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ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL, 2013

APRIL 26, 2012.—Ordered to be printed

Mrs. FEINSTEIN, from the Committee on Appropriations,
submitted the following

REPORT

[To accompany S. 2465]

The Committee on Appropriations reports the bill (S. 2465) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes, favorably thereon and recommends that the bill do pass.

New obligational authority

Total of bill as reported to the Senate	\$33,432,482,000
Amount of 2012 appropriations	33,805,000,000
Amount of 2013 budget estimate	33,684,037,000
Bill as recommended to Senate compared to—	
2012 appropriations	– 372,518,000
2013 budget estimate	– 251,555,000

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PURPOSE

The purpose of this bill is to provide appropriations for the fiscal year 2013 beginning October 1, 2012, and ending September 30, 2013, for energy and water development, and for other related purposes. It supplies funds for water resources development programs and related activities of the Department of the Army, Civil Functions—U.S. Army Corps of Engineers' Civil Works Program in title I; for the Department of the Interior's Bureau of Reclamation in title II; for the Department of Energy's energy research activities, including environmental restoration and waste management, and atomic energy defense activities of the National Nuclear Security Administration in title III; and for related independent agencies and commissions, including the Appalachian Regional Commission, Delta Regional Authority, Denali Commission, and the Nuclear Regulatory Commission in title IV.

SUMMARY OF ESTIMATES AND RECOMMENDATIONS

The fiscal year 2013 budget estimates for the bill total \$33,684,037,000 in new budget (obligational) authority. The recommendation of the Committee totals \$33,432,482,000. This is \$251,555,000 below the budget estimates and \$372,518,000 below the enacted appropriation for the current fiscal year.

SUBCOMMITTEE HEARINGS

The Appropriations Subcommittee on Energy and Water held three sessions in connection with the fiscal year 2013 appropriation bill. Witnesses included officials and representatives of the Federal agencies under the subcommittee's jurisdiction.

The recommendations for fiscal year 2013 therefore, have been developed after careful consideration of available data.

VOTES IN THE COMMITTEE

By a vote of 28 to 1 the Committee on April 26, 2012, recommended that the bill, as amended, be reported to the Senate.

OVERHEAD COSTS

Federal agencies have been directed by Executive Order 13589 to plan for reducing the combined costs of certain activities by not less than 20 percent below fiscal year 2010 levels, in fiscal year 2013. The departments, agencies, boards, and commissions funded in this bill should continue to seek to reduce operating expenses by placing greater scrutiny on overhead costs. Savings may be achieved by reducing nonessential travel, office supply, rent, and utility costs. The Committee directs each department, agency, board, and commission funded in this bill to develop a plan to reduce such costs

by at least 10 percent in fiscal year 2013. Plans to achieve these savings in fiscal year 2013 should be submitted to the Committee no later than 30 days after enactment of this act.

CONFERENCES

The head of any department, agency, board or commission funded by this act shall submit quarterly reports to the Inspector General, or the senior ethics official for any entity without an inspector general, of the appropriate department, agency, board or commission regarding the costs and contracting procedures relating to each conference held by the department, agency, board or commission during fiscal year 2013 for which the cost to the United States Government was more than \$20,000. Such quarterly reports shall be available electronically for public access. No log-in shall be required to search or sort the data contained in such reports. The term “conference” means a meeting that (1) is held for consultation, education, awareness, or discussion; (2) involves costs associated with travel and lodging for some participants.

Each report submitted shall include, for each conference held during the applicable quarter—

- a description of the purpose of that conference;
- the number of participants attending that conference;
- a detailed statement of the costs to the United States Government relating to that conference, including—
 - the cost of any food or beverages;
 - the cost of any audio-visual services; and
 - a discussion of the methodology used to determine which costs relate to that conference; and
- a description of the contracting procedures relating to that conference, including—
 - whether contracts were awarded on a competitive basis for that conference; and
 - a discussion of any cost comparison conducted by the department, agency, board or commission in evaluating potential contractors for that conference.

A grant or contract funded by amounts appropriated by this act may not be used for the purpose of defraying the costs of a conference that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

None of the funds made available in this act may be used to send or otherwise pay for the attendance of more than 50 employees of a single department or agency, who are stationed in the United States, at any single international conference unless the department or agency head reports to the Committees on Appropriations at least 5 days in advance that such attendance is important to the national interest.

TITLE I
DEPARTMENT OF DEFENSE—CIVIL
DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS—CIVIL

INTRODUCTION

The U.S. Army Corps of Engineers is made up of approximately 35,000 civilian and 650 military members that perform both military and Civil Works functions. The military and civilian engineers, scientists and other specialists work hand in hand as leaders in engineering and environmental matters. The diverse workforce of biologists, engineers, geologists, hydrologists, natural resource managers, and other professionals meets the demands of changing times and requirements as a vital part of America's Army.

The Corps' mission is to provide quality, responsive engineering services to the Nation including:

- Planning, designing, building, and operating water resources and other Civil Works projects (Navigation, Flood Control, Environmental Protection, Disaster Response, et cetera);
- Designing and managing the construction of military facilities for the Army and Air Force (Military Construction); and
- Providing design and construction management support for other Defense and Federal agencies (Interagency and International Services).

The Energy and Water bill only funds the Civil Works missions of the Corps of Engineers. Approximately 23,000 civilians and about 290 military officers are responsible for this nationwide mission.

While the Corps Civil Works programs impact all 50 States and virtually every citizen of our Nation, they are a relatively minor part of the Federal budget. Funding for the Corps comprises a little over 0.13 percent of the total Federal budget for fiscal year 2013.

OVERVIEW AND ANALYSIS OF THE FISCAL YEAR 2013 BUDGET REQUEST

The fiscal year 2013 budget request for the Corps of Engineers is composed of \$4,731,000,000 in new budget authority. This is a decrease of \$271,000,000 from the fiscal year 2012 enacted amount exclusive of \$1,724,000,000 in emergency funding.

The tradition of this bill has been that virtually all funding for the Corps of Engineers is designated to specific studies/projects. The administration's budget request for fiscal year 2013 continues this tradition. The four major study/project accounts (General Investigations, Construction, General, Mississippi River and Tributaries, and Operation and Maintenance) comprise \$4,205,000,000 of the administration's overall budget request of \$4,731,000,000 for

the Corps of Engineers. Only \$325,628,000 of the budget request in these four accounts is considered as programmatic funding or national programs. That is about 7.7 percent of the funding proposed in these accounts. The remainder of the \$3,798,802,000 proposed in the four major accounts is divided among 914 individual line item studies or projects proposed by the administration. As the Corps of Engineers has no inherent programmatic authorities under which the organization was created, all of these individual studies, projects and programmatic authorities are specifically authorized by Congress and specifically funded through appropriations acts.

This Committee continues to believe that Members of Congress are best positioned to know the unique needs of their individual States and Congressional Districts. In past years, Congress, exercising their prerogatives under the Constitution would have added projects and studies to the administration's request to ensure that the Nation's water resource needs were met. As the four major study/project accounts in the Corps are comprised of individual line items of studies or projects, the Committee usually added line items for studies or projects that were not included in the administration's budget request or, alternatively, increased funding to items requested by the administration to accelerate the project delivery process on those items.

The line items that were added by Congress in previous years were authorized and vetted in a public process identical to those line items that the administration included in their request. The difference between the items added by Congress and those included by the administration is that the administration applied a number of supplemental criterion for budgeting a study or project that the authorizations for these studies or projects does not require. Establishment of budget criteria was, and continues to be, an administrative prerogative. It should be understood that this criteria is established not necessarily to meet the Nation's water resource needs, but rather to help the administration decide which needs they choose to include in their budget request. These are choices made by the administration within the context of their priorities. History has shown that this criteria is extremely flexible depending on what an administration wants to fund in a given year. This Committee does not believe that this budget criteria, established by the administration without input from the public or Congress, has any more validity than the criteria that the Congress has used in the past to decide which projects to fund.

Due to the vagaries of the administration's budget criteria, the Congress has provided the consistency in funding for items within the Corps of Engineers budget. Corps of Engineers projects generally have two definitive points where Congress can decide the Federal commitment to a water resources development project. The first point is when an item is being studied. By providing the initial study funding, the Congress is making a tacit commitment that it intends to see the study process through to completion. By the same token when a project is authorized for construction and receives its initial construction funding, that is a commitment that the Congress intends to see the project through to completion. That is why so few "new" studies and projects have been funded in recent years. Congress has acknowledged the tight fiscal environment

by not creating tremendous outyear obligations for the Corps with new work.

Nearly all Corps studies and projects are cost shared. That means a local sponsor has contractually agreed to provide a proportionate non-Federal share (ranging from 25 percent–50 percent) to match the Federal funds appropriated. When these projects are not provided funding either through the budget or an appropriations act, the work is deferred until funding is appropriated. This inconsistent funding increases project costs, defers the projects benefits to the national economy and plays havoc with the non-Federal entities' financing plans for projects and studies. Traditionally, Congress has provided the consistency for studies and projects undertaken by the Corps of Engineers through congressionally directed spending by maintaining the commitments to local sponsors and insuring consistent levels of funding for the projects or studies that were initiated or funded in appropriation acts.

Overall navigation funding is increased \$173,000,000 in this budget proposal compared to what the administration proposed in fiscal year 2012. It is still down from the enacted amount for fiscal year 2012, but the Committee believes this is a positive move by the administration. However, Flood Risk Management is down \$41,000,000 in this budget proposal when compared to fiscal year 2012. The Committee is puzzled by this cut, particularly after record setting floods on the Missouri and Mississippi Rivers in 2011. While \$1,724,000,000 in emergency supplemental funding was provided in December 2011 to address repairs to flood control infrastructure damaged by natural disasters, that funding did not provide for all of the needs to return existing infrastructure to pre-disaster conditions. Fortunately, the funding allowed the Corps to address the highest priorities. However, one would think that flood control funding should have been increased in the budget request to address the needs and weaknesses in existing flood control infrastructure as well as the needs for new infrastructure that the flooding and other natural disasters revealed.

The General Investigations Program is proposed at \$102,000,000 for fiscal year 2013. This is a decrease of \$23,000,000 from the fiscal year 2012 enacted amount. This account funds the preauthorization studies necessary to determine the Federal interests in a water resource problem or need. The request provides funding for 80 studies for a total of almost \$53,000,000 of the request. Of that amount, five studies are funded at \$24,000,000. The other 75 studies are funded with the remaining \$29,000,000. Four ecosystem restoration, one deep-draft navigation and one nationwide study are proposed as "new study starts" in the request.

The Construction, General account is proposed at \$1,471,000,000 for fiscal year 2013. The 95 line items proposed for the construction, general account can be broken down as follows:

- Dam safety activities \$402,800,000 (27.4 percent);
- Environmental compliance activities comprise \$196,000,000 (13.3 percent);
- Ecosystem or environmental restoration activities comprise \$251,000,000 (17.1 percent);
- Flood control and storm damage reduction activities comprise \$227,000,000 (15.4 percent);

- Coastal or deep draft navigation activities comprise \$141,100,000 (9.6 percent);
- Inland and shallow draft navigation activities comprise \$155,700,000 (10.6 percent); and
- An additional \$97,400,000 is proposed for national programs (6.6 percent).

This is a decrease of \$223,000,000 from the fiscal year 2012 enacted amount for this account. This account funds postauthorization studies and physical construction of authorized projects. Dam safety assurance and flood control projects that are primarily included due to their substantial life savings benefits appear to have taken the biggest reductions when compared to the fiscal year 2012 budget request. One large ecosystem restoration project, one flood control/ecosystem restoration project and one non-structural flood control project are proposed as “new construction starts” in the request. Seven projects are projected for completion.

The Mississippi River and Tributaries account is proposed at \$234,000,000. This account funds studies, construction and operation and maintenance activities along the Mississippi River and designated tributaries from Cape Girardeau, Missouri, to the Gulf of Mexico. This is a decrease of \$18,000,000 from the fiscal year 2012 enacted amount. The request only provides construction funding for projects along the main stem of the Mississippi and Atchafalaya Rivers. No construction work is proposed along the tributaries of the project.

The Operation and Maintenance account is proposed at \$2,398,000,000. This is a decrease of \$14,000,000 from the fiscal year 2012 enacted amount. This account funds post authorization studies of operating projects, maintenance of Federal facilities and Federal operation of facilities where authorized by law. At this funding level, the Corps’ budget estimates that 186 partial and 57 full recreation area closings will occur. Reduced recreational opportunities will occur at one third of the budgeted projects. Navigation funding from the Harbor Maintenance Trust Fund [HMTF] is increased to an estimated \$848,000,000 in the request. This is a \$90,000,000 increase over the fiscal year 2012 request but is still down \$43,000,000 from the fiscal year 2012 enacted amount.

The Regulatory Program is proposed at \$205,000,000 for fiscal year 2013. This is an increase of \$12,000,000 over the fiscal year 2012 enacted amount to this program that provides the funding for the Corps nationwide regulatory roles primarily under section 404 of the Clean Water Act and section 10 of the Rivers and Harbors Act of 1899.

The Committee is disappointed that funding for the Formerly Utilized Sites Remedial Action Program [FUSRAP] proposed at \$104,000,000 was cut by \$5,000,000 from the fiscal year 2012 enacted amount. This program was transferred to the Corps from the Department of Energy, because the Committee was concerned with management and cost issues of the program within the Energy Department. This is a program that is being well-managed by the Corps and should have stable, adequate budget resources to continue these radiological clean-up activities. This proposed decrease in funding will further stretch out the clean-up of these sites.

The Flood Control and Coastal Emergencies account is proposed at \$30,000,000 for fiscal year 2013. This is an increase of \$3,000,000 over the fiscal year 2012 enacted amount. These funds are proposed for readiness and preparedness activities for the Corps of Engineers.

The Office of the Assistant Secretary of the Army (Civil Works) is proposed as a separate account for \$5,000,000. This is the same as provided in fiscal year 2012. The Committee continues to believe that the Assistant Secretary's office should be funded in the Defense appropriations bill. However, until such time as this account can be reintegrated into that bill, the Committee agrees that the office should be funded as a separate account. The Assistant Secretary's duties encompass much more than the Civil Works functions of the Corps of Engineers and the budget needs of the office should be addressed separately.

The General Expenses [GE] account is proposed at \$182,000,000 for fiscal year 2013. This is a \$3,000,000 decrease from the fiscal year 2012 enacted amount. The Committee notes that the Corps operates one of the most efficient headquarters staffs in the National Capital region. Only about 3.5 percent of their staffing is at headquarters as opposed to 10 percent or more for comparable agencies in the National Capital region.

THE NATION'S WATERWAY SYSTEM

The Nation's waterway system constructed, operated, and maintained by the Corps is an incredibly versatile and interconnected system providing vital linkages to other modes of transportation as well as providing benefits to the national economy of more than \$7,000,000,000 through transportation savings over other available modes of transportation. This system has been developed over the past 200 years and is showing its age. There are many lock chambers that are long past their design life or that need to be enlarged to handle increased traffic. Also, many harbor and channel projects need to be deepened or enlarged to handle contemporary vessel sizes. A major recapitalization of this infrastructure is needed, particularly if the Nation is to meet the President's goal of doubling exports in the next 5 years.

Two trust funds were set up to fund portions of our navigation infrastructure. The HMTF provides for 100 percent of the maintenance of eligible deep draft projects, and the Inland Waterways Trust Fund [IWTF] provides for one-half of the construction cost of designated projects on the Nation's inland waterways. Both of these funds are subject to appropriation. The HMTF does a good job of collecting revenues, but appropriations generally lag considerably behind the collections so the fund balance continues to grow. The IWTF appropriations match the revenue collection, but the revenues collected are insufficient to undertake all of the needed work. Therefore the fund balance is essentially zero.

Past investments have provided adequate, albeit in some cases inefficient, infrastructure to deal with current commodity and cargo movements. Only about 20 percent of the administration's proposed construction budget is dedicated to navigation projects. Despite whatever other efforts may be underway to meet the goal of doubling exports, the budget request for the Corps for improvements

and maintenance of the waterway system falls woefully short of the needs. Ports are routinely not dredged to their full authorized dimensions. It is hard for this Committee to understand how exports can be doubled without improvements and adequate maintenance to the projects that provide for the transit and the exit points for these commodities.

The Committee is concerned that there are major changes in worldwide shipping and trade occurring and on the horizon that our Nation's water infrastructure is not equipped to handle. One of these changes is the enlargement and deepening of the Panama Canal that will allow a shift to larger container vessels with a need for deeper ports and navigation channels. However, larger vessels are also transiting the Suez Canal and more and more will likely be attempting to call at the Nation's ports. If larger ships are unable to dock here, they may be forced to dock in other countries with the appropriate infrastructure and then reconfigure ships and cargos to accommodate U.S. water infrastructure, leading to increased transportation costs, higher end-unit prices and loss of jobs.

Along with deeper channels to accommodate these larger vessels, ports will need efficient dockside infrastructure to handle the throughput of this increased trade. Intermodal improvements at ports and possibly short sea shipping will also be a part of trade movements in and among ports. Without this system, transportation of commodities, exports and imports, would become vastly more expensive. For more than 25 years, the current mechanisms have been in place. However, how water transportation infrastructure is planned, designed, constructed, maintained, and funded has not kept pace with the pace of change in worldwide trade.

Water transportation infrastructure was and continues to be a linchpin of our national economy. It is time to determine if there is a better way to develop this infrastructure. The Committee believes it is important for the Congress to rethink the Federal role in water transportation to determine if there is a better way to plan, build and finance this critical infrastructure. The Committee will work with the appropriate authorizing and tax writing committees as well as industry and the administration to determine a path forward to provide the water transportation infrastructure that will be required for the next 50–100 years.

INLAND WATERWAYS TRUST FUND

The Committee remains concerned about the Nation's Inland Waterways. This network of waterways moves nearly 600 million tons of cargo annually or 16 percent of our domestic freight. That is 600 million tons of cargo that are not moved on our already overburdened rail and highway system.

The Inland Waterways System includes more than 12,000 miles of waterways that serve 41 States, including all States east of the Mississippi River. The Corps operates 238 lock chambers at 192 sites. Nearly 140 of these locks have been in operation more than 50 years. This means that more than one-half of the lock chambers that are vital parts of the Inland Waterways System have exceeded the economic life of the projects.

These locks, with associated dam structures, along with other waterway features provide other benefits for the Nation's economy such as recreation, hydropower, water supply and in some cases flood control. These other project benefits are a direct result of the construction of these projects to fulfill their navigation purpose.

These lock chambers are in various states of deterioration. A properly funded maintenance program can stave off the inevitable effects of this deterioration. However, it has been a very long time since the Corps budget could be considered adequate to properly fund maintenance of these structures. Inevitably, these structures must be modernized or replaced, depending on the deterioration, if they are to continue to serve the purpose for which they were originally constructed.

Current law provides that maintenance of these structures is funded from the general fund of the Treasury. This funding is intended to cover routine maintenance of the structures that maintain the functionality of the projects. Repairs are becoming more frequent, extensive and costly. Scheduled and unscheduled lock closures for maintenance purposes have almost doubled in the last 10 years.

Whenever improvements to the functionality of the project are considered for implementation they are generally cost shared in the Construction, General account. These improvements can include a major overhaul of the mechanisms that operate the locks to improvements to the foundation or other major structural elements to a complete replacement of an antiquated lock facility. These major rehabilitations or new construction are cost shared. Half comes from the General Treasury and half comes from the IWTF.

The IWTF is funded through a 20-cent-per-gallon tax on fuel used to transit the Inland Waterways System. This tax has remained 20 cents-per-gallon since 1995. Just adjusting the tax for inflation would make the fuel tax 30 cents per gallon to provide equivalent revenues to what was produced by the tax in 1995. It is estimated that more than \$340,000,000 has been lost to the IWTF since 1996 because this tax has not been adjusted for inflation.

However, it is clear that construction costs have risen much faster than revenues available in the IWTF even if they had been adjusted for inflation. Lengthening of project construction schedules due to inadequate funding has caused project costs to increase, but costs have also increased due to other unknown factors.

The Olmsted lock and dam replacement project is a case in point. This one lock and dam is intended to replace the outdated Locks and Dams 52 and 53 on the lower Ohio River. The project was authorized for construction in 1988 for a cost of \$775,000,000. Construction was initiated in 1992 and nearly \$1,500,000,000 have been appropriated towards construction since that time. The twin 1,200-foot long lock chambers are complete.

The administration's budget request indicates that the cost of this single large project will have to be increased to \$2,918,000,000, a nearly \$900,000,000 increase since the last estimate reported to Congress. The Corps says the cost increase is due to unforeseen challenges in the selected method of construction for the dam section of the project.

Any cost increase of this magnitude is of great concern to this Committee. However, this cost increase coupled with an already inadequate funding source in the IWTF is a recipe for disaster. The IWTF is essentially limited to incurring no more costs than the revenues that are brought in during a given year. In recent years that has limited work on the Inland Waterways System to about \$170,000,000 annually. The current construction of Olmsted consumed 95 percent or more of the revenues available in the IWTF for the last several years. With this new cost estimate, that trend will likely continue for another decade.

Abandoning the Olmsted project is not a viable option because Locks and Dams 52 and 53 still would have to be replaced, not to mention the \$1,500,000,000 that has been invested in completing the two replacement lock chambers at Olmsted. Replacement costs of the two existing structures could exceed \$3,000,000,000. This would be an even more expensive option than completing the work on Olmsted. The Committee understands that the Corps is examining all options to reduce remaining construction costs including changing the method of construction for the navigation pass in the dam section. The Corps should make every effort to expedite the construction schedule for this project and reduce any future cost growth.

With all of the work needed to modernize our Inland Waterways System, this funding situation for the inland waterways is intolerable. To make the type of progress necessary to modernize this system in a reasonable period of time, a new financing model must be developed and implemented. Simply increasing the fuel tax will not supply the necessary revenues without a massive increase that would lead to disruptions on the system. A new financing mechanism must be considered, that not only provides the necessary revenues, but has an inflation adjustment factor built into the financing system.

The HMTF tax offers an instructive model to consider for the IWTF. This tax is based on the value of the imports that transit specific harbors and waterways. The fees are collected by the customs department and deposited into the HMTF to be utilized for the maintenance of these waterways. This tax burden is shared by all who utilize these imported items, whereas the Inland Waterways Tax is only contributed based on the tax collected from the fuel used by vessels transporting cargo on the Inland Waterways System.

It should be noted that the model used for the HMTF provided the bulk of all Federal revenue from 1790 until the eve of World War I, financing most Government operations. This seems an inherently fair way to collect revenue to finance waterways utilized to transport goods and materials that benefit the national economy. Corps projects are justified based on benefits to the national economy, so as the Nation benefits, the Nation should contribute towards the recapitalization of these assets.

The Inland Waterways System is far too important to allow it to continue to languish with inadequate funding and crumbling infrastructure. The Committee has been patiently waiting for six budget cycles for a solution to these problems from the administration and

the appropriate congressional committees. Since that has not happened, the Committee has decided to take action on its own.

For fiscal year 2013, the Committee has included legislative language directing that no more than 25 percent of the costs for Olmsted Lock and Dam should be drawn from the IWTF. This action frees up \$36,000,000 in IWTF revenues. When combined with \$36,000,000 from the General Treasury \$72,000,000 will be available to be expended on other portions of the Inland Waterways System. These funds are included in the Construction, General account under additional funding for ongoing work. The Corps should propose IWTF-eligible projects as a part of their work plan for these funds based on the criteria that is found in that section of the report.

This action was not taken lightly by the Committee. It is a recognition that something has got to change. It should not be looked at as a permanent solution. This is a 1-year change in the proportionality of the IWTF/General Treasury split for fiscal year 2013. It does not change the ultimate cost sharing for Olmsted. It only delays the inevitable day of reckoning when the costs for Olmsted will have to be brought back into the proper 50/50 balance. Legislation must be proposed and enacted to ensure that sufficient funding is available to ensure that this transportation infrastructure will continue to function as designed providing benefits to the national economy.

OPERATION AND MAINTENANCE FUNDING FOR INLAND WATERWAYS

The administration segregates the Inland Waterways System into at least two parts for budgeting purposes. Those that are designated as "low use" are given considerably lower budget priority for maintenance dollars than the remainder of the system. While these "low use" waterways may not have a significant impact on the national economy, they exert a tremendous influence on local and regional economies.

When these projects were analyzed for implementation, the maintenance costs for the project's 50-year economic life was calculated as a part of the benefit to cost ratio. One would assume that if the project were constructed, that the project's benefits to the national economy had to exceed the costs (including the maintenance costs) to the national economy. Therefore the budget criterion currently being utilized to determine funding for these projects has nothing to do with the actual economics of the project. It is a judgment based solely on the tonnage moved. No consideration is given to the economics of whether the project benefits exceed the project costs even though the benefit to cost ratio is the rationale of choice behind other administration funding decisions in the budget request.

The "low use" waterways move more than 50 million tons annually. That obviously pales in comparison to the roughly 550 million tons moved on the "high use" waterways. However, these 50 million tons of cargo would still have to be moved somehow, if they are not moved by water transportation. The only other candidates are truck and rail. It would require 2 million trucks or 455,000 rail cars to move the same amount of cargo that can be moved on 33,500 barges. The shipping costs to the national economy to move

the same commodities to the same destinations would likely increase by at least \$500,000,000 by rail or \$1,500,000,000 by truck. The costs cited do not even begin to include the costs to the economy of the increased pollution, the likely increase in transportation fatalities or other costs that are incurred. If maintenance of all “low use” projects were fully funded, the Corps budget would be increased by less than \$200,000,000. The Committee urges the administration to reconsider this short-sighted budgetary decision in future budget submissions. Shortchanging maintenance for these projects seems to be “pennywise but pound foolish.”

HARBOR MAINTENANCE TRUST FUND

Available revenue from the 0.125 percent tax on the value of imports at designated harbors provides roughly \$1,500,000,000 annually to this fund. These revenues can be utilized for maintenance on more than 1,500 ports, harbors and waterways. The fiscal year 2013 budget proposes \$848,000,000 for maintenance of commercial waterways and ports to be appropriated from the General Treasury and ultimately reimbursed from the HMTF. This is down \$43,000,000 from the fiscal year 2012 enacted bill. This imbalance between receipts and appropriations has led to a surplus in the HMTF of some \$6,000,000,000.

LEVEE SAFETY

One positive outcome from the tragedy of Hurricane Katrina was that the public became more aware of the levees that protect their communities. This new awareness resulted in an examination of the conditions of these projects. Concurrent with this new awareness was the Federal Emergency Management Agency [FEMA] map modernization program for flood insurance rate maps. With this remapping came the issue of certification of existing levees and the need to determine how safe these levees are. All of these factors have combined to cause a great deal of uncertainty.

While the Committee would like to believe that engineered structures will never fail, the reality is that all engineered structures have the potential for failure if the right set of circumstances happen at the right time. Risk is inherent in any man-made structure and the Corps is charged with balancing that risk with the costs of the risk reduction measures. The cost for risk-free protection is more than the Nation has been willing to consider for any project. There are always trade-offs. This is especially true with flood control structures. There is always a larger flood, or an unknown or unaccounted for failure mode that can cause the structure to fail. The Committee looks to the Corps to propose and build structures to protect people based on the risks that they may face and to communicate the residual risk that people protected by these structure still face. It should be understood that while the structures mitigate risk, they do not eliminate it.

The Committee fully supports the Corps' efforts on levee safety. However, the Committee remains concerned that the costs to repair levees may be overwhelming to local interests. The Committee is not suggesting that the Corps should back away from its safety culture, only that there should be checks and balances to ensure that recommendations are not blindly made in the name of safety with-

out determining if the recommendations actually provide cost effective safety improvements. The Committee encourages the Corps when working with communities on levee issues to be cognizant of the costs for proposed fixes and the community's ability to fund the repairs.

The Committee notes that the role of the Corps in assisting communities in developing data required for participation in the National Flood Insurance Program continues to be unresolved despite several years of dialogue between the Corps and FEMA. The Committee therefore directs the Corps to report within 30 days of enactment of this act on the status of its joint task force with FEMA to improve flood maps by leveraging existing Federal resources and procedures to develop data on the actual level of protection provided by flood control structures.

The Committee remains concerned about what it believes is an overly broad reading of the definition of levees provided in section 9002 of the Water Resources Development Act of 2007. The Committee understands that the National Committee on Levee Safety [NCLS] has recommended two main exclusions in its definitions: one for structures of limited height and limited risks as well as one for canal structures already covered under a safety program. These exclusions appear to cover most of the areas of concern. While the Committee understands that the recommendations of the NCLS are not actionable or even considered as standards or a national definition under current legislation, future legislation for a National Levee Safety Program will likely be largely developed from the recommendations of the NCLS. Therefore the Committee strongly urges the NCLS to include these exclusions in any recommendations that are made towards any type of National Levee Safety Program.

LEVEE VEGETATION

The Committee is aware of the Corps' updated draft policy regarding the consideration of vegetation variances for levees, and appreciates the work of Corps Districts and Divisions in working with affected levee sponsors and systems. The Committee is aware that the Engineer Research and Development Center completed an initial research effort to advance the Corps' knowledge and understanding of the effects of woody vegetation on levees which indicated that minimal data exists on the scientific relationship between woody vegetation and levees. The Committee urges the Corps to continue to conduct additional scientific research on this topic. The Committee strongly encourages the Corps to take seriously its requirements under the Endangered Species Act and in meeting tribal treaty obligations, and to clarify how it will apply those considerations in the final vegetation variance policy.

PLANNING PROGRAM

The Committee is pleased that the Corps continues to review its planning program and is trying to make it more responsive to the local sponsors and Congress. The Committee is supportive of the Corps' announced 3-3-3 concept to reduce the maximum level of cost of completing a feasibility study to 3 years and the sum spent to \$3,000,000. While better, faster and cheaper sounds desirable, in

the Committee's experience only 2 out of those 3 items ultimately get delivered. In the pursuit of the 3-3-3 plan the Committee would caution the Corps that transferring tasks and costs to either the preconstruction engineering and design phase or the construction phase of the project is not really a solution—it just repackages the problem.

The Committee remains concerned about the inconsistent nature of the planning process across the Corps. While shortening the planning process to 3 years is a laudable goal, the Committee recognizes that some timeframes within the planning process are statutory and cannot be shortened and some studies require a more in-depth look. Items such as determining the future without project conditions and determining the array of alternatives that should be considered require careful evaluation. The bedrock of any Corps study remains these assumptions that are made at the beginning of the planning process. If they are given short shrift, then the recommendations of the planning study will be suspect.

The Committee urges the Corps to move forward to implement the proposal by providing Corps District Offices with specific guidance regarding all feasibility studies including narrowing of scope, use of older data, limiting economic analysis when it is clear that the cost benefit criteria will clearly be met and how review processes can be accelerated or modified and other methods that may be used to allow all or almost all feasibility studies to meet the \$3,000,000 and 3-year requirements. In addition, this guidance should provide for exceptions to the 3-3-3 plan, where appropriate. This guidance should include feasibility studies undertaken at local sponsor's costs that are or will be undertaken with the intent of meeting Corps requirements.

There are certain times when speed is truly essential. One such case is when an area with a flood control system that currently is certified to meet the 100-year standard has a change in estimates of river flow conditions. In such a case the communities need to act to make improvements quickly to minimize the time they may be found out of compliance with the 100-year standard. In such cases, where speed is of the essence additional flexibility regarding the requirements should be considered.

What is clear is that a one-size-fits-all approach will not work due to the great variations in problems and needs throughout the country. More consistency as to how these problems and needs are evaluated should be the goal. The importance of these study reports cannot be overstated. They are the basis from which all of the Corps' work is derived and Congress depends heavily on these planning reports to inform the decisionmaking process for authorizing and funding these infrastructure investments. The Committee will continue to monitor the progress of improving the consistency of the planning process.

CONTINUING CONTRACTS AND REPROGRAMMING

The Committee expects the Chief of Engineers to execute the Civil Works program generally in accordance with congressional direction. This includes moving individual projects forward in accordance with the funds annually appropriated. However, the Com-

mittee realizes that many factors outside the Corps' control may dictate the progress of any given project or study.

The Committee is retaining the reprogramming legislation provided in the Fiscal Year 2013 Energy and Water Development Act.

NEW STARTS FOR FISCAL YEAR 2013

The Committee is including the following new starts proposed in the administration's budget request for fiscal year 2013: Cano Martín Peña, Puerto Rico; Chesapeake Bay, Maryland, Virginia, Pennsylvania, New York, West Virginia, Delaware, and the District of Columbia; Englebright and Daguerre Point Dams (Yuba River), California; Louisiana Coastal Comprehensive Study; Houston Ship Channel, Texas; Hamilton City, California Flood Protection and Ecosystem Restoration; Louisiana Coastal Area, Louisiana; and Lower Colorado River Basin, Onion Creek, Texas.

In addition, the Secretary is directed to propose a single group of new starts to the House and Senate Appropriation Committees within 45 days of enactment of this act as a part of the work plan. The new starts shall consist of five new study starts and three new construction starts. The majority of the benefits of the selected new starts must be derived from navigation, storm damage reduction or flood control mission areas of the Corps. The Committee is recommending this new start proposal to provide some balance to the predominantly ecosystem restoration new starts proposed in the administration's budget request. By allowing the administration to select these additional new start studies and projects and directing that they come from the navigation and flood control mission areas of the Corps the Committee is attempting to ensure that the Corps' future programs will continue to balance the various missions of the Corps.

SAVINGS AND SLIPPAGE

Savings and slippage [S&S] is a budgetary term that recognizes that nothing ever goes completely as planned. As Corps budgets are initiated some 22 months before they are presented to Congress a myriad of changes occur between this initial budget submission and when funds are actually appropriated. Projects speed up and slow down for a number of reasons. Hazardous wastes or a cultural resources site is discovered in the project right-of-way; a local sponsor may not have its cost share in-place; additional alternatives may need to be examined in a study; studies or even projects are terminated. All of these things lead to uncertainties which impact Corps' budgets.

When viewed in the historical context of annual Corps spending rates, reasonable percentages of S&S make sense as a way to accommodate additional projects needs, even if funding is insufficient and has been utilized by the Committee for the four major accounts. The Committee directs that the S&S amount in each sub-account initially be applied uniformly across all projects within the subaccounts. Upon applying the S&S amounts, normal reprogramming procedures should be undertaken to account for schedule slippages, accelerations, or other unforeseen conditions.

CONGRESSIONALLY DIRECTED SPENDING

Congressionally directed spending has become synonymous with earmarks in recent debates, even for agencies such as the Corps of Engineers where the majority of the budget request is based on individual line item studies and projects. Due to this ongoing debate, the Committee has voluntarily refused all congressionally directed spending requests for fiscal year 2013. That means that the administration has total discretion as to how the funding that this Committee appropriates will be spent as it relates to individual studies and projects. The Committee has retained the traditional tables for each of the four major accounts delineating the 914 line items requested by the President in the budget request. Due to inadequacies in the administration’s budget request, the Committee has also inserted additional line item funding under the nationwide heading for specific categories of studies or projects that the Committee feels are underrepresented in the administration’s budget request. The Corps has discretion within the guidelines provided in each account as to which line items this additional funding will be applied to. The Committee has not included any congressionally directed spending as defined in section 5(a) of rule XLIV of the Standing Rules of the Senate.

GENERAL INVESTIGATIONS

Appropriations, 2012	\$125,000,000
Budget estimate, 2013	102,000,000
Committee recommendation	125,000,000

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

The planning program is the entry point for Federal involvement in solutions to the Nation’s water resource problems and needs. Unfortunately, the General Investigations [GI] account amount proposed in the budget is generally the same as what has been proposed in previous budgets. Nationwide studies and programs consume almost one-half of the administration’s GI request. This budget asserts that the Nation should concentrate scarce resources on completing studies but not carrying forward ongoing studies.

The Committee has provided for a balanced planning program for fiscal year 2013 with ten new study starts—five from the budget request and an additional five to be selected based on the Corps’ prioritization process and included as a part of the General Investigations work plan.

The first column in the table that follows represents the reconnaissance phase of the planning process. These studies determine if there is a Federal interest in a water resource problem or need and if there is a cost sharing sponsor willing to move forward with the study. The next column represents the feasibility phase of the study. These detailed cost-shared studies determine the selected alternative to be recommended to the Congress for construction. The third column represents the preconstruction engineering and de-

sign phase. These detailed cost-shared designs are prepared while the project recommended to Congress is awaiting authorization for construction.

The Committee believes that by segregating the table in this manner, more attention can be focused on the various study phases, and a more balanced planning program can be developed by the administration. As the last two columns are generally cost shared, they demonstrate the commitment by cost-sharing sponsors to be a part of the Federal planning process. By the same token, it also shows the level of commitment of the Federal Government to these cost-sharing sponsors.

