

108TH CONGRESS }  
*1st Session*

HOUSE OF REPRESENTATIVES

{ REPORT  
108-354

**NATIONAL DEFENSE AUTHORIZATION  
ACT FOR FISCAL YEAR 2004**

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**CONFERENCE REPORT**

TO ACCOMPANY

**H.R. 1588**



NOVEMBER 7 (legislative day, NOVEMBER 6), 2003.—Ordered to be printed

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NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL  
YEAR 2004

NOVEMBER 7 (legislative day, NOVEMBER 6), 2003.—Ordered to be printed

Mr. HUNTER, from the committee of conference,  
submitted the following

CONFERENCE REPORT

[To accompany H.R. 1588]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1588), to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the “National Defense Authorization Act for Fiscal Year 2004”.*

**SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.**

(a) *DIVISIONS.*—*This Act is organized into three divisions as follows:*

(1) *Division A—Department of Defense Authorizations.*

(2) *Division B—Military Construction Authorizations.*

(3) *Division C—Department of Energy National Security Authorizations and Other Authorizations.*

(b) *TABLE OF CONTENTS.*—*The table of contents for this Act is as follows:*

*Sec. 1. Short title.*

- Sec. 2. *Organization of Act into divisions; table of contents.*  
 Sec. 3. *Congressional defense committees defined.*

## **DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS**

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 Sec. 102. *Navy and Marine Corps.*  
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 Sec. 104. *Defense-wide activities.*

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 Sec. 126. *Pilot program for flexible funding of cruiser conversions and overhauls.*

#### **Subtitle D—Air Force Programs**

- Sec. 131. *Elimination of quantity limitations on multiyear procurement authority for C-130J aircraft.*  
 Sec. 132. *Limitation on retiring C-5 aircraft.*  
 Sec. 133. *Limitation on obligation of funds for procurement of F/A-22 aircraft.*  
 Sec. 134. *Aircraft for performance of aerial refueling mission.*  
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### **TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

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- Sec. 201. *Authorization of appropriations.*  
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#### **Subtitle B—Program Requirements, Restrictions, and Limitations**

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 Sec. 225. *Prohibition on use of funds for nuclear-armed interceptors in missile defense systems.*  
 Sec. 226. *Follow-on research, development, test, and evaluation related to system improvements for missile defense programs transferred to military departments.*

**Subtitle D—Other Matters**

- Sec. 231. *Global Research Watch program in the Office of the Director of Defense Research and Engineering.*
- Sec. 232. *Defense Advanced Research Projects Agency biennial strategic plan.*
- Sec. 233. *Enhancement of authority of Secretary of Defense to support science, mathematics, engineering, and technology education.*
- Sec. 234. *Department of Defense program to expand high-speed, high-bandwidth capabilities for network-centric operations.*
- Sec. 235. *Blue forces tracking initiative.*

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- Sec. 302. *Working capital funds.*
- Sec. 303. *Other Department of Defense programs.*

**Subtitle B—Environmental Provisions**

- Sec. 311. *Reauthorization and modification of title I of Sikes Act.*
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- Sec. 313. *Repeal of authority to use environmental restoration account funds for relocation of a contaminated facility.*
- Sec. 314. *Authorization for Department of Defense participation in wetland mitigation banks.*
- Sec. 315. *Inclusion of environmental response equipment and services in Navy definitions of salvage facilities and salvage services.*
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- Sec. 319. *Military readiness and marine mammal protection.*
- Sec. 320. *Report regarding impact of civilian community encroachment and certain legal requirements on military installations and ranges and plan to address encroachment.*
- Sec. 321. *Cooperative water use management related to Fort Huachuca, Arizona, and Sierra Vista subwatershed.*
- Sec. 322. *Task force on resolution of conflict between military training and endangered species protection at Barry M. Goldwater Range, Arizona.*
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- Sec. 331. *Exemption of certain firefighting service contracts from prohibition on contracts for performance of firefighting functions.*
- Sec. 332. *Technical amendment relating to closure of Sacramento Army Depot, California.*
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- Sec. 334. *Resources-based schedules for completion of public-private competitions for performance of Department of Defense functions.*
- Sec. 335. *Delayed implementation of revised Office of Management and Budget Circular A-76 by Department of Defense pending report.*
- Sec. 336. *Pilot program for best-value source selection for performance of information technology services.*
- Sec. 337. *High-performing organization business process reengineering pilot program.*
- Sec. 338. *Naval Aviation Depots multi-trades demonstration project.*

