

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS
 BILL, 2013

MAY 2, 2012.—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. 5325]

The Committee on Appropriations submits the following report in
 explanation of the accompanying bill making appropriations for en-
 ergy and water development for the fiscal year ending September
 30, 2013, 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 2013. The following table summarizes appropriations for fiscal year 2012, the budget estimates, and amounts recommended in the bill for fiscal year 2013.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted /1	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Title I, Department of Defense - Civil.....	5,002,000	4,731,000	4,814,193	-187,807	+83,193
Title II, Department of the Interior.....	1,076,423	1,034,018	987,518	-88,905	-46,500
Title III, Department of Energy.....	25,748,081	27,666,895	26,093,078	+344,997	-1,573,817
Title IV, Independent Agencies.....	254,496	252,124	261,293	+6,797	+9,169
Subtotal.....	32,081,000	33,684,037	32,156,082	+75,082	-1,527,955
Scorekeeping adjustments.....	-71,000	-621,582	-58,582	+12,418	+563,000
Grand total for the bill.....	32,010,000	33,062,455	32,097,500	+87,500	-964,955

4

1/ Excludes emergency appropriations

INTRODUCTION

The Energy and Water Development Appropriations bill for fiscal year 2013 totals \$32,097,500,000, \$87,500,000 more than the amount appropriated in fiscal year 2012 and \$964,955,000 below the President's budget request. Total security funding is \$11,275,000,000, \$275,000,000 more than the amount appropriated in fiscal year 2012 and \$260,886,000 below the budget request. Total non-security funding is \$20,822,500,000, \$187,500,000 below the amount appropriated in fiscal year 2012 and \$704,069,000 below the budget request.

The Committee notes that significant unobligated balances rescinded in fiscal year 2012 are unavailable in fiscal year 2013, making annual comparisons difficult. Adjusting for rescissions, the bill provides a non-emergency program level of \$32,278,667,000 for fiscal year 2013, \$622,542,000 below the amount appropriated in fiscal year 2012 and \$1,150,455,000 below the budget request.

Title I of the bill provides \$4,814,193,000 for the Civil Works program of the U.S. Army Corps of Engineers, \$187,807,000 below fiscal year 2012 (excluding disaster relief funding) and \$83,193,000 above the budget request. Total funding for activities eligible for reimbursement from the Harbor Maintenance Trust Fund is \$1,000,000,000, \$136,600,000 above fiscal year 2012 and \$152,000,000 above the budget request.

Title II provides \$987,518,000 for the Department of the Interior and the Bureau of Reclamation, \$88,905,000 below fiscal year 2012 and \$46,500,000 below the budget request. The Committee recommends \$966,518,000 for the Bureau of Reclamation, \$81,201,000 below fiscal year 2012 and \$46,500,000 below the budget request for accounts traditionally within the Bureau of Reclamation. The Committee recommends \$21,000,000 for the Central Utah Project, \$7,704,000 below fiscal year 2012 and the same as the budget request.

Title III provides \$26,093,078,000 for the Department of Energy, \$344,997,000 above fiscal year 2012 and \$1,573,817,000 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 \$11,275,000,000, \$275,000,000 above fiscal year 2012 and \$260,886,000 below the budget request.

The Committee recommends \$4,801,431,000 for the Office of Science; \$1,381,293,000 for renewable energy and energy efficiency programs; \$765,391,000 for nuclear energy programs; \$554,000,000 for fossil energy research and development; and \$200,000,000 for the Advanced Research Projects Agency—Energy.

Environmental management activities—non-defense environmental cleanup, uranium enrichment decontamination and decommissioning, and defense environmental cleanup—are funded at \$5,544,077,000, \$166,359,000 below fiscal year 2012 and \$105,923,000 below the budget request.

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

Title IV provides \$261,293,000 for several Independent Agencies, \$6,797,000 above fiscal year 2012 and \$9,169,000 above the budget request. Net funding for the Nuclear Regulatory Commission is

\$127,028,000, \$486,000 below fiscal year 2012 and \$340,000 below the budget 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 of critical importance. A key tenet of United States nuclear security policy is the civilian control of these most destructive of weapons. The NNSA, as an entity separate from the Department of Defense, is the embodiment of this tenet. The recommendation is strongly supportive of the President's proposals to increase investments in the NNSA through the following national defense accounts: Weapons Activities, Defense Nuclear Nonproliferation, and Naval Reactors.

The recommendation continues the Committee's strong support for modernization of the nuclear stockpile and its supporting infrastructure. Critical activities are still taking place in facilities built 70 years ago during the Manhattan project as "temporary" structures. Each year, our weapons scientists identify new challenges with our existing stockpile which must be addressed to ensure our strategic security. The funding in this recommendation will keep these efforts on track, while improving the transparency and accountability of the Administration's planning for modernization.

At the same time, the Committee supports the Administration's efforts to prohibit the spread of fissile materials overseas. While the United States government has made great strides working with its global partners to limit the potential spread of fissile materials, much more is left to be done. Finally, the Committee strongly supports the strategic protection afforded by our country's nuclear fleet, which is supported through the Naval Reactors account. Without the strategic capability enabled through the work and professionals funded by this account, our country, and our allies, would be facing a much more dangerous world.

GASOLINE PRICES AND ENERGY SUPPLIES

Although the Department of Energy can do little to immediately address rising gasoline prices or increase domestic energy supplies, its research and development programs are intended to lower energy costs and improve energy security in the years to come. The Committee understands that attainment of these goals requires an "all of the above" energy policy and, for many years, has supported research and development across a broad base of technologies. Unfortunately, the budget request would have us depart from an "all of the above" energy strategy by drastically cutting research and development into improved fossil and nuclear energy—the country's two largest energy sources—in favor of large, poorly justified increases in the research and development of energy efficiency and renewable energy sources.

The Committee recommends a better balance of research and development funding, seeking an increase in affordable, domestic energy. The recommendation maintains the Committee's commitment to Nuclear Energy and ensures the effective use of our coal and

natural gas resources through increased funding for Fossil Energy Research and Development.

Within Energy Efficiency and Renewable Energy, the recommendation redirects funding into the research and development avenues that will best address future gasoline prices. Increased funding for vehicle technologies will support research to improve gas mileage and reduce fuel bills for all Americans, while investments in biofuels, natural gas, hydrogen, and electric vehicle research will develop secure, domestic, and affordable fuel alternatives. In Fossil Energy Research and Development, the recommendation expands enhanced oil recovery research to increase domestic oil production, supports research to produce alternative fuels from domestic coal and biomass, and funds a new initiative to enable the safe and economical extraction of untapped domestic shale oil—a domestic resource whose size could rival the entire world’s proven oil reserves. These are not short-term fixes, but strategic investments in the programs that show the best promise for advancing prosperity and security for this country.

In addition to investments made within the Department of Energy, the Committee continues its investments in the two largest providers of hydroelectric power in the United States, the Army Corps of Engineers and the Bureau of Reclamation. Corps facilities alone supply three percent of total U.S. electric capacity. The Department of the Interior’s Bureau of Reclamation is the second largest producer of hydroelectric power in the western United States, generating 40 billion kilowatt hours of electricity each year from 58 power plants. Taken together, the facilities of the Corps and Reclamation supply as much electricity as solar, wind, and geothermal sources combined, yet the Administration’s budget request reduces funding for them each year. Fortunately, many power customers have stepped forward to help fill this void by providing advanced funding for some of the needed repairs and improvements at existing facilities.

SUPPORTING AMERICAN COMPETITIVENESS

The agencies and programs funded by the recommendation have been critical engines for the prosperity of the nation. The Army Corps of Engineers has the responsibility for reducing the risk of flooding for much of this country’s food-producing lands and economic centers. The Corps also is responsible for keeping our federal waterways open for business. The Bureau of Reclamation supplies reliable water to approximately ten percent of this country’s population and to much of its fertile agricultural lands. The Department of Energy has been at the forefront of developing intellectual property in energy sciences and other disciplines, the commercialization of new ideas, and improvements in energy supply and utilization. Working together, these agencies underpin the country’s economic competitiveness and energy security.

As the agency responsible for our nation’s federal waterways, the Army Corps of Engineers maintains 926 ports and 25,000 miles of commercial channels serving 41 states. The maintenance of these commercial waterways is directly tied to the ability of this country to ship its manufactured and bulk products, as well as to compete with the ports of neighboring countries for the business of ships arriving from around the world. These waterways handled foreign

commerce valued at more than \$1,729,000,000,000 in 2011 alone. As a primary supporter of America's waterway infrastructure, the Corps is ensuring that the nation has the tools to maintain a competitive edge in the global market. While the Committee must make hard choices with limited resources, this recommendation makes key changes to the budget request to ensure that the Corps has the necessary tools to continue to support America's shipping infrastructure.

The flood protection infrastructure that the Corps builds or maintains reduces the risk of flooding to people, businesses, and other public infrastructure investments. In fact, Corps projects prevented damages of \$28.1 billion in 2010 alone. Between 1928 and 2010, each inflation-adjusted dollar invested in these projects prevented \$7.17 in damages. Without this Corps infrastructure, properties and investments would often be flooded each year, destroying homes, businesses, roads, and many valuable acres of cropland.

The Committee considers funding for the Army Corps of Engineers to be a vital, but frequently overlooked, investment into the economic competitiveness of our country and encourages the Administration to include a more reasonable funding level for the work of the Corps in its future budget requests.

The Bureau of Reclamation's water infrastructure is a critical component of the agricultural productivity of this country. 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. Without these dams and water supply facilities, American agricultural producers in the West would not be able to access reliable, safe water for their families and their businesses and many municipal and industrial users would face critical water shortages.

The Department of Energy supports essential research that has helped keep America at the cutting edge of science and technology innovation. The recommendation continues a long-standing commitment by the Committee to the type of research that will improve American energy security and independence. For instance, fossil fuels are a key part of our energy sector, currently supplying 83 percent of our annual energy consumption. The United States has the most proven reserves of fossil fuels in the world, and they will continue to remain America's largest source of energy for decades to come. In addition, the petroleum, natural gas, and coal industries support more than 10 million jobs and contribute more than a trillion dollars to the economy each year. The recommendation for the Office of Fossil Energy will support the country's ability to efficiently and safely use these existing reserves and to tap vast additional resources currently inaccessible for energy production.

Unfortunately, the Department has not been as successful ensuring that intellectual property developed with U.S. taxpayer funds benefits those same taxpayers. All too often, foreign manufacturers capitalize on ideas developed at Department of Energy laboratories, or domestic manufacturers leave for production in foreign countries. Drawing from testimony offered by Department officials to the Committee this year, the Department does not seem to have a coherent and implementable strategy to track and improve domes-

tic exploitation of Department-developed intellectual property. Without such a strategy, U.S. manufacturing will too frequently be forced to play “catch-up” with foreign competitors benefitting from ideas formed here in the U.S. The Committee strongly urges the Department to take more of a leadership role in improving U.S. manufacturing and domestic intellectual property retention, and includes direction to this effect in the “Department of Energy” section.

PROJECT AND PROGRAM MANAGEMENT

Project and program management at the Department of Energy remains a core concern of this Committee. The Department continues its two decade presence on the Government Accountability Office’s “high-risk list” for project management. While the Department has made some progress in recent years to address the causes of these deficiencies, major construction projects, especially for the National Nuclear Security Administration (NNSA) and the Office of Environmental Management, are still facing significant cost increases.

These concerns extend into the management of the Department’s research and development activities. Taxpayer funding should only be invested into programs with clear guidelines and expectations, and activities must be terminated when those expectations are not met—allowing funds to be continually focused on high-priority, high-performing activities. The Committee became aware last year that as much as 80 percent of some programs’ annual budget requests was already “mortgaged,” promised to awards or agreements started in prior years. This approach severely limits the Department’s ability to adjust to new opportunities and scientific breakthroughs. Further, making awards subject to future appropriations reflects less than a full commitment to awardees, as full payment of the award is contingent on the future availability of funds and not solely on performance of the grantee. While some steps have been taken to move to a more flexible and responsive management approach, considerably more work needs to be done. The Committee expects program managers to actively manage their portfolios, provide clear expectations for performance, and realign funding when performance objectives are not being met. The Committee encourages the leadership of the Department of Energy to consider aspects of the Advanced Research Projects Agency—Energy model for application elsewhere within the Department’s research and development portfolio.

In order to build confidence that taxpayer investments are being managed responsibly and aggressively, the Committee relies on an accurate and detailed presentation of the Administration’s activities and priorities. Unfortunately, the fiscal year 2013 budget request hampered the ability of the Committee, and the public, to have confidence in the Department’s programs. The Committee includes direction under “Department of Energy” to ensure future budget requests provide Congress and the public a more appropriate level of information into the billions of dollars the Department requests from taxpayers.

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.

In fiscal year 2012, the Committee directed six reports from the Army Corps of Engineers, 60 reports from the Department of Energy, and five reports from the Bureau of Reclamation on various oversight initiatives. These reports were meant to inform essential budgetary decisions for fiscal year 2013. Each agency, but particularly the Department of Energy, has failed to comply with the Committee's direction. Of the 71 reports directed by the Committee, over 30 were due as of the writing of this report. Only three of these reports have been delivered to the Committee. Of these three, only one was delivered on time.

The Committee is concerned that agencies are failing to produce these reports in a timely manner. These reports provide critical information that the Committee needs in order to effectively oversee taxpayer funds. Without them, the Committee must make substantive decisions without the full input of the executive branch. For example, the Committee directed the Department of Energy to submit a plan based on specific future-year funding levels for the Office of Science. The Committee also directed the Department to provide an in-depth status update and detailed planning information on the Department of Energy's Hubs and its exascale computing initiative. This information is essential to inform the Committee's funding decisions, and without it the Committee will have to decide how to allocate limited funding among important projects without fully understanding the Department's priorities.

The inability of the Army Corps of Engineers, the Bureau of Reclamation, and the Department of Energy to provide accurate and timely financial information to the Committee calls into question the strategic planning functions of those agencies and within the Administration's interagency process. The Committee will continue to direct oversight and financial reports in an effort to build a more open and transparent budgeting process. The Committee expects that the Army Corps of Engineers, the Bureau of Reclamation, and the Department of Energy will renew their commitment to addressing and completing these congressionally directed reports in a timely manner.

The Committee is concerned with recent reports that taxpayer funds have been misused to support inappropriate conferences and activities. The Committee directs that, not later than 30 days after enactment of this Act, each Inspector General or senior ethics official of any entity without an inspector general funded by this Act shall report to the Committees on Appropriations of the House of Representatives and Senate the procedures that the appropriate department, agency, board or commission has in place to ensure compliance with all applicable Federal laws and regulations on

travel, conferences and employee awards programs, and shall assess the effectiveness of these procedures.

Further, not later than 30 days after the end of fiscal year 2013, each Inspector General or senior ethics official of any entity without an inspector general shall report to the Committees on Appropriations of the House and the Senate on appropriate department, agency, board or commission conference spending and compliance with laws and regulations. At a minimum, the report shall include: (1) the number of conferences held; (2) the amount of funds obligated and expenses by appropriation or other source of funding including budget accounts and subaccount; and (3) compliance with all applicable laws and regulations.

The recommendation continues the Committee’s responsibility to conduct in-depth oversight into all activities funded in this bill. A summary of the major oversight efforts in the bill is provided below:

Agency/Account	Requirement
All Agencies and Departments	Report on compliance procedures for travel, conferences, and employee award programs
All Agencies and Departments	Report on conference spending and legal and regulatory compliance
Army Corps of Engineers	Report on policy for credit for work by non-federal sponsors
Army Corps of Engineers	Report on cost-related metrics for aquatic ecosystem restoration projects
Army Corps of Engineers	Comprehensive estimate for completing ongoing projects
Army Corps of Engineers	Final spending plan for fiscal year 2013
Army Corps of Engineers	Guidance for developing ratings systems for allocating additional funds
Army Corps of Engineers	Plan for management of 902 limit project modifications
Army Corps of Engineers	Semi-annual list of projects that may exceed 902 limits
Army Corps of Engineers	Reprogramming guidelines
Army Corps of Engineers	Guidance on review of Olmsted Locks and Dam, IL & KY
Army Corps of Engineers	Restriction on use of funds for Olmsted Locks and Dam, IL & KY
Army Corps of Engineers	Restriction on use of continuing contracts
Army Corps of Engineers/Construction ...	Guidance on addressing threats to endangered species
Army Corps of Engineers/Operation and Maintenance.	Report on hazards of woody debris in Lake Chelan, WA
Army Corps of Engineers/Operation and Maintenance.	Status updates for litigation on mining activities near Tom Jenkins Dam, OH
Army Corps of Engineers/Flood Control and Coastal Emergencies.	Report on method for tracking emergency activities
Army Corps of Engineers/Expenses	Report on plan for allowing firearms on Corps lands
Bureau of Reclamation	Report on allocation of additional funds
Bureau of Reclamation	Guidance on use of technical memorandum for buried metallic water pipe
Bureau of Reclamation	Report on Colorado River Basin power revenues
Bureau of Reclamation	Requirement for developing new plan for budget justifications
Bureau of Reclamation	Report on five year comprehensive spending plan
Bureau of Reclamation	Reprogramming guidelines
Department of Energy	Requirement for revision of budget justification documents
Department of Energy	Guidance on budget structure changes
Department of Energy	Requirement for monthly financial balances report
Department of Energy	Report on program direction
Department of Energy	Report on Department-funded centers
Department of Energy	Guidance for including centers in future budget justifications
Department of Energy	Report on intellectual property protections
Department of Energy	Report on advancing American industry using computation sciences
Department of Energy	Notification of non-competitive management and operating contracts
Department of Energy	Restriction on fellowship and scholarship programs not in budget request
Department of Energy	Report on educational activities
Department of Energy	Reprogramming guidelines
Department of Energy/Energy Efficiency and Renewable Energy (EERE).	Guidance on manufacturing jobs in the United States
Department of Energy/EERE	Guidance on budget structure changes
Department of Energy/EERE	Guidance on conduct of biomass activities using non-food sources
Department of Energy/EERE	Study regarding consumer electronics technology and manufacturing
Department of Energy/EERE	Guidance for working with HUD and stakeholders on housing energy standards

Agency/Account	Requirement
Department of Energy/EERE	Guidance on consolidation of NREL facility operations and maintenance funding
Department of Energy/EERE	Guidance on return of weatherization programs to pre-ARRA operation rates
Department of Energy/Electricity Delivery and Energy Reliability (EDER).	Guidance on test grid for energy systems cyber security
Department of Energy/EDER	Requirement for prioritized list of cyber security testing capabilities
Department of Energy/Fossil Energy	Guidance on full-time equivalent information in budget justifications
Department of Energy/Fossil Energy	Guidance on hydraulic fracturing research and development
Department of Energy/Fossil Energy	Guidance for proposal on shale oil technology program
Department of Energy/Non-Defense Environmental Cleanup.	Action plan for small sites remediation
Department of Energy/Uranium Enrichment Decontamination and Decommissioning.	Guidance on progress of Title X activities
Department of Energy/Science	Guidance on reporting of data-intensive computing activities
Department of Energy/Science	Guidance on joint work between EFRC's and EERE
Department of Energy/Science	Report on improvements to the BioEnergy Research Centers
Department of Energy/Science	Reiteration of direction for ten-year plan for Fusion Energy Sciences
Department of Energy/NNSA	Statutory report on tritium and enriched uranium management
Department of Energy/Weapons Activities	Prohibition of funding to reduce stockpile below New START levels
Department of Energy/Weapons Activities	Report on prior-year spending on B61 life extension program
Department of Energy/Weapons Activities	Report on plutonium sustainment strategy and alternative assessment
Department of Energy/Weapons Activities	Separate funding line for Stockpile Assessment and Design
Department of Energy/Weapons Activities	Guidance on updating production plans for sustained funding for W76
Department of Energy/Weapons Activities	Realignment of funding for technology maturation
Department of Energy/Weapons Activities	Prohibition of funding for component upgrades within Stockpile Services
Department of Energy/Weapons Activities	Prohibition of funding for new operating lease
Department of Energy/Weapons Activities	Report on delays of upgrades to Building 9212 at Y-12
Department of Energy/Weapons Activities	Realignment of separate funding for maintenance and repair projects
Department of Energy/Nonproliferation ...	Independent review of performance measures
Department of Energy/Nonproliferation ...	Guidance on review of Second Line of Defense
Department of Energy/Nonproliferation ...	Comptroller General review of MOX facility cost estimates
Department of Energy/Nonproliferation ...	Guidance on reducing MOX operating expenses
Department of Energy/Nonproliferation ...	Guidance on future requests for Plutonium Disposition Integration
Department of Energy/Nonproliferation ...	Guidance on domestic radiological material protection
Department of Energy/Naval Reactors	Submission of five-year plans for OHIO-Replacement and prototype
Department of Energy/Office of the Administrator.	Guidance on Minority Serving Institution Partnership Program
Department of Energy/Defense Environmental Cleanup.	Report on National Spent Nuclear Fuel Program
Department of Energy/Bonneville Power Administration Fund.	Notification requirement for final plan for high voltage line
Department of Energy/Bonneville Power Administration Fund.	Report on direction received from the Secretary of Energy
Department of Energy/Southeastern Power Administration Fund.	Report on direction received from the Secretary of Energy
Department of Energy/Southwestern Power Administration Fund.	Report on direction received from the Secretary of Energy
Department of Energy/Western Area Power Administration Fund.	Report on direction received from the Secretary of Energy
Nuclear Regulatory Commission	Requirement for joint management of salaries and expenses
Nuclear Regulatory Commission	Notification requirement for use of emergency functions
Nuclear Regulatory Commission	Requirements for funding Yucca Mountain license application
Nuclear Regulatory Commission	Guidance on use of general expenses funds
Nuclear Regulatory Commission	Semi-annual report on licensing and regulatory activities
Tennessee Valley Authority	Inspector General audit and inspection reports

of information to be included in, or concurrent with, the standard budget justification materials provided to the Congress.

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

The bill continues a provision regarding the circumstances in which the Bureau of Reclamation may reprogram funds.

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

TITLE III—DEPARTMENT OF ENERGY

INTRODUCTION

Funds recommended in Title III provide for all Department of Energy programs, including Energy Efficiency and Renewable Energy, Electricity Delivery and Energy Reliability, Nuclear Energy, Fossil Energy Research and Development, Naval Petroleum and Oil Shale Reserves, the Elk Hills School Lands Fund, the Strategic Petroleum Reserve, the Northeast Home Heating Oil Reserve, the Energy Information Administration, Non-Defense Environmental Management, 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 Environ-

mental 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 \$27,666,895,000, including rescissions totaling \$366,667,000, as estimated by the Congressional Budget Office, in fiscal year 2013 to fund programs in its five primary mission areas: science, energy, environment, nuclear nonproliferation, and national security. The Department of Energy budget request is \$1,918,814,000 above fiscal year 2012 and includes significant increases to renewable energy programs and national defense mission areas. Substantial reductions are proposed to the program levels for Nuclear Energy and Fossil Energy Research and Development.

The Committee recognizes that the Department has made some difficult decisions among its priorities in its budget request. However, the Committee's recommendation makes changes to address the perennial threat of higher gasoline prices, better support American competitiveness, and strengthen national security.

The Committee notes that significant unobligated balances rescinded in fiscal year 2012 are unavailable in fiscal year 2013, making annual comparisons difficult. Excluding rescissions, the total funding recommended for the Department of Energy is \$26,274,245,000, \$365,045,000 below fiscal year 2012 and \$1,759,317,000 below the budget request. Including rescissions, the total funding recommended for the Department of Energy is \$26,093,078,000, \$344,997,000 above fiscal year 2012 and \$1,573,817,000 below the budget request.

MAJOR COMMITTEE CONCERNS

Last year, the Committee expressed its concern over the lack of strategic direction for a national energy policy, and urged the Department to take a more proactive role in developing such a policy. When the President spoke of an "all of the above" energy policy in the 2012 State of the Union address, the Committee was encouraged to hear the President adopt an approach the Committee has supported for years. Unfortunately, the fiscal year 2013 budget request does not adopt a true "all of the above" energy strategy, and instead seems more ideological than practical. For instance, the request makes substantial cuts to Fossil Energy and Nuclear Energy, this country's most important energy sources, in order to increase funding for Energy Efficiency and Renewable Energy. As attractive as renewable energy may be, it will only supply a mere fraction of this country's energy over the next 50 years, and taxpayer dollars should be invested across the spectrum of all technologies.

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.

The Committee continues 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 text or table detailing the Committee's recommendation for the Department of Energy's various accounts. The Committee also prohibits new starts not funded by the Congress and includes other direction to improve public oversight of the Department's actions.

FINANCIAL REPORTING

The Committee notes that the Department has made some improvements over the last year to regularize reporting of financial balances to the Committee. While these efforts have improved the institutional control of resources within the Department, and the Committee's confidence in the Department's financial structures, the Department's budget justifications for fiscal year 2013 were insufficient.

In several major accounts, the budget request materials lack details and were presented at such a high level of explanation as to cloud any real understanding of the activities that were proposed. Tables were removed from program descriptions, requiring the reader to sort through pages of text to derive details that were previously prominently displayed. The Committee appreciates attempts to make these documents more concise, but preserving transparency is essential.

In addition, while some programs provided a more logical description of activities within the text, others failed to make substantive improvements that would have justified revising the format so extensively. Within the NNSA volume, the budget justifications did not even provide tables at the level of the reprogramming controls, yet the actual text was 44 pages longer than last year's volume, after accounting for the removal of the funding details for the sites.

In some cases, the information provided was entirely inadequate for budgeting purposes. The budget request justification documents for Energy Efficiency and Renewable Energy (EERE) are of particular concern to the Committee. In prior years, EERE budget justifications specified funding levels within each program according to their technology areas and activities. This year's budget request divides each program into four categories based on Technology Readiness Levels (TRL): Innovation, Emerging Technologies, Systems Integration, and Market Barriers. It also strips out nearly all other project and activity funding details provided in prior-year volumes and includes only qualitative descriptions of proposed activities. While a TRL analysis could add an interesting and useful analysis for how activities support the Department's strategic goals, it is not a suitable replacement for a clear description of the actual technology areas and activities to be funded.

For example, the budget documents briefly discuss goals for Enhanced Geothermal Field Sites but fail to mention that funding for these new sites accounts for \$30,000,000 of the geothermal program's proposed \$65,000,000 budget. While the Committee has access to these details through subsequent inquiries, the research

community, industry and the general public do not have the same level of access and depend heavily on the transparency of the budget documents as prepared by the Department. The lack of funding detail weakens the Department's justification for taxpayer-funded activities and lessens the Committee's confidence that careful planning and budgeting at the activity level is conducted prior to release of the budget request. The Committee directs the Department to provide in its budget justifications no less detail than the funding levels provided for projects, programs and activities in the fiscal year 2012 budget request. Further, the Department is directed to revert EERE's budget request justification structure to that used in the fiscal year 2012 request, with updates as necessary to reflect any real and proposed changes to programs and activities. The Department may include a TRL analysis as supplemental information for each EERE program.

In addition to the problems caused by the revised formatting, the Department continues to request changes to the congressional budget structure. While the Committee has supported changes to the budget structure to improve transparency and provide flexibility in executing funding, these structure change proposals may cause misperceptions, and make it difficult to understand programmatic trends using an "apples to apples" comparison. For instance, this year's request attempted to shift funding for Idaho Sitewide Safeguards and Security from Other Defense Activities to Nuclear Energy. Because of this shift, the Department's budget request appears to provide level funding for Nuclear Energy, while actually reducing funding to research and development activities by twelve percent. The Committee directs the Department to consult with the Committee before implementing any changes to its budget request structure.