The budget request and the recommended Committee allowance are shown on the following table:

CORPS OF ENGINEERS—GENERAL INVESTIGATIONS
 [In thousands of dollars]

Project title	Budget estimate		Committee recommendation	
	RECON	FEAS	RECON	FEAS
ALASKA				
ALASKA REGIONAL PORTS, AK		300		300
MATANUSKA RIVER WATERSHED, AK		100		100
ARKANSAS				
LOWER MISSISSIPPI RESOURCE ASSESSMENT, AR, IL, KY, LA		800		800
CALIFORNIA				
CALIFORNIA COASTAL SEDIMENT MASTER PLAN, CA		900		900
LOS ANGELES RIVER ECOSYSTEM RESTORATION, CA		100		100
MALIBU CREEK WATERSHED, CA		420		420
SACRAMENTO AND SAN JOAQUIN COMPREHENSIVE BASIN STUDY, CA		300		300
SAC-SAN JOAQUIN DELTA ISLANDS AND LEVEES, CA		1,015		1,015
SAN PABLO BAY WATERSHED, CA		216		216
SOLANA BEACH, CA		188		188
SUTTER COUNTY, CA		988		988
UPPER PENITENCIA CREEK, CA		541		541
YUBA RIVER FISH PASSAGE, CA	100		100	
COLORADO				
CHATFIELD, CHERRY CREEK AND BEAR CREEK RESERVOIRS, CO		67		67
FLORIDA				
JACKSONVILLE HARBOR, FL		1,400		1,400
MILE POINT, FL			748	
GEORGIA				
SAVANNAH HARBOR EXPANSION, GA			2,800	
HAWAII				
ALA WAI CANAL, OAHU, HI		400		400

CORPS OF ENGINEERS—GENERAL INVESTIGATIONS—Continued
 [In thousands of dollars]

Project title	Budget estimate			Committee recommendation		
	RECON	FEAS	PED	RECON	FEAS	PED
ILLINOIS						
DES PLAINES RIVER, IL (PHASE II)			500			500
ILLINOIS RIVER BASIN RESTORATION, IL		400			400	
INTERBASIN CONTROL OF GREAT LAKES—MISSISSIPPI RIVER AQUIFER		3,000			3,000	
IOWA						
HUMBOLDT, IA		230			230	
KANSAS						
TOPEKA, KS			431			431
UPPER TURKEY CREEK, KS			500			500
KENTUCKY						
OHIO RIVER SHORELINE, PADUCAH, KY			500			500
LOUISIANA						
CALCASIEU LOCK, LA		750			750	
LOUISIANA COASTAL AREA COMPREHENSIVE PLAN, LA		100			100	
LOUISIANA COASTAL AREA ECOSYSTEM RESTORATION, LA		3,917	5,447		3,917	5,447
MARYLAND						
ANACOSTIA WATERSHED RESTORATION, MONTGOMERY COUNTY, MD		250			250	
ANACOSTIA WATERSHED RESTORATION, PRINCE GEORGE'S COUNTY		250			250	
CHESAPEAKE BAY COMPREHENSIVE PLAN, MD, PA, AND VA	250			250		
MASSACHUSETTS						
BOSTON HARBOR DEEP DRAFT INVESTIGATION, MA			1,800			1,800
MINNESOTA						
MINNESOTA RIVER WATERSHED STUDY, MN AND SD (MINNESOTA RIVER)		350			350	

MISSOURI								
KANSAS CITIES, MO AND KS	.....	50	.....	.....	.....	.....	.....	50
MISSOURI RIVER DEGRADATION, MO	.....	200	.....	.....	.....	.....	.....	200
MISSOURI RIVER LEVEE SYSTEM, UNITS L455 AND R460-471, MO	.....	500	.....	.....	.....	.....	.....	500
MONTANA								
YELLOWSTONE RIVER CORRIDOR, MT	.....	200	.....	.....	.....	.....	.....	200
NEW HAMPSHIRE								
MERRIMACK RIVER WATERSHED STUDY, NH AND MA	.....	200	.....	.....	.....	.....	.....	200
NEW JERSEY								
DELAWARE RIVER COMPREHENSIVE, NJ	.....	290	.....	.....	.....	.....	.....	290
HUDSON-RARITAN ESTUARY, HACKENSACK MEADOWLANDS, NJ	.....	50	.....	.....	.....	.....	.....	50
HUDSON-RARITAN ESTUARY, LOWER PASSAIC RIVER, NJ	.....	50	.....	.....	.....	.....	.....	50
PASSAIC RIVER MAINSTEM, NJ	.....	1,000	.....	.....	.....	.....	.....	1,000
RARITAN BAY AND SANDY HOOK BAY, HIGHLANDS, NJ	.....	100	.....	.....	.....	.....	.....	100
NEW MEXICO								
RIO GRANDE BASIN, NM, CO, AND TX	.....	300	.....	.....	.....	.....	.....	300
NEW YORK								
HUDSON-RARITAN ESTUARY, NY AND NJ	.....	400	.....	.....	.....	.....	.....	400
JAMAICA BAY, MARINE PARK AND PLUMB BEACH, NY	.....	100	.....	.....	.....	.....	.....	100
UPPER DELAWARE RIVER WATERSHED, LIVINGSTONE MANOR, NY	.....	200	.....	.....	.....	.....	.....	200
WESTCHESTER COUNTY STREAMS, BYRAM RIVER BASIN, NY AND CT	.....	200	.....	.....	.....	.....	.....	200
NORTH CAROLINA								
BOGUE BANKS, NC	.....	445	.....	.....	.....	.....	.....	445
CURRITUCK SOUND, NC	.....	358	.....	.....	.....	.....	.....	358
NEUSE RIVER BASIN, NC	.....	450	.....	.....	.....	.....	.....	450
SURF CITY AND NORTH TOPSAIL BEACH, NC	.....	225	.....	.....	.....	.....	.....	225
WILMINGTON HARBOR IMPROVEMENTS, NC	.....	250	.....	.....	.....	.....	.....	250
NORTH DAKOTA								
FARGO, ND—MOORHEAD, MINN METRO	.....	5,000	.....	.....	.....	.....	.....	5,000
RED RIVER OF THE NORTH BASIN, ND, MN, SD, AND MANITOBA, CANADA	.....	433	.....	.....	.....	.....	.....	433
OREGON								
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR AND WA	.....	300	.....	.....	.....	.....	.....	300

CORPS OF ENGINEERS—GENERAL INVESTIGATIONS—Continued
 [In thousands of dollars]

Project title	Budget estimate			Committee recommendation		
	RECON	FEAS	PED	RECON	FEAS	PED
WALLA WALLA RIVER WATERSHED, OR AND WA			350			350
WILLAMETTE RIVER BASIN REVIEW, OR		200			200	
WILLAMETTE RIVER ENVIRONMENTAL DREDGING, OR		80	500		80	500
WILLAMETTE RIVER FLOODPLAIN RESTORATION, OR		180	200		180	200
PENNSYLVANIA						
SCHUYLKILL RIVER BASIN, WISSAHICKON CREEK BASIN, PA		200			200	
UPPER OHIO NAVIGATION STUDY, PA		1,000			1,000	
PUERTO RICO						
CAÑO MARTIN PEÑA, PR		100			100	
SOUTH CAROLINA						
CHARLESTON HARBOR, SC		3,549			3,549	
EDISTO ISLAND, SC		328			328	
TEXAS						
BRAZOS ISLAND HARBOR, BROWNSVILLE CHANNEL, TX		726			726	
DALLAS FLOODWAY, UPPER TRINITY RIVER BASIN, TX		700			700	
GUADALUPE AND SAN ANTONIO RIVER BASINS, TX		400			400	
HOUSTON SHIP CHANNEL, TX	100			100		
LOWER COLORADO RIVER BASIN, TX		425			425	
NUCES RIVER AND TRIBUTARIES, TX		650			650	
SABINE PASS TO GALVESTON BAY, TX		200			200	
VIRGINIA						
JOHN H. KERR DAM AND RESERVOIR, VA AND NC (SECTION 216)		50			50	
LYNNHAVEN RIVER BASIN, VA			300			300
UPPER RAPPAHANNOCK RIVER BASIN COMPREHENSIVE, VA			50			50
WILLOUGHBY SPIT AND VICINITY, NORFOLK, VA			225			225
WASHINGTON						
MOUNT SAINT HELENS, WA		225			225	

	450	850	20,726	450	850	17,926
PUGET SOUND NEARSHORE MARINE HABITAT RESTORATION, WA						
SUBTOTAL, ITEMS UNDER STATES	450	31,771	20,726	450	31,771	17,926
REMAINING ITEMS						
ADDITIONAL FUNDING FOR ONGOING WORK:						
FLOOD AND STORM DAMAGE REDUCTION					2,000	
FLOOD CONTROL					9,000	
SHORE PROTECTION					5,000	
NAVIGATION					3,000	
COASTAL AND DEEP-DRAFT					6,000	
INLAND					4,000	
SMALL, REMOTE, OR SUBSISTENCE					3,000	
OTHER AUTHORIZED PROJECT PURPOSES					2,000	
ENVIRONMENTAL RESTORATION OR COMPLIANCE					2,000	
REMOTE, COASTAL, OR SMALL WATERSHED					3,000	
COORDINATION STUDIES WITH OTHER AGENCIES:						
ACCESS TO WATER DATA		750			750	
COMMITTEE ON MARINE TRANSPORTATION SYSTEMS		100			100	
OTHER COORDINATION PROGRAMS:						
CALFED		100			100	
CHESAPEAKE BAY PROGRAM		75			75	
COORDINATION WITH OTHER WATER RESOURCE AGENCIES		500			500	
GULF OF MEXICO		100			100	
INTERAGENCY AND INTERNATIONAL SUPPORT		500			500	
INTERAGENCY WATER RESOURCE DEVELOPMENT		955			955	
INVENTORY OF DAMS		400			400	
LAKE TAHOE		100			100	
PACIFIC NW FOREST CASE		10			10	
SPECIAL INVESTIGATIONS		1,350			1,350	
FERC LICENSING		200			200	
PLANNING ASSISTANCE TO STATES		4,000			4,300	
COLLECTION AND STUDY OF BASIC DATA:						
AUTOMATED INFORMATION SYSTEMS SUPPORT TRI-CADD		350			350	
COASTAL FIELD DATA COLLECTION		1,000			1,000	
ENVIRONMENTAL DATA STUDIES		75			75	
FLOOD DAMAGE DATA		220			220	
FLOOD PLAIN MANAGEMENT SERVICES		9,500			9,500	
HYDROLOGIC STUDIES		250			250	
INTERNATIONAL WATER STUDIES		200			200	

CORPS OF ENGINEERS—GENERAL INVESTIGATIONS—Continued
 [In thousands of dollars]

Project title	Budget estimate			Committee recommendation		
	RECON	FEAS	PED	RECON	FEAS	PED
PRECIPITATION STUDIES		225			225	
REMOTE SENSING/GEOGRAPHIC INFORMATION SYSTEM SUPPORT		75			75	
SCIENTIFIC AND TECHNICAL INFORMATION CENTERS		50			50	
STREAM GAGING		550			550	
TRANSPORTATION SYSTEMS		950			950	
RESEARCH AND DEVELOPMENT		16,143			16,143	
OTHER—MISCELLANEOUS:						
INDEPENDENT PEER REVIEW		300			300	
NATIONAL FLOOD RISK MANAGEMENT PROGRAM		2,850			2,850	
NATIONAL SHORELINE		675			675	
PLANNING SUPPORT PROGRAM		4,000			4,000	
TRIBAL PARTNERSHIP PROGRAM		500			500	
WATER RESOURCES PRIORITIES STUDY		2,000				
SUBTOTAL		49,053			86,353	
SAVINGS AND SLIPPAGE					-11,500	
TOTAL	450	80,824	20,726	450	106,624	17,926
GRAND TOTAL	102,000				125,000	

Savannah Harbor Expansion, Georgia.—The Committee has not funded this item in the GI account as recommended by the administration. The Committee has transferred the budget request to the Construction, General account where the Committee has funded it every year since fiscal year 2009.

Additional Funding for Ongoing Work.—The fiscal year 2013 budget request does not reflect the extent of need for project studies funding. The Corps has numerous continuing studies that will be suspended under the limits of the budget request. These studies could lead to projects with significant economic benefits, particularly by increasing national competitiveness through marine transportation improvements and by avoiding damages caused by flooding and coastal storms. The Committee recommends additional funds to continue ongoing studies. None of these funds may be used for any item where funding was specifically denied. While this additional funding is shown in the feasibility column, the Corps should utilize these funds in any applicable phase of work. The intent of these funds is for ongoing work that either was not included in the administration’s request or was inadequately budgeted.

Ongoing studies that are actively progressing and can utilize the funding in a timely manner are eligible for these additional funds. The five new study starts directed as part of the work plan shall be funded from the appropriate additional funding line item. It should be understood that the Committee intends that there be only 10 new study starts in fiscal year 2013 owing to current and anticipated future budget constraints. Funding associated with each category may be allocated to any eligible study within that category; funding associated with each subcategory may be allocated only to eligible studies within that subcategory. The list of subcategories is not meant to be exhaustive. The Committee directs that priority in allocating these funds be given to funding the five new starts directed by the Committee, completing or accelerating ongoing studies which will enhance the Nation’s economic development, job growth and international competitiveness, or are for projects located in areas that have suffered recent natural disasters.

Within 45 days of enactment of this act, the Corps shall provide to the House and Senate Committees on Appropriations a work plan delineating how these funds are to be distributed and in which phase the work is to be accomplished. The Committee directs that a listing should accompany the work plan showing all the ongoing studies that were considered eligible and could have used funding for fiscal year 2013 and the reasons why these items were considered as being less competitive for inclusion in the work plan.

Water Resources Priorities Study.—No funding is included for this new item.

CONSTRUCTION, GENERAL

Appropriations, 2012	\$1,694,000,000
Budget estimate, 2013	1,471,000,000
Committee recommendation	1,700,000,000

This appropriation includes funds for construction, major rehabilitation and related activities for water resources development projects having navigation, flood and storm damage reduction,

water supply, hydroelectric, environmental restoration, and other attendant benefits to the Nation. The construction and major rehabilitation for designated projects for inland and costal waterways will derive one-half of the funding from the Inland Waterways Trust Fund. Funds to be derived from the Harbor Maintenance Trust Fund will be applied to cover the Federal share of the Dredged Material Disposal Facilities Program.

The administration request for the Construction, General account is \$1,471,000,000, a decrease of \$223,000,000 from the fiscal year 2012 enacted amount. By the Committee's estimate, less than 60 percent of the needed funding is available in this account. Construction will slip due to constrained funding and benefits to the national economy will be deferred. As the Committee has noted over the last 7 years the funding proposed for this account appears to be "pennywise and pound foolish." Lack of investment in this infrastructure will inevitably lead to another Katrina-style disaster somewhere in the Nation, whether it is a catastrophic failure on the Inland Waterways System or overwhelmed, incomplete or damaged flood control or shore protection infrastructure. When that failure occurs, we will expend billions trying to restore or accelerate the construction of the infrastructure that failed all the while lamenting how this could have been allowed to happen.

The Committee recommendation includes \$1,700,000,000 in new budget authority for this account. The Committee recognizes that this is considerably less than the needs in the program but is the best that can be accomplished in this constrained fiscal environment.

The Committee has provided for six new construction starts in fiscal year 2013—three new construction starts proposed in the budget request and three to be selected based on the Corps' prioritization process and included as a part of the Construction, General work plan.

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

CORPS OF ENGINEERS—CONSTRUCTION, GENERAL

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
CALIFORNIA		
AMERICAN RIVER WATERSHED (COMMON FEATURES), CA	6,400	6,400
AMERICAN RIVER WATERSHED (FOLSOM DAM MODIFICATIONS), CA	86,700	86,700
AMERICAN RIVER WATERSHED (FOLSOM DAM RAISE), CA	5,100	5,100
HAMILTON AIRFIELD WETLANDS RESTORATION, CA	2,200	2,200
HAMILTON CITY, CA	7,500	7,500
NAPA RIVER, SALT MARSH RESTORATION, CA	2,500	2,500
OAKLAND HARBOR (50 FOOT PROJECT), CA	500	500
SACRAMENTO RIVER BANK PROTECTION PROJECT, CA	3,000	3,000
SANTA ANA RIVER MAINSTEM, CA	7,200	7,200
SUCCESS DAM, TULE RIVER, CA (DAM SAFETY)	3,000	3,000
YUBA RIVER BASIN, CA	1,800	1,800
DELAWARE		
DELAWARE BAY COASTLINE, ROOSEVELT INLET TO LEWES BEACH	350	350

CORPS OF ENGINEERS—CONSTRUCTION, GENERAL—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
FLORIDA		
BREVARD COUNTY, CANAVERAL HARBOR, FL	350	350
DUVAL COUNTY, FL	100	100
FORT PIERCE BEACH, FL	350	350
HERBERT HOOVER DIKE, FL (SEEPAGE CONTROL)	153,000	153,000
JACKSONVILLE HARBOR, FL	3,195	3,195
MANATEE COUNTY, FL	100	100
MARTIN COUNTY, FL	350	350
NASSAU COUNTY, FL	350	350
SOUTH FLORIDA ECOSYSTEM RESTORATION, FL	153,324	153,324
ST. JOHN'S COUNTY, FL	350	350
TAMPA HARBOR, FL	8,305	8,305
GEORGIA		
LOWER SAVANNAH RIVER BASIN, GA	30	30
RICHARD B. RUSSELL DAM AND LAKE, GA AND SC	1,000	1,000
SAVANNAH HARBOR DISPOSAL AREAS, GA AND SC	8,817	8,817
SAVANNAH HARBOR EXPANSION, GA		2,800
TYBEE ISLAND, GA	150	150
ILLINOIS		
CHAIN OF ROCKS CANAL, MISSISSIPPI RIVER, IL (DEF CORR)	3,000	3,000
CHICAGO SANITARY AND SHIP CANAL DISPERSAL BARRIER, IL	24,500	24,500
DES PLAINES RIVER, IL	2,300	2,300
EAST ST. LOUIS, IL	1,290	1,290
ILLINOIS WATERWAY, LOCKPORT LOCK AND DAM, IL (MAJOR REHAB)	3,600	3,600
LOCK AND DAM 27, MISSISSIPPI RIVER, IL (MAJOR REHAB)	850	850
MCCOOK AND THORNTON RESERVOIRS, IL	12,000	12,000
OLMSTED LOCKS AND DAM, OHIO RIVER, IL AND KY	144,000	144,000
UPPER MISSISSIPPI RIVER RESTORATION, IL, IA, MN, MO	17,880	17,880
WOOD RIVER LEVEE, DEFICIENCY CORRECTION AND RECONSTRUCTION	4,202	4,202
IOWA		
MISSOURI RIVER FISH AND WILDLIFE RECOVERY, IA, KS, MO	90,000	90,000
KANSAS		
TURKEY CREEK BASIN, KS AND MO	4,000	4,000
KENTUCKY		
WOLF CREEK DAM, LAKE CUMBERLAND, KY	85,000	85,000
LOUISIANA		
CALCASIEU RIVER AND PASS, LA	5,223	5,223
J. BENNETT JOHNSTON WATERWAY, LA	2,000	2,000
LAROSE TO GOLDEN MEADOW, LA (HURRICANE PROTECTION)	5,000	5,000
LOUISIANA COASTAL AREA ECOSYSTEM RESTORATION, LA	16,825	16,825
MARYLAND		
ASSATEAGUE, MD	1,200	1,200
CHESAPEAKE BAY OYSTER RECOVERY, MD AND VA	5,000	5,000
POPLAR ISLAND, MD	13,500	13,500
MASSACHUSETTS		
MUDDY RIVER, MA	5,000	5,000
MISSOURI		
BLUE RIVER CHANNEL, KANSAS CITY, MO	1,000	1,000
KANSAS CITYS, MO AND KS	7,734	7,734
MISSISSIPPI RIVER BETWEEN THE OHIO AND MISSOURI RIVERS	7,938	7,938
MONARCH—CHESTERFIELD, MO	2,340	2,340
ST. LOUIS FLOOD PROTECTION, MO	200	200

CORPS OF ENGINEERS—CONSTRUCTION, GENERAL—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
NEW JERSEY		
BARNEGAT INLET TO LITTLE EGG HARBOR INLET, NJ	600	600
CAPE MAY INLET TO LOWER TOWNSHIP, NJ	200	200
DELAWARE RIVER MAIN CHANNEL, NJ, PA, AND DE	31,000	31,000
GREAT EGG HARBOR INLET AND PECK BEACH, NJ	7,000	7,000
LOWER CAPE MAY MEADOWS, CAPE MAY POINT, NJ	400	400
RARITAN BAY AND SANDY HOOK BAY, PORT MONMOUTH, NJ	1,000	1,000
RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NJ	1,000	1,000
NEW MEXICO		
RIO GRANDE FLOODWAY, SAN ACACIA TO BOSQUE DEL APACHE,	10,000	10,000
SOUTHWEST VALLEY FLOOD DAMAGE REDUCTION, ALBUQUERQUE, NM	5,709	5,709
NEW YORK		
ATLANTIC COAST OF NYC, ROCKAWAY INLET TO NORTON POINT, NY	100	100
FIRE ISLAND INLET TO MONTAUK POINT, NY	5,550	5,550
LONG BEACH ISLAND, NY	500	500
NEW YORK AND NEW JERSEY HARBOR, NY AND NJ	68,000	68,000
NORTH CAROLINA		
MANTEO (SHALLOWBAG) BAY, NC	600	600
WEST ONSLOW BEACH AND NEW RIVER INLET, NC	200	200
WILMINGTON HARBOR, NC	7,200	7,200
OHIO		
BOLIVAR DAM, OH (DAM SAFETY)	13,800	13,800
DOVER DAM, MUSKINGUM RIVER, OH (DAM SAFETY)	1,750	1,750
OKLAHOMA		
CANTON LAKE, OK	6,000	6,000
OREGON		
COLUMBIA RIVER TREATY FISHING ACCESS SITES, OR AND WA	350	350
ELK CREEK LAKE, OR	194	194
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR AND WA	3,650	3,650
PENNSYLVANIA		
EAST BRANCH CLARION RIVER LAKE, PA	15,000	15,000
LOCKS AND DAMS 2, 3, AND 4, MONONGAHELA RIVER, PA	36,650	36,650
PRESQUE ISLE PENINSULA, PA (PERMANENT)	1,500	1,500
PUERTO RICO		
PORTUGUES AND BUCANA RIVERS, PR	6,000	6,000
RIO PUERTO NUEVO, PR	14,250	14,250
SOUTH CAROLINA		
FOLLY BEACH, SC	400	400
TENNESSEE		
CENTER HILL LAKE, TN	75,000	75,000
TEXAS		
BRAYS BAYOU, HOUSTON, TX	2,100	2,100
LOWER COLORADO RIVER BASIN (WHARTON/ONION), TX	2,000	2,000
SIMS BAYOU, HOUSTON, TX	2,171	2,171
VIRGINIA		
LEVISA AND TUG FORKS AND UPPER CUMBERLAND RIVER, VA	2,075	2,075
ROANOKE RIVER UPPER BASIN, HEADWATERS AREA, VA	300	300

CORPS OF ENGINEERS—CONSTRUCTION, GENERAL—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
WASHINGTON		
COLUMBIA RIVER FISH MITIGATION, WA, OR, AND ID	98,000	98,000
DUWAMISH AND GREEN RIVER BASIN, WA	2,500	2,500
HOWARD HANSON DAM, WA	6,000	6,000
LOWER SNAKE RIVER FISH AND WILDLIFE COMPENSATION, WA	2,000	2,000
MOUNT SAINT HELENS SEDIMENT CONTROL, WA	3,500	3,500
MUD MOUNTAIN DAM, WA	750	750
WEST VIRGINIA		
BLUESTONE LAKE, WV	10,000	10,000
WISCONSIN		
GREEN BAY HARBOR, WI	7,000	7,000
SUBTOTAL, ITEMS UNDER STATES	1,373,602	1,376,402
REMAINING ITEMS		
ADDITIONAL FUNDING FOR ONGOING WORK:		
FLOOD AND STORM DAMAGE REDUCTION		30,000
FLOOD CONTROL		50,000
SHORE PROTECTION		40,000
NAVIGATION		30,000
INLAND WATERWAYS TRUST FUND PROJECTS		72,000
OTHER AUTHORIZED PROJECT PURPOSES		9,000
ENVIRONMENTAL RESTORATION OR COMPLIANCE		8,000
ENVIRONMENTAL INFRASTRUCTURE PROJECTS		40,000
HYDROPOWER PROJECTS		9,000
AQUATIC PLANT CONTROL PROGRAM		4,000
CONTINUING AUTHORITIES PROJECTS NOT REQUIRING SPECIFIC:		
AQUATIC ECOSYSTEM RESTORATION (SECTION 206)	4,034	8,000
BENEFICIAL USES OF DREDGED MATERIAL (SECTIONS 204)	4,995	7,500
EMERGENCY STREAMBANK AND SHORELINE PROTECTION		5,000
FLOOD CONTROL PROJECTS (SECTION 205)	4,978	7,500
NAVIGATION MITIGATION PROJECT (SECTION 111)	4,806	6,000
NAVIGATION PROGRAM (SECTION 107)		1,000
PROJECT MODIFICATIONS FOR IMPROVEMENT OF THE ENVIRONMENT	5,249	7,500
SHORE PROTECTION (SECTION 103)		2,500
DAM SAFETY AND SEEPAGE/STABILITY CORRECTION PROGRAM	47,750	47,750
EMPLOYEES' COMPENSATION	23,726	20,226
INLAND WATERWAYS USERS BOARD—BOARD EXPENSE	60	60
INLAND WATERWAYS USERS BOARD—CORPS EXPENSE	800	800
ESTUARY RESTORATION PROGRAM (PUBLIC LAW 106-457)	1,000	1,000
RESTORATION OF ABANDONED MINES		1,000
SUBTOTAL	97,398	407,836
SAVINGS AND SLIPPAGE		— 84,238
TOTAL	1,471,000	1,700,000

Savannah Harbor Expansion, Georgia.—The administration budget request for this item that was proposed in the GI account has been moved to this account where it has been funded since fiscal year 2009.

Additional Funding for Ongoing Work.—The Corps has ongoing, authorized construction projects that would cost tens of billions of dollars to complete, yet the administration continues to request a mere fraction of the funding necessary to complete those projects. The Committee recommends additional funds to continue ongoing

projects and activities to enhance the Nation's economic growth and international competitiveness. The intent of these funds is for ongoing work that either was not included in the administration's request or was inadequately budgeted. None of these funds shall be used for projects in the Continuing Authorities Program. Funding associated with each category may be allocated to any eligible project within that category; funding associated with each subcategory may be allocated only to eligible projects within that subcategory. The list of subcategories is not meant to be exhaustive.

Ongoing construction projects that are actively progressing and can utilize the funding in a timely manner are eligible for these additional funds. This includes periodic beach renourishments. The three new project starts directed as part of the work plan shall be funded from the appropriate additional funding line-item. The Committee intends only six new construction starts in fiscal year 2013, the three proposed by the administration in the budget request and three additional new starts provided by the Committee but selected by the administration. Priority in allocating additional funding should consider the following: number of jobs created directly by the funded activity; the benefits of the funded work to the national economy; ability to obligate the funds allocated within the fiscal year, including consideration of the ability of the non-Federal sponsor to provide any required cost-share; ability to complete the project, separable element, or project phase within the funds allocated; for flood and storm damage reduction, population at risk and economic activity or public infrastructure at risk; and for navigation, number of jobs or level of economic activity to be supported by completion of the project, separable element, or project phase. A major factor to be considered for prioritizing inland waterway funding is the economic impact on the local, regional, and national economy if the project is not funded. In addition, priority should be given to discrete elements of work that can be completed within the funding provided in this line item.

Within 45 days of enactment of this act, the Corps shall provide to the House and Senate Committees on Appropriations a work plan delineating how these funds are to be distributed. The Committee directs that a listing should accompany the work plan showing all the ongoing construction projects that were considered eligible and could have used funding for fiscal year 2013 and the reasons why these items were considered as being less competitive for inclusion in the work plan.

Continuing Authorities Program [CAP].—The Continuing Authorities Program (projects which do not require specific authorizing legislation) includes projects for flood control (section 205), emergency streambank and shoreline protection (section 14), beach erosion control (section 103), mitigation of shore damages (section 111), navigation projects (section 107), snagging and clearing (section 208), aquatic ecosystem restoration (section 206), beneficial uses of dredged material (section 204), and project modifications for improvement of the environment (section 1135). The Committee has chosen to fund eight of the nine sections of the CAP program rather than only the five sections proposed in the budget request. The Committee has not funded section 208 as it believes these projects can easily be accommodated under the authority of section

205. The Committee believes that CAP funds should be expended for the CAP sections for which they were appropriated and should be executed as quickly as possible. The Committee continues to believe that the various sections of the CAP program provide a useful tool for the Corps to undertake small localized projects without being encumbered by the lengthy study and authorization phases typical of most Corps projects.

The Committee has included a total of \$45,000,000 spread over the eight CAP sections for work in fiscal year 2013. The Committee urges the administration to execute the program laid out by the Committee and include funding for this program in future budgets.

Continuing Authorities Program Direction.—For each CAP section, available funds shall be allocated utilizing this sequence of steps until the funds are exhausted:

- capability-level funds for ongoing projects that have executed cost-sharing agreements for the applicable phase;
- capability-level funds for projects that are ready for execution of new cost-sharing agreements for the applicable phase and for which Corps headquarters authorizes execution of the agreements;
- funds, as permitted by Corps policies, for other projects previously funded for the applicable phase but not ready for execution of new cost-sharing agreements; and
- funds as permitted by Corps policies, for projects not previously funded for the applicable phase.

Funds shall be allocated by headquarters to the appropriate Field Operating Agency [FOA] for projects requested by that FOA. If the FOA finds that the study/project for which funds were requested cannot go forward, the funds are to be returned to Corps headquarters to be reallocated based on the nationwide priority listing. In no case should the FOA retain these funds for use on a different project than the one for which the funds were requested without the explicit approval of the Corps' headquarters.

Within the step at which available funds are exhausted for each CAP section, funds shall be allocated to the projects in that section that rank high according to the following factors: high overall performance based on outputs; high percent fiscally complete; and high unobligated carry-in. Section 14 funds shall be allocated to the projects that address the most significant risks and adverse consequences, irrespective of phase or previous funding history.

The Corps shall continue the ongoing process for suspending and terminating inactive projects. Suspended projects shall not be reactivated or funded unless the sponsor reaffirms in writing its support for the project and establishes its willingness and capability to execute its project responsibilities.

In order to provide a mix of studies, design and construction within each CAP section, the Corps is directed to divide the funding generally 80/20 between the Design and Implementation and the Feasibility phases within each authority. The Chief of Engineers shall provide a report to the Committees on Appropriations within 30 days of enactment of this act detailing how funds will be distributed to the individual items in the various CAP sections for the fiscal year. The Chief shall also provide an annual report at the end of each fiscal year detailing the progress made on the backlog

of projects. The report should include the completions and terminations as well as progress of ongoing work.

The Corps may initiate new continuing authorities projects in all sections as funding allows. New projects may be initiated after an assessment is made that such projects can be funded over time based on historical averages of the appropriation for that section and after prior approval by the Committees on Appropriations.

Restoration of Abandoned Mines.—The Corps is directed to work closely with those Federal land management agencies, Western States and tribes with abandoned non-coal mine sites so that the greatest number of those sites presenting threats to public health and safety can be addressed in a cost-effective manner.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

Appropriations, 2012	\$252,000,000
Budget estimate, 2013	234,000,000
Committee recommendation	253,000,000

This appropriation funds planning, construction, and operation and maintenance activities associated with water resource projects located in the lower Mississippi River Valley from Cape Girardeau, Missouri to the Gulf of Mexico.

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

MISSISSIPPI RIVER AND TRIBUTARIES

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
INVESTIGATIONS		
MEMPHIS METRO AREA, STORM WATER MANAGEMENT STUDY, TN	100	100
SUBTOTAL, INVESTIGATIONS	100	100
CONSTRUCTION		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO, AND TN	46,133	46,133
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO, AND TN	45,187	45,187
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	1,650	1,650
ATCHAFALAYA BASIN, LA	6,300	6,300
SUBTOTAL, CONSTRUCTION	99,270	99,270
OPERATION AND MAINTENANCE		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO, AND TN	56,001	56,001
HELENA HARBOR, PHILLIPS COUNTY, AR	158	158
INSPECTION OF COMPLETED WORKS, AR	250	250
LOWER ARKANSAS RIVER, NORTH BANK, AR	287	287
LOWER ARKANSAS RIVER, SOUTH BANK, AR	193	193
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO, AND TN	8,452	8,452
ST. FRANCIS BASIN, AR AND MO	5,900	5,900
TENSAS BASIN, BOEUF AND TENSAS RIVERS, AR AND LA	1,839	1,839
WHITE RIVER BACKWATER, AR	1,142	1,142
INSPECTION OF COMPLETED WORKS, IL	170	170
INSPECTION OF COMPLETED WORKS, KY	100	100
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	1,738	1,738
ATCHAFALAYA BASIN, LA	9,747	9,747
BATON ROUGE HARBOR, DEVIL SWAMP, LA	60	60
BAYOU COCODRIE AND TRIBUTARIES, LA	46	46

MISSISSIPPI RIVER AND TRIBUTARIES—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
BONNET CARRE, LA	2,195	2,195
INSPECTION OF COMPLETED WORKS, LA	997	997
LOWER RED RIVER, SOUTH BANK LEVEES, LA	368	368
MISSISSIPPI DELTA REGION, LA	472	472
OLD RIVER, LA	8,050	8,050
TENSAS BASIN, RED RIVER BACKWATER, LA	2,414	2,414
GREENVILLE HARBOR, MS	23	23
INSPECTION OF COMPLETED WORKS, MS	121	121
VICKSBURG HARBOR, MS	41	41
YAZOO BASIN, ARKABUTLA LAKE, MS	5,203	5,203
YAZOO BASIN, BIG SUNFLOWER RIVER, MS	177	177
YAZOO BASIN, ENID LAKE, MS	4,795	4,795
YAZOO BASIN, GREENWOOD, MS	788	788
YAZOO BASIN, GRENADA LAKE, MS	5,222	5,222
YAZOO BASIN, MAIN STEM, MS	1,273	1,273
YAZOO BASIN, SARDIS LAKE, MS	6,493	6,493
YAZOO BASIN, TRIBUTARIES, MS	944	944
YAZOO BASIN, WILL M. WHITTINGTON AUXILIARY CHANNEL, MS	375	375
YAZOO BASIN, YAZOO BACKWATER AREA, MS	511	511
YAZOO BASIN, YAZOO CITY, MS	714	714
INSPECTION OF COMPLETED WORKS, MO	200	200
WAPPAPPELLO LAKE, MO	4,064	4,064
INSPECTION OF COMPLETED WORKS, TN	80	80
MEMPHIS HARBOR, MCKELLAR LAKE, TN	1,464	1,464
SUBTOTAL, OPERATION AND MAINTENANCE	133,067	133,067
REMAINING ITEMS		
ADDITIONAL FUNDING FOR ONGOING WORK:		
DREDGING		5,000
FLOOD CONTROL		10,000
WATER SUPPLY AND RELATED AUTHORIZED PURPOSES		10,000
OTHER AUTHORIZED PROJECT PURPOSES		5,000
COLLECTION AND STUDY OF BASIC DATA	500	500
MAPPING	1,063	1,063
SUBTOTAL REMAINING ITEMS	1,563	31,563
REDUCTION FOR SAVINGS AND SLIPPAGE		— 11,000
TOTAL, MISSISSIPPI RIVER AND TRIBUTARIES	234,000	253,000

Additional Funding for Ongoing Work.—The Committee recommendation includes additional funds above the budget request to continue ongoing studies, projects or maintenance. The Committee recommends that these funds be used for flood control, navigation, water supply, ground water protection, waterfowl management, bank stabilization, and environmental restoration work. The intent of these funds is for ongoing work primarily along the Mississippi River tributaries that either was not included in the administration's request or was inadequately budgeted. While this additional funding is shown under remaining items, the Corps should utilize these funds in any applicable phase of work. None of these funds may be used to start new projects or activities.

The Committee directs that priority in allocating these funds be given to completing or accelerating ongoing work which will enhance the region and Nation's economic development, job growth and international competitiveness, or is located in areas that have

suffered recent natural disasters. Within 45 days of enactment of this act, the Corps shall provide to the House and Senate Committees on Appropriations a work plan delineating how these funds are to be distributed. The Committee directs that a listing should accompany the work plan showing all the studies and construction projects that were considered eligible and could have used funding for fiscal year 2013 and the reasons why these items were considered as being less competitive for inclusion in the work plan.

OPERATION AND MAINTENANCE, GENERAL

Appropriations, 2012	\$2,412,000,000
Budget estimate, 2013	2,398,000,000
Committee recommendation	2,404,000,000

This appropriation funds operation, maintenance, and related activities at the water resources projects that the Corps operates and maintains. Work to be accomplished consists of dredging, repair, and operation of structures and other facilities, as authorized in the various river and harbor, flood control, and water resources development acts. Related activities include aquatic plant control, monitoring of completed projects where appropriate, removal of sunken vessels, and the collection of domestic waterborne commerce statistics.

Maintenance of our aging water infrastructure inventory gets more expensive every year, however, it is consistently underfunded. If this trend continues, the Corps will not be able to maintain expected levels of service at all of its projects. The Committee is pleased that the budget request increases spending from the Harbor Maintenance Trust Fund by \$90,000,000 over the fiscal year 2012 budget request, but by the Committee’s estimate, the estimate of \$848,000,000 that is anticipated to be expended from the Harbor Maintenance Trust Fund in fiscal year 2013 is \$43,000,000 below the fiscal year 2012 enacted amount.

The Committee has maintained its tradition of supporting what the budget request terms as “low use harbors and waterways.” The Committee recognizes the importance of these facilities and will continue to provide funding for them. The Committee understands that the O&M budget fluctuates from year to year due to periodic maintenance dredging requirements, however, the general trend should be for this budget to increase. Nearly 75 percent of the O&M budget consists of labor and dredging costs in most years. Labor costs rarely decrease for the Corps as it takes roughly the same amount of manpower to operate Corps projects on a yearly basis. That means that when the budget request is reduced, the only areas available to reduce are dredging and maintenance items.

The Committee understands that the Corps is looking at a variety of ways to reduce costs for operation and maintenance [O&M] of projects—including reducing operations at locks and dams. The Committee believes that in the current fiscal environment it is appropriate to look at all manner of cost-savings ideas, but that any options that involve major changes should be discussed with the Committee before they appear in an administration budget request.

The Corps is to be commended for managing to keep as much of their infrastructure operable as they have with the O&M budgets that have been put forward and enacted. The Committee urges the

administration to commit to a more realistic budget for O&M in future fiscal years.

