accounts, the recommendation is $43,370,000 below the budget request.

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			HOUSE RECOMMENDED		
	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL
ARIZONA						
AK CHIN INDIAN WATER RIGHTS SETTLEMENT ACT PROJECT	---	12,706	12,706	---	12,489	12,489
COLORADO RIVER BASIN PROJECT - CENTRAL ARIZONA PROJECT	6,589	436	7,025	6,476	428	6,904
COLORADO RIVER FRONT WORK AND LEVEE SYSTEM	2,049	---	2,049	2,014	---	2,014
NORTHERN ARIZONA INVESTIGATIONS PROGRAM	326	---	326	320	---	320
SALT RIVER PROJECT	646	230	876	635	226	861
SAN CARLOS APACHE TRIBE WATER SETTLEMENT ACT PROJECT	335	---	335	329	---	329
SIERRA VISTA SUBWATERSHED FEASIBILITY STUDY	463	---	463	455	---	455
SOUTH/CENTRAL ARIZONA INVESTIGATIONS PROGRAM	702	---	702	690	---	690
WHITE MOUNTAIN APACHE TRIBE WATER RIGHTS QUANTIFICATION	---	---	---	4,865	---	4,865
YUMA AREA PROJECTS	1,576	19,378	20,954	1,549	19,048	20,597
CALIFORNIA						
CACHUMA PROJECT	622	625	1,247	611	614	1,225
CENTRAL VALLEY PROJECTS:						
AMERICAN RIVER DIVISION, FOLSOM DAM UNIT/MORMON ISLAND	1,474	7,746	9,220	1,448	7,614	9,062
AUBURN-FOLSOM SOUTH UNIT	33	2,668	2,701	32	2,622	2,654
DELTA DIVISION	7,304	5,377	12,681	7,179	5,285	12,464
EAST SIDE DIVISION	1,358	2,754	4,112	1,334	2,707	4,041
FRIANT DIVISION	1,738	3,246	4,984	1,708	3,190	4,898
MISCELLANEOUS PROJECT PROGRAMS	11,367	846	12,213	11,173	831	12,004
REPLACEMENTS, ADDITIONS, AND EXTRAORDINARY MAINT. PROGRAM	---	17,911	17,911	---	17,606	17,606
SACRAMENTO RIVER DIVISION	35,344	1,578	36,922	34,743	1,551	36,294
SAN FELIPE DIVISION	638	29	667	627	28	655
SAN JOAQUIN DIVISION	356	---	356	349	---	349
SHASTA DIVISION	378	7,766	8,144	371	7,633	8,004
TRINITY RIVER DIVISION	10,786	4,201	14,987	10,602	4,129	14,731
WATER AND POWER OPERATIONS	917	8,002	8,919	901	7,865	8,766
WEST SAN JOAQUIN DIVISION, SAN LUIS UNIT	15,426	5,388	20,814	15,163	5,296	20,459
ORLAND PROJECT	---	709	709	---	696	696
SALTON SEA RESEARCH PROJECT	294	---	294	289	---	289
SOLANO PROJECT	1,323	2,382	3,705	1,300	2,341	3,641
SOUTHERN CALIFORNIA INVESTIGATIONS PROGRAM	268	---	268	263	---	263
VENTURA RIVER PROJECT	344	41	385	338	40	378
COLORADO						
ANIMAS-LA PLATA PROJECT, COLORADO RIVER STORAGE PARTICIPATING P	11,504	1,249	12,753	11,308	1,227	12,535
COLLBRAN PROJECT	217	1,461	1,678	213	1,436	1,649
COLORADO-BIG THOMPSON PROJECT	275	10,859	11,134	270	10,674	10,944
COLORADO INVESTIGATIONS PROGRAM	344	---	344	338	---	338
FRUITGROWERS DAM PROJECT	99	166	265	97	163	260
FRYINGPAN-ARKANSAS PROJECT	108	8,871	8,979	106	8,720	8,826
FRYINGPAN-ARKANSAS PROJECT - ARKANSAS VALLEY CONDUIT	2,958	---	2,958	2,907	---	2,907
GRAND VALLEY UNIT, CRBSCP, TITLE II	209	1,351	1,560	205	1,328	1,533
LEADVILLE/ARKANSAS RIVER RECOVERY PROJECT	---	4,652	4,652	---	4,572	4,572
LOWER COLORADO RIVER INVESTIGATIONS PROGRAM	95	---	95	93	---	93
MANCOS PROJECT	67	120	187	65	117	182
PARADOX VALLEY UNIT, CRBSCP, TITLE II	100	2,633	2,733	98	2,588	2,686
PINE RIVER PROJECT	152	240	392	149	235	384
SAN LUIS VALLEY PROJECT	356	4,479	4,835	349	4,402	4,751
UNCOMPAHGRE PROJECT	754	197	951	741	193	934
UPPER COLORADO RIVER OPERATIONS PROGRAM	256	---	256	251	---	251

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			HOUSE RECOMMENDED		
	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL
IDAHO						
BOISE AREA PROJECTS	3,004	3,240	6,244	2,952	3,184	6,136
COLUMBIA AND SNAKE RIVER SALMON RECOVERY PROJECT	17,830	---	17,830	17,526	---	17,526
IDAHO INVESTIGATIONS PROGRAM	59	---	59	57	---	57
LEWISTON ORCHARDS PROJECT	1,086	30	1,116	1,067	29	1,096
MINIDOKA AREA PROJECTS	2,361	12,093	14,454	2,320	11,887	14,207
KANSAS						
WICHITA PROJECT	6	464	470	5	456	461
WICHITA PROJECT (EQUUS BEDS DIVISION)	49	---	49	48	---	48
MONTANA						
CROW TRIBE WATER RIGHTS SETTLEMENT	---	---	---	8,194	---	8,194
FORT PECK RESERVATION / DRY PRAIRIE RURAL WATER SYSTEM	493	---	493	484	---	484
HUNGRY HORSE PROJECT	---	345	345	---	339	339
HUNTLEY PROJECT	31	53	84	30	52	82
LOWER YELLOWSTONE PROJECT	534	15	549	524	14	538
MILK RIVER PROJECT	327	1,421	1,748	321	1,396	1,717
MONTANA INVESTIGATIONS PROGRAM	50	---	50	49	---	49
ROCKY BOYS/NORTH CENTRAL MT RURAL WATER SYSTEM	493	---	493	484	---	484
SUN RIVER PROJECT	52	275	327	51	270	321
NEBRASKA						
MIRAGE FLATS PROJECT	13	110	123	12	108	120
NEVADA						
LAHONTAN BASIN PROJECT (HUMBOLT, NEWLANDS, AND WASHOE PROJEC	4,209	3,022	7,231	4,137	2,970	7,107
LAKE TAHOE REGIONAL WETLANDS DEVELOPMENT	105	---	105	103	---	103
LAKE MEAD/LAS VEGAS WASH PROGRAM	493	---	493	484	---	484
NEW MEXICO						
AAMODT LITIGATION SETTLEMENT ACT	---	---	---	9,240	---	9,240
CARLSBAD PROJECT	2,391	1,613	4,004	2,350	1,585	3,935
EASTERN NEW MEXICO INVESTIGATIONS PROGRAM	47	---	47	46	---	46
JICARILLA APACHE RURAL WATER SYSTEM	496	---	496	487	---	487
MIDDLE RIO GRANDE PROJECT	11,838	11,734	23,572	11,636	11,534	23,170
NAVAJO NATION INVESTIGATIONS PROGRAM	230	---	230	226	---	226
NAVAJO-GALLUP WATER SUPPLY	---	---	---	24,375	---	24,375
RIO GRANDE PROJECT	1,010	4,027	5,037	992	3,958	4,950
RIO GRANDE PUEBLOS PROJECT	250	---	250	245	---	245
SAN JUAN RIVER BASIN INVESTIGATIONS PROGRAM	181	---	181	177	---	177
SOUTHERN NEW MEXICO/WEST TEXAS INVESTIGATIONS PROGRAM	192	---	192	188	---	188
TAOS PUEBLO INDIAN WATER RIGHTS SETTLEMENT	---	---		3,932	---	3,932
TUCUMCARI PROJECT	40	32	72	39	31	70
UPPER RIO GRANDE BASIN INVESTIGATIONS PROGRAM	78	---	78	76	---	76
NORTH DAKOTA						
PICK-SLOAN MISSOURI BASIN PROGRAM - GARRISON DIVERSION UNIT	10,524	5,814	16,338	10,345	5,715	16,060

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			HOUSE RECOMMENDED		
	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL
OKLAHOMA						
ARBUCKLE PROJECT	66	170	236	64	167	231
MCGEE CREEK PROJECT	37	724	761	36	711	747
MOUNTAIN PARK PROJECT	25	547	572	24	537	561
NORMAN PROJECT	37	537	574	36	527	563
WASHITA BASIN PROJECT	67	1,397	1,464	65	1,373	1,438
W.C. AUSTIN PROJECT	56	604	660	55	593	648
OREGON						
CROOKED RIVER PROJECT	473	487	960	464	478	942
DESCHUTES PROJECT	264	192	456	259	188	447
EASTERN OREGON PROJECTS	594	216	810	583	212	795
KLAMATH PROJECT	16,726	1,883	18,609	16,441	1,850	18,291
OREGON INVESTIGATIONS PROGRAM	59	---	59	57	---	57
ROGUE RIVER BASIN PROJECT, TALENT DIVISION	354	325	679	347	319	666
TUALATIN PROJECT	90	204	294	88	200	288
UMATILLA PROJECT	446	2,461	2,907	438	2,419	2,857
SOUTH DAKOTA						
LEWIS AND CLARK RURAL WATER SYSTEM	493	---	493	484	---	484
MID-DAKOTA RURAL WATER PROJECT	---	15	15	---	14	14
MNI WICONI PROJECT	16,270	10,058	26,328	15,993	9,887	25,880
RAPID VALLEY PROJECT	---	93	93	---	91	91
TEXAS						
BALMORHEA PROJECT	43	14	57	42	13	55
CANADIAN RIVER PROJECT	52	85	137	51	83	134
LOWER RIO GRANDE WATER CONSERVATION PROJECT	49	---	49	48	---	48
NUECES RIVER PROJECT	17	601	618	16	590	606
SAN ANGELO PROJECT	28	638	666	27	627	654
UTAH						
HYRUM PROJECT	166	136	302	163	133	296
MOON LAKE PROJECT	10	61	71	9	59	68
NEWTON PROJECT	53	106	159	52	104	156
NORTHERN UTAH INVESTIGATIONS PROGRAM	181	---	181	177	---	177
OGDEN RIVER PROJECT	214	215	429	210	211	421
PROVO RIVER PROJECT	1,163	393	1,556	1,143	386	1,529
SANPETE PROJECT	---	10	10	---	9	9
SCOFIELD PROJECT	301	49	350	295	48	343
SOUTHERN NEVADA/UTAH INVESTIGATIONS PROGRAM	74	---	74	72	---	72
SOUTHERN UTAH INVESTIGATIONS PROGRAM	206	---	206	202	---	202
STRAWBERRY VALLEY PROJECT	354	34	388	347	33	380
WEBER BASIN PROJECT	920	752	1,672	904	739	1,643
WEBER RIVER PROJECT	65	62	127	63	60	123
WASHINGTON						
COLUMBIA BASIN PROJECT	3,278	4,446	7,724	3,222	4,370	7,592
WASHINGTON AREA PROJECTS	388	46	434	381	45	426
WASHINGTON INVESTIGATIONS PROGRAM	59	---	59	57	---	57
YAKIMA PROJECT	824	5,608	6,432	809	5,512	6,321
YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT	8,940	---	8,940	8,788	---	8,788

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST			HOUSE RECOMMENDED		
	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL	RESOURCES MANAGEMENT	FACILITIES OM&R	TOTAL
WYOMING						
KENDRICK PROJECT	117	4,231	4,348	115	4,159	4,274
NORTH PLATTE PROJECT	255	1,964	2,219	250	1,930	2,180
SHOSHONE PROJECT	75	883	958	73	867	940
WYOMING INVESTIGATIONS PROGRAM	20	---	20	19	---	19
SUBTOTAL, PROJECTS	232,531	224,832	457,363	279,125	220,966	500,091
REGIONAL PROGRAMS						
COLORADO RIVER BASIN SALINITY CONTROL PROJECT - TITLE I	---	11,519	11,519	---	11,323	11,323
COLORADO RIVER BASIN SALINITY CONTROL PROJECT - TITLE II	6,939	---	6,939	6,821	---	6,821
COLORADO RIVER STORAGE PROJECT (CRSP), SECTION 5	3,551	4,469	8,020	3,490	4,393	7,883
COLORADO RIVER STORAGE PROJECT (CRSP), SECTION 8	4,039	217	4,256	3,970	213	4,183
COLORADO RIVER WATER QUALITY IMPROVEMENT PROGRAM	729	---	729	716	---	716
DAM SAFETY PROGRAM						
DEPARTMENT OF THE INTERIOR DAM SAFETY PROGRAM	---	1,600	1,600	---	1,600	1,600
INITIATE SAFETY OF DAMS CORRECTIVE ACTION	---	63,587	63,587	---	63,587	63,587
SAFETY EVALUATION OF EXISTING DAMS	---	18,520	18,520	---	18,520	18,520
EMERGENCY PLANNING AND DISASTER RESPONSE PROGRAM	---	1,300	1,300	---	1,277	1,277
ENDANGERED SPECIES RECOVERY IMPLEMENTATION PROGRAM	19,954	---	19,954	19,614	---	19,614
ENVIRONMENTAL PROGRAM ADMINISTRATION	1,610	---	1,610	1,582	---	1,582
EXAMINATION OF EXISTING STRUCTURES	---	9,167	9,167	---	9,011	9,011
FEDERAL BUILDING SEISMIC SAFETY PROGRAM	---	1,400	1,400	---	1,376	1,376
GENERAL PLANNING ACTIVITIES	2,294	---	2,294	2,255	---	2,255
LAND RESOURCES MANAGEMENT PROGRAM	8,945	---	8,945	8,792	---	8,792
LOWER COLORADO RIVER OPERATIONS PROGRAM	25,980	---	25,980	25,538	---	25,538
MISCELLANEOUS FLOOD CONTROL OPERATIONS	---	875	875	---	860	860
NATIVE AMERICAN AFFAIRS PROGRAM	6,951	---	6,951	6,832	---	6,832
NEGOTIATION AND ADMINISTRATION OF WATER MARKETING	2,060	---	2,060	2,024	---	2,024
OPERATION AND PROGRAM MANAGEMENT	874	1,222	2,096	859	1,201	2,060
PICK-SLOAN MISSOURI BASIN PROGRAM - OTHER PICK SLOAN	3,137	40,449	43,586	3,083	39,761	42,844
POWER PROGRAM SERVICES	1,735	307	2,042	1,705	301	2,006
PUBLIC ACCESS AND SAFETY PROGRAM	711	155	866	698	152	850
RECLAMATION LAW ADMINISTRATION	2,258	---	2,258	2,219	---	2,219
RECREATION AND FISH AND WILDLIFE PROGRAM ADMINISTRATION	2,181	---	2,181	2,143	---	2,143
RESEARCH AND DEVELOPMENT:						
DESALINATION AND WATER PURIFICATION PROG.	986	1,100	2,086	---	---	---
SCIENCE AND TECHNOLOGY PROGRAM	10,108	---	10,108	9,936	---	9,936
RURAL WATER PROGRAM, TITLE I	2,000	---	2,000	1,966	---	1,966
SITE SECURITY ACTIVITIES	---	25,942	25,942	---	25,500	25,500
UNITED STATES/MEXICO BORDER ISSUES - TECHNICAL SUPPORT	95	---	95	93	---	93
WATERSMART PROGRAM						
WATERSMART GRANTS	18,500	---	18,500	10,798	---	10,798
COOPERATIVE WATERSHED MANAGEMENT	250	---	250	---	---	---
WATER CONSERVATION FIELD SERVICES PROGRAM	5,108	---	5,108	4,000	---	4,000
BASIN STUDIES	6,000	---	6,000	4,000	---	4,000
TITLE XVI WATER RECLAMATION AND REUSE PROGRAM	29,000	---	29,000	20,000	---	20,000
FUNDING OPPORTUNITY	(23,616)	---	(23,616)	(16,138)	---	(16,138)
PHOENIX METROPOLITAN WATER RECLAMATION AND REUSE, AZ	(200)	---	(200)	(196)	---	(196)
CALLEGUAS MUNICIPAL WATER DISTRICT RECYCLING, CA	(1,452)	---	(1,452)	(---)	---	(---)
LONG BEACH AREA WATER RECLAMATION, CA	(500)	---	(500)	(491)	---	(491)
LONG BEACH DESALINATION,CA	(500)	---	(500)	(491)	---	(491)
SAN DIEGO AREA WATER RECLAMATION,CA	(2,485)	---	(2,485)	(2,442)	---	(2,442)
SAN JOSE AREA WATER RECLAMATION AND REUSE, CA	(247)	---	(247)	(242)	---	(242)
SUBTOTAL, REGIONAL PROGRAMS	165,995	181,829	347,824	143,134	179,075	322,209
TOTAL, WATER AND RELATED RESOURCES	398,526	406,661	805,187	422,259	400,041	822,300

Title XVI Program.—The budget request proposes funneling most of the funding for Title XVI water reclamation and reuse projects through a Commissioner's Office grant program. Unlike most traditional grant programs, however, each Title XVI project has been authorized individually. There is a well-known, finite universe of projects that may be funded. The Committee is concerned that this type of grant program simply creates an unnecessary administrative burden for project sponsors without providing any additional substantive or administrative benefits. If nothing else, it is clear that requesting funding for a grant program is less transparent than requesting funding for individual projects.

Calleguas Municipal Water District Recycling, CA.—Funding is not included for the Calleguas Municipal Water District Title XVI project, since funding was awarded in fiscal year 2011 to reach the limit of authorized federal assistance.

Dam Safety.—The Committee is committed to providing the resources necessary to ensure safe operation of Reclamation's numerous dams. The information provided in the budget request and justification is insufficient to make an independent judgment of the adequacy of the budget request. The Committee encourages Reclamation to develop a more transparent format for communicating to the Congress the condition of Reclamation dams, the levels of investment needed to address any structural problems, and the criteria used to prioritize work.

Indian Water Rights Settlements.—The budget request proposes a new appropriations account for four new and one existing Indian water rights settlements. The Committee strongly supports funding to uphold federal commitments to the Indian Nations set out in these settlements. The Committee is not convinced, however, that a separate appropriations account is necessary to uphold these commitments. In fact, the budget request left funding for certain Indian settlement requirements in the Water and Related Resources account. Therefore, the Committee includes funding proposed for the new settlements in Water and Related Resources as well.

Rural Water Programs.—While the budget request includes funding for rural water systems associated with the proposed Indian Water Rights Settlements account, funding for existing rural water projects, some of which also benefit Tribes, is practically eliminated. The Committee directs Reclamation to reassess the allocation of funding among these projects, taking into consideration equity concerns and the ability to use the funds in this fiscal year, as well as any legal obligations. Within 60 days of enactment of this Act and consistent with the reprogramming requirements established in this Act, Reclamation shall report to the Committee on any changes in allocation among the rural water projects.

San Joaquin River Restoration Fund.—The budget request proposes an account separate from the Water and Related Resources account for discretionary funding of San Joaquin River Restoration activities. When asked by the Committee, Reclamation acknowledged that implementation would not be affected by which account included funding. The Committee sees no compelling reason to create yet another project-specific appropriations account, and, therefore, includes San Joaquin River Restoration within the Water and Related Resources account, although no funding is provided.

Arthur Bowman Dam.—The Committee supports efforts by the Bureau of Reclamation to increase hydropower capacity at its facilities. The study conducted in response to section 1834 of the Energy Policy Act of 2005 identified significant additional hydropower potential at existing facilities that could feasibly be developed. Since funding is not currently available to pursue all such opportunities, it would seem unnecessary for the Reclamation to compete with private sector interests at any particular location. The Committee, therefore, prohibits Reclamation from using any funds provided in this Act to proceed with the development of federal hydropower at Arthur Bowman Dam located in Crook County, Oregon. Reclamation may, however, proceed with the development of non-federal hydropower at Arthur Bowman Dam, as requested.

Buried Metallic Water Pipe.—The Committee has become aware of several concerns regarding implementation and review of Reclamation's Technical Memorandum 8140–CC–2004–1 ("Corrosion Considerations for Buried Metallic Water Pipe"). Specifically, the Committee is concerned that Reclamation's use of this memorandum may be holding different materials to different standards of reliability and increasing project costs unnecessarily. Therefore, Reclamation should not use the memorandum as the sole basis to deny funding or approval of a project or to disqualify any material from use in highly corrosive soils. Additionally, the Committee directs Reclamation to follow the recommendation of the National Academy of Sciences to assemble data on pipeline reliability for all types of pipe specified in Table 2 of Technical Memorandum 8140–CC–2004–1 along with the specified corrosion protection applied in the various soil types ("Review of the Bureau of Reclamation's Corrosion Prevention Standards for Ductile Iron Pipe" (2009)). Further, Reclamation shall contract with the National Academy of Sciences to evaluate all of these materials along with the specified corrosion protection applied in the various soil types. This review should also include an analysis of the economics, cost-effectiveness and life-cycle costs associated with the various materials under evaluation.

CENTRAL VALLEY PROJECT RESTORATION FUND

Appropriation, 2011	$49,914,000
Budget estimate, 2012	53,068,000
Recommended, 2012	53,068,000
Comparison:	
Appropriation, 2011	+3,154,000
Budget estimate, 2012	—

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

For fiscal year 2012, the Committee recommends $53,068,000, $3,154,000 above fiscal year 2011 and the same as the budget request. Within this amount, the Committee provides funding for programs and activities according to the Administration's request.

The Committee notes that the increase for this account in the budget request and recommendation is based on a three-year rolling average of collections, in accordance with the authorizing statute.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFERS OF FUNDS)

Appropriation, 2011	$39,920,000
Budget estimate, 2012	39,651,000
Recommended, 2012	35,928,000
Comparison:	
Appropriation, 2011	−3,992,000
Budget estimate, 2012	−3,723,000

The California Bay-Delta Restoration account funds the federal share of water supply and reliability improvements, ecosystem improvements and other activities being developed for the Sacramento-San Joaquin Delta and associated watersheds by a state and federal partnership (CALFED). Federal participation in this program was initially authorized in the California Bay-Delta Environmental and Water Security Act enacted in 1996.

For fiscal year 2012, the Committee recommends $35,928,000, $3,992,000 below fiscal year 2011 and $3,723,000 below the budget request. Within this amount, the Committee provides funding for programs and activities proportionate to the Administration's request.

POLICY AND ADMINISTRATION

Appropriation, 2011	$61,078,000
Budget estimate, 2012	60,000,000
Recommended, 2012	60,000,000
Comparison:	
Appropriation, 2011	−1,078,000
Budget estimate, 2012	—

The Policy and Administration account provides for the executive direction and management of all Reclamation activities, as performed by the Commissioner's office in Washington, D.C.; the Technical Service Center in Denver, Colorado; and, in five regional offices. The Denver and regional offices charge individual projects or activities for direct beneficial services and related administrative and technical costs. These charges are covered under other appropriations. For fiscal year 2012, the Committee recommends $60,000,000, $1,078,000 below fiscal year 2011 and the same as the budget request.

The Committee previously has directed the Administration to produce a five-year plan that serves the public interest by providing visibility into Reclamation's future plans and spending. To date, Reclamation has failed to provide that plan to the Committee. The Committee once again directs the Administration to fulfill the Committee's request to provide an adequate and useful five-year plan.

The Committee expects that the five-year plan will include the following: (1) a funding scenario which reflects the Administration's expenditure ceilings, including inflation for the out-years; (2) a list of active projects, as defined by a project receiving funding in the previous three years, for which funding is not proposed in the plan;

(3) a full accounting of all rural water, Tribal water settlement, and Title XVI projects that are currently authorized, the total authorization, the balance to complete, and total appropriations to date; (4) an estimate of the total cost of extraordinary and emergency operation and maintenance to address the backlog of project needs due to the aging of Reclamation infrastructure; and, (5) an explanation of the methodology used in determining the project allocations, together with the direction provided to field offices in the preparation of the five-year plan.

ADMINISTRATIVE PROVISION

The bill includes an administrative provision allowing for the purchase of passenger motor vehicles.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING RESCISSION OF FUNDS)

The bill contains a provision regarding the circumstances that the Bureau of Reclamation may reprogram funds.

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

The bill contains a provision permanently rescinding mandatory funds from the San Joaquin River Restoration Fund.

TITLE III—DEPARTMENT OF ENERGY

INTRODUCTION

Funds recommended in Title III provide for all Department of Energy programs, including Energy Efficiency and Renewable Energy, Nuclear Energy, Fossil Energy, Electricity Delivery and Energy Reliability, Naval Petroleum and Oil Shale Reserves, the Strategic Petroleum Reserve, the Northeast Home Heating Oil Reserve, the Energy Information Administration, Non-Defense Environmental Cleanup, the Uranium Enrichment Decontamination and Decommissioning Fund, Science, Nuclear Waste Disposal, the Advanced Research Projects Agency—Energy, Innovative Technology Loan Guarantee Program, Advanced Technology Vehicle Manufacturing Loans Program, Departmental Administration, Office of the Inspector General, the National Nuclear Security Administration (Weapons Activities, Defense Nuclear Nonproliferation, Naval Reactors, and the Office of the Administrator), Defense Environmental Cleanup, Other Defense Activities, the Power Marketing Administrations, and the Federal Energy Regulatory Commission.

COMMITTEE RECOMMENDATION

The Department of Energy has requested a total budget of $30,683,802,000, including a rescission of $241,332,000, as estimated by the Congressional Budget Office, in fiscal year 2012 to fund programs in its four primary mission areas: science, energy, environment, and national security. The overall Department of Energy budget request is $5,092,626,000 above fiscal year 2011 and includes significant increases to renewable energy programs and national defense mission areas, as well as to Science and the Loan Guarantee Program.

The Committee recommends a number of significant changes to the fiscal year 2012 budget request, driven primarily by budgetary realities and poor justification by the Administration on its rationale for these proposed increases. The mission of the Department of Energy remains crucial to the nation's security, both in terms of the activities directly related to the defense mission as well as our energy security. The Department is also the primary supporter of energy-related basic science research. The Committee has provided funds for these crucial activities.

The total funding recommended for the Department of Energy is $24,740,746,000, $850,430,000 below fiscal year 2011 and $5,943,056,000 below the budget request.

MAJOR COMMITTEE CONCERNS

Over the past year, it has become clear that our nation's financial pressures are forcing a reevaluation of the size and role of government in society. Far from exempt from this dynamic, the Department of Energy should be leading the discussion. The Department is responsible for keeping our nuclear stockpile safe and reliable, driving improvements in our energy sector and supporting innovative research in the basic sciences. Leadership at the Department of Energy has been eager to put funding toward new ideas, but it has been less able to articulate a strategic direction for the investment of taxpayer dollars and build a national consensus on

a way forward. The fiscal year 2012 budget request is an example of this problem. While it proposes billions of dollars in additional "clean energy" research and development, it provides little justification for these increases. At the same time, the request proposes slashing investment into areas such as Fossil Energy Research and Development which are critical to our energy sector. The Committee urges the Department to take a more proactive role in working with the Congress to develop a consensus national energy policy.

In light of today's fiscal challenges, the Department must confront longstanding management issues and make difficult decisions to prioritize limited resources among its programs. To more effectively use public funding, the Department must minimize waste across the agency through management improvements, elimination of underperforming or unnecessary activities, and strong oversight of grant programs that are susceptible to abuse. The Department must also use objective metrics to guide its portfolio by putting systems in place that measure the performance of its research and development programs, and by directing funds towards programs that yield the greatest results. The Department should seriously consider offsetting any proposed new programs by eliminating underperforming programs. This recommendation includes requirements to help support such changes.

The United States faces an unprecedented global race to lead tomorrow's energy sector. With scarce federal dollars available, the Department must strategically invest its funds to support areas, such as basic science, where the private sector has little incentive to invest, and in high-performing areas where benefits can be clearly shown. Other nations are investing heavily in research, infrastructure and the use of new energy sources to advance their global position as innovators and manufacturers of the next generation of energy technologies. While the United States has led the world in research and entrepreneurial innovation for the better part of the last century, the nation must continue investing wisely in innovation and growing its pool of innovators in order to continue this leadership and keep the next generation of research, manufacturing and clean energy jobs in America. The Department of Energy is entrusted to make these critical investments and the Committee will continue to apply strong oversight to ensure that the Department is a good steward of public funding as it acts to meet the nation's energy challenges, thereby assuring America's innovation leadership in the 21st century.

CONGRESSIONAL DIRECTION

Article I, section 9 of the United States Constitution states "No money shall be drawn from the Treasury but in consequence of Appropriations made by law". The Committee has reminded the Department of this constitutional provision during budget hearings because of the repeated disregard for congressional direction in the execution of appropriations law. In previous years, the Department has on various occasions ignored the clear intent of the Congress, seeking to satisfy Administration desires rather than congressional mandates. This was most apparent in the implementation of the Fiscal Year 2011 Continuing Appropriations Act, under which the Department proposed to begin new programs never before justified

to the Congress, eliminate programs with strong, bi-partisan congressional support, and otherwise proceed to fulfill Administration desires at the expense of long-standing comity between the branches. The Committee expects the Department to support the full implementation of congressional direction, and has included new provisions to ensure that any ambiguity regarding Committee intent is eliminated.

For the first time, the Committee carries the Department's reprogramming authority in statute to ensure that the Department carries out its programs consistent with congressional direction. This reprogramming authority is established at the program, project or activity level, whichever is the most specific level included in the table detailing the Committee's recommendations for the Department of Energy's various accounts. Further, for those activities specified in the report which are below the level of the detail table, no deviation from the specified levels shall be made by the Department. The Committee also prohibits new starts not funded by the Congress and includes other direction to improve public oversight of the Department's actions.

Each year, the Congress specifies annual funding levels for accounts, programs, and specific activities within the agency. The Committee is concerned that the Department engages in practices that contravene congressional direction for these funding levels by regularly redirecting a percentage of program budgets to other purposes. While law requires that 2.8 percent of extramural research and development activities be redirected to Small Business Innovation Research and Small Business Technology Transfer grants, an additional portion of funding is often siphoned off for activities that are not legally required. The redirection of funds for audits and Administration initiatives is of particular concern.

The Department charges the cost of Financial Statement and Defense Contract Audit Agency audits to individual activities within program offices. Further, many Department program offices charge these costs to a small number of activities that, in many cases, were appropriated at specific levels. For example, audit costs for the entire $220,000,000 Biomass and Biorefinery Systems program in fiscal year 2010 were charged to the Algae subprogram, the only activity specified by the Congress in the Biomass program. This distribution of audit charges is arbitrary at best and appears at times to intentionally contravene congressional direction. As audit costs are part of program oversight, the Department is directed to pay such costs entirely from program direction funding.

The Department also frequently funds Presidential, Secretarial, and senior management initiatives by redirecting funds away from purposes directed by the Congress. The Department funds many of these Administration initiatives by "taxing" various programs that may or may not be related to the initiative. This practice takes funding from purposes for which they were appropriated, and the Department shall follow congressional direction by only charging programs related to the leadership initiatives they are funding.

The Committee is concerned with the Department's lack of transparency and respect for congressional direction, and the recommendation includes language within the Energy Efficiency and Renewable Energy account, where the problem may be most pervasive, requiring reporting on these practices within that account.

FINANCIAL REPORTING

The Committee expects improved transparency in reporting financial data for annual appropriations. The Department has demonstrated increased transparency in reporting the execution of the American Recovery and Reinvestment Act, as well as other focused efforts, such as exposing significant liabilities arising from contractor-managed pension plans. Yet, the Department cannot currently account for the status of each fiscal year's annual appropriations at the project level. It has difficulty producing timely execution data for appropriated and apportioned funding. This does not support the Secretary's commitment to transparency to the taxpayer and the Congress, and leaves no way for the public to hold the Department accountable for the progress of each year's funding. The Committee directs the Department to move as quickly as possible to improve its financial and accounting processes for annual appropriations.

The Committee directs the Department to provide a monthly Financial Balances Report to the Committee, with the first delivered not later than 180 days following the enactment of this Act. The report should provide, for each program at the congressional control level as specified in the table in this report detailing the Committee's recommendations for the Department's various accounts, the following balances: total available (prior and current year); unobligated; unobligated but committed; and obligated, uncosted. To the extent possible, data should be provided both in summary form and by the fiscal year the funding was appropriated. Emergency funding, including American Recovery and Reinvestment Act funding, should be displayed separately.

The Committee recognizes the Department of Energy's efforts to produce a strategic plan for the agency in order to align missions with strategies necessary to ensure our nation's security and energy independence. Though this initiative was delayed by over two years, the Committee will closely examine the Department's adherence to this plan to ensure the Department is able to plan and execute its budget in a way that advances its long-term priorities.

To better support the attainment of long-term goals, the Committee urges the Department to lay the groundwork for financial policy and budgetary decisions by producing a meaningful and comprehensive multi-year budget and presenting it to Congress in the President's budget request. The Department should look to the National Nuclear Security Administration and the Department of Defense for models of formulation and execution of multi-year budgets in order to formulate its own budgetary estimates over a five-year planning period. Upon 180 days after enactment, the Department shall provide a report to the House and Senate Appropriations Committees on its progress in developing an actionable five-year budget and describe the actions it has taken to prepare its program offices to formulate their respective budgetary priorities in that timeframe.

MANAGEMENT OF NUCLEAR SPENT FUEL AND DEFENSE WASTE

The nation's nuclear spent fuel and defense waste currently resides at over 100 sites in 39 states. While the Committee is assured that this material is safe and secure where it is currently stored,

the tragic events in Japan highlight that it is impossible to prepare for every exigency. Consolidation of this material in a single site that provides enhanced safety and security will improve public comfort with nuclear power, reduce potential safety and security risk, and fulfill the federal government's obligation under the Nuclear Waste Policy Act of 1982 to assume responsibility of spent fuel.

The will of the Congress, expressed through law, is that this consolidation site is Yucca Mountain. The Administration has unilaterally decided upon a path to close the Yucca Mountain license application process, a decision which, if allowed, would waste over two decades of study and a public investment of over $15 billion, plus tens of billions in additional fines and penalties. The Committee strongly opposes the Administration's plans and includes funding in this recommendation under "Nuclear Waste Disposal" and the Nuclear Regulatory Commission to continue the license application. Similarly, the Continuing Appropriations Act for Fiscal Year 2011 includes $10,000,000 for the Nuclear Regulatory Commission to continue the license application. This fiscal year 2011 funding, and the fiscal year 2012 recommendation, shall not be used to terminate the license application process, and this recommendation includes a general provision to this effect. This general provision also prohibits the Department or the Nuclear Regulatory Commission from using funds in this Act for activities that would irrevocably remove Yucca Mountain from consideration as a potential repository in the future.

The scientific community and the public have now had two years to understand the implications of the Administration's actions to close Yucca Mountain. As time goes on, the extent of the Administration's disregard for sound science and the public's hard-earned dollars becomes clearer. Already, multiple lawsuits in federal court have been filed against the Administration on the policy itself. Additionally, utilities have successfully sued the Administration for $2.2 billion in damages because the government has failed to live up to its obligations under the Nuclear Waste Policy Act. The Department of Energy now estimates that taxpayers will have to pay nearly $16.2 billion in damages by 2020, and an additional $500 million for each year after 2020 that the Department does not fulfill its legal obligations.

The Administration's misguided policy is also adding to requirements to the Department of Energy's budget and posing risks to our national security. In March 2011 the Government Accountability Office released a report showing that, in addition to the tens of billions of dollars in liabilities, and the more than $15 billion in lost investments, the Administration's policy could result in nearly $1 billion in additional storage costs incurred by the Department of Energy, tens of millions of dollars in fines, and potential national security implications if the naval reactors mission in Idaho is put at risk.

Finally, the single document that could provide the Administration with a scientific basis for its position had been blocked from being released by political appointees at the Nuclear Regulatory Commission, although all indications are that the staff work necessary for the report had been completed for months. Volume Three of the Safety Evaluation Report Related to Disposal of High-level

Radioactive Wastes in a Geologic Repository at Yucca Mountain, Nevada, was due in late 2010. However, until recently the Administration had successfully blocked its release with the explanation that Yucca Mountain was no longer its policy position. Fortunately, by majority vote the Commissioners at the Nuclear Regulatory Commission were able to overcome this partisan obstructionism, and the full report has now been provided to key congressional committees. Until that report is released to the public and its findings can be incorporated into the national debate over spent fuel, however, the taxpayer will receive virtually no benefit from the $15 billion invested to date, and critical information that has the potential to significantly move forward this country's plans for spent nuclear fuel will be lost.

Put simply, the Administration's anti-Yucca Mountain stance has no scientific basis, is wasting billions of taxpayer dollars, and may be illegal. The Committee rejects the Administration's plans to shut down the Yucca Mountain license application process and includes funds in the recommendation to continue the process. Once the full merits of this site are understood, and not before, the nation should determine whether to move forward with full construction of the site.

Reporting Requirement: National Waste Repository Workforce and Archiving Plan.—The Office of Nuclear Energy assumes the Department's responsibilities under the Nuclear Waste Policy Act, as well as activities and staff involving the Yucca Mountain project. Within 60 days of the enactment of this Act, the Department shall submit a report on its plans to retain the federal and contractor expertise on geological waste repositories and archive all scientific documentation relating to the project. This plan will help ensure the significant public investment and the scientific knowledge gained from the Yucca Mountain project will be available to serve future waste repository efforts.

RESEARCH AND DEVELOPMENT INITIATIVES

Science leadership, technology innovation, and the creation of intellectual property have made the United States the leading world economy for much of recent history. Amid daunting energy challenges and intense global economic competition, America's innovation engine is more critical than ever to the nation's long-term economic strength and national security. The Department's energy research and development programs help to drive innovation and ensure the nation's leadership for future generations.

And yet, another goal—reining in the record-high national debt—is likewise critical to the nation's long-term economic security, and the federal government cannot responsibly support any programs with unbridled spending. While this bill provides robust funding for core science and energy research programs given overall fiscal constraints, funds are limited and the Committee must ensure they are spent as effectively as possible. Providing funding for its own sake does not serve the American public or its national interests, and this year the Committee begins transforming the Department's energy programs to measure success not by dollars, but by innovation.

The Department of Energy and its laboratories grew out of the Manhattan Project, a landmark research and development initia-

tive with the singular purpose of producing the first atomic bomb. An extraordinary example of scientific achievement and technical innovation, the Manhattan Project demanded strict isolation from the public, focused on a single, measurable outcome, and served a single customer: the federal national defense organization. While much of the Department's current form evolved from the culture, institutions and research programs established during this wartime effort and its aftermath, the agency's modern-day energy mission calls for diverse, long-term efforts requiring intimate cooperation with the private sector and integration with existing energy infrastructure.

The Department's present-day energy challenges are consequently distinct from those faced 70 years ago, and the research and institutional models inherited from those seminal years must evolve accordingly. While the Department's original goal was singular, today's goals are many. And while the original accomplishments were easily measured, today's are more subtle and difficult to quantify. The Department must therefore choose programs and research models that most effectively lead to private sector innovation in this new context—an ongoing task that will require measurement of program performance to ensure the optimal mix of research models, and performance measurement of individual projects to ensure those models are used effectively. Only unprecedented levels of transparency, measurement, and accountability can ensure the effective use of limited federal funding. This bill takes that responsibility seriously by requiring new program measurement requirements, the use of milestones and performance targets, and the termination of underperforming projects.

Performance Measurement of New Research Models.—The Committee has long supported research and development activities at the national laboratories, in single-investigator research groups, and through industry grants funded through the Department's basic and applied energy research and development programs. In the past several years, the Department proposed several novel research models, including the BioEnergy Research Centers (BRCs), Energy Frontier Research Centers (EFRCs), the Advanced Research Projects Agency—Energy (ARPA–E) and Energy Innovation Hubs. The Committee has supported these new research initiatives with caution, noting the merits of trying promising new models but cautioning that it is prudent and fiscally responsible to frame this process as trial experimentation. The Department cannot, for example, greatly expand the number of EFRCs beyond the initial 46 awarded in 2009 until it sees demonstrated success from these centers.

The unbiased assessment of each new research model is essential to inform good funding decisions in future years, and the Department must put in place sufficient oversight and performance measurement plans from the outset. More than simply measuring whether these programs meet superficial timeline milestones, the Department must understand the data collection necessary to determine whether it is achieving superior results through each new program compared to the results it could achieve through other uses of funds. While the Committee has urged such oversight, the Department has delivered no plan laying out how it will define or measure success for each new program. To begin addressing this

troubling shortcoming, the report directs the Department to establish performance targets and to report on current performance and success rates across many of these new research areas. These performance targets will serve as the benchmark for evaluation as the Committee determines which programs to continue and which to terminate in future years.