In addition, the Committee directs the Department to continue to provide monthly Financial Balances Report to the Committee. The reports should provide, for each program at the congressional control level as specified in the table in this report detailing the Committee's recommendation for the Department's various accounts, the following balances: total available (prior and current year); unobligated; unobligated but committed; and obligated and 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 any unspent American Recovery and Reinvestment Act balances, should be displayed separately within the Report. This direction shall apply to future fiscal years unless countermanded by the Committee.

The Committee remains concerned over the lack of transparency in the Department's Program Direction accounts and has specified Program Direction funding in the bill for the relevant accounts. The Committee directs the Department to provide a Program Direction Report to the Committee, no later than 180 days after enactment of this Act. The report should provide for each program and field activity for the two previous fiscal years budgeted and expended amounts for salaries and benefits, travel, support services, and other related expenses and other relevant categories. This report should include Program Direction balances in summary form and by the fiscal year.

MANAGEMENT OF NUCLEAR SPENT FUEL AND DEFENSE WASTE

The Committee believes that the Administration's refusal to honor the requirements of the Nuclear Waste Policy Act of 1982 regarding Yucca Mountain has significantly set back this country's nuclear spent fuel and waste management strategy. By unilaterally halting the Yucca Mountain High-Level Waste Geological Repository, the Administration is unable to take responsibility for this nation's spent fuel and high level waste. As a result, the Department's fiscal year 2011 Financial Report shows the estimated liability taxpayers are now faced with to be more than \$19,000,000,000, nearly \$4,000,000,000 more than a year ago. This liability will likely only grow as the full consequences of the Administration's Yucca Mountain policy become clear. In addition, high-level defense waste in sites across the country now have no disposition pathway, presenting the likelihood that the federal government will have to pay penalties to the states as deadlines for removal are missed. Finally, the credibility of the federal government has been further eroded by the Administration's actions to halt the program and its refusal to request a legislative alternative to current law.

The Committee notes that although the Administration's Blue Ribbon Commission recommendations have not been considered in whole or in part by Congress, the Administration requests funding for several of these recommendations in an attempt to shift attention from its Yucca Mountain policy. Several proposed activities would only be necessary as a consequence of the Administration's Yucca Mountain policy, such as efforts to increase the nuclear waste confidence rule past its current 60 years. The Committee rejects all such proposals. Additionally, the bill makes clear that any activities funded from the Nuclear Waste Fund must be in support of Yucca Mountain.

The recommendation includes \$25,000,000 for Nuclear Waste Disposal to support the Yucca Mountain High-Level Waste Geological Repository, including \$5,000,000 to support local communities who have formally consented to host it. The Committee includes this support in recognition that Nye County, the county which encompasses the Yucca Mountain area, has given its formal consent to host Yucca Mountain. The Committee notes that geological repositories will be needed in addition to Yucca Mountain. If the Congress provides the authority for such repositories, as well as for a consensus-based siting process, the Committee will consider support for such activities at that time. In the meantime, the bill contains a prohibition on using funds to close the Yucca Mountain license application or to take actions which would irrevocably remove Yucca Mountain as an option for a repository.

PROLIFERATION OF CENTERS

In the past several years, the Department has established a variety of new research centers, or persistent, location-based grantees that receive funding across a number of years and which often require out-year commitments subject to appropriations. Examples include Energy Frontier Research Centers, Energy Innovation Hubs, BioEnergy Research Centers, Clean Energy Application Cen-

ters, and Manufacturing Demonstration Facilities. The Committee, in conjunction with the Department, has deliberated extensively and openly over proposals for many of these centers, as seen in the process for establishing new Energy Innovation Hubs. The Committee continues to support the ongoing review of all existing research centers and expects frequent and thorough updates as the Department considers their relative effectiveness and potential renewal or termination in future years.

While many of these centers have been proposed openly and established with congressional concurrence, a number have been established or renewed over the years without mention in budget requests, such as Manufacturing Demonstration Facilities and the U.S. China Clean Energy Research Center. Further, many centers have been funded perennially and lack a concrete goal after which they would be terminated. This practice has led to the proliferation of centers across many Departmental programs consuming program budgets and preventing prioritization of funds towards other higher-priority activities.

For example, the Advanced Manufacturing Program within Energy Efficiency and Renewable Energy currently funds more than forty centers of a variety of sizes, ages, and effectiveness levels, only a portion of which are mentioned in the budget request. These centers vary in how well they support the program's new manufacturing mission. Further, the Department's financial commitments to these centers and to other prior-year awards consume more than \$100,000,000 of that program's budget, making it difficult to target fiscal year 2013 activities towards the most pressing manufacturing priorities.

Addressing this problem requires a higher degree of transparency, evaluation, and prioritization to ensure that only highly-effective centers closely aligned to program missions are funded. The Department is directed to submit to the Committee, not later than February 10, 2013, a comprehensive list of all centers funded in fiscal year 2013, including the date of establishment, funding level in fiscal year 2013, total funding received to date, purpose and milestones, and expected termination date. Further, future budget request justifications should explicitly include all centers and their current and proposed funding levels, expected out-year commitments, and detail on their programmatic and technical goals.

PROJECT AND PROGRAM MANAGEMENT

The Committee has been frequently critical of the Department project and program management practices. Its inability to control cost and scope on major construction projects, among other issues, has kept the Department on the Government Accountability Office's "high risk list" for more than two decades. The recommendation includes direction, most notably within the Energy Efficiency and Renewable Energy, Weapons Activities, and Defense Environmental Cleanup accounts, to assist the Department in improving the transparency and accountability of the funds entrusted to it by the taxpayer.

Further, the Committee remains concerned about the Department's management of its loan guarantee programs. While the

Committee has not provided additional loan guarantee authority or subsidy, the Department has a substantial portfolio that must be managed as well as significant unobligated authority to enter into new loan guarantees. Given the challenges the program has experienced over the last several years, it is incumbent upon the Department to aggressively monitor the health of each of its awardees and take strong measures when necessary to protect taxpayer investments. In addition, the Department must improve its transparency with Congress and the public regarding the program. The perceptions of unnecessary risk from which the program has suffered are only heightened by a general lack of understanding regarding the decisions the Department has made to date.

Finally, the Committee has taken steps in recent years to curb the Department's announcements of new funding opportunities without congressional support or funding. This recommendation continues this initiative, driven by past Department practices which have led to false expectations in the marketplace. The Department's public declarations have the potential to shape private sector investments and even move markets, and the Committee strongly urges the Department to more closely tie its proclamations with its ability to fulfill them.

INTELLECTUAL PROPERTY

While the Department of Energy is this country's premier supporter of energy-related research and development, the Committee is concerned with the Department's apparent lack of focus on keeping this intellectual property here at home. The Department's research and development efforts yield several thousand patents and licenses each year, and taxpayers expect their support to result in commercialized technologies that benefit both American consumers and American industry. This expectation is not met when intellectual property that was developed with public funding is commercialized only by foreign manufacturers. The Committee believes that intellectual property policies offer substantial opportunities to encourage domestic manufacturing without obstructing commercial efficiency, eroding the value of intellectual property, or undermining free trade. The technology transfer efforts of the Department should support domestic manufacturing wherever possible and the Department must take proactive steps to ensure taxpayer-funded research and development result in domestic jobs and revenues.

In recent years, a number of companies using or selling technologies that were developed with the Department's support have relocated their manufacturing efforts overseas. Despite the Department's many technological breakthroughs, the U.S. increasingly imports more renewable energy products than it exports. The majority of components installed in American renewable energy systems are manufactured overseas. The current composition of global manufacturing means that much of the research and development proposed in the Department's budget request is likely to be produced overseas. Yet, the request includes no recommendations or initiatives to improve intellectual property retention here at home.

The Committee directs the Secretary to report not later than 120 days after enactment of this Act on what authorities are available

to control intellectual property, including the Bayh-Dole Act, that may help the retention of domestic manufacturing. The report should describe how the Department uses these authorities to ensure that its scientific discoveries yield commercial technologies that are manufactured domestically. In addition, the Secretary should include in the report specific recommendations for improving domestic intellectual property transfer and retention.

American manufacturing can also benefit by using the Department's world-leading computational assets. The Committee supports the use of computational sciences in the Department's applied research and development programs to advance American energy and manufacturing innovations, and directs the Department to submit a report outlining the Department's strategy to this end.

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.

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 specificity, the substantive reasons competition is not in the national interest. This direction shall be followed in future fiscal years unless countermanded by the Committee.

EDUCATIONAL ACTIVITIES

The Department is prohibited from funding fellowship and scholarship programs in fiscal year 2013 unless they were explicitly included in the fiscal year 2013 congressional budget request justification documents and are not excluded in this recommendation. Any new or ongoing programs that the Department wishes to fund in fiscal year 2014 must be detailed in the fiscal year 2014 budget request documents. This direction shall be followed in future fiscal years unless countermanded by the Committee.

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, out-year mortgages, and Department account and program within which the activity resides. This report shall be submitted in future fiscal years unless countermanded by the Committee.

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. As in the fiscal year 2012 Act, 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. The recommendation includes a general provision providing internal reprogramming authority to the Department, as long as no program, project, or activity is increased or decreased by more than \$5,000,000 or 10 percent, whichever is less, compared to the levels in the text or 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 to another project or a change of \$2,000,000 or 10 percent, whichever is less, in the scope of an approved project.

Criteria for Reprogramming.—A reprogramming should be made only when an unforeseen situation arises, and then only if delay of the project or 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.— In recognition of the security missions of the Department, the legislative guidelines allow the Secretary and the Administrator of the National Nuclear Security Administration jointly to waive the reprogramming restriction by certifying to the Committees on Appropriations of the House and Senate that it is in the nation's security interest to do so. The Department shall not deviate from the levels for activities specified in the report which are below the level of the detail table, except through the regular notification procedures of the Committee. No funds may be added to programs for which funding has been denied. Any reallocation of new or prior-year budget authority or prior-year de-obligations, or any request to implement a reorganization which includes moving previous appropriations between appropriations accounts must be submitted to the House and Senate Committees on Appropriations in writing and may not be implemented prior to approval by the Committees.

COMMITTEE RECOMMENDATIONS

The Committee's recommendations for Department of Energy programs in fiscal year 2013 are described in the following sections. A detailed funding table is included at the end of this title.

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

(INCLUDING RESCISSION OF FUNDS)

Appropriation, 2012	\$1,809,638,000
Budget estimate, 2013	2,267,333,000
Recommended, 2013	1,381,293,000
Comparison:	
Appropriation, 2012	– 428,345,000
Budget estimate, 2013	– 886,040,000

Energy Efficiency and Renewable Energy (EERE) 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, and tribal energy activities.

The Committee recommends a total of \$1,381,293,000 for Energy Efficiency and Renewable Energy, \$428,345,000 below fiscal year 2012 and \$886,040,000 below the budget request. Taking into account rescissions of \$15,362,000 in fiscal year 2012 and the rescission of \$69,667,000 of prior-year balances in the recommendation, the bill provides \$374,040,000 below fiscal year 2012 and \$886,040,000 below the budget request.

Priorities.—Within limited resources in fiscal year 2013, the Committee focuses funding on programs that address future high gas prices and support American manufacturing, two of the Committee’s highest priorities. While funding for the overall EERE program is reduced by 24 percent from fiscal year 2012, the activities focusing on these two priorities are funded at approximately the fiscal year 2012 level. Through careful prioritization and difficult choices, the recommendation increases the portion of the EERE portfolio focusing on these critical priorities from roughly half in fiscal year 2012 to nearly three-quarters in fiscal year 2013.

The Vehicle Technologies, Biomass and Biorefinery Systems, and Hydrogen and Fuel Cell Technologies programs fund activities that can reduce American exposure to future high oil prices. Research into cutting-edge technologies that will increase the gas mileage of gasoline and diesel fuel vehicles—the vast majority of today’s fleet—will allow Americans to spend less on fuel over the same distance. Research into next-generation automotive and fuel technologies that power vehicles with domestic energy sources such as natural gas, electricity, biofuels, and hydrogen can likewise dramatically lower the impact of future high gas prices on Americans. The activities funded within EERE, together with the activities funded elsewhere in the bill to increase domestic oil and gas production, form a two-pronged approach to protecting Americans from future increases of petroleum-based fuel prices.

The Advanced Manufacturing Program, formerly Industrial Technologies, will fund activities targeted at helping American manufacturers compete in the global marketplace. Energy costs are a major contributor to manufacturing costs, and technology innovations that steeply reduce energy consumption in industrial and manufacturing processes can give American manufacturers competitive advantages in the global marketplace. Further, the Committee funds activities throughout all EERE research and development programs targeted at lowering the manufacturing cost of emerging energy technologies.

The Committee is concerned that, historically, technology innovations developed through EERE research and development programs ultimately lead to manufacturing of new or cheaper products overseas. The Committee cautions the Department against this pitfall and charges EERE with targeting the Advanced Manufacturing activities, as well as research and development across EERE, to ultimately create manufacturing jobs in the United States.

Comparison to Budget Request.—Unlike in previous years, the Department of Energy’s fiscal year 2013 budget request does not specify funding levels for most projects and activities below the program level within Energy Efficiency and Renewable Energy. Therefore, for the purposes of comparison to requested levels and fiscal year 2012, the recommendations for projects and activities within this account use figures provided by the Department in supplementary materials after transmittal of the budget request. For its fiscal year 2014 budget request, as directed under “Financial Reporting” above, the Department is to return to the same level of detail provided in the fiscal year 2012 budget request.

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

The Committee recommends \$1,364,400,000 for energy efficiency and renewable energy research, development, demonstration, and deployment programs, \$332,600,000 below fiscal year 2012 and \$777,600,000 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 recognizes the breakthrough research, cost reductions, and increased efficiencies and durability of fuel cell and hydrogen energy systems achieved by this program that have accelerated the technologies’ transition to market. Hydrogen and fuel cell technologies continue to be one of few possible ways to reduce Americans’ exposure to future high gas prices, and the Committee continues to support research in this area. The Committee recommends \$82,000,000 for Hydrogen and Fuel Cell Technologies, \$22,000,000 below fiscal year 2012 and \$2,000,000 above the budget request.

Biomass and Biorefinery Systems R&D.—Along with electric, fuel-cell, and natural gas vehicles, biofuels grown from non-food crops or algae are one of the few ways by which the nation can lower its dependence on imported oil and reduce the impact of future high gas prices on American families and businesses. The Biomass and Biorefinery Systems R&D program develops and dem-

onstrates technologies to convert biomass crops to fuels, chemicals, heat, and power. The Committee recommends \$203,000,000 for Biomass and Biorefinery Systems R&D, \$3,000,000 above fiscal year 2012 and \$67,000,000 below the budget request.

The Department is directed to continue conducting only research, development, and demonstration activities advancing technologies that can produce fuels and electricity from biomass and crops that could not otherwise be used as food.

The budget request proposed funding and legislative language for a joint initiative with the Navy and the Department of Agriculture to develop commercial diesel and jet biofuels production capacity for defense purposes. The Department has not adequately justified why the Department of Energy should fund this Defense initiative, and whether the proposed investments can successfully lower costs to competitive levels in several years or will only serve to sink costs into a product that is too immature to compete without federal support. The recommendation includes no funding for the proposed initiative and does not include the requested legislative language.

The recommendation includes \$15,000,000 for research and development of biofuels from algae feedstocks, \$15,000,000 below fiscal year 2012 and \$14,280,000 below the request. The recommendation includes no funds for cook stoves activities, \$4,829,000 below fiscal year 2012 and \$2,910,000 below the request.

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 \$155,000,000 for Solar Energy, \$135,000,000 below fiscal year 2012 and \$155,000,000 below the budget request.

Keeping American manufacturing competitive continues to be a major priority for the Committee across all technology areas, and solar manufacturing initiatives are prioritized within this program. From within available funds, the recommendation includes no less than \$65,000,000 for Innovations in Manufacturing, \$19,404,000 below the fiscal year 2012 and \$44,710,000 below the budget request. The recommendation also includes no less than \$20,000,000 for PV Cell Development and Supply Chain activities, \$7,983,000 below fiscal year 2012 and \$3,041,000 below the budget request.

Wind Energy.—The Wind Energy program supports research and development aiming to improve the reliability and decrease the cost of wind power. The Committee recommends \$70,000,000 for Wind Energy, \$23,593,000 below fiscal year 2012 and \$25,000,000 below the budget request.

The Committee continues to support wind activities with large generation potential that rely on technology innovations that would not be developed by the private sector alone. To this end, the Committee supports an emphasis on offshore wind technologies significantly more advanced and in deeper water than those being considered currently by the private sector. The Committee recommends \$35,000,000 for offshore wind activities, to include \$15,000,000 for research and development of innovative offshore wind technologies, and \$20,000,000 for offshore wind demonstration projects that are significantly more technologically advanced than commercial ventures currently in development.

Geothermal Technologies.—Ground heat is a potentially large source of domestic energy that could be broadly tapped for power generation, heating, and cooling. The Committee recommends \$30,000,000 for geothermal technology, \$8,000,000 below fiscal year 2012 and \$35,000,000 below the budget request.

The recommendation includes no funds for the proposed \$30,000,000 Enhanced Geothermal Systems Field Sites. The Department is encouraged in future budget requests to refine its justification for these field sites and to include details on out-year commitments. A realistic budget proposal that includes field sites should not assume a significantly increased overall appropriation for Geothermal Technologies.

As noted by the Committee last year, the United States Geological Survey has identified more than 120 gigawatts of potential domestic energy from low-temperature geothermal sources. The Committee directs the Department to continue supporting a comprehensive program that will help the nation tap these vast resources, and to consider the full authorized spectrum of geothermal technologies in order to maximize the use of domestic geothermal energy.

Water Power.—The Committee recommends \$45,000,000, \$14,000,000 below fiscal year 2012 and \$25,000,000 above the budget request, to include \$25,000,000 for marine and hydrokinetic research, development, and demonstration, and \$20,000,000 for conventional hydropower.

Vehicle Technologies.—The Vehicle Technologies program invests in activities to lower the impact of high gas prices on the nation's drivers through technological advancements that increase the fuel efficiency of vehicles and the spectrum of transportation fuels. The Committee recommends \$335,000,000 for Vehicle Technologies, \$5,000,000 above fiscal year 2012 and \$85,000,000 below the budget request.

The recommendation includes \$60,000,000 for Advanced Combustion Engine Research and Development, \$1,973,000 above fiscal year 2012 and \$4,739,000 above the budget request, to increase gas mileage by improving the combustion engine technologies used in the vast majority of the nation's current vehicles. As the Department focuses more efforts on developing new alternative fuels for automotive, power production, and industrial applications, research is needed to improve the efficiency and performance of alternative fuels rather than focusing solely on increased production. Better understanding of alternative fuel properties, combustion, and fluid dynamics can assist producers and engine manufacturers in achieving the clean utilization of alternative fuels. The Committee encourages the Department to support research that targets multidisciplinary efforts involving researchers, fuel producers, and end users to help develop a sustainable fuel industry from domestic sources.

The Committee recommends \$49,000,000 for Materials Technology, \$8,170,000 above fiscal year 2012 and \$525,000 above the budget request, to improve efficiency and gas mileage of all vehicle types through the development of lightweight materials and advanced propulsion system materials. Within available funds, the

recommendation provides \$4,000,000 for Lightweight Materials Simulation and Design.

The recommendation includes \$171,131,000 for Batteries and Electric Drive Technology, \$6,193,000 above fiscal year 2012 and \$88,681,000 below the budget request, to advance technologies that will enable the next generation of vehicles powered by domestically-produced electricity. The recommendation also includes \$26,500,000 for Vehicle Technologies Deployment, \$1,376,000 below fiscal year 2012 and the same as the request.

In its fiscal year 2012 report, the Committee emphasized the importance of increasing the efficiency of medium- and heavy-duty trucks, as well as its concern regarding the Department's plans to terminate or delay commitments under the SuperTruck program. The Committee notes that the Department met its commitments to prior awards within this program during fiscal year 2012.

Building Technologies.—Buildings consume more than 40 percent of the nation's energy, and the Building Technologies program seeks to save energy by advancing technologies in building systems and in appliances and devices within them. The Committee recommends \$125,000,000 for Building Technologies, \$95,000,000 below fiscal year 2012 and \$185,000,000 below the request.

The recommendation includes \$24,238,000, the same as the request, for the fourth year of the Energy Efficient Building Systems Design Energy Innovation Hub, and \$6,000,000 for small-scale combined heat and power systems with applications in residential and small commercial settings. The Committee recommends \$24,238,000 for solid state lighting research and development, the same as the request, to include \$12,000,000 for research to lower manufacturing costs. The recommendation includes no funding for the Better Buildings Challenge. The Department is encouraged to investigate opportunities for technological improvements that can increase the energy efficiency of cooking appliances in commercial settings.

The Department has been engaged in a rulemaking process for several years to define energy usage standards for direct heating equipment under authorities granted by the Energy Policy and Conservation Act of 1975, as amended. The Committee recognizes that the treatment of gas hearth and log products under this rule has been controversial and is the subject of ongoing litigation. The Committee notes that the Congress has not updated the statutes relevant to this issue for 34 years and encourages the Department to work with the relevant authorizing committees to ensure the legislation and its implementation comport with congressional intent.

The Committee directs the Department to work with its partner agencies, industry, and relevant university programs to complete a study, not later than 8 months after enactment, of the potential benefits of a research and development program to improve the manufacturing of consumer electronics. The research and development program should include, but not be limited to: the potential for manufacturing improvements, cost-effective "smart electronics" technologies that could further save consumers money and reduce the energy consumption of consumer electronics, and an evaluation of research and development approaches for increasing energy efficiency of consumer electronics.

The Committee is aware that the Energy Independence and Security Act of 2007 assigned the Department the role to develop energy efficiency standards for manufactured housing, a responsibility which had previously been assumed by the Department of Housing and Urban Development (HUD). The Committee directs the Department to work closely with HUD, industry, and tenant groups, including through the Manufactured Housing Consensus Committee, to ensure that any proposed standards take equally into account the up-front cost of housing as well as lifecycle operating costs.

Advanced Manufacturing.—The Advanced Manufacturing program, formerly the Industrial Technologies program, invests in research and development to improve the competitiveness of American manufacturing by increasing the energy efficiency of manufacturing processes across a variety of industries. Energy usage is a large contributor to the cost of manufacturing, and reductions to energy expenditures can significantly lower manufacturing costs. The Committee recommends \$150,000,000, \$34,000,000 above fiscal year 2012 and \$140,000,000 below the budget request.

The recommendation includes \$32,300,000 for Next Generation Materials, \$577,000 below fiscal year 2012 and \$20,052,000 below the request. Within Next Generation Materials, the recommendation includes \$20,000,000 for the second year of funding for the Critical Materials Energy Innovation Hub, the same as the budget request. The constrained supply of critical materials continues to be a serious concern for advanced energy, vehicle, and defense technologies. The Department is encouraged to address the domestic rare earth supply chain through the Critical Materials Energy Innovation Hub and other means, including the investigation of cost-neutral opportunities such as recycling programs.

The recommendation includes \$102,700,000 for Next Generation Manufacturing Processes, \$40,615,000 above fiscal year 2012 and \$96,048,000 below the request. The Committee recommends \$40,000,000 for the Innovative Manufacturing Initiative, \$40,000,000 above fiscal year 2012 and \$60,000,000 below the budget request. Within available funds, the recommendation includes not less than \$4,205,000 for improvements in production in the steel industry, and \$19,000,000 for combined heat and power activities relevant to industrial applications and energy savings in manufacturing processes.

The recommendation includes \$15,000,000 for Industrial Technical Assistance, \$2,730,000 above fiscal year 2012 and \$16,000,000 below the request. The Department is encouraged to continue its efforts furthering improvements in mechanical insulation, an area which has the potential to yield significant energy and cost savings for the industrial, commercial, and manufacturing sectors.

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 \$18,000,000, \$12,000,000 below fiscal year 2012 and \$14,000,000 below the budget request.

Facilities and Infrastructure.—The Committee recommends \$26,400,000 for facilities and infrastructure, \$7,000 below fiscal year 2012 and the same as the budget request. In future budget

requests, the Department is directed to consolidate all facility operations and maintenance for the National Renewable Energy Laboratory into a budgetary line within Facilities and Infrastructure.

Program Direction.—The Committee recommends \$115,000,000 for program direction, \$50,000,000 below fiscal year 2012 and \$49,700,000 below the budget request.

Strategic Programs.—The Committee recommends \$10,000,000 for Strategic Programs, \$15,000,000 below fiscal year 2012 and \$48,900,000 below the request, to include \$2,000,000 for the U.S.-Israel energy cooperative agreement.

FEDERAL ENERGY ASSISTANCE PROGRAMS

The Committee recommends a total of \$86,560,000 for federal energy assistance programs, \$41,440,000 below fiscal year 2012 and \$108,440,000 below the budget request.

Weatherization Assistance.—The Committee recommends \$54,560,000 for the Weatherization Assistance Program, \$13,440,000 below fiscal year 2012 and \$84,440,000 below the budget request, of which \$3,300,000 is for training and technical assistance.

As of March 29, 2012, the weatherization program had more than \$810,000,000 in combined unspent funds from prior-year appropriations and the American Recovery and Reinvestment Act of 2009 (ARRA). The Department is directed to instruct the state, territory, and tribe weatherization programs to return weatherization operations to pre-ARRA levels as soon as possible. As in fiscal year 2012, the bill includes a statutory provision allowing the Secretary to waive the weatherization allocation formula in order to distribute fiscal year 2013 funds to programs with insufficient carry-over balances. This provision, combined with the new budget authority provided in the bill, will allow the Department to disburse funds such that each state, territory, and tribe can operate through its 2013 program year at approximately the fiscal year 2010 level.

State Energy Program.—The Committee recommends \$25,000,000 for the State Energy Program, \$25,000,000 below fiscal year 2012 and \$24,000,000 below the request, all for formula grants.

Tribal Energy Activities.—The Committee recommends \$7,000,000 for tribal energy projects, \$3,000,000 below fiscal year 2012 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, 2012	\$139,103,000
Budget estimate, 2013	143,015,000
Recommended, 2013	123,000,000
Comparison:	
Appropriation, 2012	– 16,103,000
Budget estimate, 2013	– 20,015,000

The Committee recommends \$123,000,000 for Electricity Delivery and Energy Reliability, \$16,103,000 below fiscal year 2012 and \$20,015,000 below the budget request. Taking into account the re-

scission of \$397,000 in fiscal year 2012, the recommendation is \$16,500,000 below fiscal year 2012.

The Electricity Delivery and Energy Reliability program advances technologies and provides operational support to increase the efficiency, resilience, 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. The Office of 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.

Electricity Delivery and Energy Reliability Research and Development.—The Committee recommends \$83,400,000 for Electricity Delivery and Energy Reliability Research and Development, \$16,090,000 below fiscal year 2012 and \$20,000,000 below the budget request.

The Committee recommends \$24,000,000 for Clean Energy Transmission and Reliability, \$1,490,000 below fiscal year 2012 and the same as the budget request, to include \$9,695,000 for Advanced Modeling Grid Research, \$305,000 below fiscal year 2012 and the same as the budget request. Within available funds, the Department is directed to support research and development of cost-competitive transmission components using high-temperature superconducting and ambient-temperature conducting materials with increased efficiency, capacity, durability, longevity, and reliability.