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- Sec. 341. *Cataloging and standardization for defense supply management.*
- Sec. 342. *Sale of Defense Information Systems Agency services to contractors performing the Navy-Marine Corps Intranet contract.*
- Sec. 343. *Permanent authority for purchase of certain municipal services at installations in Monterey County, California.*
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 Sec. 504. *Repeal of termination provisions for certain authorities relating to management of general and flag officers in certain grades.*  
 Sec. 505. *Retention of health professions officers to fulfill active-duty service commitments following promotion nonselection.*  
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 Sec. 507. *Contingent exclusion from officer strength and distribution-in-grade limitations for officer serving as Associate Director of Central Intelligence for Military Support.*  
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 Sec. 2103. *Improvements to military family housing units.*  
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**Subtitle B—Program Authorizations, Restrictions, and Limitations**

- Sec. 3111. *Termination of requirement for annual updates of long-term plan for nuclear weapons stockpile life extension program.*
- Sec. 3112. *Department of Energy project review groups not subject to Federal Advisory Committee Act by reason of inclusion of employees of Department of Energy management and operating contractors.*
- Sec. 3113. *Readiness posture for resumption by the United States of underground nuclear weapons tests.*
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- Sec. 3125. *Requirement for on-site managers.*

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- Sec. 3131. *Performance of personnel security investigations of certain Department of Energy and Nuclear Regulatory Commission employees in sensitive programs.*
- Sec. 3132. *Policy of Department of Energy regarding future defense environmental management matters.*
- Sec. 3133. *Inclusion in 2005 stockpile stewardship plan of certain information relating to stockpile stewardship criteria.*
- Sec. 3134. *Progress reports on Energy Employees Occupational Illness Compensation Program.*
- Sec. 3135. *Report on integration activities of Department of Defense and Department of Energy with respect to Robust Nuclear Earth Penetrator.*

**Subtitle E—Consolidation of National Security Provisions**

- Sec. 3141. *Transfer and consolidation of recurring and general provisions on Department of Energy national security programs.*

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- Sec. 3201. *Authorization.*

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- Sec. 3301. *Authorized uses of National Defense Stockpile funds.*
- Sec. 3302. *Revisions to required receipt objectives for previously authorized disposals from National Defense Stockpile.*

**DIVISION C—DEPARTMENT OF ENERGY  
NATIONAL SECURITY AUTHORIZA-  
TIONS AND OTHER AUTHORIZATIONS**

**TITLE XXXI—DEPARTMENT OF ENERGY  
NATIONAL SECURITY PROGRAMS**

***Subtitle A—National Security Programs Authorizations***

- Sec. 3101. National Nuclear Security Administration.*
- Sec. 3102. Defense environmental management.*
- Sec. 3103. Other defense activities.*
- Sec. 3104. Defense nuclear waste disposal.*
- Sec. 3105. Energy supply.*

***Subtitle B—Program Authorizations, Restrictions, and Limitations***

- Sec. 3111. Termination of requirement for annual updates of long-term plan for nuclear weapons stockpile life extension program.*
- Sec. 3112. Department of Energy project review groups not subject to Federal Advisory Committee Act by reason of inclusion of employees of Department of Energy management and operating contractors.*
- Sec. 3113. Readiness posture for resumption by the United States of underground nuclear weapons tests.*
- Sec. 3114. Technical base and facilities maintenance and recapitalization activities.*
- Sec. 3115. Continuation of processing, treatment, and disposition of legacy nuclear materials.*
- Sec. 3116. Repeal of prohibition on research and development of low-yield nuclear weapons.*
- Sec. 3117. Requirement for specific authorization of Congress for commencement of engineering development phase or subsequent phase of Robust Nuclear Earth Penetrator.*

***Subtitle C—Proliferation Matters***

- Sec. 3121. Semiannual financial reports on defense nuclear nonproliferation programs.*
- Sec. 3122. Report on reduction of excessive unobligated or unexpended balances for defense nuclear nonproliferation activities.*
- Sec. 3123. Study and report relating to weapons-grade uranium and plutonium of the independent states of the former Soviet Union.*
- Sec. 3124. Authority to use international nuclear materials protection and cooperation program funds outside the former Soviet Union.*
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***Subtitle D—Other Matters***