The budget request and the Committee recommendation are shown on the following table:

CORPS OF ENGINEERS—OPERATION AND MAINTENANCE

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
ALABAMA		
ALABAMA-COOSA COMPREHENSIVE WATER STUDY, AL	246	246
ALABAMA RIVER LAKES, AL	14,926	14,926
BLACK WARRIOR AND TOMBIGBEE RIVERS, AL	20,971	20,971
GULF INTRACOASTAL WATERWAY, AL	5,608	5,608
INSPECTION OF COMPLETED WORKS, AL	80	80
MOBILE HARBOR, AL	30,071	30,071
PROJECT CONDITION SURVEYS, AL	100	100
TENNESSEE-TOMBIGBEE WATERWAY WILDLIFE MITIGATION, AL	1,901	1,901
TENNESSEE-TOMBIGBEE WATERWAY, AL AND MS	22,852	22,852
WALTER F. GEORGE LOCK AND DAM, AL AND GA	8,042	8,042
ALASKA		
ANCHORAGE HARBOR, AK	13,930	13,930
CHENA RIVER LAKES, AK	3,328	3,328
DILLINGHAM HARBOR, AK	1,000	1,000
HOMER HARBOR, AK	467	467
INSPECTION OF COMPLETED WORKS, AK	210	210
NINILCHIK HARBOR, AK	454	454
NOME HARBOR, AK	1,151	1,151
PROJECT CONDITION SURVEYS, AK	561	561
ARIZONA		
ALAMO LAKE, AZ	1,621	1,621
INSPECTION OF COMPLETED WORKS, AZ	101	101
PAINTED ROCK DAM, AZ	1,236	1,236
SCHEDULING RESERVOIR OPERATIONS, AZ	157	157
WHITLOW RANCH DAM, AZ	297	297
ARKANSAS		
BEAVER LAKE, AR	5,929	5,929
BLAKELY MOUNTAIN DAM, LAKE OUACHITA, AR	8,534	8,534
BLUE MOUNTAIN LAKE, AR	1,864	1,864
BULL SHOALS LAKE, AR	6,672	6,672
DARDANELLE LOCK AND DAM, AR	8,912	8,912
DEGRAY LAKE, AR	6,881	6,881
DEQUEEN LAKE, AR	1,870	1,870
DIERKS LAKE, AR	1,567	1,567
GILLHAM LAKE, AR	1,463	1,463
GREERS FERRY LAKE, AR	6,444	6,444
HELENA HARBOR, PHILLIPS COUNTY, AR	74	74
INSPECTION OF COMPLETED WORKS, AR	448	448
MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR	24,961	24,961
MILLWOOD LAKE, AR	2,680	2,680
NARROWS DAM, LAKE GREESON, AR	4,659	4,659
NIMROD LAKE, AR	2,020	2,020
NORFORK LAKE, AR	8,146	8,146
OSCEOLA HARBOR, AR	13	13
OUACHITA AND BLACK RIVERS, AR AND LA	7,507	7,507
OZARK-JETA TAYLOR LOCK AND DAM, AR	5,188	5,188
WHITE RIVER, AR	39	39
YELLOW BEND PORT, AR	3	3
CALIFORNIA		
BLACK BUTTE LAKE, CA	2,259	2,259

CORPS OF ENGINEERS—OPERATION AND MAINTENANCE—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
BUCHANAN DAM, H.V. EASTMAN LAKE, CA	1,919	1,919
CHANNEL ISLANDS HARBOR, CA	4,500	4,500
COYOTE VALLEY DAM, LAKE MENDOCINO, CA	3,624	3,624
DRY CREEK (WARM SPRINGS) LAKE AND CHANNEL, CA	6,697	6,697
FARMINGTON DAM, CA	450	450
HIDDEN DAM, HENSLEY LAKE, CA	2,018	2,018
HUMBOLDT HARBOR AND BAY, CA	1,905	1,905
INSPECTION OF COMPLETED WORKS, CA	3,686	3,686
ISABELLA LAKE, CA	1,080	1,080
LOS ANGELES-LONG BEACH HARBORS, CA	265	265
LOS ANGELES COUNTY DRAINAGE AREA, CA	5,053	5,053
MERCED COUNTY STREAMS, CA	350	350
MOJAVE RIVER DAM, CA	331	331
MORRO BAY HARBOR, CA	2,200	2,200
NEW HOGAN LAKE, CA	3,971	3,971
NEW MELONES LAKE, DOWNSTREAM CHANNEL, CA	1,806	1,806
OAKLAND HARBOR, CA	17,200	17,200
OCEANSIDE HARBOR, CA	1,600	1,600
PINE FLAT LAKE, CA	3,218	3,218
PROJECT CONDITION SURVEYS, CA	1,707	1,707
RICHMOND HARBOR, CA	10,700	10,700
SACRAMENTO RIVER (30 FOOT PROJECT), CA	1,443	1,443
SACRAMENTO RIVER AND TRIBUTARIES (DEBRIS CONTROL), CA	1,382	1,382
SACRAMENTO RIVER SHALLOW DRAFT CHANNEL, CA	200	200
SAN FRANCISCO BAY DELTA MODEL STRUCTURE, CA	901	901
SAN FRANCISCO HARBOR AND BAY, CA (DRIFT REMOVAL)	3,000	3,000
SAN FRANCISCO HARBOR, CA	2,850	2,850
SAN JOAQUIN RIVER, PORT OF STOCKTON, CA	5,525	5,525
SAN PABLO BAY AND MARE ISLAND STRAIT, CA	2,500	2,500
SANTA ANA RIVER BASIN, CA	3,988	3,988
SANTA BARBARA HARBOR, CA	2,240	2,240
SCHEDULING RESERVOIR OPERATIONS, CA	1,587	1,587
SUCCESS LAKE, CA	2,328	2,328
SUISUN BAY CHANNEL, CA	2,500	2,500
TERMINUS DAM, LAKE KAWEAH, CA	2,069	2,069
YUBA RIVER, CA	121	121
COLORADO		
BEAR CREEK LAKE, CO	840	840
CHATFIELD LAKE, CO	1,445	1,445
CHERRY CREEK LAKE, CO	1,518	1,518
INSPECTION OF COMPLETED WORKS, CO	489	489
JOHN MARTIN RESERVOIR, CO	2,315	2,315
SCHEDULING RESERVOIR OPERATIONS, CO	748	748
TRINIDAD LAKE, CO	2,012	2,012
CONNECTICUT		
BLACK ROCK LAKE, CT	518	518
COLEBROOK RIVER LAKE, CT	884	884
HANCOCK BROOK LAKE, CT	415	415
HOP BROOK LAKE, CT	956	956
INSPECTION OF COMPLETED WORKS, CT	267	267
LONG ISLAND SOUND DMMP, CT	2,500	2,500
MANSFIELD HOLLOW LAKE, CT	595	595
NORTHFIELD BROOK LAKE, CT	438	438
PROJECT CONDITION SURVEYS, CT	1,050	1,050
STAMFORD HURRICANE BARRIER, CT	563	563
THOMASTON DAM, CT	783	783
WEST THOMPSON LAKE, CT	655	655
DELAWARE		
INSPECTION OF COMPLETED WORKS, DE	40	40

CORPS OF ENGINEERS—OPERATION AND MAINTENANCE—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
INTRACOASTAL WATERWAY, DELAWARE RIVER TO CHESAPEAKE BAY	17,375	17,375
PROJECT CONDITION SURVEYS, DE	200	200
WILMINGTON HARBOR, DE	4,305	4,305
DISTRICT OF COLUMBIA		
INSPECTION OF COMPLETED WORKS, DC	25	25
POTOMAC AND ANACOSTIA RIVERS, DC (DRIFT REMOVAL)	875	875
PROJECT CONDITION SURVEYS, DC	25	25
WASHINGTON HARBOR, DC	25	25
FLORIDA		
CANAVERAL HARBOR, FL	4,700	4,700
CENTRAL AND SOUTHERN FLORIDA, FL	14,444	14,444
ESCAMBIA AND CONECHU RIVERS, FL AND AL	1,600	1,600
INSPECTION OF COMPLETED WORKS, FL	1,400	1,400
JACKSONVILLE HARBOR, FL	6,063	6,063
JIM WOODRUFF LOCK AND DAM, LAKE SEMINOLE, FL, AL AND GA	6,936	6,936
MIAMI HARBOR, FL	4,334	4,334
OKEECHOBEE WATERWAY, FL	3,000	3,000
PALM BEACH HARBOR, FL	2,500	2,500
PORT EVERGLADES HARBOR, FL	3,084	3,084
PROJECT CONDITION SURVEYS, FL	1,647	1,647
REMOVAL OF AQUATIC GROWTH, FL	3,250	3,250
SCHEDULING RESERVOIR OPERATIONS, FL	22	22
SOUTH FLORIDA ECOSYSTEM RESTORATION, FL	7,783	7,783
TAMPA HARBOR, FL	8,150	8,150
WATER/ENVIRONMENTAL CERTIFICATION, FL	80	80
GEORGIA		
ALLATOONA LAKE, GA	7,301	7,301
APALACHICOLA, CHATTAHOOCHEE AND FLINT RIVERS, GA, AL	2,085	2,085
BRUNSWICK HARBOR, GA	3,000	3,000
BUFORD DAM AND LAKE SIDNEY LANIER, GA	8,611	8,611
CARTERS DAM AND LAKE, GA	7,999	7,999
HARTWELL LAKE, GA AND SC	9,903	9,903
INSPECTION OF COMPLETED ENVIRONMENTAL PROJECTS, GA	15	15
INSPECTION OF COMPLETED WORKS, GA	120	120
J. STROM THURMOND LAKE, GA AND SC	9,546	9,546
PROJECT CONDITION SURVEYS, GA	189	189
RICHARD B. RUSSELL DAM AND LAKE, GA AND SC	8,488	8,488
SAVANNAH HARBOR, GA	22,039	22,039
SAVANNAH RIVER BELOW AUGUSTA, GA	90	90
WEST POINT DAM AND LAKE, GA AND AL	7,613	7,613
HAWAII		
BARBERS POINT HARBOR, HI	238	238
INSPECTION OF COMPLETED WORKS, HI	685	685
PROJECT CONDITION SURVEYS, HI	737	737
IDAHO		
ALBENI FALLS DAM, ID	1,260	1,260
DWORSHAK DAM AND RESERVOIR, ID	2,730	2,730
INSPECTION OF COMPLETED WORKS, ID	330	330
LUCKY PEAK LAKE, ID	2,350	2,350
SCHEDULING RESERVOIR OPERATIONS, ID	546	546
ILLINOIS		
CALUMET HARBOR AND RIVER, IL AND IN	3,709	3,709
CARLYLE LAKE, IL	5,462	5,462
CHICAGO HARBOR, IL	2,000	2,000
CHICAGO RIVER, IL	528	528
FARM CREEK RESERVOIRS, IL	457	457

CORPS OF ENGINEERS—OPERATION AND MAINTENANCE—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
ILLINOIS WATERWAY (MVR PORTION), IL AND IN	32,727	32,727
ILLINOIS WATERWAY (MVS PORTION), IL AND IN	1,832	1,832
INSPECTION OF COMPLETED ENVIRONMENTAL PROJECTS, IL	65	65
INSPECTION OF COMPLETED WORKS, IL	2,549	2,549
KASKASKIA RIVER NAVIGATION, IL	1,902	1,902
LAKE MICHIGAN DIVERSION, IL	1,025	1,025
LAKE SHELBYVILLE, IL	5,412	5,412
MISSISSIPPI RIVER BETWEEN MISSOURI RIVER AND MINNEAPOLIS	56,758	56,758
MISSISSIPPI RIVER BETWEEN MISSOURI RIVER AND MINNEAPOLIS	25,464	25,464
PROJECT CONDITION SURVEYS, IL	104	104
REND LAKE, IL	5,487	5,487
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IL	672	672
INDIANA		
BROOKVILLE LAKE, IN	1,109	1,109
BURNS WATERWAY HARBOR, IN	176	176
CAGLES MILL LAKE, IN	1,125	1,125
CECIL M. HARDEN LAKE, IN	1,250	1,250
INDIANA HARBOR, IN	10,915	10,915
INSPECTION OF COMPLETED WORKS, IN	992	992
J. EDWARD ROUSH LAKE, IN	1,126	1,126
MISSISSINEWA LAKE, IN	1,780	1,780
MONROE LAKE, IN	1,194	1,194
PATOKA LAKE, IN	1,089	1,089
PROJECT CONDITION SURVEYS, IN	185	185
SALAMONIE LAKE, IN	1,091	1,091
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IN	138	138
IOWA		
CORALVILLE LAKE, IA	4,235	4,235
INSPECTION OF COMPLETED WORKS, IA	728	728
MISSOURI RIVER—SIOUX CITY TO THE MOUTH, IA, KS, MO	7,767	7,767
RATHBUN LAKE, IA	2,359	2,359
RED ROCK DAM AND LAKE RED ROCK, IA	4,579	4,579
SAYLORVILLE LAKE, IA	5,489	5,489
KANSAS		
CLINTON LAKE, KS	2,257	2,257
COUNCIL GROVE LAKE, KS	2,115	2,115
EL DORADO LAKE, KS	831	831
ELK CITY LAKE, KS	795	795
FALL RIVER LAKE, KS	1,429	1,429
HILLSDALE LAKE, KS	835	835
INSPECTION OF COMPLETED WORKS, KS	984	984
JOHN REDMOND DAM AND RESERVOIR, KS	1,251	1,251
KANOPOLIS LAKE, KS	1,513	1,513
MARION LAKE, KS	2,578	2,578
MELVERN LAKE, KS	2,092	2,092
MILFORD LAKE, KS	2,113	2,113
PEARSON-SKUBITZ BIG HILL LAKE, KS	1,485	1,485
PERRY LAKE, KS	2,259	2,259
POMONA LAKE, KS	2,053	2,053
SCHEDULING RESERVOIR OPERATIONS, KS	150	150
TORONTO LAKE, KS	904	904
TUTTLE CREEK LAKE, KS	2,245	2,245
WILSON LAKE, KS	1,515	1,515
KENTUCKY		
BARKLEY DAM AND LAKE BARKLEY, KY AND TN	9,594	9,594
BARREN RIVER LAKE, KY	2,454	2,454
BIG SANDY HARBOR, KY	1,741	1,741
BUCKHORN LAKE, KY	1,763	1,763

CORPS OF ENGINEERS—OPERATION AND MAINTENANCE—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
CARR CREEK LAKE, KY	1,849	1,849
CAVE RUN LAKE, KY	947	947
DEWEY LAKE, KY	2,279	2,279
ELVIS STAHR (HICKMAN) HARBOR, KY	13	13
FALLS OF THE OHIO NATIONAL WILDLIFE, KY AND IN	16	16
FISHTRAP LAKE, KY	2,023	2,023
GRAYSON LAKE, KY	1,554	1,554
GREEN AND BARREN RIVERS, KY	2,104	2,104
GREEN RIVER LAKE, KY	2,334	2,334
INSPECTION OF COMPLETED WORKS, KY	1,105	1,105
KENTUCKY RIVER, KY	10	10
LAUREL RIVER LAKE, KY	1,999	1,999
MARTINS FORK LAKE, KY	1,194	1,194
MIDDLESBORO CUMBERLAND RIVER BASIN, KY	244	244
NOLIN LAKE, KY	2,675	2,675
OHIO RIVER LOCKS AND DAMS, KY, IL, IN, AND OH	34,665	34,665
OHIO RIVER OPEN CHANNEL WORK, KY, IL, IN, OH, PA, AND WV	5,829	5,829
PAINTSVILLE LAKE, KY	1,224	1,224
ROUGH RIVER LAKE, KY	2,723	2,723
TAYLORSVILLE LAKE, KY	1,198	1,198
WOLF CREEK DAM, LAKE CUMBERLAND, KY	7,987	7,987
YATESVILLE LAKE, KY	1,528	1,528
LOUISIANA		
ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, LA	8,547	8,547
BARATARIA BAY WATERWAY, LA	92	92
BAYOU BODCAU RESERVOIR, LA	1,041	1,041
BAYOU LAFOURCHE AND LAFOURCHE JUMP WATERWAY, LA	1,089	1,089
BAYOU PIERRE, LA	24	24
BAYOU SEGNETTE WATERWAY, LA	15	15
BAYOU TECHE AND VERMILION RIVER, LA	17	17
BAYOU TECHE, LA	135	135
CADDO LAKE, LA	216	216
CALCASIEU RIVER AND PASS, LA	15,753	15,753
FRESHWATER BAYOU, LA	1,695	1,695
GULF INTRACOASTAL WATERWAY, LA	19,929	19,929
HOUMA NAVIGATION CANAL, LA	990	990
INSPECTION OF COMPLETED WORKS, LA	1,002	1,002
J. BENNETT JOHNSTON WATERWAY, LA	8,434	8,434
LAKE PROVIDENCE HARBOR, LA	17	17
MADISON PARISH PORT, LA	5	5
MERMENTAU RIVER, LA	1,319	1,319
MISSISSIPPI RIVER OUTLETS AT VENICE, LA	1,423	1,423
MISSISSIPPI RIVER, BATON ROUGE TO THE GULF OF MEXICO	81,670	81,670
PROJECT CONDITION SURVEYS, LA	46	46
REMOVAL OF AQUATIC GROWTH, LA	200	200
WALLACE LAKE, LA	232	232
WATERWAY FROM EMPIRE TO THE GULF, LA	9	9
WATERWAY FROM INTRACOASTAL WATERWAY TO BAYOU DU LAC, LA	38	38
MAINE		
DISPOSAL AREA MONITORING, ME	1,050	1,050
INSPECTION OF COMPLETED WORKS, ME	95	95
PORTLAND HARBOR, ME	13,000	13,000
PROJECT CONDITION SURVEYS, ME	750	750
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ME	20	20
MARYLAND		
BALTIMORE HARBOR AND CHANNELS (50 FOOT), MD	15,757	15,757
BALTIMORE HARBOR, MD (DRIFT REMOVAL)	325	325
CUMBERLAND, MD AND RIDGELEY, WV	115	115
INSPECTION OF COMPLETED WORKS, MD	75	75

CORPS OF ENGINEERS—OPERATION AND MAINTENANCE—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
JENNINGS RANDOLPH LAKE, MD AND WV	1,724	1,724
PROJECT CONDITION SURVEYS, MD	450	450
SCHEDULING RESERVOIR OPERATIONS, MD	62	62
WICOMICO RIVER, MD	1,500	1,500
MASSACHUSETTS		
BARRE FALLS DAM, MA	646	646
BIRCH HILL DAM, MA	1,022	1,022
BUFFUMVILLE LAKE, MA	599	599
CAPE COD CANAL, MA	8,694	8,694
CHARLES RIVER NATURAL VALLEY STORAGE AREA, MA	322	322
CONANT BROOK LAKE, MA	285	285
EAST BRIMFIELD LAKE, MA	523	523
HODGES VILLAGE DAM, MA	607	607
INSPECTION OF COMPLETED WORKS, MA	306	306
KNIGHTVILLE DAM, MA	750	750
LITTLEVILLE LAKE, MA	813	813
NEW BEDFORD FAIRHAVEN AND ACUSHNET HURRICANE BARRIER	365	365
PROJECT CONDITION SURVEYS, MA	1,200	1,200
TULLY LAKE, MA	644	644
WEST HILL DAM, MA	690	690
WESTVILLE LAKE, MA	584	584
MICHIGAN		
CHANNELS IN LAKE ST. CLAIR, MI	170	170
DETROIT RIVER, MI	5,814	5,814
GRAND HAVEN HARBOR, MI	1,358	1,358
HOLLAND HARBOR, MI	668	668
INSPECTION OF COMPLETED WORKS, MI	200	200
KEWEENAW WATERWAY, MI	37	37
MANISTEE HARBOR, MI	541	541
MUSKEGON HARBOR, MI	611	611
PROJECT CONDITION SURVEYS, MI	670	670
SAGINAW RIVER, MI	4,091	4,091
SEBEWAING RIVER, MI	25	25
ST. CLAIR RIVER, MI	618	618
ST. MARYS RIVER, MI	26,766	26,766
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MI	2,653	2,653
MINNESOTA		
BIGSTONE LAKE-WHETSTONE RIVER, MN AND SD	272	272
DULUTH-SUPERIOR HARBOR, MN AND WI	5,494	5,494
INSPECTION OF COMPLETED WORKS, MN	387	387
LAC QUI PARLE LAKES, MINNESOTA RIVER, MN	760	760
MINNESOTA RIVER, MN	275	275
MISSISSIPPI RIVER BETWEEN MISSOURI RIVER AND MINNEAPOLIS	49,549	49,549
ORWELL LAKE, MN	500	500
PROJECT CONDITION SURVEYS, MN	86	86
RED LAKE RESERVOIR, MN	152	152
RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER, MN	3,686	3,686
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MN	462	462
TWO HARBORS, MN	350	350
MISSISSIPPI		
BILOXI HARBOR, MS	1,805	1,805
CLAIBORNE COUNTY PORT, MS	1	1
EAST FORK, TOMBIGBEE RIVER, MS	258	258
INSPECTION OF COMPLETED WORKS, MS	122	122
MOUTH OF YAZOO RIVER, MS	30	30
OKATIBBEE LAKE, MS	1,568	1,568
PASCAGOULA HARBOR, MS	8,785	8,785
PEARL RIVER, MS AND LA	145	145

CORPS OF ENGINEERS—OPERATION AND MAINTENANCE—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
PROJECT CONDITION SURVEYS, MS	177	177
ROSEDALE HARBOR, MS	11	11
WATER/ENVIRONMENTAL CERTIFICATION, MS	125	125
YAZOO RIVER, MS	26	26
MISSOURI		
CARUTHERSVILLE HARBOR, MO	10	10
CLARENCE CANNON DAM AND MARK TWAIN LAKE, MO	6,266	6,266
CLEARWATER LAKE, MO	3,291	3,291
HARRY S TRUMAN DAM AND RESERVOIR, MO	7,834	7,834
INSPECTION OF COMPLETED WORKS, MO	1,619	1,619
LITTLE BLUE RIVER LAKES, MO	1,154	1,154
LONG BRANCH LAKE, MO	1,093	1,093
MISSISSIPPI RIVER BETWEEN THE OHIO AND MISSOURI RIVERS	25,710	25,710
NEW MADRID HARBOR, MO	51	51
POMME DE TERRE LAKE, MO	2,170	2,170
PROJECT CONDITION SURVEYS, MO	14	14
SCHEDULING RESERVOIR OPERATIONS, MO	854	854
SMITHVILLE LAKE, MO	1,312	1,312
SOUTHEAST MISSOURI PORT, MISSISSIPPI RIVER, MO	1	1
STOCKTON LAKE, MO	4,664	4,664
TABLE ROCK LAKE, MO AND AR	8,254	8,254
MONTANA		
FT. PECK DAM AND LAKE, MT	5,235	5,235
INSPECTION OF COMPLETED WORKS, MT	169	169
LIBBY DAM, MT	1,718	1,718
SCHEDULING RESERVOIR OPERATIONS, MT	118	118
NEBRASKA		
GAVINS POINT DAM, LEWIS AND CLARK LAKE, NE AND SD	8,018	8,018
HARLAN COUNTY LAKE, NE	6,256	6,256
INSPECTION OF COMPLETED WORKS, NE	554	554
MISSOURI RIVER-KENSLERS BEND, NE TO SIOUX CITY, IA	81	81
PAPILLION CREEK, NE	778	778
SALT CREEKS AND TRIBUTARIES, NE	1,025	1,025
NEVADA		
INSPECTION OF COMPLETED WORKS, NV	53	53
MARTIS CREEK LAKE, NV AND CA	1,046	1,046
PINE AND MATHEWS CANYONS LAKES, NV	354	354
NEW HAMPSHIRE		
BLACKWATER DAM, NH	799	799
EDWARD MACDOWELL LAKE, NH	762	762
FRANKLIN FALLS DAM, NH	868	868
HOPKINTON-EVERETT LAKES, NH	1,343	1,343
INSPECTION OF COMPLETED WORKS, NH	61	61
OTTER BROOK LAKE, NH	943	943
PROJECT CONDITION SURVEYS, NH	275	275
SURRY MOUNTAIN LAKE, NH	776	776
NEW JERSEY		
BARNEGAT INLET, NJ	415	415
COLD SPRING INLET, NJ	395	395
DELAWARE RIVER AT CAMDEN, NJ	15	15
DELAWARE RIVER, PHILADELPHIA TO THE SEA, NJ, PA, AND DE	23,290	23,290
INSPECTION OF COMPLETED WORKS, NJ	242	242
MANASQUAN RIVER, NJ	300	300
NEWARK BAY, HACKENSACK AND PASSAIC RIVERS, NJ	450	450
PASSAIC RIVER FLOOD WARNING SYSTEMS, NJ	587	587
PROJECT CONDITION SURVEYS, NJ	1,610	1,610

CORPS OF ENGINEERS—OPERATION AND MAINTENANCE—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
RARITAN RIVER TO ARTHUR KILL CUT-OFF, NJ	60	60
RARITAN RIVER, NJ	220	220
SALEM RIVER, NJ	100	100
SHARK RIVER, NJ	400	400
NEW MEXICO		
ABIQUIU DAM, NM	3,258	3,258
COCHITI LAKE, NM	5,256	5,256
CONCHAS LAKE, NM	2,864	2,864
GALISTEO DAM, NM	882	882
INSPECTION OF COMPLETED WORKS, NM	759	759
JEMEZ CANYON DAM, NM	1,299	1,299
RIO GRANDE ENDANGERED SPECIES COLLABORATIVE PROGRAM, NM	2,503	2,503
SANTA ROSA DAM AND LAKE, NM	1,519	1,519
SCHEDULING RESERVOIR OPERATIONS, NM	547	547
TWO RIVERS DAM, NM	916	916
UPPER RIO GRANDE WATER OPERATIONS MODEL STUDY, NM	1,580	1,580
NEW YORK		
ALMOND LAKE, NY	635	635
ARKPORT DAM, NY	352	352
BAY RIDGE AND RED HOOK CHANNELS, NY	60	60
BLACK ROCK CHANNEL AND TONAWANDA HARBOR, NY	1,335	1,335
BUTTERMILK CHANNEL, NY	60	60
EAST RIVER, NY	150	150
EAST ROCKAWAY INLET, NY	100	100
EAST SIDNEY LAKE, NY	662	662
FLUSHING BAY AND CREEK, NY	100	100
HUDSON RIVER, NY (MAINT)	4,500	4,500
HUDSON RIVER, NY (O&C)	2,050	2,050
INSPECTION OF COMPLETED WORKS, NY	1,171	1,171
JAMAICA BAY, NY	100	100
LITTLE SODUS BAY HARBOR, NY	5	5
MOUNT MORRIS DAM, NY	3,926	3,926
NEW YORK AND NEW JERSEY CHANNELS, NY	7,297	7,297
NEW YORK HARBOR, NY	5,857	5,857
NEW YORK HARBOR, NY AND NJ (DRIFT REMOVAL)	9,236	9,236
NEW YORK HARBOR, NY (PREVENTION OF OBSTRUCTIVE DEPOSIT)	1,045	1,045
PROJECT CONDITION SURVEYS, NY	2,040	2,040
ROCHESTER HARBOR, NY	5	5
SOUTHERN NEW YORK FLOOD CONTROL PROJECTS, NY	686	686
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, NY	579	579
WHITNEY POINT LAKE, NY	780	780
NORTH CAROLINA		
ATLANTIC INTRACOASTAL WATERWAY, NC	2,900	2,900
B. EVERETT JORDAN DAM AND LAKE, NC	1,679	1,679
CAPE FEAR RIVER ABOVE WILMINGTON, NC	489	489
FALLS LAKE, NC	1,782	1,782
INSPECTION OF COMPLETED WORKS, NC	261	261
MANTEO (SHALLOWBAG) BAY, NC	1,365	1,365
MOREHEAD CITY HARBOR, NC	5,800	5,800
PROJECT CONDITION SURVEYS, NC	736	736
ROLLINSON CHANNEL, NC	50	50
SILVER LAKE HARBOR, NC	300	300
W. KERR SCOTT DAM AND RESERVOIR, NC	3,209	3,209
WILMINGTON HARBOR, NC	16,409	16,409
NORTH DAKOTA		
BOWMAN HALEY, ND	214	214
GARRISON DAM, LAKE SAKAKAWEA, ND	12,050	12,050
HOMME LAKE, ND	296	296

CORPS OF ENGINEERS—OPERATION AND MAINTENANCE—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
INSPECTION OF COMPLETED WORKS, ND	282	282
LAKE ASHTABULA AND BALDHILL DAM, ND	1,476	1,476
PIPESTEM LAKE, ND	835	835
SCHEDULING RESERVOIR OPERATIONS, ND	120	120
SOURIS RIVER, ND	341	341
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ND	28	28
OHIO		
ALUM CREEK LAKE, OH	1,424	1,424
ASHTABULA HARBOR, OH	1,810	1,810
BERLIN LAKE, OH	2,084	2,084
CAESAR CREEK LAKE, OH	1,698	1,698
CLARENCE J. BROWN DAM, OH	1,286	1,286
CLEVELAND HARBOR, OH	8,959	8,959
CONNEAUT HARBOR, OH	1,001	1,001
DEER CREEK LAKE, OH	1,468	1,468
DELAWARE LAKE, OH	1,471	1,471
DILLON LAKE, OH	1,484	1,484
INSPECTION OF COMPLETED WORKS, OH	663	663
MASSILLON LOCAL PROTECTION PROJECT, OH	37	37
MICHAEL J. KIRWAN DAM AND RESERVOIR, OH	1,096	1,096
MOSQUITO CREEK LAKE, OH	1,048	1,048
MUSKINGUM RIVER LAKES, OH	8,527	8,527
NORTH BRANCH KOKOSING RIVER LAKE, OH	467	467
OHIO-MISSISSIPPI FLOOD CONTROL, OH	1,856	1,856
PAINT CREEK LAKE, OH	1,357	1,357
PROJECT CONDITION SURVEYS, OH	305	305
ROSEVILLE LOCAL PROTECTION PROJECT, OH	35	35
SANDUSKY HARBOR, OH	983	983
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OH	244	244
TOLEDO HARBOR, OH	5,472	5,472
TOM JENKINS DAM, OH	796	796
WEST FORK OF MILL CREEK LAKE, OH	873	873
WILLIAM H. HARSHA LAKE, OH	1,586	1,586
OKLAHOMA		
ARCADIA LAKE, OK	521	521
BIRCH LAKE, OK	809	809
BROKEN BOW LAKE, OK	2,425	2,425
CANTON LAKE, OK	2,242	2,242
COPAN LAKE, OK	1,352	1,352
EUFULA LAKE, OK	5,494	5,494
FORT GIBSON LAKE, OK	4,760	4,760
FORT SUPPLY LAKE, OK	1,086	1,086
GREAT SALT PLAINS LAKE, OK	501	501
HEYBURN LAKE, OK	629	629
HUGO LAKE, OK	1,716	1,716
HULAH LAKE, OK	1,751	1,751
INSPECTION OF COMPLETED WORKS, OK	155	155
KAW LAKE, OK	2,413	2,413
KEYSTONE LAKE, OK	13,468	13,468
MCCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM, OK	5,552	5,552
OOLOGAH LAKE, OK	5,100	5,100
OPTIMA LAKE, OK	49	49
PENSACOLA RESERVOIR, LAKE OF THE CHEROKEES, OK	133	133
PINE CREEK LAKE, OK	1,053	1,053
ROBERT S. KERR LOCK AND DAM AND RESERVOIR, OK	5,476	5,476
SARDIS LAKE, OK	3,801	3,801
SCHEDULING RESERVOIR OPERATIONS, OK	1,000	1,000
SKIATOOK LAKE, OK	2,012	2,012
TENKILLER FERRY LAKE, OK	5,055	5,055
WAURIKA LAKE, OK	1,616	1,616

CORPS OF ENGINEERS—OPERATION AND MAINTENANCE—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
WEBBERS FALLS LOCK AND DAM, OK	3,852	3,852
WISTER LAKE, OK	738	738
OREGON		
APPLEGATE LAKE, OR	937	937
BLUE RIVER LAKE, OR	579	579
BONNEVILLE LOCK AND DAM, OR AND WA	7,039	7,039
COLUMBIA AND LOWER WILLAMETTE RIVERS BELOW VANCOUVER	28,066	28,066
COLUMBIA RIVER AT THE MOUTH, OR AND WA	19,277	19,277
COLUMBIA RIVER BETWEEN VANCOUVER, WA AND THE DALLES, OR	931	931
COOS BAY, OR	5,843	5,843
COTTAGE GROVE LAKE, OR	1,266	1,266
COUGAR LAKE, OR	1,934	1,934
DETROIT LAKE, OR	1,008	1,008
DORENA LAKE, OR	1,040	1,040
FALL CREEK LAKE, OR	3,602	3,602
FERN RIDGE LAKE, OR	1,791	1,791
GREEN PETER-FOSTER LAKES, OR	4,321	4,321
HILLS CREEK LAKE, OR	1,257	1,257
INSPECTION OF COMPLETED ENVIRONMENTAL PROJECTS, OR	20	20
INSPECTION OF COMPLETED WORKS, OR	590	590
JOHN DAY LOCK AND DAM, OR AND WA	4,329	4,329
LOOKOUT POINT LAKE, OR	2,168	2,168
LOST CREEK LAKE, OR	3,866	3,866
MCNARY LOCK AND DAM, OR AND WA	5,872	5,872
PROJECT CONDITION SURVEYS, OR	400	400
SCHEDULING RESERVOIR OPERATIONS, OR	98	98
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OR	9,695	9,695
WILLAMETTE RIVER AT WILLAMETTE FALLS, OR	110	110
WILLOW CREEK LAKE, OR	677	677
YAUQUINA BAY AND HARBOR, OR	2,780	2,780
PENNSYLVANIA		
ALLEGHENY RIVER, PA	4,317	4,317
ALVIN R. BUSH DAM, PA	747	747
AYLESWORTH CREEK LAKE, PA	351	351
BELTZVILLE LAKE, PA	1,570	1,570
BLUE MARSH LAKE, PA	2,688	2,688
CONEMAUGH RIVER LAKE, PA	1,252	1,252
COWANESQUE LAKE, PA	2,269	2,269
CROOKED CREEK LAKE, PA	1,632	1,632
CURWENSVILLE LAKE, PA	825	825
DELAWARE RIVER, PHILADELPHIA, PA TO TRENTON, NJ	920	920
EAST BRANCH CLARION RIVER LAKE, PA	1,725	1,725
FOSTER JOSEPH SAYERS DAM, PA	898	898
FRANCIS E. WALTER DAM, PA	1,156	1,156
GENERAL EDGAR JADWIN DAM AND RESERVOIR, PA	320	320
INSPECTION OF COMPLETED WORKS, PA	1,117	1,117
JOHNSTOWN, PA	41	41
KINZUA DAM AND ALLEGHENY RESERVOIR, PA	1,777	1,777
LOYALHANNA LAKE, PA	1,316	1,316
MAHONING CREEK LAKE, PA	3,333	3,333
MONONGAHELA RIVER, PA	13,267	13,267
OHIO RIVER LOCKS AND DAMS, PA, OH, AND WV	20,362	20,362
OHIO RIVER OPEN CHANNEL WORK, PA, OH, AND WV	682	682
PROJECT CONDITION SURVEYS, PA	80	80
PROMPTON LAKE, PA	492	492
PUNXSUTAWNEY, PA	35	35
RAYSTOWN LAKE, PA	4,206	4,206
SCHEDULING RESERVOIR OPERATIONS, PA	46	46
SCHUYLKILL RIVER, PA	100	100
SHENANGO RIVER LAKE, PA	2,203	2,203

CORPS OF ENGINEERS—OPERATION AND MAINTENANCE—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
STILLWATER LAKE, PA	511	511
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, PA	101	101
TIOGA-HAMMOND LAKES, PA	2,496	2,496
TIONESTA LAKE, PA	1,735	1,735
UNION CITY LAKE, PA	449	449
WOODCOCK CREEK LAKE, PA	1,419	1,419
YORK INDIAN ROCK DAM, PA	729	729
YOUGHIOGHENY RIVER LAKE, PA AND MD	2,451	2,451
RHODE ISLAND		
FOX POINT BARRIER, NARRAGANSETT BAY, RI	2,030	2,030
GREAT SALT POND, BLOCK ISLAND, RI	250	250
INSPECTION OF COMPLETED WORKS, RI	45	45
PROJECT CONDITION SURVEYS, RI	500	500
WOONSOCKET, RI	679	679
SOUTH CAROLINA		
CHARLESTON HARBOR, SC	15,883	15,883
COOPER RIVER, CHARLESTON HARBOR, SC	4,590	4,590
INSPECTION OF COMPLETED WORKS, SC	65	65
PROJECT CONDITION SURVEYS, SC	875	875
SOUTH DAKOTA		
BIG BEND DAM, LAKE SHARPE, SD	9,567	9,567
COLD BROOK LAKE, SD	453	453
COTTONWOOD SPRINGS LAKE, SD	394	394
FORT RANDALL DAM, LAKE FRANCIS CASE, SD	8,848	8,848
INSPECTION OF COMPLETED WORKS, SD	139	139
LAKE TRAVERSE, SD AND MN	583	583
OAHE DAM, LAKE OAHE, SD AND ND	11,215	11,215
SCHEDULING RESERVOIR OPERATIONS, SD	120	120
TENNESSEE		
CENTER HILL LAKE, TN	5,299	5,299
CHEATHAM LOCK AND DAM, TN	8,369	8,369
CORDELL HULL DAM AND RESERVOIR, TN	6,430	6,430
DALE HOLLOW LAKE, TN	6,650	6,650
INSPECTION OF COMPLETED WORKS, TN	103	103
J. PERCY PRIEST DAM AND RESERVOIR, TN	4,622	4,622
NORTHWEST TENNESSEE REGIONAL HARBOR, LAKE COUNTY, TN	10	10
OLD HICKORY LOCK AND DAM, TN	9,755	9,755
TENNESSEE RIVER, TN	20,726	20,726
WOLF RIVER HARBOR, TN	109	109
TEXAS		
AQUILLA LAKE, TX	1,176	1,176
ARKANSAS-RED RIVER BASINS CHLORIDE CONTROL—AREA VI	1,529	1,529
BARBOUR TERMINAL CHANNEL, TX	3,011	3,011
BARDWELL LAKE, TX	1,915	1,915
BAYPORT SHIP CHANNEL, TX	1,398	1,398
BELTON LAKE, TX	3,486	3,486
BENBROOK LAKE, TX	2,313	2,313
BRAZOS ISLAND HARBOR, TX	3,560	3,560
BUFFALO BAYOU AND TRIBUTARIES, TX	2,862	2,862
CANYON LAKE, TX	3,321	3,321
CEDAR BAYOU, TX	227	227
CHANNEL TO PORT BOLIVAR, TX	409	409
CORPUS CHRISTI SHIP CHANNEL, TX	8,129	8,129
DENISON DAM, LAKE TEXOMA, TX	7,137	7,137
ESTELLINE SPRINGS EXPERIMENTAL PROJECT, TX	42	42
FERRELLS BRIDGE DAM, LAKE O' THE PINES, TX	3,529	3,529
FREEPORT HARBOR, TX	8,848	8,848

CORPS OF ENGINEERS—OPERATION AND MAINTENANCE—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
GALVESTON HARBOR AND CHANNEL, TX	3,914	3,914
GIWW. CHANNEL TO VICTORIA, TX	363	363
GRANGER DAM AND LAKE, TX	2,298	2,298
GRAPEVINE LAKE, TX	2,696	2,696
GULF INTRACOASTAL WATERWAY, TX	25,580	25,580
HORDS CREEK LAKE, TX	1,895	1,895
HOUSTON SHIP CHANNEL, TX	19,701	19,701
INSPECTION OF COMPLETED WORKS, TX	1,863	1,863
JIM CHAPMAN LAKE, TX	1,736	1,736
JOE POOL LAKE, TX	1,309	1,309
LAKE KEMP, TX	241	241
LAVON LAKE, TX	3,017	3,017
LEWISVILLE DAM, TX	3,295	3,295
MATAGORDA SHIP CHANNEL, TX	4,920	4,920
NAVARRO MILLS LAKE, TX	3,151	3,151
NORTH SAN GABRIEL DAM AND LAKE GEORGETOWN, TX	2,303	2,303
O.C. FISHER DAM AND LAKE, TX	1,011	1,011
PAT MAYSE LAKE, TX	1,148	1,148
PROCTOR LAKE, TX	2,454	2,454
PROJECT CONDITION SURVEYS, TX	225	225
RAY ROBERTS LAKE, TX	1,493	1,493
SABINE-NECHES WATERWAY, TX	19,591	19,591
SAM RAYBURN DAM AND RESERVOIR, TX	5,881	5,881
SCHEDULING RESERVOIR OPERATIONS, TX	224	224
SOMERVILLE LAKE, TX	3,190	3,190
STILLHOUSE HOLLOW DAM, TX	2,040	2,040
TEXAS CITY SHIP CHANNEL, TX	2,234	2,234
TEXAS WATER ALLOCATION ASSESSMENT, TX	100	100
TOWN BLUFF DAM, B.A. STEINHAGEN LAKE, TX	2,769	2,769
WACO LAKE, TX	3,036	3,036
WALLISVILLE LAKE, TX	2,482	2,482
WHITNEY LAKE, TX	6,725	6,725
WRIGHT PATMAN DAM AND LAKE, TX	3,513	3,513
UTAH		
INSPECTION OF COMPLETED WORKS, UT	103	103
SCHEDULING RESERVOIR OPERATIONS, UT	642	642
VERMONT		
BALL MOUNTAIN, VT	1,016	1,016
INSPECTION OF COMPLETED WORKS, VT	208	208
NARROWS OF LAKE CHAMPLAIN, VT AND NY	30	30
NORTH HARTLAND LAKE, VT	1,001	1,001
NORTH SPRINGFIELD LAKE, VT	854	854
TOWNSHEND LAKE, VT	770	770
UNION VILLAGE DAM, VT	683	683
VIRGINIA		
ATLANTIC INTRACOASTAL WATERWAY—ACC, VA	2,260	2,260
ATLANTIC INTRACOASTAL WATERWAY—DSC, VA	1,110	1,110
CHINCOTEAGUE INLET, VA	329	329
GATHRIGHT DAM AND LAKE MOOMAW, VA	2,203	2,203
HAMPTON ROADS, NORFOLK AND NEWPORT NEWS HARBOR, VA	1,682	1,682
HAMPTON ROADS, VA (PREVENTION OF OBSTRUCTIVE DEPOSITS)	75	75
INSPECTION OF COMPLETED WORKS, VA	349	349
JAMES RIVER CHANNEL, VA	3,948	3,948
JOHN H. KERR LAKE, VA AND NC	10,174	10,174
JOHN W. FLANNAGAN DAM AND RESERVOIR, VA	2,608	2,608
LYNNHAVEN INLET, VA	100	100
NORFOLK HARBOR, VA	10,077	10,077
NORTH FORK OF POUND RIVER LAKE, VA	547	547
PHILPOTT LAKE, VA	4,834	4,834

CORPS OF ENGINEERS—OPERATION AND MAINTENANCE—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
PROJECT CONDITION SURVEYS, VA	1,373	1,373
RUDEE INLET, VA	100	100
WATER/ENVIRONMENTAL CERTIFICATION, VA	110	110
WASHINGTON		
CHIEF JOSEPH DAM, WA	653	653
EVERETT HARBOR AND SNOHOMISH RIVER, WA	851	851
GRAYS HARBOR, WA	9,778	9,778
HOWARD HANSON DAM, WA	3,187	3,187
ICE HARBOR LOCK AND DAM, WA	4,237	4,237
INSPECTION OF COMPLETED ENVIRONMENTAL PROJECTS, WA	70	70
INSPECTION OF COMPLETED WORKS, WA	630	630
LAKE WASHINGTON SHIP CANAL, WA	8,646	8,646
LITTLE GOOSE LOCK AND DAM, WA	2,341	2,341
LOWER GRANITE LOCK AND DAM, WA	3,062	3,062
LOWER MONUMENTAL LOCK AND DAM, WA	2,603	2,603
MILL CREEK LAKE, WA	2,243	2,243
MOUNT SAINT HELENS SEDIMENT CONTROL, WA	266	266
MUD MOUNTAIN DAM, WA	3,698	3,698
PROJECT CONDITION SURVEYS, WA	595	595
PUGET SOUND AND TRIBUTARY WATERS, WA	1,057	1,057
QUILLAYUTE RIVER, WA	1,140	1,140
SCHEDULING RESERVOIR OPERATIONS, WA	453	453
SEATTLE HARBOR, WA	957	957
STILLAGUAMISH RIVER, WA	273	273
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WA	55	55
TACOMA HARBOR, WA	1,033	1,033
TACOMA, PUYALLUP RIVER, WA	144	144
THE DALLES LOCK AND DAM, WA AND OR	3,196	3,196
WEST VIRGINIA		
BEECH FORK LAKE, WV	1,648	1,648
BLUESTONE LAKE, WV	1,885	1,885
BURNSVILLE LAKE, WV	2,776	2,776
EAST LYNN LAKE, WV	2,052	2,052
ELKINS, WV	32	32
INSPECTION OF COMPLETED WORKS, WV	389	389
KANAWHA RIVER LOCKS AND DAMS, WV	10,164	10,164
OHIO RIVER LOCKS AND DAMS, WV, KY, AND OH	41,137	41,137
OHIO RIVER OPEN CHANNEL WORK, WV, KY, AND OH	3,053	3,053
R.D. BAILEY LAKE, WV	2,576	2,576
STONEWALL JACKSON LAKE, WV	1,184	1,184
SUMMERSVILLE LAKE, WV	2,642	2,642
SUTTON LAKE, WV	2,674	2,674
TYGART LAKE, WV	1,399	1,399
WISCONSIN		
EAU GALLE RIVER LAKE, WI	814	814
FOX RIVER, WI	1,949	1,949
GREEN BAY HARBOR, WI	3,180	3,180
INSPECTION OF COMPLETED WORKS, WI	51	51
KEWAUNEE HARBOR, WI	14	14
PROJECT CONDITION SURVEYS, WI	288	288
STURGEON BAY HARBOR AND LAKE MICHIGAN SHIP CANAL, WI	19	19
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WI	540	540
WYOMING		
INSPECTION OF COMPLETED WORKS, WY	59	59
JACKSON HOLE LEVEES, WY	2,356	2,356
SCHEDULING RESERVOIR OPERATIONS, WY	119	119
SUBTOTAL, PROJECTS LISTED UNDER STATES	2,220,386	2,220,386

CORPS OF ENGINEERS—OPERATION AND MAINTENANCE—Continued

[In thousands of dollars]

Item	Budget estimate	Committee recommendation
REMAINING ITEMS		
ADDITIONAL FUNDING FOR ONGOING WORK		
NAVIGATION MAINTENANCE		5,000
DEEP-DRAFT HARBOR AND CHANNEL		7,000
INLAND WATERWAYS		12,000
SMALL, REMOTE, OR SUBSISTENCE NAVIGATION		30,000
OTHER AUTHORIZED PURPOSES		5,000
AQUATIC NUISANCE CONTROL RESEARCH	690	690
ASSET MANAGEMENT/FACILITIES AND EQUIPMENT MANAGEMENT	4,750	4,750
BUDGET/MANAGEMENT SUPPORT FOR O&M BUSINESS PROGRAMS		
STEWARDSHIP SUPPORT PROGRAM	1,000	1,000
PERFORMANCE-BASED BUDGETING SUPPORT PROGRAM	4,000	4,000
RECREATION MANAGEMENT SUPPORT PROGRAM	1,650	1,650
OPTIMIZATION TOOLS FOR NAVIGATION	392	392
COASTAL AND OCEAN DATA SYSTEM	3,000	5,000
COASTAL INLET RESEARCH PROGRAM	2,700	2,700
RESPONSE TO CLIMATE CHANGE AT CORPS PROJECTS	5,000	5,000
CULTURAL RESOURCES (NAGPRA/CURATION)	4,500	4,500
DREDGE MCFARLAND READY RESERVE	11,857	11,857
DREDGE WHEELER READY RESERVE	12,000	12,000
DREDGING DATA AND LOCK PERFORMANCE MONITORING SYSTEM	1,150	1,150
DREDGING OPERATIONS AND ENVIRONMENTAL RESEARCH (DOER)	6,300	6,300
DREDGING OPERATIONS TECHNICAL SUPPORT PROGRAM (DOTS)	2,820	2,820
EARTHQUAKE HAZARDS REDUCTION PROGRAM	270	270
FACILITY PROTECTION [CISP]	5,500	5,500
FERC HYDROPOWER COORDINATION	3,000	3,000
FISH AND WILDLIFE OPERATING FISH HATCHERY REIMBURSEMENT	4,300	4,300
GREAT LAKES TRIBUTARY MODEL	1,080	1,080
INLAND WATERWAY NAVIGATION CHARTS	3,420	3,420
INTERAGENCY PERFORMANCE EVALUATION TASK FORCE/HURRICANE	7,000	7,000
INSPECTION OF COMPLETED FEDERAL FLOOD CONTROL PROJECTS	30,603	30,603
MONITORING OF COMPLETED NAVIGATION PROJECTS	3,920	4,170
NATIONAL (LEVEE) FLOOD INVENTORY	10,000	10,000
NATIONAL (MULTIPLE PROJECT) NATURAL RESOURCES MANAGEMENT	6,530	6,530
NATIONAL COASTAL MAPPING PROGRAM	6,300	8,300
NATIONAL DAM SAFETY PROGRAM (PORTFOLIO RISK ASSESSMENT)	10,000	10,000
NATIONAL EMERGENCY PREPAREDNESS PROGRAM [NEPP]	6,200	6,200
NATIONAL PORTFOLIO ASSESSMENT FOR REALLOCATIONS	571	571
PROGRAM DEVELOPMENT TECHNICAL SUPPORT	300	300
PROTECT, CLEAR, AND STRAIGHTEN CHANNELS	50	50
REDUCING CIVIL WORKS VULNERABILITY	8,000	
REMOVAL OF SUNKEN VESSELS	500	500
WATERBORNE COMMERCE STATISTICS	4,771	4,771
HARBOR MAINTENANCE FEE DATA COLLECTION	825	825
RECREATIONONESTOP [R1S] NATIONAL RECREATION RESERVATION	65	65
REGIONAL SEDIMENT MANAGEMENT PROGRAM	1,800	4,000
RELIABILITY MODELS PROGRAM FOR MAJOR REHABILITATION	300	300
WATER OPERATIONS TECHNICAL SUPPORT [WOTS]	500	500
SUBTOTAL, REMAINING ITEMS	177,614	235,064
REDUCTION FOR SAVINGS AND SLIPPAGE		-51,450
TOTAL, OPERATION AND MAINTENANCE	2,398,000	2,404,000

Zebra and Quagga Mussels.—The Committee understands the challenges posed by the invasion of quagga and zebra mussels in various places across the country, and that invasion has not yet occurred in the Pacific Northwest and Lake Tahoe. Given the significant Federal assets in the region, it would seem prudent to determine the vulnerabilities of the infrastructure. The Committee rec-

ognizes the work that is underway, but believes more can and should be done to prevent invasion. Portions of the country are already dealing with these invasive species and the lessons learned should be applied to developing a strategy of minimizing the impacts to vulnerable infrastructure in this region. The Committee encourages the Corps of Engineers in partnership with the Bonneville Power Administration, to continue its efforts to develop invasive mussel vulnerability assessments for federally owned hydropower projects, in the Pacific Northwest, including an estimate of the annual cost of protection and maintenance of this infrastructure, if applicable. Further, the Committee urges the Corps, where appropriate, to assist the States in their efforts to prevent the spread of invasive mussels to Federal projects in the region.