For example, for each Energy Innovation Hub funded in this bill, the Committee requires targets and status reports for future fiscal years that will inform evaluations of each Hub and of the Hub model at-large. For the BioEnergy Research Centers and Energy Frontier Research Centers, the Committee requires similar targets to aid in their upcoming five-year evaluations at the end of fiscal years 2012 and 2013, respectively. For ARPA–E, the Committee requires a report on the performance of each award in order to better understand success rates for a program that specifically funds high-risk projects. These reports will be instrumental in guiding the Department and the Committee towards choosing the programs that best use limited taxpayer funds.

Transparency and Accountability.—Regardless of the eventual success or failure of the Energy Innovation Hub and EFRC models, they have one inherent advantage over incumbent research models used within the science and applied research programs: a higher level of transparency making clear the award, recipient, term length, and purpose of each center.

Basic Energy Science research serves as a useful case study. Of the $854.7 million proposed in the fiscal year 2012 request for Basic Energy Science research, more than 81 percent is neither for Hubs nor EFRCs, but for research grants of assorted sizes and types at a variety of institutions. While the Committee strongly supports the Basic Energy Sciences research areas, it is difficult to measure the performance of these activities and to understand their demands on out-year funding. As a first step towards increased accountability within that program, this report directs the Department to perform an evaluation of Basic Energy Science research activities and to terminate the lowest-performing awards. The Committee urges the Department to propose means by which it can further increase the transparency of these activities and hold them accountable for high performance.

Limited-Term Awards.—The BioEnergy Research Centers, Energy Frontier Research Centers and Energy Innovation Hubs were all granted as five-year initial awards. The Committee reiterates that these awards were not intended to create permanent federally-funded research centers, but rather were intended to be limited-term efforts with discrete goals. Only the most successful centers should be renewed, and any ineffective centers should be terminated as soon as possible. The Committee's requirements provided in this bill establishing research targets and requiring performance assessments will help in those evaluations when these research centers reach the end of their awards over the next three fiscal years.

Quadrennial Technology Review.—In response to the President's Council of Advisors on Science and Technology report, "Accelerating the Pace of Change in Energy Technologies Through an Integrated Federal Energy Policy," the Department has initiated a Quadrennial Technology Review (QTR). The Committee believes

the Department is responsible for guiding the policy, regulatory, and technological choices needed to change our energy production, distribution, and consumption to meet long-term economic, environmental, and security goals. The Committee encourages the Department to include in the QTR an assessment of how its investments in science and applied energy research and development programs are serving that responsibility and will influence energy prices and supplies consistent with national goals. The QTR should also include an assessment of policy, regulatory, technological, and economic barriers that inhibit meeting our national energy goals.

Mortgaging Future-Year Funds.—The Committee remains concerned that the Department's budgeting practices provide little flexibility to respond to change. It has become a regular practice for the Department's energy programs to provide partial funding in each fiscal year for multi-year awards. This approach of mortgaging future fiscal year funding ties up program budgets with commitments for past awards, and often leaves only a small percentage of each program's budget for new awards.

In fiscal year 2012, for example, the Office of Energy Efficiency and Renewable Energy must pay nearly $750 million in commitments to prior awards, leaving less than 43 percent of total funding in fiscal year 2012 for new awards and national laboratory activities. Within this account, the Geothermal Technologies program has committed $62,510,000 in fiscal year 2012—a staggering 140 percent of its fiscal year 2010 appropriation—to pay past awards. At the fiscal year 2012 level of $38,000,000, the Geothermal Technologies program has essentially forced itself to pause for nearly two years while it pays down its past commitments, hampering its ability to adjust to changing needs and market conditions. Further, the Department announced the "L Prize" competition for solid state lighting in 2008 without allocating funds to support it. While program managers may feel such an action allowed them to administer the prize competition at no cost, the announcement spurred private sector investment and created a real commitment to fund the prize in future years.

While both the Advanced Research Projects Agency—Energy and the Office of Nuclear Energy fully fund all multi-year awards and therefore avoid mortgaging out-year funds, the practice of mortgaging future funds extends to most of the Department's energy research programs. Nearly 70 percent of the Office of Fossil Energy's fiscal year 2012 request is spoken for by commitments to past awards, and only 7 percent of the Office of Science's fiscal year 2012 request of $5,416,114,000 is free for new competitive awards. Program managers may feel that the practice of partially funded multi-year awards allows them to fund more activities within a given annual budget, but the Committee believes this practice assumes funds that simply do not exist. At best, partial funding of awards can severely limit the Department's flexibility to adjust its programs from year to year, and at worst it creates commitments in future years that the Department cannot guarantee.

To end this practice, maintain the Department's credibility, increase the energy programs' transparency and flexibility, and improve the financial posture of the Department, the recommendation includes a general provision prohibiting any new projects, programs, or activities within the Department's energy accounts that

are not fully funded by the Congress. An exception is provided for major capital projects. The Department overall is prohibited from starting any new projects not funded by the Congress. Finally, the recommendation includes new reporting requirements to enable the Department to improve its transparency to the American taxpayer.

CONTRACT COMPETITION

In fiscal year 2004 the Congress mandated the competition of all management and operating contracts, some of which had not been competed in over 50 years. The Committee continues to believe that competition of contracts is in the national interest where there is expressed interest on the part of private companies, non-profits or universities. While the Committee does not support competition simply for competition's sake, the Department seems to have a built-in bias toward extending contracts rather than opening them to competition.

The accompanying bill does not mandate competition; however, the Department is directed to report to the Committees on Appropriations at least 60 days before the award and 10 days prior to announcement of a non-competitive management and operating contract. In such a case, the Secretary shall submit a report notifying the Committees of such an award and setting forth, in detail, the substantive reasons competition is not in the national interest.

The Committee is also concerned with the NNSA's plans to combine the management and operating contracts at Y–12 and Pantex. In order to build support for this consolidation, the NNSA must be able to substantiate the nearly $900 million it has claimed would be saved by merging the two contracts. To date, it has been unable to do so, and recently the Governmental Accountability Office informed the Committee that it has been largely unable to validate the claimed savings.

EDUCATIONAL ACTIVITIES

The Department is prohibited from funding fellowship and scholarship programs in fiscal year 2012 unless they appeared in the fiscal year 2012 congressional budget request justification documents and are supported in this bill. Any new or ongoing such programs that the Department wishes to fund in fiscal year 2013 must be detailed in the fiscal year 2013 budget request documents.

Further, the Department is directed to report to the Committee, not later than 90 days after enactment of this Act, a comprehensive listing of educational activities at the Department funded with fiscal year 2012 appropriations, including all fellowships, scholarships, workforce training programs, and primary and secondary school activities. For each activity, the report shall include the fiscal year 2012 funding level, purpose, outyear mortgages, and Department account and program within which the activity resides.

DEPARTMENTAL PENSION LIABILITIES

While the Department has taken laudable steps to increase the transparency of its contractor employee defined benefit pension plans, the Committee remains concerned by the limited steps the Department has taken to mitigate the rising costs of these plans and the wide variability in benefits still permitted across the dif-

ferent DOE sites. Reform must be vigorously pursued to contain the continued growth in base operating costs and prevent the erosion of funding available to support core activities.

The Department also must do more to properly budget for these costs. While the cost of each plan will always be an estimate based on economic and financial assumptions, the Department has demonstrated weak performance in estimating its needs for the budget year. In fiscal year 2010, the Department originally projected its total pensions cost would be $1,164,151,000, but ended up only needing $526,689,000 to meet its obligations. In fiscal year 2011, the costs were estimated to be $1,129,046,000, yet now it appears only $903,200,000 will be needed, even after allowing some plans to pay above the minimum requirements.

The Committee is concerned that valuable taxpayer dollars are being requested for costs that do not materialize. With budgets trending downwards, available funding must be used to protect priorities where they provide the greatest benefit to the taxpayer. Therefore, the Committee will not support requests for funding in excess of the requirements under the Employee Retirement Income Security Act of 1974 and related laws. In order to ensure the Department is not budgeting for more than is required, the Department is directed to report the status of each contractor defined benefit pension plan in its budget request, including the percentage that each plan is funded at the time of the budget submission and the anticipated funding level the request will provide.

MANAGEMENT OF DEFENSE REQUIREMENTS

The Committee has committed to provide the necessary investment in our stockpile and infrastructure to ensure our national defense requirements are fully met and the recommendation fulfills this commitment. Given budget realities, however, the Committee is concerned by the major increases in the base operating costs of the NNSA's activities coupled with the large investments the NNSA needs to provide enhanced capabilities. These enhancements are driven by new defense requirements established by the Department of Defense. Both the Department of Defense and the NNSA must understand that Committee support for additional investments will depend on increased insight into Administration efforts to restrain costs while ensuring requirements are properly determined, and then met.

New requirements have been set both by official, public documents such as the 2010 Nuclear Posture Review (NPR) report as well as other internal planning processes. The NPR, for instance, contained some new requirements for full scope life extension activities that will require extensive development of new technologies to support warhead enhancements, such as those for safety, security and maintainability, as well as larger, more capable production facilities which support uranium and plutonium operations. Internally, the desire to minimize maintenance requirements of deployed nuclear weapons is driving the need to design a new generation of gas transfer systems, for which DOE will incur significant costs to produce higher levels of tritium. Similarly, the pursuit of an expensive acquisition program to replace the OHIO-Class ballistic missile submarine drives DOE's requirements to undertake an aggressive $1.2 billion research and development effort by

Naval Reactors to produce a life of the ship core, as well as another $1.2 billion investment to demonstrate the design on DOE's prototype reactors. Internally, the Navy's aircraft carrier defueling schedule is driving a need for large scale investments in DOE's spent fuel infrastructure at Naval Reactors Facility in Idaho.

The Committee is unclear to what extent the Department of Defense understands the full costs of these requirements before they are set. As with any major defense investment, the Administration should be able to demonstrate that requirements are only set with full consideration of the resource implications of meeting those requirements. Failure to consider these implications could have serious ramifications to the health of the overall enterprise. The cost to add technology enhancements to warheads undergoing life extension activities, such as those for safety, security and maintainability, must not force out all available funding to maintain the rest of the stockpile. Similarly, the cost to construct the two new nuclear facilities at Los Alamos National Laboratory and the Y–12 National Security Complex must not force out all available funding to maintain the rest of the infrastructure. As costs increase for construction projects, less money will be available for life extension programs. The converse is also true.

The Department must show leadership to ensure that this type of analysis is incorporated into DOE-DOD joint decision-making, particularly at the pivotal moment when decisions are being made to determine the ultimate scope of those requirements. Process improvements are hampered by the dearth of available cost data for NNSA activities. The NNSA's budget structure is excessively complex and DOE's financial management systems do not collect information on the costs it incurs. Without accurate data on the full cost of activities, there can be no reliable way to estimate new costs. The Committee recommendation takes immediate action to simplify cost accounting for individual defense requirements within NNSA accounts and to make these costs more transparent to external oversight.

The rising cost of the NNSA's programmatic activities comes at an exceptionally difficult time, when our nation's economic crisis is forcing spending reductions across all areas of government. The only plausible way to build capabilities while still meeting basic defense needs in a constrained budget environment is to undertake aggressive cost reduction efforts, and a more detailed understanding of the true costs will facilitate the implementation of these cost reduction strategies. The Committee cannot afford to waste valuable taxpayer funding on management inefficiencies, and the importance of modernization argues firmly for concrete improvements in the way the NNSA does business. The Committee directs the NNSA to seek qualitative improvements in the processes for determining the overall requirements governed jointly by the Department of Defense and the Department of Energy through the Nuclear Weapons Council. It is incumbent upon the experts at the NNSA to provide a range of options which would meet defense requirements and to ensure that a range of alternatives are considered, taking into account the DOE resource implications of each alternative.

REPROGRAMMING GUIDELINES

The Committee requires the Department to inform the Committee promptly and fully when a change in program execution and funding is required during the fiscal year. For the first time, the Department's reprogramming requirements are detailed in statute. 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 a departure of $2,000,000 or 10 percent, whichever is less, from a program, project, or activity, whichever is the most specific, included in the table detailing the Committee's recommendations for the Department's various accounts. For construction projects, a reprogramming constitutes the reallocation of funds from one construction project identified to another project or a change of $2,000,000 or 10 percent, whichever is less, in the scope of an approved project. Further, for those activities specified in the report which are below the level of the detail table, no deviation from the specified levels shall be made by the Department.

Criteria for reprogramming.—A reprogramming should be made only when an unforeseen situation arises, and then only if delay of the project or the activity until the next appropriations year would result in a detrimental impact to an agency program or priority. A reprogramming may also be considered if the Department can show that significant cost savings can accrue by increasing funding for an activity. Mere convenience or preference should not be factors for consideration. A reprogramming may not be employed to initiate new programs, or to change program, project, or activity allocations specifically denied, limited, or increased by the Congress in the Act or report.

Reporting and approval procedures.—The Committee has provided statutory language to define reprogramming guidelines. In recognition of the security missions of the Department, the legislative provision allows the Secretary and the Administrator of the National Nuclear Security Administration to jointly waive the reprogramming restriction by certifying to the Committees on Appropriations it is in the nation's security interest to do so. Any reallocation of new or prior-year budget authority must be submitted to the Committees in writing and may not be implemented prior to approval by the Committees on Appropriations.

COMMITTEE RECOMMENDATIONS

The Committee's recommendations for Department of Energy programs in fiscal year 2012 are described in the following sections. A detailed funding table which determines reprogramming baselines is included at the end of this title.

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

Appropriation, 2011	$1,795,641,000
Budget estimate, 2012	3,200,053,000
Recommended, 2012	1,304,636,000
Comparison:	
Appropriation, 2011	−491,005,000
Budget estimate, 2012	−1,895,417,000

Energy Efficiency and Renewable Energy programs include research, development, demonstration and deployment activities advancing energy efficiency and renewable energy technologies, as well as federal energy assistance programs. Renewable energy research, development, demonstration and deployment activities include biomass and biorefinery systems, geothermal technology, hydrogen and fuel cell technology, water power, solar energy, and wind energy technologies. Energy efficiency activities include reducing the energy consumption of vehicle, building and industrial technologies, and the Federal Energy Management Program. Federal energy assistance programs include weatherization assistance, state energy programs, the international renewable energy program, and tribal energy activities.

The Committee recommends a total of $1,304,636,000 for Energy Efficiency and Renewable Energy, $491,005,000 below fiscal year 2011 and $1,895,417,000 below the budget request. After accounting for a one-time rescission of $30,000,000 in fiscal year 2011 and the use of $26,364,000 in prior-year balances in this bill, the recommendation is $494,641,000 below fiscal year 2011.

Reporting Requirement.—It has come to the Committee's attention that a significant fraction of the funding directed in previous appropriations reports to specified Energy Efficiency and Renewable Energy activities has been diverted by Department management to other purposes in recent years. In some cases, as much as 12 percent of the funding directed by the Congress for an activity has been diverted. While 2.8 percent of funding for research and development activities is redirected by law to Small Business Innovation Research and Small Business Technology Transfer (SBIR/STTR) grants, any additional redirection of funds to overhead or other purposes contravenes congressional direction. The Department is therefore directed to report to the Committee, not later than March 1, 2012, for each funding level directed in this report for Energy Efficiency and Renewable Energy activities: (1) the exact quantity of funds allocated by the Department in fiscal year 2012 for the activity, and (2) an accounting of any differences between the funding levels specified by the Congress and amounts allocated by the Department, including amounts and purposes of funds redirected to other activities.

Use of prior-year balances.—The Department is directed to use $26,364,000 of prior-year balances as proposed in the budget request.

ENERGY EFFICIENCY AND RENEWABLE ENERGY RESEARCH, DEVELOPMENT, DEMONSTRATION, AND DEPLOYMENT

The Committee recommends $1,263,000,000 for energy efficiency and renewable energy research, development, demonstration, and

deployment programs, $331,341,000 below fiscal year 2011 and $1,569,619,000 below the budget request.

Hydrogen and Fuel Cell Technologies.—The Hydrogen and Fuel Cell Technologies program advances technologies that use fuel cells and hydrogen energy carriers for both transportation and stationary purposes. The Committee recommends $91,450,000, $6,550,000 below fiscal year 2011 and $9,000,000 below the budget request.

Biomass and Biorefinery Systems RD&D.—Along with electric, fuel-cell, and natural gas vehicles, biofuels grown from non-food crops or algae are one of a small handful of means by which the nation can lower its dependence on imported oil in the long run. The Biomass and Biorefinery Systems RD&D program develops and demonstrates technologies to convert biomass crops to fuels, chemicals, heat and power. The Committee recommends $150,000,000 for Biomass and Biorefinery Systems R&D, $32,695,000 below fiscal year 2011 and $190,500,000 below the budget request.

Increased demand by the energy sector for food crops can put upward pressure on crop prices, disrupting other industries and increasing food prices domestically and abroad. The Department is directed to conduct only research, development, and demonstration activities advancing technologies that produce fuels and electricity from biomass and crops that could not otherwise be used as food. The Committee supports efforts to develop cellulosic feedstocks and directs the Department to consider a broad portfolio of options, including biofuels sources such as the non-food components of biomass sorghum. As part of this effort, the Committee encourages the Department to continue research, development, testing, and evaluation to improve the biomass quantity and quality of bioenergy grasses in order to efficiently, sustainably, and cost-effectively develop lignocellulosic biomass into biofuels.

The Committee also supports efforts to develop other advanced feedstocks, such as algae, that can be cultivated on marginal land or other unconventional locations. The Committee encourages the Department to explore approaches and technologies for the development of renewable power and fuels from a real-world mixture of household and urban waste, such as yard waste, and rural waste, such as agricultural residues.

The budget request proposes $150,000,000 to fund the first cellulosic biofuels reverse auction administered by the Department of Energy. The Committee is concerned that this program would provide production subsidies to already-completed or fully-funded biorefinery facilities—more than 80 percent of which were built with Department of Energy grants. Further, nearly 30 percent of eligible production capacity would use existing competitive technologies that are neither advanced nor use cellulosic feedstock. As such, the auction would be unlikely to advance biofuel technologies or make them more competitive in the long run, and could risk prematurely forcing an immature product into the market. Further, without advancing biofuel technologies, a per-barrel subsidy such as the reverse auction would only make a lasting difference in petroleum consumption with ever-increasing spending by the Department in future years. The proposed program therefore would be both inef-

fective and fiscally unsustainable, and the recommendation includes no funds for the cellulosic biofuels reverse auction.

Solar Energy.—The Solar Energy program funds applied research, development, and demonstration of both photovoltaic and concentrating solar technologies to reduce the cost of solar power to economically competitive levels. The Committee recommends $166,143,000 for Solar Energy, $97,357,000 below fiscal year 2011 and $290,857,000 below the budget request.

The Committee supports the Department's existing solar energy research, development, demonstration, and deployment activities. The Committee encourages the Department to include in these efforts disruptive solar energy utilization technologies, fabrication methods that yield ultra-low cost solar cells, technologies for ultra-high efficiency solar cells, technologies designed to simulate the operation of solar cells, and other methods to yield advanced science and engineering approaches to solar cells.

The recommendation includes no funding for Solar Demonstration Zone projects, as the Department has adequate facilities at its existing laboratories to test novel concentrating solar power configurations and has demonstrated its ability to fund large concentrating solar power and other demonstration projects without limiting itself to using a pre-determined demonstration site. Further, if demonstration projects are identified that are compellingly innovative and too risky for the private sector investment alone, they should be openly competed to more than one eligible site.

The Committee is aware of the significant cost and efficiency advantages solar films can provide to thin film and crystalline silicon modules, and encourages the Department to expand the funding of solar films research and development to support the development of a cross-cutting advanced solar films program to improve the cost-effectiveness of solar technologies.

Wind Energy.—The Wind Energy program funds research and development to improve the reliability and decrease the cost of wind power. The Committee recommends $76,000,000 for Wind Energy, $4,000,000 below fiscal year 2011 and $50,859,000 below the budget request.

To date, the Department has focused primarily on land-based wind power while devoting very little funding to improve offshore systems. The United States has in excess of 40 gigawatts of land-based wind power, but off-shore wind generation has not been widely demonstrated and represents an untapped and potentially large energy source. As such, the Committee supports a balanced program seeking to improve both land-based and off-shore systems and supports the Department's request to increase funds for off-shore wind research and development. Further, offshore wind farms in deeper waters avoid local and commercial impacts possible in areas closer to shorelines, and the Committee encourages the Department to focus on deepwater wind technologies that are currently too expensive for widespread deployment.

Any demonstration projects should be openly competed to all interested locations, and shall be substantially more technically advanced than other projects funded by the private sector. Prior to announcing an award for a demonstration project, the Department shall communicate to the Committee the specific technical merits of the selected project that differentiate it from the other applicants

and that make it too risky to be supported by private sector funding alone.

Geothermal Technology.—Ground heat is a potentially large source of domestic energy that could be broadly tapped for power generation, heating, and cooling. The Committee recommends $38,000,000 for geothermal technology, $3,000 below fiscal year 2011 and $63,535,000 below the budget request.

The U.S. Geological Survey has identified more than 120,000 megawatts of untapped potential from low-temperature geothermal resources. The Committee directs the Department to continue advancing technologies that can exploit this vast resource through continued research and development in the Low Temperature and Co-Produced Resources Program.

The Department has indicated that partial awards for multi-year grants in past years have committed the Geothermal Technologies program to $62,510,000 of commitments in fiscal year 2012. Given that the program's funding level was $44,000,000 and $38,003,000 in fiscal years 2010 and 2011, respectively, the Committee is concerned that the Department has severely overcommitted itself with awards that assumed future funding levels well above its current level.

This and all energy research and development programs at the Department would be well-served by adjusting grants and activities each year to match the evolving technology landscape—and could do so only by minimizing mortgages on future year funds. However, if the Department commits future-year funding, the program must, first and foremost, meet those past commitments. The Committee therefore directs the Department to use Geothermal Technologies fiscal year 2012 funds to only pay mortgages on past awards. The program may not announce new funding opportunities until its remaining mortgages for future years are less than half of the overall appropriation it receives in fiscal year 2012.

Water Power.—The Committee recommends $50,000,000 for Water Power research and development, $20,000,000 above fiscal year 2011 and $11,500,000 above the budget request, to include $25,000,000 for marine and hydrokinetic research, development, and demonstration, and $25,000,000 for conventional hydropower research and development.

The Committee continues to encourage the Department's research, development and demonstration of marine and hydrokinetic renewable energy systems. These nascent technologies are largely experimental, and the Department should support American industry and laboratories as they compete in this rapidly evolving and high-risk market.

The budget request also proposes to devote roughly half of the Water Power program to conventional hydropower, including the deployment of higher-efficiency turbines and installation of turbines at unpowered dams. The Committee strongly supports better usage of our hydropower resources at existing facilities and dams. However, the entities that own these facilities—the Army Corps of Engineers, Bureau of Reclamation, and private sector entities—should be responsible for making these investments, and this recommendation includes funds for the Corps and the Bureau for these activities. The Committee directs no funds to the deployment of turbine upgrades or efficiency upgrades by the Department of

Energy at existing hydropower facilities, thereby keeping the program consistent with the Department's core mandate to develop and advance new energy science and technologies.

Vehicle Technologies.—Transportation accounts for approximately two-thirds of the petroleum used in the United States, and the Vehicle Technologies program aims to lower this critical sector's dependence on imported oil through advancements that increase the fuel efficiency of vehicles and develop new vehicles not reliant on petroleum-based fuels. The Committee recommends $254,000,000 for Vehicle Technologies, $46,000,000 below fiscal year 2011 and $334,003,000 below the budget request.

The budget request proposes $229,000,000 for Vehicle Technologies Deployment, including more than $200,000,000 for new activities to be focused entirely on electric vehicle deployment through local and state grants. The Department proposes to use 75 percent of the proposed budget to fund charging points in public, commercial, and residential locations. Within today's federal budgetary constraints, the vast majority of charging points must ultimately be funded by municipalities, customers, and the private sector. Further, utilities, automobile manufacturers, and other businesses are actively experimenting with a variety of policies and business models in the rapidly evolving electric vehicle infrastructure landscape. As such, a federal injection of funding for charging points risks disrupting this ongoing experimentation and may crowd out businesses marketing to new or prospective drivers of electrified vehicles. The Committee, however, recognizes that significant policy and procedural barriers exist at the state, utility regulator, and local levels that can slow or prevent the purchase of electric vehicles and the installation of charging points.

The Committee therefore recommends $26,510,000 for Vehicle Technologies Deployment, of which no funding is provided for charging points. The Committee instead recommends up to $3,000,000 from available funds for the Department to commission the National Academies to conduct a study, with input from state utility commissions, electric utilities, automobile manufacturers, selected local governments with recent electric vehicle infrastructure experience, and the Federal Energy Regulatory Commission, to identify the market barriers slowing the purchase of electric vehicles and hindering the deployment of supporting infrastructure. The report shall recommend what roles, if any, should be played by the federal government to mitigate those barriers, and shall identify what federal agencies, including the Department of Energy, would be most effective in those roles. Finally, the study shall identify how the Department can best utilize the data on electric vehicle usage already being collected by the Department.

Medium- and heavy-duty trucks consume roughly one-fifth of transportation fuels in the United States, and increasing the efficiency of these vehicles can lower the costs of land-based freight and the industries that depend on it, while greatly reducing the nation's dependence on imported oil. The Committee is concerned the Department's budget request proposes to terminate or delay commitments to grants for the SuperTruck program, which focuses on truck efficiency. The Committee supports the termination of underperforming grants that are failing to meet targets, as continued investment in such projects wastes taxpayer dollars. However, the

Department has not pointed to any level of underperformance by grantees within the SuperTruck program, but instead the proposed termination seems to be an arbitrary withdrawal from commitments to make room for the Department's political and policy priorities of the day. If the Department continues to mortgage large amounts of future year appropriations—which can hamper the agency's ability to adjust its policy priorities—it should be prepared to meet those past financial commitments if projects continue to meet performance goals. Further, the Department should be prepared to terminate failing projects with due cause. If it determines projects are underperforming, the Department should clearly explain deficiencies to grantees. Consistent with this policy, the Committee expects that the Department will meet commitments to prior awards within the SuperTruck program, as it has not communicated any evidence of failure to meet performance targets.

The recommendation includes $28,244,000 for Lightweight Materials Technology, $2,000,000 above the budget request, to support activities that advance lightweight materials, including carbon composites and other materials. Innovations in lightweight materials can increase the efficiency for all vehicle types, including electric drive vehicles and those powered by petroleum-based fuels, biofuels, and hydrogen fuels.

Building Technologies.—Buildings consume more than 40 percent of energy nationwide, and the Building Technologies program seeks to reduce energy consumption by increasing the efficiency of building systems as well as the appliances and devices used within them. The Committee recommends $150,000,000 for Building Technologies, $60,500,000 below fiscal year 2011 and $320,700,000 below the request.

The recommendation includes $24,300,000, the same as the request, for the third year of the Energy Efficient Building Systems Design Energy Innovation Hub. The Department is directed to deliver to the Committee, not later than 60 days after enactment of this Act, a report detailing: the current status of the Hub, including number of employees and status of the Hub's final offices and other facilities; all milestones originally set forth for the Hub, including those for the end of fiscal years 2010 and 2011; the Hub's current performance in meeting those milestones; the Hub's milestones for fiscal years 2012, 2013 and 2014; and the specific milestones and performance criteria that the Hub must meet in order to be considered for a second five-year term.

The recommendation includes no funds for the Race to the Green grant program.

The recommendation includes $25,832,000 for lighting research and development, the same as the budget request, to continue advancing solid state lighting technologies. While these high-efficiency lighting options are still too expensive to compete in the general lighting market, solid state lighting has the potential to substantially reduce energy consumption from lighting while cutting energy bills for consumers and businesses. In its fiscal year 2010 report, the Committee encouraged the Department to fund research aiming to lower manufacturing costs, and the Committee continues to support this research in conjunction with core technology and product development research within this program.

The Department has previously announced the Bright Tomorrow Lighting Prize, or "L Prize," which offers both a monetary prize and federal procurement and other benefits to the first organization that manufactures highly-efficient solid state general purpose light bulbs meeting various technical requirements. While private sector investment has been committed as a result of this announcement, the Department has not, to date, allocated funding for this prize nor has it requested funding in the fiscal year 2010, 2011, or 2012 budget requests. The Committee strongly opposes the Department announcing funding opportunities when those funds have not yet been made available by the Congress. In the case of the L Prize, the Department risks damaging its credibility and misleading the private sector if an entrant qualifies for the prize and the Department cannot pay the full implied award due to a lack of advanced allocation of funding. To prevent this practice in the future, the Committee includes a general provision in this bill prohibiting announcements in advance of appropriations. To ensure that the Department meets commitments already promised for the L Prize, the Committee recommendation includes $10,000,000, from within available Building Technologies funds and in addition to funds recommended for lighting research and development, for the Bright Tomorrow Lighting Prize to fund previously-announced prizes for competitions specified in section 655 of the Energy Independence and Security Act of 2007.

The Committee supports ongoing Solar Heating and Cooling research and development activities within the Building Technologies program. These technologies are among the most clean, reliable, and cost-effective technologies that can be used to reduce utility bills and energy consumption for homes and businesses.

The Committee is concerned that the Office of Energy Efficiency and Renewable Energy does not have a coherent program to conduct research, development, and demonstration of geothermal heat pumps. The Committee directs the Department to consider and develop a strategic plan to develop innovative geothermal heat pump technologies; promote their use in both residential and commercial applications; advise the Assistant Secretary on policy matters that affect consumers and manufacturers of geothermal heat pumps; receive, analyze, collect, and disseminate publicly available data and information; and carry out other applicable responsibilities. The Department is to report back within 180 days of enactment of this Act on its progress.

Industrial Technologies.—The Industrial Technologies program funds research and development to increase the efficiency of industrial processes across a variety of industries. The Committee recommends $96,000,000, $12,241,000 below fiscal year 2011 and $223,784,000 below the budget request.

The recommendation includes $34,000,000 for Next Generation Materials, $66,784,000 below the request.

Within available funds for Next Generation Materials, the recommendation includes $20,000,000 for the Energy Innovation Hub for Critical Materials, the same as the budget request. Recognizing the criticality of rare earth materials in clean energy technologies such as wind power, electric vehicles, and energy efficient lighting, the Committee urges the Hub to, in part, work towards advancing and rebuilding a rare earth materials supply chain within the

United States that includes the production of rare earth minerals, oxides, metals, alloys, and permanent magnets. The Department is directed to deliver to the Committee, not later than 90 days after enactment of this Act, a report detailing: a timeline for selecting an awardee; draft organizational and research milestones for the end of fiscal years 2012 through 2016; and specific criteria the Hub must meet to be considered for extension beyond the initial five year term. The report must also identify how the Hub will work with the Advanced Research Projects Agency—Energy (ARPA–E) to ensure work on critical materials between the two programs is not redundant if ARPA–E chooses to issue awards in this area.

The recommendation includes $44,205,000 for Next Generation Manufacturing Processes, $84,795,000 below the request. Within available funds, the recommendation includes not less than $4,205,000 for improvements in production in the steel industry.

The Committee is concerned that the reorganization of the Industrial Technologies program will negatively impact Combined Heat and Power activities, and the Committee urges the Department to continue support for this important program. The recommendation for Next Generation Manufacturing Processes includes $25,000,000 for Combined Heat and Power, the same as the budget request, of which no less than one-fourth of the funding is for research and development activities for small-scale systems that can be used in residential and small commercial settings.

With nearly three-quarters of industrial energy use consumed by fuel-fired systems tied to either steam systems or process heating equipment, the Department is encouraged to continue to look into improvements in mechanical insulation. Advances in this area have the potential to yield significant energy savings for the industrial and commercial segments.

The recommendation includes $17,795,000 for Industrial Technical Assistance, $57,205,000 below the request.

While developing innovative manufacturing techniques for energy technologies is critical for the nation to compete in the rapidly evolving energy sector, the Department's proposed Manufacturing Energy Systems program is redundant with manufacturing research and development activities across the Department's technology-specific programs. Energy sector manufacturing spans a broad spectrum of often-unrelated technologies and manufacturing processes, and it is not evident that a single program could be effective in its attempt to cover that spectrum. Each Energy Efficiency and Renewable Energy program houses expertise on its technology area and is more capable of administering manufacturing research and development programs than one centralized manufacturing program would be. The Department has not provided sufficient information to address these concerns, nor has it provided sufficient evidence of planning to assure the Committee that funds would be used well. The recommendation includes no funding for Manufacturing Energy Systems, and the Committee continues to encourage the Department to invest in manufacturing research and development within each Energy Efficiency and Renewable Energy program.

Federal Energy Management Program.—The Federal Energy Management Program seeks to mitigate energy costs of the federal government by assisting federal agencies in reducing their energy

usage. The Committee recommends $30,000,000, $402,000 below fiscal year 2011 and $3,072,000 below the budget request.

Facilities and Infrastructure.—The Committee recommends $26,407,000 for Energy Efficiency and Renewable Energy Facilities and Infrastructure, $24,593,000 below fiscal year 2011 and the same as the budget request.

Program Direction.—Program Direction provides funding for Department staff to manage and oversee the Energy Efficiency and Renewable Energy programs. The Committee recommends $110,000,000 for program direction, $60,000,000 below fiscal year 2011 and $66,605,000 below the budget request.

Strategic Programs.—The Committee recommends $25,000,000 for Strategic Programs, formerly named Program Support, $7,000,000 below fiscal year 2011 and $28,204,000 below the budget request. The recommendation includes $8,000,000 for the International program, $2,000,000 below the budget request, to include $2,000,000 for the U.S.-Israel energy cooperative agreement.

FEDERAL ENERGY ASSISTANCE PROGRAMS

The Committee recommends a total of $68,000,000 for federal energy assistance programs, $163,300,000 below fiscal year 2011 and $325,798,000 below the budget request.

Weatherization Assistance.—The Committee recommends $33,000,000 for the Weatherization Assistance Program, $141,300,000 below fiscal year 2011 and $287,000,000 below the budget request, of which $3,000,000 is for training and technical assistance.

At current rates of spending, the Weatherization Assistance Program will have an estimated $1.5 billion in unspent funding from the American Recovery and Reinvestment Act of 2009 (ARRA) for use in fiscal year 2012. Recognizing that some states will have spent all ARRA funds by the beginning of fiscal year 2012 while others will have remaining ARRA funds through much or all of the fiscal year, the recommendation includes statutory language allowing the Secretary to waive the allocation formula in order to adjust its distribution of funds in fiscal year 2012. In the event that the Secretary executes this waiver, the Department is directed to (1) use the existing weatherization formula as a baseline for calculating allocations; (2) reduce the allocation for states that have sufficient ARRA funds to supplement regular appropriations during fiscal year 2012; and (3) increase the allocation for states that have little or no ARRA funding remaining for use in fiscal year 2012. Given current spending rates of ARRA funds, the recommendation provides sufficient appropriations and flexibility such that all states should have funds in fiscal year 2012 approximately equivalent to their fiscal year 2010 allocations.

State Energy Program.—The Committee recommends $25,000,000 for the State Energy Program, $25,000,000 below fiscal year 2011 and $38,798,000 below the budget request, all of which shall be for formula grants.

Tribal Energy Activities.—The Committee recommends $10,000,000 for tribal energy projects, $3,000,000 above fiscal year 2011 and the same as the budget request, to continue providing assistance to tribes for developing sustainable and economical energy solutions for their communities.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

Appropriation, 2011	$141,010,000
Budget estimate, 2012	237,717,000
Recommended, 2012	139,496,000
Comparison:.	
Appropriation, 2011	−1,514,000
Budget estimate, 2012	−98,221,000

The Committee recommends $139,496,000 for Electricity Delivery and Energy Reliability, $1,514,000 below fiscal year 2011 and $98,221,000 below the budget request. After accounting for a one-time rescission of $3,700,000 in fiscal year 2011 and the use of $504,000 of prior-year balances in this bill, the recommendation is $4,710,000 below fiscal year 2011.

The Electricity Delivery and Energy Reliability program advances technologies and provides operational support to increase the efficiency, resiliency, and security of the nation's electricity delivery system. The power grid employs aging technologies at a time when power demands, the deployment of new intermittent technologies, and rising security threats are imposing new stresses on the system. Electricity Delivery and Energy Reliability aims to develop a modern power grid by advancing cyber security technologies, intelligent and high-efficiency grid components, and energy storage systems.

Use of prior-year balances.—The Department is directed to use $504,000 of prior-year balances as proposed in the request.

Electricity Delivery and Energy Reliability Research and Development.—The Committee recommends $103,813,000 for Electricity Delivery and Energy Reliability Research and Development, $1,187,000 below fiscal year 2011 and $89,004,000 below the budget request.

The Committee recommends $20,000,000 for Clean Energy Transmission and Reliability, $6,000,000 below fiscal year 2011 and $40,817,000 below the budget request. The recommendation includes no funding for the Smart Grid Technology and Systems Hub.

In the budget request, the Department proposes a new Advanced Modeling Grid Research program to develop systems for processing grid sensor data in order to provide better real-time monitoring and grid planning. The Committee notes that the Advanced Research Projects Agency—Energy also proposes to fund Electrical Infrastructure research, some of which may focus on software and other systems to actively control electricity transmission and distribution systems. The Committee is generally encouraged by the Department's increasing coordination to ensure that cooperation—rather than redundancy—occurs among overlapping programs. The Committee therefore expects the Department to coordinate the grid-related activities across these two programs, and directs the Department to provide, not later than 180 days after enactment of this Act, a report outlining the activities relating to grid modeling in both Electricity Delivery and Energy Reliability and the Advanced Research Projects Agency—Energy; any points of overlap between the two programs; and a cohesive vision for research and development across both program offices to advance grid modeling in a coordinated manner.

The Committee recommends $33,813,000 for Smart Grid Research and Development, $4,813,000 above fiscal year 2011 and $11,187,000 below the budget request; and $20,000,000 for energy storage research and development, the same as fiscal year 2011 and $37,000,000 below the budget request.

The Committee recommends $30,000,000 for cyber security for energy delivery systems research and development, the same as fiscal year 2011 and the budget request. As advanced electronics and information networks become increasingly integrated with the nation's electric power systems, the Committee remains concerned that prevention methods keep pace with heightened risks of both cyber and physical attack. It is imperative that the Department of Energy collaborates with other federal agencies to maintain a holistic cyber security program that assesses risks to the national electricity infrastructure, sets preventative security standards, and develops and disseminates security technologies into the electricity delivery system through private sector entities. The Department shall report to the Committee not later than March 1, 2012, on its efforts to cooperatively work with other federal agencies and the private sector on risk assessment, grid security standards, development of risk mitigation measures, and deployment of those measures. The Department should also be prepared to update the Committee on the threat to the energy delivery systems not later than that date.

Within the cyber security research program, the Department is encouraged to conduct full-scale testing to corroborate modeling and simulation of cyber attacks and develop mitigation approaches.

Permitting, Siting and Analysis.—The Committee recommends $8,000,000, $2,000,000 above fiscal year 2011 and the same as the budget request.

Infrastructure Security and Energy Restoration.—The Committee recommends $6,187,000, $87,000 above fiscal year 2011 and the same as the budget request.

Program Direction.—The Committee recommends $22,000,000, $5,610,000 below fiscal year 2011 and $9,217,000 below the budget request.

NUCLEAR ENERGY

Appropriation, 2011	$725,824,000
Budget estimate, 2012	754,028,000
Recommended, 2012	733,633,000
Comparison:	
Appropriation, 2011	+7,809,000
Budget estimate, 2012	−20,395,000

The Committee recommends $733,633,000 for Nuclear Energy, $7,809,000 above fiscal year 2011 and $20,395,000 below the budget request. After accounting for a one-time rescission of $6,300,000 in fiscal year 2011 and the use of $1,367,000 of prior-year balances in this bill, the recommendation is $2,876,000 above fiscal year 2011.

Nuclear power currently generates 20 percent of America's electricity and will continue to play a vital role in the future as a reliable and domestic source of energy. Nuclear Energy activities at the Department of Energy advance the next generation of safe, secure, and economic nuclear power options and contribute to the na-

tion's long-term leadership in the nuclear power industry in the United States and abroad.

The events at the Fukushima Daiichi facilities in March of 2011 reinforce the imperative to invest in the safety and security of the nation's current fleet of nuclear power plants and facilities. In addition to contributing to that effort, the Nuclear Energy program ensures through research, development, and demonstration activities that future generations of nuclear power reactors are even safer and more resilient.