- Sec. 3131. Performance of personnel security investigations of certain Department of Energy and Nuclear Regulatory Commission employees in sensitive programs.*
- Sec. 3132. Policy of Department of Energy regarding future defense environmental management matters.*
- Sec. 3133. Inclusion in 2005 stockpile stewardship plan of certain information relating to stockpile stewardship criteria.*
- Sec. 3134. Progress reports on Energy Employees Occupational Illness Compensation Program.*
- Sec. 3135. Report on integration activities of Department of Defense and Department of Energy with respect to Robust Nuclear Earth Penetrator.*

***Subtitle E—Consolidation of National Security Provisions***

- Sec. 3141. Transfer and consolidation of recurring and general provisions on Department of Energy national security programs.*

## **Subtitle A—National Security Programs Authorizations**

### **SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.**

(a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2004 for the activities of the National Nuclear Security Administration in carrying out programs necessary for national security in the amount of \$8,877,347,000, to be allocated as follows:

(1) For weapons activities, \$6,434,772,000.

(2) For defense nuclear nonproliferation activities, \$1,332,195,000.

(3) For naval reactors, \$768,400,000.

(4) For the Office of the Administrator for Nuclear Security, \$341,980,000.

(b) *AUTHORIZATION OF NEW PLANT PROJECTS.*—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for weapons activities, the following new plant projects:

Project 04-D-101, test capabilities revitalization, Sandia National Laboratories, Albuquerque, New Mexico, \$36,450,000.

Project 04-D-102, exterior communications infrastructure modernization, Sandia National Laboratories, Albuquerque, New Mexico, \$20,000,000.

Project 04-D-103, project engineering and design, various locations, \$2,000,000.

Project 04-D-125, chemistry and metallurgy facility replacement project, Los Alamos National Laboratory, Los Alamos, New Mexico, \$20,500,000.

Project 04-D-126, Building 12-44 production cells upgrade, Pantex plant, Amarillo, Texas, \$8,780,000.

Project 04-D-127, cleaning and loading modifications, Savannah River Site, Aiken, South Carolina, \$2,750,000.

Project 04-D-128, TA-18 Mission relocation project, Los Alamos National Laboratory, Los Alamos, New Mexico, \$8,820,000.

Project 04-D-203, facilities and infrastructure recapitalization program, project engineering and design, various locations, \$3,719,000.

Project 03-D-102, SM-43 replacement, Los Alamos National Laboratory, Los Alamos, New Mexico, \$38,000,000.

### **SEC. 3102. DEFENSE ENVIRONMENTAL MANAGEMENT.**

(a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2004 for environmental management activities in carrying out programs necessary for national security in the amount of \$6,809,814,000, to be allocated as follows:

(1) For defense site acceleration completion, \$5,814,635,000.

(2) For defense environmental services, \$995,179,000.

(b) *AUTHORIZATION OF NEW PLANT PROJECTS.*—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for defense site acceleration completion, the following new plant projects:

Project 04-D-408, glass waste storage building #2, Savannah River Site, Aiken, South Carolina, \$20,259,000.

Project 04-D-414, project engineering and design, various locations, \$23,500,000.

Project 04-D-423, 3013 container surveillance capability in 235-F, Savannah River Site, Aiken, South Carolina, \$1,134,000.

**SEC. 3103. OTHER DEFENSE ACTIVITIES.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2004 for other defense activities in carrying out programs necessary for national security in the amount of \$489,059,000.

**SEC. 3104. DEFENSE NUCLEAR WASTE DISPOSAL.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2004 for defense nuclear waste disposal for payment to the Nuclear Waste Fund established in section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)) in the amount of \$392,500,000.

**SEC. 3105. ENERGY SUPPLY.**

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2004 for energy supply activities in carrying out programs necessary for national security in the amount of \$110,473,000.

## **Subtitle B—Program Authorizations, Restrictions, and Limitations**

**SEC. 3111. TERMINATION OF REQUIREMENT FOR ANNUAL UPDATES OF LONG-TERM PLAN FOR NUCLEAR WEAPONS STOCKPILE LIFE EXTENSION PROGRAM.**

Effective December 31, 2004, section 3133 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 113 Stat. 926; 42 U.S.C. 2121 note), as transferred and redesignated as section 4204 of the Atomic Energy Defense Act by section 3141(e)(5) of this Act, is further amended by striking subsections (c) through (f).