Additional Funding for Ongoing Work.—The fiscal year 2013 budget request does not fund operation, maintenance, and rehabilitation of our Nation's aging infrastructure sufficiently to ensure continued competitiveness in a global marketplace. Federal navigation channels maintained at only a fraction of authorized dimensions, and navigation locks and hydropower facilities well beyond their design life result in economic inefficiencies and risks infrastructure failure, which cause substantial economic losses. The Committee believes that investing in operation, maintenance, and rehabilitation of infrastructure today will save taxpayers money in the future.

The Committee recommendation includes additional funds to continue ongoing projects and activities including periodic dredging of ports and harbors. None of these funds may be used for any item where funding was specifically denied. The intent of these funds is for ongoing work that either was not included in the administration's request or was inadequately budgeted. The Committee directs that priority in allocating these funds be given to completing ongoing work maintaining authorized depths and widths of harbors and shipping channels, including where contaminated sediments are present, and for addressing critical maintenance backlog. Particular emphasis should be placed on projects where there is a U.S. Coast Guard presence; that will enhance national, regional, or local economic development; or that will promote job growth or international competitiveness.

The Committee is concerned that the administration's criteria for navigation maintenance does not allow small, remote, or subsistence harbors and waterways to properly compete for scarce navigation maintenance funds. The Committee urges the Corps to revise the criteria used for determining which navigation maintenance projects are funded in order to develop a reasonable and equitable allocation under this account. The criteria should include the economic impact that these projects provide to local and regional economies, in particular, those with national defense or public health and safety importance.

Funding associated with each category may be allocated to any eligible project within that category; funding associated with each subcategory may be allocated only to eligible projects within that subcategory. The list of subcategories is not meant to be exhaustive. Priority in allocating these funds should consider the following: number of jobs created directly by the funded activity; ben-

efits to the local, regional, or national economy; ability to obligate the funds allocated within the fiscal year; ability to complete the project, separable element, or project phase within the funds allocated; and risk of imminent failure or closure of the facility.

Within 45 days of enactment of this act, the Corps shall provide to the House and Senate Committees on Appropriations a work plan delineating how these funds are to be distributed. The Committee directs that a listing should accompany the work plan showing all the ongoing projects that were considered eligible and could have used funding for fiscal year 2013 and the reasons why these items were considered as being less competitive for inclusion in the work plan.

Reducing Civil Works Vulnerability.—No funding is included for this new item.

REGULATORY PROGRAM

Appropriations, 2012	\$193,000,000
Budget estimate, 2013	205,000,000
Committee recommendation	199,000,000

An appropriation of \$199,000,000 is recommended for the regulatory program of the Corps of Engineers.

This appropriation provides for salaries and costs incurred administering regulation of activities affecting U.S. waters, including wetlands, in accordance with the Rivers and Harbors Act of 1899 33 U.S.C. section 401, the Clean Water Act of 1977 Public Law 95–217, and the Marine Protection, Research and Sanctuaries Act of 1972 Public Law 92–532.

The appropriation helps maintain program performance, protects important aquatic resources, and supports partnerships with States and local communities through watershed planning efforts.

The Committee believes compensatory mitigation is appropriate for a permitted activity when that activity damages or destroys the value of wetlands. However, the Committee is concerned about the unevenness with which compensatory mitigation for permitted activities is being addressed around the country and the lack of consideration for how the various methods can disproportionately impact vital public works projects and economic development efforts. In the Lower Mississippi River Valley, the “modified Charleston method” is being used for determining compensatory mitigation. In many cases this method is requiring permittees to acquire three acres of mitigation for every one acre of habitat that is damaged as a result of a permitted action. This has the impact of increasing the cost of a project by 300–400 percent. The Committee questions the reasonableness of this method of compensatory mitigation. The Corps is directed to report to the House and Senate Committees on Appropriations within 90 days of enactment of this act the ways in which compensatory mitigation are computed in the various field operating agencies of the Corps around the Nation. Additionally, this report should provide recommendations as to how compensatory mitigation can be more equitably computed across the Corps, as well as how economic interests are being considered. This should also include proposals for alternative mitigation strategies and broader options to meet mitigation requirements that would

ensure continued viability for essential community improvement projects.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

Appropriations, 2012	\$109,000,000
Budget estimate, 2013	104,000,000
Committee recommendation	109,000,000

The Committee recommends an appropriation of \$109,000,000 to continue activities related to the Formerly Utilized Sites Remedial Action Program [FUSRAP] in fiscal year 2013.

The responsibility for the cleanup of contaminated sites under the Formerly Utilized Sites Remedial Action Program was transferred from the Department of Energy to the Army Corps of Engineers in the fiscal year 1998 Energy and Water Development Appropriations Act, Public Law 105–62.

FUSRAP is not specifically defined by statute. The program was established in 1974 under the broad authority of the Atomic Energy Act and, until fiscal year 1998, funds for the cleanup of contaminated defense sites had been appropriated to the Department of Energy through existing appropriation accounts. In appropriating FUSRAP funds to the Corps of Engineers, the Committee intended to transfer only the responsibility for administration and execution of cleanup activities at eligible sites where remediation had not been completed. It did not intend to transfer ownership of and accountability for real property interests that remain with the Department of Energy.

The Corps of Engineers has extensive experience in the cleanup of hazardous, toxic, and radioactive wastes through its work for the Department of Defense and other Federal agencies. The Committee always intended for the Corps’ expertise be used in the same manner for the cleanup of contaminated sites under FUSRAP. The Committee expects the Corps to continue programming and budgeting for FUSRAP as part of the Corps of Engineers—Civil program.

The Corps is directed to prioritize sites that are nearing completion.

FLOOD CONTROL AND COASTAL EMERGENCIES

Appropriations, 2012	\$27,000,000
Budget estimate, 2013	30,000,000
Committee recommendation	30,000,000

The Committee has recommended \$30,000,000 for the Flood Control and Coastal Emergencies account. This account provides funds for preparedness activities for natural and other disasters, response, and emergency flood fighting and rescue operations, hurricane response, and emergency shore protection work. It also provides for emergency supplies of clean water where the source has been contaminated or where adequate supplies of water are needed for consumption.

GENERAL EXPENSES

Appropriations, 2012	\$185,000,000
Budget estimate, 2013	182,000,000
Committee recommendation	182,000,000

This appropriation finances the expenses of the Office, Chief of Engineers, the Division Offices, and certain research and statistical functions of the Corps of Engineers. The Committee recommendation is \$182,000,000.

Executive Direction and Management.—The Office of the Chief of Engineers and 8 division offices supervise work in 38 district offices.

Humphreys Engineer Center Support Activity.—This support center provides administrative services (such as personnel, logistics, information management, and finance and accounting) for the Office of the Chief of Engineers and other separate field operating activities.

Institute for Water Resources.—This institute performs studies and analyses, and develops planning techniques for the management and development of the Nation’s water resources.

United States Army Corps of Engineers Finance Center.—This center provides centralized support for all Corps finance and accounting.

Office of Congressional Affairs.—The Committee believes that an Office of Congressional Affairs for the Civil Works Program would hamper the efficient and effective coordination of issues with the Committee staff and Members of Congress. The Committee believes that the technical knowledge and managerial expertise needed for the Corps headquarters to effectively address Civil Works authorization, appropriation, and headquarters policy matters resides in the Civil Works organization. Therefore, the Committee strongly recommends that the Office of Congressional Affairs not be a part of the process by which information on Civil Works projects, programs, and activities is provided to Congress.

The Corps is reminded that General Expense funds are appropriated solely for the executive management and oversight of the Civil Works Program under the direction of the Director of Civil Works.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS)

Appropriations, 2012	\$5,000,000
Budget estimate, 2013	5,000,000
Committee recommendation	5,000,000

The Committee has recommended \$5,000,000 for the Office of the Assistant Secretary of the Army for Civil Works [OASA[CW]]. As has been previously stated, the Committee believes that this office should be funded through the Defense appropriations bill and directs the administration to budget for this office under the Department of Defense, Operation and Maintenance—Army account in future budget submissions. It is the Committee’s opinion that the traditional role of the ASA[CW] is to provide the Chief of Engineers advice about policy matters and generally be the political spokesperson for the administration’s policies; however, the Chief of Engineers is responsible for carrying out the program. This is underscored by the administration’s budget documents that state that the OASA[CW] provides policy direction and oversight for the civil works program and the Headquarters of the Corps provides executive direction and management of the civil works program.

The Assistant Secretary of the Army for Civil Works advises the Secretary of the Army on a variety of matters, including the Civil Works program of the Corps of Engineers. The Assistant Secretary is a member of the Army Secretariat with responsibilities, such as participating in continuity of Government exercises that extend well beyond Civil Works.

The Army's accounting system does not track OMA funding of overhead or Army-wide support offices on the basis of which office receives support, nor would it be efficient or effective to do so for a 20-person office. Instead, expenses such as legal support, personnel services, finance and accounting services, the executive motor pool, travel on military aircraft, and other support services are centrally funded and managed on a department-wide basis. Transferring the funding for the expenses of the Assistant Secretary for Civil Works to a separate account has greatly complicated the Army's accounting for such indirect and overhead expenses with no commensurate benefit to justify the change. The Committee does not agree that these costs should be funded in this bill and therefore has only provided funding for salaries and expenses as in previous years.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

Section 101. The bill includes language concerning reprogramming guidelines.

Section 102. The bill includes language concerning continuing contracts and the Inland Waterways Trust Fund.

Section 103. The bill includes language concerning report notifications.

Section 104. The bill includes a provision requested by the administration providing the Corps of Engineers authorization for emergency measures to exclude Asian Carp from the Great Lakes. It should be noted that when considering this language for inclusion in this bill that the Committee did not consider hydrologic separation of the Great Lakes Basin from the Mississippi River Basin to be an emergency measure. The Committee believes that the issue of hydrologic separation should be fully studied by the Corps of Engineers and vetted by the appropriate congressional authorizing committees and specifically enacted into law rather than have implementation be attempted through this limited provision.

Section 105. The bill includes language concerning funding transfers requested by the administration related to fish hatcheries.

Section 106. The bill includes language concerning a project cost increase requested by the administration for the Olmsted Lock and Dam Project.

Section 107. The bill includes language concerning a project deauthorization in Massachusetts.

Section 108. The bill includes language concerning a project deauthorization in Illinois.

Section 109. The bill includes language concerning the deauthorization of a portion of a project in Rhode Island.

Section 110. The bill contains language concerning a project cost increase requested by the administration for the Little Calumet, Indiana, project.

Section 111. The bill contains language concerning the combining of two projects and the sharing of credits between two projects in Florida.

Section 112. The bill contains language concerning expediting a study on preventing the spread of Asian Carp into the Great Lakes.

TITLE II
DEPARTMENT OF THE INTERIOR
CENTRAL UTAH PROJECT COMPLETION ACCOUNT

Appropriations, 2012	\$28,704,000
Budget estimate, 2013 ¹	
Committee recommendation ²	21,000,000

¹The fiscal year 2013 budget request recommended \$21,000,000 for the Central Utah Project Completion Account as a separate account under the Bureau of Reclamation.

²The Committee elected to retain the Central Utah Project Completion Account as a separate account under the Department of Interior.

While the fiscal year 2013 budget request recommended funding for the Central Utah Project Completion Act as a separate account under the Bureau of Reclamation, the Committee recommendation provides the budget request level of funding as a separate account within the Department of Interior as has been the tradition for nearly 20 years.

The Committee recommendation for fiscal year 2013 to carry out the provisions of the Central Utah Project Completion Act totals \$21,000,000. An appropriation of \$19,800,000 has been provided for Central Utah project construction; \$1,200,000 for fish, wildlife, and recreation, mitigation and conservation. The Committee recommendation provides \$1,300,000 for program administration and oversight.

Legislative language is included which allows up to \$1,500,000 of the funds provided to be used for administrative costs.

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

BUREAU OF RECLAMATION

INTRODUCTION

The Bureau of Reclamation was established in 1902 with the primary mission of harnessing the western rivers that led to homesteading and the economic development in the West. Today, Reclamation has evolved into a contemporary water management agency. In addition to the traditional missions of bringing water

and power to the West, Reclamation has developed and continues to develop programs, initiatives, and activities that will help the Western States, Native American tribes, and others meet new water needs and balance the multitude of competing uses of water in the West.

While Reclamation only has projects in the 17 Western States, its programs impact the entire Nation. Reclamation is the largest wholesaler of water in the country, operating 348 reservoirs with a total storage capacity of 245 million acre-feet. Reclamation projects deliver 10 trillion gallons of water to more than 31 million people each year, and provide 1 out of 5 Western farmers (140,000) with irrigation water for 10 million acres of farmland that produce 60 percent of the Nation's vegetables and 25 percent of its fruits and nuts. Reclamation manages, with partners, 289 recreation sites that have 90 million visits annually.

OVERVIEW AND ANALYSIS OF THE FISCAL YEAR 2013 BUDGET REQUEST

The fiscal year 2013 budget request for the Bureau of Reclamation is composed of \$1,034,018,000 in new budget authority. The budget request is \$19,701,000 less than the fiscal year 2012 enacted amount.

The budget request for Reclamation includes \$21,000,000 for the Central Utah Project that the administration has proposed to integrate under Reclamation's jurisdiction as a separate account. The Committee has elected to retain the Central Utah Project as a separate account under the Department of Interior. With the Central Utah Project funding deleted, the fiscal year 2013 budget request for the Bureau of Reclamation is composed of \$1,013,018,000 in new budget authority, \$34,701,000 less than the fiscal year 2012 enacted amount.

The Committee believes that the budget request is inadequate to fund the water and power needs in the West. Aging infrastructure continues to be a major concern as to whether projects will continue to provide the benefits to the economy for which they were constructed. New stresses on water supplies from population growth to drought require innovative ways to wring every bit of efficiency that is possible out of the existing infrastructure. While rural water funding is increased over last year's request, it is still inadequate to allow any of these projects to make substantial progress towards completion.

The Central Valley Project Restoration Fund is proposed at \$39,883,000 for fiscal year 2013. This is a decrease of \$13,185,000 from the fiscal year 2012 enacted amount. This account is primarily funded from revenues collected from water and power customers. Levels of funding in this account are based on a 3-year rolling average of revenues collected.

The California Bay-Delta Restoration account is proposed at \$36,000,000 for fiscal year 2013. This is down \$3,651,000 from the fiscal year 2012 enacted amount.

The Policy and Administration account is requested at \$60,000,000, the same as the fiscal year 2012 enacted amount.

WATER AND RELATED RESOURCES

Appropriations, 2012	\$895,000,000
Budget estimate, 2013 ¹	818,635,000
Committee recommendation ²	892,135,000

¹The budget request includes the funding for the Central Utah Project Completion Act.

²The Committee recommendation does not include funding for the Central Utah Project Completion Act within this account as proposed in the budget request, but does include the amounts proposed for Indian Water Rights Settlements and the San Joaquin Restoration proposed as separate accounts in the budget request.

An appropriation of \$892,135,000 is recommended by the Committee for the Bureau of Reclamation. This includes the budget request for Water and Related Resources. Also included within this amount are the proposed funding levels for Indian Water Rights Settlements and the San Joaquin River Restoration. As indicated, the Committee does not adopt the administration's proposal to include funding for the Central Utah Project under this account.

The water and related resources account supports the development, management, and restoration of water and related natural resources in the 17 Western States. The account includes funds for operating and maintaining existing facilities to obtain the greatest overall level of benefits, to protect public safety, and to conduct studies on ways to improve the use of water and related natural resources. Work will be done in partnership and cooperation with non-Federal entities and other Federal agencies.

The Committee has divided underfinancing between the Resources Management subaccount and the Facilities Operation and Maintenance subaccount. The Committee directs that the underfinancing amount in each subaccount initially be applied uniformly across all projects within the subaccounts. Upon applying the underfinanced amounts, normal reprogramming procedures should be undertaken to account for schedule slippages, accelerations, or other unforeseen conditions.

CONGRESSIONALLY DIRECTED SPENDING

The budget for the Bureau of Reclamation consists of individual line-items of projects. As presented by the President, the budget contains 195 specific line-item requests for directed spending by the administration. An additional 46 line-item requests for funding by the administration are for nationwide line-items. All of these line-items were specific requests by the administration to be funded in fiscal year 2013. The administration did not request these funds programmatically, but rather requested them for a specific project in a specific location for a specific purpose.

Congressionally directed spending has become synonymous with earmarks in recent debates, even for agencies such as the Bureau of Reclamation where the majority of the budget request is based on individual line-item studies and projects. Due to this ongoing debate, the Committee has voluntarily refused all congressionally directed spending requests for fiscal year 2013. Accordingly, the administration has total discretion as to how the funding that this Committee appropriates will be spent as it relates to individual studies and projects. The Committee has retained the traditional table for the Water and Related Resources Account delineating the line-items requested by the President in the budget request. Due

to inadequacies in the administration's budget request, the Committee has also inserted some additional line-item funding under the Regional Programs heading for specific categories of studies or projects that the Committee feels are underrepresented in the administration's budget request. Reclamation has discretion within the guidelines provided as to which line-items this additional funding will be applied to. The Committee has not included any congressionally directed spending as defined in section 5(a) of rule XLIV of the standing rules of the Senate.

BUREAU OF RECLAMATION—WATER AND RELATED RESOURCES

[In thousands of dollars]

Project title	Budget estimate		Committee recommendation	
	Resources management	Facilities OM&R	Resources management	Facilities OM&R
ARIZONA				
AK CHIN INDIAN WATER RIGHTS SETTLEMENT ACT PROJECT		12,075		12,075
COLORADO RIVER BASIN—CENTRAL ARIZONA PROJECT	7,456	436	7,456	436
COLORADO RIVER FRONT WORK AND LEVEE SYSTEM	1,907		1,907	
SALT RIVER PROJECT	684	231	684	231
SAN CARLOS APACHE TRIBE WATER SETTLEMENT ACT PROJECT	78		78	
SIERRA VISTA SUBWATERSHED FEASIBILITY STUDY	500		500	
YUMA AREA PROJECTS	1,585	20,430	1,585	20,430
CALIFORNIA				
CACHUMA PROJECT	678	653	678	653
CENTRAL VALLY PROJECT:				
AMERICAN RIVER DIVISION, FOLSOM DAM UNIT/MORMON ISLAND	1,480	9,086	1,480	9,086
AUBURN—FOLSOM SOUTH UNIT	33	3,132	33	3,132
DELTA DIVISION	6,577	5,342	6,577	5,342
EAST SIDE DIVISION	1,246	2,602	1,246	2,602
FRIANT DIVISION	2,252	3,307	2,252	3,307
SAN JOAQUIN RIVER RESTORATION SETTLEMENT			12,000	
MISCELLANEOUS PROJECT PROGRAMS	9,508	935	9,508	935
REPLACEMENTS, ADDITIONS, AND EXTRAORDINARY MAINTENANCE		17,230		17,230
SACRAMENTO RIVER DIVISION	4,153	1,261	4,153	1,261
SAN FELIPE DIVISION	411	166	411	166
SAN JOAQUIN DIVISION	50		50	
SHASTA DIVISION	416	7,956	416	7,956
TRINITY RIVER DIVISION	14,527	4,110	14,527	4,110
WATER AND POWER OPERATIONS	1,239	6,965	1,239	6,965
WEST SAN JOAQUIN DIVISION, SAN LUIS UNIT	17,740	6,313	17,740	6,313
ORLAND PROJECT		633		633
SALTON SEA RESEARCH PROJECT	300		300	
SOLANO PROJECT	1,356	2,256	1,356	2,256
VENTURA RIVER PROJECT	348	29	348	29
COLORADO				
ANIMAS-LA PLATA PROJECT	1,146	1,188	1,146	1,188
COLLBRAN PROJECT	242	1,511	242	1,511
COLORADO-BIG THOMPSON PROJECT	277	13,369	277	13,369
FRUITGROWERS DAM PROJECT	129	171	129	171
FRYINGPAN-ARKANSAS PROJECT	324	8,494	324	8,494
FRYINGPAN-ARKANSAS PROJECT—ARKANSAS VALLEY CONDUIT	3,000		3,000	
GRAND VALLEY UNIT, CRBSCP, TITLE II	631	1,338	631	1,338
LEADVILLE/ARKANSAS RIVER RECOVERY PROJECT		4,106		4,106
MANCOS PROJECT	95	121	95	121
PARADOX VALLEY UNIT, CRBSCP, TITLE II	109	2,519	109	2,519
PINE RIVER PROJECT	179	288	179	288
SAN LUIS VALLEY PROJECT	349	4,834	349	4,834

BUREAU OF RECLAMATION—WATER AND RELATED RESOURCES—Continued
 [In thousands of dollars]

Project title	Budget estimate		Committee recommendation	
	Resources management	Facilities OM&R	Resources management	Facilities OM&R
UNCOMPAGRE PROJECT	783	209	783	209
UPPER COLORADO RIVER OPERATIONS PROGRAM	265	.....	265	.....
IDAHO				
BOISE AREA PROJECTS	2,878	2,696	2,878	2,696
COLUMBIA AND SNAKE RIVER SALMON RECOVERY PROJECT	18,000	.....	18,000	.....
LEWISTON ORCHARDS PROJECTS	689	30	689	30
MINIDOKA AREA PROJECTS	2,160	7,417	2,160	7,417
PRESTON BENCH PROJECT	4	8	4	8
KANSAS				
WICHITA PROJECT—CHENEY DIVISION	46	534	46	534
WICHITA PROJECT—EQUUS BEDS DIVISION	50	.....	50	.....
MONTANA				
FORT PECK RESERVATION/DRY PRAIRIE RURAL WATER SYSTEM	7,500	.....	7,500	.....
HUNGRY HORSE PROJECT .....	.....	763	.....	763
HUNTLEY PROJECT	32	56	32	56
LOWER YELLOWSTONE PROJECT	364	36	364	36
MILK RIVER PROJECT	348	1,591	348	1,591
ROCKY BOYS/NORTH CENTRAL MONTANA RURAL WATER SYSTEM	4,000	.....	4,000	.....
SUN RIVER PROJECT	53	271	53	271
NEBRASKA				
MIRAGE FLATS PROJECT	16	131	16	131
NEVADA				
LAHONTAN BASIN PROJECT	4,199	5,317	4,199	5,317
LAKE TAHOE REGIONAL DEVELOPMENT PROGRAM	112	.....	112	.....
LAKE MEAD/LAS VEGAS WASH PROGRAM	206	.....	206	.....
NEW MEXICO				
CARLSBAD PROJECT	2,670	1,090	2,670	1,090
EASTERN NEW MEXICO RURAL WATER SUPPLY	1,978	.....	1,978	.....
JICARILLA APACHE RURAL WATER SYSTEM	500	.....	500	.....
MIDDLE RIO GRANDE PROJECT	9,838	12,699	9,838	12,699
RIO GRANDE PROJECT	1,127	4,249	1,127	4,249
RIO GRANDE PUEBLOS PROJECT	250	.....	250	.....
TUCUMCARI PROJECT	45	45	45	45
NORTH DAKOTA				
PICK-SLOAN MISSOURI BASIN—GARRISON DIVERSION UNIT	19,106	6,413	19,106	6,413
OKLAHOMA				
ARBUCKLE PROJECT	66	179	66	179
MCGEE CREEK PROJECT	37	801	37	801
MOUNTAIN PARK PROJECT	25	560	25	560
NORMAN PROJECT	17	477	17	477
WASHITA BASIN PROJECT	95	1,483	95	1,483
W.C. AUSTIN PROJECT	57	608	57	608
OREGON				
CROOKED RIVER PROJECT	367	400	367	400
DESCHUTES PROJECT	348	328	348	328
EASTERN OREGON PROJECTS	689	220	689	220
KLAMATH BASIN RESTORATION AGREEMENT	7,101	.....	7,101	.....
KLAMATH PROJECT	16,503	2,130	16,503	2,130
ROGUE RIVER BASIN PROJECT, TALENT DIVISION	478	285	478	285
TUALATIN PROJECT	102	158	102	158
UMATILLA PROJECT	787	3,019	787	3,019

BUREAU OF RECLAMATION—WATER AND RELATED RESOURCES—Continued

[In thousands of dollars]

Project title	Budget estimate		Committee recommendation	
	Resources management	Facilities OM&R	Resources management	Facilities OM&R
SOUTH DAKOTA				
LEWIS AND CLARK RURAL WATER SYSTEM	4,500	.....	4,500	.....
MID-DAKOTA RURAL WATER PROJECT .....	.....	15	.....	15
MNI WICONI PROJECT	23,000	12,200	23,000	12,200
RAPID VALLEY PROJECT .....	.....	92	.....	92
TEXAS				
BALMORHEA PROJECT	43	15	43	15
CANADIAN RIVER PROJECT	80	121	80	121
LOWER RIO GRANDE WATER RESOURCES CONSERVATION PRO- GRAM	50	.....	50	.....
NUECES RIVER PROJECT	47	636	47	636
SAN ANGELO PROJECT	56	537	56	537
UTAH				
HYRUM PROJECT	238	145	238	145
MOON LAKE PROJECT	102	68	102	68
NEWTON PROJECT	41	82	41	82
OGDEN RIVER PROJECT	220	229	220	229
PROVO RIVER PROJECT	1,213	415	1,213	415
SANPETE PROJECT	60	11	60	11
SCOFIELD PROJECT	253	55	253	55
STRAWBERRY VALLEY PROJECT	376	40	376	40
WEBER BASIN PROJECT	966	873	966	873
WEBER RIVER PROJECT	76	75	76	75
WASHINGTON				
COLUMBIA BASIN PROJECT	3,595	5,436	3,595	5,436
WASHINGTON AREA PROJECTS	411	52	411	52
YAKIMA PROJECT	801	6,617	801	6,617
YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT	9,500	.....	9,500	.....
WYOMING				
KENDRICK PROJECT	117	4,736	117	4,736
NORTH PLATTE PROJECT	240	1,340	240	1,340
SHOSHONE PROJECT	75	792	75	792
SUBTOTAL, ITEMS UNDER STATES	230,956	231,872	242,956	231,872
REMAINING ITEMS				
ADDITIONAL FUNDING FOR ONGOING WORK:				
RURAL WATER .....	.....	.....	15,000	.....
FISH PASSAGE AND FISH SCREENS .....	.....	.....	5,000	.....
WATER CONSERVATION AND DELIVERY STUDIES, PROJECTS .....	.....	.....	8,000	.....
ENVIRONMENTAL RESTORATION AND COMPLIANCE .....	.....	.....	5,000	.....
FACILITIES OPERATION, MAINTENANCE, AND REHABILITATION .....	.....	.....	.....	9,300
COLORADO RIVER BASIN SALINITY CONTROL PROJECT, TITLE I .....	.....	10,706	.....	10,706
COLORADO RIVER BASIN SALINITY CONTROL PROJECT, TITLE I	8,000	.....	8,000	.....
COLORADO RIVER STORAGE PROJECT [CRSP], SECTION 5	4,463	4,817	4,463	4,817
COLORADO RIVER STORAGE PROJECT [CRSP], SECTION 8	4,315	.....	4,315	.....
COLORADO RIVER WATER QUALITY IMPROVEMENT PROJECT	537	.....	537	.....
DAM SAFETY PROGRAM:				
DEPARTMENT OF THE INTERIOR DAM SAFETY PROGRAM .....	.....	1,100	.....	1,100
INITIATE SAFETY OF DAMS CORRECTIVE ACTION .....	.....	67,000	.....	67,000
SAFETY EVALUATION OF EXISTING DAMS .....	.....	19,350	.....	19,350
DROUGHT EMERGENCY ASSISTANCE PROGRAM .....	.....	.....	500	.....
EMERGENCY PLANNING AND DISASTER RESPONSE PROGRAM .....	.....	1,300	.....	1,300
ENDANGERED SPECIES RECOVERY IMPLEMENTATION PROGRAM	18,890	.....	18,890	.....
ENVIRONMENTAL PROGRAM ADMINISTRATION	1,670	.....	1,670	.....
EXAMINATION OF EXISTING STRUCTURES .....	.....	8,760	.....	8,760

BUREAU OF RECLAMATION—WATER AND RELATED RESOURCES—Continued

[In thousands of dollars]

Project title	Budget estimate		Committee recommendation	
	Resources management	Facilities OM&R	Resources management	Facilities OM&R
FEDERAL BUILDING SEISMIC SAFETY PROGRAM		1,300		1,300
GENERAL PLANNING ACTIVITIES	2,532		2,532	
INDIAN WATER RIGHTS SETTLEMENTS:				
AAMODT			5,000	
CROW			10,000	
NAVAJO-GALLUP			25,000	
TAOS			4,000	
WHITE MOUNTAIN APACHE			2,500	
LAND RESOURCES MANAGEMENT PROGRAM	8,702		8,702	
LOWER COLORADO RIVER OPERATIONS PROGRAM	27,190		27,190	
MISCELLANEOUS FLOOD CONTROL OPERATIONS		871		871
NATIVE AMERICAN AFFAIRS PROGRAM	6,393		6,393	
NEGOTIATION AND ADMINISTRATION OF WATER MARKETING	2,409		2,409	
OPERATION AND PROGRAM MANAGEMENT	1,007	1,210	1,007	1,210
PICK-SLOAN MISSOURI BASIN PROGRAM—OTHER PICK SLOAN	3,345	39,067	3,345	39,067
POWER PROGRAM SERVICES	3,623	307	3,623	307
PUBLIC ACCESS AND SAFETY PROGRAM	666	206	666	206
RECLAMATION-WIDE AGING INFRASTRUCTURE		7,300		
RECLAMATION LAW ADMINISTRATION	2,311		2,311	
RECREATION AND FISH AND WILDLIFE PROGRAM ADMINISTRATION	2,508		2,508	
RESEARCH AND DEVELOPMENT:				
DESALINATION AND WATER PURIFICATION PROGRAM	2,000	998	2,000	998
SCIENCE AND TECHNOLOGY PROGRAM	10,050		10,050	
SITE SECURITY ACTIVITIES		26,900		26,900
UNITED STATES/MEXICO BORDER ISSUES—TECHNICAL SUPPORT	97		97	
WATERSMART PROGRAM:				
WATERSMART GRANTS	21,500		21,500	
WATER CONSERVATION FIELD SERVICES PROGRAM	5,886		5,886	
COOPERATIVE WATERSHED MANAGEMENT	250		250	
BASIN STUDIES	6,000		6,000	
TITLE XVI WATER RECLAMATION AND REUSE PROGRAM:				
COMMISSIONER'S OFFICE TITLE XVI	16,560		16,560	
PHOENIX METROPOLITAN WATER RECLAMATION AND REUSE		200		200
LONG BEACH DESALINATION PROJECT, CA		500		500
LONG BEACH AREA WATER RECLAMATION PROJECT, CA ...		500		500
SAN DIEGO AREA WATER RECLAMATION PROGRAM, CA ...		2,300		2,300
SAN JOSE AREA WATER RECLAMATION AND REUSE PROGRAM		211		211
SUBTOTAL, REMAINING ITEMS	164,615	191,192	244,615	193,192
UNDERFINANCING			-11,759	-8,741
GRAND TOTAL, WATER AND RELATED RESOURCES	818,635		892,135	

Central Valley Project, Friant Division, San Joaquin Restoration.—The Committee has chosen not to include a separate account for this item. Rather it is being funded as a sub-element under the Friant Division of the Central Valley Project. The Committee believes that this is prudent to keep these funds within the Water and Related Resources account maximizing the flexibility of the funding.

Indian Water Rights Settlements Account.—The Committee has chosen not to include a separate account for this work. The Committee recognizes that these are legal settlements with the affected tribes, however, believe it is prudent to keep these items within the Water and Related Resources Account. Beyond the actual water

rights settlement funding, many of these settlements included construction components very similar to rural water projects funded elsewhere in this account. The Committee understands that, due to the way the settlements were structured, some of the discretionary funding may not be obligated in fiscal year 2013 and will be carried over into later years. The Committee urges Reclamation to minimize this practice to the extent practicable and within the confines of these settlements. To maintain the visibility of these projects, the Committee has included the five projects under the Regional Programs heading with a subheading called Indian Water Rights Settlements.

Kettleman City, California.—The Committee is concerned by the immediate and long-term public health threat posed by benzene and arsenic contamination of groundwater that the Kettleman City Community Service District relies on to supply its 1,500 residents. Despite the multi-year efforts of the Bureau of Reclamation, California Department of Water Resources, Kings County, and Central Valley Project and State Water Project contractors to identify an alternative source of clean drinking water and means for delivery, the problem persists. The Committee urges the Secretary of the Interior, acting through the Bureau of Reclamation and in collaboration with state and local entities, including the California Department of Public Health, and California's State Water Resources Control Board, to develop and implement a plan to provide the community with a reliable supply of uncontaminated source water in the amount of 900 acre-feet no later than 180 days following enactment of this Act.

Expedite Water Transfers.—The Committee urges the Secretary of the Interior to take all necessary actions to facilitate and expedite transfers of Central Valley Project water in accordance with this Act and other applicable provisions of Federal and state law, including Federal reclamation law and the National Environmental Policy Act of 1969. To ensure the expeditious review of water transfer applications, the Secretary, acting through the Bureau of Reclamation, is urged to adopt a policy to require Reclamation to determine whether a written transfer proposal is complete within 45 days after the date of submission of such proposal by a contracting district. If Reclamation determines that a proposal is incomplete, Reclamation shall notify the applicant and the Secretary shall state with specificity what must be added or revised in order for such proposal to be considered complete.

Sierra Nevada Forest Watersheds.—The Committee directs the Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation and the Director of the United States Geological Survey, and in cooperation with the Secretary of Agriculture, to provide an assessment of the scientific literature regarding current or proposed national forest management practices in the Sierra Nevadas that could potentially generate water supply or other benefits or impacts to the Central Valley Project and the State Water Project. This assessment should include cost-benefit analysis of potential forest management actions that would be mutually beneficial to national forest lands and water supply yield and, if merited, recommendations for further congressional action.

Zebra and Quagga Mussels.—The Committee understands the challenges posed by the invasion of quagga and zebra mussels in various places across the country, and that invasion has not yet occurred in the Pacific Northwest and Lake Tahoe. Given the significant Federal assets in the region, it is prudent to determine the vulnerabilities of the infrastructure. The Committee recognizes the work that is underway, but believes more can and should be done to prevent invasion. Portions of the country are already dealing with these invasive species and the lessons learned should be applied to develop a strategy of minimizing the impacts to vulnerable infrastructure in this region. The Committee encourages the Bureau of Reclamation, in partnership with the Bonneville Power Administration, to continue its efforts to develop invasive mussel vulnerability assessments for federally owned hydropower projects, in the Pacific Northwest, including an estimate of the annual cost of protection and maintenance of this infrastructure, if applicable. Further, the Committee urges Reclamation to assist the States, where appropriate, in their efforts to prevent the spread of invasive mussels to Federal projects in the region.

Additional Funding for Water and Related Resources Work.—The Committee recommendation includes additional funds above the budget request for Water and Related Resources studies, projects, and activities. The Committee recommends that priority in allocating these funds should be given to complete ongoing work, improve water supply reliability, improve water deliveries, tribal and nontribal water settlement studies, ecosystem restoration, enhance national, regional, or local economic development, promote job growth and for critical backlog maintenance activities.

The intent of these funds is for work that either were omitted from the budget request or were inadequately budgeted. Within 30 days of enactment, Reclamation shall provide the House and Senate Appropriations Committees a work plan delineating how these funds are to be distributed and in which phase the work is being accomplished.