The bill supports two programs, Small Modular Reactors (SMR) and the Next Generation Nuclear Plant (NGNP), that will demonstrate the next generation of passively-safe nuclear power. Due to their small size and other innovative features, these reactors can employ inherently safe designs that do not require active cooling in the unlikely event of backup and power grid failure. While the current fleet of American nuclear power plants are safe and governed by rigorous oversight, the SMR, NGNP, and other next generation designs supported by Nuclear Energy research will further increase the substantial safety margins of the nation's nuclear power plants.

National laboratories, universities, and U.S. industry all make important contributions to the development of domestic nuclear energy technologies and advanced reactors. However, the Committee notes that industry would be eligible to compete for less than 10 percent of the total fiscal year 2012 budget request, and only one third of that small portion was made available for industry grants in fiscal year 2010. In order to foster collaboration among the Department's laboratories and industry partners, to retain U.S. industrial involvement in nuclear energy, and to ensure that the best research groups for each activity carry out research on behalf of the Department, the Committee recommends that not less than 10 percent of the total appropriation for Nuclear Energy be fully and openly competed among national laboratories, universities, and U.S. industry. Further, the Department is directed to report to the Committee, not later than 90 days after enactment of this Act, a list of all Nuclear Energy activities funded in fiscal year 2012 and the instituion types eligible for each activity. The Department shall provide to the Committee an update for this report, not later than April 1, 2012, indicating the type of grantee(s) that ultimately received funding for each activity.

Use of prior-year balances.—The Department is directed to use $1,367,000 of prior-year balances as proposed in the request.

NUCLEAR ENERGY RESEARCH AND DEVELOPMENT

The Committee provides $439,000,000 for Nuclear Energy Research and Development, $28,473,000 above fiscal year 2011 and $8,374,000 below the request.

Nuclear Energy Enabling Technologies.—For this program, which draws upon expertise in industry, academia, and the national laboratories to develop technologies that will support a wide variety of nuclear reactor designs, the Committee recommends $95,014,000, $43,631,000 above comparable activities in fiscal year 2011 and $2,350,000 below the budget request. The recommendation includes $14,580,000 for the National Science User Facility at the Idaho National Laboratory, the same as the request.

The recommendation includes $24,300,000 within Nuclear Energy Enabling Technologies for the Modeling and Simulation Energy Innovation Hub, the same as the request. The Department is directed to deliver to the Committee, not later than 60 days after enactment of this Act, a report detailing: the current status of the Hub, including number of employees and status of the Hub's final offices and other facilities; all milestones originally set forth for the Hub, including those for the end of fiscal years 2010 and 2011; the Hub's current performance in meeting those milestones; the Hub's milestones for fiscal years 2012, 2013 and 2014; and the specific milestones and performance criteria that the Hub must meet in order to be considered for a second five-year term.

Integrated University Program.—The Committee recommends $5,000,000 to continue the Integrated University Program, which supports scholarships, fellowships, and educational opportunities for nuclear science, engineering, nonproliferation, and other fields in the highly-specialized field of nuclear energy. The Committee recommendation also includes funding for this program within the National Nuclear Security Administration and the Nuclear Regulatory Commission.

Light Water Reactor Small Modular Reactor Licensing Technical Support.—The Committee recommends $67,000,000, the same as the request, to provide licensing and first-of-a-kind engineering support for two reactor designs and sites. The Committee notes the potential for significant advantages of small modular reactors when compared to conventional full-sized reactors and supports exploration of this avenue through both research and the licensing process. Further, within tight fiscal constraints, it is imperative that the Department identifies specific program goals and termination criteria for any new programs it initiates. The Department is therefore directed to provide to the Committee, not later than December 15, 2011, a report including: specific annual milestones and expected federal costs for the SMR licensing program through completion of licensing for two designs; and the specific advantages that must be demonstrated in SMR designs to continue federal funding, including target metrics relating to expected capital cost, financing, safety, potential for a domestic supply chain, quantified private sector interest, and other areas identified by the Department that make the case for significant public benefits of and federal support for small modular reactors.

Reactor Concepts Research, Development, and Demonstration.—The Committee recommends $136,986,000, $31,549,000 below fiscal year 2011 and $11,986,000 above the request. The recommendation includes $28,674,000 for Small Modular Reactors (SMR) Advanced Concepts Research and Development, the same as the request; and $25,000,000 for Light Water Reactor Sustainability, $3,616,000 above the request.

The recommendation also includes $63,572,000 for the Next Generation Nuclear Plant (NGNP) program, $14,000,000 above the request, for Phase 1 research and development and to support activities in preparation of a Phase 2 demonstration while the Committee awaits a Secretarial recommendation for the future of the project. The NGNP program seeks to develop and demonstrate nuclear technologies that can significantly increase the competitiveness of U.S industry by providing an alternative for process heat

production. The Committee has strongly supported NGNP in prior years by providing over $500,000,000 for the program's Phase 1 research, development, and conceptual design activities. Regardless of the ultimate decision for the Phase 2 demonstration project, the Committee expects that the Department will request adequate funds to ensure the reasonable completion of research and dissemination of knowledge produced by this considerable Phase 1 effort. Further, the Committee directs the Department to actively engage with industry in order to determine the best path forward for Phase 2.

The Committee is concerned that, over the past decade, the Department has shifted priorities from Generation IV reactors with a focus on the Next Generation Nuclear Plant's high temperature gas-cooled reactors with industrial applications, to the Global Nuclear Energy Partnership's focus on reprocessing and fast reactor development to close the nuclear fuel cycle, to the new focus on Small Modular Reactors for electric power generation, in what appears to be a constant shifting of priorities that starts many initiatives and finishes none. To ensure disciplined choices for its reactor research, development, and demonstration programs, and to ensure that each program is chosen carefully and carried through to completion, the Department is requested to provide to the Committee a list of objective criteria that establish priorities for funding of reactor initiatives. These criteria should be chosen such that they (1) articulate and further the specific energy goals for the Office of Nuclear Energy, and (2) increase the likelihood that the office funds technological innovations that are ultimately commercialized in the nuclear industry.

Fuel Cycle Research and Development.—The Committee recommends $132,000,000 for Fuel Cycle Research and Development, $55,615,000 below fiscal year 2011 and $23,010,000 below the request.

From within available funds, the recommendation includes $36,000,000 for Used Nuclear Fuel Disposition, $1,249,000 below the budget request. The Committee directs that all documentation relating to Yucca Mountain, including technical information, records, and other documents, as well as scientific data and physical materials, be preserved.

International Nuclear Energy Cooperation.—The Committee recommends $3,000,000, the same as the request, for International Nuclear Energy Cooperation. The Department is directed to report to the Committee, not later than March 1, 2012, an inventory of all international activities conducted in fiscal year 2012 across the Office of Nuclear Energy, including funding levels and the program or activity from which the funds are drawn.

RADIOLOGICAL FACILITIES MANAGEMENT

The Radiological Facilities Management program maintains safe and effective operation of the critical infrastructure that provides radioisotope power systems production capabilities for defense and space agency users. These outside users fund the Department's operational, production, and research activities on a reimbursable basis. The Committee recommends $49,000,000, $2,714,000 below fiscal year 2011 and $15,888,000 below the request.

The Committee encourages the Department, within available funds, to provide the base infrastructure funding such that all strategic nuclear materials and engineering facilities are maintained in full compliance with Department of Energy operational and safety orders and directives for nuclear infrastructure and to ensure these facilities are capable of serving Department mission needs in nuclear research and development.

Space and Defense Infrastructure.—The Committee recommends $44,014,000, $2,892,000 below fiscal year 2011 and $5,888,000 below the request.

Plutonium–238 Production Restart Project.—The National Aeronautics and Space Administration (NASA) uses the vast majority of plutonium–238 (Pu–238) produced or procured by the federal government. The Committee remains concerned that the Administration continues to request equal funding from NASA and the Department of Energy for a project that primarily benefits NASA. The Committee provides no funds for this project, and encourages the Administration to devise a plan for this project that more closely aligns the costs paid by federal agencies with the benefits they receive.

IDAHO FACILITIES MANAGEMENT

The Committee recommends $155,000,000, $28,604,000 below fiscal year 2011 and $5,000,000 above the request, for Idaho National Laboratory (INL) operations and infrastructure. Consistent with prior years, funds provided under this heading are intended to develop new capabilities; address Idaho facility management operations, maintenance and repair; support environmental compliance; provide for other necessary capital equipment purchases; and operate the laboratory's new advanced post-irradiation examination capabilities. The recommendation also increases funding to accelerate the planning, acquisition and execution of identified improvements in safety system reliability; severe accident management and response capability; and revitalization of aging or obsolete equipment and instrumentation, monitoring and control systems at existing nuclear facilities.

The Committee notes that $14,580,000 for the National Science User Facility previously funded within Idaho Facilities Management is funded within Nuclear Energy Enabling Technologies in fiscal year 2012, as proposed in the budget request.

PROGRAM DIRECTION

The Committee recommends $92,000,000 for Program Direction, $5,721,000 above fiscal year 2011 and $1,133,000 below the budget request. The recommended increase is intended to support existing personnel, federal personnel transferred into the Office of Nuclear Energy from the Office of Civilian Radioactive Waste Management, as well as the other aspects of program direction.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

Appropriation, 2011	$444,529,000
Budget estimate, 2012	452,975,000
Recommended, 2012	476,993,000
Comparison:	
Appropriation, 2011	+32,464,000
Budget estimate, 2012	+24,018,000

The Committee recommends $476,993,000 for Fossil Energy Research and Development, $32,464,000 above fiscal year 2011 and $24,018,000 above the budget request. After accounting for a one-time rescission of $140,000,000 in fiscal year 2011 and the use of $23,007,000 in prior-year balances in the bill, the recommendation is $84,529,000 below fiscal year 2011.

Fossil energy resources, such as coal and natural gas, power more than 70 percent of the nation's homes and businesses and will continue to provide the majority of electricity generation for the foreseeable future. The Fossil Energy Research and Development program funds research, development, and demonstration activities to improve existing technologies and develop next-generation systems. At a time when fossil fuel power generation is expanding around the globe, these activities advance our nation's position as a leader in fossil energy technologies and at the same time ensure that we use our domestic resources safely and efficiently.

The budget request continues the Administration's push to shift the focus of Fossil Energy Research and Development towards carbon capture and sequestration (CCS), and the Committee is concerned that this approach ignores opportunities to use the nation's natural resources more efficiently, to ensure the nation's economic strength by keeping power costs low, and ultimately to keep fossil fuel industry jobs in the United States and strengthen the role of the United States as a leader in this sector as other nations move quickly to expand their fossil energy base. The program should invest in a broad array of research avenues, rather than focusing on the single, narrow goal of carbon capture and sequestration.

Further, the Committee remains concerned about the Administration's approach to shift funds from certain advanced fossil energy materials research activities at a time when such activities show significant potential for cleaner and more efficient fuel combustion for electric power generation. As such, the Committee strongly encourages the Department to refocus its efforts on this research and apply the necessary funding to those activities.

Use of prior-year balances.—The Department is directed to use $23,007,000 of prior-year balances as proposed in the request.

CCS and Power Systems.—The Committee recommends $338,762,000 for CCS and Power Systems, $47,404,000 above the budget request.

The Committee recommends $105,000,000 for Advanced Energy Systems, $40,807,000 above the budget request. Of this amount, the recommendation includes not less than $25,000,000 to continue the Department's research, development, and demonstration of solid oxide fuel cell systems, which have the potential to substantially increase the efficiency of clean coal power generation systems, to create new opportunities for the efficient use of natural gas, and to contribute significantly to the development of alternative-fuel vehicles. The recommendation also includes $5,000,000

for High Performance Materials, $4,027,000 above the request, and $10,000,000 for the Coal and Coal-Biomass to Liquids program. Within Gasification Systems, a subprogram of Advanced Energy Systems, the recommendation includes $8,000,000, the same as the budget request, to continue activities improving advanced air separation technologies.

The Committee recommends $49,347,000 for Cross Cutting Research, $6,597,000 above the budget request.

Natural Gas Technologies.—The Committee recommends $15,000,000 for Natural Gas Technologies, $13,004,000 above fiscal year 2011 and $15,000,000 above the budget request, not less than $10,000,000 of which is for the Department to continue gas hydrates research and development activities.

The development and subsequent use of hydraulic fracturing, or "fracking," techniques and other advanced drilling methods have recently expanded domestic natural gas resources to include vast reserves in shale gas formations. These newly-available reserves have the potential to greatly strengthen the nation's economic, energy, and environmental security, and we must use this resource fully while ensuring public health and safety. The Department of Energy, with its technical expertise, can contribute productively to this effort through collaborative partnerships with industry, states, and municipalities.

On May 5, 2011, the Secretary of Energy announced a group of experts tasked with recommending best practices for natural gas hydraulic fracturing from shale gas formations. The Committee is concerned that the selected panel members will not adequately represent industry perspectives, and therefore will not foster a spirit of partnership among industry, environmental, and governmental parties. In order to strengthen these partnerships and industry support for any subsequent recommendations, no less than one-third of panel members should be industry representatives who actively work in the natural gas industry. Further, the Department is directed to provide to the Committee a list, resulting from panel deliberations, of specific recommendations for Department of Energy activities that can assist industry in improving hydraulic fracturing technologies, as well as their budgetary requirements for the current and future fiscal years.

Program Direction.—Strong program oversight and management are critical to ensuring that taxpayer dollars are efficiently and appropriately spent. Across the Department's basic science and applied energy research and development accounts, program direction ranges from 4 percent to 13 percent of total account funding in the budget request. By contrast, program direction for Fossil Energy Research and Development in the budget request is more than 35 percent of total account funding. The Committee believes that management of this program can be done more efficiently, and that more of each taxpayer dollar spent on Fossil Energy Research and Development can go toward developing technology innovations. The Committee recommends $120,847,000 for Program Direction, $30,882,000 below fiscal year 2011 and $38,386,000 below the budget request. At this level, Fossil Energy program direction is more than 25 percent of total account funding—still a larger percentage than any other research and development energy program,

but more in line with the norm and what should be necessary to cost-effectively oversee activities.

Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund.—The recommendation does not include the legislative repeal of this fund and its programs, as proposed in the budget request.

NAVAL PETROLEUM AND OIL SHALE RESERVES

Appropriation, 2011	$20,854,000
Budget estimate, 2012	14,909,000
Recommended, 2012	14,909,000
Comparison:.	
Appropriation, 2011	−5,945,000
Budget estimate, 2012	—

The Naval Petroleum and Oil Shale Reserves no longer serve the national defense purpose envisioned in the early 1900's, and consequently the National Defense Authorization Act for fiscal year 1996 required the sale of the Government's interest in the Naval Petroleum Reserve 1 (NPR–1). To comply with this requirement, the Elk Hills field in California was sold to Occidental Petroleum Corporation in 1998. Following the sale of Elk Hills, the transfer of the oil shale reserves, and transfer of administrative jurisdiction and environmental remediation of the Naval Petroleum Reserve 2 (NPR–2) to the Department of the Interior, the Department retains one Naval Petroleum Reserve property, the Naval Petroleum Reserve 3 (NPR–3) in Wyoming (Teapot Dome field). This is a stripper well oil field that the Department has maintained while it remained economically productive. The fiscal year 2012 budget request proposes to cease production at this field, based on projections that production costs will exceed revenues and to develop a plan for its sale or disposition. The budget request does not include funding for management of the Rocky Mountain Oilfield Testing Center (RMOTC) at NPR–3, proposing to allow only projects with fully reimbursable arrangements or which are fully funded by the Department's Geothermal Technology Program. Funds are included in the budget request for continuing environmental and remediation work at Elk Hills and NPR–3.

The Committee recommendation for the operation of the naval petroleum and oil shale reserves is $14,909,000, $5,945,000 below fiscal year 2011 and the same as the budget request.

The Committee recognizes that the RMOTC operates as a field-testing facility for renewable and fossil fuel energy technologies, and, therefore, is a research facility similar to others operated by the Department of Energy. The Committee directs the Department to use $250,000 provided in fiscal year 2012 to develop a long-term management plan for the RMOTC that includes a transition to a self-sustaining facility and supports the use of unobligated funds from prior years, if available, to support the testing mission at the RMOTC until such transition is completed.

STRATEGIC PETROLEUM RESERVE

Appropriation, 2011	$123,141,000
Budget estimate, 2012	121,704,000
Recommended, 2012	192,704,000
Comparison:	
Appropriation, 2011	+69,563,000
Budget estimate, 2012	+71,000,000

The mission of the Strategic Petroleum Reserve (SPR) is to store petroleum to reduce the adverse economic impact of a major petroleum supply interruption to the U.S. and to carry out obligations under the international energy program. The current capacity of the Reserve is 727 million barrels. The facility is at capacity and provides 75 days of net import protection for the United States economy.

The Committee recommendation does not include the $71,000,000 rescission proposed in the budget request, as that was included in the Fiscal Year 2011 Continuing Appropriations Act. Therefore, the recommendation is $192,704,000, $69,563,000 above fiscal year 2011 and $71,000,000 above the budget request. After accounting for a one-time rescission in fiscal year 2011, the recommendation is $16,737,000 below fiscal year 2011.

SPR PETROLEUM ACCOUNT

Appropriation, 2011	$—
Budget estimate, 2012	−250,000,000
Recommended, 2012	−500,000,000
Comparison:	
Appropriation, 2011	−500,000,000
Budget estimate, 2012	−250,000,000

The Omnibus Budget Reconciliation Act of 1981 (P.L. 97–35) created the SPR Petroleum Account to fund all Strategic Petroleum Reserve (SPR) petroleum acquisitions, associated transportation costs, U.S. customs duties, terminal throughput charges and other related miscellaneous costs. The account also funds the incremental costs of withdrawal and transportation of oil during an emergency drawdown and sale.

The fiscal year 2012 budget request proposes a non-emergency sale of oil valued at $500,000,000 from the reserve. The Congressional Budget Office has estimated that the amount of revenue from this sale that will be realized in fiscal year 2012 is $250,000,000, while the remaining $250,000,000 would not be realized until fiscal year 2013. This limited drawdown will provide spare storage capacity necessary to complete the replacement of one storage cavern and to perform structural inspections required under state law on other caverns.

Rather than depositing the revenues from the sale into the SPR Reserve Account for use in purchasing oil at a later date to refill the reserve, the budget proposes cancellation of the sale revenues. This "savings" is then used to offset spending elsewhere in the Department of Energy's budget request. The Committee supports the actions necessary to ensure continued structural integrity at storage sites, but is concerned about the use of revenues for other purposes. The Committee's acceptance of the proposal should not be viewed as a precedent or as support for future uses of SPR oil sales to mask Departmental spending. Language in the budget request

is included to allow balances in the account to be used for the costs of this non-emergency sale.

The budget request also includes a legislative proposal to rescind the authority to fill the reserve through royalty-in-kind. The Committee does not include this legislative proposal as the royalty-in-kind program has been an important tool in filling the reserve to its current capacity. Instead, and in light of recommendations for improvements to the program made by the Government Accountability Office, the Committee includes a provision prohibiting the Secretary from using the royalty-in-kind authority to restock oil sold during this limited drawdown. The Committee also includes language to ensure that the Department is able to account for all revenue from this sale in fiscal year 2012.

NORTHEAST HOME HEATING OIL RESERVE

(INCLUDING RESCISSION OF FUNDS)

Appropriation, 2011	$10,978,000
Budget estimate, 2012	−89,881,000
Recommended, 2012	−89,881,000
Comparison:	
Appropriation, 2011	−100,859,000
Budget estimate, 2012	—

The acquisition and storage of heating oil for the Northeast began in August 2000 when the Department of Energy, through the Strategic Petroleum Reserve account, awarded contracts for the lease of commercial storage facilities and acquisition of heating oil. The purpose of the Reserve is to assure home heating oil supplies for the northeastern states during times of very low inventories and significant threats to the immediate supply of heating oil. The Northeast Heating Oil Reserve was established as a separate entity from the Strategic Petroleum Reserve on March 6, 2001. The Reserve has contained up to 2 million barrels, with approximately one-half located in commercial facilities in New York Harbor and approximately one-half located in commercial facilities in New Haven, Connecticut, and the Providence, Rhode Island area.

The entire Reserve was sold in February 2011, to begin the process of converting the reserves to ultra-low sulfur heating oil, as required by certain New England states and to prepare for new commercial storage leases. The Department intends to restock the Reserve with only 1 million barrels of distillate located only in New England, and the Committee includes language limiting the size of the reserve consistent with this plan.

The budget request proposes cancellation of any excess revenues from the sale, valued at approximately $100,000,000. The Committee includes a rescission of the same amount. Although the Reserve will be reduced in size by 50 percent, the budget request is roughly the same as the fiscal year 2011 request due to the increased costs of commercial storage.

After accounting for the one-time rescission of $100,000,000, the Committee recommendation for the Northeast Home Heating Oil Reserve is $10,119,000, $859,000 below fiscal year 2011 and the same as the budget request.

ENERGY INFORMATION ADMINISTRATION

Appropriation, 2011	$95,009,000
Budget estimate, 2012	123,957,000
Recommended, 2012	105,000,000
Comparison:	
Appropriation, 2011	+9,991,000
Budget estimate, 2012	−18,957,000

The Energy Information Administration (EIA) is a quasi-independent agency within the Department of Energy established to provide timely, objective, and accurate energy-related information to the Congress, the executive branch, state governments, industry, and the public. The Committee recommends $105,000,000 for the Energy Information Administration, $9,991,000 above fiscal year 2011 and $18,957,000 below the budget request. After accounting for a one-time rescission of $400,000 in fiscal year 2011, the recommendation is $9,591,000 above fiscal year 2011.

With the increases in funding over fiscal year 2011, the Department is directed to fund all data collection, releases, and reports on oil, natural gas, electricity, renewables, and coal; all previously funded international energy statistics; and all ongoing energy analysis efforts, before allocating funding to the energy consumption surveys.

NON-DEFENSE ENVIRONMENTAL CLEANUP

Appropriation, 2011	$223,450,000
Budget estimate, 2012	219,121,000
Recommended, 2012	213,121,000
Comparison:	
Appropriation, 2011	−10,329,000
Budget estimate, 2012	−6,000,000

The Non-Defense Environmental Cleanup program includes funds to manage and cleanup sites used for civilian energy research and non-defense related activities. These past activities resulted in radioactive, hazardous and mixed waste contamination that requires remediation, stabilization, or some other action. The Committee recommendation for Non-Defense Environmental Cleanup is $213,121,000, $10,329,000 below fiscal year 2011 and $6,000,000 below the budget request. After accounting for a one-time rescission in fiscal year 2011 of $900,000, the recommendation is $11,229,000 below fiscal year 2011.

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

Small Sites and Sponsored Facilities.—The Committee is concerned about the lack of remediation activity taking place around the country at various Department sponsored facilities and small sites under the responsibility of the Department. Not later than November 15, 2011, the Department is directed to develop and report a detailed action plan on remediating these small sites and sponsored facilities. The plan should take into account, where appropriate, models for site cleanup performed by private sector and third party organizations which could be less expensive and faster than the traditional agency-led cleanup model.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

Appropriation, 2011	$497,084,000
Budget estimate, 2012	504,169,000
Recommended, 2012	449,000,000
Maximum use of miscellaneous proceeds, 2012	150,000,000
Comparison:	
Appropriation, 2011	−48,084,000
Budget estimate, 2012	−55,169,000

The Uranium Enrichment Decontamination and Decommissioning Fund was established by the Energy Policy Act of 1992 to pay for the cleanup of gaseous diffusion plants at Piketon, Ohio; Paducah, Kentucky; and the East Tennessee Technology Park, in Oak Ridge, Tennessee. Title X of the 1992 Act also authorized use of a portion of the fund to reimburse private licensees for the federal government's share of the cost of cleaning up uranium and thorium processing sites. The Committee recommends $449,000,000 for activities funded from the Uranium Enrichment Decontamination and Decommissioning Fund, $48,084,000 below fiscal year 2011 and $55,169,000 below the budget request. After accounting for a one-time rescission in fiscal year 2011 of $9,900,000, the recommendation is $57,984,000 below fiscal year 2011. The bill permits the Department to collect an additional $150,000,000 by bartering uranium, resulting in a total program funding of $599,000,000.

The Committee recommendation includes $77,780,000 for Paducah, $182,747,000 for Oak Ridge, and $188,473,000 for Portsmouth. In addition, a maximum of $150,000,000 may be made available through the Department's uranium bartering arrangement with Portsmouth. Funding for administration, community and regulatory support previously provided under this appropriation for Portsmouth, Paducah and Oak Ridge has been transferred to Community, Regulatory, and Program Support under the Defense Environmental Cleanup appropriation as requested.

While the Committee is supportive of fulfilling the federal government's responsibility for cleaning up these sites, the Committee is greatly concerned with the proliferation of strategies the Department is using to attempt to augment appropriated funds. During fiscal year 2010, the Department improperly made use of $100,000,000 in proceeds from the sale of Department-owned uranium in order to fund cleanup of Department liabilities at Portsmouth despite a 2006 GAO finding that a similar arrangement had violated the miscellaneous receipts statute. In fiscal year 2011, the Department intends to further increase the amount of uranium bartered to derive another $150,000,000 in funding. Although not included in its budget request, the Department has announced plans to accrue in fiscal year 2012 just over $200,000,000 in additional funds for cleanup at Portsmouth through this mechanism.

The bill includes a provision making the availability of proceeds from barter, transfer or sale of uranium subject to appropriations. The overall reduction in fiscal year 2012 appropriated funding takes into account the Department's use of miscellaneous proceeds of up to $150,000,000 to fund cleanup at Portsmouth. The Committee has reduced the Department's proposed use of proceeds by $50,000,000 noting that the Department has failed to adequately

address concerns that its use of this process destabilizes the uranium markets.

For fiscal year 2013, the Department is directed to request any proposed use of miscellaneous proceeds in its budget request.

SCIENCE

Appropriation, 2011	$4,842,665,000
Budget estimate, 2012	5,416,114,000
Recommended, 2012	4,800,000,000
Comparison:	
Appropriation, 2011	−42,665,000
Budget estimate, 2012	−616,114,000

The Office of Science funds basic science research in support of the Department of Energy's core energy-focused missions. Through science research in physics, biology, chemistry, and other fundamental science and technology disciplines, the Department pushes the limits of scientific understanding and helps to maintain the nation's leadership in energy innovation. Through national laboratories, universities, and other partnerships, the Office of Science funds a significant portion of science research nationwide.

Science research includes programs focusing on high energy physics, nuclear physics, biological and environmental research, basic energy sciences, advanced scientific computing, fusion energy sciences, maintenance and construction of science laboratory infrastructure, safeguards and security at the science laboratories, workforce development for teachers and scientists, and science program direction.

The Committee recommendation is $4,800,000,000, $42,665,000 below fiscal year 2011 and $616,114,000 below the budget request. After accounting for a one-time rescission of $15,000,000 in fiscal year 2011 and the use of $2,749,000 of prior-year balances in this bill, the recommendation is $54,916,000 below fiscal year 2011.

Understanding that harnessing scientific and technological ingenuity has long been at the core of the nation's prosperity, the Department has programs designed to increase the number of underrepresented minorities in science, technology, engineering, and mathematics (STEM) areas. The Committee encourages the Department to maintain this commitment by engaging in competitions supporting programs that increase the number of underrepresented college minorities in STEM fields. The Secretary of Energy shall submit a report to the Congress concurrent with the fiscal year 2013 budget request evaluating the effectiveness of this initiative.

Use of prior-year balances.—The Department is directed to use $2,749,000 of prior-year balances as proposed in the request.

ADVANCED SCIENTIFIC COMPUTING RESEARCH

The Advanced Scientific Computing Research program develops world-leading computing and networking capabilities in support of science and energy research. The Committee recommends $427,093,000 for Advanced Scientific Computing Research, $5,096,000 above fiscal year 2011 and $38,507,000 below the request.

The Office of Science and the National Nuclear Security Administration fund the development and operation of the world's fastest

computing systems. These systems have consistently topped the list of the world's fastest supercomputers. More than just symbolic, American leadership in supercomputing supports domestic world-leading weapons and scientific research while keeping the private sector at the leading edge of information technology. Global competition has become increasingly fierce, with the United States unseated from the top spot in late 2010. The Committee continues to support science activities in the United States that improve and develop the world's fastest supercomputing systems.

Exascale Computing.—Beyond short-term incremental improvements in leadership computing systems, the Department is currently conducting research into the development of an exaflop speed—or "exascale"—computing platform that would run at three orders of magnitude faster than today's fastest computing systems. The pursuit of computing capabilities at these speeds is crucial to maintaining U.S. leadership in the increasingly important field of high performance computing, and in the broader information technology industry. Further, exascale systems will enable new simulations and analyses not currently possible in basic science research, energy technology development and weapons science. As both the Office of Science and the National Nuclear Security Administration have vested interests in exascale computing, the Committee commends efforts to collaborate on exascale research across these two programs and encourages further coordination and collaboration.

While the budget request proposes funding increases to accelerate exascale research and emphasizes its importance, the Department has not yet aggregated exascale research components into a coherent effort. Several Department national laboratories have stated target years for exascale prototypes and fully-operational exascale systems, but the Department has not stated any such timeframes, nor has it provided clear funding amounts for the exascale effort in the budget request. The Department is directed to provide to the Committee, not later than February 10, 2012, a report including its current target date for developing an operational exascale platform, interim milestones towards reaching that target, estimated total ranges of Department investment likely needed to hit those targets, and a complete listing of exascale activities included in the budget request broken out by program and activity with comparisons to the current year's funding levels.

The Committee is supportive of investment in the national laboratories to expedite the exascale initiative, but also recognizes that small technology companies frequently provide the breakthrough innovations that are needed to achieve the kind of low-power, high-speed systems needed for exascale computing, particularly as the leap to exascale may require unconventional technology solutions. For this reason, the Committee encourages the Department not to limit its exascale efforts solely to national laboratories and the largest private sector organizations, but also to consider small companies and research organizations working on the cutting edge of computing technologies.

BASIC ENERGY SCIENCES

Basic Energy Sciences supports research in materials science, chemistry, geoscience and bioscience to provide the foundations for future innovations in energy technologies and national security.

The Committee recommends $1,688,145,000 for Basic Energy Sciences, $9,950,000 above fiscal year 2011 and $296,855,000 below the request.

The recommendation includes $24,300,000 for the third year of the Fuels from Sunlight Energy Innovation Hub. The Committee is encouraged that this Hub is aggressively partnering with Energy Frontier Research Centers and other Department-funded groups conducting research into catalysts, membranes, and other areas that can contribute to the Hub's mission. The Department is directed to deliver to the Committee, not later than 60 days after enactment of this Act, a report detailing: the current status of the Hub, including number of employees and status of the Hub's final offices and other facilities; all milestones originally set forth for the Hub, including those for the end of fiscal years 2010 and 2011; the Hub's current performance in meeting those milestones; the Hub's milestones for fiscal years 2012, 2013 and 2014; and the specific milestones and performance criteria that the Hub must meet in order to be considered for a second five-year term.

Within available funds, the recommendation includes $20,000,000 to establish an Energy Innovation Hub for Batteries and Energy Storage. The Department is directed to deliver to the Committee, not later than 90 days after enactment of this Act, a report detailing: a timeline for selecting the awardee; draft organizational and research milestones for the end of fiscal years 2012 through 2016; and specific criteria the Hub must meet to be considered for extension beyond the initial five-year term. The report must also identify how the Hub will work with other Department of Energy programs and activities focusing on batteries and energy storage, including any Energy Frontier Research Centers focusing on related research areas.

From within available funds, the recommendation includes no funds to establish new Energy Frontier Research Centers (EFRCs), the same as the request. The Department first funded the existing EFRCs in fiscal year 2009, establishing 46 centers for initial five-year periods to research five areas of science that would enable energy innovation. The Committee supports the energy-focused missions of the centers, as well as the increased visibility, transparency and accountability they bring to research conducted within Basic Energy Sciences. As with other initiatives established for limited terms, such as the Energy Innovation Hubs and BioEnergy Research Centers, the Department should not assume that all, or even most, Energy Frontier Research Centers will be continued beyond their fifth year in fiscal year 2013. Rather, each EFRC will be required to demonstrate superior performance and results germane to the Department's energy-focused mission in order to receive an extension beyond the initial five-year award. To prepare for that review process and to better inform the Committee on the performance of these centers, the Department is directed to provide to the Committee, not later than March 1, 2012, a report including the five-year research goals for each EFRC, each center's current status towards reaching those goals, and the Department's latest rating of each EFRC's performance as they pass their half-way point and the Committee considers funding for the last year of the initial five-year awards.

The recommendation provides no funds, $8,520,000 below the request, for the Experimental Program to Stimulate Competitive Research.

The Department proposed in the fiscal year 2011 budget request, and again this year, to move gas hydrates research from the Office of Fossil Energy to the Office of Science. As the proposed activities remain largely unchanged, this activity is more appropriately and effectively located within the Office of Fossil Energy. As such, no funding is included in the recommendation for Basic Energy Sciences for the proposed new gas hydrates activity.

Terminations of Underperforming Projects.—Basic Energy Sciences research often operates at the boundaries of human knowledge in pursuit of solutions to the Department's energy challenges. In this mission-focused pursuit, projects can often fail, either due to deficiencies of the research team or simply due to unexpected obstacles encountered when confronting some of the most difficult scientific problems. When a multi-year project struggles to meet its goals, it is a difficult decision but may be the best use of taxpayer dollars to terminate the project. The Committee is concerned that this effective practice is not often implemented at the Department of Energy.

The Committee is encouraged by one example, the Advanced Research Projects Agency—Energy, which is closely monitoring all projects and actively considering the termination of projects that fail to meet their challenging goals. However, the Committee is concerned that Basic Energy Sciences is not holding its research groups accountable in the same way, and that it is not terminating underperforming grants.

Further, while a portion of Basic Energy Sciences research is awarded to known recipients with defined goals—for example, to Energy Frontier Research Centers and Energy Innovation Hubs—more than 80 percent of the $854,669,000 of research in the budget request for Basic Energy Sciences lacks transparency to the public and to the Congress. The Committee is concerned that, in light of this lack of transparency, research activities receiving federal funding are not being held accountable to achieve the goals that make Basic Energy Science so critical to American scientific expertise and energy innovation.

While free scientific exploration without use-inspired goals is important to advancing science, innovation, and American intellectual property, research funded under Department of Energy programs is ultimately centered on its core energy-focused goals. Within that context, most Science research should have concrete goals, and most research should have measurable performance. The Department is therefore directed to create a performance ranking of all ongoing multi-year research projects across Basic Energy Sciences, including those at universities, national laboratories, Energy Frontier Research Centers, Energy Innovation Hubs and other recipients, by comparing current performance with original project goals. The Department is directed to terminate the lowest-ranking awards within Basic Energy Sciences in the amount of $25,000,000, and to report to the Committee, not later than March 15, 2012, on the results of the ranking exercise and selected terminations. These terminations will ensure that taxpayer dollars go only to the highest-performing projects, and will serve as a first step towards in-

creasing the accountability and effectiveness of the research in this important program.

BIOLOGICAL AND ENVIRONMENTAL RESEARCH

The Biological and Environmental Research program supports advances in energy technologies and related science through research into complex biological and environmental systems. The Committee recommends $547,075,000 for Biological and Environmental Research, $64,748,000 below fiscal year 2011 and $170,825,000 below the request.

The Committee supports activities that align closely with the Department's core missions and advance the nation's leadership in intellectual property generation and energy innovation. Within Biological and Environmental Research, such mission-focused activities include plant and microbe biology research that can enable breakthrough innovations in energy technologies like next-generation biofuel production, as well as research in support of the Department's ongoing site and facility cleanup responsibilities.

To this end, the Committee supports the Department's efforts to eliminate activities that do not align with core Departmental missions. While Office of Science research focusing on medical applications of an artificial retina has produced important advances, the Department cannot sustain the use of funds for such off-mission purposes. The recommendation includes no funds for this research line, the same as the request, and the Department is directed to report to the Committee, not later than December 15, 2011, on its strategy to transition this research to the National Institutes of Health or other appropriate federal entity.

The Climate and Environmental Sciences program devotes the majority of its funding to areas not directly related to the core mandate of science and technology research leading to energy innovations. Further, climate research at the Department of Energy is closely related to activities carried out in other federal agencies and may be better carried out by those organizations. The Department proposes to eliminate medical research focused on human applications in order to direct limited funds to on-mission purposes, and the Department should apply the same principles to climate and atmospheric research.

The Committee continues to support the goals of the Bioenergy Research Centers (BRCs), which conduct science research aiming to develop the next generation of economic fuels made from domestic plant sources that do not compete with the nations' food supply. Successful breakthroughs at the BRCs could result in technologies that could leapfrog current incarnations of cellulosic biofuels and provide a path to substantially reducing the nation's oil imports. However, these centers were never envisioned as permanent research institutions dependent on federal funding, but instead as temporary and targeted initiatives with five-year terms. In order to receive funding beyond fiscal year 2012, the fifth full year of funding, the Department will need to fully justify to the Committee each center's performance. The Committee therefore directs the Department to provide to the Committee, not later than February 6, 2012, a full evaluation of each Bioenergy Research Center, a comparison of each center's achievements with the Department's origi-

nal targets, and the Department's subsequent recommendation for extension or conclusion of each center.

While the Department has increased collaboration between the Bioenergy Research Centers and its applied research and development programs, the Committee encourages greater integration and cooperation among these activities in order to more effectively advance biofuels solutions from the laboratories to commercial production.

FUSION ENERGY SCIENCES

Fusion Energy Sciences conducts basic science research and experimentation seeking to harness nuclear fusion for energy production purposes. The Committee recommends $406,000,000 for fusion energy sciences, $30,537,000 above fiscal year 2011 and $6,300,000 above the request.

While the National Nuclear Security Administration performs inertial confinement fusion research for nuclear stockpile stewardship, the Office of Science has historically focused on magnetic confinement fusion and other related research. The Committee continues to strongly support magnetic confinement fusion research both as a source of American scientific leadership and expertise, and as a long-term effort to develop a clean energy alternative powered by domestic resources. As a result of the program's sole focus on magnetic fusion energy, however, the Office of Science's program does not have a broad framework for pursuing research avenues related to inertial fusion energy. In anticipation of achieving ignition at the National Ignition Facility—a critical milestone in the demonstration of inertial confinement fusion's feasibility for energy production—the Department has commissioned a National Academies study assessing the prospects for power generation with inertial fusion energy and identifying obstacles and challenges that will assist in developing a research and development roadmap. The Committee supports this study and encourages the Department to move quickly upon completion of the report to determine a proposed path forward for inertial fusion energy in the event ignition is achieved.

Further, the Committee remains concerned that research expertise may be lost while the Department awaits completion of the National Academies study, which is not due until July of 2012. The Committee urges the Department to fully evaluate existing research capabilities that do not fit easily within the existing weapons-focused inertial and energy-focused magnetic confinement fusion programs, such as krypton fluoride lasers and magneto-inertial fusion, but that may play important roles if an inertial fusion energy program moves forward in future years. The Department should take action to avoid irreversible losses in expertise in these areas before completion of the National Academies study.

The budget request proposes $105,000,000 for ITER, the first full-scale test reactor for fusion energy. The Committee supports this project as an important step in the development of fusion energy and takes seriously the Department's commitments to international collaborations. However, the Department of Energy's required contribution to ITER is expected to increase substantially in the next several years, and the Committee is concerned that, while funding for ITER will yield important advances to domestic superconductor and other manufacturing capabilities, it may leave little

budgetary room to continue supporting critical American fusion science expertise. Further, the Department has not preemptively indicated how it is planning for this impending budgetary challenge, nor has it created a clear prioritization of activities within Fusion Energy Sciences to guide tradeoffs when budgets are tight. The Department is therefore directed to submit a 10-year plan, not later than 12 months after enactment of this Act, on the Department's proposed research and development activities in magnetic fusion under four realistic budget scenarios. The report shall (1) identify specific areas of fusion energy research and enabling technology development in which the United States can and should establish or solidify a lead in the global fusion energy development effort, and (2) identify priorities for facility construction and facility decommissioning under each of the four budget scenarios. The Department is encouraged to use a similar approach adopted by the Particle Physics Project Prioritization Panel that developed a 10-year strategic plan for the Department's high energy physics program.

HIGH ENERGY PHYSICS

The Committee recommends $797,200,000 for High Energy Physics, $1,780,000 above fiscal year 2011 and the same as the budget request.

The United States led the world in high-energy particle physics for much of the twentieth century, most recently as the host of Fermilab's Tevatron accelerator, which staged the world's highest-energy particle collisions for several decades. As the Large Hadron Collider (LHC) at CERN ramps up operation as the world's leading experimental site for high-energy collider physics, the Committee supports the Department of Energy's significant ongoing contributions to this international collaboration probing the edges of scientific discovery on the nature of the universe. The Committee also supports the Department's careful prioritization within this program and decision to invest in the so-called "intensity frontier" of high-energy physics—an area of science in which the United States can become a global leader. In a time marked by the need for fiscal restraint, the Department will be pressed to further prioritize between these two competing directions within High Energy Physics.