**SEC. 3112. DEPARTMENT OF ENERGY PROJECT REVIEW GROUPS NOT SUBJECT TO FEDERAL ADVISORY COMMITTEE ACT BY REASON OF INCLUSION OF EMPLOYEES OF DEPARTMENT OF ENERGY MANAGEMENT AND OPERATING CONTRACTORS.**

An officer or employee of a management and operating contractor of the Department of Energy, when serving as a member of a group reviewing or advising on matters related to any one or more management and operating contracts of the Department, shall be treated as an officer or employee of the Department for purposes of determining whether the group is an advisory committee within the meaning of section 3 of the Federal Advisory Committee Act (5 U.S.C. App.).

**SEC. 3113. READINESS POSTURE FOR RESUMPTION BY THE UNITED STATES OF UNDERGROUND NUCLEAR WEAPONS TESTS.**

(a) **READINESS POSTURE REQUIRED.**—Commencing not later than October 1, 2006, the Secretary of Energy shall achieve, and

thereafter maintain, a readiness posture of not more than 18 months for resumption by the United States of underground tests of nuclear weapons.

(b) *DESCRIPTION OF REQUIREMENT.*—For purposes of this section, a readiness posture of not more than 18 months for resumption by the United States of underground tests of nuclear weapons is achieved when the Department of Energy has the capability to resume such tests, if directed by the President to resume such tests, not later than 18 months after the date on which the President so directs.

**SEC. 3114. TECHNICAL BASE AND FACILITIES MAINTENANCE AND RECAPITALIZATION ACTIVITIES.**

(a) *DEADLINE FOR INCLUSION OF PROJECTS IN FACILITIES AND INFRASTRUCTURE RECAPITALIZATION PROGRAM.*—(1) The Administrator for Nuclear Security shall complete the selection of projects for inclusion in the Facilities and Infrastructure Recapitalization Program of the National Nuclear Security Administration not later than December 31, 2004.

(2) No project may be included in the Facilities and Infrastructure Recapitalization Program after December 31, 2004, unless such project has been selected for inclusion in that program as of that date.

(b) *TERMINATION OF FACILITIES AND INFRASTRUCTURE RECAPITALIZATION PROGRAM.*—The Administrator shall terminate the Facilities and Infrastructure Recapitalization Program not later than September 30, 2011.

(c) *READINESS IN TECHNICAL BASE AND FACILITIES PROGRAM.*—(1) Not later than September 30, 2004, the Administrator shall submit to the congressional defense committees a report setting forth guidelines on the conduct of the Readiness in Technical Base and Facilities program of the National Nuclear Security Administration.

(2) Such guidelines shall include the following:

(A) Criteria for the inclusion of projects in the program, and for establishing priorities among projects included in the program.

(B) Mechanisms for the management of facilities under the program, including maintenance activities referred to in subparagraph (C).

(C) A description of the scope of maintenance activities under the program, including recurring maintenance, construction of facilities, recapitalization of facilities, and decontamination and decommissioning of facilities.

(3) Such guidelines shall ensure that the maintenance activities referred to in paragraph (2)(C) are carried out in a timely and efficient manner designed to avoid maintenance backlogs.

(d) *OPERATIONS OF FACILITIES PROGRAM.*—(1) The Administrator shall continue the Operations of Facilities program of the National Nuclear Security Administration as a subprogram within the Readiness in Technical Base and Facilities program.

(2) The Deputy Administrator for Defense Programs shall designate a single manager to be responsible for overseeing the operations of the Operations of Facilities subprogram within the Readiness in Technical Base and Facilities program.

(3) For fiscal year 2005, and for each fiscal year thereafter, the Secretary of Energy shall submit to the congressional defense com-

mittees, together with the budget justification materials submitted to Congress in support of the National Nuclear Security Administration budget for that fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), a separate statement of the amounts requested for such fiscal year for each element of the Operations of Facilities subprogram, as follows:

- (A) Maintenance.
- (B) Facilities management and support.
- (C) Utilities.
- (D) Environment, safety, and health.
- (E) Each other element of the subprogram.