WaterSmart Program, Title XVI Water Reclamation/Reuse Projects.—The Committee believes there is an opportunity to enhance the program's effectiveness through the advancement of regional-scale projects that include multiple jurisdictions and generate environmental as well as water supply benefits. These regional projects can require longer planning and construction timeframes than other more narrowly focused projects. Accordingly, the Committee urges the Bureau of Reclamation to consider allocating a portion of the funds within the overall title XVI program in future budget requests to be used for advancing of regional-scale water reclamation and reuse projects by providing planning and construction assistance grants that can each be used over a period of up to 5 years.

Additionally, the Committee is concerned that constrained budgets impact the research and development initiatives vital to improvements in water recycling and desalination technologies development and applications. The Committee believes that only through enhanced Federal and non-Federal research partnerships can research and development vital to much needed improvements in water recycling and desalination technologies development and

applications be accomplished. The Bureau of Reclamation should consider budgeting for extramural cost-shared research grants to fund high-priority research and development initiatives on water reuse, recycling and desalination by not-for-profit organizations who often partner with the Bureau of Reclamation.

CENTRAL VALLEY PROJECT RESTORATION FUND

Appropriations, 2012	\$53,068,000
Budget estimate, 2013	39,883,000
Committee recommendation	39,883,000

The Committee recommends an appropriation of \$39,883,000 for the Central Valley Project Restoration Fund.

The Central Valley Project Restoration Fund was authorized in the Central Valley Project Improvement Act, title 34 of Public Law 102-575. This fund uses revenues from payments by project beneficiaries and donations for habitat restoration, improvement and acquisition, and other fish and wildlife restoration activities in the Central Valley project area of California. Payments from project beneficiaries include several required by the act (Friant Division surcharges, higher charges on water transferred to non-CVP users, and tiered water prices) and, to the extent required in appropriations acts, additional annual mitigation and restoration payments.

The Central Valley Project Improvement Act, enacted into law in October 1992, established 34 activities to restore and enhance fish and wildlife habitats in California’s Central Valley and Trinity Basins. The act established a Restoration Fund for the deposit of contributions from CVP water and power users to pay for those activities, along with contributions from the State of California, Federal appropriations, and other contributors. Unfortunately, a number of sources envisioned to contribute to this fund never materialized or funding is no longer available from those sources.

Power users, in particular, are paying a much greater share than anyone anticipated. This has resulted in high CVP power costs, and unpredictable fee assessments on power agencies. The fees imposed on power users are unpredictable, since in low water years the water users pay very little and the power users make up the difference. The Restoration Fund collection in the early years of the act was the equivalent of adding \$1 per megawatt hour to the cost of CVP power, but this has now increased to an average cost of approximately \$11 per megawatt hour over the last 4 years.

Since the fund was established in 1992 more than \$1,400,000,000 has been spent for restoration activities, but there has been little accountability on how effectively it has been used. There is very little assurance that the goals of the Restoration Fund will be met in the near future, such that the fees could be reduced under the statute. Therefore, the Committee urges the Commissioner to continue to work with power users to determine a more predictable payment stream for power users and to develop measures to provide more accountability and transparency to the restoration process. Further, a report covering the previous fiscal year activities should be incorporated into the budget justifications submitted with the President’s budget request starting in fiscal year 2014.

CALIFORNIA BAY-DELTA RESTORATION
(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2012	\$39,651,000
Budget estimate, 2013	36,000,000
Committee recommendation	36,000,000

The Committee recommendation includes an appropriation of \$36,000,000 for the CALFED Bay-Delta Program.

This account funds activities that are consistent with the CALFED Bay-Delta Program, a collaborative effort involving 18 State and Federal agencies and representatives of California's urban, agricultural, and environmental communities. The goals of the program are to improve fish and wildlife habitat, water supply reliability, and water quality in the San Francisco Bay-San Joaquin River Delta, the principle hub of California's water distribution system.

POLICY AND ADMINISTRATION

Appropriations, 2011	\$60,000,000
Budget estimate, 2012	60,000,000
Committee recommendation	60,000,000

The Committee recommendation for general administrative expenses is \$60,000,000.

The policy and administrative expenses program provides for the executive direction and management of all reclamation activities, as performed by the Commissioner's offices in Washington, DC; Denver, Colorado; and five regional offices. The Denver office and regional offices charge individual projects or activities for direct beneficial services and related administrative and technical costs. These charges are covered under other appropriations.

INDIAN WATER RIGHTS SETTLEMENTS

Appropriations, 2012 .....	.....
Budget estimate, 2013	\$46,500,000
Committee recommendation .....	.....

The Committee recommends no appropriation for the Indian Water Rights Settlements Account.

This account was proposed as a part of the administration request to cover expenses associated with four Indian water rights settlements contained in the Claims Resolution Act of 2010 (Public Law 111-291), title X of the Omnibus Public Lands Management Act of 2009 (Public Law 111-11), and the White Mountain Apache Tribe Rural Water System Loan Authorization Act (Public Law 110-390). Rather than create a new account as proposed, the Committee has provided this funding request under the Regional Programs section of the Water and Related Resources Account as similar work and funding has been previously provided in that account.

SAN JOAQUIN RESTORATION FUND

Appropriations, 2012 .....	.....
Budget estimate, 2013	\$12,000,000
Committee recommendation .....	.....

The Committee recommends no appropriation for the San Joaquin Restoration Fund Account.

This account was proposed to implement the provisions described in the Stipulation of Settlement for the *National Resources Defense Council et al. v. Rodgers* lawsuit. Rather than provide discretionary funding in this account as proposed, the Committee has provided this funding request under the Central Valley Project, Friant Division of the Water and Related Resources Account as similar work and funding has been previously provided in that account.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

Section 201. The bill includes language regarding Bureau of Reclamation Reprogramming.

Section 202. The bill includes language regarding the San Luis Unit and the Kesterson Reservoir in California.

Section 203. The bill includes language concerning groundwater banking requested by the administration.

Section 204. The bill includes language concerning water transfers requested by the administration.

Section 205. The bill includes language extending the Drought Act and raising the appropriation ceiling.

Section 206. The bill includes language concerning drought planning assistance in the Central Valley Project.

Section 207. The bill includes language concerning water storage studies.

Section 208. This provision concerns the Friant prepayment for the San Joaquin River Settlement currently authorized for disbursement starting in 2019. The provision advances disbursement of these prepaid funds to 2014 and limits expenditure of these authorized mandatory funds to \$40,000,000 per year. The section changes no other provisions of the San Joaquin River Settlement.

Section 209. This section requires the Secretary of the Interior to develop and issue a plan identifying strategies to increase Central Valley Project water supplies during years when water allocations are likely to be low. It is the Committee's intent that this plan will be finalized and ready for implementation within the 2013 water year.

The Committee acknowledges that the Secretary of the Interior, acting through the Bureau of Reclamation, implemented an aggressive water supply initiative in 2010 that produced more than 150,000 acre-feet of water through various administrative actions. The intent of the plan required under this section is to identify those actions utilized by Reclamation in 2010 and any other measures which may provide additional water supplies for CVP contractors in dry, critically dry and below normal years.

Section 210. This bill includes language concerning the San Gabriel Restoration Fund.

TITLE III

DEPARTMENT OF ENERGY

The Committee recommends \$27,127,564,000 for the Department of Energy. Within these funds, \$11,510,886,000 is for the National Nuclear Security Administration [NNSA]. The Committee's highest priority is accelerating breakthroughs in clean energy technologies to reduce the Nation's dependence on foreign oil and developing carbon-free sources of energy that will change the way the United States produces and consumes energy. Moreover, the Committee recommends an increase of \$510,886,000 above fiscal year 2012 enacted levels for NNSA to address critical national security missions. The increase would allow NNSA to stay on track to meet its goal of securing all vulnerable nuclear materials in 4 years to protect the United States against nuclear terrorism, continue modernizing the nuclear weapons complex consistent with the Nuclear Posture Review and New START Treaty, and develop a new reactor core for the OHIO-class submarine.

EXASCALE INITIATIVE

The Committee continues to support the Department's initiative to develop exascale computing—1,000 times more powerful than today's most powerful computer. The Committee recommends \$137,500,000 to support this initiative, which includes \$68,500,000 for the Office of Science and \$69,000,000 for the NNSA. The Committee understands that with today's technology, an exascale computer would consume more than 200 megawatts of power at a cost of \$200,000,000–\$300,000,000 per year, would have an extremely high failure rate, and be difficult to program and use. For this reason, the committee supports a focused research, development, and engineering effort to address technical challenges and deploy an exascale system by 2022 that uses no more than 20 megawatts of power.

STREAMLINING SECURITY CONTRACTS

The Committee is concerned that the Department has duplicative overhead costs in providing protection services for laboratories and sensitive sites around the country. The Committee is concerned that these contracts are not uniformly managed, organized, or staffed, which creates concerns about the safety of the national laboratories as well as fiscal responsibility with taxpayer dollars. In November 2011, the Department's Inspector General recommended that the Department pursue either a master contract, consolidation by region, or Federalizing the protective force to help reduce costs. The Committee directs that no later than 60 days after enactment of this act the Department provide the House and Senate Appro-

priations Committees a plan to reduce the overhead costs of protective forces at sensitive sites and laboratories which includes one of the options recommended by the Inspector General, or another option that may have equal or greater contracting cost reductions.

CONTRACTOR SUPPORT COSTS

The Committee notes the Government Accountability Office [GAO] has identified Department of Energy contractor support costs as an area where opportunities may exist to reduce costs. Approximately 90 percent of the Department's budget is spent on contractors to carry out its missions and operate its sites nationwide. These management and operating contractors also provide sites' support functions. According to GAO, the cost of support functions at the NNSA and Office of Science sites increased by 10 percent between fiscal year 2007 and 2009. The Department is directed to take actions to manage cost growth in support functions and related costs, and describe ongoing and future efforts to meet GAO recommendations in this area and report to the Committee within 30 days of enactment of this act.

SMALL BUSINESS CONTRACTING

The Committee directs the Department to make no changes to its current small-business contracting processes related to the Department's national laboratories. Under DOE's management and operations contracts with the national laboratories, about 10 percent to 20 percent of total laboratory budgets are currently subcontracted to small business and managed locally by each laboratory. The Committee understands that the Department is considering converting these laboratory-managed subcontracts to primary contracts let and managed by the Department. The Committee is concerned that such a change will not result in any increase in funding available to small businesses. In fact, the Committee is concerned that the Department's proposed plan will increase contracting bureaucracy and result in a loss of efficiencies derived from the localized management and operation of the national laboratories. The Committee directs the Department to consult Congress, including the Committee on Small Business and Entrepreneurship, before making any changes to small-business contracting procedures.

NEW POSITIONS

The Committee is concerned about the Department's creation of new senior-level positions without advance notification. Such positions necessitate budgetary requirements, and as such the Committee expects in the future to be notified of the Department's plans (including those of the NNSA) to create new senior level position, along with the budget needed to sustain such positions.

BUDGET JUSTIFICATION

The Committee recognizes the progress the Department has made on updating the format of the budget justification submission. Although the format is more condensed, parts of the justifica-

tion—particularly the Energy Efficiency and Renewable Energy [EERE] section—are nearly devoid of usable information and make meaningful analysis of the budget impossible. For example, the justification does not list how much funding was proposed for either of the two hubs in EERE. The Committee appreciates the Department’s follow-up in providing needed information. While the Committee supports displaying how funding is distributed among technology readiness levels, the narrative should pertain to a comparable structure to previously enacted acts to enable comparison of activities, and funding information should be displayed in comparable account structures showing at least the program, project or activity level. For the fiscal year 2014 budget justification, the Committee directs the Department to implement these conforming changes, and provide significantly more detail to the Committee on Appropriations to enable adequate analysis of the budget request. Any program, project or activity should be readily identifiable and easy to locate in the budget justification.

REPROGRAMMING GUIDELINES

The Department of Energy is directed to operate in a manner fully consistent with the following reprogramming guidelines. A reprogramming request must be submitted to the Committees on Appropriations for consideration before any implementation of a reorganization proposal which includes moving previous appropriations between appropriation accounts. The Department is directed to inform the Committees promptly and fully when a change in program execution and funding is required during the fiscal year. To assist the Department in this effort, the following guidance is provided for programs and activities funded in the Energy and Water Development and Related Agencies Appropriations Act. The Department is directed to follow this guidance for all programs and activities unless specific reprogramming guidance is provided for a program or activity.

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

Any reallocation of new or prior year budget authority or prior year deobligations must be submitted to the Committees in writing and may not be implemented prior to approval by the Committees on Appropriations.

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

(INCLUDING RESCISSION)

Appropriations, 2012	¹ \$1,825,000,000
Budget estimate, 2013	2,337,000,000
Committee recommendation	² 1,985,735,000

¹ Does not include rescission of \$9,909,000 under Public Law 112-331.

² Does not include proposed rescission of \$69,667,000.

The Committee recommendation is \$1,985,735,000 for Energy Efficiency and Renewable Energy.

Quadrennial Technology Review.—Based on the results of the Department’s Quadrennial Technology Review, and the Nation’s many urgent energy challenges, the Committee strongly recommends that the Office of Energy Efficiency and Renewable Energy consider applying more funding toward near-term commercialization efforts in partnership with the private sector.

Budgeting for Facilities.—The Committee directs the Department to provide support for the base operating costs of the Energy Systems Integration Facility [ESIF], a new technology user facility, which will begin operations in fiscal year 2013 and transfer the necessary funds from the technology programs into the Facilities and Infrastructure account. Starting in fiscal year 2014, the Committee expects the Department to request a “Facility Management” subprogram budget within Facilities and Infrastructure to support ESIF operations.

Hydrogen Technology.—The Committee continues to support fuel cell and hydrogen energy systems for stationary, vehicle, motive and portable power applications. The Committee recommends \$104,000,000 for the Fuel Cell Technologies program, \$24,000,000 above the request and consistent with last year’s appropriated funding. Within this total funding, \$14,000,000 is for Technology Validation focused on passenger vehicle and hydrogen infrastructure applications where vehicles will be deployed, \$34,000,000 is for hydrogen fuels R&D, and \$15,000,000 is for Market Transformation for cost-shared advanced demonstration and deployment of early market stationary power and motive applications including material handling equipment, ground support equipment, refrigerated trucks, auxiliary power units and the associated hydrogen infrastructure.

Biomass and Biorefinery Systems R&D.—The Committee recommends \$200,000,000 for biomass and biorefinery systems R&D. Within the available funds, the Department is encouraged to direct a total of \$30,000,000 for algae biofuels. The Committee is concerned the Department is interpreting biomass too narrowly and failing to consider promising noncellulosic forms of biomass energy technology projects. For purposes of allocating resources, the Department is directed to include biosolids derived from the municipal wastewater treatment process and other similar renewables within the definition of noncellulosic. In funding biomass and biofuels refinery systems, the Department is encouraged to provide funding to projects that utilize regionally available and appropriate wood and agricultural biomass feedstock for thermal heating appli-

cations. The Committee recognizes that quality and reliability of supplies will be key in acceptance of advanced drop-in biofuels into the supply chain once they are demonstrated at a convincing scale. To that end, the Committee is supportive of the collaboration between the Navy, Department of Agriculture and DOE to develop innovative technologies for jet and diesel fuels for military uses. With the Department of Defense as an early adopter of these alternative fuels, the wider marketplace will be more likely to follow.

Solar Energy.—The Committee recommends \$293,000,000 for solar energy. The Committee supports the budget increase in the Market Barriers program to \$25,000,000 and directs the Department to prioritize the expansion of the Rooftop Solar Challenge program, focused specifically on streamlining permitting and inspection processes. Work in fiscal year 2013 will focus on applying best practices developed in fiscal year 2012 more broadly throughout the country. Further, the Department of Energy shall continue to fund projects to demonstrate innovative solar energy technologies including in coordination with its regional testing centers to validate these new technologies by developing the standards and guidelines to certify the performance and operation of utility scale solar energy projects.

Wind Energy.—The recommendation is \$95,000,000 for wind energy. The Committee directs \$37,200,000 for offshore wind technologies, including freshwater, deepwater, shallow water, and transitional depth installations. The Committee understands that the Department is making resources available on a competitive basis for offshore wind advanced technology demonstration projects and expects that such funds continue to be awarded for new and innovative technologies. The Committee encourages the Department to support collaborative industry/university research involving modeling and visualization aimed at extending the life of wind turbine blades.

Geothermal Technology.—The recommendation for geothermal technology is \$65,000,000. The funds made available by this section shall be disbursed to the full spectrum of geothermal technologies as authorized by the Energy Independence and Security Act of 2007 (Public Law 110–140) and the Department of Energy shall continue its support of comprehensive programs that support academic and professional development initiatives. The Committee continues to have concerns about the level of funding devoted to low-temperature geothermal research and development and directs the Department to provide funding to this geothermal area of research and development. The U.S. Geological Survey has identified more than 120,000 MW of untapped potential at these temperatures.

Water Power Energy R&D.—The Committee recommends \$59,000,000 for water power. The budget request of \$20,000,000 allocated \$15,000,000, or 75 percent, of the funding to marine and hydrokinetic technology and \$5,000,000, or 25 percent, of the funding to conventional hydropower. The Committee believes the budget request is inadequate for both categories of technology, but accepts the proposed ratio of funding. Hence, the Committee recommends \$44,000,000 for marine and hydrokinetic technology re-

search, development and deployment and \$15,000,000 for conventional hydropower.

Within available funds, the Committee directs the Department to provide up to \$5,000,000 for the construction of necessary testing infrastructure for marine and hydrokinetic systems. The Committee encourages the Department to coordinate with the Department of Defense and designated National Marine Renewable Energy Centers for ocean renewable energy demonstration activities. Additionally, the Committee directs the Department to provide not less than \$20,000,000 for competitive demonstrations of marine and hydrokinetic technologies. Not later than October 31, 2012, the Department shall provide a briefing to the Committee on the report required in fiscal year 2010 outlining the Department's research and development priorities and goals for this program during fiscal years 2011 through 2015 along with efforts to further validate the economic and technical viability of a variety of marine and hydrokinetic technologies.

Vehicle Technologies.—The Committee recommends \$330,000,000 for vehicle technologies. Within the available funds, the Committee provides full funding for existing contracts in the Super Truck program. The Committee is concerned that the budget's proposed funding for Innovative and Emerging Technologies related to aerodynamic drag reduction for large trucks are insufficient to achieve the goal to improve the fuel economy of heavy duty, class eight vehicles by fifty percent. Within available funds, an increase of \$10,000,000 is provided to the Vehicle Systems, Simulations, and Testing sub-activity. Further, within available funds, \$4,000,000 is provided for lightweight materials modeling and design for vehicle optimization and \$10,000,000 is provided to continue funding of section 131 of the 2007 Energy Independence and Security Act.

Building Technologies.—The Committee recommends \$220,000,000 for building technologies. The Committee funds the Building Innovation Hub at \$24,238,000 as requested in the budget. The Committee is concerned about misinformation and confusion among consumers and public officials that the energy efficiency standards for incandescent light bulbs, effective January 1, 2011, will ban incandescent bulbs. The Committee notes that the standards require that incandescent bulbs be more efficient, do not ban any type of product, and have the support of the United States lighting industry. To increase consumer awareness, the Committee directs the Secretary, in coordination with manufacturers, retailers, consumer groups, and energy efficiency advocacy organizations, to continue its education campaign on the new light bulb standards, the new bulb labels, and on the availability and benefits of high-efficiency lighting products. The Department is encouraged to provide no less than \$10,000,000 to support research, development, and strategic deployment of geothermal heat pump technology.

The Committee recognizes that the Government Accountability Office [GAO] recently reported that Federal agencies have limited collaboration across initiatives to promote non-Federal green buildings. Additionally, GAO found that only about one-third of these initiatives have goals and performance measures, making overall results and their related investments impossible to quantify. The Committee directs the Department to collaborate with other agen-

cies identified in the GAO report to ensure that funding provided in this Act is not overlapping or duplicative of activities carried out by those agencies, and provide clear, measurable metrics to assess the results of this program.

Advanced Manufacturing.—The Committee recommends \$168,635,000. The recommendation includes funding for the Critical Materials hub at the request level. The Department is encouraged to utilize \$500,000 to continue the mechanical insulation campaign that was initiated in fiscal year 2010 and is ongoing with industry cost-sharing and collaborating on content.

Federal Energy Management Program.—The Committee recommends \$30,000,000 for the Federal Energy Management Program.

Facilities and Infrastructure.—The Committee recommends \$26,400,000 for facilities and infrastructure consistent with the budget request.

Program Direction.—The Committee recommends \$164,700,000 for program direction.

Strategic Programs.—The Committee recommends \$25,000,000 for strategic programs. The strategic priorities and impact analysis subprogram is funded at \$8,000,000.

Weatherization Assistance Program.—The Committee provides \$145,000,000, an increase of \$6,000,000 over the budget request. The Committee notes that while this level is an increase over the amount appropriated for fiscal year 2012, it represents a substantial reduction in total available funding given that less will be available for carryover in fiscal year 2013. The Committee notes the important role that weatherization plays in permanently reducing home energy costs for low-income families, lessening our dependence on foreign oil, and training a skilled workforce. The Committee is concerned about the potential impact a lower funding level may have on low-income households served by the program.

Intergovernmental Activities.—The Committee provides \$50,000,000 for State Energy Programs and \$10,000,000 for Tribal Energy Activities.

Rescission of Prior-Year Balances.—The Committee rescinds \$69,667,000 of prior-year balances as proposed in the budget request.

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

Appropriations, 2012	\$139,500,000
Budget estimate, 2013	143,015,000
Committee recommendation	143,015,000

The Committee recommends \$143,015,000 for Electricity Delivery and Energy Reliability. The funding is provided consistent with the budget request and includes \$20,000,000 for the proposed Electricity Systems Hub. Within the funding available for storage, the Department is encouraged to include research and development of nano-structured materials, such as nano-structured carbon electrodes. Further, the Department is encouraged to use available funding to issue grants for regional transmission planning to support or implement accelerated deployment of new renewable electricity generation in the Western and Eastern interconnections. The Department, in working with the Federal Energy Regulatory

Commission, shall continue to provide technical assistance to states seeking to form interstate compacts for the purposes of improving regional transmission capacity, as provided for in section 1221 of the Energy Policy Act of 2005 (Public Law 109–58).

NUCLEAR ENERGY

Appropriations, 2012	\$768,663,000
Budget Estimate, 2013	770,445,000
Committee recommendation	785,445,000

The Committee recommends \$785,445,000 for Nuclear Energy, including \$93,000,000 for safeguards and security at Idaho National Laboratory. In addition, the Committee recommends use of prior year balances in the amount of \$17,700,000 for a total budget of \$803,145,000. The Committee notes that the Blue Ribbon Commission on America’s Nuclear Future submitted its final recommendations to the Secretary of Energy in January 2012. The Committee strongly supports these recommendations, and provides funding in this account for the Department to implement many of them in the short-term. Most notably, the Committee provides both statutory authority and funding for the Department to begin the processes to site, construct, and operate a consolidated storage facility for spent nuclear fuel and high-level radioactive waste. Additionally, the Committee directs the Department to ensure that the public continues to have access to the Blue Ribbon Commission’s Web site and all records and documents therein.

The Department of Energy’s failure to begin disposing of waste on January 31, 1998 has created a liability, based on the Standard Contracts signed by the Department and each utility operating a nuclear reactor. This liability is expected to exceed \$20,000,000,000 by 2020, and accruing an additional \$500,000,000 for each year after 2020 that the Department has not accepted spent nuclear fuel. Although funding for these liabilities does not come from the Energy and Water appropriations bill, but is rather paid from the Judgment Fund in the Department of the Treasury, it is, in the end, the taxpayers that are severely penalized for the Federal Government’s inaction. This is an unacceptable outcome, and now that the Blue Ribbon Commission has provided recommendations, the Committee would be irresponsible in failing to act on them in this legislation.

NUCLEAR ENERGY RESEARCH AND DEVELOPMENT

Nuclear Energy Enabling Technologies.—The Committee provides \$65,318,000 for Nuclear Energy Enabling Technologies, the same as the budget request. Within available funds, the Committee supports multiscale physics-based modeling and simulation activities for engineering technology development of safety and waste depositions of nuclear materials.

Small Modular Reactor Licensing Technical Support.—The Committee provides \$65,000,000 for Small Modular Reactor Licensing Technical Support, the same as the budget request. This is the second year of funding for a 5-year program capped at \$452,000,000. The fiscal year 2012 bill appropriated \$67,000,000. The Committee notes that the budget request level for fiscal year 2013 will require

the funding in fiscal years 2014–2016 to be just over \$106,500,000 in order to fully fund the program in 5 fiscal years. The Committee urges the Department to set aggressive milestones for this program and the program's industry partners, and develop a strategy to track progress, meet milestones, and hold industry to its commitments.

Reactor Concepts Research, Development, and Demonstration.—The Committee provides \$73,674,000 for Reactor Concepts Research, Development, and Deployment, the same as the budget request. The Committee notes theoretical potential for new reactor concepts in general, and in particular very high temperature nuclear reactors [VHTR], but see little mid-term likelihood of such reactors being constructed in the United States. The current and projected low price of natural gas will continue to complicate the competitiveness of VHTRs in providing process heat for industrial applications. It is increasingly apparent that industry will not shoulder the cost or risk of constructing an advanced reactor alone and the current Federal budget climate makes it also unlikely that the Federal government will spend billions of dollars on such an undertaking. The goals and time-lines of the Reactor Concepts sub-program remain unclear.

For the reasons above and given this year's budget constraints, the Committee does not support continuing the Next Generation Nuclear Plant demonstration project at this time, and accordingly provides no funding for those activities. Additionally, the Committee does not provide funding for development of a public-private partnership or for studying a business case for the demonstration project. Any funding the Department provides for NGNP is limited to continuing qualification of TRISO fuel and ongoing research and development activities that started in prior fiscal years. The Committee provides the budget request for Light Water Sustainability. Under Advanced Reactor Concepts, the Committee is uncertain of the budget requests focus on two concepts and directs the Department to consider other reactor technologies as well in fiscal year 2013. The Committee supports the research and development of advanced reactor concepts that have the potential to be safer and more cost effective than current designs, while also reducing waste production and the risk of nuclear proliferation. The Committee encourages the Department to award a portion of these funds competitively in order to assure that the most promising designs of private industry, the DOE laboratories and universities are advanced.

Fuel Cycle Research and Development.—The Committee recommends \$193,138,000 for Fuel Cycle Research and Development, including \$40,378,000 for the Advanced Fuels program, the same as the budget request. The Committee is encouraged by the Department's expedient implementation of the accident tolerant fuels development program, the goal of which is the development of meltdown-resistant nuclear fuels leading to reactor testing and utilization in 10 years. The Committee urges the Department to establish a long-range, integrated approach to this difficult and very important objective, including the establishment of relevant testing facilities and reliable milestones within its laboratories, and to place special technical emphasis and funding priority on highly innovative activities, such as its ceramic coated particle fuel effort,

that could significantly enhance the safety of present and future generations of Light Water Reactors.

Section 312 in the bill establishes a pilot program under which the Department may site, construct, and operate at least one consolidated storage facility for spent nuclear fuel and high-level radioactive waste subject to future authorization and appropriation. The Committee provides a \$2,000,000 increase in program direction from within available funds to implement this authority. The Committee directs the Department to use \$17,700,000 in unobligated, prior year funds appropriated from the Nuclear Waste Fund. The Committee directs the Department to solicit proposals for consolidated storage facilities within 120 days of enactment of this act. In evaluating proposals, the Department should give priority to novel concepts, including consolidated storage facilities proposed to be collocated with potential permanent repositories, given that current volumes of spent nuclear fuel now exceed the statutory limits established in section 114(d) of the Nuclear Waste Policy Act for the first repository. The Committee expects that the Department will consider only proposals it receives for the nuclear waste pilot program, and encourages consideration of proposals developed in a cooperative manner with an applying entity and States, local jurisdictions, or affected Indian tribes. The Department should at every step consider the views of the States, local jurisdictions and affected Indian tribes, and should not expend resources to consider sites that are unlikely to achieve support of the host State, local jurisdictions, and affected Indian tribes. The Committee directs the Department to exercise this authority consistent with the recommendations in the Blue Ribbon Commission's final report to the Secretary of Energy. The Committee notes that the Blue Ribbon Commission found that one or more consolidated storage facilities is required regardless of the ultimate location of a permanent repository. The Department currently lacks authority to conduct these activities.

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

RADIOLOGICAL FACILITIES MANAGEMENT

Radiological Facilities Management.—The Committee provides \$66,000,000 for Radiological Facilities Management. Within available funds, the Committee provides \$15,000,000 for hot cells at Oak Ridge National Laboratory. In future budget requests, the Committee directs the Department to request sufficient funding for radiological infrastructure to maintain capabilities and regulatory compliance.

IDAHO FACILITIES MANAGEMENT

Idaho Facilities Management.—The Committee provides \$152,000,000 for Idaho Facilities Management, the same as the budget request. Funding provided will support moving forward with both the Advanced Post Irradiation Examination Facility and the restart of the Transient Reactor Experiment and Test Facility.

Idaho Sitewide Safeguards and Security.—The Committee provides \$93,000,000 for Idaho Sitewide Safeguards and Security, the same as the budget request. The Committee supports transferring this sub-account from Other Defense Activities to Nuclear Energy.

Program Direction.—The Committee provides \$92,015,000 for program direction.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(INCLUDING RESCISSION)

Appropriations, 2012	¹ \$534,000,000
Budget estimate, 2013	420,575,000
Committee recommendation	460,575,000

¹ Does not include rescission of \$187,000,000 under Public Law 112–331.

The Committee recommends \$460,575,000 for Fossil Energy Research and Development. This is \$40,000,000 more than the budget request.

CCS and Power Systems.—The Committee recommends \$301,622,000 for CCS and Power Systems. Within the available funding, Advanced Energy Systems is funded at \$80,946,000. Of this funding, \$25,000,000 is to continue the Department’s research, development, and demonstration of solid oxide fuel cell systems, which have the potential to increase the efficiency of clean coal power generation systems, to create new opportunities for the efficient use of natural gas, and to contribute significantly to the development of alternative-fuel vehicles. Further, within Gasification Systems, a subprogram of Advanced Energy Systems, the recommendation includes \$8,000,000, the same as provided in fiscal year 2012, to continue activities improving advanced air separation technologies.

The United States is experiencing a significant increase in natural gas production and use in the United States. The Committee is aware that some of the research and development work being conducted within the CCS and Power Systems programs for coal are also potentially applicable to natural gas. The solid oxide fuel cell systems are an example of research and development that is applicable to both coal and natural gas power generation. The Department is directed to use funds from this program for both coal and natural gas research and development as it determines to be merited.

Program Direction.—The Committee recommends \$120,000,000 for program direction, which will remain available until September 30, 2014.

Other Programs.—The Committee recommends \$13,294,000 for Plant and Capital Equipment; \$5,897,000 for Fossil Energy Environmental Restoration; and \$700,000 for Special Recruitment Programs. Within available funds, the Committee directs the Department to continue the Risk Based Data Management System.

The Committee recommends \$22,000,000 for natural gas technologies. Of this amount, \$12,000,000 is for interagency research and development initiatives and \$10,000,000 is for ongoing methane hydrates research and development.

NAVAL PETROLEUM AND OIL SHALE RESERVES

Appropriations, 2012	\$14,909,000
Budget estimate, 2013	14,909,000
Committee recommendation	14,909,000

The Committee recommends \$14,909,000 for Naval Petroleum and Oil Shale Reserves, the same as the budget request.

ELK HILLS SCHOOL LANDS FUND

Appropriations, 2012	
Budget estimate, 2013	\$15,579,815
Committee recommendation	15,579,815

The Committee recommends \$15,579,815 for the Elk Hills School Lands Fund, the same as the budget request. This is the final payment of the settlement agreement.

STRATEGIC PETROLEUM RESERVE

Appropriations, 2012	\$192,704,000
Budget estimate, 2013	195,609,000
Committee recommendation	195,609,000

The Committee recommends \$195,609,000 for the operation of the Strategic Petroleum Reserve.

The Committee notes that the Department has continued to ignore the statutory directive in Public Law 111-8 to submit a report to Congress regarding the effects of expanding the Reserve on the domestic petroleum market by April 27, 2009. The Department has not yet submitted the report, and continues to fail to meet other congressionally mandated deadlines without explanation or cause. Although now nearly 3½ years delayed, the information requested in the report continues to be pertinent to policy decisions, and the Secretary is directed to submit the report as expeditiously as possible to the Committee.

STRATEGIC PETROLEUM ACCOUNT

Appropriations, 2012	-\$500,000,000
Budget estimate, 2013	-291,000,000
Committee recommendation	

The Committee does not recommend the proposed rescission of \$291,000,000 in balances from the Strategic Petroleum Account.

NORTHEAST HOME HEATING OIL RESERVE

(INCLUDING RESCISSION)

Appropriations, 2012	¹ \$10,119,000
Budget estimate, 2013	² 10,119,000
Committee recommendation	² 10,119,000

¹ Does not include rescission of \$100,000,000 under Public Law 112-331.

² Does not include proposed rescission of \$6,000,000.

The Committee recommends \$10,119,000 for the Northeast Home Heating Oil Reserve as requested. The budget request proposes, and the Committee supports, the rescission of \$6,000,000.

ENERGY INFORMATION ADMINISTRATION

Appropriations, 2012	\$105,000,000
Budget estimate, 2013	116,365,000
Committee recommendation	116,365,000

The Committee recommends \$116,365,000 for the Energy Information Administration.

NON-DEFENSE ENVIRONMENTAL CLEANUP

Appropriations, 2012	\$235,721,000
Budget estimate, 2013	198,506,000
Committee recommendation	228,506,000

The Committee's recommendation for Non-Defense Environmental Cleanup is \$228,506,000.

Reprogramming Control Levels.—In fiscal year 2013, the Environmental Management program may transfer funding between operating expense funded projects within the controls listed below using guidance contained in the Department's budget execution manual (DOE M 135.1–1A, chapter IV). All capital construction line item projects remain separate controls from the operating projects. The Committees on Appropriations in the House and Senate must be formally notified in advance of all reprogrammings, except internal reprogrammings, and the Department is to take no financial action in anticipation of congressional response. The Committee recommends the following reprogramming control points for fiscal year 2013:

- Fast Flux Test Reactor Facility Decontamination and Decommissioning;
- Gaseous Diffusion Plants;
- Small Sites; and
- West Valley Demonstration Project.

Internal Reprogramming Authority.—Headquarters Environmental Management may transfer up to \$2,000,000, one time, between accounts listed above to reduce health and safety risks, gain cost savings, or complete projects, as long as a program or project is not increased or decreased by more than \$2,000,000 in total during the fiscal year.

The reprogramming authority—either formal or internal—may not be used to initiate new programs or to change funding levels for programs specifically denied, limited, or increased by Congress in the act or report. The Committee on Appropriations in the House and Senate must be notified within 30 days after the use of the internal reprogramming authority.

Fast Flux Test Reactor Facility Decontamination and Decommissioning.—The Committee recommends \$2,704,000.

Gaseous Diffusion Plants.—The Committee recommends \$90,109,000.

Small Sites.—The Committee recommends \$87,831,000. In response to a lack of progress on addressing existing contamination and seismic deficiencies within buildings that are located in heavily used areas at some Department national laboratories, the Department is directed to use additional funding to improve health and safety by cleaning up existing contamination and improving seismic standards of buildings within Department laboratory grounds.

The Committee also encourages the Department to explore remediation efforts at small sites which can demonstrate new models for cleanup performed by private sector and third party organizations, such as laboratories and universities, which could save substantial resources compared to the traditional agency-led cleanup model and result in faster cleanup without compromising public safety. The Committee urges the Department to budget for such cleanup models.

West Valley Demonstration Project.—The Committee recommends \$47,862,000.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

Appropriations, 2012	\$472,930,000
Budget estimate, 2013	442,493,000
Committee recommendation	442,493,000

The Committee recommends \$442,493,000 for Uranium Enrichment Decontamination and Decommissioning activities, the same as the budget request.

SCIENCE

Appropriations, 2012	\$4,889,000,000
Budget estimate, 2013	4,992,052,000
Committee recommendation	4,909,000,000

The Committee recommends \$4,909,000,000, a decrease of \$83,052,000 below the budget request, for the Office of Science. The Committee believes this level of funding will maintain U.S. leadership in science and technology during a time of significant funding constraints. Investments in basic research will lead to new and improved energy technologies and the construction and operation of new, large-scale scientific facilities will be vitally important for many areas of science as well as private industry, such as pharmaceutical and aerospace companies. Funding for advanced computing will also position the United States to maintain international leadership in scientific computing and simulation over the next decade.

Office of Science Priorities.—The Committee continues to support the three highest priorities for the Office of Science: (1) the discovery and design of new materials for the generation, storage, and use of energy; (2) better understanding of microorganisms and plants for improved biofuels production; and (3) the development and deployment of more powerful computing capabilities to take advantage of modeling and simulation to advance energy technologies and maintain U.S. economic competitiveness.

Maintaining Program Balance for Lower-Priority Activities.—The Committee commends the Office of Science for identifying clear priorities and directing limited funding toward those priorities. However, the Committee is concerned by the Office of Science's lack of strategic guidance and prioritization among lower priority research activities, such as fusion energy science, nuclear physics, and high-energy physics. The Committee is concerned that the scope of work, which includes research, operations of existing facilities, and new construction, has not changed while the budget for these programs is decreasing. The Committee believes the Office of Science must

evaluate the highest-priority needs for these programs in a fiscally constrained environment and make difficult decisions, including delaying construction projects and terminating research activities, to advance these fields of science in areas where the United States can lead and be competitive with other countries.

BASIC ENERGY SCIENCES

The Committee recommends \$1,712,091,000, a decrease of \$87,501,000 below the budget request, for Basic Energy Sciences. Of these funds, \$110,703,000 is provided for construction activities as requested, which includes \$47,203,000 for the National Synchrotron Light Source-II at Brookhaven National Laboratory and \$63,500,000 for the Linac Coherent Light Source-II at SLAC. Of the remaining funds for Basic Energy Sciences, \$692,666,000 is for research activities in materials science and engineering and chemical sciences, geosciences, and biosciences, and \$908,725,000, which is \$49,698,000 above fiscal year 2012 enacted levels, is to increase operating times to near optimum levels of world-class scientific user facilities. The Committee encourages DOE to continue research and development activities that will lead to even more powerful light source facilities, which are a key part of the nation's innovation ecosystem and critical to America's international economic competitiveness. The Committee also encourages DOE to explore the suitability of using existing U.S. synchrotron radiation facilities, including non-DOE user facilities, at universities to serve as training grounds for beamline designers, machine physicists, and other users.

Within the research funds provided, the Committee recommends up to \$100,000,000 to support the 46 Energy Frontier Research Centers, \$24,237,000 for the Fuels from Sunlight Hub, and \$24,237,000 for the Batteries and Energy Storage Hub. Up to \$10,000,000 shall be available for materials and chemistry by design to improve predictive modeling and accelerate material discovery for energy applications. The Committee encourages the continuation of catalysis research and encourages partnerships with universities to support research and development of novel device materials for alternative energy applications.

The Experimental Program to Stimulate Competitive Research [EPSCoR] program was created by Congress over concerns about the uneven distribution of Federal research and development grants. The Committee recommends \$20,000,000 for EPSCoR and encourages DOE to sponsor a workshop to examine the geographic distribution of its budget, how best to utilize states at the forefront of energy production, and ensure that they are included in important policy and research initiatives. The Committee also encourages DOE to continue funding to support research and development needs of graduate and post-graduate science programs at Historically Black Colleges and Universities.

Within the funds provided for scientific user facilities, the Committee recommends \$25,000,000 to support early operations of the National Synchrotron Light Source-II at Brookhaven National Laboratory and \$32,000,000 for Major Items of Equipment, which includes \$20,000,000 to continue the upgrade to the Advanced Photon Source at Argonne National Laboratory and \$12,000,000 for activi-

ties that add beamlines to the National Synchrotron Light Source-II at Brookhaven National Laboratory.

The President's budget request notes the cancellation of the power upgrades project for the Spallation Neutron Source's second target station. Given the large number of construction projects currently underway in the Office of Science, the Committee encourages the Office of Science to consider the second target station as a long term planning item and include it in the Office of Science's phased construction schedule for major construction projects in the outyears.

No funding is provided for new collaborative efforts with the Office of Energy Efficiency and Renewable Energy that would expand the scope of work of Energy Frontier Research Centers and divert funding from operations of facilities. No funding is provided to expand mesoscale research efforts. While the Committee understands that there may be merit in pursuing mesoscale science to advance future energy technologies, DOE has not provided sufficient justification for a significant new investment. The Committee directs the Office of Science to work with the Basic Energy Sciences Advisory Committee to develop a plan that can be presented to Congress for mesoscale science that identifies the scientific needs for pursuing this research, what facilities are available to effectively pursue this research, and possible measurable outcomes.