The Deep Underground Science and Engineering Laboratory (DUSEL) has been an important component of the Department's planning for the build-out of its neutrino and dark matter experimental capabilities. The decision by the National Science Foundation to discontinue funding for the underground laboratory has created additional uncertainty for program planning and delayed the Critical Decision 1 milestone for the Long Baseline Neutrino Experiment. As the Department weighs alternatives, the Committee cautions the Department against taking over the construction and long-term management of DUSEL. Adopting management of yet another laboratory site would add budgetary and management burdens to an already stressed program. However, the Committee supports the use of funding to maintain the viability of the DUSEL underground laboratory, including dewatering and maintaining security, in order to preserve it as an option while the Department weighs the alternatives. Further, the Department is directed to re-

port to the Committee an assessment of alternatives to DUSEL and its recommendations for moving forward.

NUCLEAR PHYSICS

The Committee recommends $552,000,000 for Nuclear Physics, $11,886,000 above fiscal year 2011 and $53,300,000 below the request. The recommendation includes $24,000,000 for the Facility for Rare Isotope Beams, $6,000,000 below the budget request.

The Committee notes that the Nuclear Physics program has unique experimental capabilities for testing materials under irradiative environments. Materials stressed by intense radiation are important to many technologies, including nuclear fission and nuclear fusion. After the completion of the fusion energy experiment ITER, for example, the most significant technical obstacle to construction of a fully-operational demonstration fusion reactor is the development of containment materials that can withstand a sustained high flux of neutrons without significant degradation. The Committee encourages the Department to consider ways to strengthen productive cooperation between Nuclear Physics and other programs at the Department of Energy to better understand and develop materials that can withstand high levels of radiation.

WORKFORCE DEVELOPMENT FOR TEACHERS AND SCIENTISTS

The Committee recommends $17,849,000 for workforce development for teachers and scientists, $4,751,000 below fiscal year 2011 and $17,751,000 below the request.

Within the funds provided, up to $5,000,000 is for the graduate fellowship program to fund the existing cohort established in fiscal year 2010. The Department is directed to report to the Committee, not later than 90 days after enactment of this Act, a 10-year plan outlining the long-term objectives for this program, the number of simultaneous fellowships the Department plans to ultimately support under a flat-budget scenario for the Office of Science, and the funding needs under that plan. The plan shall also justify to the Committee why fellowships should be funded within the Office of Science when other agencies, in particular the National Science Foundation, are the primary federal entities for such purposes.

SCIENCE LABORATORIES INFRASTRUCTURE

The Committee recommends $103,487,000 for Science Laboratories Infrastructure, $22,260,000 below fiscal year 2011 and $8,313,000 below the budget request.

The Department is directed to consider payments to school districts nationwide that are eligible for Payments in Lieu of Taxes where the Department has not met its reimbursement obligations.

SAFEGUARDS AND SECURITY

The Committee recommends $83,900,000, $114,000 above fiscal year 2011 and the same as the budget request, to meet safeguards and security requirements at Office of Science facilities.

SCIENCE PROGRAM DIRECTION

The Committee recommends $180,000,000 for Science Program Direction, $22,520,000 below fiscal year 2011 and $36,863,000 below the request.

NUCLEAR WASTE DISPOSAL

Appropriation, 2011	−$2,800,000
Budget estimate, 2012	—
Recommended, 2012	25,000,000
Comparison:	
Appropriation, 2011	+27,800,000
Budget estimate, 2012	+25,000,000

The Committee recommendation includes $25,000,000, $27,800,000 more than fiscal year 2011 and $25,000,000 more than the request, to continue the Department of Energy's congressionally-mandated activities to continue the Yucca Mountain license application activity.

As discussed elsewhere in this report, the Administration's attempts to shut down this activity are without scientific merit and are contrary to existing law and congressional direction. The Committee has included this funding to provide necessary expenses in the event that ongoing litigation requires the Administration to reconstitute its license application team.

The Committee supports the good analytical work that the Blue Ribbon Commission on American's Nuclear Future could contribute to the national dialogue surrounding nuclear power. While the Committee understands that the Commission is not a "siting commission," the Commission does have an obligation to include in its analysis information gathered from decades of work on Yucca Mountain, and should be able to show how and why any of its proposed alternatives are better than the existing options. The Committee directs the Blue Ribbon Commission, as it has in the past, to include Yucca Mountain among the alternatives it is considering for the future of nuclear waste disposition in the United States.

While disposition at Yucca Mountain and additional geological repositories must be part of this nation's spent fuel disposition plan, this Administration's political maneuvering has further delayed the opening of any such repository. In the meantime, this delay is increasing the liability of the U.S. government caused by its failure to fulfill the responsibilities laid out in the Nuclear Waste Policy Act of 1982, liabilities which must eventually be paid by the taxpayer. As discussed above, these liabilities may be as much as $16.2 billion by 2020 and $500 million more each year after.

This Committee has long held the view that the federal government could demonstrate its capability to meet its contractual obligation under the Nuclear Waste Policy Act by addressing the spent fuel and other high-level nuclear waste at permanently shut-down reactors. Moreover, the Department of Energy, in a December 2008 report prepared at the direction of the Committee, indicated that the interim storage of this material "would provide the Department an option in addition to Yucca Mountain to allow the Department to begin to meet its contractual obligations with the owners of commercial spent nuclear fuel. This option could prove beneficial should Yucca Mountain experience delays due to licensing, litiga-

tion, lack of funding or other causes . . .” Clearly, the Administration’s Yucca Mountain approach has now caused such delays.

Therefore, the Committee directs the Department to submit, with its fiscal year 2013 budget request, a plan containing options to develop interim storage capacity that would, as a priority matter, provide a means of consolidating the spent nuclear fuel and other high level waste present at permanently shut-down reactors. This plan should include a cost-benefit analysis comparing the options to the status quo. The Department should also submit to the appropriate Committees any legislation it determines necessary to facilitate the implementation of such plan.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

Appropriation, 2011	$179,640,000
Budget estimate, 2012	550,011,000
Recommended, 2012	100,000,000
Comparison:	
Appropriation, 2011	−79,640,000
Budget estimate, 2012	−450,011,000

The Advanced Research Projects Agency—Energy (ARPA–E) supports research aimed at rapidly developing energy technologies whose development and commercialization are too risky to attract sufficient private sector investment, but that are capable of significantly changing the energy sector to address our critical economic and energy security challenges. Projects funded by ARPA–E include such wide-ranging areas as production processes for transportation fuel alternatives that can reduce our dependence on imported oil, heating and cooling technologies with exceptionally high energy efficiency, and improvements in petroleum refining processes. The Committee recommends $100,000,000 for the Advanced Research Projects Agency—Energy, $79,640,000 below fiscal year 2011 and $450,011,000 below the budget request.

Personnel.—ARPA–E, launched in the first half of 2009, has been widely praised for its internal management and its effective collaboration with industry and academia. As the program transitions from infancy to maturity, it will experience significant management challenges as the first round of leadership personnel reaches the end of its term and it hires a second wave of management and program directors. This first wave of turnover will mark a significant test for ARPA–E as it transitions from its founding leadership, and the Committee will watch closely as the program navigates through the management and hiring challenges associated with organizational maturation.

Further, the Administration has emphasized the importance of hiring leading technical experts to serve for limited terms as ARPA–E program directors, and it has had notable success assembling a strong leadership team known to be at the technical forefront of ARPA–E areas of focus. The Committee encourages the Department to apply lessons learned from ARPA–E’s program director strategy to other Department of Energy programs, and to evaluate whether term assignments of technical experts for program management positions are advantageous and practical in other Department program offices.

Up-front Project Funding.—ARPA–E Recovery Act grants, the only grants awarded by the program to date, were fully funded

with available appropriations in order to cover the entire cost of each 2–3 year grant. The Department has decided to fund ARPA–E projects in fiscal year 2012 in the same fashion by fully funding most new awards with fiscal year 2012 appropriations. The Committee supports this decision, as it will not create mortgages on funding in future years and will preserve the program's flexibility to enter new technology areas each year rather than saddling the budget with commitments to past awards.

Project Risk.—ARPA–E offers grants in a wide variety of technology areas, the majority of which are also addressed by other Department programs. The measure of project risk and the designation of specific technology challenges as "whitespace" not addressed in any other program are the sole criteria that differentiate ARPA–E projects from those in other offices—and that ultimately attempt to prevent redundancies across the Department. Project risk, however, is difficult to measure and quantify, and the Department has not set forth a plan for how it intends to do so more coherently than on a case-by-case basis. The Committee strongly encourages the Department to fund only projects that cannot otherwise attract private capital investment, and directs ARPA–E to provide to the Committee, not later than December 15, 2011, a definition of estimated project risk that guides the determination of what projects should be funded by ARPA–E and what are more appropriate for other Department programs.

ARPA–E leadership has noted that failure of projects is endemic to the high risk level deliberately chosen by the program. The organization is accordingly considering the first terminations of projects that have not met performance standards. The Committee does not view a measured quantity of project terminations as a symptom of program failure, but rather as an indication that the program has chosen projects with an appropriately high level of risk. Further, the Committee views the termination of projects as a sign of strong program management capable of enforcing a commitment to use scarce federal funding effectively.

Proposed Focus Areas.—The budget request proposes to focus on water power; novel ways to harness and store solar energy; advanced materials supporting nuclear and fossil energy; electric grid technologies; lighting, heating, cooling, and other building technologies; advances in energy-intensive materials production; next-generation battery research; fuel cells; and other areas. The Committee also supports ARPA–E's proposal to focus on breakthrough natural gas technologies. These technologies, including the conversion of natural gas to liquid fuels and the production of natural gas from renewable sources, can lead to the widespread use of natural gas in the transportation sector and reduce the nation's dependence on imported oil.

Progress Report.—Only in its third calendar year of operation, ARPA–E is still an experimental research model for energy innovation and the Department must continue to closely evaluate the efficacy of the program. By its nature, some of the program's projects will yield moderate successes, some projects will fail, and perhaps others will yield great success. However, the Department has not stated how it will measure the program's overall success in the near-, mid- and long-term. The Department must determine the frequency with which ARPA–E projects should succeed in order to

consider the overall program a success, and over what timeframe it expects the program to yield successes that significantly impact the energy marketplace and American competitiveness. The Committee looks forward to receiving a clear articulation by the Department of its measurement plan, project success rate targets, and market impact goals for ARPA–E. To help the Committee begin to gauge ARPA–E's success rates, the Department is directed to provide, not later than February 10, 2012, a listing of all projects, including areas of focus; federal funding levels, private sector capital attracted before and after engagement with ARPA–E, and an assessment of project performance compared with ARPA–E's project targets. The Committee acknowledges the tension between transparency and confidentiality for award recipients when ARPA–E reports on project metrics, and the Committee will work with ARPA–E to find the right balance.

TITLE 17—INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

PROGRAM FUNDS

Appropriation, 2011	−$340,000
Budget estimate, 2012	1,060,000,000
Recommended, 2012	160,000,000
Comparison:	
Appropriation, 2011	+160,340,000
Budget estimate, 2012	−900,000,000

ADMINISTRATIVE EXPENSES

GROSS APPROPRIATION

Appropriation, 2011	$58,000,000
Budget estimate, 2012	38,000,000
Recommended, 2012	38,000,000
Comparison:	
Appropriation, 2011	−20,000,000
Budget estimate, 2012	—

OFFSETTING RECEIPTS

Appropriation, 2011	−$58,000,000
Budget estimate, 2012	−38,000,000
Recommended, 2012	−38,000,000
Comparison:	
Appropriation, 2011	+20,000,000
Budget estimate, 2012	—

The Loan Guarantee program under Title XVII of the Energy Policy Act of 2005 is a key component of the overall national effort to invest in an efficient and more reliable electricity system, as well as improved electric power transmission.

The budget request for the Loan Guarantee program included $36,000,000,000 in additional authority for nuclear power projects; $200,000,000 in appropriated credit subsidy cost for innovative energy efficiency and renewable projects; and administrative expenses of $38,000,000, which are offset by fees collected pursuant to section 1702(h) of the Energy Policy Act. The Committee recommends $160,000,000, $160,340,000 above fiscal year 2011 and $900,000,000 below the budget request. This level includes $160,000,000 in appropriated credit subsidy cost; administrative

expenses of $38,000,000, which are fully offset; and no additional authority for nuclear power plants.

This Committee continues to strongly support the role of nuclear power in the United States. The tragedy in Japan highlights the potential for accidents and underscores the need for the safety improvements that the next generation of plants will incorporate. However, neither the track record of this program nor the current demand for projects supports the request for an additional $36,000,000,000 in nuclear plant loan authority. The Committee includes no additional authority for nuclear plan loan guarantee authority, noting that nearly $11,000,000,000 in previous authority remains, and will consider requests for additional authority in response to demand.

The Administration's request for appropriated credit subsidy costs for innovative energy efficiency and renewable projects is driven by the impending termination of funding provided for these purposes in Public Law 111–5, the American Recovery and Reinvestment Act of 2009. Of the $6,000,000,000 provided in that Act, approximately $730,000,000, or 12 percent, has been used over the last two years to support loans. Partially because of the slow administration of this program, $3,500,000,000 has been transferred to other programs since 2009. Today, more than $1,500,000,000 remains, all of which is set to expire at the end of fiscal year 2011.

The private sector has invested hundreds of millions of dollars, in good faith, to qualify for this support program and over $14,000,000,000 in projects are in the pipeline. While the Committee provided authority and funding in Public Law 112–10, the Department of Defense and Full-Year Continuing Appropriations Act, 2011, to help sustain some of these projects, much of this investment is now in jeopardy due to the slow implementation of the program. The Committee strongly encourages the Department to consider available resources while issuing conditional loan commitments. The recommendation includes another $160,000,000 in appropriated subsidy to support these programs under the modified 1703 authority contained in Public Law 112–10. The Committee directs the Department to give priority to those projects which received "continuation letters" in the event that the remaining Recovery Act credit subsidy is insufficient to support them.

The Government Accountability Office has issued a series of reports identifying flaws in the program, including inconsistent treatment of applications. One of the most significant criticisms has been the lack of transparency with which credit subsidies are developed. In stark contrast to best practices in the private sector, the Administration keeps secret its assumptions and evaluations, leading to accusations of political manipulation. Since the Committee is itself denied access to this data, it is unable to provide appropriate oversight or evaluate the veracity of these claims. Accordingly, the bill includes legislative language requiring notification of the award, including the proposed subsidy cost, three business days prior to the award of a final or conditional commitment for any loan authority provided in the bill.

The Committee does not include funding for the "Better Buildings Pilot Loan Guarantee Initiative for Universities, Schools and Hospitals," a new Administration proposal.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

Appropriation, 2011	$9,978,000
Budget estimate, 2012	6,000,000
Recommended, 2012	6,000,000
Comparison:	
Appropriation, 2011	−3,978,000
Budget estimate, 2012	—

The Energy Independence and Security Act of 2007 established a direct loan program to support the development of advanced technology vehicles and associated components in the United States. The program provides loans to automobile and automobile part manufacturers for the cost of re-equipping, expanding, or establishing manufacturing facilities in the United States to produce advanced technology vehicles or qualified components, and for associated engineering integration costs.

The Committee recommends $6,000,000 for the Advanced Technology Vehicles Manufacturing Loan Program, $3,978,000 below fiscal year 2011 and the same as the budget request. The funds provided support administrative operations only.

DEPARTMENTAL ADMINISTRATION

GROSS APPROPRIATION

Appropriation, 2011	$168,239,000
Budget estimate, 2012	240,623,000
Recommended, 2012	221,514,000
Comparison:	
Appropriation, 2011	+53,275,000
Budget estimate, 2012	−19,109,000

REVENUES

Appropriation, 2011	−$119,501,000
Budget estimate, 2012	−111,883,000
Recommended, 2012	−111,883,000
Comparison:	
Appropriation, 2011	+7,618,000
Budget estimate, 2012	—

NET APPROPRIATION

Appropriation, 2011	$48,738,000
Budget estimate, 2012	128,740,000
Recommended, 2012	109,631,000
Comparison:	
Appropriation, 2011	+60,893,000
Budget estimate, 2012	−19,109,000

The Committee recommendation for Departmental Administration is $221,514,000, $53,275,000 above fiscal year 2011 and $19,109,000 below the budget request. The recommendation for revenues is $111,883,000 as requested, resulting in a net appropriation of $109,631,000. After accounting for a one-time rescission of $81,900,000 in fiscal year 2011, the recommendation is $21,007,000 below fiscal year 2011. Funding recommended for Departmental Administration provides for general management and program support functions benefiting all elements of the Department of Energy, including the National Nuclear Security Adminis-

tration. The account funds a wide array of Headquarters activities not directly associated with the execution of specific programs.

Office of Indian Energy Policy and Programs.—The Committee recommends $2,000,000 for this office, $500,000 more than requested, to coordinate and implement energy management, conservation, education, and delivery systems for Native Americans.

Office of the General Counsel.—The Committee has reduced funding for the Office of the General Counsel by $4,642,000 from the budget request to reflect the Committee's disagreement with the General Counsel's interpretation of congressional intent regarding Yucca Mountain.

OFFICE OF THE INSPECTOR GENERAL

Appropriation, 2011	$42,764,000
Budget estimate, 2012	41,774,000
Recommended, 2012	41,774,000
Comparison:	
Appropriation, 2011	−990,000
Budget estimate, 2012	—

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

The Committee recommendation is $41,774,000, $990,000 below fiscal year 2011 and the same as the budget request.

ATOMIC ENERGY DEFENSE ACTIVITIES

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

NATIONAL NUCLEAR SECURITY ADMINISTRATION

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

proliferation and the Office of Naval Reactors. The Office of the NNSA Administrator oversees all NNSA programs.

Reprogramming authority.—For the first time, the Committee carries the Department's reprogramming authority in statute to ensure that the Department carries out its programs consistent with congressional direction. This reprogramming authority is established at the program, project, or activity level, whichever is the most specific included in the table detailing the Committee's recommendations for the Department of Energy's various accounts. In recognition of the national security mission of the NNSA, the legislative language carries an exception to the reprogramming requirements that allows the Secretary of Energy and the Administrator of the NNSA to jointly waive the restriction. In granting the Secretary and the Administrator this authority, the Committee expects it to be used only in cases where a credible national security threat exists or in the case of a high-priority national security interest.

Reporting requirements for early warhead life extension activities.—The Committee is concerned that the NNSA has failed to make needed improvements to its acquisition process for life extension programs, known as the Phase 6.x process. In its recent investigation into B61 life extension activities, the Government Accountability Office (GAO) found that current management practices are resulting in unrealistic schedule goals, and that the acquisition process needs to be revised to require that future life extension studies are properly scoped for the available time. The findings echo those previously reported in the GAO's 2009 review of the W76 life extension program in which the GAO concluded that the NNSA established an unrealistic schedule for working through technical challenges and failed to fully implement its own guidance for managing the acquisition process. The impacts of past management failures are clear, since the W76 life extension program breached its cost growth thresholds early in the process and has still not achieved full production rates.

The scope of the work planned to extend the life of the B61 is even greater than previous warhead life extensions, and the stockpile management plan indicates that follow-on life extensions are likely to be similar "full scope" refurbishments. The NNSA must take immediate steps to address its weak acquisition process for life extension activities to assure the Committee that it will be able to accomplish these tasks before approaching the end of the weapon's service life or the service life of components that must be replaced.

In particular, the NNSA must improve management of its early life extension activities, which are becoming more extensive efforts as component and production technology development activities are shifted forward to meet compressed schedules. As a result, the NNSA is spending considerable amounts to mature technologies and explore concepts in conjunction with the early phases of its life extension activities. These costs must be clearly accounted for in the budget request in order to ensure transparency. While a formal detailed Selected Acquisition Report is required by statute following formulation of a program baseline, the reporting for early life extension activities remains informal and lacks adequate detail on the full scope and costs of activities. In order for the Committee

to consider full funding for warhead life extensions, the following information must be submitted with the budget request:

1. Phase 6.1 Concept Study.—The NNSA should report the full scope of the conceptual design activities proposed, including an estimate of the total cost of the concept study and costs of any related technology maturation activities to be performed in conjunction with the study.

2. Phase 6.2a Design Definition and Cost Study.—At the commencement of Phase 6.2a, the NNSA should provide a report on the military requirements established for the life extension effort and a preliminary estimate of the costs and schedule requirements for the life extension program. The report should include a description of any alternatives for warhead enhancements under consideration, such as those for safety, security or maintainability, along with a comparative assessment of the resource implications and technical risks of each alternative. The Committee is supportive of a broad exploration of design options, but expects the NNSA to develop a formal plan for maturing technologies associated with novel design concepts early in its acquisition process that is properly scoped to meet the cost and schedule requirements of the life extension program. If technology maturation is to be performed in conjunction with Phase 6.2a, the NNSA shall provide a formal technology maturation plan with targets for cost, schedule, and readiness level that must be met for selection in the baseline design.

3. Phase 6.3 Development Engineering.—At the commencement of Phase 6.3, the NNSA should provide an interim report on the results of its design and cost study, including the alternative selected for the warhead baseline design, estimated cost and schedule range for the life extension program, and a formal cost benefit analysis for any enhancements to the warhead selected, such as those for safety, security or maintainability. If technology alternatives are selected that do not meet cost or readiness level targets established in the technology maturation plan or have not demonstrated a system/subsystem model or prototype in a relevant environment, the NNSA should provide a detailed risk mitigation plan to manage the continuation of maturation into its full scale engineering development phase in order to ensure that the overall cost and schedule targets for the life extension program will be met. All Phase 6.3 Development Engineering work must be included in the funding requested for the life extension program. Any early production costs to be incurred prior to Phase 4 Production Engineering should also be included in the total funding requested for the life extension program.

Financial Management.—The Committee remains concerned by the NNSA's financial management practices in accounting for the costs of its activities. The GAO recently released a report which concluded that the NNSA primarily bases its future-year budget requests on the extent to which prior-year budgets were sufficient to execute these activities. The GAO attributed the NNSA's failure to accurately identify the total costs of its activities to the wide variability in how maintenance and operating contractors account for costs across the nuclear security enterprise. The budget request indicates that the NNSA intends to rely more heavily on its contractors to determine the costs of maintaining facilities, as the amount of maintenance directly funded is estimated to decrease by almost

50 percent by fiscal year 2016. The NNSA cannot ensure it has a valid plan for modernization if it continues to pass on the responsibility for determining funding requirements onto its contractors. Continued requests to fund overhead activities that provide little transparency into where that funding is used do not improve the situation. The NNSA is directed to develop formal guidance for its contractors for the consistent collection of information on the total costs to operate and maintain its facilities and infrastructure. The NNSA should also develop a plan to consistently fund all facilities and infrastructure maintenance using direct funding mechanisms that can be tracked and reported by the Department's accounting systems.

Pensions.—Of the $4,100,000,000 added to the NNSA's five year planning estimates for Weapons Activities, $1,100,000,000 was solely to accommodate a growth in contractor defined benefit pension costs. While some sites have instituted cost savings measures such as increasing employee contributions, these decisions are being made at the site level, which leads to considerable differences in the way the costs of individual defined benefit pension plans are being managed. The pay and benefits packages offered to contractor employees must be modernized to ensure rising costs do not adversely impact ongoing high priority programmatic activities.

Among the fastest growing of these liabilities are the legacy University of California retirement plans. These employees worked at Los Alamos and Lawrence Livermore National Laboratories when those laboratories were managed by the University of California. The latest estimates indicate that the cost of these two plans alone will be a quarter of the entire fiscal year 2012 pensions requirement for the NNSA. While the contractors for the Department's sites are responsible for paying the costs of employee pensions under the Employee Retirement Income Security Act of 1974 and related laws, the Department has, over the life of these contracts, included the pension costs as allowable and in doing so has assumed the long-term liability for reimbursement. In the fiscal year 2012 budget request, the NNSA has requested incremental funding across Weapons Activities and Defense Nuclear Nonproliferation from funds made available for infrastructure and research and development activities to directly fund contributions to the University of California plans. This request serves to bury these large costs into multiple funding lines and could jeopardize infrastructure modernization and needed research and development activities if those costs continue to rise. The Committee recommends funding for the University of California pension plans in a separately identified line within Weapons Activities as a transparent and simplified solution.

Report on Status of the Workforce.—The Administration's strategy to invest heavily in stockpile work, experimental science and infrastructure in order to sustain the safety, security, and effectiveness of the nuclear deterrent means little without a dedicated workforce that possesses the necessary knowledge, education, skills, and competencies to accomplish the mission. The GAO recently found that the NNSA does not collect data on the status of its contractor workforce and relies primarily on its maintenance and operating contractors to sustain its personnel capabilities. While the maintenance and operating contractors may have the

same national-level concerns at heart, they can only manage the workforce at a particular site and therefore cannot ensure the long-term survival of the needed skills across the enterprise. The NNSA must begin to work more closely with its contractors and develop integrated plans for managing its workforce.

The NNSA should report to the Committee no later than 180 days from enactment of this Act, an assessment of the status of its contractor workforce. The report should describe the number of personnel retained, hired, retired, and voluntarily or involuntarily separated by site over the last five years. It should describe policies and incentive programs of each contractor for recruiting and retaining personnel, including monetary and non-monetary incentives offered. The NNSA should further provide an assessment of performance in meeting the human capital needs at each site that is directly linked to the supporting workforce data it has collected and describe the path forward and milestones for implementing the GAO's recommendation to develop an enterprise-wide contractor workforce baseline of the critical human capital skills, competencies, and size needed to effectively achieve its mission.

Report on Footprint Reduction.—Despite promises for a leaner, more efficient and streamlined enterprise, the NNSA footprint has actually been growing over the past few years. Both the Uranium Processing Facility and the Chemistry and Metallurgy Research Replacement project will have more square footage than the legacy facilities they are meant to replace, and the High Explosive Pressing Facility will occupy nearly seven times the space of current operations. While new construction is adding footprint, no funding is planned for demolition activities beyond the completion of the Facilities and Infrastructure Recapitalization Program in 2013. Costs of demolition and decontamination work are not reported alongside new construction as required, nor are they integrated into the 30-year infrastructure priority lists. The costs of demolition and decontamination work are not being taken into account when making investment decisions and the timeline for demonstrating any savings in operating costs, as regularly described in the rationale for new facility construction, is being extended to the distant future. Since the NNSA is not meeting its requirement to demolish an equal amount of square footage for each amount added, the Committee questions whether there truly is a commitment to a leaner, more efficient nuclear security enterprise.

In order to ensure adherence to the footprint reduction requirements, the NNSA shall report annually on its footprint reduction plans, including an accounting of the amount of square footage to be added or removed by facility and by site. It should account for existing banked excess square footage by site. Where facilities add square footage, the rationale for enlarging the footprint to conduct those operations should be clearly articulated and tied to a priority identified in the Stockpile Stewardship and Management Plan.

Improving the Safety of Transporting Nuclear Weapons.—The Committee directs NNSA to undertake a study to investigate the feasibility and costs of enhancing the safety of transporting nuclear weapons where possible, and to report the results of this study to the Committee no later than June 1, 2012.

Report on Options to Ensure the Supply of Helium-3.—The Committee is concerned by NNSA's failure to manage the continued

supply of helium-3 to meet national security needs of the nation. In addition to its national security missions, helium-3 is needed for medical and scientific research. The NNSA is directed to provide a report on its efforts to manage the supply of helium-3, including a full accounting of the existing supplies, anticipated production, and the full requirements of all government users supplied by NNSA's stockpile. The report should explain the criteria currently used for allocating the scarce supply of helium-3 across the various users and identify where, and when, the gaps in meeting the full requirements will fall. Further, the NNSA should provide the Committee with an evaluation of potential options and their associated costs for increasing supplies to fully meet domestic needs, including consideration of increasing recycling of existing helium-3 or improving the efficiency of the helium-3 recovery operations at Savannah River.

Contracting Reform.—Despite recent reforms, the NNSA remains on the GAO's high risk list for fraud, waste, and abuse for contracting and project management. The Committee supports reforming contracting practices in those circumstances where it is possible to improve efficiency, prevent waste and save taxpayer dollars. In order to provide assurances that new strategies are to result in genuine improvement, the NNSA must be able to demonstrate that its decisions are backed by valid and verifiable quantitative data. The Committee remains concerned with the NNSA's proposed contract consolidation of the Y–12 National Security Complex, the Pantex Plant, and Savannah River tritium work. The NNSA has provided no verifiable evidence of the $895 million in cost savings to justify a possible disruption of ongoing and essential infrastructure improvements at these sites. Without further supporting evidence, the Committee will continue to question the benefits of the merger.

The Committee recommends $10,599,031,000 for the NNSA, $76,511,000 above fiscal year 2011, and $1,113,567,000 below the budget request. As requested, the recommendation includes the use of $70,332,000 in prior-year balances to offset total budget requirements.

WEAPONS ACTIVITIES

(INCLUDING RESCISSION OF FUNDS)

Appropriation, 2011	$6,896,398,000
Budget estimate, 2012	7,589,384,000
Recommended, 2012	7,091,661,000
Comparison:	
Appropriation, 2011	+195,263,000
Budget estimate, 2012	−497,723,000

Weapons Activities provides funding to ensure the safety, security, reliability, and performance of the nation's nuclear weapons stockpile. The activities funded under this appropriation include the maintenance and refurbishment of nuclear weapons to sustain confidence in their security, safety and reliability under the nuclear testing moratorium and arms reduction treaties. The Committee recommends $7,091,661,000 for Weapons Activities, $195,263,000 above fiscal year 2011 and $497,723,000 below the budget request. After accounting for a one time rescission in fiscal year 2011 of

$50,000,000 and the rescission of $40,332,000 of prior-year balances in this bill, the level is $185,595,000 above fiscal year 2011.

The request for Weapons Activities is the second year of large increases requested in order to pursue the Administration's strategy set forth in the 2010 Nuclear Posture Review (NPR) to maintain an aging stockpile through full scope life extension activities, to modernize the infrastructure and restore capabilities, and to address the immediate maintenance and production requirements of the stockpile. Despite the economic crisis, the modernization of the nuclear security infrastructure remains a major Committee priority and, therefore, the recommendation provides a three percent increase over the fiscal year 2011 level, and an 11 percent increase over pre-NPR levels. While this level provides the increases necessary to stay on track with the Administration's infrastructure modernization and stockpile initiatives detailed in the NPR, the Committee also has a commitment to ensure that all taxpayer funds are used responsibly and that only the most cost-effective opportunities are being pursued to meet defense imperatives. The two major infrastructure projects planned may now cost as much as $12 billion to construct. The full costs of refurbishing warheads remain unclear. Even without modernization, the base costs of operating and maintaining the nuclear security enterprise continue to escalate, with pension costs alone estimated to rise 90 percent.

Therefore, the Committee recommendation also upholds the Committee's commitment to reduce waste and make government more efficient by recouping savings in security activities that are available due to completed projects and efficiency investments, by eliminating unnecessary activities that only provide marginal benefit, and by reducing overhead accounts that are driving an escalation in the base operating costs of the weapons enterprise.

DIRECTED STOCKPILE WORK

The Committee recommends $1,909,787,000 for Directed Stockpile Work (DSW), $24,428,000 above fiscal year 2011 and $53,796,000 below the budget request. Directed Stockpile Work includes all activities that directly support weapons in the nuclear stockpile, including maintenance, research, development, engineering, certification, dismantlement, and disposal activities. The DSW account provides all direct funding for warhead life extension programs, which are designed to lengthen the service life of the existing nuclear weapons stockpile by providing new subsystems and components for each warhead as needed.

The recommendation includes funding requested for the B61 Life Extension Program under the Readiness Campaign. The Committee is concerned that the NNSA is undertaking significant efforts to develop a component maturation framework that would manage a complex distribution of funding across multiple funding lines, a practice that would serve to mask the full costs of individual activities. Responsible stewardship of taxpayer dollars requires that the costs of individual acquisition programs are known and justified in the budget request. The NNSA should simplify how it budgets for these costs to improve transparency and management.

B61 Life Extension Program.—The Committee recommends $278,562,000 to commence a life extension program for the B61

bomb, $55,000,000 above the budget request. The recommendation moves back funding requested under Campaigns which had been associated with the B61 in the fiscal year 2011 request. No more than 50 percent of these funds shall be obligated until the NNSA meets the reporting requirements for phase 6.3 life extension activities detailed above. This reporting requires a cost-benefit analysis of any warhead enhancements, such as those for safety and security, as well as a technology maturation risk mitigation plan to manage the development of any components or production processes that have relatively low technology readiness levels.

W76 Life Extension Program.—The Committee recommends $255,000,000, $6,751,000 above fiscal year 2011 and $2,035,000 below the budget request, consistent with the total requirements identified in the last Selected Acquisition Report (SAR) submitted to the Committee for the W76. The Committee notes the NNSA has yet to update its SAR to reflect programmatic changes following the Nuclear Posture Review which would justify any adjustments to the baseline funding plan.

Stockpile Systems.—The Committee recommends $487,627,000 for Stockpile Systems, $158,576,000 below fiscal year 2011 and $10,000,000 below the budget request. The recommendation fully supports increases requested to perform the core maintenance activities of the stockpile which includes surveillance, assessment and limited life component exchange. The recommendation also includes an adjustment to account for delays in starting the W78 conceptual study.

Within these funds, the Committee recommends $45,728,000 for W88 Stockpile Systems and $30,000,000 to commence a conceptual study for a minor refurbishment of the W88. The NNSA reports it will need over $400,000,000 to design and develop a new Arming, Fusing, and Firing assembly for the W88 which will also be used in the follow-on life extension of the W78. This work represents a larger scope and more costly activity than the modest replacement originally planned. Since this activity seeks to develop a new warhead component, the NNSA is directed to report separate funding for this activity within its request for maintaining the W88.

Weapons Dismantlement and Disposition.—The Committee recommends $56,770,000, $1,139,000 below fiscal year 2011 and the same as the budget request. NNSA has formally committed to dismantle all weapons retired prior to 2009 by the end of 2022. The Committee notes that the NNSA has still not accounted for the additional costs to dismantle warheads retired due to stockpile reductions. The Committee expects the NNSA to develop a plan for these costs in its ten-year plan and to make the appropriate adjustments to its budget estimates.

Production Support.—The Committee recommends $300,441,000 for Production Support, $54,061,000 below the budget request. Production Support provides the base manufacturing capabilities to support the NNSA's production mission. Base capability costs are relatively insensitive to reductions in the stockpile or ongoing production requirements.

While production increases for the W76, limited life components, and dismantlements are provided in their respective funding lines, a large growth in the base production support overhead was not

specified in the Nuclear Posture Review (NPR). Therefore, the recommendation provides funding consistent with the pre-NPR level.

R&D Certification and Safety.—The Committee recommends $165,892,000 for R&D Certification and Safety, $25,000,000 below the budget request. R&D Certification and Safety provides the core capabilities for research and development efforts that are not attributable to a specific warhead system. The Committee does not support large increases for non-core activities that have not been justified as directly tied to stockpile requirements.

CAMPAIGNS

Campaigns are focused on efforts involving the three weapons laboratories, the Nevada Test Site, the weapons production plants and selected external organizations to address critical capabilities needed to achieve program objectives. For Campaigns, the Committee recommends $1,605,937,000, $84,702,000 below fiscal year 2011 and $190,790,000 below the budget request. The Committee commends the NNSA for its outstanding Stockpile Stewardship program and its considerable progress in furthering the science needed to maintain an aging nuclear weapons stockpile without nuclear testing. Stockpile Stewardship has produced a more rigorous scientific understanding of nuclear weapons phenomena than was ever understood when the stockpile relied primarily on nuclear testing for certification.

Science Campaign.—For the Science Campaign, the Committee recommends $312,094,000, $50,425,000 below fiscal year 2011 and $93,845,000 below the budget request. Within these funds, $19,400,000 is recommended for the Advanced Certification subprogram to continue building the scientific basis for improving the weapons certification process. The activities under this subprogram were originally focused on addressing comments of the JASONs scientific advisory group on the ability to certify the Reliable Replacement Warhead. That program has been cancelled and the Administration has stated it does not intend to produce a new nuclear weapon. Therefore, it is unclear why such large increases are being requested and the recommendation provides funding consistent with the pre-NPR level. The NNSA should clarify the goals of the Advanced Certification subprogram and how they are related to current stockpile requirements.

Engineering Campaign.—For the Engineering Campaign, the Committee recommends $143,078,000, $2,146,000 above fiscal year 2011 and the same as the request.

Inertial Confinement Fusion and High Yield Campaign.—The Committee recommendation provides $471,174,000 for the Inertial Confinement Fusion and High Yield Campaign, $6,427,000 below fiscal year 2011 and $5,100,000 below the budget request. Within these funds, $62,500,000 shall be for the Laboratory for Laser Energetics as requested. The recommendation includes $4,000,000 for the Joint Program in High Energy Density Laboratory Plasmas, the same as fiscal year 2011 and $5,100,000 below the budget request.

The Committee continues to support the National Ignition Facility (NIF) and urges the NNSA to maintain its schedule towards achieving fusion ignition. The Committee recommendation includes the full request to pursue ignition at NIF and to perform sup-

porting weapons-related experiments on its pulsed power facilities. The Committee notes that NIF is already contributing to stockpile stewardship through experiments which ensure the aging nuclear weapons stockpile continues to be safe, secure and effective without nuclear testing.

Advanced Simulation and Computing Campaign.—The Committee recommends $616,000,000 for the Advanced Simulation and Computing (ASC) Campaign, $5,005,000 above fiscal year 2011 and $12,945,000 below the budget request. High performance computing underpins our nation's nuclear stewards' ability to scientifically resolve outstanding weapons performance issues, address material aging and compatibility challenges, and conduct warhead life extension program activities. The budget request includes a new initiative to pursue a jump to exascale computing speeds, a thousand-fold improvement over today's modeling and simulation capability. The Committee recognizes that the request is part of a crosscutting endeavor with the Office of Science to maintain U.S. leadership in high performance computing. The Committee commends the Department's effort for its collaborative approach to develop exascale computing, which will serve to complement the strengths of both offices and limit duplication. The Committee supports initiation of this endeavor within ASC, consistent with other national security requirements of the Campaign. However, undertaking such a major initiative will require considerable funding, and the NNSA has yet to tie the need for this level of computing to any specific requirements of the stockpile in its 20–year plan.

Readiness Campaign.—The Committee recommends $63,591,000 for the Readiness Campaign, $35,001,000 below fiscal year 2011 and $78,900,000 below the budget request. The Committee recommends no funding for the B61 within Nonnuclear Readiness and has provided the funding requested for these activities within the B61 Life Extension Program. The Committee recommends $63,591,000 for Tritium Readiness, $26,780,000 above fiscal year 2011 and $13,900,000 below the budget request. The NNSA continues to confront technical challenges in producing sufficient amounts of tritium to meet the requirements of the stockpile. Further, these technical barriers and the NNSA's contracting procedures have led to poor program execution and the accumulation of large balances. The NNSA must be able to assure the Committee that the tritium requirements will be met and that appropriate contracting structures are in place. The Committee notes that instead of the requirements going down, the development of a new generation of gas transfer systems will require tritium production rates greater than three times the present rate.

Reporting Requirement.—The Committee directs the NNSA to submit a report, within 180 days of enactment, on its plan to manage the supply and production of tritium to meet continuing stockpile needs, including the full range of costs to meet higher production levels. The NNSA should note any potential costs that are presently unfunded, such as increasing the numbers of production reactors or infrastructure needed to meet environmental and regulatory requirements. It should include a comparative analysis of available alternatives, including increasing tritium recovery through acceleration of weapons dismantlements. The report should clearly discuss the implications of reduced stockpile levels,

new component designs, and options for strengthening contracting mechanisms in order to improve budget execution and conformance to GAO best practices.

READINESS IN TECHNICAL BASE AND FACILITIES

The Committee recommends $2,011,315,000 for Readiness in Technical Base and Facilities (RTBF), $174,027,000 above fiscal year 2011 and $314,819,000 below the budget request. The Readiness in Technical Base and Facilities program provides funding for the operations, maintenance, and recapitalization of NNSA facilities and infrastructure. The Committee commends the NNSA for its work to improve facility conditions and to replace deteriorating legacy facilities long past the end of their service lives with new facilities that meet modern safety and environmental standards. Support for modernization of the nuclear security infrastructure will remain one of the top priorities of the Committee. The Committee's recommendation fully supports the increases required for operations and maintenance and new construction. Reductions from the request are due to the transfer of pension funding to a separate activity within the appropriation and for delays that affect the funding needs of the new construction projects.