The Committee recommends \$14,400,000 for Smart Grid Research and Development, \$9,600,000 below fiscal year 2012 and the same as the budget request, and \$15,000,000 for Energy Storage Research and Development, \$5,000,000 below fiscal year 2012 and the same as the budget request.

The Committee recommends no funds for the proposed Electricity Systems Energy Innovation Hub, \$20,000,000 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 2012 and the budget request. Within the cyber security research program, the Department is directed to explore the potential benefits of a test grid capable of conducting full-scale research, testing and evaluation of cyber security effects on the grid, including integration of wireless technologies and systems. The Department is directed to submit to the Committee a prioritized list of current and potential testing capabilities, including a full-scale test grid.

Permitting, Siting and Analysis.—The Committee recommends \$6,000,000, \$1,000,000 below fiscal year 2012 and the same as the budget request.

Infrastructure Security and Energy Restoration.—The Committee recommends \$6,000,000, the same as fiscal year 2012 and the budget request.

Program Direction.—The Committee recommends \$27,600,000, \$590,000 above fiscal year 2012 and \$15,000 below the budget request.

NUCLEAR ENERGY

Appropriation, 2012	\$765,391,000
Budget estimate, 2013	770,445,000
Recommended, 2013	765,391,000
Comparison:	
Appropriation, 2012 .....	.....
Budget estimate, 2013	– 5,054,000

The Committee recommends \$765,391,000 for Nuclear Energy, the same as fiscal year 2012 and \$5,054,000 below the budget request. Excluding a rescission of \$3,272,000 in fiscal year 2012, the recommendation is \$3,272,000 below fiscal year 2012. Taking into account the budget request's proposed relocation of \$95,000,000 for Idaho Sitewide Safeguards and Security into this account, which is not supported in this recommendation, the programmatic level for Nuclear Energy is \$89,946,000 above the budget request. The recommendation provides \$93,350,000 for Idaho Sitewide Safeguards and Security within Other Defense Activities, the same as fiscal year 2012.

Nuclear power generates approximately one fifth of the nation's electricity and will continue to be an important base-load energy source in the future. The Department of Energy's Nuclear Energy program invests in research, development, and demonstration activities that develop the next generation of clean and safe reactors, further improve the safety of our current reactor fleet, and contribute to the nation's long-term leadership in the global nuclear power industry.

NUCLEAR ENERGY RESEARCH AND DEVELOPMENT

The Committee provides \$462,376,000 for Nuclear Energy Research and Development, \$9,601,000 above fiscal year 2012 and \$79,946,000 above the request.

Nuclear Energy Enabling Technologies.—For this program, which funds activities that support the full spectrum of nuclear research across the Department, the Committee recommends \$75,000,000, \$120,000 above fiscal year 2012 and \$9,682,000 above the budget request. The recommendation includes \$14,563,000 for the National Science User Facility at the Idaho National Laboratory, \$17,000 below fiscal year 2012 and the same as the request, and \$24,588,000 for the Modeling and Simulation Energy Innovation Hub, \$288,000 above fiscal year 2012 and the same as the request.

Integrated University Program.—The Committee recommends \$5,000,000 to continue the Integrated University Program, which is critical to ensuring the nation's nuclear science and engineering workforce in future years.

Small Modular Reactor Licensing Technical Support.—The Committee recognizes the potential economic, safety, manufacturing, and grid planning advantages of small modular reactors, and the Committee recommends \$114,000,000, \$47,000,000 above fiscal year 2012 and \$49,000,000 above the request, to provide licensing and first-of-a-kind engineering support for two reactor designs. The recommended amount brings this program's annual average to \$90,500,000, the rate necessary to meet the expected total cost of \$452,000,000 over five years.

Reactor Concepts Research, Development, and Demonstration.—The Committee recommends \$126,660,000, \$11,116,000 above fiscal year 2012 and \$52,986,000 above the request. The recommendation includes \$28,674,000 for Small Modular Reactors (SMR) Advanced Concepts Research and Development, the same as fiscal year 2012 and \$10,195,000 above the request; \$22,986,000 for Advanced Reactor Concepts, \$1,116,000 above fiscal year 2012 and \$10,609,000 above the request; and \$25,000,000 for Light Water Reactor Sustainability, the same as fiscal year 2012 and \$3,339,000 above the request.

The recommendation also includes \$50,000,000 for the Next Generation Nuclear Plant program, \$10,000,000 above fiscal year 2012 and \$28,843,000 above the request, to continue research and development into high-temperature and accident-tolerant fuels and materials, including TRISO particles and graphite, to continue development of a licensing framework, and to continue engaging with industry.

Fuel Cycle Research and Development.—The Committee recommends \$138,716,000 for Fuel Cycle Research and Development, \$48,635,000 below fiscal year 2012 and \$36,722,000 below the request. Within available funds, the recommendation includes \$38,000,000, \$22,000,000 below fiscal year 2012 and \$21,668,000 below the budget request, for the following Used Nuclear Fuel Disposition activities:

- Storage.—The recommendation provides \$7,000,000, to be derived from the Nuclear Waste Fund and used in support of the Yucca Mountain geological repository, for development of standardized container specifications and design of standardized containers.

- Transportation.—The recommendation provides \$8,000,000 for transportation research and development and other related activities, all in support of the Yucca Mountain geological repository. Of this amount, \$3,000,000 is to be derived from the Nuclear Waste Fund for work related to transportation procedures, emergency responder training, and interaction with transportation stakeholders. The remaining amount is for research and development into transportation of spent fuel following storage.

- Disposal.—The recommendation provides \$23,000,000, the same as the request, to conduct planning, research, development, demonstration and characterization of geologic disposal environments and approaches, in support of additional geological repositories that will be needed after Yucca Mountain becomes operational.

In its fiscal year 2013 budget request for Used Nuclear Fuel Disposition, the Department includes funding for a number of activities relating to programs that would require legislative changes recommended by the Blue Ribbon Commission. To date, the Department has not proposed any such legislation, nor has it proposed any comprehensive nuclear waste management plan different from that set forth in the Nuclear Waste Policy Act. More importantly, Congress has not made any changes to the authorized plan of record, which continues to be Yucca Mountain. Therefore, no funding is provided for the requested activities, including extended storage research and development, activities related to consolidated

interim storage, and work in preparation of voluntary siting processes.

International Nuclear Energy Cooperation.—The Committee recommends \$3,000,000, the same as the request, for International Nuclear Energy Cooperation.

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 \$51,000,000, \$18,888,000 below fiscal year 2012 and the same as the request.

IDAHO FACILITIES MANAGEMENT

The Committee recommends \$162,000,000, \$7,000,000 above fiscal year 2012 and \$10,000,000 above the request, for Idaho National Laboratory (INL) Operations and Infrastructure.

Construction.—The recommendation includes \$6,280,000, the same as the request, for design and construction of the Remote-Handled Low-Level Waste Disposal Project, a joint project with Naval Reactors. The recommendation also includes \$1,500,000 for design and construction of the Advanced Post-Irradiation Examination Capabilities Project, which will create world-leading capabilities for analysis of post-irradiation materials.

The Committee continues to fund operations of the Idaho National Laboratories National Science User Facility within Nuclear Energy Enabling Technologies, as proposed in the budget request and adopted by the Congress in fiscal year 2012.

The Committee includes Idaho Safeguards and Security funding within Other Defense Activities as it has been provided previously, rather than in this account as proposed in the budget request.

PROGRAM DIRECTION

The Committee recommends \$90,015,000 for Program Direction, \$985,000 below fiscal year 2012 and the same as the budget request.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

Appropriation, 2012	\$346,703,000
Budget estimate, 2013	420,575,000
Recommended, 2013	554,000,000
Comparison:	
Appropriation, 2012	+207,297,000
Budget estimate, 2013	+133,425,000

The Committee recommends \$554,000,000 for Fossil Energy Research and Development, \$207,297,000 above fiscal year 2012 and \$133,425,000 above the budget request. After accounting for rescissions of \$187,297,000 in fiscal year 2012, the recommendation is \$20,000,000 above fiscal year 2012.

Fossil energy resources, such as coal, oil, and natural gas, provide approximately 83 percent of all energy used by the nation's homes and businesses and will continue to provide for the majority

of our needs 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 in the full spectrum of fossil energy areas. At a time when fossil fuel power generation is expanding around the globe and gas prices are at record high levels, the activities funded within this program advance our nation's position as a leader in fossil energy technologies and ensure that we use the full extent of our vast domestic resources safely and efficiently.

Once again, the budget request proposes to focus funding within Fossil Energy Research and Development on carbon capture and sequestration technologies and projects. This focus underemphasizes two areas critical to our nation's energy future: the efficient use of existing fossil energy resources, and the full, safe, and responsible use of untapped domestic resources. The Committee recommendation increases funding in these areas to improve the efficiency of power generation and to bolster efforts that can help protect Americans from future high gasoline and diesel prices. In addition to securing the domestic energy sector and protecting consumers and businesses from future increases in electricity and gas prices, technological advances in these areas will help American industry compete in the booming global marketplace for fossil energy technologies.

The Committee notes that the Department of Energy's National Energy Technology Laboratory (NETL) is a critical resource for the nation as it continues to expand the use and exploration of natural gas and other domestic fuel resources. The Committee believes the Department should continue to utilize the experience and expertise of NETL in these critical and growing research fields.

Use of Prior-Year Balances.—The Department is directed to use \$7,938,000 of prior-year balances, as proposed in the request.

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

COAL—CCS AND POWER SYSTEMS

The Committee recommends \$384,294,000 for Carbon Capture and Sequestration (CCS) and Power Systems, \$15,685,000 above fiscal year 2012 and \$108,425,000 above the budget request.

Carbon Capture.—The Committee recommends \$68,938,000, the same as fiscal year 2012 and \$8,500,000 above the request.

Carbon Storage.—The Committee recommends \$115,345,000, \$132,000 below fiscal year 2012 and \$19,868,000 above the request. Of the amount above the request, \$16,000,000 is for additional support of enhanced oil recovery technologies and projects, which can advance American industry and clean fossil energy power generation while increasing domestic oil production.

Advanced Energy Systems.—The Committee recommends \$110,000,000, \$10,000,000 above fiscal year 2012 and \$54,807,000 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 increase substantially the efficiency of clean coal power generation systems, to create new oppor-

tunities for the efficient use of natural gas, and to contribute significantly to the development of alternative-fuel vehicles.

Within available funds, the recommendation includes \$10,000,000 for coal-biomass to liquids activities, which seek to produce liquid fuels from blends of domestic coal and biomass resources with reduced emissions and land and water use through the integration of carbon capture and other technologies.

Within Advanced Combustion Systems, the recommendation includes \$5,000,000 for High Performance Materials, \$243,000 below fiscal year 2012 and \$4,027,000 above the request. Within Gasification Systems, the recommendation includes \$8,000,000, the same as fiscal year 2012, to continue activities improving advanced air separation technologies.

Cross Cutting Research.—The Committee recommends \$55,000,000 \$5,837,000 above fiscal year 2012 and \$25,250,000 above the budget request. The recommendation includes not less than \$13,000,000 for Sensors and Controls and Other Novel Concepts, \$837,000 above fiscal year 2012 and \$6,500,000 above the request, which supports the development of technologies critical to enhanced oil recovery and other advanced fossil energy systems.

NETL Coal Research and Development.—The Committee recommends \$35,011,000, \$20,000 below fiscal year 2012 and the same as the request. The Committee notes that this program was funded within Program Direction prior to fiscal year 2012. The Department is directed to continue including in the budget request all full-time equivalent employee information within this program, as it does under Program Direction.

NATURAL GAS TECHNOLOGIES

The Committee recommends \$17,000,000 for Natural Gas Technologies, \$2,000,000 above fiscal year 2012 and the same as the request. Of this amount, the recommendation includes \$5,000,000 for research into the cost-effective and responsible extraction of methane hydrates, a vast and currently inaccessible resource whose total energy reserves rival those from all other known fossil fuels combined.

The recommendation also includes \$10,000,000 for research into shale gas extraction through hydraulic fracturing, \$2,000,000 below the request. The Department of Energy's role in energy research is to improve technologies in support of the consumer and industry. As such, any funding in the area of hydraulic fracturing, including funding to support the proposed joint effort with the Environmental Protection Agency and the Department of the Interior, is for research into hydraulic fracturing technologies that aims to both improve the economics and recoverability of reserves and to address the health, safety and environmental risks of shale gas extraction.

The recommendation includes \$2,000,000, the same as fiscal year 2012, for the Department to continue the Risk Based Data Management System.

UNCONVENTIONAL FOSSIL ENERGY TECHNOLOGIES

With gas prices once again at record levels, the Committee believes it is more important than ever to use all means possible to

increase the domestic oil supply. The nation has more than two trillion barrels in estimated shale oil reserves, but significant economic and environmental barriers prevent our effective use of this significant resource. To accelerate the safe and effective use of the nation's shale oil reserves, the Committee recommends \$25,000,000 for shale oil technology research and development. The funding is to be used to support both research to improve the economics of oil production from shale oil, as well as to reduce the health, safety, and environmental risks associated with shale oil extraction.

Not later than 90 days after enactment of this Act, the Department shall provide to the Committee a program proposal with specific objectives and timelines for improving the efficiency and environmental effects of oil shale retrieval.

PROGRAM DIRECTION

The Committee recommends \$115,753,000 for Program Direction, \$4,247,000 below fiscal year 2012 and the same as the request. The Committee notes that the recommendation also provides funding within CCS and Power Systems for NETL Coal Research and Development, an activity funded within Program Direction prior to fiscal year 2012.

NAVAL PETROLEUM AND OIL SHALE RESERVES

Appropriation, 2012	\$14,909,000
Budget estimate, 2013	14,909,000
Recommended, 2013	14,909,000
Comparison:	
Appropriation, 2012 .....	.....
Budget estimate, 2013 .....	.....

The Naval Petroleum and Oil Shale Reserves no longer serve the national defense purpose envisioned in the early 1900s, and consequently the National Defense Authorization Act for fiscal year 1996 required the sale of the Government's interest in the Naval Petroleum Reserve 1 (NPR-1). To comply with this requirement, the Elk Hills field in California was sold to Occidental Petroleum Corporation in 1998. Following the sale of Elk Hills, the transfer of the oil shale reserves, and transfer of administrative jurisdiction and environmental remediation of the Naval Petroleum Reserve 2 (NPR-2) to the Department of the Interior, 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 2013 budget request focuses on implementation of a disposition plan for NPR-3 being developed in fiscal year 2012 with production facilities remaining operational as long as economically viable. 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 fully funded by EERE's Geothermal Technology Program.

The Committee recommendation for the operation of the naval petroleum and oil shale reserves is \$14,909,000, the same as fiscal year 2012 and the budget request.

ELK HILLS SCHOOL LANDS FUND

Appropriation, 2012	
Budget estimate, 2013	\$15,579,815
Recommended, 2013	15,579,815
Comparison:	
Appropriation, 2012	+15,579,815
Budget estimate, 2013	

Payment to the State of California through the Elk Hills school lands fund was part of the settlement associated with the sale of the Naval Petroleum Reserve Number 1 (NPR-1). Under the settlement, payments to the State are to total nine percent of the net proceeds of the sale. Payments to date have totaled \$299,520,000. Final equity for the sale of NPR-1 was settled in fiscal year 2011, allowing the Department and the State to agree on the amount of a final payment.

The Committee recommendation for the final payment is \$15,579,815, the same as the budget request.

STRATEGIC PETROLEUM RESERVE

Appropriation, 2012	\$192,704,000
Budget estimate, 2013	195,609,000
Recommended, 2013	195,609,000
Comparison:	
Appropriation, 2012	+2,905,000
Budget estimate, 2013	

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 capacity of the Reserve is 727 million barrels. The current inventory is 696 million barrels or approximately 80 days of net import protection for the United States economy. Operational activities planned for fiscal year 2013, however, serve to increase the inventory unavailable for drawdown, and therefore, reduce the net import protection to approximately 73 days.

The Committee recommendation for the Strategic Petroleum Reserve is \$195,609,000, \$2,905,000 above fiscal year 2012 and the same as the budget request.

SPR PETROLEUM ACCOUNT

Appropriation, 2012	\$ - 500,000,000
Budget estimate, 2013	- 291,000,000
Recommended, 2013	
Comparison:	
Appropriation, 2012	+500,000,000
Budget estimate, 2013	+291,000,000

The Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35) created the SPR Petroleum Account to fund all Strategic Petroleum Reserve 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 2013 budget request proposes cancellation of \$291,000,000 in balances resulting from an International Energy

Agency-coordinated release in fiscal year 2011. The request also proposes to repeal the royalty-in-kind authority. The Committee includes neither proposal.

In the several months since the sale of oil from the SPR in fiscal year 2011, the Department has provided only a vague goal of refilling the Reserve in future years. The Committee is concerned that the proposal to reduce available funding and eliminate use of royalty-in-kind authority to carry out this future refill will impede the Department's ability to maximize the strategic protection originally envisioned by establishment of the Reserve. The Committee encourages the Department to ensure implementation of the statutory purpose of the Reserve to be protection in case of "severe energy supply interruptions" rather than to be used as a tool to address short-term price considerations or to mask other Departmental spending.

NORTHEAST HOME HEATING OIL RESERVE
(INCLUDING RESCISSION OF FUNDS)

Appropriation, 2012	\$ - 89,881,000
Budget estimate, 2013	4,119,000
Recommended, 2013	4,119,000
Comparison:	
Appropriation, 2012	+94,000,000
Budget estimate, 2013 .....	.....

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 Home Heating Oil Reserve was established as a separate entity from the Strategic Petroleum Reserve on March 6, 2001. The reserve contains one million barrels, with approximately one-half located in commercial facilities in Boston, Massachusetts, and approximately one-half located in commercial facilities in Groton, Connecticut.

After accounting for the cancellation of funds in fiscal year 2012 and a rescission of \$6,000,000 in prior-year balances in fiscal year 2013, the Committee recommendation for the Northeast Home Heating Oil Reserve is \$10,119,000, the same as fiscal year 2012 and the budget request.

ENERGY INFORMATION ADMINISTRATION

Appropriation, 2012	\$105,000,000
Budget estimate, 2013	116,365,000
Recommended, 2013	100,000,000
Comparison:	
Appropriation, 2012	- 5,000,000
Budget estimate, 2013	- 16,365,000

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 \$100,000,000 for the Energy Information Administration, \$5,000,000 below fiscal year 2012 and \$16,365,000 below the budget request.

The Committee notes that the Energy Information Administration has had difficulty accurately estimating annual cellulosic biofuel production, as directed in the Clean Air Act and used as the basis for renewable fuel standard volumes. The Committee directs the Energy Information Administration to submit to the Committee, not later than 6 months after enactment of this Act, a report including the following: a summary of the current methods used to estimate cellulosic biofuel production, an analysis of factors contributing to uncertainty or inaccuracy in estimating cellulosic biofuel production, and a plan to increase the Energy Information Administration's accuracy of cellulosic biofuel production estimates.

NON-DEFENSE ENVIRONMENTAL CLEANUP

Appropriation, 2012	\$235,306,000
Budget estimate, 2013	198,506,000
Recommended, 2013	198,506,000
Comparison:	
Appropriation, 2012	- 36,800,000
Budget estimate, 2013	

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 \$198,506,000, \$36,800,000 below fiscal year 2012 and the same as the request. After accounting for a rescission in fiscal year 2012 of \$415,000, the recommendation is \$37,215,000 below fiscal year 2012.

Small Sites.—The Committee remains concerned about the lack of remediation activity taking place around the country at various Department-sponsored facilities and small sites classified as under the responsibility of the Department. Therefore, the Committee directs the Department to submit detailed action plans on how it intends to remediate these small sites and sponsored facilities. The plan should include a description of the prioritization of these remediation efforts and identify those sites that, in the next two years, can demonstrate new models for site cleanup performed by private sector and third party organizations, such as universities, which could save the Department and taxpayers substantial funds over the traditional agency-led cleanup model and result in a faster cleanup without compromising public safety.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

Appropriation, 2012	\$472,180,000
Budget estimate, 2013	442,493,000
Recommended, 2013	425,493,000
Comparison:	
Appropriation, 2012	- 46,687,000
Budget estimate, 2013	- 17,000,000

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 Portsmouth, Ohio; Paducah, Kentucky; and the East Tennessee Technology Park, in Oak Ridge, Tennessee. The Committee recommends \$425,493,000 for activities funded from the Uranium Enrichment Decontamination and Decommissioning Fund, \$46,687,000 below fiscal year 2012 and \$17,000,000 below the budget request. After accounting for a rescission in fiscal year 2012 of \$750,000, the recommendation is \$47,437,000 below fiscal year 2012.

The Committee recommends \$203,938,000 for Oak Ridge, \$92,722,000 for Paducah, and \$128,833,000 for Portsmouth. The Committee remains concerned about the impacts of an abrupt transition in funding levels on the workforce and local community at Portsmouth. The Committee is also concerned about the impacts on the Paducah community while it faces the uncertainty of continuing operations at the nation's last operating gaseous diffusion uranium enrichment plant. While the Department has used non-appropriated funds to generate additional funding for cleanup at Portsmouth, the Department has not extended the policy to cleanup activities at Paducah. The Committee remains concerned about the Department's use of uranium transfers and the uncertainty it causes for determining overall site funding levels, which should ultimately be set by the Congress. The Committee is also concerned that the Department's practices attempt to circumvent the oversight that is needed to ensure that these transfers do not adversely impact our domestic uranium mining industry, and the Committee directs the Department to clearly outline all potential impacts to industry when it submits its excess uranium inventory management plan. The recommendation for Paducah includes \$2,580,000 requested for community and regulatory support. While budgets are expected to remain highly constrained, the Committee will continue to monitor developments.

For the fourth year in a row, the budget request includes a request to reauthorize section 1802 of the Atomic Energy Act of 1954 and institute an additional tax on our nation's nuclear utilities. The Department still has not developed a reliable estimate on the total costs to clean up the three gaseous diffusion sites. It also has not explained how reductions in the amount of requested funding or how the additional funding the Department is generating through the questionable use of its uranium bartering arrangement will impact the rate at which the Fund is depleted. At a time of rising energy prices, passing on these costs to industry and ultimately energy consumers without performing the most basic federal planning activities is indicative of the Department's continued reliance on off-budget measures to provide temporary stopgaps instead of developing credible and affordable plans to meet clean up commitments.

The budget request includes a proposal to separately identify funding for pension and community and regulatory support. The recommendation includes funding for these activities within each site, the same as in fiscal year 2012.

Title X of the 1992 Energy Policy Act authorized use of a portion of the Fund to reimburse private licensees for the federal govern-

ment’s share of the cost of cleaning up uranium and thorium processing sites. The Department reports \$32,756,000 in approved but unpaid claim balances and up to \$241,495,000 in remaining potential liability. These activities are important to the health and safety of a number of communities and the Department should consider where progress can be made for site remediation and clean-up work at residential sites, public school properties, and other sensitive locations.

SCIENCE

(INCLUDING RESCISSION OF FUNDS)

Appropriation, 2012	\$4,873,634,000
Budget estimate, 2013	4,992,052,000
Recommended, 2013	4,801,431,000
Comparison:	
Appropriation, 2012	– 72,203,000
Budget estimate, 2013	– 190,621,000

The Office of Science funds basic science research across national laboratories, universities, and other research institutions in support of American innovation and the Department’s energy-focused missions. Through research in physics, biology, chemistry, and other science disciplines, these activities expand scientific understanding and secure the nation’s leadership in energy innovation. The Office of Science funds a significant portion of science research nationwide.

The Science program office includes Advanced Scientific Computing Research, Basic Energy Sciences, Biological and Environmental Research, Fusion Energy Sciences, High Energy Physics, Nuclear Physics, Workforce Development for Teachers and Scientists, Science Laboratories Infrastructure, Safeguards and Security, and Science Program Direction.

The Committee recommendation is \$4,801,431,000, \$72,203,000 below fiscal year 2012 and \$190,621,000 below the budget request. The recommendation includes \$4,824,931,000 in new budget authority and a rescission of \$23,500,000 in prior-year balances available due to the Office of Science’s termination of two major items of equipment in fiscal year 2012. After accounting for that rescission and a rescission of \$15,366,000 in fiscal year 2012, the recommendation is \$64,069,000 below fiscal year 2012.

The Committee is concerned about the long-term science, technology, engineering, and math (STEM) workforce pipeline development for underrepresented minorities and notes the National Academies recommendation that the federal government offer support for undergraduate and graduate STEM programs focused on increasing the participation and success of minority students through engaged mentoring, enriching research experiences, and opportunities to publish, present, and network. Accordingly, the Committee expects the Office of Science to provide continued support to minority serving institutions toward those ends.

Use of Prior-Year Balances.—The Department is directed to use \$9,104,000 of prior-year balances as proposed in the request.

ADVANCED SCIENTIFIC COMPUTING RESEARCH

The Advanced Scientific Computing Research (ASCR) program develops and hosts some of the world's fastest computing and network capabilities to enable science and energy modeling, simulation, and research. The Committee recommends \$442,000,000 for Advanced Scientific Computing Research, the same as fiscal year 2012 and \$13,593,000 below the request.

Exascale Computing.—The Committee continues to support the exascale initiative, which seeks to develop the next generation of computing systems three orders of magnitude faster than today's fastest systems. This decade-long effort is critical to enabling basic and energy-focused science research not previously possible and to maintaining the nation's global leadership in computing technologies.

In the fiscal year 2012 conference report, the Department was directed to submit a detailed joint Science-NNSA exascale plan by February 10, 2012. This report, which would provide context for long-term resource planning and prioritization, still has not been submitted as of early April 2012. The Department was made aware of the reporting requirement after the House and Senate Committees completed consideration in June and September of 2011, respectively, and there has been ample time for preparation since. While the Committee appreciates the efforts within the Office of Science to draft the report, it remains concerned that such an extended approval process is necessary to summarize the programmatic outline of a central feature of the Department's computing programs. The Administration should not further delay the report's formal submittal due to a drawn-out concurrence process.

The budget request highlights data-intensive computing as a necessary enabler for exascale systems and calls out work in this area separately from the exascale initiative. The Committee expects that the Department has integrated into the exascale report any plans for work on computing challenges related to data-intensive science.

Leadership Computing.—In addition to the long-term exascale initiative, the Committee supports continued upgrade and operation of the Leadership Computing Facilities at Argonne and Oak Ridge National Laboratories and of the High Performance Production Computing capabilities at Lawrence Berkeley National Laboratory. These systems' capabilities are a critical component of science and industrial research and development across the nation, and they should be maintained as world-leading facilities.

BASIC ENERGY SCIENCES

The Basic Energy Sciences program funds basic research in materials science, chemistry, geoscience, and bioscience. The science breakthroughs in this program enable a broad array of innovations in energy technologies and other industries critical to American economic competitiveness. The Committee recommends \$1,657,146,000 for Basic Energy Sciences, \$36,854,000 below fiscal year 2012 and \$142,446,000 below the request.

The program's budget consists of funding for research, for the operation of existing user facilities, and for the design, procurement, and construction of new facilities and equipment. The long-term

success of the program hinges on striking a careful balance between these three areas. However, the increasing level of research commitments and completion of new facilities make it difficult to adequately fund all three components of the Basic Energy Sciences program within realistic budgetary constraints. The Committee cautions the Department against assuming an ever-increasing budget when planning the balance between facility runtime, construction, and research funding.