BIOLOGICAL AND ENVIRONMENTAL RESEARCH

The Committee recommends \$625,347,000 as requested for Biological and Environmental Research. Within these funds, the Committee recommends \$309,773,000 for biological systems science and \$315,574,000 for climate and environmental sciences.

Within the funds provided for biological systems science, the Committee recommends \$75,000,000 as requested for the Bioenergy Research Centers. The Committee supports the continuation of the 3 research centers and is encouraged by some of the early successes related to developing next-generation bioenergy crops, improving biomass deconstruction with enzymes and microbes, and advancing biofuels synthesis. The Committee is also encouraged that in the last 5 years the Bioenergy Research Centers have released 914 publications and 237 invention disclosures that resulted in 115 patent applications and 51 patent application licenses. The Committee encourages the Office of Science to continue investing in synthetic biology tools and biodesign technologies to accelerate the cost-effective production of next generation biofuels that could serve as secure, national energy resources.

The Committee commends the Department of Energy's National Laboratories and the National Institutes of Health for their collaboration on research and development projects. These collaborations have resulted in advances in bioinformatics and breakthroughs in atomic resolution structural biology. The Committee strongly encourages the Department of Energy to continue planning, discussions, and funding activities with the National Institutes of Health to further research and development efforts. The Committee understands that Radiological Sciences is transitioning from its historical focus on nuclear medicine research and applications for health to research focused on metabolic imaging of plants and microbes rel-

evant to biofuels production. However, the Committee is concerned that the Office of Science has not coordinated research activities with other Federal agencies to continue nuclear medicine research with human application. Within these funds, the Committee recommends \$5,000,000 to continue nuclear medicine research with human application unless the Office of Science can demonstrate this research is being continued more effectively and efficiently by another Federal agency.

Within the funds provided for climate and environmental sciences, the Committee recommends \$47,700,000 as requested for the operation of the Environmental Molecular Sciences Laboratory at Pacific Northwest National Laboratory. The Committee also recommends \$11,700,000 as requested for the Next Generation Ecosystem Experiment in the Tropics, which will be the first and only U.S. experiment in the tropics to help predict climate change, reduce uncertainty, and improve predictive modeling.

ADVANCED SCIENTIFIC COMPUTING RESEARCH

The Committee recommends \$455,593,000 as requested for Advanced Scientific Computing Research. Within these funds, the Committee recommends \$68,500,000 as requested for the exascale initiative to spur U.S. innovation and increase the country's ability to address critical national challenges.

The Committee also recommends \$94,000,000 for the Oak Ridge Leadership Computing Facility to move forward with upgrades to its Cray XT5 with a peak capability of more than 20 petaflops, \$67,000,000 for the Argonne Leadership Computing Facility to move forward with upgrades to its IBM Blue Gene/P systems with a peak capability of 10 petaflops, \$68,105,000 for the National Energy Research Scientific Computing Center facility at Lawrence Berkeley National Laboratory to support operations and infrastructure expenses for the new Computational Research and Theory Building, and \$35,000,000 to help support extended deployment of a 100 gigabit-per-second network to the national laboratories. Having high end open science computing will not only help the United States maintain leadership in computing and develop breakthroughs that will improve the everyday lives of our citizens through new technologies available to them, but will also support breakthroughs in the other research areas in the Office of Science. Research programs such as fusion energy science, biofuels, and materials by design all stand to benefit from investments in open science computer modeling and simulation.

The Committee recommends that up to \$8,000,000 shall be available to pursue data-intensive science, but the Committee directs the Office of Science to develop a plan that explains the extent of the problem, how research efforts will address data analysis problems, and the funding needed to overcome these data challenges.

The Committee encourages the Office of Science to continue working with small- and medium-sized manufacturers and businesses to educate them about the benefits of using high performance computing for modeling and simulations to solve tough manufacturing and engineering challenges and reduce development costs. The Committee also encourages the Office of Science to sim-

plify software and codes so a broader set of businesses can take advantage of these powerful tools.

HIGH-ENERGY PHYSICS

The Committee recommends \$781,521,000, an increase of \$5,000,000, for High-Energy Physics. Within these funds, the Committee recommends \$25,000,000 as requested for the Muon to Electron Conversion Experiment, which includes \$20,000,000 for construction and \$5,000,000 for other project costs. The Committee also recommends \$26,000,000 for the Long Baseline Neutrino Experiment, which includes \$10,000,000 for research and development and \$16,000,000 for project engineering and design. The Committee is concerned about proposed cost estimates for the Long Baseline Neutrino Experiment and encourages the Office of Science to consider all alternatives to reduce the cost of the experiment while still meeting the highest priority scientific goals. The Committee recommends that \$730,521,000 of the remaining funds be used for research in the energy, intensity, and cosmic frontiers. Within these funds, the Committee recommends \$15,000,000 to support minimal, sustaining operations at the Homestake Mine in South Dakota.

NUCLEAR PHYSICS

The Committee recommends \$539,938,000, an increase of \$13,000,000 above the budget request, for Nuclear Physics. The Committee is concerned about the lack of strategic direction for nuclear physics and the inability of the program to adapt to a changing budget environment. The Committee believes that the budget request puts at risk all major research and facility operations activities without significantly advancing nuclear physics goals. For example, the budget request reduces the operating times of two major facilities—a 50 percent reduction in operating time for the Relativistic Heavy Ion Collider at Brookhaven National Laboratory and a 15 percent reduction at the Argonne Tandem Linac Accelerator System at Argonne National Laboratory. At the same time, the budget request does not provide sufficient funds to advance the new Facility for Rare Isotope Beams at Michigan State University, and the current construction project to upgrade the Continuous Electron Beam Accelerator Facility at the Thomas Jefferson National Laboratory is at risk of falling behind schedule. The Committee directs the Office of Science to charge the Nuclear Physics Advisory Committee to submit a report by December 1, 2012 to the Office of Science and the Committee that proposes research and development activities for nuclear physics under a flat budget scenario over the next 5 fiscal years. The report should specifically identify priorities for facility construction and facility decommissioning to meet those priorities.

To address some of these concerns, the Committee recommends \$40,572,000 in construction funds for the Continuous Electron Beam Accelerator Facility, which the Nuclear Physics Advisory Committee concluded was the highest priority for the Nation's nuclear physics program. The Committee also recommends \$30,000,000 for the Facility for Rare Isotope Beams, which includes funding to complete design and engineering work and, if the Office

of Science approves a performance baseline, site preparation activities. The Committee also recommends \$163,600,000 for the Relativistic Heavy Ion Collider to maintain 20 weeks of operations.

FUSION ENERGY SCIENCES

The Committee recommends \$398,324,000 as requested for Fusion Energy Sciences. Within these funds, the Committee recommends \$150,000,000 as requested for the U.S. contribution to ITER. Similar to the Nuclear Physics program, the Committee is concerned by the lack of strategic direction for the fusion energy program. The Committee understands that the budget request provides a \$45,000,000 increase to the U.S. ITER contribution but even with the increase, the U.S. contribution is still \$50,000,000 short of the project plan. The Committee also understands that the increase to the U.S. contribution came at the expense of the domestic fusion program. The Committee is concerned that additional cuts to the domestic fusion energy program may undermine U.S. advances in fusion and the U.S. ability to take advantage of scientific developments of the ITER project.

The Office of Science believes that it can take advantage of international programs and facilities to build and maintain U.S. expertise in fusion energy sciences. However, a February 2012 Fusion Energy Sciences Advisory Committee report cautioned that international facilities in Asia and Europe will not be operating for several more years and international collaborations cannot come at the expense of a domestic research program that can benefit from ITER. The Committee directs the Office of Science to assess the impact to the domestic fusion energy sciences workforce and the ability of the United States to take advantage of ITER to advance fusion energy before recommending any further cuts to the domestic program. The Committee also directs the Office of Science to assess alternatives to participating in the ITER project, including reducing contributions to the project, and the impact of withdrawing from the project, if necessary, to maintain domestic capabilities.

Further, the Committee directs the Office of Science to include a project data sheet with details of all project costs until the completion of the project for ITER in the fiscal year 2014 budget submission. The Committee understands that DOE provides funding for ITER as a Major Item of Equipment rather than a line item construction project, which would be consistent with DOE Order 413.3B. However, the Committee feels that a multi-billion dollar project, especially of this scale and complexity, should be treated as a construction project and follow DOE Order 413.3B guidance.

SCIENCE LABORATORIES INFRASTRUCTURE

The Committee recommends \$117,790,000 as requested to support infrastructure activities.

SAFEGUARDS AND SECURITY

The Committee recommends \$83,000,000, a decrease of \$1,000,000, for Safeguards and Security activities. The Committee encourages the Office of Safeguards and Security to make cybersecurity its highest priority. The Committee is aware that in

mid-2011, three Office of Science national laboratories were the targets of cyber attacks. Fortunately, the attacks caused little disruption to lab activities, but mission impact and associated costs could have been significant with more sophisticated attacks to mission critical networks. The Committee supports investments to improve the Office of Science’s security program to minimize the likelihood and impact of future attacks.

SCIENCE PROGRAM DIRECTION

The Committee provides \$190,000,000, a decrease of \$12,551,000 below the budget request, for the Office of Science Program Direction.

SCIENCE WORKFORCE DEVELOPMENT

The Committee provides \$14,500,000 as requested. The Committee supports the Office of Science’s efforts in assessing whether science workforce development programs meet established goals by collecting and analyzing data, including pre- and post-participation surveys and longitudinal participant surveys. The Committee commends the Office of Science for conducting the first longitudinal study by starting with the Science Undergraduate Lab Internship program and encourages the Office of Science to continue these efforts and expand them to other programs. The Committee believes this data is critical to determine whether these program are successful in attracting students to science, technology, engineering, and mathematics careers relevant to the Department of Energy.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

Appropriations, 2012	\$275,000,000
Budget estimate, 2013	350,000,000
Committee Recommendation	312,000,000

The Committee recommends \$312,000,000 for the Advanced Research Projects Agency–Energy [ARPA–E] which is the authorized level under the America COMPETES Act. ARPA–E is responsible for funding high-risk research and development projects to meet long-term energy challenges. The Committee is encouraged that, as an early indicator of success, 11 projects, which received \$40,000,000 from ARPA–E, have secured more than \$200,000,000 in outside private capital investment to further develop these technologies. The Committee encourages DOE to continue tracking these projects to demonstrate how Federal investments have developed more energy efficient technologies and potentially new industries.

INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

ADMINISTRATIVE EXPENSES

GROSS APPROPRIATION

Appropriations, 2012	\$38,000,000
Budget estimate, 2013	38,000,000
Committee recommendation	38,000,000

OFFSETTING RECEIPTS

Appropriations, 2012	-\$38,000,000
Budget estimate, 2013	- 38,000,000
Committee recommendation	- 38,000,000

NET APPROPRIATION

Appropriations, 2012	
Budget estimate, 2013	
Committee recommendation	

The Committee recommends \$38,000,000 in funding for the Loan Guarantee Program. This funding is offset by \$38,000,000 in receipts from loan guarantee applicants. The Committee does not recommend any additional loan authority in fiscal year 2013.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

Appropriations, 2012	\$6,000,000
Budget estimate, 2013	9,000,000
Committee recommendation	9,000,000

The Committee recommends \$9,000,000 for the Advanced Technology Vehicles Manufacturing Loan Program.

DEPARTMENTAL ADMINISTRATION

(GROSS)

Appropriations, 2012	\$237,623,000
Budget estimate, 2013	230,783,000
Committee recommendation	220,783,000

(MISCELLANEOUS REVENUES)

Appropriations, 2012	-\$111,623,000
Budget estimate, 2013	- 108,188,000
Committee recommendation	- 108,188,000

NET APPROPRIATION

Appropriations, 2012	\$126,000,000
Budget estimate, 2013	122,595,000
Committee recommendation	112,595,000

The Committee recommends \$220,783,000 for Department Administration. The Office of the Secretary of Energy shall ensure that it is a full participant in the Administration's efforts to identify the best locations to site interstate transmission lines to maximize access to the nation's most significant renewable energy resources. Additionally, the Department is directed to collect, compile, and maintain data on the efforts of the tax code on meeting the nation's energy challenges, such as improving energy security, pollution reduction, and improving energy technology innovation and competitiveness, in a manner that will be useful during the tax reform debates.

OFFICE OF THE INSPECTOR GENERAL

Appropriations, 2012	\$42,000,000
Budget estimate, 2013	43,468,000
Committee recommendation	43,468,000

The Committee recommends \$43,468,000 for the Office of the Inspector General.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

The Committee recommends \$11,510,886,000 for the National Nuclear Security Administration [NNSA], an increase of \$510,886,000 above fiscal year 2012 and an increase of \$1,623,859,000, or 16.4 percent, compared to fiscal year 2010. The Committee has provided significant increases to the NNSA budget over the last 3 fiscal years to respond to important national security imperatives, which include accelerating efforts to secure all vulnerable nuclear materials by December 2013 and modernizing the nuclear weapons stockpile to sustain a safe, secure, and reliable nuclear arsenal without testing.

Poor Project Management.—The Committee is concerned about NNSA's record of inadequate project management and oversight. The Committee is worried that large funding increases will make NNSA more vulnerable to waste, abuse, duplication, and mismanagement if NNSA does not take the necessary steps to address project management weaknesses. All of NNSA's major construction projects exceed the initial cost estimates. For example, the cost of a new uranium facility at Y-12, known as the Uranium Processing Facility, has grown from \$600,000,000 to \$6,000,000,000—ten times more expensive than originally projected. In addition, most of NNSA's major construction projects are behind schedule. For example, a new facility at Savannah River, known as the MOX Fuel Fabrication Facility, is nearing completion but is 14 years behind schedule. An even greater concern is NNSA's inability to adequately assess alternatives, including the use of existing facilities, before embarking on multi-billion dollar projects. For example, NNSA spent \$700,000,000 over the last 13 years to design a plutonium disposition facility at Savannah River only to terminate the project in fiscal year 2012 and determine that existing facilities could meet mission requirements.

The Committee is concerned that NNSA has not implemented a number of recommendations made by the U.S. Government Accountability Office [GAO] aimed at improving NNSA's project management that could have avoided project management mistakes. The Committee directs NNSA to implement the following recommendations and report to GAO every 6 months beginning on October 1, 2012 on the status of implementing these recommendations until GAO validates that the recommendations have been fully implemented: (1) NNSA should assess the risks, costs, and schedule needs for all military requirements prior to beginning a life extension program [LEP] and developing realistic cost baselines and schedules that acknowledge identified risks and reflect sufficient contingency for risk mitigation; (2) NNSA should conduct independent cost estimates for all major projects and revise its cost estimating guidance to include reconciling differences between the results of independent and other cost estimates; and (3) NNSA should conduct rigorous analyses of alternatives to justify selected project options.

GAO Study on NNSA Project Management.—Owing to the Committee’s ongoing concerns with the effectiveness of and accountability for project management at NNSA, including construction projects and life extension programs, the Committee seeks a root cause assessment of project management. Prior reports from the GAO on individual programs and projects have provided evidence of schedule slips, significant cost growth, reduced scope, and failure to adequately assess alternatives. Many of the risks that contributed to these outcomes could have been or were in fact anticipated early in project design. As GAO has noted in numerous reports, adequate front-end planning and the development of high-quality cost and schedule estimates may help avoid the pitfalls that NNSA’s projects have frequently experienced. To assess NNSA’s management of projects in the early stages of project design, the Committee directs the Comptroller General to conduct an analysis with recommendations for improvement by May 1, 2013 of (1) the effectiveness of the process by which NNSA conducts analyses of alternatives prior to project starts; (2) how NNSA plans for and executes its projects’ design phases prior to the establishment of a cost and schedule baseline; (3) the roles, responsibilities, and accountability of Federal project directors in the early stages of major projects; and (4) the impact of the Defense Nuclear Facilities Safety Board reviews on the cost, schedule, and scope of projects. In each of these areas, the analysis shall consider NNSA’s compliance with Departmental orders, directives, and other guidance applicable to project management.

Report on Changes to Cost, Schedule, and Scope of Major Projects.—The Committee is concerned that NNSA is not communicating changes in cost, schedule, and scope in a transparent and timely manner. For example, a March 2012 GAO study found that NNSA, to avoid more cost increases, would have eliminated certain critical capabilities, such as plutonium-related mission for homeland security and nonproliferation, that were part of the original project scope for the new plutonium facility at Los Alamos. These changes were not communicated to the Committee. The Committee directs NNSA to submit a report every 6 months on October 1 and April 1, with the first report due on October 1, 2012, on the status of major projects, such as construction projects and life extension programs, which are estimated to cost a minimum of \$750,000,000. The report shall include, among other things, the name of the project, a brief description of the mission need, a brief summary of project status, the baseline cost or expected cost range and contingencies, expected completion date, scope of work, and an explanation of changes, if any, to cost, schedule, scope, or contingencies.

JASON Study on Surveillance Program.—According to NNSA’s 2011 Strategic Plan, NNSA will complete a transformation of the weapons stockpile surveillance program by 2014 to better detect initial design and production defects for life extended weapons, materials aging defects, and predictive performance trends for the enduring stockpile. The Committee understands that this change in the surveillance program involves greater emphasis on more extensive testing of weapons at the component level to improve early identification of defects due to aging and testing fewer weapons at a system-level. However, the Committee is concerned about the

consequences of this change on annual assessments to the safety, security, and reliability of the stockpile. The Committee directs the JASON group of scientific advisers, which has not reviewed the surveillance program in more than a decade, to submit to the Committee by April 1, 2013 an assessment of NNSA's surveillance program. The assessment should determine whether NNSA's changes to its surveillance program raise any significant problems in the annual assessment of the stockpile and whether NNSA's approach is appropriate for a smaller and aging stockpile.

Plutonium Mission.—The Committee understands that construction of a new plutonium facility at Los Alamos National Laboratory, known as the Chemistry and Metallurgy Research Replacement Nuclear Facility [CMRR], has been delayed by at least 5 years.

However, the Committee is troubled that NNSA has failed to put forth an alternative plutonium strategy. While it has identified funds for some aspects of plutonium research and sustainment requirements, NNSA does not have a comprehensive plutonium plan including research and surveillance requirements needed to support pit reuse, transportation, storage, and security. As GAO reported in March 2012, NNSA decided to de-inventory plutonium from Lawrence Livermore National Laboratory before determining whether CMRR or other facilities could accommodate the research, storage, and environmental testing capabilities that Livermore possesses. In addition, NNSA is focusing the design of CMRR strictly on meeting stockpile requirements, without fully considering DOE's and other Federal agencies' missions involving plutonium that need to be accommodated in such areas as nuclear nonproliferation, nuclear forensics, nuclear counterterrorism, and homeland security.

The Committee directs NNSA to submit a comprehensive plutonium strategy by October 15, 2012 that assesses needed plutonium research requirements for nuclear weapons stockpile activities and other plutonium missions that details any modifications to existing or planned facilities or any new facilities that will be needed to support these missions, and the funding and time needed to implement the new strategy, including costs and schedules to upgrade existing facilities, elevate or maintain security, and transport materials. NNSA's comprehensive plutonium strategy should be incorporated into future Stockpile Stewardship Management Plans consistent with the reporting requirements of section 1043 of the National Defense Authorization Act for fiscal year 2012.

While NNSA works toward this plan, the Committee supports efforts to sustain pit sustainment and pit manufacturing capabilities and move toward a new strategy, including \$35,000,000 to accelerate material stabilization, repackaging, and de-inventory of the PF-4 vault, \$141,685,000 for plutonium sustainment activities at Los Alamos National Laboratory, \$8,889,000 to continue upgrades at PF-4, and \$9,000,000 for pit reuse studies. The Committee encourages NNSA to use available funds to procure and install additional analytical chemistry equipment to maximize the authorized use of nuclear material in the new Radiological Laboratory, and to initiate facility start up activities to enable full operation of Radiological Laboratory capabilities. In order to ensure continuity of key plutonium capabilities, the Committee also encourages NNSA to

use available funds to accelerate the relocation of sample preparation activities from CMR to PF-4 and procuring and installing material characterization equipment in PF-4.

Domestic Uranium Enrichment Research, Development, and Demonstration Project.—The Committee recommends authorizing the Secretary of Energy to transfer up to \$150,000,000 in NNSA funds to further develop and demonstrate the technical feasibility of domestic national security-related enrichment technologies. The transfer authority shall be contingent on the Secretary of Energy securing \$150,000,000 in fiscal year 2012 to support the first phase of the research, development, and demonstration project as well securing a new management structure and obtaining intellectual property and other rights to protect taxpayers against possible technical failure. The Committee recommends transfer authority across all of NNSA because the primary justification for investing in indigenous uranium enrichment technology is to provide a secure fuel supply of low enriched uranium for tritium production—a program funded under nuclear weapons activities—and to meet future needs of highly enriched uranium for nuclear-powered aircraft carriers and submarines—a program funded under naval reactors.

Improving Relationship Between NNSA and Nuclear Weapons Laboratories.—The Committee is concerned about recent findings in a February 2012 National Research Council study that concluded that the overall management relationship between NNSA and its national security laboratories is dysfunctional. The Committee recommends that NNSA and the laboratories identify and eliminate unnecessary bureaucratic functions that affect the quality of science and engineering at the labs and detract from primary mission goals. The elimination of these functions shall not undermine operational goals related to safety, security, environmental responsibility and fiscal integrity. The NNSA shall notify the Committee of the functions that are to be eliminated. According to the National Research Council, many of the bureaucratic problems are within the power of the labs to address or driven by governance strategies that can be changed. The Committee also recommends that NNSA establish a technical advisory committee to resolve technical disputes on science and engineering matters between NNSA and the laboratories.

Joint Institutes.—The Committee is encouraged by NNSA’s efforts to develop joint institutes with universities to help develop the future NNSA workforce and create learning and research opportunities for universities. The Committee directs NNSA to provide a report 90 days after enactment of this Act on its work with universities, including the goals of the partnerships, benefits to the taxpayer, and budget requirements.

WEAPONS ACTIVITIES

Appropriations, 2012	\$7,233,997,000
Budget estimate, 2013	7,577,341,000
Committee recommendation	7,577,341,000

The Committee recommends \$7,577,341,000 for National Nuclear Security Administration’s [NNSA] Weapons Activities, an increase of \$343,344,000 above fiscal year 2012. The Committee rec-

ommendation would fund all of the highest-priority activities for nuclear weapons modernization, including continuing production of refurbished W76 warheads, continuing design and engineering work for the B61 life extension program, continuing the life extension study for the W78, replacing critical components, such as neutron generators and gas transfer systems, on many of the currently deployed weapons, sustaining funding for a strengthened surveillance program, and accelerating construction of a new uranium facility at Y-12.

DIRECTED STOCKPILE WORK

The Committee recommends \$2,078,274,000, which is \$10,000,000 below the request, for directed stockpile work.

Life Extension Programs.—The Committee recommends \$543,931,000 as requested for Life Extension Programs.

B61 Life Extension Program.—The Committee recommends \$339,000,000, a decrease of \$30,000,000 below the request, due to carry over balances. The Committee is concerned about significant delays in completing Phase 6.2A activities and establishing a validated and precise cost, schedule, and scope baseline. Without a validated cost, schedule, and scope baseline, the Committee cannot evaluate the entire life-cycle costs of the program, assess the impact on other weapons activities and proposed offsets to pay for increasing costs for the program, determine whether the proposed schedule meets military requirements, or ensure that any modifications to the weapon do not impact its safety, security, and reliability. The Committee directs that no funding be used for B61 life extension program activities until NNSA submits to the Committee a validated cost, schedule, and scope baseline.

W76 Life Extension Program.—The Committee is concerned about a significant funding decrease for a program that is refurbishing a weapon that makes up the largest share of our nuclear deterrent on the most survivable leg of the Triad. The fiscal year 2013 budget request and future funding projections would cause a 3 year delay in completing this program, increase costs, and impact the Navy's operations. In addition, the shift in funding to support the B61 is not fully justified because the B61 life extension program is behind schedule and will not be able to efficiently spend the requested amount. For these reasons, the Committee recommends \$204,931,000, an increase of \$30,000,000, for the W76 life extension program.

Stockpile Systems.—The Committee recommends \$590,409,000 as requested. Of these funds, at least \$181,000,000 shall be used for surveillance activities. Within these funds, the Committee also recommends \$76,590,000, as requested, for the W78 life extension Phase 6.2/2A study and \$59,662,000, as requested, for the W88 Alt 370 program.

Weapons Dismantlement.—The Committee recommends \$51,265,000 as requested. The Committee commends NNSA for completing dismantlements of both the W62 and B53 one year ahead of schedule. The Committee encourages NNSA to continue this record of success for future weapons systems scheduled for dismantlement.

Stockpile Services.—The Committee recommends \$892,669,000, a decrease of \$10,000,000 below the request. Within these funds, at least \$57,000,000 shall be used to support surveillance activities. Also within these funds, the Committee recommends \$199,632,000 for research and development certification and safety activities, of which at least \$30,000,000 shall be used to prepare for the next Gemini experiment and plutonium experiments on JASPER at the Nevada Nuclear Security Site.

The Committee is concerned about significant increases to the Production Support Account. Production Support represents a base manufacturing capability and is relatively insensitive to major shifts in activities, such as life extension programs, dismantlement, and surveillance activities. However, the budget requests over the last several fiscal years have included significant increases for Production Support. The Committee directs NNSA to provide additional information in future budget justifications to explain these increasing costs.

CAMPAIGNS

The Committee recommends \$1,710,770,000, an increase of \$20,000,000 above the request, for NNSA Campaigns.

Science Campaign.—The Committee recommends \$350,104,000 as requested. Within these funds, at least \$34,000,000 shall be used at Sandia's Z facility to continue critical plutonium and other physics experiments to support the stockpile stewardship program and improve the experimental capability of Z with special nuclear materials.

Engineering Campaign.—The Committee recommends \$150,571,000 as requested. The Committee is concerned that the core surveillance program and the enhanced surveillance campaign are not properly integrated. One of the stated goals of NNSA's 2011 Strategic Plan is to have a weapons stockpile surveillance program that can detect materials aging defects and predictive performance trends by 2014. According to a February 2012 GAO assessment of the surveillance program, NNSA will not be able to meet this goal if the core surveillance program does not take advantage of new technologies and approaches developed by the enhanced surveillance campaign, and the research goals of the enhanced surveillance campaign are not tied to specific mission needs. The Committee directs NNSA to complete a corrective action plan, as recommended by GAO, as expeditiously as possible, to better integrate these two programs and establish metrics to measure progress in its implementation.

Inertial Confinement Fusion Ignition and High-Yield Campaign.—The Committee recommends \$460,000,000 as requested. The Committee understands the importance of the National Ignition Facility [NIF] and supports NNSA's efforts to ensure the long term viability of the facility when the National Ignition Campaign ends. The Committee encourages NNSA to work closely with the Lawrence Livermore National Laboratory to help manage the required full transition of the facility to the laboratory's standard cost accounting practices. The Committee directs NNSA, with congressional notification to the House and Senate Appropriations Committees, to use up to \$140,000,000 of Lawrence Livermore Na-

tional Laboratory's internal additional direct purchasing power—generated by the overall lowering of the laboratory's "Blended Rate" resulting from NIF's transition away from a Self Constructed Asset Pool indirect rate and reduced management fee—to increase the level of the laboratory's Readiness in Technical Base and Facilities funds dedicated to supporting NIF. The Committee recommends that NNSA move the NIF operating budget to the Readiness in Technical Base and Facilities budget line, which would be consistent with the facility's transition to regular operations and how other facilities are funded. The Committee also recommends that NNSA consider alternatives to operating the facility 24 hours a day, 7 days a week.

Also within the funds for inertial confinement fusion, at least \$62,000,000 and \$55,000,000 shall be used for inertial confinement fusion activities at the University of Rochester's Omega facility and Sandia National Laboratory's Z facility, respectively. The Committee also recommends at least \$5,000,000 as requested for the Naval Research Laboratory to continue operating laser facilities focused on laser plasma interactions, target hydrodynamics, materials, and advanced ignition concepts.

The Committee remains concerned about NIF's ability to achieve ignition—the primary purpose of constructing the facility—by the end of fiscal year 2012 when the National Ignition Campaign ends and the facility is to transition to regular ignition operations and pursue broad scientific applications. The Committee directs NNSA to establish an independent advisory committee as soon as possible to help set a strategic direction for inertial confinement fusion and high-energy density physics research and determine how best to use current facilities to advance this scientific field. If NIF does not achieve ignition by the end of fiscal year 2012 using a cryogenically layered deuterium and tritium target that produces a neutron yield with a gain greater than 1, the Committee directs NNSA to submit a report by November 30, 2012 that (1) explains the scientific and technical barriers to achieving ignition; (2) the steps NNSA will take to achieve ignition with a revised schedule; and (3) the impact on the stockpile stewardship program.

To meet the complex and increased mission requirements of the Inertial Confinement Fusion and Science Campaigns at a period of constrained funding, the Committee urges the Department to continue its activities to ensure a multiple vendor base capable of cost-effectively developing and fabricating the full range of targets for inertial confinement fusion facilities that support the stockpile stewardship program.

Advanced Simulation and Computing.—The Committee recommends \$620,000,000, an increase of \$20,000,000 above the request. Within these funds, the Committee recommends \$69,000,000 for activities associated with the exascale initiative, such as targeted research and development efforts with major vendors and advanced memory research and development activities.

Readiness Campaign.—The Committee recommends \$130,095,000 as requested. The Committee is concerned about securing sufficient quantities of unencumbered uranium fuel for tritium production in Tennessee Valley Authority reactors. For technical or economic reasons, indigenous U.S. enrichment technologies

may not be available in the future to supply low enriched uranium for tritium production. For this reason, the Committee directs NNSA to submit a report by February 1, 2013 to the House and Senate Committees on Appropriations that describes current supplies of low enriched uranium for tritium production, low enriched uranium supply options, and the costs of these alternatives. The Committee also recommends eliminating this campaign from the budget request starting in fiscal year 2014. Instead, the Committee recommends moving activities associated with non-nuclear readiness to Directed Stockpile Work under Stockpile Services. Activities associated with Tritium Readiness should appear as a separate Tritium Production account with its own line item to increase visibility of this program.

READINESS IN TECHNICAL BASE AND FACILITIES

The Committee recommends \$2,239,828,000 as requested. The Committee directs NNSA to provide in future budget justifications an explanation as to why NNSA has proposed funding for any construction project not originally included in the Stockpile Stewardship and Management Plan.

Operations of Facilities.—The Committee recommends \$1,419,403,000 as requested. Within these funds, the Committee recommends \$5,100,000 for the purchase of a major item of equipment—a high-resolution computed tomography system for pit scanning at the Pantex Plant.

Nuclear Operations Capability Support.—The Committee recommends \$203,346,000 as requested. Within these funds, the Committee recommends \$35,000,000 as requested to accelerate material stabilization, repackaging, and de-inventory of the PF-4 vault at the Los Alamos National Laboratory to reduce nuclear safety risks and meet future needs for a new plutonium strategy.

Science, Technology, and Engineering Support.—The Committee recommends \$166,945,000 as requested. The Committee supports NNSA's Capability Based Facilities and Infrastructure initiative and recommends \$73,000,000 as requested. Since the Facilities and Infrastructure Recapitalization Program ends in fiscal year 2012, the Committee believes it is important that NNSA continue to reduce deferred maintenance on aging infrastructure and reduce the size of its footprint. To increase transparency in NNSA's efforts to sustain existing physical infrastructure, the Committee directs NNSA to identify funds for maintenance and operations by site as separate line items under the Readiness in Technical Base and Facilities Account starting with the fiscal year 2014 budget submission. The sites include the three national security labs, the Y-12 National Security Complex, the Kansas City Plant, the Savannah River Site, and the Nevada National Security Site. The budget justification shall include an explanation of how NNSA plans to manage deferred maintenance costs, including ways NNSA will stabilize deferred maintenance for mission critical facilities and dispose of excess capacity. Further, the budget shall include total deferred maintenance backlog and how much NNSA is spending at each site each year to reduce deferred maintenance. The Committee recommends using the Office of Science's Science Labora-

tories Infrastructure budget information on deferred maintenance as a model.

Construction.—The Committee recommends \$450,134,000 as requested.

Project 13-D-301, Electrical Infrastructure Upgrades, Lawrence Livermore and Los Alamos National Laboratories.—The Committee recommends \$23,000,000 as requested to upgrade 50-year-old electrical distribution systems at Lawrence Livermore and Los Alamos National Laboratories.

Project 12-D-301, TRU Waste Facilities, Los Alamos, New Mexico.—The Committee recommends \$24,204,000 as requested to begin construction of a new transuranic waste facility to meet regulatory requirements of the State of New Mexico.

Project 11-D-801, TA-55 Reinvestment Project, Los Alamos, New Mexico.—The Committee recommends \$8,889,000 as requested to continue the second phase of this effort to mitigate safety risks to workers identified by the Defense Nuclear Facilities Safety Board.

Project 10-D-501, Nuclear Facility Risk Reduction, Y-12, Oak Ridge, Tennessee.—The Committee recommends \$17,909,000 as requested to complete upgrading equipment and infrastructure in buildings 9212 and 9204-2E for continued safe uranium operations until the new Uranium Processing Facility is operational.

Project 09-D-404, Test Capabilities Revitalization Phase II, Sandia National Laboratories, Albuquerque, New Mexico.—The Committee recommends \$11,332,000 as requested to complete the refurbishment of non-nuclear capabilities, such as rocket sled tracks and mechanical shock facilities, to test weapons components needed for the B61 and future life extension programs.

Project 08-D-802, High Explosive Pressing Facility, Pantex Plant, Amarillo, Texas.—The Committee recommends \$24,800,000 as requested to build a new facility to make high explosive hemispheres for nuclear weapons that is more reliable and can meet the projected workload for life extension programs.

Project 06-D-141, PED, Uranium Process Facility, Y-12, Oak Ridge, Tennessee.—The Committee recommends \$340,000,000 as requested to accelerate construction of a new uranium facility with a goal of transitioning out of building 9212 beginning in 2019 and completing construction in 2022. Within these funds, the Committee provides \$160,000,000 as requested to complete project, engineering, and design work and continue site preparation work. The Committee recommends that the remaining \$180,000,000 for construction not be available until NNSA reaches a 90 percent engineering design phase and develops a cost, schedule, and scope project baseline, which is estimated to occur by the end of calendar year 2012.

SECURE TRANSPORTATION ASSET

The Committee recommendation for the Secure Transportation Asset program is \$219,361,000 as requested. The Committee directs the Secure Transportation Asset program to work with Directed Stockpile Work and the Readiness in Technical Base and Facilities programs to identify additional costs, if any, in implementing a new plutonium strategy that may involve additional

transport of special nuclear materials and the impact on its operations.

NUCLEAR COUNTERTERRORISM INCIDENT RESPONSE

The Committee recommends \$247,552,000 as requested. The Committee supports the evolution of the NNSA nuclear weapons labs to national security labs. The Committee believes NNSA's investment in infrastructure and expertise to support the nuclear weapons program should be exploited for broader national security missions, including nuclear counterterrorism and counterproliferation. However, the Committee is concerned that NNSA does not have a clear strategy in place that links the unique capabilities of the labs and supporting NNSA infrastructure to clear mission goals and funding requirements to support the Department of Defense and the intelligence community.

SITE STEWARDSHIP

The Committee recommends \$88,249,000, a decrease of \$1,752,000 below the budget request. The Committee encourages NNSA to report on cost savings and cost avoidances related to its energy modernization and investment program.

DEFENSE NUCLEAR SECURITY

The Committee recommendation for the Defense Nuclear Security program is \$643,285,000 as requested. The Committee is encouraged by NNSA's efforts to find cost efficiencies while still meeting security requirements. The Committee encourages NNSA to continue implementing security reform initiatives to better understand and quantify risks and develop the most cost-effective approach to security.

NNSA CIO ACTIVITIES

The Committee recommends \$155,022,000 as requested to support NNSA's information technology and cyber security activities. The Committee supports NNSA's effort to consolidate all information technology and cyber security activities under the NNSA's Office of the Chief Information Officer. The Committee believes a focused and common approach will be more effective in identifying, mitigating, and combating risks to NNSA's and the sites' computer networks.

SCIENCE, TECHNOLOGY, AND ENGINEERING CAPABILITY

The Committee recommends \$10,000,000, a decrease of \$8,248,000, for Science, Technology, and Engineering Capability activities. The funding shall be used to continue Advanced Analysis, Tools, and Technologies activities to support the intelligence community and maintain the nuclear technical capabilities for nuclear weapons assessments.

DEFENSE NUCLEAR NONPROLIFERATION

Appropriations, 2012	¹ \$2,324,303,000
Budget estimate, 2013	2,458,631,000
Committee recommendation	2,458,631,000

¹ Does not include rescission of \$21,000,000 under Public Law 112-331.

The Committee recommends \$2,458,631,000 for Defense Nuclear Nonproliferation. The Committee commends NNSA for making significant progress in meeting the goal of securing all vulnerable nuclear materials within 4 years. Since April 2009, when President Obama announced the 4-year goal, NNSA has removed from international locations over 1,200 kilograms of highly enriched uranium and plutonium—enough material for approximately 50 nuclear weapons. As part of this effort, in just 3 years NNSA has removed all highly enriched uranium from eight countries, including Mexico and Ukraine in March 2012. NNSA also removed over three kilograms of plutonium from Sweden in March 2012 in its first shipment of plutonium to the United States. Further, NNSA has completed security upgrades at 32 additional buildings in Russia containing weapons-usable materials and downblended 2.9 metric tons of Russian highly enriched uranium. The Committee provides funding to continue NNSA's accelerated efforts to secure vulnerable nuclear materials.

NONPROLIFERATION AND VERIFICATION RESEARCH AND DEVELOPMENT

The Committee recommends \$418,186,000, a decrease of \$130,000,000, to support investment in developing advanced nuclear detection technologies. Within these funds, the Committee recommends \$65,000,000 for the National Center for Nuclear Security at the Nevada National Security Center of which \$10,000,000 is for research and development activities for technologies needed to verify future treaties and train national and international arms control inspectors. Also within these funds, the Committee recommends \$158,650,000 for nuclear detonation detection to meet production requirements of satellite sensors. The Committee recommends no funds for a domestic uranium enrichment research, development, and demonstration project under this account. Rather, the Committee recommends transfer authority to the Secretary of Energy of up to \$150,000,000 from NNSA to fund this project.

The Committee is concerned that current radiation detection equipment is only capable of detecting certain nuclear materials when they are unshielded or lightly shielded. Therefore, the Committee directs that not less than \$5,000,000 be made available to operationally test promising passive new technologies that are able to detect both heavily shielded and unshielded special nuclear material.

NONPROLIFERATION AND INTERNATIONAL SECURITY

The Committee recommends \$150,119,000 as requested. The Committee recognizes NNSA's efforts in re-evaluating the need for the Global Initiative for Proliferation Prevention, which has been renamed Global Security Through Science Partnerships. The Committee understands that the study concluded that the transfer of weapons-usable information and knowledge remains a threat, and

that NNSA is well suited to help address this threat because of its long-standing relationships with the scientific and technical community worldwide. However, the Committee is concerned that expanding the geographic reach of the program and poorly defined, ambiguous strategies, such as establishing a shared code of ethics and responsibility in the global scientific community, within a constrained budget is not the most efficient or effective use of funds. In addition, the Committee is not convinced that NNSA is the best agency or organization to carry out this activity. For this reason, the Committee provides no funds for the Global Security Through Science Partnerships unless NNSA provides the Committee by November 1, 2012 a clear strategy and achievable performance metrics that demonstrate how this effort will reduce the risk of transferring weapons of mass destruction knowledge.

INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION

The Committee recommends \$368,000,000, which is \$57,000,000 above the request. The Committee is encouraged by NNSA's efforts in completing security upgrades at 218 out of 229 buildings that store weapons usable nuclear material and warheads in Russia and other former Soviet countries. The Committee also supports NNSA's efforts to continue additional upgrades at 18 sites to address insider threats and further reduce the risk of material theft. These upgrades directly support the U.S. effort to secure all vulnerable nuclear materials around the world within 4 years by securing warheads and weapons-exploitable nuclear materials at their source. The Committee is also encouraged by NNSA's efforts in preventing and detecting the illicit transfer of nuclear materials by installing radiation detection equipment at 462 sites—421 borders, airports, and strategic ports and 41 Megaports across the world. The Committee also supports NNSA's efforts in deploying mobile detection systems to expand the reach of detection capabilities.