While the importance of modernization is understood, the economic crisis requires that the NNSA proceed with its modernization activities in a responsible manner and the Committee is seriously concerned with the recent cost growth reported for construction of the Uranium Processing Facility (UPF) and the Chemistry and Metallurgy Research Replacement (CMRR) Project. The current price tag for UPF is projected between $4,200,000,000 and $6,500,000,000 and the CMRR Nuclear Facility is estimated to cost between $3,700,000,000 and $5,800,000,000. These are conceptually replacement facilities to make operations more safe and efficient, but construction will also enable the reconstitution of certain production capabilities that have been lost but are needed to meet the needs of an aging stockpile. Many gaps remain in the planning efforts, and basic capability requirements and acquisition strategies continue to be re-evaluated. Modernization will take several years and the considerable number of variables still at play argues against an excessively aggressive funding curve. The construction of the new major facilities must not force out available modernization funding for the rest of the nuclear security enterprise. Therefore, the Committee supports the adoption of cost reduction strategies to make construction more affordable and to curb continued cost escalation. Further, these projects will be closely monitored to ensure that prudent project management practices are followed, and the Committee is prepared to make adjustments to the funding profiles to ensure that taxpayer funds are not wasted.

Operations of Facilities.—The Committee recommends $1,295,616,000 for Operations of Facilities, $47,462,000 above fiscal year 2011 and $189,638,000 below the budget request. This level supports the full amount requested for the operations and maintenance at all eight NNSA sites, supports the transition to new facilities at Kansas City, and addresses chronic underfunding in the budget request for Pantex, Y–12, and the Nevada National Security Site. The overall level is reduced from the request primarily due to the transfer of funding for legacy contractor pension plans to a sep-

arate activity line and a reduction to Institutional Site Support activities.

Program Readiness.—The Committee recommends $69,180,000 for Program Readiness, $10,000 above fiscal year 2011 and $5,000,000 below the budget request.

Material Recycle and Recovery.—The Committee recommends $75,639,000 for Material Recycle and Recovery, $5,729,000 above fiscal year 2011 and $10,300,000 below the request. The Committee notes that the NNSA requested additional funding to partially support higher production rates for life extension programs within this subprogram. Marginal production costs should be directly accounted for in the production costs of those systems rather than attributed to overhead accounts which provide little transparency.

Construction.—The Committee recommends $510,629,000 for Construction, $112,411,000 above fiscal year 2011 and $109,881,000 below the request.

Project 12–D–301, TRU Waste Facilities, Los Alamos National Laboratory.—The Committee recommends no funding for construction. This project has yet to obtain a permit from the State of New Mexico and does not meet the necessary requirements to start construction activities according to the Department's project management instructions. Project engineering and design activities for this project are fully funded under Project 07–D–140.

Project 11–D–801, TA–55 Reinvestment Project, Los Alamos National Laboratory.—The Committee recommends $19,402,000 as requested.

Project 10–D–501, Nuclear Facilities Risk Reduction, Y–12 National Security Complex, Oak Ridge, TN.—The Committee recommends $35,387,000 as requested.

Project 09–D–404, Test Capabilities Revitalization II, Sandia National Laboratory, Albuquerque, NM.—The Committee recommends $25,168,000 as requested.

Project 08–D–802, High Explosive Pressing Facility, Pantex Plant, Amarillo, TX.—The Committee recommends $66,960,000 as requested.

Project 07–D–140, Project Engineering & Design, various locations.—The Committee recommends $3,518,000 as requested.

Project 06–D–141, Project Engineering & Design, Uranium Processing Facility, Y–12 National Security Complex, Oak Ridge, TN.—The Committee recommends $160,194,000 as requested.

Project 04–D–125, Chemistry and Metallurgy Research Replacement (CMRR), Los Alamos National Laboratory.—The Committee recommends $200,000,000, $100,000,000 below the budget request. The Committee fully supports the Administration's plans to modernize the infrastructure, but intends to closely review the funding requests for new investments to ensure those plans adhere to good project management practices. The latest funding profile provided to the Committee indicates that over half the funding requested for the Nuclear Facility would be used to start early construction activities. The recommendation will support the full request for design activities, but does not provide the additional funding to support early construction. The NNSA is not prepared to award that project milestone since it must first resolve major seismic issues with its design, complete its work to revalidate which capabilities

are needed, and make a decision on its contracting and acquisition strategies.

SECURE TRANSPORTATION ASSET

The Secure Transportation Asset program provides for the safe, secure movement of nuclear weapons, special nuclear materials, and non-nuclear weapon components between military locations and nuclear weapons complex facilities within the United States. The Committee recommends $243,276,000, $4,273,000 below fiscal year 2011 and $7,996,000 below the budget request. The recommendation recoups savings from the federal employee pay freeze and the modernization of federal aircraft.

NUCLEAR COUNTERTERRORISM INCIDENT RESPONSE

The Nuclear Counterterrorism Incident Response (NCTIR) program responds to and mitigates nuclear and radiological incidents worldwide. The Committee recommends $222,147,000, $8,858,000 below fiscal year 2011 and the same as the request.

The Committee notes that the business case supporting the request to replace and maintain a third 737–type aircraft within the request for Secure Transportation Asset at a cost of over $20,000,000 is driven by the need to maintain one dedicated aircraft in a 24/7 ready status in order to meet NCTIR program requirements. On average, only 80 flight hours a year are actually flown in support of nuclear incident response team requirements, partially because the NNSA's fleet does not meet the full range and cargo capacity requirements to support deployment of those teams. For instance, emergency managers are currently forced to leave approximately 45 percent of their equipment behind and must make multiple fuel stops to get to their destination. The NNSA will incur costs of $78,000 for each hour of flight support for emergency response activities using aircraft that do not even support the full mission requirements of the program.

Reporting requirement.—The Committee directs the NNSA to submit a report, within 180 days of enactment, on the aircraft transportation capabilities needed to carry out its incident response activities, including a description of activities over the past three years, number of deployments, number of personnel and pounds of equipment deployed per mission and whether NNSA aircraft or alternative means were used for transport where NNSA-owned aircraft was not suitable or available, such as for international deployments. The report should include an analysis of the feasibility, readiness implications and costs associated with other alternatives which may be more cost-effective or more suitable for meeting the range and cargo capacity requirements of the teams.

FACILITIES AND INFRASTRUCTURE RECAPITALIZATION PROGRAM

The Facilities and Infrastructure Recapitalization Program (FIRP) was begun in fiscal year 2002 to reduce the deferred maintenance backlog that built up across the nuclear weapons complex. The Committee recommendation for FIRP is $96,380,000, $3,084,000 above fiscal year 2011 and the same as the request.

SITE STEWARDSHIP

Site Stewardship is composed of the following subprograms: Environmental Projects and Operations, Nuclear Materials Integration and the Energy Modernization and Investment Program. The Committee recommends $78,680,000, $25,942,000 below fiscal year 2011 and $25,322,000 below the budget request. No funding is provided for the Energy Modernization and Investment Program. NNSA should integrate its sustainability and energy conservation goals into its overall infrastructure recapitalization efforts.

The Committee notes that the mission of the Site Stewardship program is unfocused and that the five-year planning shows a large and unjustified growth for this activity. The responsibility to manage the maintenance and recapitalization of essential infrastructure belongs to the Readiness in Technical Base and Facilities program under the Office of Defense Programs and should not be delegated to other NNSA organizations. No funding is provided within Site Stewardship for conceptual design activities associated with the construction of a new NNSA Service Center Facility in Albuquerque, New Mexico. The NNSA may conduct conceptual design activities for this facility within Readiness in Technical Base and Facilities.

SAFEGUARDS AND SECURITY

This program provides for all safeguards and security requirements for the NNSA. The Committee recommendation for Safeguards and Security Program is $817,471,000, $19,375,000 below fiscal year 2011 and $32,000,000 below the budget request.

Defense Nuclear Security.—The Committee recommends $690,857,000 for Defense Nuclear Security, $22,641,000 below fiscal year 2011 and $32,000,000 below the request. Savings are available due to the completion of major construction funding requirements.

The Committee is encouraged by the savings that have been generated by developing clear and consistent security requirements across the enterprise and by eliminating unnecessary costs. The request includes a significant increase to begin a multi-year reinvestment effort to upgrade the physical security infrastructure.

However, a multi-year plan for upgrading the physical security infrastructure is not described in the overall infrastructure recapitalization plans. The NNSA should integrate its physical security upgrade projects into its overall plans to recapitalize the infrastructure and provide the Committee with a site by site description of the requested upgrades, total costs, and prioritized schedule.

Project 08–D–701, Nuclear Materials Safeguards and Security Upgrade Project.—The Committee recommends $11,752,000 as requested.

Cyber Security.—The Committee recommends $126,614,000 for Cyber Security, $3,266,000 above fiscal year 2011 and the same as the request.

LEGACY CONTRACTOR PENSIONS

The Committee provides $147,000,000 for legacy contractor employee pensions. Legacy Contractor Pensions provides funding for payments into the legacy University of California contractor em-

ployee defined benefit pension plans. The pensions of legacy national laboratory employees are an ongoing stewardship cost of the nuclear weapons complex. Funding for these plans was requested alongside infrastructure requirements within Readiness and Technical Base and Facilities and alongside research and development funding within Nonproliferation and Verification Research and Development within the Defense Nuclear Nonproliferation appropriation. The recommendation provides funding for these multiple requests in a single funding line as a simplified and more transparent solution to managing these costs.

The recommendation takes into account significant savings that are now anticipated by the NNSA since the submission of the initial fiscal year 2012 estimates of $224,055,000 in the budget request. The NNSA shall keep the Committee informed of changes to pension estimates as fiscal year 2011 payments are finalized.

NATIONAL SECURITY APPLICATIONS

The Committee recommends no funding for National Security Applications, $20,000,000 below the budget request. There is no clear requirement for these investments and no criteria provided whereby technologies would be considered appropriate for funding under this program. No performance measures have been developed to support a particular investment strategy. Maintenance of scientific and engineering capabilities of the nuclear security enterprise is the responsibility of the Office of Defense Programs. Additional capabilities that are needed should be clearly tied to stockpile requirements and integrated into the overall efforts to maintain a robust scientific nuclear security enterprise.

FUNDING ADJUSTMENTS

Rescissions.—As requested, the Committee rescinds $40,332,000 of prior-year balances to meet fiscal year 2012 needs as described above.

DEFENSE NUCLEAR NONPROLIFERATION

(INCLUDING RESCISSION OF FUNDS)

Appropriation, 2011	$2,273,653,000
Budget estimate, 2012	2,519,492,000
Recommended, 2012	2,056,770,000
Comparison:	
Appropriation, 2011	−216,883,000
Budget estimate, 2012	−462,722,000

The Defense Nuclear Nonproliferation account includes funding for Nonproliferation and Verification Research and Development; Nonproliferation and International Security; International Nuclear Material Protection and Cooperation; Fissile Materials Disposition; and the Global Threat Reduction Initiative.

The Committee's recommendation for Defense Nuclear Nonproliferation is $2,056,770,000, $216,883,000 below fiscal year 2011 and $462,722,000 below the budget request. After accounting for a one-time rescission of $45,000,000 in fiscal year 2011 and the rescission of $30,000,000 of prior-year balances in this bill, the recommendation is $231,883,000 below fiscal year 2011.

The recommendation fully supports the Administration's four year goal to secure vulnerable nuclear material worldwide as an urgent national security need and priority of the Committee. These activities involve working cooperatively with countries around the world to secure at the source, remove to a more secure location, or return to the United States or Russia at-risk nuclear materials at research reactors, nuclear facilities, and other sites. The overall level recommended for Defense Nuclear Nonproliferation includes a reduction from the requested amount for the Pit Disassembly and Conversion Project, transfers the costs of legacy contractor employee pensions to Weapons Activities and recoups savings in lower priority activities that seek to incrementally lower threat levels over a longer period of time.

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 posed by the proliferation of nuclear weapons and special nuclear materials. The Committee recommends $346,150,000 for Nonproliferation and Verification Research and Development, $14,836,000 below fiscal year 2011 and $71,448,000 below the budget request.

The Committee provides no funding for payments into the legacy University of California contractor employee defined benefit pension plans within Nonproliferation and Verification Research and Development, $71,448,000 below the request. The cost of pensions for legacy weapons workers at Lawrence Livermore and Los Alamos National Laboratories is not a nonproliferation and verification research and development activity. Requesting funding incrementally over two accounts masks the total costs of these liabilities. The Committee recommends funding for these costs in a separately identified budgetary line within Weapons Activities as an ongoing stewardship cost of the nuclear weapons stockpile.

NONPROLIFERATION AND INTERNATIONAL SECURITY

The Committee recommendation provides $161,833,000 for Nonproliferation and International Security, $14,339,000 above fiscal year 2011 and the same as the budget request.

INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION

The International Nuclear Materials Protection and Cooperation (INMPC) program is designed to work cooperatively with Russia and the border states of the former Soviet Union, as well as other states, to secure weapons and weapons-usable nuclear material. The focus is to improve the physical security at facilities that possess or process significant quantities of nuclear weapons-usable materials that are of proliferation concern. Programmatic activities include installing monitoring equipment, conducting inventories of nuclear material, improving the Russian security culture and establishing a security infrastructure. Expanded border and port security programs have also installed radiation detection equipment around the world.

The Committee recommends $496,465,000 for INMPC activities, $75,529,000 below fiscal year 2011 and $75,174,000 below the budget request. The funding level fully supports all activities directly related to the four-year effort to secure vulnerable nuclear materials worldwide and makes adjustments to the longer term effort to install radiation detection equipment worldwide under Second Line of Defense (SLD).

Second Line of Defense.—The Committee recommends $188,610,000, including $78,432,000 for core program activities and $110,178,000 for Megaports. With over $1,500,000,000 already spent to install radiation detectors around the world, the Committee is concerned that there are not adequate performance measures to gauge the effectiveness of this effort. The primary performance measure used by the NNSA is the number of detectors installed, but the true effectiveness of these detectors in preventing proliferation is largely dependent on how well individual countries employ these capabilities in their security operations. The Committee directs the NNSA to perform a study, either through survey or inspection, on how individual countries are employing these capabilities after they have been installed. The study should attempt to determine whether the equipment is being effectively employed and adequately maintained, including whether a sufficient volume of screening is being performed and whether ongoing training is being conducted by host countries to maintain proficiency. The NNSA should report the results of its study to the Committee which includes an overall assessment by country of the readiness levels to detect nuclear and radiological materials, as determined by the effectiveness of ongoing activities after the equipment has been installed. The report should also identify by country equipment that will continue to be maintained by the NNSA and the associated ongoing costs.

FISSILE MATERIALS DISPOSITION

The Fissile Materials Disposition program consists of major construction projects, blend-down of surplus U.S. highly enriched uranium, and a renewed Russian Plutonium Disposition program. The Committee recommendation provides $694,053,000 for fissile materials disposition activities, $108,145,000 below fiscal year 2011 and $196,100,000 below the budget request. The Fissile Materials Disposition Program constitutes 35 percent of the funding requested for nuclear nonproliferation. As the costs of construction continue to escalate, the NNSA cannot necessarily plan on increases in the overall account to accommodate that cost growth. The threat posed by rising construction costs to the progress of core nonproliferation activities remains a major Committee concern.

The U.S. Plutonium Disposition program was created to dispose of at least 34 metric tons of surplus weapons-usable plutonium by fabricating it into mixed oxide (MOX) fuel for use in civilian nuclear reactors. The costs of this program continue to escalate, with current estimates of as much as $9,700,000,000 just to construct the needed facilities.

Even apart from the enormous cost growth, the NNSA has failed in several aspects of management for this program. First, the schedule for the project to supply plutonium oxide feedstock continues to slip, and it is becoming clear there may not be adequate

feedstock quantities to keep up with the production schedule before that facility can be built. Secondly, the NNSA remains without any civilian customers for its MOX fuel. The NNSA's strategy concentrates activities on expanding the use of MOX into more reactors at the Tennessee Valley Authority (TVA). However, TVA is unlikely to commit to expanding the use of MOX into its three Brown's Ferry boiling-water reactors before a thorough assessment of the safety and performance of the MOX fuel in the boiling water reactors at Fukushima Daiichi has been conducted. Even without accounting for the Japanese nuclear disaster, the timelines are long to perform the work that must be done to assure industry and the public that the use of MOX will not present an unnecessary risk. The NNSA should focus on developing the sound technical basis that will be needed to provide those assurances, rather than hedging its bets on any single strategy. Ultimately, the success of the overall program hinges on its ability to attract civilian customers. With considerable investments already made, the NNSA must show leadership and prove it has not undertaken an expensive and wasteful program which will ultimately produce a fuel that industry does not want or that presents unnecessary risks that exceed any nonproliferation benefits.

U.S. Plutonium Disposition.—The Committee provides $244,690,000, $44,290,000 above fiscal year 2011 and $30,100,000 below the budget request. Within these funds, $15,500,000 is provided to continue the ARIES plutonium oxide production line under the Pit Disassembly and Conversion Project Other Project Costs.

U.S. Uranium Disposition.—The Committee recommends $16,435,000, $9,550,000 below fiscal year 2011 and $10,000,000 below the budget request, to account for the termination of blend down operations at Savannah River.

Project 99–D–143, Mixed Oxide Fuel Fabrication Facility, Savannah River, SC.—The Committee recommends $385,172,000 as requested.

Project 99–D–141–01, Pit Disassembly and Conversion Facility, Savannah River, SC.—The Committee recommends $20,000,000, $156,000,000 below the budget request. After spending nearly $650,000,000 over eleven years, the NNSA has failed to even make a decision between constructing a new greenfield facility or recapitalizing existing facilities in order to supply feedstock to the MOX Fuel Fabrication Facility. Cost estimates have ballooned to as much as $4.5 billion, a ten-fold increase over original estimates, yet the Department will still not be ready to make a decision on its next milestone until next fiscal year. The Committee will not support wasting funds on extended deliberations, and will not support such large increases unless the milestone is finally awarded and a consistent plan to provide feedstock is developed.

Project 99–D–141–02, Waste Solidification Building, Savannah River, SC.—The Committee recommends $17,582,000 as requested.

Russian Surplus Materials Disposition.—The Committee recommends $10,174,000 as requested. Funding is provided to support research and development activities in order to endorse progress on the U.S.—Russia Plutonium Management and Disposition Agreement. However, the path forward remains unclear. The NNSA should provide an update on the status of the Russian Surplus Materials Disposition program per the recent modifications to the

agreement with Russia, including updated planning assumptions for program schedule, costs and milestones.

GLOBAL THREAT REDUCTION INITIATIVE

The Global Threat Reduction Initiative (GTRI) mission is to identify, secure, remove and facilitate the disposition of high-risk, vulnerable nuclear and radiological materials and equipment around the world. The Committee recommends $388,269,000 for GTRI activities, $47,712,000 below fiscal year 2011 and $120,000,000 below the request. The Committee recommendation preserves full funding for urgent efforts to secure and protect vulnerable nuclear materials worldwide. Funding for long-term reactor conversions is sustained near current levels, and domestic radiological activities are reduced or eliminated where they are redundant with the responsibilities of other federal agencies.

Highly Enriched Uranium Reactor Conversion.—The Committee recommends $78,269,000 for Highly Enriched Uranium Reactor Conversion, $70,000,000 below the budget request. The recommended for the long-term goals to convert foreign reactors reflects an understanding that progress relies heavily on international cooperation, which is not yet assured. Considering the scope of activities planned, there has been limited progress to convert or shut down a total of 71 Russian research reactors. Only three Russian reactors have been verified as shut down and the NNSA is conducting conversion feasibility studies on an additional six reactors. However, there is still no agreement with Russia to convert those reactors after those studies are complete. In light of the limited progress, the Committee finds the NNSA's timeline and scope for converting Russian reactors overly optimistic. Instead of relying on assumptions of future cooperation, the NNSA should work to establish a framework agreement with Russia to ascertain how many reactors Russia would consider converting.

Domestic Activities.—The Committee recommends $21,000,000 for Domestic Material Protection, $30,000,000 below the budget request. The Committee provides no funding for Domestic Radiological Material Removal, $20,000,000 below the budget request. Ensuring adequate security standards for the storage and disposal of domestic radiological materials is the responsibility of the Nuclear Regulatory Commission. It is not appropriate to duplicate this mission or to subsidize private costs of meeting regulatory requirements. GTRI should instead focus on its core international mission. However, the NNSA has considerable expertise gained from securing materials internationally and should leverage this expertise through participation in joint domestic efforts where possible.

FUNDING ADJUSTMENTS

Rescission.—As requested, the Committee rescinds $30,000,000 of prior-year balances to meet fiscal year 2012 needs as described above.

NAVAL REACTORS

Appropriation, 2011	$959,176,000
Budget estimate, 2012	1,153,662,000
Recommended, 2012	1,030,600,000
Comparison:	
Appropriation, 2011	+71,424,000
Budget estimate, 2012	−123,062,000

The Naval Reactors program is responsible for all aspects of naval nuclear propulsion from technology development through reactor operations to ultimate reactor plant disposal. The program provides for the design, development, testing, and evaluation of improved naval nuclear propulsion plants and reactor cores. These efforts are critical to ensuring the safety and reliability of operating naval reactor plants and to developing a replacement for the OHIO-class ballistic missile submarine. The Committee recommendation provides $1,030,600,000 for Naval Reactors, $71,424,000 above fiscal year 2011 and $123,062,000 below the budget request.

The budget request for Naval Reactors seeks substantial growth to support an ambitious multi-year plan to replace aging facilities, grow the federal and contractor workforce, maintain a robust testing and development program, and build new capabilities to support changes to the system of defueling, transporting and storing spent fuel from aircraft carriers. By 2016, Naval Reactors projects its funding requests will increase to nearly $1,600,000,000, over 50 percent above the fiscal year 2008 level. These plans indicate a rate of growth that exceeds that of the NNSA's nuclear weapons program, which itself plans an aggressive, multi-decade modernization program. Yet, the thirty-year shipbuilding plan indicates the Navy will actually reduce its submarine fleet by ten fast attack and two ballistic missile submarines.

With fewer naval reactors in the planning, supporting the Navy's shipbuilding schedule does not appear to be the major cost driver. Rather, the proliferation of new infrastructure projects and the pursuit of more extensive research and development activities are driving significant growth in the base operating costs of the program. The Committee is concerned this unsustainable trajectory is starting at the worst possible time, when resources are increasingly scarce. Overcoming these challenges will require vigorous leadership and the identification of practical solutions for controlling costs.

The recommendation includes new funding controls within the Naval Reactors appropriation to provide more transparency into how funding is being allocated to functional activities. The existing budget structure provides little insight into the funding requirements to develop individual reactor systems or how the scope of those activities compares to previous efforts. This lack of transparency hampers management and tracking of total costs related to a particular ship acquisition program across agencies. In its fiscal year 2013 request, Naval Reactors is directed to transition to budgeting by individual ship system, a change needed to improve transparency and enable cost comparisons for design, development, and operations of different reactor plant systems. Future funding requests for development activities should reflect separate funding for ongoing development of the VIRGINIA and FORD reactor sys-

tems, prototype and test reactors operated by Naval Reactors, advanced reactor plant concepts, technical support of the operating fleet, and any other appropriate division of programmatic activities within its request for Naval Reactors Development. Tracking the large cost to develop a replacement for the OHIO-class ballistic missile submarine is a Committee priority, and the recommendation provides full funding for this activity in a separately controlled budget line.

OHIO Replacement Reactor Systems Development.—The Committee recommends $121,300,000 for OHIO-Replacement Reactor Systems Development, the same as requested within Naval Reactors Development. Funding shall be used to support only the research and development work pertaining to the reactor and its associated equipment and fuel, and power generating systems. No funding shall be used to develop an electric drive motor, since funding for development of steam plant systems is provided separately under appropriations for the Department of Defense.

Naval Reactors Development.—The Committee recommends $498,700,000 for Naval Reactors Development. Naval Reactors Development supports funding for Plant Technology, Reactor Technology and Analysis, and Materials Development and Verification. Funding requested within Naval Reactors Development for the OHIO-Replacement and for operations and infrastructure activities are now funded separately within the recommendation.

Naval Reactors Operations and Infrastructure.—The Committee recommends $332,100,000 for Naval Reactors Operations and Infrastructure. Naval Reactors Operations and Infrastructure provides funding requested for Evaluation and Servicing, Advanced Test Reactor Operations and Test Support, and Facility Operations. Within these funds, $20,000,000 is provided to support conceptual design activities to recapitalize the aging spent fuel infrastructure at Naval Reactors Facility, Idaho.

Reporting Requirement.—The Committee directs Naval Reactors to submit a report, within 180 days of enactment, on its ten-year facilities plan, including a project-by-project description of costs and major milestones; prioritization employed to support the funding profile and schedule; a description of the core capabilities needed; operations and maintenance cost savings or growth resulting from replacing facilities; the environmental remediation costs associated with recapitalization; and the project management controls in place to ensure projects are completed on-cost and on-schedule.

Construction.—The Committee recommends $39,900,000 as requested.

Program Direction.—The Committee recommends $38,600,000 for program direction, $1,320,000 below fiscal year 2011 and $5,900,000 below the budget request. During fiscal years 2010 and 2011, the Committee supported increases to the Naval Reactors federal workforce to provide additional government oversight for the startup of multi-year programs. While those activities are ongoing, Naval Reactors is planning an additional 17 percent growth in the size of its federal workforce over the next five years. It is not clear why such a significant growth is required to carry out the continuing program. Rather than a permanent growth in the federal workforce, Naval Reactors should investigate alternative op-

tions to meet short term workload requirements, such as the use of service support contractors.

OFFICE OF THE ADMINISTRATOR

Appropriation, 2011	$393,293,000
Budget estimate, 2012	450,060,000
Recommended, 2012	420,000,000
Comparison:	
Appropriation, 2011	+26,707,000
Budget estimate, 2012	−30,060,000

The Office of the Administrator of the National Nuclear Security Administration (NNSA) provides corporate planning and oversight for Defense Programs, Defense Nuclear Nonproliferation and Naval Reactors, including the NNSA field offices in New Mexico, Nevada and California. The Committee recommendation is $420,000,000, $26,707,000 above fiscal year 2011 and $30,060,000 below the budget request. After accounting for a one-time rescission in fiscal year 2011 of $5,700,000, the recommendation is $21,007,000 above fiscal year 2011. The increase takes into account that the fiscal year 2011 level assumed significant prior-year balances were available to maintain federal employee workforce levels, and that these balances are no longer available to offset workforce requirements in fiscal year 2012.

Support to Minority Colleges and Universities.—The Committee commends the NNSA for increasing its support within its request for the Historically Black Colleges and Universities (HBCU) program. This program has relied on congressional action to maintain adequate funding levels. The Committee recommendation includes the requested amount of $6,000,000 for Weapons Activities, $3,000,000 for Defense Nuclear Nonproliferation, and $1,000,000 for Naval Reactors to engage HBCUs, and further directs the engagement of Hispanic Serving Institutions and minority outreach at other colleges and universities in research areas directly supporting program activities.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

Appropriation, 2011	$4,979,738,000
Budget estimate, 2012	5,406,781,000
Recommended, 2012	4,937,619,000
Comparison:	
Appropriation, 2011	−42,119,000
Budget estimate, 2012	−469,162,000

The Defense Environmental Management (EM) program is responsible for identifying and reducing risks and managing waste at sites where the nation carried out defense-related nuclear research and production activities that resulted in radioactive, hazardous, and mixed waste contamination requiring remediation, stabilization, or some other cleanup action. The Committee's recommendation for Defense Environmental Cleanup is $4,937,619,000, $42,119,000 below fiscal year 2011 and $469,162,000 below the budget request. After accounting for a one-time rescission in fiscal year 2011 of $11,900,000, the final transfer of $33,633,000 to the Uranium Enrichment Decontamination and Decommission Fund in fiscal year 2011 and the use of prior-year balances of $3,381,000 in

the bill, the recommendation is $17,005,000 below fiscal year 2011. Within the amounts provided, the Department is directed to fund hazardous waste worker training at $10,000,000.

The fiscal year 2011 level included a contribution of $33,633,000 into the Uranium Enrichment Decontamination and Decommissioning (UE D&D) fund which is no longer required in fiscal year 2012. The overall level for Defense Environmental Cleanup preserves funding at the highest possible levels, a less than one percent programmatic reduction from fiscal year 2011 in order to meet the federal government's legal obligations to cleanup defense nuclear waste.

The Committee remains concerned with the overall cost of EM's program and supports EM's goal to reduce the legacy footprint by 80 to 90 percent by the end of fiscal year 2015 to reduce operating costs.

H-Canyon.—The request for Savannah River proposes to place H-Canyon into hot standby pending a determination by the Department to begin reprocessing spent fuel. The recommendation supports this proposal, but the Committee is concerned by EM's plan to meet its statutory requirements to maintain the facility in a high state of readiness. H-Canyon is a unique national capability for performing large scale chemical processing operations that would take considerable time and funding to reconstitute if lost. The Department must be able to demonstrate it can adequately maintain the condition of the chemical processing areas while it deliberates on the disposition of spent nuclear fuel. Since the Department of Energy does not have a good track record for coming to such decisions in a timely manner, it is imperative that EM find other missions, such as research and development activities, to exercise the capabilities of the H-Canyon Complex and for which H-Canyon can serve as a unique testing platform.

The Department is directed to provide funding to the National Academy of Sciences (NAS) to undertake an investigation of using H-Canyon's chemical processing areas for conducting research and development activities or other appropriate chemical processing activities, and to produce a report on its findings, to be submitted not later than December 1, 2012. In particular, the NAS should evaluate possibilities for research and development that may provide novel solutions for the back end of the nuclear fuel cycle, in consideration of the Department's continued lack of a disposition path for high-level nuclear waste.

Waste Treatment and Immobilization Plant.—The validated project baseline for construction of the Waste Treatment and Immobilization Plant (WTP) planned on completing the WTP project and treating waste by 2019 at an annual appropriation level of $690,000,000. The budget request includes a modified baseline to accelerate funding for low level waste treatment activities and proposes to further consolidate project controls. Prior consolidation of project controls has led to poor reporting in the budget request and a lack of discipline in project planning, as the funding profiles for subprojects now appear to be a moving target. This weak project planning process, coupled with a continued failure to resolve major planning uncertainties and outstanding safety issues, has placed increased risk on the Department's ability to successfully complete the project. The recommendation provides additional funding over

the baseline amount in order to mitigate risk and address outstanding safety issues. The Committee notes the Department is considering further changes to its project plan, including restructuring its contract to remove scope. If WTP cannot be completed according to the performance baseline that was validated in 2006, which includes a set scope of work, the Committee expects the Department to perform a new independent cost estimate for the project in order to justify those performance plan modifications.

The Committee is also seriously concerned by DOE's continued failure to resolve outstanding safety concerns about the WTP raised by the Defense Nuclear Facilities Safety Board (DNFSB), the organization tasked by Congress to oversee nuclear safety at DOE. Engineering design issues already identified by the DNFSB are now accompanied by another finding, released in June 2011, on the safety culture at the WTP. The most recent report describes an environment where the professional exchange of views which a safety culture relies upon is discouraged and at times punished. For instance, technical experts in their field expressed that they could not provide opinions on the safety and validity of design decisions if those opinions would have budget and schedule implications. Further, DOE management actions following a series of dissident opinions from some of its technical experts who worked on the project have been broadly interpreted as retribution, adversely impacting the overall safety culture for this project. Among the safety issues raised by the experts included incorrect engineering assumptions that could have serious consequences, such as an inadvertent criticality accident, once the facility becomes operational.

The Committee commends the DNFSB for their steadfast work to ensure the safe operation of the WTP, despite requests by the Secretary to halt their investigation into the safety culture at the facility. These revelations are both alarming and disturbing and should be interpreted by the Secretary of Energy as a call to action. Safety considerations must be first and foremost in technical decision making, particularly when the consequences of failure are severe.

The Committee directs the Secretary to certify, within 90 days of enactment of this Act, the safety of its cleanup operations and projects managed by the Office of Environmental Management. This certification should include a report which provides a full assessment of each project, provides meaningful comparisons of safety and performance priorities for the projects, and identifies specific areas of improvement. This certification should not be a simple statement that DOE regulations are being adhered to, but should qualify whether the management dynamics in place effectively support the agency's mission to protect public health and safety. Furthermore, the report should specifically address actions taken to improve the safety culture within the WTP project.

Finally, the Department is directed to develop a total cost estimate of the funding required to perform the large-scale demonstration testing specifically recommended by the DNFSB to resolve the outstanding technical safety concerns. Not later than February 1, 2012, EM should provide a report to the Committee on its estimate, including a preliminary plan on how these tests might be carried out and the impacts this testing would have on the overall project schedule and performance baseline.

Semi-Annual Reporting Requirement.—The Department is directed to submit semi-annual reports to the Committee on the progress of the WTP project, with the first report due no later than May 1, 2012. The report should include the baseline funding plan by subproject and clearly identify outstanding design and safety issues by subproject.

Project Management.—Despite a number of management improvement initiatives and revision of the Department's instructions, EM's contract and project management functions remain on the GAO's high-risk list of programs at risk for fraud, waste, abuse and mismanagement. While it will take time to determine if the management initiatives will translate to successful projects, the Department must take aggressive steps to more quickly gauge the success of its reforms, rather than adopt a wait-and-see approach.

EM has demonstrated laudable success in implementing many of its projects under the American Reinvestment and Recovery Act. While these projects tend to be more defined, smaller in scope and have fewer technical issues than many of the projects EM is managing in its base program, their success demonstrates that consistent application of requirements, detailed performance reporting and disciplined management of project definition and scope can improve overall project performance at the Department. EM is directed to conduct an evaluation into the project management lessons learned for projects carried out under the Recovery Act and report the results of its investigation to the Committee, no later than 180 days after enactment of this Act. The evaluation should not simply focus on the problems encountered, but should identify best practices which led to positive performance. The report should provide the Committee with specific recommendations on how those lessons can and will be applied to management of ongoing and future projects.

Report on Project Controls.—The Committee notes that there are a number of EM capital projects that are not being reported because they are being funded by operations and maintenance funding. It is not clear what criteria EM is using to distinguish a capital asset project from an operational project. DOE is directed to provide a report, no later than 90 days of enactment, of all projects with a total project cost greater than $10,000,000 that will be funded by EM during fiscal year 2012. The report should include a description of the performance baselines for cost and schedule for each project, and describe the overall rationale for managing these projects using operations and maintenance funding.

Closure Sites.—The Committee recommendation provides $5,375,000, $5,200,000 above fiscal year 2011 and the same as the budget request.

Hanford Site.—The Committee recommends $933,712,000, $32,279,000 below fiscal year 2011 and $20,000,000 above the budget request. Additional funding is provided to accelerate the demolition and disposition of the Plutonium Finishing Plant complex in order to realize the cost savings from footprint reduction more quickly and thereby save taxpayer dollars. An additional $20,338,000 for community and regulatory support at Hanford, funding previously appropriated in this activity in fiscal year 2011, is now provided under Community, Regulatory and Program Support as requested.

Idaho National Laboratory.—The Committee recommends $382,769,000, $15,897,000 below fiscal year 2011 and the same as the budget request. Funding provided in fiscal year 2011 for community and regulatory support at Idaho is now provided under Community, Regulatory and Program Support as requested.

NNSA Sites.—The Committee recommendation provides $248,753,000, $60,288,000 below fiscal year 2011 and $174,939,000 below the budget request. The Department has yet to develop a comprehensive plan for cleanup of legacy waste at Los Alamos National Laboratory. The total cost of cleanup remains uncertain, particularly for soil and groundwater remediation. The Department should focus on site planning to develop more detailed disposition and restoration strategies before significantly ramping up its cleanup activities there.

Oak Ridge Reservation.—The Committee recommends $156,100,000, $3,965,000 above fiscal year 2011 and $20,000,000 below the budget request. The Committee notes that only half of the Recovery Act funding awarded for Oak Ridge cleanup has been spent and this funding will sustain a substantial amount of ongoing cleanup activities during fiscal year 2012. The Committee directs the Department to prioritize and address safety issues associated with projects that pose the greatest risk to personnel and facilities through programs such as the Integrated Facilities Disposition Program. Funding provided in fiscal year 2011 for community and regulatory support at Oak Ridge is now provided under Community, Regulatory and Program Support as requested.

Office of River Protection.—The Committee recommends $1,148,000,000, $12,402,000 above fiscal year 2011 and $213,391,000 below the budget request. The Committee recommendation includes an increase over the validated performance baseline funding plan for the Waste Treatment and Immobilization Plant (WTP) in order to mitigate risk and resolve outstanding safety issues. Within these funds, $408,000,000 is provided for tank waste stabilization and disposition, $11,100,000 above fiscal year 2011 and $113,391,000 below the budget request.

Project 01–D–16 A–D, Waste Treatment and Immobilization Plant.—The Committee recommends $363,000,000 as requested.

Project 01–D–16 E, Pretreatment Facility, Waste Treatment and Immobilization Plant.—The Committee recommends $377,000,000, $100,000,000 below the budget request.

Savannah River Site.—The Committee recommends $1,180,738,000 for cleanup at the Savannah River Site, $8,354,000 above fiscal year 2011 and $43,406,000 below the budget request. Funding provided in fiscal year 2011 for community and regulatory support at Savannah River is now provided under Community, Regulatory and Program Support as requested.

Project 05–D–405, Salt Waste Processing Facility, Savannah River.—The Committee recommends $170,071,000 as requested.

Waste Isolation Pilot Plant (WIPP).—The Committee recommends $220,000,000, $4,286,000 above fiscal year 2011 and $8,926,000 below the budget request. The recommended level corresponds to a reduction in planned work as a result of adjustments made for cleanup activities at Los Alamos National Laboratory.

Program Direction.—The Committee recommends $316,948,000, $3,058,000 below fiscal year 2011 and $4,680,000 below the budget request.

Community, Regulatory and Program Support.—The Committee recommends $89,779,000, $1,500,000 below the budget request, in order to consolidate funding previously provided in the individual site funding allocations within Defense Environmental Cleanup and the Uranium Enrichment Decontamination and Decommissioning Fund. The Committee expects EM to seek efficiencies as a result of the additional flexibility gained from consolidation. EM is directed to report funding by site in its budget request for Community, Regulatory and Program Support.

Safeguards and Security.—The Committee recommends $248,826,000 for Safeguards and Security, $1,045,000 above fiscal year 2011 and the same as the budget request. While the recommendation accepts the request to consolidate funding under one control, EM is directed to report funding by site in its budget request for Safeguards and Security.

Technology Development and Deployment.—The Committee recommends $10,000,000 for Technology Development and Deployment, $9,413,000 below fiscal year 2011 and $22,320,000 below the request. The Committee includes funds for the Department to continue successful cooperative efforts to transfer and demonstrate international technologies and approaches to the cleanup program.

FUNDING ADJUSTMENTS

Use of Prior-Year Balances.—As requested, the Committee directs the use of $3,381,000 in prior-year balances to meet fiscal year 2012 needs as described above.

OTHER DEFENSE ACTIVITIES

Appropriation, 2011	$785,020,000
Budget estimate, 2012	859,952,000
Recommended, 2012	814,000,000
Comparison:	
Appropriation, 2011	+28,980,000
Budget estimate, 2012	−45,952,000

This account provides funding for the Office of Health, Safety and Security; Office of Legacy Management; Defense-Related Activities at Idaho National Laboratory; Defense Related Administrative Support; and the Office of Hearings and Appeals. Descriptions of each of these programs are provided below. The Committee recommendation for Other Defense Activities (ODA) totals $814,000,000, $28,980,000 above fiscal year 2011 and $45,952,000 below the budget request. After accounting for a one-time rescission of $3,400,000 in fiscal year 2011, the recommendation is $25,580,000 above fiscal year 2011. No funds are provided as a new line for the Acquisition Workforce Improvement initiative. Funds continue to be appropriated for the acquisition workforce in existing accounts.

HEALTH, SAFETY, AND SECURITY

The Office of Health, Safety and Security (HSS) develops programs and policies to protect the workers at the Department's sites

and facilities and the public, conducts independent oversight of performance and security, and integrates health, safety, and security policies across the Department, among other related functions. The Committee recommendation is $431,408,000, $4,475,000 above fiscal year 2011 and $25,074,000 below the budget request. The Committee believes that having an independent assessment capability at the Department is important and supports the role of HSS in the areas of nuclear safety, worker safety and health, safeguards and security, cyber security and emergency management. The Committee agrees that the responsibility for protecting workers, the public, the environment and national security assets rests with the Department's line management organizations. However, it is critical that the Department preserve the HSS authority to independently assess Departmental compliance and performance, and to have access to and cooperation from all Departmental programs and facilities.