The Committee recognizes the critical contribution that the program's light sources, neutron sources, and other user facilities make to scientific discovery and American industry. The United States is currently host to the world's most advanced and productive basic energy science user facilities, and the Department is urged to develop a plan for the next generation of light sources and other user facilities in order to maintain American leadership through the next decade.

Research.—The Committee recommends \$1,559,943,000 for Research within Basic Energy Sciences, \$17,343,000 above fiscal year 2012 and \$128,946,000 below the request.

The recommendation includes \$24,237,000 for the fourth year of the Fuels from Sunlight Energy Innovation Hub, the same as the request; \$24,237,000 for the second year of the Batteries and Energy Storage Energy Innovation Hub, the same as the request; and \$100,000,000 for Energy Frontier Research Centers (EFRC's), \$20,000,000 below the request. The recommendation does not include additional funding for joint work between the EFRC's and the Office of Energy Efficiency and Renewable Energy due to inadequate justification by the Department; any such joint work can be supported by the funding provided for the EFRC's. However, any such effort should be communicated to the Committee prior to commencement.

The recommendation includes \$10,000,000 for predictive simulation of internal combustion engines, the same as fiscal year 2012 and \$1,000,000 below the request. The Committee provides no funds, \$8,520,000 below fiscal year 2012 and the request, for the Experimental Program to Stimulate Competitive Research.

The recommendation includes \$32,000,000 for major items of equipment, \$41,500,000 below fiscal year 2012 and the same as the request, to include \$20,000,000 for the Advanced Photon Source Upgrade and \$12,000,000 for NSLS-II Experimental Tools, both the same as the request.

The recommendation includes \$776,568,000 for facility operations, \$46,000,000 above fiscal year 2012 and \$33,426,000 below the request. The increase above fiscal year 2012 is for preliminary operations of the NSLS-II as it completes construction and to increase operating time of other Basic Energy Sciences facilities to near-optimal levels.

Construction.—The Committee recommends \$97,203,000 for Basic Energy Sciences construction projects, \$54,197,000 below fiscal year 2012 and \$13,500,000 below the request. The reduction from fiscal year 2012 is due to the planned decrease in funding for the National Synchrotron Light Source II as it nears completion. The recommendation includes the first year of construction funding for the Linac Coherent Light Source II two-tunnel upgrade project.

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 \$542,000,000 for Biological and Environmental Research, \$69,823,000 below fiscal year 2012 and \$83,347,000 below the request.

The Committee continues to support the Biological Systems Science program, which focuses on the biology of plants and microbes with the ultimate goal of enabling future generations of biofuels from a variety of sustainable domestic biomass sources. In addition to reducing our nation's dependence on petroleum-based fuels with chronically high prices, the biofuels produced through this program's science breakthroughs can lower the cost of, improve the sustainability of, and ease industry's transition to those fuel alternatives.

The Committee recommends \$75,000,000, the same as fiscal year 2012 and the request, for the first year of the second five-year term of the three BioEnergy Research Centers (BRC's). However, the Committee notes that the report justifying the renewal of the BRC's, due on February 6, 2012, has not yet been submitted. The funding for the BRC's in fiscal year 2013 and the Committee's approval of their renewal is therefore contingent upon the Department's submission of the report. Further, the Department is directed to report to the Committee, not later than 60 days after enactment of this Act, on the specific recommendations for improvements to the BRC's that came out of the 5-year review and the Department's plan to implement those recommendations.

FUSION ENERGY SCIENCES

The Fusion Energy Sciences program supports basic research and experimentation aiming to harness nuclear fusion for energy production. The Committee recommends \$474,617,000 for fusion energy sciences, \$72,440,000 above fiscal year 2012 and \$76,293,000 above the request.

The domestic fusion program is a critical component of United States science leadership and a necessary building block of any successful fusion projects, including ITER. The recommendation includes \$296,617,000 for the domestic fusion program, \$560,000 below fiscal year 2012 and \$48,293,000 above the request. The request proposes to shut down the Alcator C-Mod facility and provides only enough funding for decommissioning and existing graduate students. The Department is instead directed to continue operations at the Alcator C-Mod facility and to fund continued research, operations, and upgrades across the Office of Science's domestic fusion enterprise.

The recommendation includes \$178,000,000 for the United States contribution to ITER, the international collaboration to construct the world's first self-sustaining experimental fusion reactor, \$73,000,000 above fiscal year 2012 and \$28,000,000 above the request.

ITER is an important international collaboration that represents a major step forward in fusion energy science, but its funding re-

quirements will create substantial budgetary challenges throughout the decade. The Committee appreciates that the Office of Science is grappling with these challenges but notes that the budget request does not propose a viable or well-planned solution. The Committee recommendation includes funding to continue the domestic fusion program at approximately the fiscal year 2012 level, and to increase ITER towards its planned funding level for fiscal year 2013. Looking forward, however, the increasing requirements for ITER will continue to pose challenges, and the Committee believes that long-term policy decisions for the Fusion Energy Sciences should be guided by impartial analysis of scientific needs and opportunities, and with an eye on American competitiveness and leadership. The Committee therefore reiterates the importance of the ten-year plan for Fusion Energy Sciences directed in the fiscal year 2012 appropriations conference report, of that plan's timely delivery, and of the inclusion of priorities across domestic and international fusion facilities, projects, and programs.

HIGH ENERGY PHYSICS

The High Energy Physics program supports fundamental research into the elementary constituents of matter and energy, and ultimately into the nature of space and time. The program focuses on particle physics theory and experimentation in three areas: the energy frontier, which investigates new particles and fundamental forces through high-energy experimentation; the intensity frontier, which focuses on rare events to better understand our fundamental model of the universe's elementary constituents; and the cosmic frontier, which investigates the nature of the universe and its form of matter and energy on cosmic scales. The Committee recommends \$776,521,000 for High Energy Physics, \$15,179,000 below fiscal year 2012 and the same as the budget request.

Research.—The Committee recommends \$740,521,000 for Research, which includes activities in proton, electron, non-accelerator, and theoretical physics. The recommendation includes \$10,000,000 for dewatering and minimal operations of the Homestake mine, the same as the request, as the Department continues to evaluate a path forward for the Long Baseline Neutrino Experiment and its alternatives.

Construction.—The Committee recommends \$36,000,000 for construction, \$8,000,000 above fiscal year 2012 and \$16,000,000 above the request. The recommendation includes \$20,000,000 for project engineering and design of the Muon to Electron Conversion Experiment.

The recommendation also includes \$16,000,000, \$12,000,000 above fiscal year 2012 and \$16,000,000 above the request, for project engineering and design of the Long Baseline Neutrino Experiment (LBNE) and its alternatives. The recommendation includes no funding for long-lead procurements or construction activities for the LBNE project, the same as fiscal year 2012. The Committee recognizes the importance of this project to maintaining American leadership in the intensity frontier and to basic science discovery of neutrino and standard model physics. However, the Committee also recognizes that LBNE construction must be affordable under a flat budget scenario. As such, the Committee supports

the Office of Science's challenge to the High Energy Physics community to identify an LBNE construction approach that avoids large out-year funding spikes or to identify viable alternatives with similar scientific benefits at significantly lower cost.

NUCLEAR PHYSICS

The Committee recommends \$547,938,000 for Nuclear Physics, \$2,062,000 below fiscal year 2012 and \$21,000,000 above the request.

The Committee notes that funding requirements for construction and operation of all operating and currently-planned facilities in the Nuclear Physics program are likely to be in excess of available budgets in future years. The Committee therefore supports the Nuclear Science Advisory Committee's review of these facilities and encourages an expedited process that can inform the prioritization and hard decisions that will likely be necessary next year.

Operations and Maintenance.—The Committee recommends \$507,366,000 for nuclear physics operations and maintenance, \$7,366,000 above fiscal year 2012 and \$21,000,000 above the request. The recommendation includes \$159,571,000 for Relativistic Heavy Ion Collider Operations, \$1,954,000 above fiscal year 2012 and \$3,000,000 above the budget request, to support a standalone run of approximately 15 weeks in fiscal year 2013. The recommendation also includes \$40,000,000 for the Facility for Rare Isotope Beams, \$18,000,000 above fiscal year 2012 and the request, to continue activities leading towards the approval of construction.

Construction.—The Committee recommends \$40,572,000, \$9,428,000 below fiscal year 2012 and the same as the request, to continue construction of the 12 GeV Upgrade of the Continuous Electron Beam Accelerator Facility.

WORKFORCE DEVELOPMENT FOR TEACHERS AND SCIENTISTS

The Committee recommends \$14,500,000 for workforce development for teachers and scientists, \$4,000,000 below fiscal year 2012 and the same as the request. The recommendation includes no funds for the Office of Science Graduate Fellowship, the same as the request.

SCIENCE LABORATORIES INFRASTRUCTURE

The Committee recommends \$112,313,000 for Science Laboratories Infrastructure, \$513,000 above fiscal year 2012 and \$5,477,000 below the budget request.

SAFEGUARDS AND SECURITY

The Committee recommends \$82,000,000, the same as fiscal year 2012 and \$2,000,000 below the budget request, to meet safeguards and security requirements at Office of Science facilities.

SCIENCE PROGRAM DIRECTION

The Committee recommends \$185,000,000 for Science Program Direction, the same as fiscal year 2012 and \$17,551,000 below the request.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

Appropriation, 2012	\$275,000,000
Budget estimate, 2013	350,000,000
Recommended, 2013	200,000,000
Comparison:	
Appropriation, 2012	– 75,000,000
Budget estimate, 2013	– 150,000,000

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 \$200,000,000 for the Advanced Research Projects Agency—Energy, \$75,000,000 below fiscal year 2012 and \$150,000,000 below the budget request, of which \$20,000,000 is for program direction, the same as fiscal year 2012 and \$5,000,000 below the request.

The Committee is pleased with ARPA-E’s increased focus on transportation technologies, and urges the program to continue supporting research and development that can make a substantial difference to the impact of future high gas prices on American families and businesses.

NUCLEAR WASTE DISPOSAL

Appropriation, 2012 .....	.....
Budget estimate, 2013 .....	.....
Recommended, 2013	\$25,000,000
Comparison:	
Appropriation, 2012	+25,000,000
Budget estimate, 2013	+25,000,000

The Committee recommendation includes \$25,000,000, \$25,000,000 above fiscal year 2012 and \$25,000,000 above the request, to continue the Department of Energy’s congressionally-mandated activities to continue the Yucca Mountain license application activity. Of this funding, \$5,000,000 is available to provide assistance pursuant to the Nuclear Waste Policy Act of 1982 (NWPA) to affected units of government which have formally provided consent to the Secretary of Energy to host a high-level geological repository as authorized in the NWPA.

While the Committee notes that some of the recommendations of the Administration’s “Blue Ribbon Commission” may have merit, Congress has neither formally considered nor approved them. In addition, the implementation of many of the recommendations would require changes to authorizing statutes. Nuclear waste disposal is too complex of an issue for the Administration to unilaterally develop or implement policy, and the Committee encourages the Administration to take this into account while formulating its fiscal year 2014 budget request.

The Committee notes that Nye County, the unit of local government within which Yucca Mountain is located, has formally notified the Secretary of Energy that it consents to hosting a high-level waste repository. The Administration does not have authorization to begin a “consensus-based” approach to selecting the location for the next waste repository, but Nye County’s official declaration once again clarifies that the Administration’s repeated statements that Yucca Mountain is not a “workable option” ignores both the support of the host community and the expressed intent of Congress.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

ADMINISTRATIVE EXPENSES

GROSS APPROPRIATION

Appropriation, 2012	\$38,000,000
Budget estimate, 2013	38,000,000
Recommended, 2013	38,000,000
Comparison:	
Appropriation, 2012 .....	.....
Budget estimate, 2013 .....	.....

OFFSETTING COLLECTIONS

Appropriation, 2012	\$ - 38,000,000
Budget estimate, 2013	- 38,000,000
Recommended, 2013	- 38,000,000
Comparison:	
Appropriation, 2012 .....	.....
Budget estimate, 2013 .....	.....

The budget request for the Loan Guarantee program includes administrative expenses of \$38,000,000, which are offset by fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005. The Committee recommends administrative expenses of \$38,000,000, which are fully offset.

While the recommendation includes no support for additional guarantees, the Committee notes that the Department has hundreds of millions in unobligated appropriated subsidy costs from prior Acts, as well as unused loan guarantee authority for renewable, fossil, and nuclear projects. The Committee also notes that in early April, 2012, the Administration gave notice that it would be soliciting further applications for the approximately \$170,000,000 of renewable subsidies remaining unobligated from prior year appropriations. Given the concerns Congress and the public have regarding this program, the Committee directs the Department to ensure that taxpayer investments can be protected before issuing any new loan guarantees or modifications. In addition, the Committee expects the Department to provide quarterly updates to the Committee on the health of its existing portfolio.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

Appropriation, 2012	\$6,000,000
Budget estimate, 2013	9,000,000
Recommended, 2013	6,000,000
Comparison:	
Appropriation, 2012 .....	.....
Budget estimate, 2013	- 3,000,000

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, the same as fiscal year 2012 and \$3,000,000 below the budget request. The funds provided support administrative operations only.

DEPARTMENTAL ADMINISTRATION

GROSS APPROPRIATION

Appropriation, 2012	\$237,623,000
Budget estimate, 2013	230,783,000
Recommended, 2013	230,783,000
Comparison:	
Appropriation, 2012	- 6,840,000
Budget estimate, 2013 .....	.....

REVENUES

Appropriation, 2012	\$ - 111,623,000
Budget estimate, 2013	- 108,188,000
Recommended, 2013	- 108,188,000
Comparison:	
Appropriation, 2012	+ 3,435,000
Budget estimate, 2013 .....	.....

NET APPROPRIATION

Appropriation, 2012	\$126,000,000
Budget estimate, 2013	122,595,000
Recommended, 2013	122,595,000
Comparison:	
Appropriation, 2012	- 3,405,000
Budget estimate, 2013 .....	.....

The Committee recommendation for Departmental Administration is \$230,783,000, \$6,840,000 below fiscal year 2012 and the same as the budget request. The recommendation for revenues is \$108,188,000 as requested, resulting in a net appropriation of \$122,595,000. Funding recommended for Departmental Administration provides for general management and program support functions benefiting all elements of the Department of Energy, including the National Nuclear Security Administration. The account funds a wide array of Headquarters activities not directly associated with the execution of specific programs.

Office of Indian Energy Policy and Programs.—The Committee recommends \$2,506,000 for this office, the same as the request, to coordinate and implement energy management, conservation, education, and delivery systems for Native Americans.

Economic Impact and Diversity, Program Support.—Within available funds, the Committee recommends \$1,000,000 for Minority Economic Impact, the same as fiscal year 2012 and \$400,000 more than the request.

OFFICE OF INSPECTOR GENERAL

Appropriation, 2012	\$42,000,000
Budget estimate, 2013	43,468,000
Recommended, 2013	43,468,000
Comparison:	
Appropriation, 2012	+1,468,000
Budget estimate, 2013 .....	.....

The Office of 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 inspection function provides independent inspections and analyses of the effectiveness, efficiency, and economy of programs and operations. The investigative function provides for the detection and investigation of improper and illegal activities involving programs, personnel and operations.

The Committee recommendation is \$43,468,000, \$1,468,000 above fiscal year 2012 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 Management 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 Nonproliferation and the Office of Naval Reactors. The Office of the NNSA Administrator oversees all NNSA programs.

Pensions.—The Committee remains concerned about the continually escalating costs of contractor pensions and other postretirement benefits and their impacts on programmatic activities. From the additional information provided in the fiscal year 2013 budget request, it is clear that benefits offered to contractor employees vary widely across the nuclear security enterprise. The Committee supports continued review of pension and other postretirement benefits offered to contractor employees and the expeditious implementation of fair reforms to ensure rising costs do not impact ongoing high priority programmatic activities.

Tritium and Enriched Uranium Management.—In the budget request for fiscal year 2013, the Administration has argued for funding to develop domestic uranium enrichment technology for national security purposes. The information provided to the Committee supporting this request reveals a lack of planning for maintaining adequate supplies of unencumbered enriched uranium for tritium production, and options for tritium production could be limited as early as 2015. These circumstances were not reported in the ten-year plans for stockpile management. Due to this failure to plan adequately for pressing stockpile needs, the bill contains statutory language on planning for tritium production and management of the Department’s supply of enriched uranium.

Laboratory-Directed Research and Development (LDRD).—LDRD at our national laboratories can be used to encourage innovation and contributes to workforce retention. The three national security laboratories, Sandia, Los Alamos, and Lawrence Livermore, continue to devote the highest proportion to LDRD of all Department national laboratories, according to the latest LDRD report to Congress for fiscal year 2011. The funding increases for the NNSA supported by the Committee over the past two years have clearly benefited these activities, contrary to the characterization in a recent National Academies study that funding for these activities is reduced, restricted, and inflexible. Relative to fiscal year 2010, total LDRD funding grew by 5.2% at Sandia, 8.9% at Lawrence Livermore, and 9.4% at Los Alamos. The recommendation continues funding for the LDRD program.

The Committee recommends \$11,275,000,000 for the NNSA, \$275,000,000 above fiscal year 2012 and \$260,886,000 below the budget request.

WEAPONS ACTIVITIES

(INCLUDING RESCISSION OF FUNDS)

Appropriation, 2012	\$7,214,120,000
Budget estimate, 2013	7,577,341,000
Recommended, 2013	7,512,341,000
Comparison:	
Appropriation, 2012	+298,221,000
Budget estimate, 2013	–65,000,000

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 Com-

mittee recommends \$7,512,341,000 for Weapons Activities, \$298,221,000 above fiscal year 2012 and \$65,000,000 below the budget request. After accounting for a rescission of \$19,877,000 in fiscal year 2012 and the rescission of \$65,000,000 in this bill, the recommendation is \$343,344,000 above fiscal year 2012 and the same as the request.

Although the overall request for Weapons Activities in fiscal year 2013 has been reduced by the Administration from previous estimates, the request includes substantial increases for modernization activities supporting full scale engineering development for the B61 life extension program, continuation of design activities for a common warhead for the W78/W88, construction of the Uranium Processing Facility, and the initiation of numerous infrastructure maintenance and repair projects. The Committee will continue to assess the merits of requested activities as they individually support advancement of the modernization goals outlined in the 2010 Nuclear Posture Review. To ensure that nuclear modernization remains a priority, the recommendation includes full funding for these modernization activities. However, the Committee remains concerned about the NNSA's ability to fully account for the costs of the modernization or to anticipate the full scope of activities that will be needed to ensure the nation's nuclear stockpile remains reliable and effective.

Furthermore, the Committee is concerned about reports that the Administration is considering what could be drastic reductions in U.S. nuclear forces. With fiscal constraints becoming a stark reality for all national security activities, the NNSA has yet to resolve its plans for modernizing the stockpile against likely funding levels. Without a coherent plan to sustain an aging nuclear stockpile or a national consensus on this critical strategic asset, it is premature to make any further reductions. The Committee provides no funding in fiscal year 2013 to plan for or reduce stockpile levels below New START levels.

The Committee provided direction to the NNSA in the fiscal year 2012 report to actively pursue cost reduction strategies for its major modernization projects. The fiscal year 2013 budget request includes programmatic changes which presumably attempt to make the modernization program more affordable, such as the five-year delay to the Chemistry and Metallurgy Research Building Replacement-Nuclear Facility (CMRR-NF) and selection of a lower cost option for the B61 life extension program. While the Committee has determined these decisions will not adversely impact sustainment of the stockpile in the near term since alternatives are available, they have confused and muddled the path forward and ultimately reveal the lack of alternatives previously considered. By not fully considering all available options, millions of taxpayer dollars have been spent for work which will not be needed until a much later date. Considering the importance of the nuclear modernization efforts, the short timelines to produce the needed replacement components, and the current fiscal environment, there is neither the time nor resources for pursuits which will not bear fruit for many years.

Not later than 60 days after enactment of this Act, the NNSA is directed to report the total amount of funding it has spent to date

for development and experimental activity associated with the full option for the B61 life extension program. Not later than 60 days after enactment of this Act, the NNSA is further directed to prepare a report on its near-term five-year plutonium sustainment strategy as well as an assessment of alternatives for meeting enduring needs beyond the five-year timeframe according to clearly explained assumptions for capabilities, capacities, and stockpile levels.

DIRECTED STOCKPILE WORK

The Committee recommends \$2,069,147,000 for Directed Stockpile Work (DSW), \$189,620,000 above fiscal year 2012 and \$19,127,000 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.

Stockpile Production Performance.—The Committee is deeply concerned about the NNSA's performance and ability to deliver on its production requirements. For years, the NNSA has struggled to increase production of the W76-1, deliver limited life components, and perform an acceptable number of surveillances. The NNSA now proposes to slow its delivery plans to the Navy so that it can begin work on developing the B61-12, providing virtually no margin to accommodate the host of challenges that the NNSA continues to grapple with, such as quality assurance issues, work stoppages, and antiquated manufacturing management systems. The Committee recommends an additional \$45,069,000 above the request for the W76 life extension program and directs the NNSA to modify its planning to sustain this level of output through completion of the W76-1. The recommendation includes other oversight measures to improve production performance, including an additional \$25,000,000 within production support for investments which will improve manufacturing material handling, planning and scheduling, and additional flexibility in funding controls for Stockpile Systems.

Accounting for the Costs of Modernization.—Last year, the Committee directed the NNSA to simplify how it budgets for the costs of its early life extension and refurbishment activities and to improve the transparency of these considerable costs in its budget request. As of mid-April 2012, the NNSA reports it is still assessing and validating the funding estimates for the W78 life extension and W88 alteration studies. With cost accounting still unclear, the Committee recommends full funding for the ongoing early life extension and refurbishment activities for the W78 and W88 within a new funding category, Stockpile Assessment and Design. By separately funding these high priority activities, their costs are more transparent and can be distinguished from the costs of routine stockpile work under Stockpile Systems. This change allows the controls for routine stockpile work to be combined, providing additional flexibility. However, the NNSA should still show funding proposed by each stockpile system in its budget request.

Consistent with these oversight initiatives, the recommendation reallocates funding for experimental activities from Directed Stockpile Work to Campaigns in order to distinguish the considerable

costs of new development and technology maturation from the costs of routine experimental work to certify current stockpile systems. The NNSA used its authority under the Continuing Resolution in fiscal year 2011 to increase funding for Research and Development Certification and Safety and Management, Technology and Production by approximately \$45,000,000. This funding was used to ramp up work on surety and use control technologies for the B61 life extension program which were ultimately not selected in the baseline design. In order to ensure adequate funding for science, the recommendation subsequently increases funding within the Science and Engineering Campaigns to realign development of surety and use control technologies and plutonium experiments not specifically related to the ongoing B61, W78, and W88 programs. This funding reallocation provides considerable flexibility within Campaigns for technology maturation that will apply to the refurbishment of multiple stockpile systems, but allows the Committee to conduct better oversight of the NNSA's scientific experimental activities. As directed by the Committee in fiscal year 2012, funding for development for potential introduction into a particular system should be requested within the corresponding life extension program or stockpile system.

B61 Life Extension Program.—The Committee recommends \$369,000,000, the same as the budget request.

W76 Life Extension Program.—The Committee recommends \$220,000,000, \$45,069,000 above the budget request.

Stockpile Assessment and Design.—The Committee recommends \$136,252,000, which includes the full amount requested for the W78 life extension and the W88 alteration studies.

Stockpile Systems.—The Committee recommends \$454,157,000 for Stockpile Systems, which fully funds the request for limited life component exchange and surveillance activities.

Weapons Dismantlement and Disposition.—The Committee recommends \$51,265,000, the same as the request.

Production Support.—The Committee recommends \$390,405,000, \$25,000,000 above the request. Additional funding is provided for investments needed to modernize manufacturing processes. Many production operations continue to use outdated management systems for production operations that should be updated.

Research and Development Support.—The Committee recommends \$28,103,000, the same as the request.

Research and Development Certification and Safety.—The Committee recommends \$145,000,000, \$46,632,000 below the request. No funding is provided within this activity for any new development activities, including maturation of surety, use control, or other technology upgrades under consideration for insertion as part of limited life component exchanges, refurbishments, or life extensions. Future requests for this activity should be limited to scientific activities needed for annual assessment and certification of the stockpile and to resolve significant finding investigations.

Management, Technology and Production.—The Committee recommends \$140,000,000, \$35,844,000 below the request. No funding is provided within this activity for any new development activities, including maturation of surety, use control, or other technology upgrades under consideration for insertion as part of limited life com-

ponent exchanges, refurbishments, or life extensions. Future requests for this activity should be limited to scientific activities needed for annual assessment and certification of the stockpile and to resolve significant finding investigations.

Plutonium Infrastructure Sustainment.—The Committee recommends \$134,965,000, \$6,720,000 below the request. The recommendation sustains capabilities at the fiscal year 2012 level, after accounting for the completion of funding for a major item of equipment.

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 \$1,735,675,000, \$33,693,000 above fiscal year 2012 and \$44,905,000 above the budget request.

Science Campaign.—The Committee recommends \$377,104,000, \$43,065,000 above fiscal year 2012 and \$27,000,000 above the budget request. Funding above the request has been realigned from Directed Stockpile Work for experimental activities contributing to the maturation of concepts and technologies for future insertion opportunities as discussed above.

Engineering Campaign.—The Committee recommends \$158,571,000, \$15,493,000 above fiscal year 2012 and \$8,000,000 above the request. Funding above the request has been realigned from Directed Stockpile Work to consolidate funding requested to develop surety technologies that are not yet identified with a particular system as discussed above.

Inertial Confinement Fusion and High Yield Campaign.—The Committee recommends \$480,000,000, \$3,726,000 above fiscal year 2012 and \$20,000,000 above the budget request. Within these funds, \$62,500,000 shall be for the OMEGA Laser Facility at the University of Rochester, \$2,250,000 above the request.

As the first ignition campaign comes to a close in fiscal year 2012, it is a distinct possibility that the NNSA will not achieve ignition during these initial experiments. While achieving ignition was never scientifically assured, the considerable costs will not have been warranted if the only role the National Ignition Facility (NIF) serves is that of an expensive platform for routine high energy density physics experiments. The Committee continues to support the pursuit of ignition and urges the NNSA to develop a cost-effective strategy for future experimental activity as the next phase of scientific effort begins. The recommendation supports a lower, though still robust, level of experimental activity on the NIF in fiscal year 2013 given the completion of major diagnostic acquisitions and the shift in experimental tempo.

Further, the Committee supports the application of a fair and standardized overhead rate that fully adheres to proper cost accounting standards. In previous years, the NNSA allowed Lawrence Livermore National Laboratory to apply a reduced overhead rate for the operation of the NIF which artificially lowered the amount of funding needed within the ICF Campaign to conduct experimental activities, in violation of cost accounting standards.

This practice misrepresented the full costs of these activities and shifted those costs onto other programs at the laboratory. While the ultimate programmatic impacts of the rate shift are still not clear, there is flexibility within the NNSA budget to partially mitigate those consequences as the overhead rate transitions back to a more appropriate level. Nevertheless, it is apparent that the NNSA did not properly take into account those impacts when developing its budget request and the Committee recommends \$20,000,000 above the request to mitigate any unintended adverse impacts in fiscal year 2013. The Committee will continue to work with the NNSA to understand the implications of the transition to an appropriate overhead rate at the NIF and adjust resources as necessary so the facility may effectively execute its mission.