The Committee is concerned, however, by NNSA's decision to significantly curtail Second Line of Defense Activities. The Core program installs radiation detection equipment at strategic borders, airports, and shipping ports in Russia, other Former Soviet Union states, Eastern Europe, and other key countries. Complementing these activities is the Megaports Initiative, which provides radiation detection equipment to key international shipping seaports to enable screening of cargo containers for nuclear and radiological materials. NNSA's stated goal over the last several years was to accelerate efforts to deploy detection equipment at 550 sites in 30 countries and 100 international seaports by the end of 2018. In addition, a March 2012 program review found that Second Line of Defense equipment is being effectively employed and adequately maintained by the majority of partner countries and detection capabilities of these countries have significantly improved. However, the fiscal year 2013 budget request proposed a cut of \$171,000,000, or 65 percent, to these activities. The main justification for a pause in activities is the need to conduct a strategic review of the program. The Committee supports NNSA's decision to review the effectiveness of this program and recommend new strategies to better detect nuclear smuggling. However, a cut of this magnitude would not be sufficient to sustain already deployed systems, retain expert

personnel, and meet international obligations to deploy additional radiation detection systems. In addition, nuclear smuggling continues to be a significant problem. According to the International Atomic Energy Agency, there were 147 incidents of nuclear smuggling in 2011. Four incidents involved significant quantities of highly enriched uranium and one of these incidents was related to an attempted sale of this material.

The Committee directs NNSA to submit a new strategic plan by December 1, 2012, which should include long-term goals and objectives, approaches for accomplishing the goals and objectives, performance goals that are objective, quantifiable, and measurable, and the resources needed to meet the performance goals. As part of its evaluation of the program, NNSA should report on the percentage of global shipping traffic currently scanned, incidents of nuclear and radiation detection, the status and type of current inventory of radiation portal monitors, and total equipment requirements needed to meet the President's stated goal of scanning 50 percent of global shipping traffic by 2018. The strategy should consider private-public partnerships that may reduce costs of developing, deploying, and maintaining detection technologies. As NNSA develops its strategy, the Committee recommends that it adopt the goal of reducing the cost of installation beyond current levels of \$1,000,000–\$2,000,000 per site for foreign crossings and \$8,000,000–\$15,000,000 per seaport. The strategy should also consider the viability of using managed service agreements for the acquisition of detection technologies to replace outdated equipment more frequently and at lower cost.

FISSILE MATERIALS DISPOSITION

The Committee recommends \$921,305,000 as requested to support the plutonium disposition program and construction projects.

U.S. Surplus Fissile Materials Disposition.—The Committee recommends \$528,715,000 including \$498,979,000 as requested for the U.S. plutonium disposition and \$29,736,000 as requested for the U.S. uranium disposition programs.

Construction.—The Committee recommends \$388,802,000 as requested to support construction of the MO_x Fuel Fabrication Facility [MFFF]. The Committee remains concerned with the overall management of the U.S. plutonium disposition program. The Committee supports NNSA's decision to terminate the Pit Disassembly and Conversion Facility because of significant cost overruns. However, the Committee is concerned by NNSA's failure to identify alternatives earlier, before spending \$700,000,000 over 13 years and determining that existing facilities could be used to meet mission needs. The Committee is also concerned by an increase in estimated annual operating costs for the MO_x facility. Estimated operating costs have grown from \$156,000,000 a year in fiscal year 2011 to \$356,000,000 a year in fiscal year 2012 and now are estimated at \$499,000,000 a year—an increase of more than 200 percent in just 2 years. NNSA has failed to provide a sufficient justification for this increase. The Committee is also concerned about testing needed to use fuel made from weapons-grade plutonium for boiling water reactors. Testing may significantly increase costs and it is not clear whether the Nuclear Regulatory Commission [NRC]

has sufficient resources to evaluate the testing data to make a determination about the safe use of this fuel. The Committee directs NNSA to work with the NRC to identify the resources needed to evaluate these tests and determine the impact resource shortfalls may have on program execution.

Project 99-D-143, Mixed Oxide Fuel Fabrication Facility, Savannah River, South Carolina.—The Committee recommends \$388,802,000 as requested.

Russian Surplus Materials Disposition.—The Committee recommends \$3,788,000 as requested.

GLOBAL THREAT REDUCTION INITIATIVE

The Committee recommends \$539,021,000, which is \$73,000,000 above the request. Within these funds, the Committee recommends \$201,021,000 for the highly enriched uranium [HEU] reactor conversion program, \$213,000,000 for nuclear and radiological material removal, and \$125,000,000 for nuclear and radiological material protection.

The Committee is concerned by NNSA's decision to delay the shut down or conversion of research reactors that use HEU around the world. HEU-fueled research reactors have some of the world's weakest security measures and a determined terrorist could use HEU reactor fuel for a nuclear device. NNSA's stated goal was to convert or shut down 200 research reactors by 2022. The fiscal year 2013 budget submission would delay this goal by 3 years. Because each reactor conversion takes approximately 2 to 5 years, depending on a variety of factors, such as time needed to modify facilities to accept low enriched uranium [LEU] fuel, funding is needed in advance to prepare for these conversions. A funding shortfall in fiscal year 2013 means three less reactors converted beginning in fiscal year 2014. The Committee recommendation would allow NNSA to meet its original goal of converting or shutting down 200 research reactors by 2022. The Committee is encouraged by NNSA efforts to engage Russia in shutting down or converting 71 HEU research reactors. The United States has verified the shutdown of five HEU Russian research reactors over the past 2 years and six reactors are undergoing feasibility studies to convert them to LEU use.

The Committee also supports NNSA efforts in developing a capability which does not currently exist in the U.S. to produce Moly-99—a medical isotope used in 16 million nuclear medicine procedures in the United States each year—with LEU. The Committee encourages NNSA to accelerate efforts to help current producers convert to LEU as quickly as possible by reducing the technical, political, economic, and regulatory hurdles associated with non-HEU-based Moly-99 production. The Committee encourages NNSA to work with other Federal agencies to develop options and alternatives to ensure a reliable domestic supply of non-HEU-based Moly-99, such as preferential procurement of non-HEU-based Moly-99 by the medical community and disincentives for the procurement of HEU-based Moly-99.

The Committee is also concerned about a proposed 60 percent reduction in activities to remove and dispose of excess or abandoned radiological materials in other countries. While radiological mate-

rials present a lower national security risk, radiological materials could be used for a radiological dispersion device that could have catastrophic consequences, including infrastructure damage and radioactive contamination that could prohibit the use of a large geographical area and create economic losses in the billions of dollars. For this reason, the Committee recommends \$20,000,000, an increase of \$12,000,000, for the International Radiological Material Removal program. The Committee also recommends \$75,000,000 for the Domestic Material Protection Program, of which not less than \$20,000,000 should be used to accelerate security upgrades at U.S. hospitals and medical facilities. GAO recently found several examples of radiological sources at hospitals and medical facilities that were vulnerable to possible tampering, sabotage, or outright theft. In the absence of accelerated funding, it will be years before all radiological materials at hospitals and medical facilities located in the United States will be adequately secured from potential theft or diversion.

NAVAL REACTORS

Appropriations, 2012	\$1,080,000,000
Budget estimate, 2013	1,088,635,000
Committee recommendation	1,088,635,000

The Committee recommends \$1,088,635,000 for Naval Reactors. The Committee commends NNSA for clearly prioritizing work for three new projects: refueling of a land-based reactor prototype, design of a 40-year reactor plant for new OHIO-class ballistic missile submarines, and construction of a new spent fuel facility. The Committee understands that the land-based prototype is the highest priority because it must be refueled starting in 2018 to demonstrate critical technologies in support of the Ohio-class replacement program, maintain vital research and testing capabilities, and continue to train nuclear operators for the Fleet. The Committee also understands that the schedule for designing a new reactor for the Ohio-class submarines has slipped by 2 years, but the schedule delay is consistent with the delay in the Navy's construction schedule. The Committee is concerned about construction of a new spent fuel facility. The Committee understands that the current Naval Reactors Facility at Idaho National Laboratory continues to be maintained and operated in a safe and environmentally responsible manner, but the existing infrastructure and equipment is over 50 years old and does not meet current standards or mission requirements. Based on projections, the facility will be completed 2 years behind schedule. The Committee directs NNSA to assess alternative storage solutions and associated costs until the new facility is operational to avoid disruptions to the Navy's mission and report those alternatives and costs in the fiscal year 2014 budget submission.

OFFICE OF THE ADMINISTRATOR

Appropriations, 2012	\$410,000,000
Budget estimate, 2013	411,279,000
Committee recommendation	386,279,000

The Committee recommends \$386,279,000 for the Office of the Administrator. Within the funds provided, the Committee recommends \$55,476,025 to support defense nuclear nonproliferation activities. The Committee recommendation takes into account the \$25,000,000 functional transfer for information technology activities out of the Office of the Administrator to the Chief Information Officer under Weapons Activities to consolidate information technology and cyber security efforts.

The Committee is still concerned with overlap and duplication between the NNSA Office of Congressional Affairs, DOE’s Office of Congressional Affairs, and the DOE Chief Financial Officer’s External Coordination Office [CFO ExCo]. In addition, in November 2011, DOE’s Inspector General found that NNSA maintains a costly set of distinctly separate overhead and indirect cost operations that often duplicated existing DOE functions, such as Congressional Affairs, General Counsel, Human Resources, and Public Affairs. The Committee directs NNSA and DOE to submit a joint assessment to the Committee by December 1, 2012 of the costs and benefits of consolidating functions with DOE to reduce costs and improve communication and program execution to respond to Congressional and Inspector General concerns and propose options for implementing changes, such as legislative changes.

The Committee is also concerned that government pay and benefits in the Office of the Administrator at a time of pay freezes are not matching the rate of pay and benefits increases in the General Service pay plan. In general, pay and benefits increases in a pay for performance system should not outpace the General Service pay plan on average. However, the Committee is concerned that the Office of the Administrator’s pay for performance implementation outpaces the General Service pay plan on average. The Committee directs the Office of the Administrator to work with the Office of Personnel Management to implement a pay for performance system that is consistent with the General Service pay plan and notify the Committee of any changes that affect funding for the Office of the Administrator.

The Committee is also troubled by NNSA’s distribution of full-time equivalents [FTEs] within the Office of the Administrator. For example, more FTEs are dedicated to external affairs than counterterrorism, which does not seem to be consistent with the mission priorities of the agency. The Committee directs NNSA to provide a clear explanation of how it determines its FTE distribution in the next budget justification.

DEFENSE ENVIRONMENTAL CLEANUP

Appropriations, 2012	\$5,023,000,000
Budget estimate, 2013	5,009,001,000
Committee recommendation	5,063,987,000

The Committee recommendation for Defense Environmental Cleanup is \$5,063,987,000. In addition, the Committee recommends use of prior year balances in the amount of \$22,123,000 for a total budget of \$5,086,110,000. Within the total provided, the Department is directed to fund the Hazardous Waste Worker Training Program.

Reprogramming Control Levels.—In fiscal year 2013, the Environmental Management program may transfer funding between operating expense funded projects within the controls listed below using guidance contained in the Department's budget execution manual (DOE M 135.1–1A, chapter IV). All capital construction line item projects remain separate controls from the operating projects. The Committees on Appropriations in the House and Senate must be formally notified in advance of all reprogrammings, except internal reprogrammings, and the Department is to take no financial action in anticipation of congressional response. The Committee recommends the following reprogramming control points for fiscal year 2012:

- Closure Sites;
- Hanford Site;
- Idaho National Laboratory;
- NNSA Sites;
- Oak Ridge Reservation;
- Office of River Protection;
- Savannah River Site;
- Waste Isolation Pilot Plant;
- Program Direction;
- Program Support;
- Technology Development and Deployment;
- Safeguards and Security; and
- All Capital Construction Line Items, regardless of site.

Internal Reprogramming Authority.—The new reprogramming control points above obviates, in most cases, the need for internal reprogramming authority. However, at the few sites to which the internal reprogramming statute still applies, Environmental Management site managers may transfer up to \$5,000,000, one time, between accounts listed above to reduce health and safety risks, gain cost savings, or complete projects, as long as a program or project is not increased or decreased by more than \$5,000,000 in total during the fiscal year.

The reprogramming authority—either formal or internal—may not be used to initiate new programs or to change funding levels for programs specifically denied, limited, or increased by Congress in the act or report. The Committee on Appropriations in the House and Senate must be notified within 30 days after the use of the internal reprogramming authority.

Closure Sites.—The Committee recommends \$1,990,000 for Closure Sites activities.

Hanford Site.—The Committee recommends \$975,423,000 for Richland Operations. The Committee is aware that the B Reactor has been identified as a National Historic Landmark and the Department of Energy has stated that the intent is preserving the reactor for public access. To ensure this intent is accomplished, the Committee believes that it is appropriate to use cleanup dollars for the maintenance and public safety efforts at the B Reactor. Funding for the Hazardous Materials Management and Emergency Response facilities are provided for within available funds.

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

NNSA Sites.—The Committee recommends \$334,268,000 for NNSA sites.

Oak Ridge Reservation.—The Committee recommends \$213,495,000 for Oak Ridge Reservation.

Building 3019.—The Committee recommends \$37,000,000 for the cleanup of Building 3019. This project will result in saving some \$5,000,000 in annual security costs at Oak Ridge National Laboratory once complete. The Committee directs the Department to provide an updated plan within 60 days of enactment of this act that keeps the project on a 5-year schedule.

Oak Ridge Reservation Mercury Cleanup.—Remediation of mercury contamination at Oak Ridge Reservation from work performed at the Y-12 site during the Cold War is a high priority for the Environmental Management program. While DOE has taken some initial efforts to contain mercury, the Committee believes a more aggressive effort is warranted. The Committee recommends \$25,000,000 for additional steps to contain mercury and limit discharges into the surface water at Oak Ridge. Mercury remediation will be a long-term effort requiring significant investments, including demolition and decontamination of 4 buildings. The Committee directs the Department to submit within 60 days of enactment of this Act a comprehensive plan for mercury remediation at Oak Ridge, including costs and schedule.

Office of River Protection.—The Committee recommends \$1,172,113,000 for the Office of River Protection.

Savannah River Site.—The Committee recommends \$1,181,516,000 for the Savannah River site.

Waste Isolation Pilot Plant.—The Committee recommends \$208,896,000 for the Waste Isolation Pilot Plant.

Program Direction.—The Committee recommends \$323,504,000 for program direction.

Program Support.—The Committee recommends \$18,279,000 for program support.

Safeguards and Security.—The Committee recommends \$237,019,000 for safeguards and security.

Technology Development and Deployment.—The Committee recommends \$20,000,000 for technology development and deployment.

OTHER DEFENSE ACTIVITIES

Appropriations, 2012	\$823,364,000
Budget estimate, 2013	735,702,000
Committee recommendation	735,702,000

The Committee recommendation is \$735,702,000. The Committee recognizes that the decrease relative to fiscal year 2012 reflects the transfer of funding related to safeguards and security of the Idaho National Laboratory from Other Defense Activities to the Nuclear Energy appropriations account.

Health, Safety and Security.—The Committee recommends \$245,500,000 as requested. Within these funds, the Committee recommends \$4,405,000, which is the same as fiscal year 2012 enacted levels, for domestic health research activities, of which \$1,500,000 shall be used to support the continuation of the Illness and Injury Surveillance program. The Committee supports the Illness and Injury Surveillance program because it is the only active surveillance

program across DOE that monitors the potential health effects of workers at DOE and NNSA sites and currently monitors the health of about 79,000 contract and Federal workers.

Specialized Security Activities.—The Committee recommends \$188,619,000 as requested.

Office of Legacy Management.—The Committee recommends \$177,946,000 as requested.

Defense-Related Administrative Support.—The Committee recommends \$118,836,000 as requested.

Office of Hearings and Appeals.—The Committee recommends \$4,801,000 as requested.

POWER MARKETING ADMINISTRATIONS

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. Bonneville also exchanges and markets surplus power with Canada and California. The Committee recommends no new borrowing authority for BPA during fiscal year 2013.

The Committee is aware of the Secretary of Energy’s March 16, 2012, memorandum directed to the Administrators of the Power Marketing Administrations, and understands that with respect to the Bonneville Power Administration [BPA], the BPA is currently meeting those directorates. The Committee is disappointed that the proposals in this memorandum were developed without any consultation with Members of Congress representing the BPA service area or any public process with BPA ratepayers. The Committee directs that the Secretary of Energy or his designee to consult with appropriate Members of Congress and conduct a public process in advance of use of any funds appropriated to the Department of Energy under this act to direct or implement proposals stemming from the Department of Energy March 16, 2012, memorandum that would impact the Bonneville Power Administration.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

Appropriations, 2012 .....	.....
Budget estimate, 2013 .....	.....
Committee recommendation .....	.....

For the Southeastern Power Administration, the Committee recommends a net appropriation of \$0 as the appropriations are offset by collections, the same as the budget request.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

Appropriations, 2012	\$11,892,000
Budget estimate, 2013	11,892,000
Committee recommendation	11,892,000

For the Southwestern Power Administration, the Committee recommends a net appropriation of \$11,892,000, the same as the budget request.

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

Appropriations, 2012	\$95,968,000
Budget estimate, 2013	96,130,000
Committee recommendation	96,130,000

For the Western Area Power Administration, the Committee recommends a net appropriation of \$96,130,000, the same as the budget request. The Western Area Power Administration is encouraged to continue its efforts to build a more secure and sustainable electricity grid by pioneering programs and activities to maximize the use and integration of energy efficiency, renewable energy, distributed generation, and demand response, as well as improving transmission access between regions and interconnections.

The Committee notes that some of the Administration's efforts in this area may have impacts on costs to consumers. The Committee recommends the Administration work with customers to address relevant concerns and inform Congress of major initiatives.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

Appropriations, 2012	\$220,000
Budget estimate, 2013	220,000
Committee recommendation	220,000

For the Falcon and Amistad Operating and Maintenance Fund, the Committee recommends a net appropriation of \$220,000 the same as the request.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

Appropriations, 2012	\$304,600,000
Budget estimate, 2013	304,600,000
Committee recommendation	304,600,000

REVENUES APPLIED

Appropriations, 2012	-\$304,600,000
Budget estimate, 2013	-304,600,000
Committee recommendation	-304,600,000

DEPARTMENT OF ENERGY
[In thousands of dollars]

	Enacted	Budget estimate	Committee recommendation	Committee recommendation compared to—	
				Enacted	Budget estimate
ENERGY PROGRAMS					
ENERGY EFFICIENCY AND RENEWABLE ENERGY					
Energy Efficiency and Renewable Energy RDD&D:					
Hydrogen and fuel cell technologies	104,000	80,000	104,000		+ 24,000
Biomass and Biorefinery Systems R&D	200,000	270,000	200,000		- 70,000
Solar energy	290,000	310,000	293,000	+ 3,000	- 17,000
Wind energy	93,593	95,000	95,000	+ 1,407	
Geothermal technology	38,000	65,000	65,000	+ 27,000	
Water power	59,000	20,000	59,000		+ 39,000
Vehicle technologies	330,000	420,000	330,000		- 90,000
Building technologies	220,000	310,000	220,000		- 90,000
Advanced manufacturing		290,000	168,635	+ 168,635	- 121,365
Industrial technologies					
Federal energy management program	116,000			- 116,000	
Facilities and infrastructure:	30,000	32,000	30,000		- 2,000
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	164,700	- 300	
Strategic programs	25,000	58,900	25,000		- 33,900
Subtotal, Energy Efficiency and Renewable Energy RDD&D	1,697,000	2,142,000	1,780,735	+ 83,735	- 361,265
Weatherization and intragovernmental:					
Weatherization:					
Weatherization assistance	65,000	135,700	141,700	+ 76,700	+ 6,000
Training and technical assistance	3,000	3,300	3,300	+ 300	
Subtotal	68,000	139,000	145,000	+ 77,000	+ 6,000
Other:					
State energy program grants	50,000	49,000	50,000		+ 1,000

Tribal energy activities	10,000	7,000	10,000	.....	+ 3,000
Subtotal	60,000	56,000	60,000	.....	+ 4,000
Subtotal, Weatherization and intragovernmental	128,000	195,000	199,000	+ 71,000	+ 4,000
Subtotal, Energy efficiency and renewable energy	1,825,000	2,337,000	1,985,735	+ 160,735	- 351,265
Rescission	- 9,909	- 69,667	- 69,667	- 59,758	.....
Sec. 309—Contractor pay freeze rescission	- 5,453	.....	.....	+ 5,453	.....
TOTAL, ENERGY EFFICIENCY AND RENEWABLE ENERGY	1,809,638	2,267,333	1,916,068	+ 106,430	- 351,265
ELECTRICITY DELIVERY AND ENERGY RELIABILITY					
Research and development:					
Electricity systems hub .....	.....	20,000	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	.....
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	103,400	+ 3,910	.....
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	27,615	+ 605	.....
Sec. 309—Contractor pay freeze rescission	- 397	.....	.....	+ 397	.....
TOTAL, ELECTRICITY DELIVERY AND ENERGY RELIABILITY	139,103	143,015	143,015	+ 3,912	.....
NUCLEAR ENERGY					
Research and development:					
Nuclear energy-enabling technologies	74,880	65,318	65,318	- 9,562	.....
Integrated university program	5,000	.....	.....	- 5,000	.....
Small modular reactor licensing technical support	67,000	65,000	65,000	- 2,000	.....
Reactor concepts RD&D	115,544	73,674	73,674	- 41,870	.....
Fuel-cycle research and development	187,351	175,438	193,138	+ 5,787	+ 17,700
International nuclear energy cooperation	3,000	3,000	3,000	.....	.....
Subtotal	452,775	382,430	400,130	- 52,645	+ 17,700

DEPARTMENT OF ENERGY—Continued
[In thousands of dollars]

	Enacted	Budget estimate	Committee recommendation	Committee recommendation compared to—	
				Enacted	Budget estimate
Infrastructure:					
Radiological facilities management:					
Space and defense infrastructure	64,902	46,000	61,000	- 3,902	+ 15,000
Research reactor infrastructure	4,986	5,000	5,000	+ 14	
Subtotal	69,888	51,000	66,000	- 3,888	+ 15,000
INL facilities management:					
INL operations and infrastructure	155,000	144,220	144,220	- 10,780	
Construction:					
13-D-905 RHLW disposal project		6,280	6,280	+ 6,280	
13-E-200 Advanced PE capabilities		1,500	1,500	+ 1,500	
Subtotal		7,780	7,780	+ 7,780	
Idaho sitewide safeguards and security		95,000	93,000	+ 93,000	- 2,000
Subtotal, Infrastructure	224,888	298,000	311,000	+ 86,112	+ 13,000
Program direction	91,000	90,015	92,015	+ 1,015	+ 2,000
Subtotal, Nuclear energy	768,663	770,445	803,145	+ 34,482	+ 32,700
Sec. 309—Contractor pay freeze rescission	- 3,272			+ 3,272	
Use of prior years balances			- 17,700	- 17,700	- 17,700
TOTAL, NUCLEAR ENERGY	765,391	770,445	785,445	+ 20,054	+ 15,000
FOSSIL ENERGY RESEARCH AND DEVELOPMENT					
CCS and power systems:					
Carbon capture	68,938	60,438	60,438	- 8,500	
Carbon storage	115,477	95,477	95,477	- 20,000	
Advanced energy systems	100,000	55,193	80,946	- 19,054	+ 25,753

Cross-cutting research	49,163	29,750	29,750	-19,413	.....
NETL coal research and development	35,031	35,011	35,011	-20	.....
Subtotal, CCS and power systems	368,609	275,869	301,622	-66,987	+ 25,753
Natural gas technologies	15,000	17,000	22,000	+ 7,000	+ 5,000
Unconventional fossil energy technologies from petroleum—oil technologies	5,000	5,000	5,000	.....	+ 5,000
Program direction	120,000	115,753	120,000	.....	+ 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	.....	.....
Subtotal, Fossil energy research and development	534,000	428,513	468,513	-65,487	+ 40,000
Use of prior year balances .....	.....	-7,938	-7,938	-7,938	.....
Rescission	-187,000	.....	.....	+ 187,000	.....
Sec. 309—Contractor pay freeze rescission	-297	.....	.....	+ 297	.....
TOTAL, FOSSIL ENERGY RESEARCH AND DEVELOPMENT	346,703	420,575	460,575	+ 113,872	+ 40,000
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	116,365	+ 11,365	.....
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	87,831	+ 20,401	+ 30,000
West Valley Demonstration Project	65,000	47,862	47,862	-17,138	.....

DEPARTMENT OF ENERGY—Continued
[In thousands of dollars]

	Enacted	Budget estimate	Committee recommendation	Committee recommendation compared to—	
				Enacted	Budget estimate
Sec. 309—Contractor pay freeze rescission	—415	.....	.....	+ 415	.....
TOTAL, NON-DEFENSE ENVIRONMENTAL CLEANUP	235,306	198,506	228,506	— 6,800	+ 30,000
URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND					
Oak Ridge	200,856	207,798	207,798	+ 6,942	.....
Paducah	81,807	90,142	90,142	+ 8,335	.....
Portsmouth	190,267	127,038	127,038	— 63,229	.....
Pension and community and regulatory support .....	.....	17,515	17,515	+ 17,515	.....
Sec. 309—Contractor pay freeze	— 750	.....	.....	+ 750	.....
TOTAL, URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND/URANIUM INVENTORY CLEANUP	472,180	442,493	442,493	— 29,687	.....
SCIENCE					
Advanced scientific computing research	442,000	455,593	455,593	+ 13,593	.....
Basic energy sciences:					
Research	1,542,600	1,688,889	1,601,388	+ 58,788	— 87,501
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	63,500	+ 63,500	.....
Subtotal	151,400	110,703	110,703	— 40,697	.....
Subtotal, Basic energy sciences	1,694,000	1,799,592	1,712,091	+ 18,091	— 87,501
Biological and environmental research	611,823	625,347	625,347	+ 13,524	.....
Fusion energy sciences program	402,177	398,324	398,324	— 3,853	.....
High-energy physics:					
Research	763,700	756,521	745,521	— 18,179	— 11,000

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		781,521			- 10,179	+ 5,000
Nuclear physics:								
Operations and maintenance	500,000	486,366		499,366			- 634	+ 13,000
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, Virginia	50,000	40,572		40,572			- 9,428	
Subtotal, Nuclear physics	550,000	526,938		539,938			- 10,062	+ 13,000
Workforce development for teachers and scientists	18,500	14,500		14,500			- 4,000	
Science laboratories infrastructure:								
Infrastructure support:	1,385	1,385		1,385				
Payment in lieu of taxes	900	900		900			+ 900	
Facilities and infrastructure	5,493	5,934		5,934			+ 441	
Oak Ridge landlord								
Subtotal	6,878	8,219		8,219			+ 1,341	
Construction:								
13-SC-70 utilities upgrade, FNAL		2,500		2,500			+ 2,500	
13-SC-71 Utility infrastructure modernization at TJNAF		2,500		2,500			+ 2,500	
12-SC-70 Science and user support building, SLAC	12,086	21,629		21,629			+ 9,543	
10-SC-70 Research support building and infrastructure modernization, SLAC	12,024	36,382		36,382			+ 24,358	
10-SC-71 Energy sciences building, ANL	40,000	32,030		32,030			- 7,970	
10-SC-72 Renovate science laboratory, phase II, BNL	15,500	14,530		14,530			- 970	
09-SC-72 Seismic life-safety, modernization and 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		109,571			+ 4,649	
Subtotal, Science laboratories infrastructure	111,800	117,790		117,790			+ 5,990	
Safeguards and security	82,000	84,000		83,000			+ 1,000	- 1,000

DEPARTMENT OF ENERGY—Continued
[In thousands of dollars]

	Enacted	Budget estimate	Committee recommendation	Committee recommendation compared to—	
				Enacted	Budget estimate
Science program direction	185,000	202,551	190,000	+ 5,000	- 12,551
Subtotal, Science	4,889,000	5,001,156	4,918,104	+ 29,104	- 83,052
Use of prior year balances .....	.....	- 9,104	- 9,104	- 9,104	.....
Sec. 309—Contractor pay freeze rescission	- 15,366	.....	.....	+ 15,366	.....
TOTAL, SCIENCE	4,873,634	4,992,052	4,909,000	+ 35,366	- 83,052
ADVANCED RESEARCH PROJECTS AGENCY-ENERGY					
ARPA-E projects	255,000	325,000	287,000	+ 32,000	- 38,000
Program direction	20,000	25,000	25,000	+ 5,000	.....
TOTAL, ADVANCED RESEARCH PROJECTS AGENCY-ENERGY	275,000	350,000	312,000	+ 37,000	- 38,000
TITLE 17—INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM					
Administrative expenses	38,000	38,000	38,000	.....	.....
Offsetting collection	- 38,000	- 38,000	- 38,000	.....	.....
Administrative expenses	6,000	9,000	9,000	+ 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	43,257	- 19,436	- 10,000
Human capital management	23,089	23,286	23,286	+ 197	.....
Chief Information Officer	36,615	36,243	36,243	- 372	.....

Congressional and intergovernmental affairs:					
Program direction					
Economic impact and diversity	4,690	4,076	4,076	614	
General counsel	5,660	6,447	6,447	+ 787	
Policy and international affairs	33,053	33,256	33,256	+ 203	
Public affairs	20,518	20,781	20,781	+ 263	
Office of Indian energy policy and programs	3,801	3,310	3,310	- 491	
Subtotal, Salaries and expenses	2,000	2,506	2,506	+ 506	
Subtotal, Salaries and expenses	250,353	239,191	229,191	- 21,162	- 10,000
Program support:					
Minority economic impact	1,813	1,059	1,059	- 754	
Policy analysis and system studies	441	400	400	- 41	
Environmental policy studies	520	500	500	- 20	
Climate change technology program (program support)	5,482	5,600	5,600	+ 118	
Cybersecurity and secure communications	21,934	33,576	33,576	+ 11,642	
Corporate IT program support (CIO)	27,379	20,756	20,756	- 6,623	
Subtotal, Program support	57,569	61,891	61,891	+ 4,322	
Subtotal, Administrative operations	307,922	301,082	291,082	- 16,840	- 10,000
Cost of work for others	48,537	48,537	48,537		
Subtotal, Departmental administration	356,459	349,619	339,619	- 16,840	- 10,000
Funding from other defense activities	- 118,836	- 118,836	- 118,836		
Total, Departmental administration (gross)	237,623	230,783	220,783	- 16,840	- 10,000
Miscellaneous revenues	- 111,623	- 108,188	- 108,188	+ 3,435	
TOTAL, DEPARTMENTAL ADMINISTRATION (net)	126,000	122,595	112,595	- 13,405	- 10,000
OFFICE OF THE INSPECTOR GENERAL	42,000	43,468	43,468	+ 1,468	
TOTAL, ENERGY PROGRAMS	8,813,687	9,815,064	9,708,747	+ 895,060	- 106,317

DEPARTMENT OF ENERGY—Continued
[In thousands of dollars]

	Enacted	Budget estimate	Committee recommendation	Committee recommendation compared to—	
				Enacted	Budget estimate
ATOMIC ENERGY DEFENSE ACTIVITIES					
NATIONAL NUCLEAR SECURITY ADMINISTRATION					
WEAPONS ACTIVITIES					
Directed stockpile work:					
Life extension program:					
B61 Life extension program	223,562	369,000	339,000	+ 115,438	— 30,000
W76 Life extension program	257,035	174,931	204,931	— 52,104	+ 30,000
Subtotal	480,597	543,931	543,931	+ 63,334	.....
Stockpile systems:					
B61 Stockpile systems	72,396	72,364	72,364	— 32	.....
W76 Stockpile systems	63,383	65,445	65,445	+ 2,062	.....
W78 Stockpile systems	99,518	139,207	139,207	+ 39,689	.....
W80 Stockpile systems	44,444	46,540	46,540	+ 2,096	.....
B83 Stockpile systems	48,215	57,947	57,947	+ 9,732	.....
W87 Stockpile systems	83,943	85,689	85,689	+ 1,746	.....
W88 Stockpile systems	75,728	123,217	123,217	+ 47,489	.....
Subtotal	487,627	590,409	590,409	+ 102,782	.....
Weapons dismantlement and disposition:					
Operations and maintenance	56,770	51,265	51,265	— 5,505	.....
Subtotal	330,000	365,405	347,405	+ 17,405	— 18,000
Stockpile services:					
Production support	30,264	28,103	28,103	— 2,161	.....
Research and development support	165,569	191,632	199,632	+ 34,063	+ 8,000
R & D certification and safety	188,700	175,844	175,844	— 12,856	.....
Management, technology, and production	140,000	141,685	141,685	+ 1,685	.....
Plutonium sustainment .....					.....

Subtotal	854,533	902,669	892,669	+ 38,136	- 10,000
Subtotal, Directed stockpile work	1,879,527	2,088,274	2,078,274	+ 198,747	- 10,000
Campaigns:					
Science campaign:					
Advanced certification	40,000	44,104	44,104	+ 4,104	.....
Primary assessment technologies	86,055	94,000	94,000	+ 7,945	.....
Dynamic materials properties	96,984	97,000	97,000	+ 16	.....
Advanced radiography	26,000	30,000	30,000	+ 4,000	.....
Secondary assessment technologies	85,000	85,000	85,000	.....	.....
Subtotal	334,039	350,104	350,104	+ 16,065	.....
Engineering campaign:					
Enhanced surety	41,696	46,421	46,421	+ 4,725	.....
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	150,571	+ 7,493	.....
Inertial confinement fusion ignition and high-yield campaign:					
Ignition	109,888	84,172	84,172	- 25,716	.....
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	.....
Joint program in high-energy density laboratory plasmas	9,100	8,334	8,334	- 766	.....
Facility operations and target production	266,030	264,691	264,691	- 1,339	.....
Support of other stockpile programs .....	.....	14,817	14,817	+ 14,817	.....
Subtotal	476,274	460,000	460,000	- 16,274	.....
Subtotal	620,000	600,000	620,000	.....	+ 20,000
Advanced simulation and computing					
Readiness campaign:					
Nonnuclear readiness	65,000	64,681	64,681	- 319	.....
Tritium readiness	63,591	65,414	65,414	+ 1,823	.....
Subtotal	128,591	130,095	130,095	+ 1,504	.....
Subtotal, Campaigns	1,701,982	1,690,770	1,710,770	+ 8,788	+ 20,000

DEPARTMENT OF ENERGY—Continued
[In thousands of dollars]

	Enacted	Budget estimate	Committee recommendation	Committee recommendation compared to—	
				Enacted	Budget estimate
Readiness in technical base and facilities (RTBF):					
Operations of facilities:					
Kansas City Plant	156,217	163,602	163,602	+ 7,385	.....
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	167,384	+ 46,676	.....
Savannah River Site	97,767	120,577	120,577	+ 22,810	.....
Y-12 Productions Plant	246,001	255,097	255,097	+ 9,096	.....
Subtotal	1,285,616	1,419,403	1,419,403	+ 133,787	.....
Program readiness	74,180	.....	.....	- 74,180	.....
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	+ 166,945	.....
Nuclear operations capability support .....	.....	203,346	203,346	+ 203,346	.....
Subtotal, Readiness in technical base and facilities	1,498,047	1,789,694	1,789,694	+ 291,647	.....
Construction:					
13-D-301 Electrical infrastructure upgrades, LANL/LNL .....	.....	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	8,889	- 1,111	.....
10-D-501 Nuclear facilities risk reduction Y-12 National security complex, Oakridge, Tennessee	35,387	17,909	17,909	- 17,478	.....
09-D-404, Test capabilities revitalization II, Sandia National Laboratory, Albuquerque, New Mexico	25,168	11,332	11,332	- 13,836	.....
08-D-802 High-explosive pressing facility Pantex Plant, Amarillo, Texas	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 Project engineering and design (PED), Y-12 Uranium Processing Facility, Oak Ridge, Tennessee	160,194	340,000	340,000	+ 179,806	.....

04-D-125 Chemistry and metallurgy replacement project, Los Alamos National Laboratory, Los Alamos, New Mexico	200,000				-200,000	
Subtotal	511,108	450,134	450,134		-60,974	
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	114,965		-30,309	
Program direction	98,002	104,396	104,396		+6,394	
Subtotal	243,276	219,361	219,361		-23,915	
Nuclear counterterrorism incident response	222,147	247,552	247,552		+25,405	
Facilities and infrastructure recapitalization program	96,380				-96,380	
Site stewardship	78,680	90,001	88,249		+9,569	-1,752
Safeguards and security:						
Defense nuclear security	686,252	643,285	643,285		-42,967	
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	643,285		-54,719	
Cybersecurity	126,614				-126,614	
Total, Safeguards and security	824,618	643,285	643,285		-181,333	
MNSA CIO activities		155,022	155,022		+155,022	
Legacy contractor pensions	168,232	185,000	185,000		+16,768	
National security applications	10,000	18,248	10,000		-8,248	
Sec. 309—Contractor pay freeze rescission	-19,877				+19,877	
TOTAL, WEAPONS ACTIVITIES	7,214,120	7,577,341	7,577,341		+363,221	
DEFENSE NUCLEAR NONPROLIFERATION						
Nonproliferation and verification, R&D	356,150	548,186	418,186		+62,036	-130,000
Nonproliferation and international security	155,305	150,119	150,119		-5,186	
International nuclear materials protection and cooperation	571,639	311,000	368,000		-203,639	+57,000
Fissile materials disposition:						
U.S. plutonium disposition	205,632	498,979	498,979		+293,347	
U.S. uranium disposition	26,000	29,736	29,736		+3,736	

DEPARTMENT OF ENERGY—Continued
[In thousands of dollars]

	Enacted	Budget estimate	Committee recommendation	Committee recommendation compared to—	
				Enacted	Budget estimate
Construction:					
MO _x fuel fabrication facilities:					
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, South Carolina	435,172	388,802	388,802	-46,370	.....
99-D-141-Q2 Waste solidification building, Savannah River, South Carolina	17,582	.....	.....	-17,582	.....
Subtotal, Construction	452,754	388,802	388,802	-63,952	.....
Subtotal, U.S. fissile materials disposition	684,386	917,517	917,517	+233,131	.....
Russian surplus materials disposition	1,000	3,788	3,788	+2,788	.....
Total, Fissile materials disposition	685,386	921,305	921,305	+235,919	.....
Global threat reduction initiative	500,000	465,021	539,021	+39,021	+73,000
Legacy contractor pensions	55,823	62,000	62,000	+6,177	.....
Subtotal, Defense Nuclear Nonproliferation	2,324,303	2,458,631	2,458,631	+134,328	.....
Rescission	-21,000	.....	.....	+21,000	.....
Sec. 309—Contractor pay freeze rescission	-7,423	.....	.....	+7,423	.....
TOTAL, DEFENSE NUCLEAR NONPROLIFERATION	2,295,880	2,458,631	2,458,631	+162,751	.....
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	+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	.....