With the number of major facilities under construction, it is particularly important that HSS fulfill its role to perform assessments on new facility designs. Because of the one of a kind nature of these facilities and the specialized technical expertise required to evaluate designs, the Committee encourages HSS to further develop its human capital base to ensure there are sufficient personnel with appropriate technical skills. The Committee notes the significant growth in the request for support services in its program direction line. While the use of support service contractors may be a practical and cost-effective way to augment personnel needs and provide specialized skills over a limited time period, HSS should focus more on building a core of personnel with the desired skills to maintain organizational knowledge and save costs over the long term.

Annual Report on Independent Oversight Activities.—The Committee expects the Department to provide an annual report on the independent oversight activities of HSS, including progress on transforming the organization and building appropriate skill sets within the organization. The report should also clearly identify any gaps in its capabilities for conducting effective oversight.

OFFICE OF LEGACY MANAGEMENT

The Office of Legacy Management provides long-term stewardship following site closure. The Committee recommends $167,100,000 for Legacy Management, $4,521,000 below fiscal year 2011 and $3,000,000 below the budget request.

The Committee directs that all documentation relating to Yucca Mountain, including technical information, records, and other documents, as well as scientific data and physical materials, be preserved.

DEFENSE-RELATED ACTIVITIES AT IDAHO NATIONAL LABORATORY

The Committee recommendation includes $93,350,000, $15,800,000 above fiscal year 2011 and $5,150,000 below the budget request, to fund defense-related activities at Idaho National Laboratory.

DEFENSE-RELATED ADMINISTRATIVE SUPPORT

The Committee recommendation includes $118,000,000, $11,760,000 above fiscal year 2011 and $836,000 below the budget request, to provide administrative support for programs funded in the atomic energy defense activities accounts, including Departmental activities performed by offices including the Secretary, Deputy Secretary and Under Secretaries, the General Counsel, Chief Financial Officer, Human Resources, Congressional Affairs, and Public Affairs, which support the organizations and activities funded in the environmental and other defense activities accounts.

OFFICE OF HEARINGS AND APPEALS

The Office of Hearings and Appeals is responsible for all of the Department's adjudicatory processes, other than those administered by the Federal Energy Regulatory Commission. The Committee recommendation is $4,142,000, $1,934,000 below fiscal year 2011 and the same as the budget request.

ACQUISITION WORKFORCE IMPROVEMENT

The Committee recommendation supports the improvement of the Department's acquisition and contracting workforce within the program offices and within the Office of Management. The Administration did not submit a comprehensive plan to justify a new, stand-alone initiative. Therefore, the Committee recommendation includes no funding for the acquisition workforce improvement initiative under Other Defense Activities, $11,892,000 below the budget request. The Committee fully supports a robust acquisition and contracting workforce and will work with the Department to provide program direction funding under the appropriate accounts to ensure proper oversight of the acquisition process.

POWER MARKETING ADMINISTRATIONS

Management of the federal power marketing functions was transferred from the Department of the Interior to the Department of Energy in the Department of Energy Organization Act of 1977 (P.L. 95–91). These functions include the power marketing activities authorized under section 5 of the Flood Control Act of 1944 and all other functions of the Bonneville Power Administration, the Southeastern Power Administration, the Southwestern Power Administration, and the power marketing functions of the Bureau of Reclamation that have been transferred to the Western Area Power Administration.

All four power marketing administrations give preference in the sale of their power to publicly-owned and cooperatively-owned utilities. Further, all power marketing administrations except the Bonneville Power Administration are funded annually with appropriations. Operations of the Bonneville Power Administration are financed principally under the authority of the Federal Columbia River Transmission System Act (P.L. 93–454). Under this Act, the Bonneville Power Administration is authorized to use its revenues to finance the costs of its operations, maintenance, and capital construction, and to sell bonds to the Treasury if necessary to finance any additional capital program requirements.

Beginning in fiscal year 2011, power revenues from the Southeastern, Southwestern, and Western Area Power Administrations, which were previously classified as mandatory offsetting receipts, were reclassified as discretionary offsetting collections to directly offset annual expenses.

BONNEVILLE POWER ADMINISTRATION FUND

The Bonneville Power Administration is the Department of Energy's marketing agency for electric power in the Pacific Northwest. Bonneville provides electricity to a 300,000 square mile service area in the Columbia River drainage basin. Bonneville markets the power from federal hydropower projects in the Northwest, as well as power from non-federal generating facilities in the region, and exchanges and markets surplus power with Canada and California. Language is included to allow expenditures from the Bonneville Power Administration Fund for the Kootenai River Native Fish Conservation Aquaculture Program, Lolo Creek Permanent Weir Facility, and Improving Anadromous Fish production on the Warm Springs Reservation.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

Appropriation, 2011	$—
Budget estimate, 2012	—
Recommended, 2012	—
Comparison:	
Appropriation, 2011	—
Budget estimate, 2012	—

The Southeastern Power Administration (SEPA) markets hydroelectric power produced at 22 Army Corps of Engineers Projects in 11 states in the southeast. Southeastern does not own or operate any transmission facilities, so it contracts to "wheel" its power using the existing transmission facilities of area utilities.

The total program level for SEPA in fiscal year 2012 is $123,298,000, with $114,870,000 for purchase power and wheeling and $8,428,000 for program direction. The purchase power and wheeling costs will be offset by collections of $100,162,000, and annual expenses will be offset by collections of $8,428,000 provided in this Act. Additionally, SEPA has identified $14,708,000 in alternative financing for purchase power and wheeling. The net appropriation, therefore, is $0 in the recommendation and the budget request.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

Appropriation, 2011	$13,050,000
Budget estimate, 2012	11,892,000
Recommended, 2012	11,892,000
Comparison:	
Appropriation, 2011	−1,158,000
Budget estimate, 2012	—

The Southwestern Power Administration (SWPA) markets hydroelectric power produced at 24 Corps of Engineers projects in the six-state area of Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas. SWPA operates and maintains 1,380 miles of

transmission lines, along with supporting substations and communications sites.

The Committee recommendation for the Southwestern Power Administration is a net appropriation of $11,892,000, equal to the budget request. The total program level for Southwestern in fiscal year 2012 is $107,007,000, including $14,346,000 for operation and maintenance expenses, $50,000,000 for purchase power and wheeling, $31,889,000 for program direction, and $10,772,000 for construction. Offsetting collections total $73,118,000, including $40,000,000 for purchase power and wheeling, $25,687,000 for program direction, and $7,431,000 for operation and maintenance. Southwestern estimates it will secure alternative financing from customers in the amount of $21,997,000.

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

Appropriation, 2011	$108,963,000
Budget estimate, 2012	95,968,000
Recommended, 2012	95,968,000
Comparison:	
Appropriation, 2011	−12,995,000
Budget estimate, 2012	—

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

The Committee recommendation for the Western Area Power Administration is a net appropriation of $95,968,000, equal to the budget request. The total program level for Western in fiscal year 2012 is $863,469,000, which includes $110,449,000 for construction and rehabilitation, $72,863,000 for system operation and maintenance, $471,535,000 for purchase power and wheeling, $205,247,000 for program direction, and $3,375,000 for the Utah Mitigation and Conservation Fund.

Offsetting collections include $496,473,000 for purchase power and wheeling and annual expenses, and the use of $4,821,000 of offsetting collections from the Colorado River Dam Fund (as authorized in P.L. 98–381). The inclusion of $266,207,000 of alternative financing identified by the Western Area Marketing Administration yields a net appropriation of $95,968,000.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

Appropriation, 2011	$220,000
Budget estimate, 2012	220,000
Recommended, 2012	220,000
Comparison:	
Appropriation, 2011	—
Budget estimate, 2012	—

Falcon Dam and Amistad Dam are two international water projects located on the Rio Grande River between Texas and Mexico. Power generated by hydroelectric facilities at these two dams is sold to public utilities through the Western Area Power Administration. The Foreign Relations Authorization Act for Fiscal Years

1994 and 1995 created the Falcon and Amistad Operating and Maintenance Fund to defray the costs of operation, maintenance, and emergency activities. The Fund is administered by the Western Area Power Administration for use by the Commissioner of the U.S. Section of the International Boundary and Water Commission.

The Committee recommendation is a net appropriation of $220,000, the same as the budget request. The total program level is $4,169,000, with $3,949,000 of offsetting collections applied toward annual expenses.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

Appropriation, 2011	$298,000,000
Budget estimate, 2012	304,600,000
Recommended, 2012	304,600,000
Comparison	
Appropriation, 2011	+6,600,000
Budget estimate, 2012	—

REVENUES

Appropriation, 2011	−$298,000,000
Budget estimate, 2012	−304,600,000
Recommended, 2012	−304,600,000
Comparison	
Appropriation, 2011	−6,600,000
Budget estimate, 2012	—

The Committee recommendation for the Federal Energy Regulatory Commission (FERC) is $304,600,000, $6,600,000 above fiscal year 2011 and the same as the budget request. Revenues for FERC are established at a rate equal to the budget authority, resulting in a net appropriation of $0.

COMMITTEE RECOMMENDATION

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

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
ENERGY PROGRAMS					
ENERGY EFFICIENCY AND RENEWABLE ENERGY					
Energy Efficiency and Renewable Energy RDD&D:					
Hydrogen and fuel cell technologies	98,000	100,450	91,450	-6,550	-9,000
Biomass and Biorefinery Systems R&D	182,695	340,500	150,000	-32,695	-190,500
Solar energy	263,500	457,000	166,143	-97,357	-290,857
Wind energy	80,000	126,859	76,000	-4,000	-50,859
Geothermal technology	38,003	101,535	38,000	-3	-63,535
Water Power	30,000	38,500	50,000	+20,000	+11,500
Vehicle technologies	300,000	588,003	254,000	-46,000	-334,003
Building technologies	210,500	470,700	150,000	-60,500	-320,700
Industrial technologies	108,241	319,784	96,000	-12,241	-223,784
Federal energy management program	30,402	33,072	30,000	-402	-3,072
Facilities and infrastructure:					
National Renewable Energy Laboratory (NREL)	11,705	26,407	26,407	+14,702	---
Construction:					
08-EE-01 Energy systems integration facility National Renewal Energy Lab, Golden, Co.	39,295	---	---	-39,295	---
Subtotal, Facilities and infrastructure	51,000	26,407	26,407	-24,593	---
Program direction	170,000	176,605	110,000	-60,000	-66,605
Program support	32,000	---	---	-32,000	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Strategic programs	---	53,204	25,000	+25,000	-28,204
Subtotal, Energy Efficiency and Renewable Energy RDD&D	1,594,341	2,832,619	1,263,000	-331,341	-1,569,619
Weatherization and intragovernmental:					
Weatherization:					
Weatherization assistance	171,000	220,000	30,000	-141,000	-190,000
Training and technical assistance	3,300	3,000	3,000	-300	---
Innovations in weatherization	---	97,000	---	---	-97,000
Subtotal	174,300	320,000	33,000	-141,300	-287,000
Other:					
State energy program grants	50,000	63,798	25,000	-25,000	-38,798
Tribal energy activities	7,000	10,000	10,000	+3,000	---
Subtotal	57,000	73,798	35,000	-22,000	-38,798
Subtotal, Weatherization and intragovernmental	231,300	393,798	68,000	-163,300	-325,798
Use of prior year balances	---	-26,364	-26,364	-26,364	---
Congressionally directed projects	---	---	---	---	---
Rescission	-30,000	---	---	+30,000	---
TOTAL, ENERGY EFFICENCY AND RENEWABLE ENERGY	1,795,641	3,200,053	1,304,636	-491,005	-1,895,417

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
ELECTRICITY DELIVERY AND ENERGY RELIABILITY					
Research and development:					
Clean energy transmission and reliability	26,000	60,817	20,000	-6,000	-40,817
Smart grid research and development	29,000	45,000	33,813	+4,813	-11,187
Energy storage	20,000	57,000	20,000	---	-37,000
Cyber security for energy delivery systems	30,000	30,000	30,000	---	---
Subtotal	105,000	192,817	103,813	-1,187	-89,004
Permitting, siting and analysis	6,000	8,000	8,000	+2,000	---
Infrastructure security and energy restoration	6,100	6,187	6,187	+87	---
Program direction	27,610	31,217	22,000	-5,610	-9,217
Congressionally directed projects	---	---	---	---	---
Use of prior year balances	---	-504	-504	-504	---
Rescission	-3,700	---	---	+3,700	---
TOTAL, ELECTRICITY DELIVERY AND ENERGY RELIABILITY	141,010	237,717	139,496	-1,514	-98,221
NUCLEAR ENERGY					
Research and development:					
Nuclear energy enabling technologies	51,383	97,364	95,014	+43,631	-2,350
Integrated university program	---	---	5,000	+5,000	+5,000
LWR SMR licensing technical support	---	67,000	67,000	+67,000	---
Reactor concepts RD&D	168,535	125,000	136,986	-31,549	+11,986

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Fuel cycle research and development	187,615	155,010	132,000	-55,615	-23,010
International nuclear energy cooperation	2,994	3,000	3,000	+6	---
Subtotal	410,527	447,374	439,000	+28,473	-8,374
Infrastructure:					
Radiological facilities management:					
Space and defense infrastructure	46,906	49,902	44,014	-2,892	-5,888
Research reactor infrastructure	4,808	4,986	4,986	+178	---
PU-238 production restart project	---	10,000	---	---	-10,000
Subtotal	51,714	64,888	49,000	-2,714	-15,888
INL facilities management:					
INL Operations and infrastructure	183,604	150,000	155,000	-28,604	+5,000
Subtotal, Infrastructure	235,318	214,888	204,000	-31,318	-10,888
Program direction	86,279	93,133	92,000	+5,721	-1,133
Subtotal, Nuclear Energy	732,124	755,395	735,000	+2,876	-20,395
Congressional directed projects	---	---	---	---	---
Use of prior year balances	---	-1,367	-1,367	-1,367	---
Rescission	-6,300	---	---	+6,300	---
TOTAL, NUCLEAR ENERGY	725,824	754,028	733,633	+7,809	-20,395

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
FOSSIL ENERGY RESEARCH AND DEVELOPMENT					
CCS and power systems:					
Carbon capture	---	68,938	68,938	+68,938	---
Carbon storage	---	115,477	115,477	+115,477	---
Advanced energy systems	---	64,193	105,000	+105,000	+40,807
Cross cutting research	---	42,750	49,347	+49,347	+6,597
Subtotal, CCS and power systems	---	291,358	338,762	+338,762	+47,404
Fuels and Power Systems:					
Innovations for existing plants	64,869	---	---	-64,869	---
Advanced integrated gasification combined cycle	52,894	---	---	-52,894	---
Advanced turbines	30,920	---	---	-30,920	---
Carbon sequestration	142,057	---	---	-142,057	---
Fuels	11,976	---	---	-11,976	---
Fuel cells	49,835	---	---	-49,835	---
Advanced research	47,614	---	---	-47,614	---
Subtotal, Fuels and power systems	400,165	---	---	-400,165	---
Natural Gas Technologies	1,996	---	15,000	+13,004	+15,000
Unconventional fossil energy technologies from Petroleum - oil technologies	---	---	---	---	---
Program direction	151,729	159,233	120,847	-30,882	-38,386
Plant and Capital Equipment	19,960	16,794	16,794	-3,166	---
Fossil energy environmental restoration	9,980	7,897	7,897	-2,083	---
Special recruitment programs	699	700	700	+1	---
Cooperative research and development	---	---	---	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Congressionally directed projects	---	---	---	---	---
Use of prior year balances	---	-23,007	-23,007	-23,007	---
Rescission	-140,000	---	---	+140,000	---
TOTAL, FOSSIL ENERGY RESEARCH AND DEVELOPMENT	444,529	452,975	476,993	+32,464	+24,018
NAVAL PETROLEUM AND OIL SHALE RESERVES					
Naval Petroleum and Oil Shale Reserves	22,954	14,909	14,909	-8,045	---
Rescission	-2,100	---	---	+2,100	---
TOTAL, NAVAL PETROLEUM AND OIL SHALE RESERVES	20,854	14,909	14,909	-5,945	---
STRATEGIC PETROLEUM RESERVE					
Strategic Petroleum Reserve	---	192,704	192,704	+192,704	---
Storage facilities development	188,528	---	---	-188,528	---
Management for SPR operations	20,913	---	---	-20,913	---
Rescission	-86,300	-71,000	---	+86,300	+71,000
TOTAL, STRATEGIC PETROLEUM RESERVE	123,141	121,704	192,704	+69,563	+71,000
SPR PETROLEUM ACCOUNT	---	-250,000	-500,000	-500,000	-250,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
CLEAN COAL TECHNOLOGY (RESCISSION)	-16,500	---	---	+16,500	---
NORTHEAST HOME HEATING OIL RESERVE					
Northeast Home Heating Oil Reserve	10,978	10,119	10,119	-859	---
Rescission	---	-100,000	-100,000	-100,000	---
TOTAL, NORTHEAST HOME HEATING OIL RESERVE	10,978	-89,881	-89,881	-100,859	---
ENERGY INFORMATION ADMINISTRATION					
Energy Information Administration	95,409	123,957	105,000	+9,591	-18,957
Rescission	-400	---	---	+400	---
TOTAL, ENERGY INFORMATION ADMINISTRATION	95,009	123,957	105,000	+9,991	-18,957
NON-DEFENSE ENVIRONMENTAL CLEANUP					
Fast Flux Test Reactor Facility (WA)	3,652	2,703	2,703	-949	---
Gaseous Diffusion Plants	99,302	100,588	97,588	-1,714	-3,000
Small sites	63,730	57,430	55,930	-7,800	-1,500
West Valley Demonstration Project	57,666	58,400	56,900	-766	-1,500
Rescission	-900	---	---	+900	---
TOTAL, NON-DEFENSE ENVIRONMENTAL CLEANUP	223,450	219,121	213,121	-10,329	-6,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND					
Oak Ridge	---	182,747	182,747	+182,747	---
Paducah	---	77,780	77,780	+77,780	---
Portsmouth	---	243,642	188,473	+188,473	-55,169
Undistributed funds	506,984	---	---	-506,984	---
Rescission	-9,900	---	---	+9,900	---
TOTAL, UED&D FUND/URANIUM INVENTORY CLEANUP	497,084	504,169	449,000	-48,084	-55,169
SCIENCE					
Advanced scientific computing research	421,997	465,600	427,093	+5,096	-38,507
Basic energy sciences:					
Research	1,526,898	1,833,600	1,547,343	+20,445	-286,257
Construction:					
07-SC-06 Project engineering and design (PED) National Synchrotron light source II (NSLS-II)	151,297	151,400	140,802	-10,495	-10,598
Subtotal, Basic energy sciences	1,678,195	1,985,000	1,688,145	+9,950	-296,855

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Biological and environmental research:					
Biological systems science	316,744	376,262	---	-316,744	-376,262
Climate and environmental sciences	295,079	341,638	---	-295,079	-341,638
Research	---	---	547,075	+547,075	+547,075
Subtotal, Biological and environmental research	611,823	717,900	547,075	-64,748	-170,825
Fusion energy sciences program	375,463	399,700	406,000	+30,537	+6,300
High energy physics:					
Research	795,420	756,200	759,070	-36,350	+2,870
Construction:					
11-SC-40 Project engineering and design (PED) long baseline neutrino experiment, FNAL	---	17,000	15,810	+15,810	-1,190
11-SC-41 Project engineering and design (PED) muon to electron conversion experiment, FNAL	---	24,000	22,320	+22,320	-1,680
Subtotal	---	41,000	38,130	+38,130	-2,870
Subtotal, High energy physics	795,420	797,200	797,200	+1,780	---
Nuclear physics:					
Operations and maintenance	504,186	539,300	512,000	+7,814	-27,300
Construction:					
06-SC-01 Project engineering and design (PED) 12 GeV continuous electron beam accelerator facility upgrade, Thomas Jefferson National					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Accelerator facility (was project 07-SC-001), Newport News, VA	35,928	66,000	40,000	+4,072	-26,000
Subtotal, Nuclear physics	540,114	605,300	552,000	+11,886	-53,300
Workforce development for teachers and scientists	22,600	35,600	17,849	-4,751	-17,751
Science laboratories infrastructure:					
Infrastructure support:					
Payment in lieu of taxes	1,382	1,385	1,385	+3	---
Oak Ridge landlord	5,249	5,493	5,493	+244	---
Subtotal	6,631	6,878	6,878	+247	---
Construction:					
11-SC-70 Utilities upgrade, FNAL	---	---	---	---	---
11-SC-71 Utility infrastructure modernization at TJNAF	---	---	---	---	---
12-SC-70 Science and user support building,SLAC	---	12,086	10,273	+10,273	-1,813
10-SC-70 Research support building and infrastructure modernization, SLAC	40,694	12,024	11,182	-29,512	-842
10-SC-71 Energy sciences building, ANL	14,970	40,000	37,200	+22,230	-2,800
10-SC-72 Renovate science laboratory, Phase II, BNL	14,970	15,500	14,415	-555	-1,085
09-SC-72 Seismic life-safety, modernization and replacement of general purpose buildings Phase 2, PED/Construction, LBNL	20,063	12,975	12,066	-7,997	-909
09-SC-73, Interdisciplinary science building Phase 1, PED, BNL	---	---	---	---	---

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AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
09-SC-74, Technology and engineering development facilities PED, TJNAF	28,419	12,337	11,473	-16,946	-864
Subtotal	119,116	104,922	96,609	-22,507	-8,313
Subtotal, Science laboratories infrastructure	125,747	111,800	103,487	-22,260	-8,313
Safeguards and security	83,786	83,900	83,900	+114	---
Science program direction:					
Science program direction	202,520	216,863	---	-202,520	-216,863
Headquarters	---	---	78,028	+78,028	+78,028
Office of Science and Technical Information	---	---	7,700	+7,700	+7,700
Field offices	---	---	94,272	+94,272	+94,272
Subtotal, Science program direction	202,520	216,863	180,000	-22,520	-36,863
Subtotal, Science	4,857,665	5,418,863	4,802,749	-54,916	-616,114
Rescission	-15,000	---	---	+15,000	---
Congressionally directed projects	---	---	---	---	---
Use of prior year balances	---	-2,749	-2,749	-2,749	---
TOTAL, SCIENCE	4,842,665	5,416,114	4,800,000	-42,665	-616,114

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
NUCLEAR WASTE DISPOSAL					
Repository program	---	---	20,000	+20,000	+20,000
Program direction	---	---	5,000	+5,000	+5,000
Congressionally directed projects	---	---	---	---	---
Rescission	-2,800	---	---	+2,800	---
TOTAL, NUCLEAR WASTE DISPOSAL	-2,800	---	25,000	+27,800	+25,000
ADVANCED RESEARCH PROJECTS AGENCY-ENERGY					
ARPA-E projects	---	521,943	80,000	+80,000	-441,943
Program direction	---	28,068	20,000	+20,000	-8,068
Undistributed funds	179,640	---	---	-179,640	---
TOTAL, ADVANCED RESEARCH PROJECTS AGENCY-ENERGY	179,640	550,011	100,000	-79,640	-450,011
TITLE 17 - INNOVATIVE TECHNOLOGY GUARANTEE PROGRAM					
Administrative operations	58,000	38,000	38,000	-20,000	---
Offsetting collection	-58,000	-38,000	-38,000	+20,000	---
Loan volume rescission	-181,830	---	---	+181,830	---
Additional loan volume	11,830	360,000	---	-11,830	-360,000
Fed participation in Title 17 loan guarantee projects	---	500,000	---	---	-500,000
Additional subsidy cost	169,660	200,000	160,000	-9,660	-40,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
TOTAL, TITLE 17 - INNOVATIVE TECHNOLOGY GUARANTEE PROGRAM	-340	1,060,000	160,000	+160,340	-900,000
ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PGM					
Administrative expenses	9,978	6,000	6,000	-3,978	---
BETTER BUILDINGS PILOT LOAN GUARANTEE INITIATIVE					
Cost of loan guarantees	---	100,000	---	---	-100,000
Administrative costs	---	5,000	---	---	-5,000
TOTAL, BETTER BUILDINGS PILOT LOAN INITIATIVE	---	105,000	---	---	-105,000
DEPARTMENTAL ADMINISTRATION					
Administrative operations:					
Salaries and expenses:					
Office of the Secretary:					
Program direction	5,380	5,030	5,000	-380	-30
Chief Financial Officer	57,575	53,204	52,000	-5,575	-1,204
Management	68,636	62,693	60,000	-8,636	-2,693
Human capital management	25,294	23,089	22,000	-3,294	-1,089
Chief Information Officer	34,238	36,615	35,000	+762	-1,615

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Congressional and intergovernmental affairs:					
Program direction	4,428	4,690	4,500	+72	-190
Office of Indian Energy Policy and Programs	---	---	---	---	---
Subtotal, Congressional and intergovernmental affairs	4,428	4,690	4,500	+72	-190
Economic impact and diversity	4,279	5,660	5,660	+1,381	---
General Counsel	31,997	34,642	30,000	-1,997	-4,642
Policy and international affairs	20,795	22,429	17,000	-3,795	-5,429
Public affairs	4,129	3,801	3,500	-629	-301
Office of Indian energy policy and programs	1,476	1,500	2,000	+524	+500
Subtotal, Salaries and expenses	258,227	253,353	236,660	-21,567	-16,693
Program support:					
Minority economic impact	2,000	1,813	1,813	-187	---
Policy analysis and system studies	671	441	441	-230	---
Environmental policy studies	791	520	250	-541	-270
Climate change technology program (prog. supp)	5,500	5,482	2,500	-3,000	-2,982
Cybersecurity and secure communications	32,072	21,934	21,934	-10,138	---
Corporate management information program	8,333	---	---	-8,333	---
Corporate IT program support (CIO)	---	27,379	27,379	+27,379	---
Energy information technology services	18,310	---	---	-18,310	---
Subtotal, Program support	67,677	57,569	54,317	-13,360	-3,252
Subtotal, Administrative operations	325,904	310,922	290,977	-34,927	-19,945

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Cost of work for others	30,475	48,537	48,537	+18,062	---
Subtotal, Departmental administration	356,379	359,459	339,514	-16,865	-19,945
Funding from other defense activities	-106,240	-118,836	-118,000	-11,760	+836
Total, Departmental administration (gross)	250,139	240,623	221,514	-28,625	-19,109
Rescission	-81,900	---	---	+81,900	---
Miscellaneous revenues	-119,501	-111,883	-111,883	+7,618	---
TOTAL, DEPARTMENTAL ADMINISTRATION (net)	48,738	128,740	109,631	+60,893	-19,109
OFFICE OF THE INSPECTOR GENERAL	42,764	41,774	41,774	-990	---
TOTAL, ENERGY PROGRAMS	9,181,665	12,596,391	8,282,016	-899,649	-4,314,375

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Directed stockpile work:					
Life extension program:					
B61 Life extension program	---	223,562	278,562	+278,562	+55,000
W76 Life extension program	248,249	257,035	255,000	+6,751	-2,035
Subtotal	248,249	480,597	533,562	+285,313	+52,965
Stockpile systems:					
B61 Stockpile systems	---	72,396	72,396	+72,396	---
W76 Stockpile systems	---	63,383	63,383	+63,383	---
W78 Stockpile systems	---	109,518	99,518	+99,518	-10,000
W80 Stockpile systems	---	44,444	44,444	+44,444	---
B83 Stockpile systems	---	48,215	48,215	+48,215	---
W87 Stockpile systems	---	83,943	83,943	+83,943	---
W88 Stockpile systems	---	75,728	75,728	+75,728	---
Undistributed balance	646,203	---	---	-646,203	---
Subtotal	646,203	497,627	487,627	-158,576	-10,000
Weapons dismantlement and disposition:					
Operations and maintenance	57,909	56,770	56,770	-1,139	---
Stockpile services:					
Production support	---	354,502	300,441	+300,441	-54,061
Research and development support	---	30,264	30,264	+30,264	---
R and D certification and safety	---	190,892	165,892	+165,892	-25,000
Management, technology, and production	---	198,700	193,000	+193,000	-5,700
Undistributed balance	932,998	---	---	-932,998	---
Plutonium sustainment	---	154,231	142,231	+142,231	-12,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Subtotal	932,998	928,589	831,828	-101,170	-96,761
Subtotal, Directed stockpile work	1,885,359	1,963,583	1,909,787	+24,428	-53,796
Campaigns:					
Science campaign:					
Advanced certification	76,495	94,929	19,400	-57,095	-75,529
Primary assessment technologies	85,074	86,055	86,055	+981	---
Dynamic materials properties	96,237	111,836	96,984	+747	-14,852
Advanced radiography	23,410	27,058	23,594	+184	-3,464
Secondary assessment technologies	81,303	86,061	86,061	+4,758	---
Subtotal	362,519	405,939	312,094	-50,425	-93,845
Engineering campaign:					
Enhanced surety	42,148	41,696	41,696	-452	---
Weapons system engineering assessment technology	13,443	15,663	15,663	+2,220	---
Nuclear survivability	19,665	19,545	19,545	-120	---
Enhanced surveillance	65,676	66,174	66,174	+498	---
Subtotal	140,932	143,078	143,078	+2,146	---
Inertial confinement fusion ignition and high yield campaign:					
Ignition	109,287	109,888	109,888	+601	---
NIF diagnostics, cryogenics and experimental support	99,651	86,259	86,259	-13,392	---
Pulsed power inertial confinement fusion	4,970	4,997	4,997	+27	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Joint program in high energy density laboratory plasmas	3,992	9,100	4,000	+8	-5,100
Facility operations and target production	259,701	266,030	266,030	+6,329	---
Subtotal	477,601	476,274	471,174	-6,427	-5,100
Advanced simulation and computing	610,995	628,945	616,000	+5,005	-12,945
Readiness campaign:					
Stockpile readiness	18,903	---	---	-18,903	---
High explosives and weapon operations	2,994	---	---	-2,994	---
Nonnuclear readiness	21,820	65,000	---	-21,820	-65,000
Tritium readiness	36,811	77,491	63,591	+26,780	-13,900
Advanced design and production technologies	18,064	---	---	-18,064	---
Subtotal	98,592	142,491	63,591	-35,001	-78,900
Subtotal, Campaigns	1,690,639	1,796,727	1,605,937	-84,702	-190,790
Readiness in technical base and facilities (RTBF):					
Operations of facilities:					
Kansas City Plant	184,199	156,217	156,217	-27,982	---
Lawrence Livermore National Laboratory	79,237	83,990	83,990	+4,753	---
Los Alamos National Laboratory	315,652	318,526	318,526	+2,874	---
Nevada Test Site	79,917	97,559	97,559	+17,642	---
Pantex	121,011	164,848	164,848	+43,837	---
Sandia National Laboratory	116,685	120,708	120,708	+4,023	---
Savannah River Site	91,850	97,767	97,767	+5,917	---
Y-12 Productions Plant	218,715	246,001	246,001	+27,286	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Institutional Site Support	40,888	199,638	10,000	-30,888	-189,638
Subtotal	1,248,154	1,485,254	1,295,616	+47,462	-189,638
Program readiness	69,170	74,180	69,180	+10	-5,000
Material recycle and recovery	69,910	85,939	75,639	+5,729	-10,300
Containers	27,808	28,979	28,979	+1,171	---
Storage	24,028	31,272	31,272	+7,244	---
Construction:					
12-D-301 TRU waste facility project, LANL	---	9,881	---	---	-9,881
11-D-801 TA-55 Reinvestment project II, LANL	19,960	19,402	19,402	-558	---
10-D-501 Nuclear facilities risk reduction Y-12 National security complex, Oakridge, TN	---	35,387	35,387	+35,387	---
09-D-007, LANSCE Reinvestment PED Los Alamos National Lab, Los Alamos, NM	---	---	---	---	---
09-D-404, Test capabilities revitalization II, Sandia National Laboratory, Albuquerque, NM	---	25,168	25,168	+25,168	---
08-D-802 High explosive pressing facility Pantex Plant, Amarillo, TX	29,940	66,960	66,960	+37,020	---
07-D-140 Project engineering and design (PED), various locations	4,990	3,518	3,518	-1,472	---
06-D-140 Project engineering and design (PED), various locations	3,992	---	---	-3,992	---
06-D-141 Project engineering and design (PED), Y-12 Uranium Processing Facility, Oak Ridge,TN	114,786	160,194	160,194	+45,408	---
04-D-125 Chemistry and metallurgy replacement project, Los Alamos National Laboratory, Los Alamos, NM	224,550	300,000	200,000	-24,550	-100,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Subtotal	398,218	620,510	510,629	+112,411	-109,881
Subtotal, Readiness in technical base and facilities	1,837,288	2,326,134	2,011,315	+174,027	-314,819
Secure transportation asset:					
Operations and equipment	152,620	149,274	145,274	-7,346	-4,000
Program direction	94,929	101,998	98,002	+3,073	-3,996
Subtotal	247,549	251,272	243,276	-4,273	-7,996
Nuclear counterterrorism incident response	231,005	222,147	222,147	-8,858	---
Facilities and infrastructure recapitalization pgm	93,296	96,380	96,380	+3,084	---
Site stewardship:					
Site stewardship	89,652	104,002	78,680	-10,972	-25,322
Construction:					
11-D-601 Sanitary effluent reclamation facility LANL	14,970	---	---	-14,970	---
Subtotal, Site stewardship	104,622	104,002	78,680	-25,942	-25,322
Safeguards and security:					
Defense nuclear security	661,602	711,105	679,105	+17,503	-32,000
Construction:					
08-D-701 Nuclear materials S&S upgrade project					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Los Alamos National Laboratory	51,896	11,752	11,752	-40,144	---
Subtotal, Defense nuclear security	713,498	722,857	690,857	-22,641	-32,000
Cybersecurity	123,348	126,614	126,614	+3,266	---
Total, Safeguards and security	836,846	849,471	817,471	-19,375	-32,000
Legacy contractor pensions	---	---	147,000	+147,000	+147,000
Science, technology and engineering capability	19,794	---	---	-19,794	---
National security applications	---	20,000	---	---	-20,000
Congressionally directed projects	---	---	---	---	---
Rescission	-50,000	-40,332	-40,332	+9,668	---
TOTAL, WEAPONS ACTIVITIES	6,896,398	7,589,384	7,091,661	+195,263	-497,723
DEFENSE NUCLEAR NONPROLIFERATION					
Nonproliferation and verification, R&D	360,986	417,598	346,150	-14,836	-71,448
Nonproliferation and international security	147,494	161,833	161,833	+14,339	---
International nuclear materials protection and cooperation	571,994	571,639	496,465	-75,529	-75,174
Fissile materials disposition:					
U.S. plutonium disposition	200,400	274,790	244,690	+44,290	-30,100
U.S. uranium disposition	25,985	26,435	16,435	-9,550	-10,000
Construction:					

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
MOX fuel fabrication facilities:					
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	501,788	385,172	385,172	-116,616	---
99-D-141-01 Pit disassembly and conversion facility, Savannah River, SC	17,000	176,000	20,000	+3,000	-156,000
99-D-141-02 Waste solidification building, Savannah River, SC	57,000	17,582	17,582	-39,418	---
Subtotal, Construction	575,788	578,754	422,754	-153,034	-156,000
Subtotal, U.S. fissle materials disposition	802,173	879,979	683,879	-118,294	-196,100
Russian surplus materials disposition	25	10,174	10,174	+10,149	---
Total, Fissile materials disposition	802,198	890,153	694,053	-108,145	-196,100
Global threat reduction initiative	435,981	508,269	388,269	-47,712	-120,000
Subtotal, Defense Nuclear Nonproliferation	2,318,653	2,549,492	2,086,770	-231,883	-462,722
Rescission	-45,000	-30,000	-30,000	+15,000	---
TOTAL, DEFENSE NUCLEAR NONPROLIFERATION	2,273,653	2,519,492	2,056,770	-216,883	-462,722

NAVAL REACTORS

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Naval reactors development	887,721	1,069,262	498,700	-389,021	-570,562
OHIO replacement reactor systems development	---	---	121,300	+121,300	+121,300
Navel reactors operations and infrastructure	---	---	332,100	+332,100	+332,100
Construction:					
10-D-903, Security upgrades, KAPL	399	100	100	-299	---
10-D-904, NRF infrastructure upgrades, Idaho	499	12,000	12,000	+11,501	---
09-D-902, NRF Office Bldg #2 ECC upgrade, Idaho	3,992	---	---	-3,992	---
08-D-190, Project engineering and design, Expended Core Facility M-290 recovering discharge station, Naval Reactor Facility, ID	24,950	27,800	27,800	+2,850	---
07-D-190, Materials research tech complex (MRTC)	2,695	---	---	-2,695	---
Subtotal, Construction	32,535	39,900	39,900	+7,365	---
Program direction	39,920	44,500	38,600	-1,320	-5,900
Rescission	-1,000	---	---	+1,000	---
TOTAL, NAVAL REACTORS	959,176	1,153,662	1,030,600	+71,424	-123,062
OFFICE OF THE ADMINISTRATOR					
Office of the Administrator	398,993	450,060	420,000	+21,007	-30,060
Rescission	-5,700	---	---	+5,700	---
Congressionally directed projects	---	---	---	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
TOTAL, OFFICE OF THE ADMINISTRATOR	393,293	450,060	420,000	+26,707	-30,060
TOTAL, NATIONAL NUCLEAR SECURITY ADMINISTRATION	10,522,520	11,712,598	10,599,031	+76,511	-1,113,567
DEFENSE ENVIRONMENTAL CLEANUP					
Closure Sites:					
Closure sites administration	175	---	---	-175	---
Closure sites	---	5,375	5,375	+5,375	---
Miamisburg	---	---	---	---	---
Total, Closure sites	175	5,375	5,375	+5,200	---
Hanford Site:					
Central plateau remediation:					
Nuclear material stabilization and disposition PFP	69,102	48,458	68,458	-644	+20,000
Solid waste stabilization and disposition 2035	128,038	143,897	143,897	+15,859	---
Soil and water remediation - groundwater vadose zone 2035	164,628	222,285	222,285	+57,657	---
Nuclear facility D&D - remainder of Hanford 2035	139,640	56,288	56,288	-83,352	---
Subtotal, Central plateau remediation	501,408	470,928	490,928	-10,480	+20,000
River corridor and other cleanup operations:					
Nuclear facility D&D river corridor closure project	351,027	330,534	330,534	-20,493	---
Richland community and regulatory support	19,540	---	---	-19,540	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
SNF stabilization and disposition	94,016	112,250	112,250	+18,234	---
Subtotal, River corridor and other cleanup operations	464,583	442,784	442,784	-21,799	---
Total, Hanford Site	965,991	913,712	933,712	-32,279	+20,000
Idaho National Laboratory:					
SNF stabilization and disposition - 2012	7,900	20,114	20,114	+12,214	---
Solid waste stabilization and disposition	169,760	165,035	165,035	-4,725	---
Radioactive liquid tank waste stabilization and disposition	136,850	110,169	110,169	-26,681	---
06-D-401, Sodium bearing waste treatment project, ID	12,500	---	---	-12,500	---
Soil and water remediation - 2012	67,764	87,451	87,451	+19,687	---
Nuclear facility D&D	---	---	---	---	---
Idaho community and regulatory support	3,892	---	---	-3,892	---
Total, Idaho National Laboratory	398,666	382,769	382,769	-15,897	---
NNSA:					
Lawrence Livermore National Laboratory	---	873	873	+873	---
NNSA Service Center/SPRU	---	1,500	1,500	+1,500	---
Nevada	---	63,380	61,380	+61,380	-2,000
California site support	---	---	---	---	---
Los Alamos National Laboratory	---	357,939	185,000	+185,000	-172,939
Undistributed funds	309,041	---	---	-309,041	---
Total, NNSA sites and Nevada off-sites	309,041	423,692	248,753	-60,288	-174,939