Advanced Simulation and Computing Campaign.—The Committee recommends \$600,000,000, \$20,000,000 below fiscal year 2012 and the same as the budget request.

Readiness Campaign.—The Committee recommends \$120,000,000 for the Readiness Campaign, \$8,591,000 below fiscal year 2012 and \$10,095,000 below the budget request.

READINESS IN TECHNICAL BASE AND FACILITIES

The Committee recommends \$2,239,828,000 for Readiness in Technical Base and Facilities (RTBF), \$230,673,000 above fiscal year 2012 and the same as the request. The RTBF program provides funding for the operations, maintenance, and recapitalization of NNSA facilities and infrastructure.

Despite the reductions in the budget request from the previous estimates provided for fiscal year 2013, the request proposes substantial increases for modernization of the aging NNSA infrastructure, investments which in many cases are long overdue. In the past, the NNSA has failed to adequately fund facility maintenance and recapitalization and the significant funding increase over last year's level will be used to address some of these shortfalls. However, the NNSA has done little to improve its accounting for the costs of infrastructure, increasing the amounts requested within generalized operations funding and failing to identify how it is prioritizing projects across the complex.

The request proposed \$166,945,000 under Science, Technology and Engineering (ST&E) Capability Support, a vague funding category which appears to create duplicative accounting structures for operating costs alongside funding for administrative headquarters support and its new Capabilities-Based Facilities and Infrastructure (CBFI) program. The Committee recommends funding for CBFI under a new line, Maintenance and Repair of Facilities, in order to provide more clarity into the purpose of this funding. The recommendation retains funding for administrative and headquarters activities under Program Readiness. Maintenance and Repair of Facilities also includes additional funding requested for other major multi-year operating expense recapitalization projects that were buried within the request for Operations of Facilities in order to better distinguish the cost of routine operational support from the costs of modernization.

Operations of Facilities.—The Committee recommends \$1,369,403,000 for Operations of Facilities, \$83,787,000 above fiscal

year 2012 and \$50,000,000 below the budget request. The recommendation includes \$5,100,000 for the first year of funding for the purchase of a major item of equipment, a high resolution computed tomography system for pit scanning at the Pantex Plant. Within the amounts provided for Operations of Facilities at Sandia, \$11,400,000 is provided to operate the Primary Standards Laboratory. The Committee does not support new recapitalization of the tritium infrastructure at Savannah River until the NNSA develops a clear plan that will ensure the continued availability of tritium for the stockpile.

No funds are provided to enter into any leasing arrangement for the purposes of relocating the functions of the NNSA's Albuquerque Service Center Complex, though funding is permitted to investigate alternatives for recapitalization. The use of operating leases has been investigated by the GAO and found to be cost effective only when used for a specified period of time. They are generally not suitable for meeting permanent specialized federal space requirements. The NNSA must provide adequate proof of the cost benefits and suitability of any major lease for the Albuquerque Service Center before it will support funding.

Program Readiness.—The Committee recommends \$38,000,000 for Program Readiness, to retain transparent accounting for the overhead and headquarters costs of managing the NNSA infrastructure. Funding within Program Readiness is restricted to administrative, planning, headquarters, and training costs and should not be used to fund infrastructure projects or other site operating costs as in previous years.

Nuclear Operations Capability Support.—The Committee recommends \$203,346,000, combining previously separate funding for Material Recycle and Recovery, Containers, and Storage in order to provide additional flexibility to meet operational requirements. The NNSA is directed to maintain transparency into these activities by continuing to report financial and programmatic details according to each separate subactivity in its budget request and financial reports. Within this amount, \$35,000,000 is provided to commence characterization and clean out of the Los Alamos Plutonium Facility vault.

Science, Technology and Engineering Capability Support.—The recommendation provides no funding for Science, Technology and Engineering Capability Support, but provides funding for these requested activities separately within Maintenance and Repair of Facilities, Program Readiness, and Operations of Facilities, where appropriate.

Maintenance and Repair of Facilities.—The Committee recommends \$148,266,000. This new funding control supports the Capabilities-Based Facilities and Infrastructure (CBFI) program and other major operating expense repair projects. The NNSA is to show the full details for each major multi-year project with a total project cost of greater than \$10,000,000 within its fiscal year 2014 budget request. The recommendation includes \$20,000,000 for MESA recapitalization requested under Operations of Facilities for Sandia, which is needed for the B61 Life Extension Program and which could ultimately cost nearly \$100,000,000 to complete. The recommendation also includes \$5,000,000 to begin replacement of

lead-in piping at the Device Assembly Facility which is needed to provide additional storage options for plutonium due to the delay of the CMRR–NF.

Project 13–D–301, Electrical Infrastructure Upgrades, Lawrence Livermore National Laboratory.—The Committee recommends \$23,000,000 as requested.

Project 12–D–301, TRU Waste Facilities, Los Alamos National Laboratory.—The Committee recommends \$24,204,000 as requested.

Project 11–D–801, TA–55 Reinvestment Project, Los Alamos National Laboratory.—The Committee recommends \$39,568,000, \$30,679,000 above the request. This additional funding allows the NNSA to commence the full scope of the planned upgrades, which are overdue investments for improving the safety of the plutonium infrastructure at Los Alamos.

Project 10–D–501, Nuclear Facilities Risk Reduction (NFRR), Y–12 National Security Complex.—The Committee recommends \$17,909,000 as requested. The Committee notes that the NNSA continues to fall behind on its commitments to complete overdue maintenance on the 9212 building at Y–12 specifically directed by this Committee in previous years. Not later than 60 days after enactment of this Act, the NNSA should provide a report on the latest facility condition of 9212, an assessment of the reasons for the continued delays in executing the project, actions to be taken to recover the project schedule, and future repairs that may be needed that are outside the scope of this project to ensure it can operate safely until the construction of the Uranium Processing Facility is complete.

Project 09–D–404, Test Capabilities Revitalization II, Sandia National Laboratory, Albuquerque, NM.—The Committee recommends \$11,332,000 as requested.

Project 08–D–802, High Explosive Pressing Facility, Pantex Plant.—The Committee recommends \$24,800,000 as requested.

Project 06–D–141, Uranium Processing Facility, Y–12 National Security Complex.—The Committee recommends \$340,000,000 as requested.

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 \$219,361,000, \$23,915,000 below fiscal year 2012 and the same as the budget request. The Committee recommendation does not support the movement of the Human Reliability Program to Other Related Expenses within Program Direction. This requirement for maintaining federal agent qualifications is properly funded within the Security/Safety Capability subprogram as in prior years.

NUCLEAR COUNTERTERRORISM INCIDENT RESPONSE

The Nuclear Counterterrorism Incident Response (NCTIR) program responds to and mitigates nuclear and radiological incidents worldwide. The Committee recommends \$225,446,000, \$3,299,000

above fiscal year 2012 and \$22,106,000 below the budget request. The recommendation includes \$55,000,000 for Nuclear Counterterrorism activities, now under the management of the newly-established Office of Counterterrorism and Counterproliferation (NA-80). Many of the development activities under the purview of NA-80 are related to radiological materials or pre/post-detonation detection, which are closely linked to technologies under development by the Office of Defense Nuclear Nonproliferation. These critical activities would benefit if the NNSA provided more focus to its strategy for establishing a nuclear forensics capability and eliminated duplicative bureaucracies for developing related technologies by integrating NA-80 activities in future years with the request for Defense Nuclear Nonproliferation. Further, NA-80 activities should not force out existing technology paths under development by the Office of Defense Nuclear Nonproliferation, but should work cooperatively with those efforts.

SITE STEWARDSHIP

The Committee recommends \$79,581,000 for Site Stewardship, \$901,000 above fiscal year 2012 and \$10,420,000 below the budget request. No funding is provided for the Energy Modernization and Investment Program.

DEFENSE NUCLEAR SECURITY

Defense Nuclear Security is responsible for developing and implementing security programs for the protection, control, and accountability of materials and for the physical security of all facilities of the nuclear security enterprise. The Committee recommends \$663,285,000 for Defense Nuclear Security, \$22,967,000 below fiscal year 2012 and \$20,000,000 above the request. While efforts to reduce costs are encouraged, the NNSA has not performed a new multi-site security assessment that would justify the five percent reduction in protective forces proposed in the budget request and it is not clear how those proposed reductions would impact the security posture of NNSA facilities.

INFORMATION TECHNOLOGY AND SECURITY

Information Technology and Security combines funding for Cyber Security with funding for unclassified information technology programs, previously funded under the Office of the Administrator. Combined funding was requested within the budget request under a new program line, NNSA CIO Activities, which has been renamed to more clearly describe the activities to be funded. The Committee recommends \$160,018,000 for Information Technology and Security, \$4,996,000 above the request, in order to restore funding for Technology Application Development to the fiscal year 2012 level. Given the increasing cyber threats confronting the NNSA, continuing to invest in emerging technologies is a necessary component of any layered cyber security strategy.

LEGACY CONTRACTOR PENSIONS

The Committee provides \$185,000,000 for payments into the legacy University of California contractor employee defined benefit pension plans.

NATIONAL SECURITY APPLICATIONS

The Committee recommends no funding for National Security Applications. Funding requested to develop radiation sources for detection of nuclear material, improving standoff detection of special nuclear materials, and investigation of electromagnetic pulse and radio frequency signatures in support of the Comprehensive Test Ban Treaty are nonproliferation-related activities.

FUNDING ADJUSTMENTS

Rescission.—The Committee rescinds \$65,000,000 in prior-year balances from the Chemistry and Metallurgy Facility Replacement Project-Nuclear Facility. Given the NNSA has announced a five-year delay in constructing the Nuclear Facility project and there is still no revised plutonium strategy which would make use of the considerable prior-year balances, a portion of these funds are available to offset funding needs for Los Alamos infrastructure in fiscal year 2013 as described above. Specifically, \$30,00,000 is needed to accelerate the completion of safety-related infrastructure improvements needed at the existing Los Alamos Plutonium Facility-4 (PF-4) under the TA-55 Reinvestment Project and \$35,000,000 is needed to begin characterization and cleanout of the PF-4 vault under Material Recycle Recovery.

DEFENSE NUCLEAR NONPROLIFERATION

(INCLUDING RESCISSION OF FUNDS)

Appropriation, 2012	\$2,295,880,000
Budget estimate, 2013	2,458,631,000
Recommended, 2013	2,276,024,000
Comparison:	
Appropriation, 2012	- 19,856,000
Budget estimate, 2013	- 182,607,000

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 \$2,276,024,000, \$19,856,000 below fiscal year 2012 and \$182,607,000 below the budget request. After accounting for rescissions totaling \$28,423,000 in fiscal year 2012 and the rescission of \$7,000,000 in this bill, the recommendation is \$41,279,000 below fiscal year 2012.

The recommendation fully funds the requested level for core nonproliferation activities, including the four-year plan to secure vulnerable nuclear materials around the world. The recommendation for the remaining non-core activities, which includes Fissile Materials Disposition and Domestic Uranium Enrichment Research Development and Demonstration, are reduced from the request.

The request for the four-year plan continues to decrease as planned, showing progress from the accelerated investments made over the past two years. However, the request proposes further reductions that were not previously envisioned, causing some strategies to appear uncoordinated. In the 2010 Nuclear Posture Review, the Administration recommended enhancing national and international capabilities to disrupt illicit proliferation networks and expanding our nuclear forensics efforts to improve the ability to identify the source of nuclear material used or intended for use in a terrorist nuclear explosive device. The NNSA is now proposing a "strategic pause" for the Second Line of Defense program, which installs radiation equipment at borders, airports, and ports, while it considers the future of the program. This decision appears to be driven primarily by budgetary constraints and the Administration's inclusion of a uranium enrichment program within the nonproliferation account. Further, the request proposes funding for nuclear forensics across a variety of programs, instead of integrating those efforts into ongoing nonproliferation activities.

While the Committee agrees that the models for executing some of its core nonproliferation programmatic activities should be reviewed for effectiveness, there are substantial concerns regarding the NNSA's ability to evaluate and provide meaningful reports on its own program performance. The Government Accountability Office (GAO) recently investigated program management within the Office of Defense Nuclear Nonproliferation (DNN) and found several problems with its use of performance measures. The GAO reported that the results of some DNN programs appear overstated because DNN measured performance against different targets at the end of year than the ones presented in the budget request. It also investigated the way DNN reports budget execution performance and found the levels of uncommitted balances frequently exceeded thresholds, but the semiannual reports to Congress on uncommitted balances do not specify the amounts by which program balances exceeded the thresholds or explain why the excess balances should not be rescinded, redirected, or used to offset future budget requests. Without measures and reports which would accurately track performance, there is limited information available for evaluating and revising programmatic strategies.

Within the amounts provided, the Committee directs the NNSA to contract with an independent entity with recognized expertise in evaluating program effectiveness for a review of DNN performance measures and uncommitted balances report. The entity shall submit a report to the Committee with its findings and recommendations on developing more accurate and meaningful measures of program performance and reports on financial balances.

In the meantime, the Committee notes that the program has made progress in reducing unobligated balances and should proceed with further improvements to program justification and metrics. The Committee is aware that the program uses and tracks additional metrics in some core programs which may be valuable to decision makers when weighing the merits of resource allocations. The NNSA is directed to expand its metrics in future budget requests to provide additional background on the effectiveness on its programs.

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 \$528,186,000 for Nonproliferation and Verification Research and Development, \$172,036,000 above fiscal year 2012 and \$20,000,000 below the request.

The recommendation includes \$100,000,000 to support the start of a national security-related domestic uranium enrichment technology development program, \$50,000,000 below the request. The Committee notes that in fiscal year 2012, the Department made \$44,000,000 available to support this program through a uranium procurement arrangement, and can make available an additional \$82,000,000 to the effort through further liability assumption arrangements. The Committee remains concerned about the Department's management of enriched uranium and other strategic materials and the recommendation is a strong indication of the Committee's support for a domestic uranium enrichment capability to meet this nation's defense needs.

However, due to the rampant cost growth that has been reported to construct and operate the MOX facility, the remaining funding available within this account is highly constrained and the amount has been reduced from the request. If the NNSA is unable to contain the escalating costs of the ongoing MOX project, funding for other priorities, such as the uranium enrichment project, will be severely limited. The Committee will continue to evaluate the funding needs of the uranium enrichment program as more details become available. Similarly, the Committee will consider whether additional steps, including legislation, are necessary to protect the taxpayers' investments in this program.

The recommendation includes \$10,000,000 above the request for Proliferation Detection, to accelerate development of new technology for nuclear detector materials and performance research that will improve options available for Second Line of Defense activities. The recommendation also includes \$20,000,000 above the request for Nuclear Detonation Detection, for infrastructure investments which will enhance nonproliferation efforts and provide additional capabilities, such as those needed for pre- and post-detonation nuclear forensics.

NONPROLIFERATION AND INTERNATIONAL SECURITY

The Committee recommendation provides \$134,459,000 for Nonproliferation and International Security, \$15,660,000 below the request. No funding is provided for the new Global Security through Science Partnerships program. The authorization for the Global Initiatives for Proliferation Prevention Program (GIPP) ends in fiscal year 2012 and funding for this follow-on revamped program has not been authorized.

INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION

The International Nuclear Materials Protection and Cooperation (INMPC) program works cooperatively with partner countries to secure weapons and weapons-usable nuclear material in order to improve the physical security at facilities that possess or process significant quantities of nuclear weapons-usable materials that are of proliferation concern. The Committee recommends \$311,000,000 for INMPC activities, the same as the request.

While the NNSA conducts its activities to assess and define Second Line of Defense requirements for the most effective deployments of equipment likely to achieve the greatest threat reduction, it should review all available options, develop the optimal mix of equipment and approach, and merge the Core and Megaports program into one comprehensive, aligned strategy. The Committee supports this review and encourages the NNSA to closely coordinate its findings and recommendations with the Committee. Further, the Committee expects the process to include subject matter experts outside the NNSA to ensure that the Second Line of Defense program emerges from this review with a strong and justifiable basis for future funding.

FISSILE MATERIALS DISPOSITION

The Fissile Materials Disposition (FMD) program consists of major construction projects, blend-down of surplus U.S. highly enriched uranium, and the Russian Plutonium Disposition program. The Committee recommendation provides \$764,698,000 for fissile materials disposition activities, \$79,312,000 above fiscal year 2012 and \$156,607,000 below the budget request. Even though the Pit Disassembly and Conversion Facility has been cancelled, the FMD program costs are projected at approximately \$1,000,000,000 per year over the next several years in order to maintain the current schedule for operations. The recommendation fully funds ongoing construction, but delays funding for the Mixed Oxide (MOX) facility early startup options until the actual costs and schedule for completing and operating the MOX facility are better known. The recommendation fully supports MOX early feedstock activities at H-Canyon and Los Alamos, but delays the long term investments that will be needed to support full operations until the planning process is complete and the full costs are provided to the Committee.

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 fuel for use in civilian nuclear reactors. There is still no fidelity on the total project costs and timeline to get the MOX facility up and running, and few details have been provided on the long term investments that will be needed to support full operating feedstock requirements. Construction continues to slip behind schedule due to unanticipated complexity of the work, poor contractor performance, delays in procurements, and the inclusion of additional work scope. The Department is now reporting internally that the total project costs could be understated by as much as \$600,000,000 to \$900,000,000, and that the project will overrun its projected completion date by months if not years. Further, the updated cost estimates provided by the NNSA for the pro-

jected annual operating costs of the MOX facility have skyrocketed and are now 2.5 times the projections of just two years ago. The source of this cost growth is still not entirely clear, but according to information provided to the Committee by the NNSA, part of the growth is due to cost estimating errors such as not accounting for normal escalation factors.

Due to the considerable issues surrounding the current estimates, the Committee directs the Comptroller General to investigate the existing cost estimates for completing construction, performing cold and hot startup activities, and annual facility operations. The Comptroller General is directed to report to the Committee with an assessment of the extent to which current NNSA estimates provide an accurate representation of the costs and time to complete the facility and whether those estimates adhere to good federal cost estimating standards.

U.S. Plutonium Disposition.—The Committee provides \$346,160,000, \$140,528,000 above fiscal year 2012 and \$152,819,000 below the budget request.

MOX Irradiation, Feedstock and Transportation.—The Committee provides \$152,910,000, \$65,943,000 above fiscal year 2012 and \$77,200,000 below the budget request. This amount includes increased funding to establish full production capabilities for early feed at Los Alamos and H-Canyon. However, it does not provide the \$27,200,000 requested to expand ARIES to provide steady state feed capabilities, since those investments are premature without an adequate understanding of the total cost and schedule to complete the entire scope of work. The recommendation also does not provide the \$50,000,000 requested to modify the MOX facility for feedstock production. The costs to modify the facility for additional scope should be fully captured in the MOX total project costs during rebaselining for the project. Further, the Environmental Impact Statement required for these investments is not scheduled to be complete prior to fiscal year 2014. The Committee will not support funding to modify the MOX facility until the NNSA has rebaselined the project to account for the additional costs and schedule implications of the delays, performance issues, and additional scope. The Committee supports the work to begin qualification of MOX fuel designs by multiple potential users and provides \$52,400,000 for those activities, as requested.

MOX Other Project Costs.—The Committee provides \$133,426,000, \$86,391,000 above fiscal year 2012 and \$47,243,000 below the budget request. In light of the considerable challenges that must be overcome to complete construction, it is premature to embark upon an aggressive startup plan in fiscal year 2013. The Committee is also concerned about the high costs of the plans to startup the facility and directs the NNSA to aggressively develop options to reduce expenses and better integrate startup plans with the anticipated timelines for construction completion. The Department will already incur operating costs of \$50,000,000 per year to maintain the Waste Solidification Building in standby, since this supporting facility is not yet needed. Ramping up startup before there is a clear timeline for completing construction will result in further misalignments, adding on carrying costs for personnel who are not yet needed.

MOX Operating Expenses.—The Committee provides \$100,000, the same as fiscal year 2012 and \$28,376,000 below the budget request. Given that MOX facility construction must be rebaselined, the Committee will not support initiation of funding for operating expenses until the capitalized and non-capitalized operating costs are clearly defined against the original project baseline so that the entire scope for startup may be accurately presented.

Waste Solidification Building Other Project Costs.—The Committee provides \$25,798,000 as requested.

Waste Solidification Building Operating Expenses.—The Committee provides \$18,541,000 as requested. Funding provides for operating costs incurred following the award of the project's CD-4 milestone for construction completion.

Plutonium Disposition Integration.—The Committee provides \$15,385,000 as requested. Given the completion of the Waste Solidification Building and the cancellation of the Pit Disassembly and Conversion Facility, there will no longer be a need for funding which integrates planning for these two projects with the MOX facility, yet the budget request includes \$114,876,000 in the out-year estimates. The NNSA is directed to reevaluate the allocation of overhead and planning costs for fissile materials disposition in future years.

U.S. Uranium Disposition.—The Committee recommends \$29,736,000 as requested.

Project 99-D-143, Mixed Oxide Fuel Fabrication Facility, Savannah River, SC.—The Committee recommends \$388,802,000 as requested. The amount requested for construction is considerably higher than the NNSA projected it would need last year, when the funding estimate for construction for fiscal year 2013 was only \$322,802,000. After the NNSA used its authority under the Continuing Resolution in fiscal year 2011 to increase funding by \$26,000,000, an increase of \$50,000,000 provided by the Committee in fiscal year 2012, and the additional \$66,000,000 in this bill, a total of \$142,000,000 has been provided over the performance baseline to meet rising capital costs. As noted above, if the NNSA is unable to contain the escalating costs of ongoing work, the Committee's flexibility to meet other programmatic needs within Defense Nuclear Nonproliferation will be severely limited.

Russian Surplus Materials Disposition.—The Committee recommends no additional funding, as significant prior year balances remain to support activities planned in fiscal year 2013.

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 \$482,681,000 for GTRI activities, \$16,660,000 above the request, to meet the four-year goal to secure vulnerable nuclear materials.

Domestic Radiological Material Protection.—The Committee recommends \$40,000,000 for Domestic Radiological Material Protection, \$15,021,000 below the budget request. The NNSA reports it had spent \$96,000,000 installing security enhancements for radiological materials at 302 domestic facilities through December 2011.

In a recent GAO report on actions needed to secure vulnerable nuclear and radiological materials, the GAO describes inconsistent regulation and severe gaps in the security of domestic radiological materials. It also reported the NNSA's estimate to secure the remaining domestic facilities it has identified with high-priority radiological material is \$600,000,000, and that security upgrades at the scope envisioned would not be completed until 2025.

With long timelines, unclear costs, and unsecured materials, the NNSA needs to improve its strategy for securing domestic radiological materials, including the possibility of reconsidering the services it provides to industry. The Committee is particularly concerned with the NNSA's ability to respond to concerns from stakeholders. Some hospital officials and police department personnel have declined the NNSA's proposed upgrades due to the program's requirements. The NNSA should improve the way it incorporates feedback from stakeholders in choosing upgrades, such as concerns about the potential financial burden placed on licensees to maintain upgrades beyond the 3- to 5-year warranty period. There are also various services the NNSA could provide for accessing federal funds that might provide more flexibility for licensees to invest in more sustainable, lower cost security upgrades which would not pass high federal, management and operations contractor, and subcontractor overhead costs onto the taxpayer. By providing lower cost services and more options, the number of facilities to be secured can be increased and the timeline for securing materials can be accelerated.

FUNDING ADJUSTMENTS

Rescission.—The recommendation rescinds \$7,000,000 of prior-year balances from U.S. Plutonium Disposition due to the cancellation of the Pit Disassembly and Conversion Facility.

NAVAL REACTORS

Appropriation, 2012	\$1,080,000,000
Budget estimate, 2013	1,088,635,000
Recommended, 2013	1,086,635,000
Comparison:	
Appropriation, 2012	+6,635,000
Budget estimate, 2013	−2,000,000

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. The Committee recommendation provides \$1,086,635,000 for Naval Reactors, \$6,635,000 above fiscal year 2012 and \$2,000,000 below the budget request.

The fiscal year 2013 budget request fully adheres to the Committee's requirements to identify separate funding for the OHIO-Replacement Reactor Systems Development and the S8G Prototype Refueling, and the Committee continues to provide funding separately for these high-priority activities.

The multi-year funding estimates for the development of the OHIO-Replacement and the S8G Prototype Refueling have not been

provided in the budget request. Given this uncertainty in the out-years, the Committee remains concerned that a credible and affordable path forward has not been developed which would ensure that fiscal constraints will not adversely impact the operating fleet. The Committee directs the NNSA to provide an update of its out-year estimates for Naval Reactors concurrently with its update of out-year estimates for Weapons Activities.

Given the uncertainty of out-year funding requirements for the OHIO-Replacement and S8G Prototype, the plans for infrastructure recapitalization have become even more opaque. Last year, the budget request included increases to recapitalize the spent fuel infrastructure at Idaho, but there is little mention of the status of planning for that activity in the fiscal year 2013 request. With infrastructure needs projected to grow, the Committee supports the full investigation of alternatives that might present less expensive options for consideration. The recommendation supports initiation of two new construction projects, but holds back the start of a third project and directs the investigation of other alternatives which might be more affordable. The delayed project would demolish approximately 2,500 square feet of existing radiological work and storage space at the Kesselring Site and replace it with a new permanent 10,000 square foot facility in order to accommodate peak space needs during the planned refueling and defueling activities which begin in fiscal year 2018. There is sufficient time to evaluate other options which could accommodate the temporary increase in activity at a lower cost, such as the reassignment of existing space or a temporary structure. Subsequent new construction may then only be needed to support the enduring mission of the site.

OFFICE OF THE ADMINISTRATOR

Appropriation, 2012	\$410,000,000
Budget estimate, 2013	411,279,000
Recommended, 2013	400,000,000
Comparison:	
Appropriation, 2012	- 10,000,000
Budget estimate, 2013	- 11,279,000

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 \$400,000,000, \$10,000,000 below fiscal year 2012 and \$11,279,000 below the budget request.

Minority Serving Institution Partnership Program.—The Committee recommendation includes the requested amount of \$14,800,000 within Weapons Activities, Defense Nuclear Nonproliferation, and Naval Reactors to engage Minority Serving Institutions. This year, the funding for the Massie Chairs is requested in the newly constituted Minority Serving Institution Partnership Program (MSIPP). The Committee fully expects that the MSIPP will continue to support programs that improve science, technology, engineering, and math (STEM) workforce diversity and will provide updates on the progress of any new partnership activities. Harnessing scientific and technological ingenuity has long been at the

core of America’s prosperity, and the Committee strongly encourages the NNSA to maintain this commitment by engaging in competitions supporting programs that increase the number of under-represented college minorities in STEM fields.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

(INCLUDING RESCISSION OF FUNDS)

Appropriation, 2012	\$5,002,950,000
Budget estimate, 2013	5,009,001,000
Recommended, 2013	4,920,078,000
Comparison:	
Appropriation, 2012	– 82,872,000
Budget estimate, 2013	– 88,923,000

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 \$4,920,078,000, \$82,872,000 below fiscal year 2012 and \$88,923,000 below the budget request. After accounting for a rescission of \$20,050,000 in fiscal year 2012 and the rescission of \$10,000,000 in this bill, the recommendation is \$92,922,000 below fiscal year 2012. The recommendation includes no funding for a federal contribution into the Uranium Enrichment Decontamination and Decommissioning Fund.