10-D-904, NRF infrastructure upgrades, Idaho	12,000				- 12,000	
08-D-190, Project engineering and design, Expanded Core Facility M-290 recovering discharge station, Naval Reactor Facility, Idaho	27,800	5,700	5,700		- 22,100	
07-D-190, Materials research tech complex (MRTC)						
Subtotal, Construction	39,900	49,590	49,590		+ 9,690	
Program direction	40,000	43,212	43,212		+ 3,212	
TOTAL, NAVAL REACTORS	1,080,000	1,088,635	1,088,635		+ 8,635	
Office of the Administrator	410,000	411,279	386,279		- 23,721	- 25,000
TOTAL, NATIONAL NUCLEAR SECURITY ADMINISTRATION	11,000,000	11,535,886	11,510,886		+ 510,886	- 25,000
DEFENSE ENVIRONMENTAL CLEANUP						
Closure sites	5,375	1,990	1,990		- 3,385	
Hanford Site:						
Central plateau remediation	546,890	558,820	570,920		+ 24,030	+ 12,100
River corridor and other cleanup operations	386,822	389,347	389,347		+ 2,525	
Richland community and regulatory support	19,540	15,156	15,156		- 4,384	
Total, Hanford Site	953,252	963,323	975,423		+ 22,171	+ 12,100
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	334,268		+ 51,875	
Total, NNSA sites and Nevada off-sites	282,393	334,268	334,268		+ 51,875	
Oak Ridge Reservation:						
Building 3019	37,000				- 37,000	
OR Nuclear facility D&D	69,100	67,525	99,525		+ 30,425	+ 32,000
OR cleanup and disposition	87,000	109,470	109,470		+ 22,470	
OR reservation community and regulatory support	6,409	4,500	4,500		- 1,909	
Total, Oak Ridge Reservation	199,509	181,495	213,495		+ 13,986	+ 32,000

DEPARTMENT OF ENERGY—Continued
[In thousands of dollars]

	Enacted	Budget estimate	Committee recommendation	Committee recommendation compared to—	
				Enacted	Budget estimate
Office of River Protection:					
Waste Treatment and Immobilization Plant:					
01-D-416 A-EORP-0060/Major construction	430,000	690,000	690,000	+ 690,000	.....
Waste treatment and immobilization plant 01-D-16 A-D	310,000	.....	.....	- 430,000	.....
Waste treatment and immobilization plant 01-D-16 E .....	.....	.....	.....	- 310,000	.....
Subtotal, Waste Treatment and Immobilization Plant	740,000	690,000	690,000	- 50,000	.....
Tank Farm activities:					
Rad liquid tank waste stabilization and disposition	445,000	482,113	482,113	+ 37,113	.....
Total, Office of River Protection	1,185,000	1,172,113	1,172,113	- 12,887	.....
Savannah River site:					
Savannah River community and regulatory support	9,584	16,584	16,584	+ 7,000	.....
Savannah River site risk management operations	343,586	444,089	444,089	+ 100,503	.....
Radioactive liquid tank waste:					
Radioactive liquid tank waste stabilization and disposition	667,081	698,294	698,294	+ 31,213	.....
Construction:					
05-D-405 Salt waste processing facility, Savannah River	170,071	22,549	22,549	- 147,522	.....
PE&D Glass Waste Storage Building #3	3,500	.....	.....	- 3,500	.....
Subtotal, Radioactive liquid tank waste	840,652	720,843	720,843	- 119,809	.....
Total, Savannah River site	1,193,822	1,181,516	1,181,516	- 12,306	.....
Waste Isolation Pilot Plant	215,134	198,010	208,896	- 6,238	+ 10,886
Program direction	321,628	323,504	323,504	+ 1,876	.....
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	20,000	+ 9,000	.....
Uranium enrichment D&D fund contribution .....	.....	463,000	.....	.....	- 463,000
Subtotal, Defense Environmental Clean up	5,026,381	5,494,124	5,086,110	+ 59,729	- 408,014

Use of unobligated balances	-10,000	-10,000	-10,000	-10,000	-10,000
Use of prior year balances	-3,381	-12,123	-12,123	-12,123	-8,742
Sec. 309—Contractor pay freeze rescission	-20,050	.....	.....	.....	+20,050
TOTAL, DEFENSE ENVIRONMENTAL CLEAN UP	5,002,950	5,472,001	5,063,987	5,063,987	+61,037
OTHER DEFENSE ACTIVITIES					
Health, safety, and security:					
Health, safety, and security	335,436	139,325	139,325	139,325	-196,111
Program direction	102,000	106,175	106,175	106,175	+4,175
Total, Health, safety, and security	437,436	245,500	245,500	245,500	-191,936
Specialized security activities .....	.....	188,619	188,619	188,619	+188,619
Office of Legacy Management:					
Legacy management	157,514	164,477	164,477	164,477	+6,963
Program direction	12,086	13,469	13,469	13,469	+1,383
Total, Office of Legacy Management	169,600	177,946	177,946	177,946	+8,346
Idaho statewide safeguards and security	93,350	.....	.....	.....	-93,350
Defense-related administrative support	118,836	118,836	118,836	118,836	.....
Office of hearings and appeals	4,142	4,801	4,801	4,801	+659
TOTAL, OTHER DEFENSE ACTIVITIES	823,364	735,702	735,702	735,702	-87,662
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES	16,826,314	17,743,589	17,310,575	17,310,575	+484,261
POWER MARKETING ADMINISTRATIONS¹					
SOUTHEASTERN POWER ADMINISTRATION					
Operation and maintenance:					
Purchase power and wheeling	114,870	103,170	103,170	103,170	-11,700
Program direction	8,428	8,732	8,732	8,732	+304
Subtotal, Operation and maintenance	123,298	111,902	111,902	111,902	-11,396
Less alternative financing (PPW)	-14,708	-15,474	-15,474	-15,474	-766
Offsetting collections	-108,590	-96,428	-96,428	-96,428	+12,162
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES	16,826,314	17,743,589	17,310,575	17,310,575	+484,261
POWER MARKETING ADMINISTRATIONS¹					
SOUTHEASTERN POWER ADMINISTRATION					
Operation and maintenance:					
Purchase power and wheeling	114,870	103,170	103,170	103,170	-11,700
Program direction	8,428	8,732	8,732	8,732	+304
Subtotal, Operation and maintenance	123,298	111,902	111,902	111,902	-11,396
Less alternative financing (PPW)	-14,708	-15,474	-15,474	-15,474	-766
Offsetting collections	-108,590	-96,428	-96,428	-96,428	+12,162
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES	16,826,314	17,743,589	17,310,575	17,310,575	+484,261

DEPARTMENT OF ENERGY—Continued
[In thousands of dollars]

	Enacted	Budget estimate	Committee recommendation	Committee recommendation compared to—	
				Enacted	Budget estimate
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	.....
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 (Public Law 108-477, Public Law 109-103)	- 306,541	- 242,858	- 242,858	+ 63,683	.....
Offsetting collections (Public Law 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	.....
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 OPERATING AND MAINTENANCE 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	304,500	304,500	- 100	.....
FERC revenues	- 304,600	- 304,500	- 304,500	+ 100	.....
GRAND TOTAL, DEPARTMENT OF ENERGY	25,748,081	27,666,895	27,127,564	+ 1,379,483	- 539,331
(Total amount appropriated)	(26,639,290)	(28,033,562)	(27,203,231)	(+ 563,941)	(- 830,331)
(Rescissions)	(- 891,209)	(- 366,667)	(- 75,667)	(+ 815,542)	(+ 291,000)
SUMMARY OF ACCOUNTS					
Energy efficiency and renewable energy	1,809,638	2,267,333	1,916,068	+ 106,430	- 351,265
Electricity delivery and energy reliability	139,103	143,015	143,015	+ 3,912	.....
Nuclear energy	765,391	770,445	785,445	+ 20,054	+ 15,000
Fossil energy research and development	346,703	420,575	460,575	+ 113,872	+ 40,000
Naval petroleum and oil shale reserves	14,909	14,909	14,909	.....	.....
Strategic petroleum reserves	192,704	195,609	195,609	+ 2,905	.....
Elk Hills School Lands Fund .....	.....	15,580	15,580	+ 15,580	.....
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	116,365	+ 11,365	.....
Non-Defense Environmental Cleanup	235,306	198,506	228,506	- 6,800	+ 30,000
Uranium enrichment D&D fund	472,180	442,493	442,493	- 29,687	.....
Science	4,873,634	4,992,052	4,909,000	+ 35,366	- 83,052
Advanced Research Projects Agency-Energy	275,000	350,000	312,000	+ 37,000	- 38,000
Advanced technology vehicles manufacturing loan program	6,000	9,000	9,000	+ 3,000	.....
Departmental administration	126,000	122,595	112,595	- 13,405	- 10,000
Office of the Inspector General	42,000	43,468	43,468	+ 1,468	.....

DEPARTMENT OF ENERGY—Continued
[In thousands of dollars]

	Enacted	Budget estimate	Committee recommendation	Committee recommendation compared to—	
				Enacted	Budget estimate
Atomic energy defense activities:					
National Nuclear Security Administration:					
Weapons activities	7,214,120	7,577,341	7,577,341	+ 363,221	.....
Defense nuclear nonproliferation	2,295,880	2,458,631	2,458,631	+ 162,751	.....
Naval reactors	1,080,000	1,088,635	1,088,635	+ 8,635	.....
Office of the Administrator	410,000	411,279	386,279	- 23,721	- 25,000
Subtotal, National Nuclear Security Administration	11,000,000	11,535,886	11,510,886	+ 510,886	- 25,000
Defense environmental cleanup	5,002,950	5,472,001	5,063,987	+ 61,037	- 408,014
Other defense activities	823,364	735,702	735,702	- 87,662	.....
Total, Atomic Energy Defense Activities	16,826,314	17,743,589	17,310,575	+ 484,261	- 433,014
Power marketing administrations: ¹					
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	304,500	304,500	- 100	.....
Revenues	- 304,600	- 304,500	- 304,500	+ 100	.....
Total Summary of Accounts, Department of Energy	25,748,081	27,665,895	27,127,564	+ 1,379,483	- 539,331

¹Totals 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

The following list of general provisions is recommended by the Committee. The recommendation includes several provisions which have been included in previous Energy and Water Appropriations Acts and new provisions as follows:

Section 301. Language is included on unexpended balances.

Section 302. Language is included specifically authorizing intelligence activities pending enactment of the fiscal year 2013 Intelligence Authorization Act.

Section 303. The Committee has included a provision related to nuclear safety requirements.

Section 304. The Committee has included language related to independent cost estimates.

Section 305. Language is included related to the provision of uranium.

Section 306. The Committee has included a provision modifying an annual review.

Section 307. Language is included related to transfer authority.

Section 308. The Committee has included a provision on appointments.

Section 309. The Committee has included a provision on hiring.

Section 310. The Committee has included a provision on mandatory funding.

Section 311. The Committee has included a provision on the eligibility for tribal energy activities.

Section 312. The Committee has included a provision on a pilot program related to consolidated storage of spent nuclear fuel.

Section 313. The Committee has included a provision to repeal a reporting requirement.

Section 314. The Committee has included a provision repealing a reporting requirement.

Section 315. The Committee has included a provision amending a reporting requirement.

TITLE IV
INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

Appropriations, 2012	\$68,263,000
Budget estimate, 2013	64,850,000
Committee recommendation	64,850,000

Established in 1965, the Appalachian Regional Commission [ARC] is an economic development agency composed of 13 Appalachian States and a Federal co-chair appointed by the President. For fiscal year 2013, the Committee recommends \$64,850,000 for the ARC.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

Appropriations, 2012	\$29,130,000
Budget estimate, 2013	29,415,000
Committee recommendation	27,425,000

The Committee recommends \$27,425,000 for the Defense Nuclear Facilities Safety Board. The Committee supports the Board's efforts to independently review the design and construction of new defense nuclear facilities to ensure that eventual operation of these facilities will be safe for workers and the public. However, the budget request did not take into account a decreasing workload for the Board. The primary justification of an increasing budget was a need for additional FTEs to review the design and construction of two new, major nuclear facilities, which combined were estimated to cost up to \$8,000,000,000—the Pit Disassembly and Conversion Facility [PDCF] at Savannah River Site and the Chemistry and Metallurgy Research Replacement [CMRR] nuclear facility at Los Alamos National Laboratory. PDCF has been terminated and construction of CMRR has been delayed by at least 5 years. The Committee recommendation provides funding to support oversight activities over the remaining eight major construction projects.

DELTA REGIONAL AUTHORITY

Appropriations, 2012	\$11,677,000
Budget estimate, 2013	11,315,000
Committee recommendation	11,315,000

For the Delta Regional Authority, the Committee recommends \$11,315,000. The Delta Regional Authority was established to assist the eight State Mississippi Delta Region in obtaining basic infrastructure, transportation, skills training, and opportunities for economic development.

DENALI COMMISSION

Appropriations, 2012	\$10,679,000
Budget estimate, 2013	10,165,000
Committee recommendation	10,165,000

The Denali Commission is a Federal-State partnership responsible for promoting infrastructure development, job training, and other economic development services in rural areas throughout Alaska. For fiscal year 2013, the Committee recommends \$10,165,000.

NORTHERN BORDER REGIONAL COMMISSION

Appropriations, 2012	\$1,497,000
Budget estimate, 2013	1,425,000
Committee recommendation	1,425,000

The Committee recommends \$1,425,000 for the Northern Border Regional Commission.

SOUTHEAST CRESCENT REGIONAL COMMISSION

Appropriations, 2012	\$250,000
Budget estimate, 2013	
Committee recommendation	

The Committee recommends no funding for the Southeast Crescent Regional Commission consistent with the budget request.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

Appropriations, 2012	\$1,027,240,000
Budget estimate, 2013	1,042,200,000
Committee recommendation	1,042,200,000

REVENUES

Appropriations, 2012	-\$899,726,000
Budget estimate, 2013	-914,832,000
Committee recommendation	-914,832,000

NET APPROPRIATION

Appropriations, 2012	\$127,514,000
Budget estimate, 2013	127,368,000
Committee recommendation	127,368,000

The Committee recommendation for the Nuclear Regulatory Commission for fiscal year 2013 is \$1,042,200,000. This amount is offset by estimated revenues of \$914,832,000 resulting in a net appropriation of \$127,368,000.

OFFICE OF INSPECTOR GENERAL

GROSS APPROPRIATION

Appropriations, 2012	\$10,860,000
Budget estimate, 2013	11,020,000
Committee recommendation	11,870,000

REVENUES

Appropriations, 2012	-\$9,774,000
Budget estimate, 2013	-9,918,000
Committee recommendation	-9,918,000

NET APPROPRIATION

Appropriations, 2012	\$1,086,000
Budget estimate, 2013	1,102,000
Committee recommendation	1,952,000

The Committee recommends a net appropriation of \$1,952,000. The increase of \$850,000 is provided for the Inspector General to serve as the inspector general for the Defense Nuclear Facilities Safety Board [Board]. The funding for the inspector general services for the Board is not offset by receipts.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

Appropriations, 2012	\$3,400,000
Budget estimate, 2013	3,400,000
Committee recommendation	3,400,000

The Nuclear Waste Technical Review Board was established to evaluate the scientific and technical validity of the Department of Energy’s nuclear waste disposal program. The Board reports its findings no fewer than two times a year to Congress and to the Secretary of Energy. For fiscal year 2013, the Committee recommends \$3,400,000.

OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS

Appropriation, 2012	\$1,000,000
Budget estimate, 2013	3,084,000
Committee recommendation	1,000,000

The Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects was established as an independent agency in the executive branch on December 13, 2006. The Committee recommends \$1,000,000. The Committee notes that only one joint venture is still pursuing the design and construction of a natural gas pipeline from Alaska to the Lower 48. This joint venture continues with extensive financial support from the State of Alaska. The Committee further notes that the Office of the Federal Coordinator is legally allowed to receive funding from the companies for its work. The Committee urges the agency to take advantage of this potential funding source as the work of the agency directly benefits the companies.

GENERAL PROVISION

Section 401. The Committee has included a provision that clarifies that the Denali Commission has authority to receive conditional gifts and authority to receive transfers from other Federal agencies. The provision also requires the Commission to submit an annual report on conditional gifts and transfers.

TITLE V

GENERAL PROVISIONS

The following list of general provisions are recommended by the Committee.

Section 501. The provision prohibits the use of any funds provided in this bill from being used to influence congressional action.

Section 502. The provision addresses transfer authority under this act.

PROGRAM, PROJECT, AND ACTIVITY

In fiscal year 2013, for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177), as amended, the following information provides the definition of the term “program, project or activity” for departments and agencies under the jurisdiction of the Energy and Water Development Appropriation bill. The term “program, project or activity” shall include the most specific level of budget items identified in the Energy and Water Development Appropriations Bill, 2013 and the report accompanying the bill.

If a sequestration order is necessary, in implementing the Presidential order, departments and agencies shall apply any percentage reduction required for fiscal year 2013 pursuant to the provisions of Public Law 99–177 to all items specified in the report accompanying the bill by the Senate Committee on Appropriations in support of the fiscal year 2013 budget estimates as modified by congressional action.

COMPLIANCE WITH PARAGRAPH 7, RULE XVI, OF THE
STANDING RULES OF THE SENATE

Paragraph 7 of rule XVI requires that Committee reports on general appropriations bills identify each Committee amendment to the House bill “which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.”

The Committee is filing an original bill, which is not covered under this rule, but reports this information in the spirit of full disclosure.

The Committee recommends funding for the following programs or activities which currently lack authorization for fiscal year 2013:

Corps of Engineers.—Individual studies and projects proposed for appropriations within this bill are specifically authorized by law. The appropriation accounts where the funding for the studies and projects are recommended are not considered to be authorized as there is no originating act providing for these appropriation accounts.

Department of Energy: Energy Conservation and Supply Activities;

Office of Fossil Energy: Fossil Energy R&D, Clean Coal, Naval Petroleum and Oil Shale Research;

Health, Safety and Security;

Non-Defense Environmental Management;

Office of Science;

Department of Administration;

National Nuclear Security Administration: Weapons Activities; Defense Nuclear Nonproliferation; Naval Reactors; Office of the Administrator;

Defense Environmental Management, Defense Site Acceleration Completion;

Other Defense Activities;

Defense Nuclear Waste Fund;

Office of Security and Performance Assurance;

Federal Energy Regulatory Commission;

Power Marketing Administrations: Southeastern, Southwestern, Western Area; and

Energy Information Administration.

COMPLIANCE WITH PARAGRAPH 7(c), RULE XXVI, OF THE
STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, on April 26, 2012, the Committee ordered favorably reported en bloc an original bill (S. 2375) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2013, and for other purposes,

and reported an original bill (S. 2465) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes, provided, that each bill be subject to further amendment and that each bill be consistent with its spending allocations, by a recorded vote of 28–1, a quorum being present. The vote was as follows:

Yeas	Nays
Chairman Inouye	Mr. Johnson (WI)
Mr. Leahy	
Mr. Harkin	
Ms. Mikulski	
Mr. Kohl	
Mrs. Murray	
Mrs. Feinstein	
Mr. Durbin	
Mr. Johnson (SD)	
Ms. Landrieu	
Mr. Reed	
Mr. Lautenberg	
Mr. Nelson	
Mr. Pryor	
Mr. Tester	
Mr. Brown	
Mr. Cochran	
Mr. McConnell	
Mr. Shelby	
Mrs. Hutchison	
Mr. Alexander	
Ms. Collins	
Ms. Murkowski	
Mr. Graham	
Mr. Coats	
Mr. Blunt	
Mr. Moran	
Mr. Hoeven	

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI, OF THE STANDING RULES OF THE SENATE

Paragraph 12 of rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include “(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the Committee.”

In compliance with this rule, changes in existing law proposed to be made by the bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in italic; and existing law in which no change is proposed is shown in roman.

TITLE 42—THE PUBLIC HEALTH AND WELFARE

CHAPTER 84—DEPARTMENT OF ENERGY

SUBCHAPTER II—ESTABLISHMENT OF DEPARTMENT

§ 7135. Energy Information Administration.

(a) Establishment; appointment of Administrator; compensation; qualifications; duties

* * * * *

(i) Manufacturers energy consumption survey

(1) The Administrator shall conduct and publish the results of a survey of energy consumption in the manufacturing industries in the United States at least **[once every two years]** *once every four years* and in a manner designed to protect the confidentiality of individual responses. In conducting the survey, the Administrator shall collect information, including—

* * * * *

(k) Survey procedure

* * * * *

(1) conduct surveys of residential and commercial energy use at least **[once every 3 years]** *once every four years*, and make such information available to the public;

* * * * *

CHAPTER 134—ENERGY POLICY

SUBCHAPTER VII—GLOBAL CLIMATE CHANGE

§ 13385. National inventory and voluntary reporting of greenhouse gases

[(a) National inventory

[Not later than one year after October 24, 1992, the Secretary, through the Energy Information Administration, shall develop, based on data available to, and obtained by, the Energy Information Administration, an inventory of the national aggregate emissions of each greenhouse gas for each calendar year of the baseline period of 1987 through 1990. The Administrator of the Energy Information Administration shall annually update and analyze such inventory using available data. This subsection does not provide any new data collection authority.

[(b) Voluntary reporting

[(1) Issuance of guidelines

[Not later than 18 months after October 24, 1992, the Secretary shall, after opportunity for public comment, issue guidelines for the voluntary collection and reporting of information on sources of greenhouse gases. Such guidelines shall establish procedures for the accurate voluntary reporting of information on—

[(A) greenhouse gas emissions—

- [(i) for the baseline period of 1987 through 1990; and
- [(ii) for subsequent calendar years on an annual basis;
- [(B) annual reductions of greenhouse gas emissions and carbon fixation achieved through any measures, including fuel switching, forest management practices, tree planting, use of renewable energy, manufacture or use of vehicles with reduced greenhouse gas emissions, appliance efficiency, energy efficiency, methane recovery, cogeneration, chlorofluorocarbon capture and replacement, and power plant heat rate improvement;
- [(C) reductions in greenhouse gas emissions achieved as a result of—
 - [(i) voluntary reductions;
 - [(ii) plant or facility closings; and
 - [(iii) State or Federal requirements; and
- [(D) an aggregate calculation of greenhouse gas emissions by each reporting entity.

[Such guidelines shall also establish procedures for taking into account the differential radiative activity and atmospheric lifetimes of each greenhouse gas.

[(2) Reporting procedures

[The Administrator of the Energy Information Administration shall develop forms for voluntary reporting under the guidelines established under paragraph (1), and shall make such forms available to entities wishing to report such information. Persons reporting under this subsection shall certify the accuracy of the information reported.

[(3) Confidentiality

[Trade secret and commercial or financial information that is privileged or confidential shall be protected as provided in section 552(b)(4) of title 5.

[(4) Establishment of data base

[Not later than 18 months after October 24, 1992, the Secretary, through the Administrator of the Energy Information Administration, shall establish a data base comprised of information voluntarily reported under this subsection. Such information may be used by the reporting entity to demonstrate achieved reductions of greenhouse gases.

[(c) Consultation

[In carrying out this section, the Secretary shall consult, as appropriate, with the Administrator of the Environmental Protection Agency.]

TITLE 43—PUBLIC LANDS
CHAPTER 40—RECLAMATION STATES
SUBCHAPTER I—DROUGHT PROGRAM

§ 2214. Applicable period of drought program

(a) In general

* * * * *

(c) Termination of authority

The authorities established under this subchapter shall terminate on September 30, [2012] 2017.

* * * * *

SUBCHAPTER III—GENERAL AND MISCELLANEOUS PROVISIONS

§ 2241. Authorization of appropriations

Except as otherwise provided in section 2243 of this title (relating to temperature control devices at Shasta Dam, California), there is authorized to be appropriated not more than [\$90,000,000] \$100,000,000 in total for the period of fiscal years 2006 through [2012] 2017.

WATER RESOURCES DEVELOPMENT ACT, 1988, PUBLIC LAW 100-676

SEC. 3. PROJECT AUTHORIZATIONS.

(a) AUTHORIZATION OF CONSTRUCTION.— * * *

* * * * *

(1) LOWER MISSION CREEK, SANTA BARBARA, CALIFORNIA.— * * *

* * * * *

(6) LOWER OHIO RIVER, ILLINOIS AND KENTUCKY.—The project for navigation, Lower Ohio River, Locks and Dams 52 and 53, Illinois and Kentucky: Report of the Chief of Engineers, dated August 20, 1986, at a total cost of [\$775,000,000] \$2,918,000,000, with a first Federal cost of [\$775,000,000] \$2,918,000,000, and with the costs of construction of the project to be paid one-half from amounts appropriated from the general fund of the Treasury and one-half from amounts appropriated from the Inland Waterways Trust Fund.

WATER RESOURCES DEVELOPMENT ACT, 1992, PUBLIC LAW 102-580

SEC. 101. PROJECT AUTHORIZATIONS.

* * * * *

(1) SOUTHEAST ALASKA HARBORS OF REFUGE, ALASKA.—
* * *

* * * * *

(8) KISSIMMEE RIVER RESTORATION, FLORIDA.—The project for the ecosystem restoration of the Kissimmee River, Florida: Report of the Chief of Engineers, dated March 17, 1992, [at a total cost of \$426,885,000, with an estimated Federal cost of \$139,943,000 and an estimated non-Federal cost of \$286,942,000. The Secretary is further authorized to construct] and the Kissimmee River headwaters revitalization project in accordance with the report prepared under section 1135 of the Water Resources Development Act of 1986 (100 Stat. 4251–4252) for such headwaters project and any modifications as are recommended by the Secretary based on the benefits derived for the environmental restoration of the Kissimmee River basin[, at a total cost of \$92,210,000, with an estimated Federal cost of \$46,105,000 and an estimated non-Federal cost of \$46,105,000.]. *The total cost of the ecosystem restoration and headwaters revitalization projects is \$519,095,000, with an estimated Federal cost of \$186,048,000 and an estimated non-Federal cost of \$333,047,000.* The Secretary shall take such action as may be necessary to ensure that implementation of the project to restore the Kissimmee River will maintain the same level of flood protection as is provided by the current flood control project.

OMNIBUS CONSOLIDATED AND EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 1999, PUBLIC LAW 105-277

DIVISION C—OTHER MATTERS

TITLE III—DENALI COMMISSION

SEC. 301. SHORT TITLE.

* * * * *

SEC. 305. POWERS OF THE COMMISSION.

(a) INFORMATION FROM FEDERAL AGENCIES.—

* * * * *

[(c) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.]

(c) GIFTS.—

(1) *IN GENERAL.*—*Except as provided in paragraph (2), the Commission, on behalf of the United States, may accept use, and dispose of gifts or donations of services, property, or money for purposes of 5 carrying out this Act.*

(2) *CONDITIONAL.*—*With respect to conditional gifts—*

(A)(i) *the Commission, on behalf of the United States, may accept conditional gifts for purposes of carrying out this Act, if approved by the Federal Cochairperson; and*

(ii) the principal of and income from any such conditional gift shall be held, invested, reinvested, and used in accordance with the condition applicable to the gift; but

(B) no gift shall be accepted that is conditioned on any expenditure not to be funded from the gift or from the income generated by the gift unless the expenditure has been approved by Act of Congress; and

(C) the Commission shall submit an annual report to the House and Senate Committees on Appropriations that describes the amount and terms of conditional gifts, the manner in which such conditional gifts were or shall be used, and any results achieved by such use.

* * * * *

SEC. 310. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated to the Commission to carry out the duties of the Commission consistent with the purposes of this title and pursuant to the work plan approved under section 4 under this Act, \$20,000,000 for fiscal year 1999, and such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2008.

(b) **AVAILABILITY.**—Any sums appropriated under the authorization contained in this section shall remain available until expended.

SEC. 311. TRANSFER OF FUNDS FROM OTHER FEDERAL AGENCIES.

(a) *The Commission may accept transfers of funds from other Federal agencies for purposes of this Act.*

(b) *Any Federal agency authorized to carry out an activity that is within the authority of the Commission may transfer to the Commission any appropriated funds available for such activity. Funds transferred to the Commission under this section shall be merged with and be available for the same time period as the commission's appropriation.*

(c) *The Commission shall submit a report to the House and Senate Committees on Appropriations detailing and summarizing all transfers to and expenditures from the Denali Commission under this section.*

—————
**CONSOLIDATED APPROPRIATIONS ACT, 2001, PUBLIC
LAW 106-554**

DIVISION B

TITLE I

SEC. 110. SAN GABRIEL BASIN, CALIFORNIA. (a) SAN GABRIEL BASIN RESTORATION.—

(1) **ESTABLISHMENT OF FUND.**— * * *

* * * * *

(3) **PURPOSES OF FUND.**—

(A) **IN GENERAL.**— * * *

(i) * * *

(ii) to operate and maintain any project constructed under this section for such period as the Secretary determines, but not to exceed **[10]** 15 years, following the initial date of operation of the project.

**REVISED CONTINUING APPROPRIATIONS RESOLUTION,
2007, PUBLIC LAW 110-5**

“DIVISION B—CONTINUING APPROPRIATIONS RESOLUTION,
2007

“TITLE II—ELIMINATION OF EARMARKS, ADJUSTMENTS IN
FUNDING, AND OTHER PROVISIONS

“CHAPTER 3—ENERGY AND WATER DEVELOPMENT

“SEC. 20320. (a) * * *

* * * * *

“(c) The Secretary of Energy shall enter into an 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 three 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.

**ENERGY INDEPENDENCE AND SECURITY ACT, 2007,
PUBLIC LAW 110-140**

**TITLE VIII—IMPROVED MANAGEMENT
OF ENERGY POLICY**

Subtitle A—Management Improvements

[SEC. 804. COORDINATION OF PLANNED REFINERY OUTAGES.

[(a) DEFINITIONS.—In this section:

[(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Energy Information Administration.

[(2) PLANNED REFINERY OUTAGE.—

[(A) IN GENERAL.—The term “planned refinery outage” means a removal, scheduled before the date on which the removal occurs, of a refinery, or any unit of a refinery, from service for maintenance, repair, or modification.

[(B) EXCLUSION.—The term “planned refinery outage” does not include any necessary and unplanned removal of a refinery, or any unit of a refinery, from service as a result of a component failure, safety hazard, emergency, or action reasonably anticipated to be necessary to prevent such events.

[(3) REFINED PETROLEUM PRODUCT.—The term “refined petroleum product” means any gasoline, diesel fuel, fuel oil, lubricating oil, liquid petroleum gas, or other petroleum distillate that is produced through the refining or processing of crude oil or an oil derived from tar sands, shale, or coal.

[(4) REFINERY.—The term “refinery” means a facility used in the production of a refined petroleum product through distillation, cracking, or any other process.

[(b) REVIEW AND ANALYSIS OF AVAILABLE INFORMATION.—The Administrator shall, on an ongoing basis—

[(1) review information on refinery outages that is available from commercial reporting services;

[(2) analyze that information to determine whether the scheduling of a refinery outage may nationally or regionally substantially affect the price or supply of any refined petroleum product by—

[(A) decreasing the production of the refined petroleum product; and

[(B) causing or contributing to a retail or wholesale supply shortage or disruption;

[(3) not less frequently than twice each year, submit to the Secretary a report describing the results of the review and analysis under paragraphs (1) and (2); and

[(4) specifically alert the Secretary of any refinery outage that the Administrator determines may nationally or regionally substantially affect the price or supply of a refined petroleum product.

[(c) ACTION BY SECRETARY.—On a determination by the Secretary, based on a report or alert under paragraph (3) or (4) of subsection (b), that a refinery outage may affect the price or supply of a refined petroleum product, the Secretary shall make available to refinery operators information on planned refinery outages to encourage reductions of the quantity of refinery capacity that is out of service at any time.

[(d) LIMITATION.—Nothing in this section shall alter any existing legal obligation or responsibility of a refinery operator, or create any legal right of action, nor shall this section authorize the Secretary—

[(1) to prohibit a refinery operator from conducting a planned refinery outage; or

[(2) to require a refinery operator to continue to operate a refinery.]

OMNIBUS PUBLIC LAND MANAGEMENT ACT, 2009,
PUBLIC LAW 111-11

TITLE X—WATER SETTLEMENTS

**Subtitle A—San Joaquin River Restoration
Settlement**

**PART I—SAN JOAQUIN RIVER
RESTORATION SETTLEMENT ACT**

SEC. 10009. APPROPRIATIONS; SETTLEMENT FUND.

(a) IMPLEMENTATION COSTS.—

* * * * *

(c) FUND.—

(1) IN GENERAL.— * * *

(2) AVAILABILITY.—All funds deposited into the Fund pursuant to subparagraphs (A), (B), and (C) of paragraph (1) are authorized for appropriation to implement the Settlement and this part, in addition to the authorization provided in subsections (a) and (b) of section 10203, except that \$88,000,000 of such funds are available for expenditure without further appropriation; provided that after **October 1, 2019**, all funds in the Fund shall be available for expenditure without further appropriation. *October 1, 2014, all funds in the Fund shall be available for expenditure on an annual basis in an amount not to exceed \$40,000,000 without further appropriation.*

BUDGETARY IMPACT OF BILL

PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC.
308(a), PUBLIC LAW 93-344, AS AMENDED

[In millions of dollars]

	Budget authority		Outlays	
	Committee allocation	Amount of bill	Committee allocation	Amount of bill
Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts in the Budget Resolution for 2013: Subcommittee on Energy and Water Development:				
Mandatory				
Discretionary	33,361	33,361	41,110	¹ 41,110
Security	17,550	17,550	NA	NA
Nonsecurity	15,811	15,811	NA	NA
Projections of outlays associated with the recommendation:				
2013				² 19,775
2014				9,327
2015				2,990
2016				599
2017 and future years				533
Financial assistance to State and local governments for 2013	NA	80	NA	17

¹ Includes outlays from prior-year budget authority.

² Excludes outlays from prior-year budget authority.

NA: Not applicable.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2012 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2013
[In thousands of dollars]

Item	2012 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2012 appropriation	Budget estimate
TITLE I—DEPARTMENT OF DEFENSE—CIVIL					
DEPARTMENT OF THE ARMY					
Corps of Engineers—Civil					
Investigations	125,000	102,000	125,000		+ 23,000
Construction	1,694,000	1,471,000	1,700,000	+ 6,000	+ 229,000
Mississippi River and Tributaries	252,000	234,000	253,000	+ 1,000	+ 19,000
Disaster relief category (Public Law 112-77)	802,000			- 802,000	
Operations and Maintenance	2,412,000	2,398,000	2,404,000	- 8,000	+ 6,000
Disaster relief category (Public Law 112-77)	534,000			- 534,000	
Regulatory Program	193,000	205,000	199,000	+ 6,000	- 6,000
Formerly Utilized Sites Remedial Action Program [FUSRAP]	109,000	104,000	109,000		+ 5,000
Flood Control and Coastal Emergencies	27,000	30,000	30,000	+ 3,000	
Disaster relief category (Public Law 112-77)	388,000			- 388,000	
Expenses	185,000	182,000	182,000	- 3,000	
Office of Assistant Secretary of the Army (Civil Works)	5,000	5,000	5,000		
Total, title I, Department of Defense—Civil	6,726,000	4,731,000	5,007,000	- 1,719,000	+ 276,000
Appropriations	(5,002,000)	(4,731,000)	(5,007,000)	(+ 5,000)	(+ 276,000)
Disaster relief category	(1,724,000)			(- 1,724,000)	
TITLE II—DEPARTMENT OF THE INTERIOR					
Central Utah Project Completion Account					
Central Utah Project construction	25,154	18,500	18,500	- 6,654	
Fish, wildlife, and recreation mitigation and conservation	2,000	1,200	1,200	- 800	
Subtotal	27,154	19,700	19,700	- 7,454	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2012 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2013—Continued

[In thousands of dollars]

Item	2012 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2012 appropriation	Budget estimate
Program oversight and administration	1,550	1,300	1,300	— 250	.....
Total, Central Utah project completion account	28,704	21,000	21,000	— 7,704	.....
Bureau of Reclamation .....	.....	12,000	.....	.....	— 12,000
San Joaquin Restoration Fund	1,047,719	1,013,018	1,028,018	— 19,701	+ 15,000
Total, Bureau of Reclamation	1,076,423	1,034,018	1,049,018	— 27,405	+ 15,000
Total, title II, Department of the Interior .....	.....	.....	.....	.....	.....
TITLE III—DEPARTMENT OF ENERGY					
Energy Programs					
Energy Efficiency and Renewable Energy	1,825,000	2,337,000	1,985,735	+ 160,735	— 351,265
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	1,916,068	+ 106,430	— 351,265
Electricity Delivery and Energy Reliability	139,500	138,015	138,015	— 1,485	.....
Defense function .....	.....	5,000	5,000	+ 5,000	.....
Sec. 309—Contractor pay freeze rescission	— 397	.....	.....	+ 397	.....
Subtotal	139,103	143,015	143,015	+ 3,912	.....
Nuclear Energy	768,663	677,445	692,445	— 76,218	+ 15,000
Defense function .....	.....	93,000	93,000	+ 93,000	.....
Sec. 309—Contractor pay freeze rescission	— 3,272	.....	.....	+ 3,272	.....
Subtotal	765,391	770,445	785,445	+ 20,054	+ 15,000

Fossil Energy Research and Development	534,000	420,575	460,575	- 73,425	+ 40,000
Rescission	-187,000			+187,000	
Sec. 309—Contractor pay freeze rescission	-297			+297	
Subtotal	346,703	420,575	460,575	+113,872	+40,000
Naval Petroleum and Oil Shale Reserves	14,909	14,909	14,909		
Elk Hill School Lands Fund	15,580	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	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	116,365	+11,365	
Non-defense Environmental Cleanup	235,721	198,506	228,506	-7,215	+30,000
Sec. 309—Contractor pay freeze rescission	-415			+415	
Subtotal	235,306	198,506	228,506	-6,800	+30,000
Uranium Enrichment Decontamination and Decommissioning Fund	472,930	442,493	442,493	-30,437	
Sec. 309—Contractor pay freeze rescission	-750			+750	
Subtotal	472,180	442,493	442,493	-29,687	
Science	4,889,000	4,992,052	4,909,000	+20,000	-83,052
Sec. 309—Contractor pay freeze rescission	-15,366			+15,366	
Subtotal	4,873,634	4,992,052	4,909,000	+35,366	-83,052
Advanced Research Projects Agency-Energy	275,000	350,000	312,000	+37,000	-38,000
Innovative Technology Loan Guarantee Program	38,000	38,000	38,000		
Offsetting collection	-38,000	-38,000	-38,000		
Net appropriation					
Advanced Technology Vehicles Manufacturing Loans program	6,000	9,000	9,000	+3,000	
Departmental Administration	237,623	230,783	220,783	-16,840	-10,000
Miscellaneous revenues	-111,623	-108,188	-108,188	+3,435	
Net appropriation	126,000	122,595	112,595	-13,405	-10,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2012 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2013—Continued

[In thousands of dollars]

Item	2012 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2012 appropriation	Budget estimate
Office of the Inspector General	42,000	43,468	43,468	+ 1,468	.....
Total, Energy programs	8,813,687	9,815,064	9,708,747	+ 895,060	- 106,317
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	.....
Subtotal	7,214,120	7,577,341	7,577,341	+ 363,221	.....
Defense Nuclear Nonproliferation	2,324,303	2,458,631	2,458,631	+ 134,328	.....
Rescission	- 21,000	.....	.....	+ 21,000	.....
Sec. 309—Contractor pay freeze rescission	- 7,423	.....	.....	+ 7,423	.....
Subtotal	2,295,880	2,458,631	2,458,631	+ 162,751	.....
Naval Reactors	1,080,000	1,088,635	1,088,635	+ 8,635	.....
Office of the Administrator	410,000	411,279	386,279	- 23,721	- 25,000
Security (rescission) .....	.....	.....	.....	.....	.....
Total, National Nuclear Security Administration	11,000,000	11,535,886	11,510,886	+ 510,886	- 25,000
Environmental and Other Defense Activities					
Defense Environmental Cleanup	5,023,000	5,009,001	5,063,987	+ 40,987	+ 54,986
Sec. 309—Contractor pay freeze rescission	- 20,050	.....	.....	+ 20,050	.....
Defense Environmental Cleanup (legislative proposal) .....	.....	463,000	.....	.....	- 463,000
Other Defense Activities	823,364	735,702	735,702	- 87,662	.....

Total, Environmental and Other Defense Activities	5,826,314	6,207,703	5,799,689	- 26,625	- 408,014
Total, Atomic Energy Defense Activities	16,826,314	17,743,589	17,310,575	+ 484,261	- 433,014
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	
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		
Net appropriation					
Total, title III, Department of Energy	25,748,081	27,666,895	27,127,564	+ 1,379,483	- 539,331
Appropriations	(26,639,290)	(28,033,562)	(27,203,231)	(+ 563,941)	(- 830,331)
Rescissions	(- 891,209)	(- 366,667)	(- 75,667)	(+ 815,542)	(+ 291,000)
TITLE IV—INDEPENDENT AGENCIES					
Appalachian Regional Commission	68,263	64,850	64,850	- 3,413	
Defense Nuclear Facilities Safety Board	29,130	29,415	27,425	- 1,705	- 1,990
Delta Regional Authority	11,677	11,315	11,315	- 362	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2012 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL
FOR FISCAL YEAR 2013—Continued

(In thousands of dollars)

Item	2012 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2012 appropriation	Budget estimate
Denali Commission	10,679	10,165	10,165	- 514	.....
Northern Border Regional Commission	1,497	1,425	1,425	- 72	.....
Southeast Crescent Regional Commission	250	.....	.....	- 250	.....
Nuclear Regulatory Commission:					
Salaries and expenses	1,027,240	1,042,200	1,042,200	+ 14,960	.....
Revenues	-899,726	-914,832	-914,832	- 15,106	.....
Net appropriation	127,514	127,368	127,368	- 146	.....
Office of Inspector General	10,860	11,020	11,870	+ 1,010	+ 850
Revenues	-9,774	-9,918	-9,918	- 144	.....
Net appropriation	1,086	1,102	1,952	+ 866	+ 850
Total, Nuclear Regulatory Commission	128,600	128,470	129,320	+ 720	+ 850
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	248,900	- 5,596	- 3,224
Appropriations	(254,496)	(252,124)	(248,900)	(- 5,596)	(- 3,224)
Rescissions .....	.....	.....	.....	.....	.....
Grand total	33,805,000	33,684,037	33,432,482	- 372,518	- 251,555
Appropriations	(32,972,209)	(34,050,704)	(33,508,149)	(+ 535,940)	(- 542,555)
Disaster relief category	(1,724,000)	.....	.....	(- 1,724,000)	.....
Rescissions	(- 891,209)	(- 366,667)	(- 75,667)	(+ 815,542)	(+ 291,000)

¹Totals 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.

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