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Oak Ridge Reservation:					
Building 3019	---	---	---	---	---
Nuclear facility D&D ORNL	---	44,000	39,000	+39,000	-5,000
Nuclear facility D&D Y-12	---	30,000	30,000	+30,000	---
Nuclear facility D&D, E. Tenn. Technology Park	---	100	100	+100	---
Soil and water remediation--offsites	---	3,000	3,000	+3,000	---
OR reservation community & regulatory support	---	---	---	---	---
Solid waste stabilization and disposition - 2012	---	99,000	84,000	+84,000	-15,000
Undistributed funds	152,135	---	---	-152,135	---
Total, Oak Ridge Reservation	152,135	176,100	156,100	+3,965	-20,000
Office of River Protection:					
Waste Treatment & Immobilization Plant:					
Waste treatment & immobilization plant 01-D-16 A-D	379,418	363,000	363,000	-16,418	---
Waste treatment & immobilization plant 01-D-16 E	359,280	477,000	377,000	+17,720	-100,000
Subtotal, Waste Treatment and Immobilation Plant	738,698	840,000	740,000	+1,302	-100,000
Tank Farm activities:					
Rad liquid tank waste stabilization and disposition	396,900	521,391	408,000	+11,100	-113,391
Total, Office of River Protection	1,135,598	1,361,391	1,148,000	+12,402	-213,391
Savannah River site:					
Cleanup and waste disposition:					
Savannah River community and regulatory support	17,230	---	---	-17,230	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Site risk management operations:					
NM stabilization and disposition	261,302	235,000	235,000	-26,302	---
SNF stabilization and disposition	28,327	40,137	40,137	+11,810	---
Solid waste stabilization and disposition	---	30,040	30,040	+30,040	---
Radioactive liquid tank waste stabilization and disposition	631,122	710,487	667,081	+35,959	-43,406
Construction:					
05-D-405 Salt waste processing facility, Savannah River	234,403	170,071	170,071	-64,332	---
Subtotal, Radioactive liquid tank waste	865,525	880,558	837,152	-28,373	-43,406
Soil and water remediation	---	38,409	38,409	+38,409	---
Subtotal, Site risk management operations	1,155,154	1,224,144	1,180,738	+25,584	-43,406
Total, Savannah River site	1,172,384	1,224,144	1,180,738	+8,354	-43,406
Waste Isolation Pilot Plant	215,714	228,926	220,000	+4,286	-8,926
Program direction	320,006	321,628	316,948	-3,058	-4,680
Program support	21,101	---	---	-21,101	---
Community, regulatory and program support	---	91,279	89,779	+89,779	-1,500
Safeguards and Security	247,781	248,826	248,826	+1,045	---
Technology development	19,413	32,320	10,000	-9,413	-22,320
Uranium enrichment D&D fund contribution	33,633	---	---	-33,633	---
Subtotal, Defense Environmental Clean up	4,991,638	5,410,162	4,941,000	-50,638	-469,162

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Use of prior year balances	---	-3,381	-3,381	-3,381	---
Rescission	-11,900	---	---	+11,900	---
TOTAL, DEFENSE ENVIRONMENTAL CLEAN UP	4,979,738	5,406,781	4,937,619	-42,119	-469,162
OTHER DEFENSE ACTIVITIES					
Health, safety and security:					
Health, safety and security	---	349,445	332,039	+332,039	-17,406
Program direction	---	107,037	99,369	+99,369	-7,668
Undistributed funds	426,933	---	---	-426,933	---
Total, Health, safety and security	426,933	456,482	431,408	+4,475	-25,074
Office of Legacy Management:					
Legacy management	159,117	157,514	155,014	-4,103	-2,500
Program direction	12,504	12,586	12,086	-418	-500
Total, Office of Legacy Management	171,621	170,100	167,100	-4,521	-3,000
Defense-related activities:					
Infrastructure:					
Idaho sitewide safeguards and security	77,550	98,500	93,350	+15,800	-5,150
Defense related administrative support	106,240	118,836	118,000	+11,760	-836
Office of hearings and appeals	6,076	4,142	4,142	-1,934	---
Acquisition workforce improvement	---	11,892	---	---	-11,892

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Subtotal, Other Defense Activities	788,420	859,952	814,000	+25,580	-45,952
Rescission	-3,400	---	---	+3,400	---
TOTAL, OTHER DEFENSE ACTIVITIES	785,020	859,952	814,000	+28,980	-45,952
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES	16,287,278	17,979,331	16,350,650	+63,372	-1,628,681
POWER MARKETING ADMINISTRATIONS (1)					
SOUTHEASTERN POWER ADMINISTRATION					
Operation and maintenance:					
Purchase power and wheeling	85,264	114,870	114,870	+29,606	---
Program direction	7,638	8,428	8,428	+790	---
Subtotal, Operation and maintenance	92,902	123,298	123,298	+30,396	---
Less alternative financing (PPW)	-14,458	-14,708	-14,708	-250	---
Offsetting collections	-78,444	-108,590	-108,590	-30,146	---
TOTAL, SOUTHEASTERN POWER ADMINISTRATION	---	---	---	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
SOUTHWESTERN POWER ADMINISTRATION					
Operation and maintenance:					
Operating expenses	14,918	14,346	14,346	-572	---
Purchase power and wheeling	48,000	50,000	50,000	+2,000	---
Program direction	27,432	31,889	31,889	+4,457	---
Construction	6,386	10,772	10,772	+4,386	---
Subtotal, Operation and maintenance	96,736	107,007	107,007	+10,271	---
Less alternative financing	-13,818	-21,997	-21,997	-8,179	---
Offsetting collections	-69,868	-73,118	-73,118	-3,250	---
TOTAL, SOUTHWESTERN POWER ADMINISTRATION	13,050	11,892	11,892	-1,158	---
WESTERN AREA POWER ADMINISTRATION					
Operation and maintenance:					
Construction and rehabilitation	109,887	110,449	110,449	+562	---
Operation and maintenance	50,526	72,863	72,863	+22,337	---
Purchase power and wheeling	542,510	471,535	471,535	-70,975	---
Program direction	171,582	205,247	205,247	+33,665	---
Utah mitigation and conservation	7,569	3,375	3,375	-4,194	---
Subtotal, Operation and maintenance	882,074	863,469	863,469	-18,605	---
Less alternative financing	-271,895	-266,207	-266,207	+5,688	---
Offsetting collections (P.L. 108-477, P.L. 109-103)	-349,807	-306,541	-306,541	+43,266	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Offsetting collections (P.L. 98-381).....	-3,879	-4,821	-4,821	-942	---
Offsetting collections (for program direction).....	---	-156,609	-156,609	-156,609	---
Offsetting collections (for O&M).....	---	-33,323	-33,323	-33,323	---
Offsetting collections (for program direction, O&M).	-147,530	---	---	+147,530	---
TOTAL, WESTERN AREA POWER ADMINISTRATION.....	108,963	95,968	95,968	-12,995	---
FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND					
Operation and maintenance.....	3,715	4,169	4,169	+454	---
Offsetting collections.....	-3,495	-3,949	-3,949	-454	---
TOTAL, FALCON AND AMISTAD O&M FUND.....	220	220	220	---	---
TOTAL, POWER MARKETING ADMINISTRATIONS.....	122,233	108,080	108,080	-14,153	---
FEDERAL ENERGY REGULATORY COMMISSION					
Federal Energy Regulatory Commission.....	298,000	304,600	304,600	+6,600	---
FERC revenues.....	-298,000	-304,600	-304,600	-6,600	---
GRAND TOTAL, DEPARTMENT OF ENERGY.....	25,591,176	30,683,802	24,740,746	-850,430	-5,943,056
(Total amount appropriated).....	(26,285,806)	(30,925,134)	(24,911,078)	(-1,374,728)	(-6,014,056)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
(Rescissions)	(-694,630)	(-241,332)	(-170,332)	(+524,298)	(+71,000)

SUMMARY OF ACCOUNTS

Energy efficiency and renewable energy	1,795,641	3,200,053	1,304,636	-491,005	-1,895,417
Electricity delivery and energy reliability	141,010	237,717	139,496	-1,514	-98,221
Nuclear energy	725,824	754,028	733,633	+7,809	-20,395
Fossil Energy Research and Development	444,529	452,975	476,993	+32,464	+24,018
Naval Petroleum & Oil Shale Reserves	20,854	14,909	14,909	-5,945	---
Strategic petroleum reserves	123,141	121,704	192,704	+69,563	+71,000
SPR Petroleum Account	---	-250,000	-500,000	-500,000	-250,000
Clean coal technology (rescission)	-16,500	---	---	+16,500	---
Northeast home heating oil reserve	10,978	-89,881	-89,881	-100,859	---
Energy Information Administration	95,009	123,957	105,000	+9,991	-18,957
Non-Defense Environmental Cleanup	223,450	219,121	213,121	-10,329	-6,000
Uranium enrichment D&D fund	497,084	504,169	449,000	-48,084	-55,169
Science	4,842,665	5,416,114	4,800,000	-42,665	-616,114
Nuclear waste disposal	-2,800	---	25,000	+27,800	+25,000
Advanced Research Projects Agency-Energy	179,640	550,011	100,000	-79,640	-450,011
Innovative technology loan guarantee program	-340	1,060,000	160,000	+160,340	-900,000
Advanced technology vehicles manufacturing loan pgm	9,978	6,000	6,000	-3,978	---
Better buildings program	---	105,000	---	---	-105,000
Departmental administration	48,738	128,740	109,631	+60,893	-19,109
Office of the Inspector General	42,764	41,774	41,774	-990	---

Atomic energy defense activities:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Nuclear Security Administration:					
Weapons activities	6,896,398	7,589,384	7,091,661	+195,263	-497,723
Defense nuclear nonproliferation	2,273,653	2,519,492	2,056,770	-216,883	-462,722
Naval reactors	959,176	1,153,662	1,030,600	+71,424	-123,062
Office of the Administrator	393,293	450,060	420,000	+26,707	-30,060
Subtotal, National Nuclear Security Admin	10,522,520	11,712,598	10,599,031	+76,511	-1,113,567
Defense environmental cleanup	4,979,738	5,406,781	4,937,619	-42,119	-469,162
Other defense activities	785,020	859,952	814,000	+28,980	-45,952
Total, Atomic energy defense activities	16,287,278	17,979,331	16,350,650	+63,372	-1,628,681
Power marketing administrations (1):					
Southeastern Power Administration	---	---	---	---	---
Southwestern Power Administration	13,050	11,892	11,892	-1,158	---
Western Area Power Administration	108,963	95,968	95,968	-12,995	---
Falcon and Amistad operating and maintenance fund	220	220	220	---	---
Total, Power marketing administrations	122,233	108,080	108,080	-14,153	---
Federal Energy Regulatory Commission:					
Salaries and expenses	298,000	304,600	304,600	+6,600	---
Revenues	-298,000	-304,600	-304,600	-6,600	---
Total Summary of Accounts, Department of Energy	25,591,176	30,683,802	24,740,746	-850,430	-5,943,056

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
FUNCTION RECAP:					
DEFENSE	13,378,473	17,501,579	15,881,824	+2,503,351	-1,619,755
NON-DEFENSE	12,212,703	13,182,223	8,858,922	-3,353,781	-4,323,301
Environmental management	(5,700,272)	(6,130,071)	(5,599,740)	(-100,532)	(-530,331)
DEFENSE RELATED	(4,979,738)	(5,406,781)	(4,937,619)	(-42,119)	(-469,162)
NON-DEFENSE	(720,534)	(723,290)	(662,121)	(-58,413)	(-61,169)
Nuclear waste disposal	(-2,800)	---	(25,000)	(+27,800)	(+25,000)
DEFENSE RELATED	---	---	---	---	---
NON-DEFENSE	(-2,800)	---	(25,000)	(+27,800)	(+25,000)

(1) Totals include alternative financing costs, reimbursable agreement funding, and power purchase and wheeling expenditures. Offsetting collection totals reflect funds collected for annual expenses, including power purchase and wheeling.

GENERAL PROVISIONS, DEPARTMENT OF ENERGY

(INCLUDING TRANSFERS OF FUNDS)

The bill contains a provision prohibiting the use of funds for new programs or to prepare or initiate requests for proposals or other solicitations or arrangements, or for programs that have not yet been fully funded by the Congress; and providing that none of the funds may be available for obligation or expenditure through a reprogramming of funds except in certain circumstances.

The bill continues a provision that prohibits the use of funds in this title to augment funding made available for severance payments, other benefits, or community assistance grants for employees of the Department of Energy, or to develop or implement a workforce restructuring plan that covers Department employees.

The bill continues a provision that permits the transfer and merger of unexpended balances of prior appropriations with appropriation accounts established in this bill.

The bill continues a provision restricting certain Bonneville Power Administration activities.

The bill continues a provision directing the governance of user facilities.

The bill continues a provision that authorizes intelligence activities of the Department of Energy for purposes of section 504 of the National Security Act of 1947.

The bill continues a provision that establishes certain limitations and requirements with respect to the transfer of funds by the Secretary of Energy to reimburse the costs of defined benefits pension plans for contractor employees.

The bill contains a provision that prohibits the use of funds in this title for capital construction of high hazard nuclear facilities, unless certain independent oversight is conducted.

The bill contains a provision establishing estimated cost parameters for plant and construction activities for the purposes of sections 4703 and 4704 of the Atomic Energy Defense Act.

The bill contains a provision that prohibits the use of funds provided in this title to approve critical decision–2 or critical decision–3 for certain construction projects, unless a separate independent cost estimate has been developed for that critical decision.

The bill continues a provision that establishes certain notification requirements that must be fulfilled before any funds in this title may be used to make certain awards, allocations, agreements, or public announcements.

The bill contains a provision prohibiting the use of funds to make a conditional loan guarantee award unless the Secretary of Energy notifies the Committees on Appropriations of the Senate and the House of Representatives at least three full business days in advance of such award.

The bill contains a provision prohibiting the Department of Energy from enforcing any significant regulatory actions without providing 30 days notice to the Committee on Appropriations.

TITLE IV—INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

Appropriation, 2011	$68,263,000
Budget estimate, 2012	76,000,000
Recommended, 2012	68,400,000
Comparison:	
Appropriation, 2011	+137,000
Budget estimate, 2012	−7,600,000

The Appalachian Regional Commission (ARC) is a regional economic development agency established in 1965. It is comprised of the governors of the 13 Appalachian States and a federal co-chair appointed by the President. The Committee recommendation for the ARC is $68,400,000, $137,000 above fiscal year 2011 and $7,600,000 below the budget request.

The ARC targets 50 percent of its funds to distressed counties or distressed areas in the Appalachian region. The Committee continues to believe this should be the primary focus of the ARC.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Appropriation, 2011	$23,203,000
Budget estimate, 2012	29,130,000
Recommended, 2012	29,130,000
Comparison:	
Appropriation, 2011	+5,927,000
Budget estimate, 2012	—

The Defense Nuclear Facilities Safety Board (DNFSB) was created by the fiscal year 1989 National Defense Authorization Act. The Board, composed of five members appointed by the President, provides advice and recommendations to the Secretary of Energy regarding public health and safety issues at the Department's defense nuclear facilities. The DNFSB is responsible for reviewing and evaluating the content and implementation of the standards relating to the design, construction, operation, and the Department of Energy's decommissioning of defense nuclear facilities. The Committee expects the DNFSB to continue to play a significant role in scrutinizing the Department's safety and security activities, including the reform initiatives underway in the Department that may impact projects under its jurisdiction.

The Committee recommendation for fiscal year 2012 is $29,130,000, $5,927,000 above fiscal year 2011 and the same as the request.

DELTA REGIONAL AUTHORITY

Appropriation, 2011	$11,677,000
Budget estimate, 2012	13,000,000
Recommended, 2012	11,700,000
Comparison:	
Appropriation, 2011	+23,000
Budget estimate, 2012	−1,300,000

The Delta Regional Authority (DRA) is a federal-state partnership serving a 252-county/parish area in an eight-state region near the mouth of the Mississippi River. Led by a federal co-chair and the governors of each participating state, the DRA is designed to remedy severe and chronic economic distress by stimulating economic development and fostering partnerships that will have a

positive impact on the region's economy. The DRA seeks to help local communities leverage other federal and state programs, which are focused on basic infrastructure development, transportation improvements, business development and job training services. Under federal law, at least 75 percent of appropriated funds must be invested in distressed counties and parishes, with 50 percent of the funds earmarked for transportation and basic infrastructure improvements.

For fiscal year 2012 the Committee recommends $11,700,000, $23,000 above fiscal year 2011 and $1,300,000 below the request.

DENALI COMMISSION

Appropriation, 2011	−$4,321,000
Budget estimate, 2012	11,965,000
Recommended, 2012	10,700,000
Comparison:	
Appropriation, 2011	+15,021,000
Budget estimate, 2012	−1,265,000

The Denali Commission is a regional development agency established in 1998 to provide critical utilities, infrastructure, health services and economic support throughout Alaska. To ensure that local communities have a stake in Commission-funded projects, local cost-share requirements for construction and equipment have been established for both distressed and non-distressed communities.

For the cost of the Commission's operations in fiscal year 2012, the Committee recommends $10,700,000, $15,021,000 above fiscal year 2011 and $1,265,000 below the budget request. After accounting for a one-time rescission of $15,000,000 in fiscal year 2011, the recommendation is $21,000 above fiscal year 2011.

NORTHERN BORDER REGIONAL COMMISSION

Appropriation, 2011	$1,497,000
Budget estimate, 2012	1,500,000
Recommended, 2012	1,350,000
Comparison:	
Appropriation, 2011	−147,000
Budget estimate, 2012	−150,000

The Food, Conservation, and Energy Act of 2008 (Public Law 110–234) authorized the establishment of the Northern Border Regional Commission (NBRC) as a federal-state partnership intended to address the economic development needs of distressed portions of the four-state region of Maine, New Hampshire, Vermont and New York. In the current fiscal year, the NBRC's federal co-chair has taken preliminary steps to begin operations of the new Commission. The Committee has continued legislative language addressing the Commission's administrative expenses.

The Committee recommends $1,350,000 to support the Commission's activities in fiscal year 2012, $147,000 below fiscal year 2011 and $150,000 below the budget request.

SOUTHEAST CRESCENT REGIONAL COMMISSION

Appropriation, 2011	$250,000
Budget estimate, 2012	—
Recommended, 2012	250,000
Comparison:	
Appropriation, 2011	—
Budget estimate, 2012	+250,000

The Food, Conservation, and Energy Act of 2008 (Public Law 110–234) authorized the establishment of the Southeast Crescent Regional Commission as a federal-state partnership intended to address the economic development needs of distressed portions of the southeastern United States not already served by a regional development agency.

The Committee recommends $250,000 for operations of the commission in fiscal year 2012, the same as fiscal year 2011 and $250,000 above the budget request.

NUCLEAR REGULATORY COMMISSION

GROSS APPROPRIATION

Appropriation, 2011	$1,043,208,000
Budget estimate, 2012	1,027,240,000
Recommended, 2012	1,027,240,000
Comparison:	
Appropriation, 2011	−15,968,000
Budget estimate, 2012	—

REVENUES

Appropriation, 2011	−$906,220,000
Budget estimate, 2012	−899,726,000
Recommended, 2012	−890,713,000
Comparison:	
Appropriation, 2011	+15,507,000
Budget estimate, 2012	+9,013,000

NET APPROPRIATION

Appropriation, 2011	$136,988,000
Budget estimate, 2012	127,514,000
Recommended, 2012	136,527,000
Comparison:	
Appropriation, 2011	−461,000
Budget estimate, 2012	+9,013,000

The Committee recommendation for the Nuclear Regulatory Commission (NRC) salaries and expenses for fiscal year 2012 is $1,027,240,000, $15,968,000 below fiscal year 2011 and the same as the request. The total amount of budget authority is offset by estimated revenues of $890,713,000, $15,507,000 less than fiscal year 2011 and $9,013,000 less than the request. Including revenues, the net appropriation for the Nuclear Regulatory Commission is $136,527,000.

The recommendation includes $10,000,000 to be derived from the Nuclear Waste Fund, $10,000,000 above the request. This funding may only be used to continue the Yucca Mountain license application. A general provision is included to prohibit any funding in this bill from being used to bring the Yucca Mountain license application to a close until the Commission reverses the Atomic Safety and Licensing Board decision LBP–10–11. In addition, to improve

consistency across accounts the Committee has established the salaries and other support costs of the Commissioners in legislative language. Further, the Committee carries language limiting the circumstances under which the NRC may reprogram funds.

In order to improve transparency and accountability to the taxpayer, the Committee has determined that the NRC's program lines will serve as control points for reprogramming notifications, as shown in the following table.

The Committee recommendation will support the following activities:

Nuclear Reactor Safety	$796,800,000
Operating Reactors	521,300,000
New Reactors	275,500,000
Nuclear Materials & Waste Safety	230,440,000
Fuel Facilities	55,200,000
Nuclear Materials Users	92,100,000
Spent Fuel Storage and Transportation	35,240,000
Decommissioning and Low-Level Waste	37,900,000
High-Level Waste Repository	10,000,000

The United States has relied on the NRC to ensure the protection of the health, safety and security of the public and the environment. Throughout its history, the agency has conducted this work in an independent and professional manner and has thus enjoyed the strong and consistent support of the Congress and the trust of the general public. At no time has the need for such an agency, with such a reputation, been more important. The NRC must be able to continue to work effectively, and apolitically, to provide the public assurance that our nuclear plants, current and future, are safe and effective.

However, in recent months, the Committee has become aware of issues that may be impacting the ability of the agency to function as intended by the Congress. By law, the Commission, headed by the Chairman, is charged with leading the agency on a collegial basis. Recent reports suggest that significant issues are not being decided by the Commission in the manner expected by the Congress and required by law—in some cases because the agency's technical staff have been impeded from presenting issues for Commission review. There have also been suggestions that the work of the agency may have been influenced inappropriately by political considerations.

Given the heavy workload of the agency and the need to assure its proper functioning in the face of the nation's continuing and growing need for safe and reliable nuclear energy, the Committee finds these reports very troubling. As the head of the Commission, the Chairman has the responsibility to take whatever actions are necessary to remedy any appearance of partisanship or political interference in regulatory matters.

The Yucca Mountain license application, and the Chairman's unilateral use of "administrative means" to halt its consideration, are at the heart of this debate. The Congress has been clear both through legislation and through repeated votes that the Yucca Mountain license application process should be completed. The bill includes language to curb the use of "administrative means" to terminate programs.

Small Modular Reactors.—The Committee expects the NRC to engage the Department of Energy on small modular reactors as the

Department begins its engineering support program for the licensing of two small modular reactor designs. Through cooperation and active engagement, the NRC can help ensure that technical issues involved in licensing can be identified and resolved as early as possible.

Integrated University Program.—From within available funds, the Committee recommends $15,000,000 to provide financial support for the university education programs relevant to the NRC mission, as the Commission continues to be reliant on a pipeline of highly trained nuclear engineers and scientists and benefits substantially from this university program. Not less than $5,000,000 of this amount will be used for grants to support research projects that do not align with programmatic missions, but are critical to maintaining the discipline of nuclear science and engineering.

Reporting Requirements.—The Committee directs the Commission to continue to provide semi-annual reports on the status of its licensing and other regulatory activities.

Committee is encouraged by the ongoing pre-application activities for licensing of advanced reactors. The Committee requests that NRC submit a report no later than June 30, 2012 that includes the following as a minimum: 1) the anticipated advanced reactor licensing scope over the next one to two decades; 2) the overall R & D activities that should be conducted to support NRC reviews in anticipation of the advanced reactor licensing scope, including updating and extending national consensus standards; 3) the projected resource requirements for both experienced personnel and development facilities to support NRC for the anticipated scope of advanced reactor licensing; and 4) the overall plan for using and sharing the limited resources between industry and government including use of the facilities and personnel at the National Laboratories and elsewhere within government and within industry.

OFFICE OF INSPECTOR GENERAL

GROSS APPROPRIATION

Appropriation, 2011	$10,858,000
Budget estimate, 2012	10,860,000
Recommended, 2012	10,860,000
Comparison:	
Appropriation, 2011	+2,000
Budget estimate, 2012	—

REVENUES

Appropriation, 2011	−$9,774,000
Budget estimate, 2012	−9,774,000
Recommended, 2012	−9,774,000
Comparison:	
Appropriation, 2011	—
Budget estimate, 2012	—

NET APPROPRIATION

Appropriation, 2011	$1,084,000
Budget estimate, 2012	1,086,000
Recommended, 2012	1,086,000
Comparison:	
Appropriation, 2011	+2,000
Budget estimate, 2012	—

The Committee recommends an appropriation of $10,860,000, $2,000 above fiscal year 2011 and the same as the budget request. Given the formula for fee recovery, the revenue estimate is $9,774,000, resulting in a net appropriation for the Nuclear Regulatory Commission Inspector General of $1,086,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

Appropriation, 2011	$3,883,000
Budget estimate, 2012	3,400,000
Recommended, 2012	3,400,000
Comparison:	
Appropriation, 2011	−483,000
Budget estimate, 2012	—

The Nuclear Waste Technical Review Board (NWTRB) was established by the 1987 amendments to the Nuclear Waste Policy Act of 1982 to provide independent technical oversight of the Department of Energy's nuclear waste disposal program. The Committee expects the NWTRB to be actively engaged with the Department, the Blue Ribbon Commission on America's Nuclear Future, and the Nuclear Regulatory Commission on issues involving nuclear waste disposal. The NWTRB should also provide support to the Department of Energy and Nuclear Regulatory Commission's efforts to archive and preserve all Yucca Mountain-related documents and physical materials of scientific value.

The Committee recommends an appropriation of $3,400,000 for the NWTRB in fiscal year 2012, $483,000 below fiscal year 2011 and the same as the budget request.

OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

Appropriation, 2011	$4,457,000
Budget estimate, 2012	4,032,000
Recommended, 2012	4,032,000
Comparison:	
Appropriation, 2011	−425,000
Budget estimate, 2012	—

The Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects was established as an independent agency in the Executive Branch on December 13, 2006, pursuant to the Alaska Natural Gas Pipeline Act of 2004. The Federal Coordinator is responsible for coordinating local, federal, and international activities for a natural gas transportation project, including facilitating the permitting process, as well as joint surveillance and monitoring of construction with the State of Alaska. A North American natural gas pipeline would be an important step towards energy independence for the United States, as it could deliver significant domestic natural gas supply to the lower 48 states.

The Committee recommends an appropriation of $4,032,000 to support the activities of this office in fiscal year 2012, $425,000 below fiscal year 2011 and the same as the budget request.

TENNESSEE VALLEY AUTHORITY

Established in 1933, the Tennessee Valley Authority (TVA) was created as a Government-owned corporation for the coordinated development of water and power programs among seven states in the

Tennessee Valley. The TVA finances its program primarily from proceeds available from current power operations and borrowings against future power revenues.

NNSA Tritium Program.—The Committee directs the Tennessee Valley Authority to bill the National Nuclear Security Administration (NNSA) on a quarterly basis for the work supporting the NNSA's tritium program.

Reports.—The Committee directs the Inspector General to forward copies of all audit and inspection reports to the Committee immediately after they are issued, and immediately make the Committee aware of any review that recommends cancellation of, or modification to, any major acquisition project or grant, or which recommends significant budgetary savings. The Inspector General is also directed to withhold from public distribution for a period of 15 days any final audit or investigation report that was requested by the House Committee on Appropriations.

GENERAL PROVISION, INDEPENDENT AGENCIES

The bill contains a provision regarding the Nuclear Regulatory Commission that prohibits the obligation or expenditure of funds through a reprogramming of funds in this title except in certain circumstances.

TITLE V—EMERGENCY SUPPLEMENTAL FUNDING FOR DISASTER RELIEF

(including transfers and rescission of funds)

The Committee recommends $376,000 for "Army Corps of Engineers—Civil, Construction" to repair damages caused by the storm and flood events occurring in 2011.

The Committee recommends $589,505,000 for "Army Corps of Engineers—Civil, Mississippi River and Tributaries" to repair damages caused by the storm and flood events occurring in 2011.

The Committee recommends $204,927,000 for "Army Corps of Engineers—Civil, Operation and Maintenance" to repair damages caused by the storm and flood events occurring in 2011.

The Committee recommends $233,876,400 for "Army Corps of Engineers—Civil, Flood Control and Coastal Emergencies" to repair damages caused by the storm and flood events occurring in 2011.

Beginning not later than one week after enactment of this Act, the Chief of Engineers shall provide a weekly report detailing the allocation and obligation of these funds to the Committees on Appropriation of the House of Representatives and the Senate.

Funds for the Army Corps of Engineers in this section are made available by transfer from emergency funds appropriated for "Department of Transportation—Federal Railroad Administration—Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service" by title XII of Public Law 111–5. Remaining funds in excess of those transferred are rescinded.

TITLE VI—GENERAL PROVISIONS

The bill continues a provision that prohibits the use of funds provided in this Act to, in any way, directly or indirectly, to influence

congressional action on any legislation or appropriation matters pending before the Congress, other than to communicate to Members of Congress as described in section 1913 of Title 18, United States Code.

The bill continues a provision that prohibits the transfer of funds provided in this Act to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in this Act or any other Act.

The bill contains a provision prohibiting funds in this Act to be provided in contravention of section 6(b) of the Iran Sanctions Act.

The bill contains a provision prohibiting funds in this bill from being used to close the Yucca Mountain license application process until a specific condition is met or for actions that would remove the possibility that Yucca Mountain might be an option in the future.

The bill contains a provision requiring new federal hires to be vetted through the E-Verify Program.

The bill contains a provision prohibiting funds for contracts or agreements with entities with unpaid Federal tax liabilities that have not entered into payment agreements to remedy the liability.

The bill contains a provision prohibiting the government from entering into contracts or agreements with any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months.

The bill contains a provision setting at $0 the amount that the proposed new budget authority in this recommendation exceeds the allocation made by the Committee on Appropriations under section 302(b) of the Congressional Budget Act of 1974.

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

Pursuant to Section 6(e) of the rules of the Committee on Appropriations of the House of Representatives, the following statement is submitted regarding the specific powers granted to the Congress in the Constitution to enact the accompanying bill or joint resolution.

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defense and general Welfare of the United States . . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting the Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

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

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

TRANSFER OF FUNDS

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

TITLE I—CORPS OF ENGINEERS—CIVIL

Under section 108, "General Provisions, Corps of Engineers—Civil", up to $100,000,000 of "Flood Control and Coastal Emergencies" funding appropriated in Public Law 109–234 and Public Law 110–252, and up to $75,000,000 of funding under the same heading appropriated in Public Law 110–28 and Public Law 110–329, may be transferred to the Construction' account, consistent with cost share requirements.

Under section 108, "General Provisions, Corps of Engineers—Civil", up to $3,800,000 of funds under the heading 'Operation and Maintenance' may be transferred to the Fish and Wildlife Service to mitigate for fisheries lost due to Corps projects.

TITLE II—BUREAU OF RECLAMATION

Under "Water and Related Resources", $10,698,000 is available for transfer to the Upper Colorado River Basin Fund and $6,136,000 is available for transfer to the Lower Colorado River Basin Development Fund. Such funds as may be necessary may be advanced to the Colorado River Dam Fund. The amounts of transfers may be increased or decreased within the overall appropriation under the heading.

Under 'California Bay Delta Restoration', such sums as may be necessary to carry out authorized purposes may be transferred to appropriate accounts of other participating federal agencies.

TITLE III—DEPARTMENT OF ENERGY

Under section 303, 'General Provisions—Department of Energy', unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established pursuant to this title. Balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

Under section 308, 'General Provisions—Department of Energy', the Secretary of Energy may transfer up to one percent of specific appropriations to cover additional requirements for the Department's pension obligations.

TITLE V—EMERGENCY SUPPLEMENTAL FUNDING FOR DISASTER RELIEF

Funds for the Army Corps of Engineers in the amount of $1,028,684,400 are made available by transfer from emergency funds appropriated for "Department of Transportation—Federal Railroad Administration—Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service" by title XII of Public Law 111–5.

DISCLOSURE OF EARMARKS AND CONGRESSIONALLY DIRECTED SPENDING ITEMS

Neither the bill nor the report contains any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

CHANGES IN THE APPLICATION OF EXISTING LAW

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

TITLE I—CORPS OF ENGINEERS

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

Language has been included under Corps of Engineers, Investigations, stating that amounts for projects and activities be expended as specified in the text and tables in the accompanying report.

Language has been included under Corps of Engineers, Construction, stating that funds can be used for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law, and for detailed studies and plans and specifications of such projects.

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

Language has been included under Corps of Engineers, Construction, rescinding prior-year funds that were not designated by the Congress as emergency funding.

Language has been included under Corps of Engineers, Construction, stating that amounts for projects and activities be expended as specified in the text and tables in the accompanying report.

Language has been included under Corps of Engineers, Mississippi River and Tributaries, permitting the use of funds from the Harbor Maintenance Trust Fund.

Language has been included under Corps of Engineers, Mississippi River and Tributaries, stating that amounts for projects and activities be expended as specified in the text and tables in the accompanying report.

Language has been included under the Corps of Engineers, Operation and Maintenance, stating that funds can be used for: The op-

eration, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining authorized harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation.

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

Language has been included under Corps of Engineers, Operation and Maintenance, providing that one percent of the total amount of funds provided for each of the programs, projects, or activities funded under the Operation and Maintenance heading shall not be allocated to a field operating activity until the fourth quarter of the fiscal year and permitting the use of these funds for emergency activities as determined by the Chief of Engineers to be necessary and appropriate.

Language has been included under Corps of Engineers, Operation and Maintenance, stating that amounts for projects and activities be expended as specified in the text and tables in the accompanying report.

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

Language has been included under Corps of Engineers, Expenses, providing that funds are available for official reception and representation expenses.

Language has been included under Corps of Engineers, Expenses, prohibiting the use of other funds in Title I of this Act for the activities funded in Expenses.

Language has been included under Corps of Engineers, Expenses, permitting any Flood Control and Coastal Emergency appropriation to be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane or other natural disaster.

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

Language has been included under Corps of Engineers, Administrative Provision, providing for the purchase and hire of motor vehicles.

Language has been included under Corps of Engineers, General Provisions, section 101, providing that none of the funds may be available for obligation or expenditure through a reprogramming of funds except in certain circumstances.

Language has been included under Corps of Engineers, General Provisions, section 102, prohibiting the use of funds provided under this Act or previous Acts for implementation of A–76 or High Performing Organizations competitive sourcing actions.

Language has been included under Corps of Engineers, General Provisions, section 103, prohibiting the execution of any contract for a program, project or activity which commits funds in excess of the amount appropriated (to include funds reprogrammed under section 101) that remain unobligated.

Language has been included under Corps of Engineers, General Provisions, section 104, prohibiting the award of a continuing contract for any project funded out of the Inland Waterway Trust Fund.

Language has been included under Corps of Engineers, General Provisions, section 105, regarding submission of the Chief of Engineers Report to congressional committees.

Language has been included under Corps of Engineers, General Provisions, section 106, requiring the Secretary of the Army to implement measures to prevent aquatic nuisance species from dispersing into the Great Lakes by way of any hydrologic connection between the Great Lakes and the Mississippi River Basin.

Language has been included under Corps of Engineers, General Provisions, section 107, providing for transfer authority to the Construction account for specific projects.

Language has been included under Corps of Engineers, General Provisions, section 108, providing for transfer authority to the Fish and Wildlife Service for mitigation for lost fisheries.

Language has been included under Corps of Engineers, General Provisions, section 109, prohibiting funds from being used to implement revised guidance on determining jurisdiction under the Clean Water Act.

Language has been included under Corps of Engineers, General Provisions, section 110, prohibiting funds from being used to relocate, or study the relocation of, any regional division headquarters located at a military installation.

Language has been provided under Corps of Engineers, General Provisions, section 111, expanding existing authorization to receive and use funds provided by non-federal sponsors and requiring congressional notification of use of such authority.

TITLE II—DEPARTMENT OF THE INTERIOR

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

Language has been included under Bureau of Reclamation, Water and Related Resources, allowing fund transfers within the overall appropriation to the Upper Colorado River Basin Fund and the Lower Colorado River Basin Development Fund; providing that such sums as necessary may be advanced to the Colorado River Dam Fund; providing that funds may be used for high priority projects carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706; and, transfers may be increased or decreased within the overall appropriation.

Language has been included under Bureau of Reclamation, Water and Related Resources, providing for funds to be derived from the Reclamation Fund or the special fee account established by 16 U.S.C. 4601–6a(i); that funds contributed under 43 U.S.C. 395 shall be available for expenditure; and that funds advanced under 43 U.S.C. 397a for operation and maintenance of reclamation facilities are to be credited to the Water and Related Resources account and available for expenditure.

Language has been included under Bureau of Reclamation, Water and Related Resources, stating that amounts for projects and activities be expended as specific in the text and tables in the accompanying report.

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

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

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

Language has been included under Bureau of Reclamation, Policy and Administration, providing that funds are to be derived from the Reclamation Fund and prohibiting the use of any other appropriation in the Act for activities budgeted as policy and administration.

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

Language has been included under Bureau of Reclamation, General Provisions, section 201, providing that none of the funds may be available for obligation or expenditure through a reprogramming of funds except in certain circumstances.

Language has been included under General Provisions, Department of the Interior, section 202, regarding the San Luis Unit and the Kesterson Reservoir in California.

Language has been included under General Provisions, Department of the Interior, section 203, permanently rescinding mandatory funds from the San Joaquin River Restoration Fund.

TITLE III—DEPARTMENT OF ENERGY

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

Language has been included under Energy Efficiency and Renewable Energy waiving the allocation formula for the weatherization assistance program.

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

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

Language has been included under Fossil Energy Research and Development for the acquisition of interest, including defeasible and equitable interest in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations, and research concerning the extraction, processing, use and disposal of mineral substances without objectionable social and environmental cost under chapter 240; 30 U.S.C. 3 and 30 U.S.C. 1602 and 1603.

Language has been included under Fossil Energy Research and Development, providing for the vesting of fee title or other real property interests acquired under project in any entity, including the United States.

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

Language has been included under SPR Petroleum Account regarding the sale of petroleum products and the use of unobligated balances.

Language has been included under SPR Petroleum Account prohibiting the use of royalty-in-kind authority for the purpose of refilling the Reserve from the sale authorized in this Act.

Language has been included under Northeast Home Heating Oil Reserve rescinding funds associated with the sale of petroleum distillates and limiting the size of the Reserve.

Language has been included under Non-Defense Environmental Cleanup for the purchase, construction, and acquisition of plant and capital equipment.

Language has been included under the Uranium Enrichment Decontamination and Decommissioning Fund limiting the amount that may be derived from certain types of barter, transfer or sale of uranium.

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

Language has been included under Nuclear Waste Disposal providing funds to carry out the purposes of the Nuclear Waste Policy Act of 1982, to be derived from the Nuclear Waste Fund.

Language has been included under Innovative Technology Loan Guarantee Program crediting fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 in an amount equal to the appropriated amount as offsetting collections to this account and

making fees collected under section 1702(h) in excess of the appropriated amount unavailable for expenditure until appropriated.

Language has been included under Innovative Technology Loan Guarantee Program providing funds for the cost of loan guarantees under section 1703 of the Energy Policy Act of 2005, and regarding the availability of these funds to certain submitted projects.

Language has been included under Departmental Administration providing for the hire of passenger vehicles and for official reception and representation expenses.

Language has been included under Departmental Administration providing, notwithstanding the provisions of the Anti-Deficiency Act, such additional amounts as necessary to cover increases in the estimated amount of cost of work for others, as long as such increases are offset by revenue increases of the same or greater amounts. This language has been carried in prior appropriations Acts.

Language has been included under Departmental Administration, notwithstanding 31 U.S.C. 3302, and consistent with the authorization in Public Law 95–238, to permit the Department of Energy to use revenues to offset appropriations. The appropriations language for this account reflects the total estimated program funding to be reduced as revenues are received. This language has been carried in prior appropriations Acts.

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

Language has been included under Weapons Activities withholding funds until certain reporting requirements regarding the B–61 Life Extension Program are met.

Language has been included under Weapons Activities rescinding funds that were not designated by the Congress as emergency funding.

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

Language has been included under Defense Nuclear Nonproliferation rescinding funds that were not designated by the Congress as emergency funding.

Language has been included under the Office of the Administrator providing funding for official reception and representation expenses.

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

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

Language has been included under Bonneville Power Administration Fund providing funding for official reception and representation expenses; approving funds for certain programs; and, precluding any new direct loan obligations.

Language has been included under Southeastern Power Administration providing that, notwithstanding 31 U.S.C. 3302 and 16 U.S.C. 825s, amounts collected from the sale of power and related services shall be credited to the account as discretionary offsetting

collections and remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration; amounts collected to recover purchase power and wheeling expenses shall be credited to the account as offsetting collections and remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

Language has been included under Southwestern Power Administration providing funds for official reception and representation expenses.

Language has been included under Southwestern Power Administration providing that, notwithstanding 31 U.S.C. 3302 and 16 U.S.C. 825s, amounts collected from the sale of power and related services shall be credited to the account as discretionary offsetting collections and remain available until expended for the sole purpose of funding the annual expenses of the Southwestern Power Administration; amounts collected to recover purchase power and wheeling expenses shall be credited to the account as offsetting collections and remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

Language has been included under Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration, providing funds for official reception and representation expenses.

Language has been included under Western Area Power Administration providing that, notwithstanding 31 U.S.C. 3302, 16 U.S.C. 825s, and 43 U.S.C. 392a, amounts collected from the sale of power and related services shall be credited to the account as discretionary offsetting collections and remain available until expended for the sole purpose of funding the annual expenses of the Western Area Power Administration; amounts collected to recover purchase power and wheeling expenses shall be credited to the account as offsetting collections and remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

Language has been included under Falcon and Amistad Operating and Maintenance Fund providing that, notwithstanding 68 Stat. 255 and 31 U.S.C. 3302, amounts collected from the sale of power and related services shall be credited to the account as discretionary offsetting collections and remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of those dams and associated Western Area Power Administration activities.