Impacts of Funding Reductions.—While the cleanup activities funded under this account are strongly supported by the Committee, the overall funding levels for cleanup will continue to be constrained. The Committee is concerned by the Department’s overall approach to formulating its budget request under these fiscal constraints, concentrating steep reductions at a few sites without a clear description of the workforce and operational impacts. While tough choices may need to be made, EM is responsible for understanding the full impacts of the funding levels it proposes and communicating those impacts so they may be fully considered by the Congress.

Status of Agreements with States and Communities.—While existing agreements may have been negotiated in good faith, many depended on highly optimistic funding increases that would have been difficult in any budget environment. In total, these agreements would require spending levels for environmental cleanup of more than \$8 billion during peak years, not taking into account the impacts of technical and management challenges that have driven up costs for some activities. Set back by project management failures and propelled forward by an infusion of \$6 billion from the Recovery Act, the status of the cleanup effort has now changed significantly. The Committee supports the Department’s efforts to update its estimates for completing the cleanup and to provide an accurate accounting to all stakeholders so that a clear, affordable,

and attainable path forward can be negotiated at those sites where the current schedule for cleanup will not be met.

Waste Treatment and Immobilization Plant (WTP).—The Committee notes progress with the WTP project and is encouraged that the Department is moving forward constructively in its response to the safety and technical issues. The recommendation for the Office of River Protection includes requested funding to begin a series of large-scale vessel tests which will provide the needed data for establishment of the ultimate operating parameters and safety basis for the facility. While the results of the large scale vessel testing are still many years away, the outstanding technical issues suggest the amount of waste that can be safely processed with the existing plant design could be less than originally envisioned.

The Department has also recently approved a new project execution plan for the plant which makes necessary changes to the project organization. The Committee supports sequencing construction completion milestones to optimize the startup strategy and begin processing lower level waste. As a result, the recommendation includes new funding controls according to the phases for project completion which will permit better tracking of progress against the performance baseline for the first and second phases. While the Committee supports the revisions to the project execution plan, moving forward with lower level activities does not supplant the Department's responsibility to establish a clear path forward for completing the High Level Waste and Pretreatment Facilities.

The Committee expects the Department to expeditiously rebase-line each of the two phases in accordance with DOE project management guidelines. In addition, current plans for revising the project baseline involve removing hot commissioning work scope that is currently capitalized as part of the WTP and shifting those costs to operating expense funds, which will then be needed earlier than previously planned. The Department is directed to clearly account for the total costs of all work scope removed from the capitalized project during its rebaselining. The Committee expects the Department to adhere to the semi-annual reporting requirements for the WTP project that was directed by the Committee in the fiscal year 2012 report.

Separations Process Research Unit (SPRU).—The Committee remains concerned about the status of cleanup activities at SPRU. The requested level of funding does not allow the Department to resume cleanup activities in fiscal year 2013 since the estimated costs to complete the project, including the allocation of costs between the Department and the contractor, have still not been resolved. The Committee supports prompt resolution of the issues surrounding this project and the resumption of cleanup activities as soon as possible.

Spent Fuel Storage.—The Committee is concerned that the Department has not adequately planned for the extended storage of spent nuclear fuel. Further, no information has been provided on how the cancellation of Yucca Mountain will impact settlement agreements for storage of Department of Energy spent fuel. Not later than 180 days after enactment of this Act, the Department is directed to provide a report on the current status and long term

storage requirements for extended spent fuel and high level waste storage for the National Spent Nuclear Fuel Program.

Closure Sites.—The Committee recommends \$1,990,000 as requested.

Hanford Site.—The Committee recommends \$953,252,000, the same as fiscal year 2012 and \$10,071,000 below the budget request. Within this amount, the recommendation fully funds the amount requested to remediate the River Corridor in order to keep those activities on track for closure in 2015. However, the increases requested to ramp up cleanup of the Plutonium Finishing Plant (PFP) within the Central Plateau Remediation are not executable and therefore not included in the recommendation. As one of its most challenging cleanup projects, the Department must ensure the work schedule does not endanger workers.

Idaho National Laboratory.—The Committee recommends \$399,607,000 as requested.

NNSA Sites.—The Committee recommends \$312,369,000, \$21,899,000 below the budget request. Within this amount, the Committee recommends \$1,484,000 for Lawrence Livermore National Laboratory, \$4,230,000 for the NNSA Service Center, \$24,000,000 for the Separations Process Research Unit (SPRU), \$64,641,000 for the Nevada Test Site, \$3,014,000 for Sandia National Laboratories, and \$215,000,000 for Los Alamos National Laboratory.

Within the amounts provided, \$97,015,000 is recommended for solid waste stabilization and disposition at Los Alamos, an increase of \$30,000,000, or 45 percent, over the fiscal year 2012 level. As the largest site increase for environmental cleanup, the recommendation reflects the Committee's support of accelerating the transfer of legacy TRU waste at Los Alamos due to growing concerns about the vulnerability of this material. DOE has recently agreed to speed up the disposition of this material, but has yet to renegotiate the consent order which would formalize milestones and commitments for cleanup. Until the Committee understands the full scope and cost of the project, the recommendation provides funding for soil and groundwater cleanup at the fiscal year 2012 level. The Committee supports expeditious renegotiation of the consent order which would formalize and prioritize the concerns of all stakeholders within an affordable and achievable plan for cleanup.

Oak Ridge Reservation.—The Committee recommends \$179,495,000, \$2,000,000 below the budget request.

Office of River Protection.—The Committee recommends \$1,163,000,000, \$9,113,000 below the budget request.

Tank Farm Activities.—The Committee recommends \$473,000,000 for Tank Farm Activities, \$28,000,000 above fiscal year 2012 and \$9,113,000 below the budget request. The recommendation includes \$18,000,000 to support testing of the tank farms mixing, sampling, and transfer functions in order to assist in the resolution of outstanding nuclear safety concerns surrounding the design of the Waste Treatment and Immobilization Plant.

Project 01-D-16 A-C, Waste Treatment and Immobilization Plant.—The Committee recommends \$350,000,000, the same as the request.

Project 01-D-16 D-E, High Level Waste and Pretreatment Facilities, Waste Treatment and Immobilization Plant.—The Committee recommends \$340,000,000, the same as the request.

Savannah River Site.—The Committee recommends \$1,148,583,000, \$32,933,000 below the budget request. The level recommended reflects an increase of \$10,280,000 above the fiscal year 2012 level for tank farm activities to ensure continued progress on the tank closure schedule. However, the continued delays in the construction of the Salt Waste Processing Facility may now significantly impact the amount of funding that will be needed to complete construction. Since it is unlikely overall site funding levels will increase significantly in the near future, the Department must work constructively with its stakeholders to reprioritize near term cleanup goals if large cost overruns emerge. The recommendation also supports substantial increases to material stabilization and disposition to commence shipping plutonium out of the state.

Project 05-D-405, Salt Waste Processing Facility, Savannah River.—The Committee recommends \$22,549,000 as requested.

Waste Isolation Pilot Plant (WIPP).—The Committee recommends \$203,000,000, \$4,990,000 above the request. While some savings may be available for transportation services due to management reforms, it is unlikely the level of savings claimed are available and the requested level would adversely impact commitments for shipping waste from other DOE sites.

Program Direction.—The Committee recommends \$315,607,000, \$7,897,000 below the budget request. Prior-year balances for Program Direction continue to increase and the Department should first expend these balances before requesting further increases.

Program Support.—The Committee recommends \$18,279,000 as requested.

Safeguards and Security.—The Committee recommends \$237,019,000, the same as the request.

Technology Development and Deployment.—The Committee recommends \$10,000,000 for Technology Development and Deployment, \$10,000,000 below the request.

FUNDING ADJUSTMENTS

Use of Prior-Year Balances.—As requested, the Committee directs the use of \$12,123,000 in prior-year balances to meet fiscal year 2013 needs as described above.

Rescission.—The Committee rescinds \$10,000,000 in prior-year unobligated balances.

OTHER DEFENSE ACTIVITIES

Appropriation, 2012	\$823,364,000
Budget estimate, 2013	735,702,000
Recommended, 2013	813,364,000
Comparison:	
Appropriation, 2012	– 10,000,000
Budget estimate, 2013	+77,662,000

This account provides funding for the Office of Health, Safety and Security, Office of Legacy Management, Idaho Sitewide Safeguards and Security, Defense Related Administrative Support, and

the Office of Hearings and Appeals. The Committee recommendation for Other Defense Activities (ODA) is \$813,364,000, \$10,000,000 below fiscal year 2012 and \$77,662,000 above the budget request. The increase above the request is due to funding Defense-Related Activities at Idaho National Laboratory in this account as it has been funded previously, rather than within Nuclear Energy, as requested.

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 recommends \$241,097,000 for the Office of Health, Safety and Security, \$4,403,000 below the request. The recommendation also provides \$188,000,000 for Specialized Security Activities, \$619,000 below the 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.

OFFICE OF LEGACY MANAGEMENT

The Office of Legacy Management (LM) provides long-term stewardship following site closure. The Committee recommends \$173,946,000 for Legacy Management, \$4,346,000 above fiscal year 2012 and \$4,000,000 below the request. The Committee notes that sufficient prior-year unobligated balances are available to offset LM activities and program direction needs during fiscal year 2013.

IDAHO SITEWIDE SAFEGUARDS AND SECURITY

The Committee recommendation includes \$93,350,000 to fund Idaho Sitewide Safeguards and Security, the same as fiscal year 2012 and \$1,650,000 below the request. The recommendation includes this funding within ODA, as in prior years, rather than within Nuclear Energy as requested.

DEFENSE RELATED ADMINISTRATIVE SUPPORT

The Committee recommendation includes \$112,170,000, \$6,666,000 below fiscal year 2012 and the request, to provide administrative support for programs funded in the atomic energy defense activities accounts. The Committee notes that the request for funding is poorly justified and does not adequately explain how the Department's administrative costs are being allocated to Other Defense Activities. Given the fact that these costs apply primarily to Defense Environmental Cleanup and the level requested for de-

fense cleanup is decreasing, the administrative support offset should also be decreasing.

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 \$4,801,000, \$659,000 above fiscal year 2012 and the same as the request.

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. 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. The capital expenses of Southwestern and Western Area Power Administrations are appropriated annually.

BONNEVILLE POWER ADMINISTRATION

The Bonneville Power Administration is the Department of Energy's marketing agency for electric power in the Pacific Northwest. Bonneville provides electricity to a 300,000 square mile service area in the Columbia River drainage basin. Bonneville markets the power from federal hydropower projects in the Northwest, as well as power from non-federal generating facilities in the region, and exchanges and markets surplus power with Canada and California. Language is included to allow expenditures from the Bonneville Power Administration Fund for John Day Reprogramming and Construction, Columbia River Basin White Sturgeon Hatchery, and Kelt Reconditioning and Reproductive Success Evaluation Research. Expenditure authority also is provided for construction or participation in the construction of a high voltage line from Bonneville's high voltage system to the service areas of requirements customers located within Bonneville's service area in southern Idaho,

southern Montana, and western Wyoming; such line may extend to, and interconnect in, the Pacific Northwest with lines between the Pacific Northwest and the Pacific Southwest. The Committee is aware that Bonneville currently is evaluating alternatives for providing service to these customers with a goal of finalizing a decision by September 30, 2012. The Committee directs Bonneville to notify the Committee of key milestones of this evaluation process as well as the details of the final plan once an alternative has been selected.

The Committee notes that on March 16, 2012, the Secretary of Energy issued a memorandum instructing the Power Marketing Administrations to modernize their operations. This proposal has not been communicated fully to the Congress and little information is available regarding the potential impact this initiative may have on electricity prices. The Committee directs each Power Marketing Administration to report to the Committee any direction provided by the Secretary with an analysis of the costs of complying with such direction, including additional costs to electricity consumers.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
ADMINISTRATION

Appropriation, 2012 .....	.....
Budget estimate, 2013 .....	.....
Recommended, 2013 .....	.....
Comparison:	
Appropriation, 2012 .....	.....
Budget estimate, 2013 .....	.....

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 2013 is \$111,902,000, with \$103,170,000 for purchase power and wheeling and \$8,732,000 for program direction. The purchase power and wheeling costs will be offset by collections of \$87,696,000, and annual expenses will be offset by collections of \$8,732,000 provided in this Act. Additionally, SEPA has identified \$15,474,000 in alternative financing for purchase power and wheeling. The net appropriation, therefore, is \$0 in the recommendation and the budget request.

The Committee notes that on March 16, 2012, the Secretary of Energy issued a memorandum instructing the Power Marketing Administrations to modernize their operations. This proposal has not been communicated fully to the Congress and little information is available regarding the potential impact this initiative may have on electricity prices. The Committee directs each Power Marketing Administration to report to the Committee any direction provided by the Secretary with an analysis of the costs of complying with such direction, including additional costs to electricity consumers.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER
ADMINISTRATION

Appropriation, 2012	\$11,892,000
Budget estimate, 2013	11,892,000
Recommended, 2013	11,892,000
Comparison:	
Appropriation, 2012 .....	.....
Budget estimate, 2013 .....	.....

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, the same as the budget request. The total program level for Southwestern in fiscal year 2012 is \$99,029,000, including \$11,505,000 for operation and maintenance expenses, \$51,000,000 for purchase power and wheeling, \$28,593,000 for program direction, and \$7,931,000 for construction. Offsetting collections total \$73,308,000, including \$41,000,000 for purchase power and wheeling, \$26,822,000 for program direction, and \$5,486,000 for operations and maintenance. Southwestern estimates it will secure alternative financing from customers in the amount of \$13,829,000.

The Committee notes that on March 16, 2012, the Secretary of Energy issued a memorandum instructing the Power Marketing Administrations to modernize their operations. This proposal has not been communicated fully to the Congress and little information is available regarding the potential impact this initiative may have on electricity prices. The Committee directs each Power Marketing Administration to report to the Committee any direction provided by the Secretary with an analysis of the costs of complying with such direction, including additional costs to electricity consumers.

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

Appropriation, 2012	\$95,968,000
Budget estimate, 2013	96,130,000
Recommended, 2013	96,130,000
Comparison:	
Appropriation, 2012	+162,000
Budget estimate, 2013 .....	.....

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 \$96,130,000, the same as the budget request. The total program level for Western in fiscal year 2013 is \$785,157,000, which includes \$83,475,000 for construction

and rehabilitation, \$71,855,000 for system operation and maintenance, \$422,225,000 for purchase power and wheeling, \$204,227,000 for program direction, and \$3,375,000 for the Utah Mitigation and Conservation Fund.

Offsetting collections include \$438,648,000 for purchase power and wheeling and annual expenses, and the use of \$5,099,000 of offsetting collections from the Colorado River Dam Fund (as authorized in P.L. 98-381). Western Area estimates it will secure alternative financing from customers in the amount of \$245,280,000.

The Committee notes that on March 16, 2012, the Secretary of Energy issued a memorandum instructing the Power Marketing Administrations to modernize their operations. This proposal has not been communicated fully to the Congress and little information is available regarding the potential impact this initiative may have on electricity prices. The Committee directs each Power Marketing Administration to report to the Committee any direction provided by the Secretary with an analysis of the costs of complying with such direction, including additional costs to electricity consumers.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

Appropriation, 2012	\$220,000
Budget estimate, 2013	220,000
Recommended, 2013	220,000
Comparison:	
Appropriation, 2012 .....	.....
Budget estimate, 2013 .....	.....

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 \$5,555,000, with \$5,335,000 of offsetting collections applied toward annual expenses.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

Appropriation, 2012	\$304,600,000
Budget estimate, 2013	304,600,000
Recommended, 2013	304,600,000
Comparison:	
Appropriation, 2012 .....	.....
Budget estimate, 2013 .....	.....

REVENUES

Appropriation, 2012	\$ - 304,600,000
Budget estimate, 2013	- 304,600,000
Recommended, 2013	- 304,600,000
Comparison:	
Appropriation, 2012 .....	.....
Budget estimate, 2013 .....	.....

The Committee recommendation for the Federal Energy Regulatory Commission (FERC) is \$304,600,000, the same as fiscal year 2012 and the budget request. Revenues for FERC are established at a rate equal to the budget authority, resulting in a net appropriation of \$0.

The Committee has heard concerns that current FERC processes act as disincentives to the installation of pipeline equipment and upgrades that can save money and reduce air emissions. The Committee encourages FERC to review these processes to see if any changes are advisable and to report the findings of the review to the appropriate committees of Congress.

The Committee is aware that concerns remain about the degree of consideration given by FERC to the rights and concerns of private property owners during the process for developing, reviewing, and approving shoreline management plans. The Committee reiterates its support for the expeditious development and implementation of innovative and mutually agreeable solutions to resolve conflicts among project purposes and private property at specific locations. The Committee also expects FERC to complete as soon as possible its review of the overall shoreline management plan process and report to Congress, as directed in fiscal year 2012.

COMMITTEE RECOMMENDATION

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

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 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.....	104,000	80,000	82,000	-22,000	+2,000
Biomass and Biorefinery Systems R&D.....	200,000	270,000	203,000	+3,000	-67,000
Solar energy.....	290,000	310,000	155,000	-135,000	-155,000
Wind energy.....	93,593	95,000	70,000	-23,593	-25,000
Geothermal technologies.....	38,000	65,000	30,000	-8,000	-35,000
Water Power.....	59,000	20,000	45,000	-14,000	+25,000
Vehicle technologies.....	330,000	420,000	335,000	+5,000	-85,000
Building technologies.....	220,000	310,000	125,000	-95,000	-185,000
Advanced manufacturing.....	---	290,000	150,000	+150,000	-140,000
Industrial technologies.....	116,000	---	---	-116,000	---
Federal energy management program.....	30,000	32,000	18,000	-12,000	-14,000
Facilities and infrastructure:					
National Renewable Energy Laboratory (NREL).....	26,407	26,400	26,400	-7	---
Subtotal, Facilities and infrastructure.....	26,407	26,400	26,400	-7	---
Program direction.....	165,000	164,700	115,000	-50,000	-49,700
Strategic programs.....	25,000	58,900	10,000	-15,000	-48,900
Subtotal, Energy Efficiency and Renewable Energy RDD&D.....	1,697,000	2,142,000	1,364,400	-332,600	-777,600

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request

Weatherization and intragovernmental:					
Weatherization:					
Weatherization assistance.....	65,000	135,700	51,260	-13,740	-84,440
Training and technical assistance.....	3,000	3,300	3,300	+300	---
Subtotal.....	68,000	139,000	54,560	-13,440	-84,440
Other:					
State energy program grants.....	50,000	49,000	25,000	-25,000	-24,000
Tribal energy activities.....	10,000	7,000	7,000	-3,000	---
Subtotal.....	60,000	56,000	32,000	-28,000	-24,000
Subtotal, Weatherization and intragovernmental..	128,000	195,000	86,560	-41,440	-108,440
Subtotal, Energy efficiency and renewable energy..	1,825,000	2,337,000	1,450,960	-374,040	-886,040
Rescission.....	-9,909	-69,667	-69,667	-59,758	---
Sec. 309 - Contractor pay freeze rescission.....	-5,453	---	---	+5,453	---
TOTAL, ENERGY EFFICENCY AND RENEWABLE ENERGY.....	1,809,638	2,267,333	1,381,293	-428,345	-886,040
	=====	=====	=====	=====	=====

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

Research and development:					
Electricity systems hub.....	---	20,000	---	---	-20,000
Clean energy transmission and reliability.....	25,490	24,000	24,000	-1,490	---
Smart grid research and development.....	24,000	14,400	14,400	-9,600	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Energy storage.....	20,000	15,000	15,000	-5,000	---
Cyber security for energy delivery systems.....	30,000	30,000	30,000	---	---
Subtotal.....	99,490	103,400	83,400	-16,090	-20,000
Permitting, siting and analysis.....	7,000	6,000	6,000	-1,000	---
Infrastructure security and energy restoration.....	6,000	6,000	6,000	---	---
Program direction.....	27,010	27,615	27,600	+590	-15
Subtotal, Electricity Delivery and Energy Reliability.....	139,500	143,015	123,000	-16,500	-20,015
Sec. 309 - Contractor pay freeze rescission.....	-397	---	---	+397	---
TOTAL, ELECTRICITY DELIVERY AND ENERGY RELIABILITY	139,103	143,015	123,000	-16,103	-20,015

NUCLEAR ENERGY

Research and development:					
Nuclear energy enabling technologies.....	74,880	65,318	75,000	+120	+9,682
Integrated university program.....	5,000	---	5,000	---	+5,000
Small modular reactor licensing technical support...	67,000	65,000	114,000	+47,000	+49,000
Reactor concepts RD&D.....	115,544	73,674	126,660	+11,116	+52,986
Fuel cycle research and development.....	187,351	175,438	138,716	-48,635	-36,722
International nuclear energy cooperation.....	3,000	3,000	3,000	---	---
Subtotal.....	452,775	382,430	462,376	+9,601	+79,946

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request

Infrastructure:					
Radiological facilities management:					
Space and defense infrastructure.....	64,902	46,000	46,000	-18,902	---
Research reactor infrastructure.....	4,986	5,000	5,000	+14	---
Subtotal.....	69,888	51,000	51,000	-18,888	---
INL facilities management:					
INL Operations and infrastructure.....	155,000	144,220	154,220	-780	+10,000
Construction:					
13-D-905 RHLLW disposal project.....	---	6,280	6,280	+6,280	---
13-E-200 Advanced PIE capabilities.....	---	1,500	1,500	+1,500	---
Subtotal, Construction.....	---	7,780	7,780	+7,780	---
Subtotal, INL facilities management.	155,000	152,000	162,000	+7,000	+10,000
Idaho sitewide safeguards and security.....	---	95,000	---	---	-95,000
Subtotal, Infrastructure.....	224,888	298,000	213,000	-11,888	-85,000
Program direction.....	91,000	90,015	90,015	-985	---
Subtotal, Nuclear Energy.....	768,663	770,445	765,391	-3,272	-5,054
Sec. 309 - Contractor pay freeze rescission.....	-3,272	---	---	+3,272	---
TOTAL, NUCLEAR ENERGY.....	765,391	770,445	765,391	---	-5,054
	=====				

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request

FOSSIL ENERGY RESEARCH AND DEVELOPMENT					
CCS and power systems:					
Carbon capture.....	68,938	60,438	68,938	---	+8,500
Carbon storage.....	115,477	95,477	115,345	-132	+19,868
Advanced energy systems.....	100,000	55,193	110,000	+10,000	+54,807
Cross cutting research.....	49,163	29,750	55,000	+5,837	+25,250
NETL Coal Research and Development.....	35,031	35,011	35,011	-20	---
Subtotal, CCS and power systems.....	368,609	275,869	384,294	+15,685	+108,425

Natural Gas Technologies.....	15,000	17,000	17,000	+2,000	---
Unconventional fossil energy technologies from					
Petroleum - oil technologies.....	5,000	---	25,000	+20,000	+25,000
Program direction.....	120,000	115,753	115,753	-4,247	---
Plant and Capital Equipment.....	16,794	13,294	13,294	-3,500	---
Fossil energy environmental restoration.....	7,897	5,897	5,897	-2,000	---
Special recruitment programs.....	700	700	700	---	---
Use of prior year balances.....	---	-7,938	-7,938	-7,938	---
Subtotal, Fossil Energy Research and Development..	534,000	420,575	554,000	+20,000	+133,425

Rescission.....	-187,000	---	---	+187,000	---
Sec. 309 - Contractor pay freeze rescission.....	-297	---	---	+297	---
TOTAL, FOSSIL ENERGY RESEARCH AND DEVELOPMENT.....	346,703	420,575	554,000	+207,297	+133,425
=====					

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
NAVAL PETROLEUM AND OIL SHALE RESERVES.....	14,909	14,909	14,909	---	---
ELK HILLS SCHOOL LANDS FUND.....	---	15,580	15,580	+15,580	---
STRATEGIC PETROLEUM RESERVE.....	192,704	195,609	195,609	+2,905	---
SPR PETROLEUM ACCOUNT (rescission).....	-500,000	-291,000	---	+500,000	+291,000
NORTHEAST HOME HEATING OIL RESERVE					
Northeast Home Heating Oil Reserve.....	10,119	10,119	10,119	---	---
Rescission.....	-100,000	-6,000	-6,000	+94,000	---
TOTAL, NORTHEAST HOME HEATING OIL RESERVE.....	-89,881	4,119	4,119	+94,000	---
ENERGY INFORMATION ADMINISTRATION.....					
	105,000	116,365	100,000	-5,000	-16,365
NON-DEFENSE ENVIRONMENTAL CLEANUP					
Fast Flux Test Reactor Facility (WA).....	2,703	2,704	2,704	+1	---
Gaseous Diffusion Plants.....	100,588	90,109	90,109	-10,479	---
Small sites.....	67,430	57,831	57,831	-9,599	---
West Valley Demonstration Project.....	65,000	47,862	47,862	-17,138	---
Subtotal, Non-defense Environmental Cleanup.....	235,721	198,506	198,506	-37,215	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Sec. 309 - Contractor pay freeze rescission.....	-415	---	---	+415	---
TOTAL, NON-DEFENSE ENVIRONMENTAL CLEANUP.....	235,306	198,506	198,506	-36,800	---

URANIUM ENRICHMENT DECONTAMINATION
AND DECOMMISSIONING FUND

Oak Ridge.....	200,856	207,798	203,938	+3,082	-3,860
Paducah.....	81,807	90,142	92,722	+10,915	+2,580
Portsmouth.....	190,267	127,038	128,833	-61,434	+1,795
Pension and community and regulatory support.....	---	17,515	---	---	-17,515
Subtotal, UED&D Fund.....	472,930	442,493	425,493	-47,437	-17,000
Sec. 309 - Contractor pay freeze.....	-750	---	---	+750	---
TOTAL, UED&D FUND.....	472,180	442,493	425,493	-46,687	-17,000

SCIENCE

Advanced scientific computing research.....	442,000	455,593	442,000	---	-13,593
Basic energy sciences:					
Research.....	1,542,600	1,688,889	1,559,943	+17,343	-128,946

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request

Construction:					
07-SC-06 Project engineering and design (PED) National Synchrotron light source II (NSLS-II)	151,400	47,203	47,203	-104,197	---
13-SC-10 LINAC coherent light source, II (SLAC)	---	63,500	50,000	+50,000	-13,500
Subtotal.....	151,400	110,703	97,203	-54,197	-13,500
Subtotal, Basic energy sciences.....	1,694,000	1,799,592	1,657,146	-36,854	-142,446
Biological and environmental research.....	611,823	625,347	542,000	-69,823	-83,347
Fusion energy sciences.....	402,177	398,324	474,617	+72,440	+76,293
High energy physics:					
Research.....	763,700	756,521	740,521	-23,179	-16,000
Construction:					
11-SC-40 Project engineering and design (PED) long baseline neutrino experiment, FNAL.....	4,000	---	16,000	+12,000	+16,000
11-SC-41 Project engineering and design (PED) muon to electron conversion experiment, FNAL..	24,000	20,000	20,000	-4,000	---
Subtotal.....	28,000	20,000	36,000	+8,000	+16,000
Subtotal, High energy physics.....	791,700	776,521	776,521	-15,179	---
Nuclear physics:					
Operations and maintenance.....	500,000	486,366	507,366	+7,366	+21,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request

Construction:					
06-SC-01 Project engineering and design (PED) 12 GeV continuous electron beam accelerator facility upgrade, Thomas Jefferson National Accelerator facility (was project 07-SC-001), Newport News, VA.....	50,000	40,572	40,572	-9,428	---
Subtotal, Nuclear physics.....	550,000	526,938	547,938	-2,062	+21,000
Workforce development for teachers and scientists.....	18,500	14,500	14,500	-4,000	---
Science laboratories infrastructure:					
Infrastructure support:					
Payment in lieu of taxes.....	1,385	1,385	1,385	---	---
Facilities and infrastructure.....	---	900	900	+900	---
Oak Ridge landlord.....	5,493	5,934	5,934	+441	---
Subtotal.....	6,878	8,219	8,219	+1,341	---
Construction:					
13-SC-70 Utilities upgrade, FINAL.....	---	2,500	2,375	+2,375	-125
13-SC-71 Utility infrastructure modernization at TJNAF.....	---	2,500	2,375	+2,375	-125
12-SC-70 Science and user support building,SLAC.	12,086	21,629	20,548	+8,462	-1,081
10-SC-70 Research support building and infrastructure modernization, SLAC.....	12,024	36,382	34,563	+22,539	-1,819
10-SC-71 Energy sciences building, ANL.....	40,000	32,030	30,429	-9,571	-1,601
10-SC-72 Renovate science laboratory, Phase II, BNL.....	15,500	14,530	13,804	-1,696	-726
09-SC-72 Seismic life-safety, modernization and					

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
replacement of general purpose buildings Phase 2, PED/Construction, LBNL.....	12,975	---	---	-12,975	---
09-SC-74, Technology and engineering development facilities PED, TJNAF.....	12,337	---	---	-12,337	---
Subtotal.....	104,922	109,571	104,094	-828	-5,477
Subtotal, Science laboratories infrastructure...	111,800	117,790	112,313	+513	-5,477
Safeguards and security.....	82,000	84,000	82,000	---	-2,000
Science program direction.....	185,000	202,551	185,000	---	-17,551
Use of prior year balances.....	---	-9,104	-9,104	-9,104	---
Subtotal, Science.....	4,889,000	4,992,052	4,824,931	-64,069	-167,121
Sec. 309 - Contractor pay freeze rescission.....	-15,366	---	---	+15,366	---
Rescission.....	---	---	-23,500	-23,500	-23,500
TOTAL, SCIENCE.....	4,873,634	4,992,052	4,801,431	-72,203	-190,621
ADVANCED RESEARCH PROJECTS AGENCY-ENERGY					
ARPA-E projects.....	255,000	325,000	180,000	-75,000	-145,000
Program direction.....	20,000	25,000	20,000	---	-5,000
TOTAL, ADVANCED RESEARCH PROJECTS AGENCY-ENERGY.	275,000	350,000	200,000	-75,000	-150,000
NUCLEAR WASTE DISPOSAL.....	---	---	25,000	+25,000	+25,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE 17 - INNOVATIVE TECHNOLOGY LOAN GUARANTEE PGM					
Administrative expenses.....	38,000	38,000	38,000	---	---
Offsetting collection.....	-38,000	-38,000	-38,000	---	---
TOTAL, TITLE 17 - INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM.....	---	---	---	---	---
ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PGM					
Administrative expenses.....	6,000	9,000	6,000	---	-3,000
TOTAL, ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM.....	6,000	9,000	6,000	---	-3,000
DEPARTMENTAL ADMINISTRATION					
Administrative operations:					
Salaries and expenses:					
Office of the Secretary:					
Program direction.....	5,030	4,986	4,986	-44	---
Chief Financial Officer.....	53,204	51,043	51,043	-2,161	---
Management.....	62,693	53,257	53,257	-9,436	---
Human capital management.....	23,089	23,286	23,286	+197	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Chief Information Officer.....	36,615	36,243	36,243	-372	---
Congressional and intergovernmental affairs:					
Program direction.....	4,690	4,076	4,076	-614	---
Economic impact and diversity.....	5,660	6,447	6,447	+787	---
General Counsel.....	33,053	33,256	32,014	-1,039	-1,242
Policy and international affairs.....	20,518	20,781	20,281	-237	-500
Public affairs.....	3,801	3,310	3,310	-491	---
Office of Indian energy policy and programs.....	2,000	2,506	2,506	+506	---
Subtotal, Salaries and expenses.....	250,353	239,191	237,449	-12,904	-1,742
Program support:					
Economic impact and diversity.....	1,813	1,059	1,459	-354	+400
Policy analysis and support.....	---	---	2,176	+2,176	+2,176
Policy analysis and system studies.....	441	400	---	-441	-400
Environmental policy studies.....	520	500	---	-520	-500
Climate change technology program (prog. supp)....	5,482	5,600	---	-5,482	-5,600
Cybersecurity and secure communications.....	21,934	33,576	33,576	+11,642	---
Corporate IT program support (CIO).....	27,379	20,756	19,756	-7,623	-1,000
Subtotal, Program support.....	57,569	61,891	56,967	-602	-4,924
Subtotal, Administrative operations.....	307,922	301,082	294,416	-13,506	-6,666
Cost of work for others.....	48,537	48,537	48,537	---	---
Subtotal, Departmental administration.....	356,459	349,619	342,953	-13,506	-6,666

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Funding from other defense activities.....	-118,836	-118,836	-112,170	+6,666	+6,666
Total, Departmental administration (gross).....	237,623	230,783	230,783	-6,840	---
Miscellaneous revenues.....	-111,623	-108,188	-108,188	+3,435	---
TOTAL, DEPARTMENTAL ADMINISTRATION (net).....	126,000	122,595	122,595	-3,405	---
OFFICE OF THE INSPECTOR GENERAL.....	42,000	43,468	43,468	+1,468	---
TOTAL, ENERGY PROGRAMS.....	8,813,687	9,815,064	8,976,394	+162,707	-838,670

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

Directed stockpile work:

Life extension program:

B61 Life extension program.....	223,562	369,000	369,000	+145,438	---
W76 Life extension program.....	257,035	174,931	220,000	-37,035	+45,069
Subtotal.....	480,597	543,931	589,000	+108,403	+45,069

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Stockpile assessment and design:					
W78 Life extension study.....	---	---	76,590	+76,590	+76,590
W88 Alt 370.....	---	---	59,662	+59,662	+59,662
Subtotal.....	---	---	136,252	+136,252	+136,252
Stockpile systems:					
Stockpile systems.....	---	---	454,157	+454,157	+454,157
B61 Stockpile systems.....	72,396	72,364	---	-72,396	-72,364
W76 Stockpile systems.....	63,383	65,445	---	-63,383	-65,445
W78 Stockpile systems.....	99,518	139,207	---	-99,518	-139,207
W80 Stockpile systems.....	44,444	46,540	---	-44,444	-46,540
B83 Stockpile systems.....	48,215	57,947	---	-48,215	-57,947
W87 Stockpile systems.....	83,943	85,689	---	-83,943	-85,689
W88 Stockpile systems.....	75,728	123,217	---	-75,728	-123,217
Subtotal.....	487,627	590,409	454,157	-33,470	-136,252
Weapons dismantlement and disposition:					
Operations and maintenance.....	56,770	51,265	51,265	-5,505	---
Stockpile services:					
Production support.....	330,000	365,405	390,405	+60,405	+25,000
Research and development support.....	30,264	28,103	28,103	-2,161	---
R and D certification and safety.....	165,569	191,632	145,000	-20,569	-46,632
Management, technology, and production.....	188,700	175,844	140,000	-48,700	-35,844

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Plutonium infrastructure sustainment.....	140,000	141,685	134,965	-5,035	-6,720
Subtotal.....	854,533	902,669	838,473	-16,060	-64,196
Subtotal, Directed stockpile work.....	1,879,527	2,088,274	2,069,147	+189,620	-19,127
Campaigns:					
Science campaign:					
Advanced certification.....	40,000	44,104	54,104	+14,104	+10,000
Primary assessment technologies.....	86,055	94,000	99,000	+12,945	+5,000
Dynamic materials properties.....	96,984	97,000	110,000	+13,016	+13,000
Advanced radiography.....	26,000	30,000	24,000	-2,000	-6,000
Secondary assessment technologies.....	85,000	85,000	90,000	+5,000	+5,000
Subtotal.....	334,039	350,104	377,104	+43,065	+27,000
Engineering campaign:					
Enhanced surety.....	41,696	46,421	54,421	+12,725	+8,000
Weapons system engineering assessment technology	15,663	18,983	18,983	+3,320	---
Nuclear survivability.....	19,545	21,788	21,788	+2,243	---
Enhanced surveillance.....	66,174	63,379	63,379	-2,795	---
Subtotal.....	143,078	150,571	158,571	+15,493	+8,000
Inertial confinement fusion ignition and high yield campaign:					
Ignition.....	109,888	84,172	95,000	-14,888	+10,828
Diagnostics, cryogenics and experimental support.....	86,259	81,942	81,942	-4,317	---
Pulsed power inertial confinement fusion.....	4,997	6,044	6,044	+1,047	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request

Joint program in high energy density					
laboratory plasmas.....	9,100	8,334	8,334	-766	---
Facility operations and target production.....	266,030	264,691	268,680	+2,650	+3,989
Support of other stockpile programs.....	---	14,817	20,000	+20,000	+5,183
Subtotal.....	476,274	460,000	480,000	+3,726	+20,000
Advanced simulation and computing.....	620,000	600,000	600,000	-20,000	---
Readiness campaign:					
Nonnuclear readiness.....	65,000	64,681	60,000	-5,000	-4,681
Tritium readiness.....	63,591	65,414	60,000	-3,591	-5,414
Subtotal.....	128,591	130,095	120,000	-8,591	-10,095
Subtotal, Campaigns.....	1,701,982	1,690,770	1,735,675	+33,693	+44,905
Readiness in technical base and facilities (RTBF):					
Operations of facilities:					
Kansas City Plant.....	156,217	163,602	158,602	+2,385	-5,000
Lawrence Livermore National Laboratory.....	83,990	89,048	89,048	+5,058	---
Los Alamos National Laboratory.....	318,526	335,978	335,978	+17,452	---
Nevada Test Site.....	97,559	115,697	115,697	+18,138	---
Pantex.....	164,848	172,020	172,020	+7,172	---
Sandia National Laboratory.....	120,708	167,384	147,384	+26,676	-20,000
Savannah River Site.....	97,767	120,577	95,577	-2,190	-25,000
Y-12 National Security Complex.....	246,001	255,097	255,097	+9,096	---
Subtotal.....	1,285,616	1,419,403	1,369,403	+83,787	-50,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Program readiness.....	74,180	---	38,000	-36,180	+38,000
Nuclear operations capability support.....	---	203,346	203,346	+203,346	---
Material recycle and recovery.....	78,000	---	---	-78,000	---
Containers.....	28,979	---	---	-28,979	---
Storage.....	31,272	---	---	-31,272	---
Science, technology and engineering capability support.....	---	166,945	---	---	-166,945
Maintenance and repair of facilities.....	---	---	148,266	+148,266	+148,266
Construction:					
13-D-301 Electrical infrastructure upgrades, LANL/LLNL.....	---	23,000	23,000	+23,000	---
12-D-301 TRU waste facility project, LANL.....	9,881	24,204	24,204	+14,323	---
11-D-801 TA-55 Reinvestment project II, LANL....	10,000	8,889	39,568	+29,568	+30,679
10-D-501 Nuclear facilities risk reduction Y-12 National security complex, Oakridge, TN..	35,387	17,909	17,909	-17,478	---
09-D-404 Test capabilities revitalization II, Sandia National Laboratory, Albuquerque, NM...	25,168	11,332	11,332	-13,836	---
08-D-802 High explosive pressing facility Pantex Plant, Amarillo, TX.....	66,960	24,800	24,800	-42,160	---
07-D-140 Project engineering and design (PED), various locations.....	3,518	---	---	-3,518	---
06-D-141 Uranium Processing Facility, Oak Ridge, TN.....	160,194	340,000	340,000	+179,806	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
04-D-125 Chemistry and metallurgy replacement project, Los Alamos National Laboratory, Los Alamos, NM.....	200,000	---	---	-200,000	---
Subtotal.....	511,108	450,134	480,813	-30,295	+30,679
Subtotal, Readiness in technical base and facilities.....	2,009,155	2,239,828	2,239,828	+230,673	---
Secure transportation asset:					
Operations and equipment.....	145,274	114,965	118,565	-26,709	+3,600
Program direction.....	98,002	104,396	100,796	+2,794	-3,600
Subtotal.....	243,276	219,361	219,361	-23,915	---
Nuclear counterterrorism incident response.....	222,147	247,552	225,446	+3,299	-22,106
Facilities and infrastructure recapitalization pgm....	96,380	---	---	-96,380	---
Site stewardship.....	78,680	90,001	79,581	+901	-10,420
Defense nuclear security.....	686,252	643,285	663,285	-22,967	+20,000
Construction:					
08-D-701 Nuclear materials S&S upgrade project Los Alamos National Laboratory.....	11,752	---	---	-11,752	---
Subtotal, Defense nuclear security.....	698,004	643,285	663,285	-34,719	+20,000
Cybersecurity.....	126,614	---	---	-126,614	---
Information technology and security.....	---	155,022	160,018	+160,018	+4,996
Legacy contractor pensions.....	168,232	185,000	185,000	+16,768	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
National security applications.....	10,000	18,248	---	-10,000	-18,248
Subtotal, Weapons Activities.....	7,233,997	7,577,341	7,577,341	+343,344	---
Sec. 309 - Contractor pay freeze rescission.....	-19,877	---	---	+19,877	---
Rescission.....	---	---	-65,000	-65,000	-65,000
TOTAL, WEAPONS ACTIVITIES.....	7,214,120	7,577,341	7,512,341	+298,221	-65,000
DEFENSE NUCLEAR NONPROLIFERATION					
Nonproliferation and verification, R&D.....	356,150	548,186	528,186	+172,036	-20,000
Nonproliferation and international security.....	155,305	150,119	134,459	-20,846	-15,660
International nuclear materials protection and cooperation.....	571,639	311,000	311,000	-260,639	---
Fissile materials disposition:					
U.S. plutonium disposition.....	205,632	498,979	346,160	+140,528	-152,819
U.S. uranium disposition.....	26,000	29,736	29,736	+3,736	---
Construction:					
MOX fuel fabrication facilities:					
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC.....	435,172	388,802	388,802	-46,370	---
99-D-141-02 Waste solidification building, Savannah River, SC.....	17,582	---	---	-17,582	---
Subtotal, Construction.....	452,754	388,802	388,802	-63,952	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Russian surplus materials disposition.....	1,000	3,788	---	-1,000	-3,788
Total, Fissile materials disposition.....	685,386	921,305	764,698	+79,312	-156,607
Global threat reduction initiative.....	500,000	466,021	482,681	-17,319	+16,660
Legacy contractor pensions.....	55,823	62,000	62,000	+6,177	---
Subtotal, Defense Nuclear Nonproliferation.....	2,324,303	2,458,631	2,283,024	-41,279	-175,607
Rescission.....	-21,000	---	-7,000	+14,000	-7,000
Sec. 309 - Contractor pay freeze rescission.....	-7,423	---	---	+7,423	---
TOTAL, DEFENSE NUCLEAR NONPROLIFERATION.....	2,295,880	2,458,631	2,276,024	-19,856	-182,607

NAVAL REACTORS

Naval reactors development.....	421,000	418,072	418,072	-2,928	---
OHIO replacement reactor systems development.....	121,300	89,700	89,700	-31,600	---
S8G Prototype refueling.....	99,500	121,100	121,100	+21,600	---
Naval reactors operations and infrastructure.....	358,300	366,961	366,961	+8,661	---
Construction:					
13-D-905 Remote-handled low-level waste facility, INL.....	---	8,890	8,890	+8,890	---
13-D-904 KS Radiological work and storage building, KSO.....	---	2,000	---	---	-2,000
13-D-903, KS prototype staff building, KSO.....	---	14,000	14,000	+14,000	---
10-D-903, Security upgrades, KAPL.....	100	19,000	19,000	+18,900	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
10-D-904, NRF infrastructure upgrades, Idaho.....	12,000	---	---	-12,000	---
08-D-190, Project engineering and design, Expedited Core Facility M-290 recovering discharge station, Naval Reactor Facility, ID.....	27,800	5,700	5,700	-22,100	---
07-D-190, Materials research tech complex (MRTC)....	---	---	---	---	---
Subtotal, Construction.....	39,900	49,590	47,590	+7,690	-2,000
Program direction.....	40,000	43,212	43,212	+3,212	---
TOTAL, NAVAL REACTORS.....	1,080,000	1,088,635	1,086,635	+6,635	-2,000
OFFICE OF THE ADMINISTRATOR.....	410,000	411,279	400,000	-10,000	-11,279
TOTAL, NATIONAL NUCLEAR SECURITY ADMINISTRATION.....	11,000,000	11,535,886	11,275,000	+275,000	-260,886
DEFENSE ENVIRONMENTAL CLEANUP					
Closure sites.....	5,375	1,990	1,990	-3,385	---
Hanford Site:					
Central plateau remediation.....	546,890	558,820	546,890	---	-11,930
River corridor and other cleanup operations.....	386,822	389,347	389,347	+2,525	---
Richland community and regulatory support.....	19,540	15,156	17,015	-2,525	+1,859
Total, Hanford Site.....	953,252	963,323	953,252	---	-10,071

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request

Idaho National Laboratory:					
Idaho cleanup and waste disposition.....	382,769	396,607	396,607	+13,838	---
Idaho community and regulatory support.....	4,100	3,000	3,000	-1,100	---
Total, Idaho National Laboratory.....	386,869	399,607	399,607	+12,738	---
NNSA sites and Nevada off-sites.....	282,393	334,268	312,369	+29,976	-21,899
Oak Ridge Reservation:					
Building 3019.....	37,000	---	30,000	-7,000	+30,000
OR Nuclear facility D&D.....	69,100	67,525	65,525	-3,575	-2,000
OR cleanup and disposition.....	87,000	109,470	79,470	-7,530	-30,000
OR reservation community & regulatory support.....	6,409	4,500	4,500	-1,909	---
Total, Oak Ridge Reservation.....	199,509	181,495	179,495	-20,014	-2,000
Office of River Protection:					
Waste Treatment & Immobilization Plant:					
01-D-416 A-E/ORP-0060/Major construction.....	740,000	690,000	---	-740,000	-690,000
Waste treatment & immobilization plant					
01-D-16 A-C.....	---	---	350,000	+350,000	+350,000
Waste treatment & immobilization plant					
01-D-16 D-E.....	---	---	340,000	+340,000	+340,000
Subtotal, Waste Treatment & Immobilization Plant	740,000	690,000	690,000	-50,000	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request

Tank Farm activities:					
Rad liquid tank waste stabilization and disposition.....	445,000	482,113	473,000	+28,000	-9,113
Total, Office of River Protection.....	1,185,000	1,172,113	1,163,000	-22,000	-9,113

Savannah River site:					
Savannah River community and regulatory support.....	9,584	16,584	16,584	+7,000	---
SR site risk management operations.....	343,586	444,089	432,089	+88,503	-12,000
Radioactive liquid tank waste:					
Radioactive liquid tank waste stabilization and disposition.....	667,081	698,294	677,361	+10,280	-20,933
Construction:					
05-D-405 Salt waste processing facility, Savannah River.....	170,071	22,549	22,549	-147,522	---
PE&D Glass Waste Storage Bldg #3.....	3,500	---	---	-3,500	---
Subtotal, Radioactive liquid tank waste.....	840,652	720,843	699,910	-140,742	-20,933
Total, Savannah River site.....	1,193,822	1,181,516	1,148,583	-45,239	-32,933

Waste Isolation Pilot Plant.....	215,134	198,010	203,000	-12,134	+4,990
Program direction.....	321,628	323,504	315,607	-6,021	-7,897
Program support.....	20,380	18,279	18,279	-2,101	---
Safeguards and Security.....	252,019	237,019	237,019	-15,000	---
Technology development.....	11,000	20,000	10,000	-1,000	-10,000
Use of prior year balances.....	-3,381	-22,123	-12,123	-8,742	+10,000
Subtotal, Defense Environmental Clean up.....	5,023,000	5,009,001	4,930,078	-92,922	-78,923

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rescission.....	---	---	-10,000	-10,000	-10,000
Sec. 309 - Contractor pay freeze rescission.....	-20,050	---	---	+20,050	---
TOTAL, DEFENSE ENVIRONMENTAL CLEAN UP.....	5,002,950	5,009,001	4,920,078	-82,872	-88,923
DEFENSE ENVIRONMENTAL CLEANUP (LEGISLATIVE PROPOSAL) ..	---	463,000	---	---	-463,000
OTHER DEFENSE ACTIVITIES					
Health, safety and security:					
Health, safety and security.....	335,436	139,325	138,325	-197,111	-1,000
Program direction.....	102,000	106,175	102,772	+772	-3,403
Total, Health, safety and security.....	437,436	245,500	241,097	-196,339	-4,403
Specialized security activities.....	---	188,619	188,000	+188,000	-619
Office of Legacy Management:					
Legacy management.....	157,514	164,477	161,860	+4,346	-2,617
Program direction.....	12,086	13,469	12,086	---	-1,383
Total, Office of Legacy Management.....	169,600	177,946	173,946	+4,346	-4,000
Idaho sitewide safeguards and security.....	93,350	---	93,350	---	+93,350
Defense related administrative support.....	118,836	118,836	112,170	-6,666	-6,666

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of hearings and appeals.....	4,142	4,801	4,801	+659	---
TOTAL, OTHER DEFENSE ACTIVITIES.....	823,364	735,702	813,364	-10,000	+77,662
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES.....	16,826,314	17,743,589	17,008,442	+182,128	-735,147
POWER MARKETING ADMINISTRATIONS (1)					
SOUTHEASTERN POWER ADMINISTRATION					
Operation and maintenance:					
Purchase power and wheeling.....	114,870	103,170	103,170	-11,700	---
Program direction.....	8,428	8,732	8,732	+304	---
Subtotal, Operation and maintenance.....	123,298	111,902	111,902	-11,396	---
Less alternative financing (PPW).....	-14,708	-15,474	-15,474	-766	---
Offsetting collections.....	-108,590	-96,428	-96,428	+12,162	---
TOTAL, SOUTHEASTERN POWER ADMINISTRATION.....	---	---	---	---	---
SOUTHWESTERN POWER ADMINISTRATION					
Operation and maintenance:					
Operating expenses.....	14,346	11,505	11,505	-2,841	---
Purchase power and wheeling.....	50,000	51,000	51,000	+1,000	---
Program direction.....	31,889	28,593	28,593	-3,296	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Construction.....	10,772	7,931	7,931	-2,841	---
Subtotal, Operation and maintenance.....	107,007	99,029	99,029	-7,978	---
Less alternative financing.....	-21,997	-13,829	-13,829	+8,168	---
Offsetting collections.....	-73,118	-73,308	-73,308	-190	---
TOTAL, SOUTHWESTERN POWER ADMINISTRATION.....	11,892	11,892	11,892	---	---
WESTERN AREA POWER ADMINISTRATION					
Operation and maintenance:					
Construction and rehabilitation.....	110,449	83,475	83,475	-26,974	---
Operation and maintenance.....	72,863	71,855	71,855	-1,008	---
Purchase power and wheeling.....	471,535	422,225	422,225	-49,310	---
Program direction.....	205,247	204,227	204,227	-1,020	---
Utah mitigation and conservation.....	3,375	3,375	3,375	---	---
Subtotal, Operation and maintenance.....	863,469	785,157	785,157	-78,312	---
Less alternative financing.....	-266,207	-245,280	-245,280	+20,927	---
Offsetting collections (P.L. 108-477, P.L. 109-103).....	-306,541	-242,858	-242,858	+63,683	---
Offsetting collections (P.L. 98-381).....	-4,821	-5,099	-5,099	-278	---
Offsetting collections (for program direction).....	-156,609	-159,703	-159,703	-3,094	---
Offsetting collections (for O&M).....	-33,323	-36,087	-36,087	-2,764	---
TOTAL, WESTERN AREA POWER ADMINISTRATION.....	95,968	96,130	96,130	+162	---

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND					
Operation and maintenance.....	4,169	5,555	5,555	+1,386	---
Offsetting collections.....	-3,949	-5,335	-5,335	-1,386	---
TOTAL, FALCON AND AMISTAD O&M FUND.....	220	220	220	---	---
TOTAL, POWER MARKETING ADMINISTRATIONS.....	108,080	108,242	108,242	+162	---
FEDERAL ENERGY REGULATORY COMMISSION					
Federal Energy Regulatory Commission.....	304,600	304,600	304,600	---	---
FERC revenues.....	-304,600	-304,600	-304,600	---	---
GENERAL PROVISIONS					
Section 309- Contractor pay freeze (Rescission).....	(-73,300)	---	---	(+73,300)	---
GRAND TOTAL, DEPARTMENT OF ENERGY.....	25,748,081	27,666,895	26,093,078	+344,997	-1,573,817
(Total amount appropriated).....	(26,639,290)	(28,033,562)	(26,274,245)	(-365,045)	(-1,759,317)
(Rescissions).....	(-891,209)	(-366,667)	(-181,167)	(+710,042)	(+185,500)
SUMMARY OF ACCOUNTS					
Energy efficiency and renewable energy.....	1,809,638	2,267,333	1,381,293	-428,345	-886,040
Electricity delivery and energy reliability.....	139,103	143,015	123,000	-16,103	-20,015

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Nuclear energy.....	765,391	770,445	765,391	---	-5,054
Fossil Energy Research and Development.....	346,703	420,575	554,000	+207,297	+133,425
Naval Petroleum & Oil Shale Reserves.....	14,909	14,909	14,909	---	---
Elk Hills School Lands Fund.....	---	15,580	15,580	+15,580	---
Strategic petroleum reserves.....	192,704	195,609	195,609	+2,905	---
SPR Petroleum Account.....	-500,000	-291,000	---	+500,000	+291,000
Northeast home heating oil reserve.....	-89,881	4,119	4,119	+94,000	---
Energy Information Administration.....	105,000	116,365	100,000	-5,000	-16,365
Non-Defense Environmental Cleanup.....	235,306	198,506	198,506	-36,800	---
Uranium enrichment D&D fund.....	472,180	442,493	425,493	-46,687	-17,000
Science.....	4,873,634	4,992,052	4,801,431	-72,203	-190,621
Advanced Research Projects Agency-Energy.....	275,000	350,000	200,000	-75,000	-150,000
Nuclear waste disposal.....	---	---	25,000	+25,000	+25,000
Title 17 Innovative technology loan guarantee program.....	---	---	---	---	---
Advanced technology vehicles manufacturing loan pgm...	6,000	9,000	6,000	---	-3,000
Departmental administration.....	126,000	122,595	122,595	-3,405	---
Office of the Inspector General.....	42,000	43,468	43,468	+1,468	---
Atomic energy defense activities:					
National Nuclear Security Administration:					
Weapons activities.....	7,214,120	7,577,341	7,512,341	+298,221	-65,000
Defense nuclear nonproliferation.....	2,295,880	2,458,631	2,276,024	-19,856	-182,607
Naval reactors.....	1,080,000	1,088,635	1,086,635	+6,635	-2,000
Office of the Administrator.....	410,000	411,279	400,000	-10,000	-11,279
Subtotal, National Nuclear Security Admin.....	11,000,000	11,535,886	11,275,000	+275,000	-260,886
Defense environmental cleanup.....	5,002,950	5,009,001	4,920,078	-82,872	-88,923
Defense environmental cleanup (Legislative proposal)	---	463,000	---	---	-463,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Other defense activities.....	823,364	735,702	813,364	-10,000	+77,662
Total, Atomic Energy Defense Activities.....	16,826,314	17,743,589	17,008,442	+182,128	-735,147
Power marketing administrations (1):					
Southeastern Power Administration.....	---	---	---	---	---
Southwestern Power Administration.....	11,892	11,892	11,892	---	---
Western Area Power Administration.....	95,968	96,130	96,130	+162	---
Falcon and Amistad operating and maintenance fund...	220	220	220	---	---
Total, Power Marketing Administrations.....	108,080	108,242	108,242	+162	---
Federal Energy Regulatory Commission:					
Salaries and expenses.....	304,600	304,600	304,600	---	---
Revenues.....	-304,600	-304,600	-304,600	---	---
Total Summary of Accounts, Department of Energy...	25,748,081	27,666,895	26,093,078	+344,997	-1,573,817

(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 TRANSFER OF FUNDS)

The bill includes a provision that prohibits the use of funds provided in this title to initiate requests for proposals, other solicitations or arrangements, for new programs or activities that have not yet been approved and funded by the Congress; prohibits funds to be used for multi-year “Energy Programs” activities without notification; and prohibits the obligation or expenditure of funds provided in this title through a reprogramming of funds in this title except in certain circumstances.