Language has been included under Federal Energy Regulatory Commission to permit the hire of passenger motor vehicles, to provide official reception and representation expenses, and to permit the use of revenues collected to reduce the appropriation as revenues are received.

Language has been included under Department of Energy, General Provisions, section 301, prohibiting the use of funds for new programs or to prepare or initiate requests for proposals or other solicitations or arrangements, or for programs that have not yet been fully funded by the Congress; and providing that none of the funds may be available for obligation or expenditure through a reprogramming of funds except in certain circumstances.

Language has been included under Department of Energy, General Provisions, section 302, prohibiting the use of funds to augment funding made available for severance payments or other ben-

efits or community assistance grants for employees of the Department of Energy, or to develop or implement a workforce restructuring plan that covers Department employees.

Language has been included under Department of Energy, General Provisions, section 303, providing that unexpended balances of prior appropriations may be transferred and merged with new appropriation accounts established in this Act.

Language has been included under Department of Energy, General Provisions, section 304, prohibiting the Administrator of the Bonneville Power Administration from entering into certain agreements to perform energy efficiency services outside the Administration's territory.

Language has been included under Department of Energy, General Provisions, section 305, requiring public notice of the availability of user facilities and full and open competition for the use of such facilities.

Language has been included under Department of Energy, General Provisions, section 306, providing that funds for intelligence activities are deemed to be specifically authorized for purposes of section 504 of the National Security Act of 1947 during fiscal year 2012 until enactment of the Intelligence Authorization Act for fiscal year 2012.

Language has been included under Department of Energy, General Provisions, section 307, establishing certain limitations and requirements with respect to the transfer of funds by the Secretary of Energy to reimburse the costs of defined benefits pension plans for contractor employees.

Language has been included under Department of Energy, General Provisions, section 308, prohibiting the use of funds for capital construction of high hazard nuclear facilities unless certain independent oversight is conducted.

Language has been included under Department of Energy, General Provisions, section 309, establishing estimated cost parameters for plant and construction activities for the purposes of sections 4703 and 4704 Atomic Energy Defense Act.

Language has been included under Department of Energy, General Provisions, section 310, prohibiting the use of funds to approve critical decision–2 or critical decision–3 for certain construction projects, unless a separate independent cost estimate has been developed for that critical decision.

Language has been included under Department of Energy, General Provisions, section 311, establishing certain notification requirements that must be fulfilled before any funds in this title may be used to make certain awards, allocations, agreements, or public announcements.

Language has been included under Department of Energy, General Provisions, section 312, prohibiting the use of funds to make a final or conditional loan guarantee award unless the Secretary of Energy notifies the Committees on Appropriations of the Senate and the House of Representatives at least three full business days in advance of such award.

Language has been included under Department of Energy, General Provisions, section 313, prohibiting the Department of Energy from enforcing any significant regulatory actions without providing notification.

TITLE IV—INDEPENDENT AGENCIES

Language has been included under Appalachian Regional Commission providing for the hire of passenger vehicles.

Language has been included under Delta Regional Authority allowing the expenditure of funds as authorized by the Delta Regional Authority Act without regard to section 382C(b)(2), 382F(d), 382M and 382N of said Act.

Language has been included under Denali Commission allowing the expenditure of funds notwithstanding section 306(g) of the Denali Commission Act of 1998, and providing for cost-share requirements for Commission-funded construction projects in distressed and non-distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (Division C, Title III, Public Law 105–277).

Language has been included under Northern Border Regional Commission for expenditure as authorized by subtitle V of title 40, Untied States Code, without regard to section 15751(b).

Language has been included under Nuclear Regulatory Commission, Salaries and Expenses that provides for salaries and other support costs for the Office of the Commission. Additional language provides for official representation expenses; derives funds from the Nuclear Waste Fund; and permits the use of revenues from licensing fees, inspections services, and other services for salaries and expenses. Funding is provided to support university research and development, and for a Nuclear Science and Engineering Grant Program. The appropriations language for this account reflects the total estimated program funding to be reduced as revenues are received.

Language has been included under Office of Inspector General that provides for the use of revenues from licensing fees, inspections services, and other services for salaries and expenses. The appropriations language for this account reflects the total estimated program funding to be reduced as revenues are received.

Language has been included under Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects making funds received pursuant to section 802 of Public Law 110–140 in excess of the amounts specified unavailable for obligation until appropriated.

Language has been included under Independent Agencies, General Provisions, section 401, establishing reprogramming requirements for the Nuclear Regulatory Commission.

TITLE V—EMERGENCY SUPPLEMENTAL FUNDING FOR DISASTER RELIEF

Language has been included rescinding funds made available in title XII of Public Law 111–5 for high speed rail.

Language has been included transferring funds made available in title XII of Public Law 111–5 for high speed rail to specific accounts of the Corps of Engineers—Civil for emergency storm and flood damages.

Language has been included requiring a weekly report on allocation and obligation of funds.

Language has been included providing that amounts transferred under this heading are designated as an emergency requirement.

TITLE VI—GENERAL PROVISIONS

Language has been included under General Provisions, section 601, prohibiting the use of funds in this Act to influence congressional action on any legislation or appropriation matters pending before the Congress.

Language has been included under General Provisions, section 602, prohibiting the transfer of funds except pursuant to a transfer made by, or transfer authority provided in this or any other Act.

Language has been included under General Provisions, section 603, prohibiting funds in this Act to be provided in contravention of section 6(b) of the Iran Sanctions Act.

Language has been included under General Provisions, section 604, prohibiting funds in this Act from being used to close the Yucca Mountain license application process until a specific condition is met, or for actions that would remove the possibility that Yucca Mountain might be an option in the future.

Language has been included under General Provisions, section 605, requiring new federal hires to be vetted through the E-Verify Program.

Language has been included under General Provisions, section 606, prohibiting funds for contracts or agreements with entities with unpaid Federal tax liabilities that have not entered into payment agreements to remedy the liability.

Language has been included under General Provisions, section 607, prohibiting the government from entering into contracts or agreements with any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months.

Language has been included under General Provisions, section 608, setting at $0 the amount that the proposed new budget authority exceeds the allocation made by the Committee on Appropriations under section 302(b) of the Congressional Budget Act of 1974.

COMPLIANCE WITH RULE XIII, CL. 3(e) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, 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 italics, existing law in which no change is proposed is shown in roman):

SECTION 5 OF THE ACT OF JUNE 22, 1936

AN ACT Authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

FLOOD CONTROL ACT OF 1936

SEC. 5. That pursuant to the policy outlined in sections 1 and 3, the following works of improvement, for the benefit of navigation and the control of destructive flood waters and other purposes, are hereby adopted and authorized to be prosecuted, in order of their emergency as may be designated by the President, under the direction of the Secretary of War and supervision of the Chief of Engineers in accordance with the plans in the respective reports and records hereinafter designated: *Provided*, That penstocks or other

similar facilities, adapted to possible future use in the development of adequate electric power may be installed in any dam herein authorized when approved by the Secretary of War upon the recommendation of the Chief of Engineers. *Provided further*, That the Secretary of War is authorized to receive from States and political subdivisions thereof, such funds as may be contributed by them *for work, which includes planning and design,* to be expended in connection with funds appropriated by the United States for any authorized ❚flood control or environmental restoration work❚ *water resources development study or project* whenever such work and expenditure may be considered by the Secretary of War, on recommendation of the Chief of Engineers, as advantageous in the public interest, and the plans for any reservoir project may, in the discretion of the Secretary of War, on recommendation of the Chief of Engineers, be modified to provide additional storage capacity for domestic water supply or other conservation storage, on condition that the cost of such increased storage capacity is contributed by local agencies and that the local agencies agree to utilize such additional storage capacity in a manner consistent with Federal uses and purposes: *And provided further*, That when contributions made by States and political subdivisions thereof, are in excess of the actual cost of the work contemplated and properly chargeable to such contributions, such excess contributions may, with the approval of the Secretary of War, be returned to the proper representatives of the contributing interests*: Provided further, That the term "States" means the several States, the District of Columbia, the commonwealths, territories, and possessions of the United States, and Federally recognized Indian tribes*.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized:

[thousand dollars]

Agency/Program	Last Year of Authorization	Authorization Level	Appropriation in Last Year of Authorization	Appropriation in this Bill
Corps FUSRAP		(1)		109,000
EERE Program Direction	2006	110,500	164,198	110,000
Legacy Management	2004	29,547	29,705	167,100
Defense Nuclear Facilities Safety Board	2011	28,640	23,203	29,130
Naval Petroleum and Oil Shale Reserves	2011	23,614	20,854	14,909
Non-Defense Environmental Cleanup:				
West Valley Demonstration	1981	5,000	5,000	56,900
Departmental Administration	1984	246,963	185,682	109,631
Atomic Energy Defense Activities:				
National Nuclear Security Administration:				
Weapons Activities	2011	7,028,835	6,896,398	7,091,661
Defense Nuclear Nonproliferation	2011	2,667,167	2,273,653	2,056,770
Naval Reactors	2011	1,070,486	959,176	1,030,600
Office of the Administrator	2011	448,267	393,293	420,000
Defense Environmental Cleanup	2011	5,588,039	4,979,738	4,937,619
Other Defense Activities	2011	878,209	785,020	814,000
Power Marketing Administrations:				
Southwestern	1984	40,254	36,229	11,892
Western Area	1984	259,700	194,630	95,968

[thousand dollars]

Agency/Program	Last Year of Authorization	Authorization Level	Appropriation in Last Year of Authorization	Appropriation in this Bill
Nuclear Regulatory Commission	1985	460,000	448,200	137,613

[1] Program was initiated in 1972 and has never received a separate authorization

RESCISSIONS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

Department or Activity	*Amount*
Corps of Engineers: Construction	$50,000,000
Bureau of Reclamation: San Joaquin River Restoration Fund	66,000,000
Department of Energy: Northeast Home Heating Oil Reserve	100,000,000
Department of Energy: Weapons Activities	40,332,000
Department of Energy: Nonproliferation	30,000,000
Department of Transportation: Federal Railroad Administration (emergency)	471,316,000

COMPARISON WITH THE BUDGET RESOLUTION

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a)(1)(A) of the Congressional Budget Act of 1974, the following table compares the levels of new budget authority provided in the bill with the appropriate allocation under section 302(b) of the Budget Act.

BUDGETARY IMPACT OF FY 2012 ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC. 308(a), PUBLIC LAW 93–344, AS AMENDED

[In millions of dollars]

	302(b) allocation		This bill [1]	
	Budget authority	Outlays	Budget authority	Outlays
Comparison of amounts in the bill with Committee allocations to its subcommittees: Subcommittee on Energy and Water Development:				
Discretionary	30,639	44,577	30,639	[1] 44,577
Mandatory	0	0	0	0

[1] Includes outlays from prior-year budget authority.

FIVE-YEAR OUTLAY PROJECTIONS

Pursuant to section 308(a)(1)(B) of the Congressional Budget Act of 1974, the following table contains five-year projections prepared by the Congressional Budget Office of outlays associated with the budget authority provided in the accompanying bill:

[In millions of dollars]

Projection of outlays associated with the recommendation:	
2012	[2] 18,239
2013	8,887
2014	2,859
2015	470
2016 and future years	158

[2] Excludes outlays from prior-year budget authority.

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Pursuant to section 308(a)(1)(C) of the Congressional Budget Act of 1974, the amount of financial assistance to State and local governments is as follows:

[In millions of dollars]

Budget Authority	84
Outlays	[3] 18

[3] Excludes outlays from prior-year budget authority.

FULL COMMITTEE VOTES

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

ROLL CALL NO. 1

Date: June 15, 2011
Measure: Energy and Water Development, and Related Agencies Appropriations Bill, FY 2012
Motion by: Mr. Visclosky
Description of Motion: To strike the high speed rail rescission included in the Frelinghuysen amendment providing emergency flood fighting and recovery funds.
Results: Defeated 20 yeas to 26 nays.

Members Voting Yea

Ms. DeLauro
Mr. Dicks
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Honda
Mr. Jackson
Ms. Kaptur
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Moran
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rothman
Ms. Roybal-Allard
Mr. Schiff
Mr. Serrano
Mr. Visclosky

Members Voting Nay

Mr. Alexander
Mr. Austria
Mr. Bonner
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mr. Dent
Mr. Diaz-Balart
Mrs. Emerson
Mr. Flake
Mr. Frelinghuysen
Ms. Granger
Mr. Graves
Mr. Kingston
Mr. Latham
Mr. LaTourette
Mr. Lewis
Mrs. Lummis
Mr. Nunnelee
Mr. Rehberg
Mr. Rogers
Mr. Simpson
Mr. Wolf
Mr. Womack
Mr. Yoder

ROLL CALL NO. 2

Date: June 15, 2011
Measure: Energy and Water Development, and Related Agencies Appropriations Bill, FY 2012
Motion by: Mr. LaTourette
Description of Motion: To strike a general provision in the bill that prohibited certain wage requirements imposed by the Davis-Bacon Act and McNamara-O'Hara Service Contract Act from applying to funds provided by the bill.
Results: Adopted 26 yeas to 22 nays.

Members Voting Yea
Mr. Alexander
Mr. Bishop
Ms. DeLauro
Mr. Diaz-Balart
Mr. Dicks
Mrs. Emerson
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Honda
Mr. Jackson
Ms. Kaptur
Mr. LaTourette
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Moran
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rehberg
Mr. Rothman
Ms. Roybal-Allard
Mr. Schiff
Mr. Serrano
Mr. Visclosky

Members Voting Nay
Mr. Austria
Mr. Bonner
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mr. Dent
Mr. Flake
Mr. Frelinghuysen
Ms. Granger
Mr. Graves
Mr. Kingston
Mr. Latham
Mr. Lewis
Mrs. Lummis
Mr. Nunnelee
Mr. Rogers
Mr. Simpson
Mr. Wolf
Mr. Womack
Mr. Yoder

ROLL CALL NO. 3

Date: June 15, 2011
Measure: Energy and Water Development, and Related Agencies Appropriations Bill, FY 2012
Motion by: Mr. Moran
Description of Motion: To allow the Army Corps of Engineers to change guidance and rules pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control, if the agency maintained the exemptions on certain activities and accepted and considered public comment.
Results: Defeated 21 yeas to 27 nays.

Members Voting Yea

Mr. Bishop
Ms. DeLauro
Mr. Dicks
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Honda
Mr. Jackson
Ms. Kaptur
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Moran
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rothman
Ms. Roybal-Allard
Mr. Schiff
Mr. Serrano
Mr. Visclosky

Members Voting Nay

Mr. Alexander
Mr. Austria
Mr. Bonner
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mr. Dent
Mr. Diaz-Balart
Mrs. Emerson
Mr. Flake
Mr. Frelinghuysen
Ms. Granger
Mr. Graves
Mr. Kingston
Mr. Latham
Mr. LaTourette
Mr. Lewis
Mrs. Lummis
Mr. Nunnelee
Mr. Rehberg
Mr. Rogers
Mr. Simpson
Mr. Wolf
Mr. Womack
Mr. Yoder

ROLL CALL NO. 4

Date: June 15, 2011
Measure: Energy and Water Development, and Related Agencies Appropriations Bill, FY 2012
Motion by: Mrs. Lowey
Description of Motion: To strike report language requiring that no less than one-third of members on a natural gas fracking panel be industry representatives who actively work in the natural gas industry.
Results: Defeated 20 yeas to 25 nays.

Members Voting Yea
Mr. Bishop
Ms. DeLauro
Mr. Dicks
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Honda
Mr. Jackson
Ms. Kaptur
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Moran
Mr. Olver
Mr. Price
Mr. Rothman
Ms. Roybal-Allard
Mr. Schiff
Mr. Serrano
Mr. Visclosky

Members Voting Nay
Mr. Austria
Mr. Bonner
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mr. Dent
Mr. Diaz-Balart
Mrs. Emerson
Mr. Flake
Mr. Frelinghuysen
Ms. Granger
Mr. Graves
Mr. Kingston
Mr. Latham
Mr. LaTourette
Mr. Lewis
Mrs. Lummis
Mr. Rehberg
Mr. Rogers
Mr. Simpson
Mr. Wolf
Mr. Womack
Mr. Yoder

ROLL CALL NO. 5

Date: June 15, 2011
Measure: Energy and Water Development, and Related Agencies Appropriations Bill, FY 2012
Motion by: Mr. Flake
Description of Motion: To require that any grants from the Energy Efficiency and Renewable Energy account and Fossil Energy Research and Development account may only be awarded to non-profit entities.
Results: Defeated 14 yeas to 32 nays.

Members Voting Yea
Ms. DeLauro
Mr. Farr
Mr. Flake
Mr. Graves
Mr. Honda
Mr. Jackson
Mr. Kingston
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Rothman
Ms. Roybal-Allard
Mr. Serrano
Mr. Yoder

Members Voting Nay
Mr. Austria
Mr. Bishop
Mr. Bonner
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mr. Dent
Mr. Diaz-Balart
Mr. Dicks
Mrs. Emerson
Mr. Fattah
Mr. Frelinghuysen
Ms. Granger
Mr. Hinchey
Ms. Kaptur
Mr. Latham
Mr. LaTourette
Mr. Lewis
Mrs. Lummis
Mr. Moran
Mr. Nunnelee
Mr. Olver
Mr. Price
Mr. Rehberg
Mr. Rogers
Mr. Schiff
Mr. Simpson
Mr. Visclosky
Mr. Wolf
Mr. Womack

ROLL CALL NO. 6

Date: June 15, 2011
Measure: Energy and Water Development, and Related Agencies Appropriations Bill, FY 2012
Motion by: Mr. Lewis
Description of Motion: To report the bill to the House, as amended.
Results: Adopted 26 yeas to 20 nays.

Members Voting Yea

Mr. Austria
Mr. Bonner
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mr. Dent
Mr. Diaz-Balart
Mrs. Emerson
Mr. Frelinghuysen
Ms. Granger
Mr. Graves
Mr. Kingston
Mr. Latham
Mr. LaTourette
Mr. Lewis
Mrs. Lummis
Mr. Nunnelee
Mr. Rehberg
Mr. Rogers
Mr. Simpson
Mr. Visclosky
Mr. Wolf
Mr. Womack
Mr. Yoder

Members Voting Nay

Mr. Bishop
Ms. DeLauro
Mr. Dicks
Mr. Farr
Mr. Fattah
Mr. Flake
Mr. Hinchey
Mr. Honda
Mr. Jackson
Ms. Kaptur
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Moran
Mr. Olver
Mr. Price
Mr. Rothman
Ms. Roybal-Allard
Mr. Schiff
Mr. Serrano

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF DEFENSE - CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers - Civil /1					
Investigations	126,746	104,000	104,000	-22,746	---
Construction	1,789,822	1,480,000	1,615,941	-173,881	+135,941
Rescission	-176,000	---	-50,000	+126,000	-50,000
Subtotal	1,613,822	1,480,000	1,565,941	-47,881	+85,941
Mississippi River and tributaries	263,906	210,000	210,000	-53,906	---
Recission	-22,000	-23,000	---	+22,000	+23,000
Rescission of emergency funding (Sec. 105)	---	-35,000	---	---	+35,000
Subtotal	241,906	152,000	210,000	-31,906	+58,000
Operations and maintenance	2,365,759	2,314,000	2,366,465	+706	+52,465
Regulatory program	189,620	196,000	196,000	+6,380	---
FUSRAP	129,740	109,000	109,000	-20,740	---
Flood control and coastal emergencies	---	27,000	27,000	+27,000	---
Expenses	184,630	185,000	185,000	+370	---
Office of Assistant Secretary of the Army (Civil Works)	4,990	6,000	5,000	+10	-1,000
Total, title I, Department of Defense - Civil	4,857,213	4,573,000	4,768,406	-88,807	+195,406
Appropriations	(5,055,213)	(4,631,000)	(4,818,406)	(-236,807)	(+187,406)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rescissions	(-198,000)	(-23,000)	(-50,000)	(+148,000)	(-27,000)
Rescissions of emergency funding	---	(-35,000)	---	---	(+35,000)

1/ Additional funding provided in Title V

TITLE II - DEPARTMENT OF THE INTERIOR

Central Utah Project Completion Account

Central Utah project construction	---	29,441	25,154	+25,154	-4,287
Fish, wildlife, and recreation mitigation and conservation	---	2,000	2,000	+2,000	---
Subtotal	---	31,441	27,154	+27,154	-4,287
Program oversight and administration	---	1,550	1,550	+1,550	---
Undistributed funding level	31,940	---	---	-31,940	---
Total, Central Utah project completion account	31,940	32,991	28,704	-3,236	-4,287

Bureau of Reclamation

Water and related resources	911,673	805,187	822,300	-89,373	+17,113
Central Valley project restoration fund	49,914	53,068	53,068	+3,154	---
California Bay-Delta restoration	39,920	39,651	35,928	-3,992	-3,723
Policy and administration	61,078	60,000	60,000	-1,078	---
Indian water rights settlements	---	51,483	---	---	-51,483

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
San Joaquin restoration fund	---	9,000	---	---	-9,000
Rescission	---	---	-66,000	-66,000	-66,000
Subtotal	---	9,000	-66,000	-66,000	-75,000
Total, Bureau of Reclamation	1,062,585	1,018,389	905,296	-157,289	-113,093
Total, title II, Department of the Interior	1,094,525	1,051,380	934,000	-160,525	-117,380
TITLE III - DEPARTMENT OF ENERGY					
Energy Programs					
Energy efficiency and renewable energy	1,825,641	3,200,053	1,304,636	-521,005	-1,895,417
Rescission	-30,000	---	---	+30,000	---
Subtotal	1,795,641	3,200,053	1,304,636	-491,005	-1,895,417
Electricity delivery and energy reliability	144,710	237,717	139,496	-5,214	-98,221
Rescission	-3,700	---	---	+3,700	---
Subtotal	141,010	237,717	139,496	-1,514	-98,221
Nuclear energy	732,124	754,028	733,633	+1,509	-20,395
Rescission	-6,300	---	---	+6,300	---
Subtotal	725,824	754,028	733,633	+7,809	-20,395

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Fossil energy research and development	584,529	452,975	476,993	-107,536	+24,018
Rescission	-140,000	---	---	+140,000	---
Subtotal	444,529	452,975	476,993	+32,464	+24,018
Naval Petroleum and Oil Shale Reserves	22,954	14,909	14,909	-8,045	---
Rescission	-2,100	---	---	+2,100	---
Subtotal	20,854	14,909	14,909	-5,945	---
Strategic petroleum reserve	209,441	192,704	192,704	-16,737	---
Rescission	-86,300	-71,000	---	+86,300	+71,000
Subtotal	123,141	121,704	192,704	+69,563	+71,000
SPR petroleum account	---	-250,000	-500,000	-500,000	-250,000
Clean coal technology (rescission)	-16,500	---	---	+16,500	---
Northeast home heating oil reserve	10,978	10,119	10,119	-859	---
Rescission	---	-100,000	-100,000	-100,000	---
Subtotal	10,978	-89,881	-89,881	-100,859	---
Energy Information Administration	95,409	123,957	105,000	+9,591	-18,957
Rescission	-400	---	---	+400	---
Subtotal	95,009	123,957	105,000	+9,991	-18,957

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Non-defense environmental clean up	224,350	219,121	213,121	-11,229	-6,000
Rescission	-900	---	---	+900	---
Subtotal	223,450	219,121	213,121	-10,329	-6,000
Uranium enrichment decontamination and decommissioning fund	506,984	504,169	449,000	-57,984	-55,169
Rescission	-9,900	---	---	+9,900	---
Subtotal	497,084	504,169	449,000	-48,084	-55,169
Science	4,857,665	5,416,114	4,800,000	-57,665	-616,114
Rescission	-15,000	---	---	+15,000	---
Subtotal	4,842,665	5,416,114	4,800,000	-42,665	-616,114
Nuclear Waste Disposal	---	---	25,000	+25,000	+25,000
Rescission	-2,800	---	---	+2,800	---
Subtotal	-2,800	---	25,000	+27,800	+25,000
Advanced Research Projects Agency-Energy	179,640	550,011	100,000	-79,640	-450,011
Innovative Technology Loan Guarantee Program	58,000	38,000	38,000	-20,000	---
Offsetting collection	-58,000	-38,000	-38,000	+20,000	---
Loan volume rescission	-181,830	---	---	+181,830	---
Additional loan volume	11,830	360,000	---	-11,830	-360,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal participation in Title 17 loan guarantee projects	---	500,000	---	---	-500,000
Additional subsidy cost	169,660	200,000	160,000	-9,660	-40,000
Subtotal	-340	1,060,000	160,000	+160,340	-900,000
Advanced technology vehicles manufacturing loans program	9,978	6,000	6,000	-3,978	---
Better buildings pilot loan guarantee initiative:					
Loan guarantees	---	100,000	---	---	-100,000
Administrative costs	---	5,000	---	---	-5,000
Subtotal	---	105,000	---	---	-105,000
Departmental administration	250,139	240,623	221,514	-28,625	-19,109
Miscellaneous revenues	-119,501	-111,883	-111,883	+7,618	---
Net appropriation	130,638	128,740	109,631	-21,007	-19,109
Rescission	-81,900	---	---	+81,900	---
Subtotal	48,738	128,740	109,631	+60,893	-19,109
Office of the Inspector General	42,764	41,774	41,774	-990	---
Total, Energy programs	9,181,665	12,596,391	8,282,016	-899,649	-4,314,375

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Atomic Energy Defense Activities					
National Nuclear Security Administration					
Weapons activities	6,946,398	7,629,716	7,131,993	+185,595	-497,723
Rescission	-50,000	-40,332	-40,332	+9,668	---
Subtotal	6,896,398	7,589,384	7,091,661	+195,263	-497,723
Defense nuclear nonproliferation	2,318,653	2,549,492	2,086,770	-231,883	-462,722
Rescission	-45,000	-30,000	-30,000	+15,000	---
Subtotal	2,273,653	2,519,492	2,056,770	-216,883	-462,722
Naval reactors	960,176	1,153,662	1,030,600	+70,424	-123,062
Rescission	-1,000	---	---	+1,000	---
Subtotal	959,176	1,153,662	1,030,600	+71,424	-123,062
Office of the Administrator	398,993	450,060	420,000	+21,007	-30,060
Rescission	-5,700	---	---	+5,700	---
Subtotal	393,293	450,060	420,000	+26,707	-30,060
Total, National Nuclear Security Administration	10,522,520	11,712,598	10,599,031	+76,511	-1,113,567

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Environmental and Other Defense Activities					
Defense environmental cleanup	4,991,638	5,406,781	4,937,619	-54,019	-469,162
(Transfer to Uranium enrichment decontamination and decommissioning fund)	(-33,633)	---	---	(+33,633)	---
Rescission	-11,900	---	---	+11,900	---
Subtotal	4,979,738	5,406,781	4,937,619	-42,119	-469,162
Other defense activities	788,420	859,952	814,000	+25,580	-45,952
Rescission	-3,400	---	---	+3,400	---
Subtotal	785,020	859,952	814,000	+28,980	-45,952
Total, Environmental and other defense activities	5,764,758	6,266,733	5,751,619	-13,139	-515,114
Total, Atomic Energy Defense Activities	16,287,278	17,979,331	16,350,650	+63,372	-1,628,681
Power Marketing Administrations /2					
Operation and maintenance, Southeastern Power Administration	78,444	8,428	8,428	-70,016	---
Offsetting collections	-78,444	-8,428	-8,428	+70,016	---
Subtotal	---	---	---	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Operation and maintenance, Southwestern Power Administration	82,918	45,010	45,010	-37,908	---
Offsetting collection	-69,868	-33,118	-33,118	+36,750	---
Subtotal	13,050	11,892	11,892	-1,158	---
Construction, rehabilitation, operation and maintenance, Western Area Power Administration	610,179	285,900	285,900	-324,279	---
Offsetting collections	-497,337	-189,932	-189,932	+307,405	---
Offsetting collection Colorado River Dam Fund	-3,879	---	---	+3,879	---
Subtotal	108,963	95,968	95,968	-12,995	---
Falcon and Amistad operating and maintenance fund	2,568	4,169	4,169	+1,601	---
Offsetting collections	-2,348	-3,949	-3,949	-1,601	---
Subtotal	220	220	220	---	---
Total, Power Marketing Administrations	122,233	108,080	108,080	-14,153	---
Federal Energy Regulatory Commission					
Salaries and expenses	298,000	304,600	304,600	+6,600	---
Revenues applied	-298,000	-304,600	-304,600	-6,600	---
Total, title III, Department of Energy	25,591,176	30,683,802	24,740,746	-850,430	-5,943,056
Appropriations	(26,285,806)	(30,925,134)	(24,911,078)	(-1,374,728)	(-6,014,056)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rescissions	(-694,630)	(-241,332)	(-170,332)	(+524,298)	(+71,000)
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission	68,263	76,000	68,400	+137	-7,600
Defense Nuclear Facilities Safety Board	23,203	29,130	29,130	+5,927	---
Delta Regional Authority	11,677	13,000	11,700	+23	-1,300
Denali Commission	10,679	11,965	10,700	+21	-1,265
Rescission	-15,000	---	---	+15,000	---
Subtotal	-4,321	11,965	10,700	+15,021	-1,265
Northern Border Regional Commission	1,497	1,500	1,350	-147	-150
Southeast Crescent Regional Commission	250	---	250	---	+250
Nuclear Regulatory Commission:					
Salaries and expenses	1,043,208	1,027,240	1,027,240	-15,968	---
Revenues	-906,220	-899,726	-890,713	+15,507	+9,013
Subtotal	136,988	127,514	136,527	-461	+9,013
Office of Inspector General	10,858	10,860	10,860	+2	---
Revenues	-9,774	-9,774	-9,774	---	---
Subtotal	1,084	1,086	1,086	+2	---
Total, Nuclear Regulatory Commission	138,072	128,600	137,613	-459	+9,013

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Nuclear Waste Technical Review Board	3,883	3,400	3,400	-483	---
Office of the Federal Coordinator for Alaska natural gas transportation projects	4,457	4,032	4,032	-425	---
Total, title IV, Independent agencies	246,981	267,627	266,575	+19,594	-1,052
Appropriations	(261,981)	(267,627)	(266,575)	(+4,594)	(-1,052)
Rescissions	(-15,000)	---	---	(+15,000)	---
TITLE V - EMERGENCY SUPPLEMENTAL FUNDING FOR DISASTER RELIEF					
Corps of Engineers - Civil					
Construction, FY 2011 (emergency)	---	---	376	+376	+376
Mississippi River and tributaries, FY 2011 (emergency)	---	---	589,505	+589,505	+589,505
Operation and maintenance, FY 2011 (emergency)	---	---	204,927	+204,927	+204,927
Flood control and coastal emergencies, FY 2011 (emergency)	---	---	233,876	+233,876	+233,876
Subtotal, Corp of Engineers - Civil	---	---	1,028,684	+1,028,684	+1,028,684
Transfer from title XII, P.L. 111-5 (emergency)	---	---	-1,028,684	-1,028,684	-1,028,684

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2011
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2012
(Amounts in thousands)

	FY 2011 Enacted	FY 2012 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rescission of emergency appropriations (P.L. 111-5)...	---	---	-471,316	-471,316	-471,316
Total, Title V, Emergency supplemental for disaster relief.....	---	---	-471,316	-471,316	-471,316
Emergency appropriations.....	---	---	---	---	---
Rescissions of emergency appropriations.....	---	---	(-471,316)	(-471,316)	(-471,316)
Grand total.....	31,789,895	36,575,809	30,238,411	-1,551,484	-6,337,398
Appropriations.....	(32,697,525)	(36,875,141)	(30,996,059)	(-1,701,466)	(-5,879,082)
Emergency appropriations.....	---	---	---	---	---
Rescissions.....	(-907,630)	(-264,332)	(-286,332)	(+621,298)	(-22,000)
Rescissions of emergency appropriations.....	---	(-35,000)	(-471,316)	(-471,316)	(-436,316)

2/ Totals adjusted to net out alternative financing costs, reimbursable agreement funding, and power purchase and wheeling expenditures. Offsetting collection totals only reflect funds collected for annual expenses, excluding power purchase wheeling.

ADDITIONAL VIEWS OF NORM DICKS AND PETER VISCLOSKY

We commend Chairman Rogers and Chairman Frelinghuysen for their efforts to assemble this bill in an inclusive manner. The bill funds critical water resource projects, supports science activities necessary to American competitiveness, and contributes to our national defense through vital weapons, naval reactor research and nonproliferation funding, all priorities that unite rather than divide us. Chairman Frelinghuysen has worked hard to incorporate the interests of Members from both parties.

The Subcommittee's allocation is $30,600,000,000, a decrease of $5,901,082,000 from the Administration's budget request and $1,043,303,000 below the 2011 level. This allocation has necessitated severe cuts to crucial programs. While we truly appreciate the Chairman's considerable efforts and recognize that difficult choices must be made to address the nation's serious financial situation, this bill starkly illustrates the shortsighted nature of the spending cap set by the House budget. The allocation for Energy and Water is simply insufficient to meet the challenges posed by the economic downturn and to guarantee our national security.

The cut-at-any-cost ideology has severely hindered our Committee's ability to produce bills that adhere to principles of good governance. This bill contains inadequate funding levels for energy efficiency initiatives, the Army Corps and environmental cleanup, to name a few. These decisions sacrifice long-term investment needs for short-term gain. In 2005, when flooding devastated the city of New Orleans, the message was loud and clear: going forward we must protect vulnerable areas with sound infrastructure investments or risk greater humanitarian and fiscal repercussions. Since then, we've spent nearly the equivalent of three times the annual appropriation for the Corps rebuilding New Orleans. We did not make the proper initial investments and should have learned from that mistake. The funds needed to protect our communities and prepare for the future would be even further delayed under this bill.

We commend the Chairman for increasing Corps funding by $195 million above the President's request, ensuring that some ongoing projects will not be terminated. We must invest in our infrastructure, and, even with the additional funds, the bill provides $89 million less than 2011 and $677 million less than FY 2010. Our ports, harbors, navigational channels, and locks continue to provide the foundation for long-term economic growth. At this funding level, we are not close to addressing the dredging backlog that plagues waterborne commerce in the United States. Currently, for the top 59 ports in the U.S., the Corps is only able to maintain authorized depths within the middle half of the channel, one third of the time. Every day, this costs companies that rely on these ports and it serves as a major impediment to expanding their workforce. This is merely one of the reasons why, in 2009, the American Society of Engineers gave our nation's dams, levees, and inland waterways grades of D or D−.

We support and appreciate the inclusion of emergency funding to respond to the historic flooding in the Mississippi and Missouri Rivers. Communities devastated by natural disasters deserve our

full support. We are, however, disappointed that the Chairman chose to offset this funding by withdrawing critical support from high speed rail projects.

We disagree with the notion that all funding for domestic emergency response should be offset immediately. In every year except two, since 1997, the Congress has recognized the need for emergency funds to respond to the impacts of natural disasters on the nation's water resource infrastructure. Since 2001, the Congress has provided more than $24 billion to the Corps for this purpose. Leaving out the enormous cost of reconstruction of New Orleans and the surrounding area, nearly $5 billion was provided in that time frame for emergencies stemming from flooding. As we debate the long-term trajectory of taxes and spending in this nation, we cannot forgo actions necessary for the security and safety of our citizens. Yes, we must make difficult decisions that will impact the future of this nation, but we cannot allow those decisions to fall on the backs of those who have already suffered. Our country has rightly provided funding on an emergency basis for construction projects in Iraq and Afghanistan. We should have the fortitude to do the same to protect our citizens at home.

According to the Congressional Budget Office (CBO), the cost of the Frelinghuysen amendment to provide this funding was offset only in terms of budget authority (that is, *authority* to spend), but not in terms of actual outlays. This is because CBO expects that outlays from the new budget authority provided by the amendment will far exceed outlays that would have resulted from the budget authority it rescinds. In fact, CBO estimates that the amendment *increases* outlays resulting from the bill by a total of $1,029,000,000 over 10 years.

The bill continues the Subcommittee's efforts over the years to improve program and project management at all of the agencies under its jurisdiction, honing provisions carried in the past and instituting others aimed at increased oversight. For example, the bill includes a requirement that independent cost estimates be completed at major milestones for projects with a total cost in excess of $100 million. A recent review of the Department's cleanup-related construction projects by the Corps of Engineers paints a bleak picture of the management system and casts doubt on recent reforms intended to move the Department off the Government Accountability Office's High Risk List, a list the Department has been on for the past 21 years. The Chairman has included a number of reporting requirements and statutory limitations that will contribute to increased transparency and improved management. We strongly support the Chairman's action.

The Science account, critical to the competitiveness of our nation, is essentially the same as that of 2011, not an insignificant achievement in light of the challenge this allocation provided. The bill also provides funds for the continuation of a promising new program, ARPA–E; that can also drive innovations to support our scientific competitiveness.

While the bill includes appropriate funding for fossil and nuclear energy, we are disappointed that renewable energy programs in this bill are drastically reduced. We can debate whether our dependency on imported oil and other carbon fuels is an environmental problem or an economic problem. Either way, it clearly is

a national security problem given the source of so much of our energy. We must expand the mix of our energy supply, we must use the energy supply we have more efficiently and we must transport it more efficiently. We have to make an investment to do that. We do not believe the allocation allows for the support necessary to advance our efforts on this front.

Restoring the United States to a position of global leadership in clean energy is a critical national priority, with implications for our economic competitiveness, national security, and environmental legacy. This goal can only be achieved through widespread and large-scale deployment of clean energy technologies. With private equity investment not yet at pre-recession levels, we are pleased that the bill includes funds for renewable energy loans. This funding will ensure that companies who have spent millions in pursuit of a loan guarantee have an avenue to get such a loan and to help move our country toward a diversified energy portfolio in order to encourage their development on a broader and much-needed scale.

We support the Chairman's decision to provide increases to weapons and naval reactors only for the most critical of the activities within these accounts. The bill also includes a provision limiting the funds that can be spent on the B–61 life extension program until the Administrator of Nuclear Security submits the outcome of its Phase 6.2a design definition and cost study. Given the fact that the B–61 will be the most ambitious and extensive warhead refurbishment since the United States first began producing life extended nuclear weapons in 1999 and the recent findings of the Government Accountability Office questioning how the reliability of the weapon would be impacted, the Chairman wisely proceeds with caution on the life extension program.

We note that the Nonproliferation account is significantly reduced by more than $460,000,000 from the request. This is on top of the $360,000,000 cut from the request that was provided in 2011. While we appreciate the Chairman's work to preserve the most essential activities, the allocation results in a reduction in efforts to secure dangerous material. While nuclear material security spending was only about one-third of one percent of the total defense budget last year, the National Nuclear Security Administration (NNSA) secured 800 bombs' worth of nuclear material in 2010. Since April 2009, NNSA has overseen the removal of 120 bombs' worth of highly enriched uranium from six countries, including the last bomb's worth of material from Chile in the immediate aftermath of an earthquake. This is a remarkable return on investment.

The proposed cut reduces our ability, in ways that may not be immediately evident, to counter the most serious threat confronting our national security: the threat of nuclear terrorism. For example, cuts proposed in the reactor conversion program will affect not only domestic reactor conversion, but urgent worldwide efforts as well. In order to convince countries to give up the Highly Enriched Uranium (HEU) associated with these reactors so it can be removed and secured, the U.S. must continue to work with countries that have already made political commitment, as well as set the example by converting its own reactors. We have made significant progress at home and abroad, but this program is a key to removing HEU from a number of countries and to reducing risk within our own borders. On domestic radiological source recovery and se-

curity, NNSA has legislative authority for this program and is doing an outstanding job working not only with states, but coordinating with the Nuclear Regulatory Commission, Department of Homeland Security, and the Federal Bureau of Investigation. The cuts to the Second Line of Defense program will stop work in seven countries in high risk areas for trafficking, including the Caucasus and Central Asia. This program has provided equipment that has detected and supported the interdiction of nuclear material in Georgia twice during the past year. Continuing to work in these regions is addressing a real security threat.

We are concerned that the funding the bill includes for Environmental Management (EM) activities is insufficient to meet the federal government's legal obligations to clean up its defense nuclear waste. This program is critical to addressing the environmental legacies of the Cold War and the Manhattan Project. Given that EM's portfolio is one of the nation's largest environmental and financial liabilities, we have the responsibility to address the waste and contamination in the affected communities in a timely and competent manner.

Lastly, we commend Chairman Frelinghuysen for the decision to provide funding for the Yucca Mountain nuclear waste disposal project and for including the provision to prohibit the use of funding to abandon the project. We agree that the Administration's actions to close down the project run counter to the Nuclear Waste Policy Act Congress of 1982.

As this bill moves forward, we hope to work with the majority to address these concerns.

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PETE VISCLOSKY.

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