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 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 prohibits the use of funds in this title for capital construction of high hazard nuclear facilities, unless certain independent oversight is conducted.

The bill continues 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 continues a provision prohibiting funds to pay the salaries of employees to carry out section 407 of division A of the American Recovery and Reinvestment Act of 2009.

The bill includes a provision that revises certain reporting requirements related to the GAO.

The bill includes a provision requiring a plan for enriched uranium.

The bill includes a provision prohibiting funds for uranium transactions that do not conform to the excess uranium inventory management plan.

The bill includes a provision prohibiting funds to promulgate or implement a rule pursuant to section 433 of the Energy Independence and Security Act of 2007.

The bill includes a provision that prohibits implementation of a memo from the Secretary of Energy to the Power Marketing Administrators dated March 16, 2012.

TITLE V—GENERAL PROVISIONS

The bill continues a provision prohibiting 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 prohibiting 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 continues a provision prohibiting any new hire by any Federal agency funded in this Act that is not verified through the E-Verify Program.

The bill continues a provision prohibiting funds for any financial arrangement with a corporation which has been convicted of a felony, except in certain circumstances.

The bill continues a provision prohibiting funds for any financial arrangement with a corporation which has any unpaid Federal tax liability that has been assessed, except in certain circumstances.

The bill continues a provision prohibiting funds in contravention of Executive Order No. 12898 of February 11, 1994, regarding environmental justice.

The bill contains a provision prohibiting funds to pay for mitigation associated with the removal of FERC Project number 2342.

The bill continues a provision prohibiting funds in this Act from being used to close the Yucca Mountain license application process, or for actions that would remove the possibility that Yucca Mountain might be an option in the future.

The bill includes 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 Defence 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 106, 'General Provisions, Corps of Engineers—Civil', up to \$4,300,000 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', \$29,000 is available for transfer to the Upper Colorado River Basin Fund and \$6,985,000 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 302, '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.

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, 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, providing that the limitation concerning total project costs in section 902 of the Water Resources Development Act of 1986, as amended (33 U.S.C. 2280), shall not apply during fiscal year 2013 to any project that receives funds provided in that title.

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 the Corps of Engineers, Operation and Maintenance, stating that funds can be used for: the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related 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, Expenses, regarding support of the Humphreys Engineer Support Center Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers 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 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 103, 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 104, regarding submission of the Chief of Engineers Report to congressional committees.

Language has been included under Corps of Engineers, General Provisions, section 105, 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 106, 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 107, restricting certain types of travel at the Chicago District of the Corps of Engineers.

Language has been included under Corps of Engineers, General Provisions, section 108, limiting the obligation of funds provided for the Olmsted Locks and Dam, Ohio River, IL & KY project until certain conditions have been met.

Language has been included under Corps of Engineers, General Provisions, section 109, prohibiting the use of certain funds until reporting requirements are met.

Language has been included under Corps of Engineers, General Provisions, section 110, 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 111, allowing the possession of firearms at water resources development projects under certain circumstances.

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; 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. 6806; that funds contributed under 43 U.S.C. 395 by non-federal entities shall be available for expenditure; and that funds advanced under 43 U.S.C. 397a 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, 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.

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 purposes; 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 expenses.

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.

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 Energy Efficiency and Renewable Energy rescinding funds that were not designated by the Congress as emergency funding.

Language has been included under Electricity Delivery 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 Nuclear Energy permitting the use of the Nuclear Waste Fund only to support the Yucca Mountain High-Level Waste Geological Repository.

Language has been included under Fossil Energy Research and Development for the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquires, technological investigations, and research concerning the extraction, processing, use and disposal of mineral substances with-

out objectionable social and environmental cost under 30 U.S.C. 3, 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 projects 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 the Elk Hills School Lands Fund, permitting payment to California for the State Teachers' Retirement Fund.

Language has been included under Northeast Home Heating Oil Reserve rescinding funds that were not designated by the Congress as emergency funding.

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 Science providing for the purchase, construction, and acquisition of plant and capital equipment; and for the purchase of motor vehicles.

Language has been included under Science rescinding funds that were not designated by the Congress as emergency funding.

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, only to support the Yucca Mountain license application.

Language has been included under Nuclear Waste Disposal providing funds to support any local governments which have formally consented to host the high-level waste repository authorized by the Nuclear Waste Policy Act of 1982.

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 graphicting 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 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 graphic by revenue increases of the same or greater amounts.

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 graphic appropriations. The appropriations language for this account reflects the total estimated program funding to be reduced as revenues are received.

Language has been included under Weapons Activities for the purchase, construction, and acquisition of plant and capital equipment; and for the purchase of an ambulance.

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 Non-proliferation for the purchase, construction, and acquisition of plant and capital equipment; and for the purchase of a motor vehicle.

Language has been included under Defense Nuclear Non-proliferation rescinding funds that were not designated by the Congress as emergency funding.

Language has been included under Naval Reactors for the purchase, construction, and acquisition of plant and capital equipment.

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 Defense Environmental Cleanup rescinding funds that were not designated by the Congress as emergency funding.

Language has been included under Other Defense Activities for the purchase, construction, and acquisition of plant and capital equipment.

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 Operation and Maintenance, Southeastern Power Administration providing funds for official reception and representation expenses.

Language has been included under Operation and Maintenance, 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 graphicting 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 graphicting collections and remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

Language has been included under Operation and Maintenance, Southwestern Power Administration providing funds for official reception and representation expenses.

Language has been included under Operation and Maintenance, 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 graphicting 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 graphicting collections and remain avail-

able 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 Construction, Rehabilitation, Operation and Maintenance, 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 graphicting 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 graphicting 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 graphicting 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 to prepare or initiate requests for proposals or other solicitations or arrangements for programs that have not yet been fully funded by the Congress; limiting the use of multi-year funding mechanisms; 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, 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 303, 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 2013 until enactment of the Intelligence Authorization Act for fiscal year 2013.

Language has been included under Department of Energy, General Provisions, section 304, 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 305, 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 306, 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 307, prohibiting funds to pay the salaries of employees to carry out section 407 of division A of the American Recovery and Reinvestment Act of 2009.

Language has been included under Department of Energy, General Provisions, section 308, amending reporting requirements established in public law 110–5.

Language has been included under Department of Energy, General Provisions, section 309, requiring a plan for enriched uranium.

Language has been included under Department of Energy, General Provisions, section 310, prohibiting funds for uranium transactions that do not conform to the excess uranium inventory management plan.

Language has been included under Department of Energy, General Provisions, section 311, prohibiting funds to promulgate or implement a rule pursuant to section 433 of the Energy Independence and Security Act of 2007.

Language has been included under Department of Energy, General Provisions, section 312, prohibiting implementation of a memo from the Secretary of Energy to the Power Marketing Administrators dated March 16, 2012.

TITLE IV—INDEPENDENT AGENCIES

Language has been included under Appalachian Regional Commission providing for the hire of passenger vehicles and allowing the expenditure of funds as authorized by subtitle IV of title 40, United States Code, without regard to section 14704.

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), and an amount not to exceed 50 percent for non-distressed communities.

Language has been included under Northern Border Regional Commission for expenditure as authorized by subtitle V of title 40, United 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, to be controlled by majority vote of the Commission.

Language has been included under Nuclear Regulatory Commission, Salaries and Expenses that provides for official representation expenses and permits the use of revenues from licensing fees, inspections services, and other services for salaries and expenses to reduce the appropriation as revenues are received. Funding is provided to support university research and development, and for a Nuclear Science and Engineering Grant Program.

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, notwithstanding section 3302 of title 31, United States Code, to reduce the appropriation 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 amount 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 and improving project management by the Commission.

Language has been included under Independent Agencies, General Provisions, section 402, improving transparency for the use of emergency powers at the Nuclear Regulatory Commission.

TITLE V—GENERAL PROVISIONS

Language has been included under General Provisions, section 501, 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 502, 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 503, prohibiting any new hire by any Federal agency funded in this Act that is not verified through the E-Verify Program.

Language has been included under General Provisions, section 504, prohibiting funds for any financial arrangement with a corporation which has been convicted of a felony, except in certain circumstances.

Language has been included under General Provisions, section 505, prohibiting funds for any financial arrangement with a corporation which has any unpaid Federal tax liability that has been assessed, except in certain circumstances.

Language has been included under General Provisions, section 506, prohibiting funds in contravention of Executive Order No. 12898 of February 11, 1994, regarding environmental justice.

Language has been included under General Provisions, section 507, prohibiting funds made available by this Act to pay for mitigation associated with the removal of Federal Energy Regulatory Commission Project number 2342.

Language has been included under General Provisions, section 508, prohibiting funds in this Act from being used to close the Yucca Mountain license application process, 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 509, 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 italic, existing law in which no change is proposed is shown in roman):

SECTION 20320 OF THE CONTINUING APPROPRIATIONS RESOLUTION, 2007

(Division B of Public Law 109–289)

SEC. 20320. (a) * * *

* * * * *

(c) The Secretary of Energy shall enter into a arrangement with an independent auditor for annual evaluations of the program under title XVII of the Energy Policy Act of 2005. In addition to the independent audit, the Comptroller General shall conduct **an annual review** *a review every 3 years* of the Department's execution of the program under title XVII of the Energy Policy Act of 2005. The results of the independent audit and the Comptroller General's review shall be provided directly to the Committees on Appropriations of the House of Representatives and the Senate.

* * * * *

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	Net Appropriation in this Bill
Corps FUSRAP				104,000
EERE Program Direction	2008	110,500	164,198	115,000
Defense Nuclear Facilities Safety Board	2012	29,130	29,130	29,415
Naval Petroleum and Oil Shale Reserves	2012	14,909	14,909	14,909
Non-Defense Environmental Cleanup:				
West Valley Demonstration	1981	5,000	5,000	47,862
Departmental Administration	1984	246,963	185,682	122,595
Atomic Energy Defense Activities:				
National Nuclear Security Administration:				
Weapons Activities	2012	7,274,329	7,214,120	7,512,341
Defense Nuclear Nonproliferation	2012	2,333,303	2,295,880	2,276,024
Naval Reactors	2012	1,080,000	1,080,000	1,086,635
Office of the Administrator	2012	382,700	410,000	400,000
Defense Environmental Cleanup	2012	5,023,000	5,002,950	4,920,078
Other Defense Activities	2012	823,364	823,364	813,364
Power Marketing Administrations:				
Southwestern	1984	40,254	36,229	11,892
Western Area	1984	259,700	194,630	96,130
Nuclear Regulatory Commission	1985	460,000	448,200	128,130
Appalachian Regional Commission	2012	110,000	68,263	75,317
Delta Regional Authority	2012	30,000	11,677	11,677
Northern Border Regional Commission	2012	30,000	1,497	1,425
Southeast Crescent Regional Commission	2012	30,000	250	250

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:

<i>Department or Activity</i>	<i>Amount</i>
Department of Energy: Energy Efficiency and Renewable Energy	\$69,667,000
Department of Energy: Northeast Home Heating Oil Reserve	6,000,000
Department of Energy: Science	23,500,000
Department of Energy: Weapons Activities	65,000,000
Department of Energy: Defense Nuclear Nonproliferation	7,000,000
Department of Energy: Defense Environmental Cleanup	10,000,000

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 FY2013 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	
	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	¹ 32,098	¹ 40,692	32,098	² 40,682
Mandatory	0	0	0	0

¹ Preliminary

² 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:	
2013	¹ 19,347
2014	9,005
2015	2,934
2016	484
2017 and future years	215

¹ 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	91
Outlays	¹ 19

¹ Excludes outlays from prior-year 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:

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III - DEPARTMENT OF ENERGY					
Energy Programs					
Energy Efficiency and Renewable Energy.....	1,825,000	2,337,000	1,450,960	-374,040	-886,040
Rescission.....	-9,909	-69,667	-69,667	-59,758	---
Sec. 309 - Contractor pay freeze rescission.....	-5,453	---	---	+5,453	---
Subtotal.....	1,809,638	2,267,333	1,381,293	-428,345	-886,040
Electricity Delivery and Energy Reliability.....	139,500	143,015	123,000	-16,500	-20,015
Sec. 309 - Contractor pay freeze rescission.....	-397	---	---	+397	---
Subtotal.....	139,103	143,015	123,000	-16,103	-20,015
Nuclear Energy.....	768,663	770,445	765,391	-3,272	-5,054
Sec. 309 - Contractor pay freeze rescission.....	-3,272	---	---	+3,272	---
Subtotal.....	765,391	770,445	765,391	---	-5,054
Fossil Energy Research and Development.....	534,000	420,575	554,000	+20,000	+133,425
Rescission.....	-187,000	---	---	+187,000	---
Sec. 309 - Contractor pay freeze rescission.....	-297	---	---	+297	---
Subtotal.....	346,703	420,575	554,000	+207,297	+133,425
Naval Petroleum and Oil Shale Reserves.....	14,909	14,909	14,909	---	---
Elk Hills School Lands Fund.....	---	15,580	15,580	+15,580	---
Strategic Petroleum Reserve.....	192,704	195,609	195,609	+2,905	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
SPR Petroleum Account (rescission).....	-500,000	-291,000	---	+500,000	+291,000
Northeast Home Heating Oil Reserve.....	10,119	10,119	10,119	---	---
Rescission.....	-100,000	-6,000	-6,000	+94,000	---
Subtotal.....	-89,881	4,119	4,119	+94,000	---
Energy Information Administration.....	105,000	116,365	100,000	-5,000	-16,365
Non-defense Environmental Cleanup.....	235,721	198,506	198,506	-37,215	---
Sec. 309 - Contractor pay freeze rescission.....	-415	---	---	+415	---
Subtotal.....	235,306	198,506	198,506	-36,800	---
Uranium Enrichment Decontamination and Decommissioning Fund.....	472,930	442,493	425,493	-47,437	-17,000
Sec. 309 - Contractor pay freeze rescission.....	-750	---	---	+750	---
Subtotal.....	472,180	442,493	425,493	-46,687	-17,000
Science.....	4,889,000	4,992,052	4,824,931	-64,069	-167,121
Rescission.....	---	---	-23,500	-23,500	-23,500
Sec. 309 - Contractor pay freeze rescission.....	-15,366	---	---	+15,366	---
Subtotal.....	4,873,634	4,992,052	4,801,431	-72,203	-190,621
Advanced Research Projects Agency-Energy.....	275,000	350,000	200,000	-75,000	-150,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Nuclear waste disposal.....	---	---	25,000	+25,000	+25,000
Title 17 Innovative Technology Loan Guarantee Program Offsetting collection.....	38,000 -38,000	38,000 -38,000	38,000 -38,000	--- ---	--- ---
Subtotal.....	---	---	---	---	---
Advanced Technology Vehicles Manufacturing Loans program.....	6,000	9,000	6,000	---	-3,000
Departmental Administration.....	237,623	230,783	230,783	-6,840	---
Miscellaneous revenues.....	-111,623	-108,188	-108,188	+3,435	---
Net appropriation.....	126,000	122,595	122,595	-3,405	---
Office of the Inspector General.....	42,000	43,468	43,468	+1,468	---
Total, Energy programs.....	8,813,687	9,815,064	8,976,394	+162,707	-838,670
Atomic Energy Defense Activities					
National Nuclear Security Administration					
Weapons Activities.....	7,233,997	7,577,341	7,577,341	+343,344	---
Sec. 309 - Contractor pay freeze rescission.....	-19,877	---	---	+19,877	---
Rescission.....	---	---	-65,000	-65,000	-65,000
Subtotal.....	7,214,120	7,577,341	7,512,341	+298,221	-65,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request

Defense Nuclear Nonproliferation.....	2,324,303	2,458,631	2,283,024	-41,279	-175,607
Rescission.....	-21,000	---	-7,000	+14,000	-7,000
Sec. 309 - Contractor pay freeze rescission.....	-7,423	---	---	+7,423	---
Subtotal.....	2,295,880	2,458,631	2,276,024	-19,856	-182,607
Naval Reactors.....	1,080,000	1,088,635	1,086,635	+6,635	-2,000
Office of the Administrator.....	410,000	411,279	400,000	-10,000	-11,279
Total, National Nuclear Security Administration.	11,000,000	11,535,886	11,275,000	+275,000	-260,886
Environmental and Other Defense Activities					
Defense Environmental Cleanup.....	5,023,000	5,009,001	4,930,078	-92,922	-78,923
Sec. 309 - Contractor pay freeze rescission.....	-20,050	---	---	+20,050	---
Rescission.....	---	---	-10,000	-10,000	-10,000
Subtotal.....	5,002,950	5,009,001	4,920,078	-82,872	-88,923
Defense Environmental Cleanup (legislative proposal)..	---	463,000	---	---	-463,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Other Defense Activities.....	823,364	735,702	813,364	-10,000	+77,662
Total, Environmental and Other Defense Activities.....	5,826,314	6,207,703	5,733,442	-92,872	-474,261
Total, Atomic Energy Defense Activities.....	16,826,314	17,743,589	17,008,442	+182,128	-735,147
Power Marketing Administrations /1					
Operation and maintenance, Southeastern Power Administration.....	8,428	8,732	8,732	+304	---
Offsetting collections.....	-8,428	-8,732	-8,732	-304	---
Subtotal.....	---	---	---	---	---
Operation and maintenance, Southwestern Power Administration.....	45,010	44,200	44,200	-810	---
Offsetting collections.....	-33,118	-32,308	-32,308	+810	---
Subtotal.....	11,892	11,892	11,892	---	---
Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration.....	285,900	291,920	291,920	+6,020	---
Offsetting collections.....	-189,932	-195,790	-195,790	-5,858	---
Subtotal.....	95,968	96,130	96,130	+162	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Falcon and Amistad Operating and Maintenance Fund.....	4,169	5,555	5,555	+1,386	---
Offsetting collections.....	-3,949	-5,335	-5,335	-1,386	---
Subtotal.....	220	220	220	---	---
Total, Power Marketing Administrations.....	108,080	108,242	108,242	+162	---
Federal Energy Regulatory Commission					
Salaries and expenses.....	304,600	304,600	304,600	---	---
Revenues applied.....	-304,600	-304,600	-304,600	---	---
General Provision					
Section 309 - Contractor pay freeze (Rescission)	(-73,300)	---	---	(+73,300)	---
Total, title III, Department of Energy.....	25,748,081	27,666,895	26,093,078	+344,997	-1,573,817
Appropriations.....	(26,639,290)	(28,033,562)	(26,274,245)	(-365,045)	(-1,759,317)
Rescissions.....	(-891,209)	(-366,667)	(-181,167)	(+710,042)	(+185,500)
TITLE IV - INDEPENDENT AGENCIES					
Appalachian Regional Commission.....	68,263	64,850	75,317	+7,054	+10,467
Defense Nuclear Facilities Safety Board.....	29,130	29,415	29,415	+285	---
Delta Regional Authority.....	11,677	11,315	11,677	---	+362
Denali Commission.....	10,679	10,165	10,679	---	+514

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Northern Border Regional Commission.....	1,497	1,425	1,425	-72	---
Southeast Crescent Regional Commission.....	250	---	250	---	+250
Nuclear Regulatory Commission:					
Salaries and expenses.....	1,027,240	1,042,200	1,038,800	+11,560	-3,400
Revenues.....	-899,726	-914,832	-911,772	-12,046	+3,060
Subtotal.....	127,514	127,368	127,028	-486	-340
Office of Inspector General.....	10,860	11,020	11,020	+160	---
Revenues.....	-9,774	-9,918	-9,918	-144	---
Subtotal.....	1,086	1,102	1,102	+16	---
Total, Nuclear Regulatory Commission.....	128,600	128,470	128,130	-470	-340
Nuclear Waste Technical Review Board.....	3,400	3,400	3,400	---	---
Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects.....	1,000	3,084	1,000	---	-2,084
Total, title IV, Independent agencies.....	254,496	252,124	261,293	+6,797	+9,169
Appropriations.....	(254,496)	(252,124)	(261,293)	(+6,797)	(+9,169)
Rescissions.....	---	---	---	---	---
Grand total.....	33,805,000	33,684,037	32,156,082	-1,648,918	-1,527,955
Appropriations.....	(32,972,209)	(34,050,704)	(32,337,249)	(-634,960)	(-1,713,455)
Disaster relief category.....	(1,724,000)	---	---	(-1,724,000)	---
Rescissions.....	(-891,209)	(-366,667)	(-181,167)	(+710,042)	(+185,500)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
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1/ 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 for 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.

However, we are extremely disappointed that House Republicans walked away from the bipartisan agreement to establish \$1.047 trillion as the Committee's allocation. A majority of their conference voted for the Budget Control Act agreement less than nine months ago. By renegeing on the agreement, House Republicans put themselves at odds with House Democrats, the White House, Senate Democrats, and Senate Republicans. Senate Minority Leader McConnell recently voted for allocations at \$1.047 trillion and Ranking Member Cochran stated that it is appropriate "for the Committee to proceed on the basis of the discretionary caps enacted into law." House Republicans have introduced uncertainty about the discretionary allocation, and about whether the House majority will threaten to shut down the government. This uncertainty will slow down the appropriations process and the austere House allocation, if it stands, could stall economic growth and impede job creation.

The subcommittee's allocation is \$32,097,500,000, a decrease of \$964,955,000 from the Administration's budget request and \$87,500,000 above the 2012 level. While the allocation is above 2012, this is solely due to an increase of \$275,000,000 in security funding. Consequently, the Committee made severe cuts to crucial energy programs to stay within the allocation. 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 energy crisis, the need to maintain our water infrastructure and our national security requirements.

We commend the Chairman for increasing Corps of Engineers funding by \$83 million above the President's woefully inadequate request, ensuring that some ongoing projects will not be terminated. However, the bill provides \$188 million less than 2012. We must invest in our infrastructure by making preventative and proactive investments. It makes more fiscal sense to prevent a disaster than to respond. Additionally, businesses and individuals are much more likely to invest in a community if there is confidence

in its infrastructure. Further, the nation's ports and waterways are critical to ensuring that American made goods can move to market, both domestically and abroad. We firmly believe that our underinvestment in infrastructure continues to hamper our economic recovery and has prolonged our current employment crisis.

The bill continues the subcommittee's efforts over the years to improve program and project management at all of the agencies under its jurisdiction. For example, the bill does not include the requested authorizing language to raise the total allowable cost of the Olmsted Lock and Dam project to \$2.9 billion. This is a project that began in 1988 as a \$775 million replacement for two aging facilities on the Ohio River. Instead the bill includes a provision that limits the expenditure of funds on the project until the Corps has completed a review of the construction methodology and developed a plan for the completion of the project. Further, the report requires an independent review of the Corps work to ensure that the plan forward is the most effective alternative.

This is just one illustration of the subcommittee's continued efforts to improve program and project management at all of the agencies under its jurisdiction. We strongly support the Chairman on this and all the other provisions, old and new, aimed at increased oversight and improved project management at the Corps and DOE. However, we are disappointed that the subcommittee must repeat so many of these provisions from year to year. It would behoove the agencies to incorporate these policies into their management structure.

The Science account, critical to the competitiveness of our nation, is reduced by 1.5 percent from 2012. While, the bill also provides funds for the continuation of ARPA-E, it is at a level \$75 million below the prior year. Both of these agencies drive innovations to support our scientific competitiveness that we believe will eventually provide much of the inspiration to overcome the energy crisis and address climate change. We are disappointed with the level of funding provided in the bill, \$190 million and \$150 million below the request, respectively.

With regard to the applied energy programs at the Department of Energy, the bill includes appropriate funding for fossil and nuclear energy, but we are disappointed that renewable energy programs in this bill are drastically reduced, \$428 million from 2012 and \$886 million from the President's request. In providing for critical research and development for those sectors that currently provide the bulk of our electricity generation, we cannot sacrifice the future. Renewable energy can achieve cost competitiveness but a continued and sustained research and development program is necessary and appropriate. The United States can leverage its strength—innovation—to restore the United States to a position of global leadership in clean energy. This effort is a critical national priority, with implications for our economic competitiveness, national security, and environmental legacy.

While we are concerned with the level of funding, we do appreciate the Chairman's commitment to American manufacturing. Only 12 percent of the nation's private sector workforce is currently employed in manufacturing, yet it remains one of the most important drivers in our economy. We see very little merit to using fed-

eral dollars to foster technological advances or breakthroughs for products that are not ultimately manufactured domestically. We must do more to reverse the trend of domestic firms shifting production overseas, because—to put it simply—domestic manufacturing drives domestic innovation. If you stop manufacturing a product in the U.S. it is often only a matter of time before the engineering and research and development responsible for the product move overseas. This shift then makes it virtually impossible for our nation to compete for and create the next generation of products. In turn, the loss of these employment opportunities discourages students from pursuing education in scientific and engineering fields.

Fortunately, trends are improving as many companies are beginning to invest domestically and move jobs back to the U.S. The conversation has turned from unit costs to the “total cost of production.” In these terms, the U.S. begins to look more attractive for investment. Rising wages in developing countries and gains in U.S. productivity relative to other countries—coupled with concerns pertaining to supply chains and uncertainty regarding inputs such as energy—make our country more competitive. Both this bill and the Administration’s budget place a significant emphasis on domestic manufacturing, a development we enthusiastically support.

Nonproliferation activities receive an eight percent reduction from 2012; however, we commend the Chairman for preserving the core nonproliferation activities. With constrained funding, the Chairman provides additional funding for the Global Threat Reduction Initiative, proliferation detection and nuclear detonation detection.

The bill includes funding for a national security-related domestic uranium enrichment technology development, otherwise known as the United States Enrichment Corporation. While we appreciate the Chairman’s decision to move forward cautiously, we question the need for this program and object to its characterization as a Nonproliferation activity. The Department of Energy itself has repeatedly characterized this program as supporting the nuclear weapons program and has provided insufficient evidence that this additional expenditure is necessary in any case. Despite our reservations regarding this program, we applaud the Chairman’s decision to include statutory report language requiring a low enriched uranium and tritium management plan. However, we find it astonishing that the language is necessary when simple logic would dictate that the Department of Energy would have such a plan given the importance of tritium to our national security.

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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