**SEC. 3115. CONTINUATION OF PROCESSING, TREATMENT, AND DISPOSITION OF LEGACY NUCLEAR MATERIALS.**

(a) **CONTINUATION OF H-CANYON FACILITY.**—Subsection (a) of section 3137 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398; 114 Stat. 1654A-460) is amended—

(1) by striking “F-canyon and H-canyon facilities” and inserting “H-canyon facility”; and

(2) by striking “such facilities” and inserting “such facility”.

(b) **MODIFICATION OF LIMITATION ON USE OF FUNDS FOR DECOMMISSIONING F-CANYON FACILITY.**—Subsection (b) of such section is amended—

(1) by striking “and the Defense Nuclear Facilities Safety Board” and all that follows through “House of Representatives” and inserting “submits to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, and the Defense Nuclear Facilities Safety Board,”; and

(2) by striking “the following:” and all that follows and inserting “a report setting forth—

“(1) an assessment whether or not all materials present in the F-canyon facility as of the date of the report that required stabilization have been safely stabilized as of that date;

“(2) an assessment whether or not the requirements applicable to the F-canyon facility to meet the future needs of the United States for fissile materials disposition can be met through full use of the H-canyon facility at the Savannah River Site; and

“(3) if it appears that one or more of the requirements described in paragraph (2) cannot be met through full use of the H-canyon facility—

“(A) an identification by the Secretary of each such requirement that cannot be met through full use of the H-canyon facility; and

“(B) for each requirement so identified, the reasons why such requirement cannot be met through full use of the H-canyon facility and a description of the alternative capability for fissile materials disposition that is needed to meet such requirement.”.

(c) **REPEAL OF SUPERSEDED PLAN REQUIREMENT.**—Subsection (c) of such section is repealed.

**SEC. 3116. REPEAL OF PROHIBITION ON RESEARCH AND DEVELOPMENT OF LOW-YIELD NUCLEAR WEAPONS.**

(a) *REPEAL.*—Section 3136 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 107 Stat. 1946; 42 U.S.C. 2121 note) is repealed.

(b) *CONSTRUCTION.*—Nothing in the repeal made by subsection (a) shall be construed as authorizing the testing, acquisition, or deployment of a low-yield nuclear weapon.

(c) *LIMITATION.*—The Secretary of Energy may not commence the engineering development phase, or any subsequent phase, of a low-yield nuclear weapon unless specifically authorized by Congress.

(d) *REPORT.*—(1) Not later than March 1, 2004, the Secretary of State, the Secretary of Defense and the Secretary of Energy shall jointly submit to Congress a report assessing whether or not the repeal of section 3136 of the National Defense Authorization Act for Fiscal Year 1994 will affect the ability of the United States to achieve its nonproliferation objectives and whether or not any changes in programs and activities would be required to achieve those objectives.

(2) The report shall be submitted in unclassified form, but may include a classified annex if necessary.

**SEC. 3117. REQUIREMENT FOR SPECIFIC AUTHORIZATION OF CONGRESS FOR COMMENCEMENT OF ENGINEERING DEVELOPMENT PHASE OR SUBSEQUENT PHASE OF ROBUST NUCLEAR EARTH PENETRATOR.**

The Secretary of Energy may not commence the engineering development phase (phase 6.3) of the nuclear weapons development process, or any subsequent phase, of a Robust Nuclear Earth Penetrator weapon unless specifically authorized by Congress.

## **Subtitle C—Proliferation Matters**

**SEC. 3121. SEMIANNUAL FINANCIAL REPORTS ON DEFENSE NUCLEAR NONPROLIFERATION PROGRAMS.**

(a) *IN GENERAL.*—Subtitle D of the National Nuclear Security Administration Act is amended by inserting after section 3253 (50 U.S.C. 2453) the following new section:

**“SEC. 3254. SEMIANNUAL FINANCIAL REPORTS ON DEFENSE NUCLEAR NONPROLIFERATION PROGRAMS.**

“(a) *SEMIANNUAL REPORTS REQUIRED.*—The Administrator shall submit to the Committees on Armed Services of the Senate and the House of Representatives a semiannual report on the amounts available for the defense nuclear nonproliferation programs of the Administration. Each such report shall cover a half of a fiscal year (in this section referred to as a ‘fiscal half’) and shall be submitted not later than 30 days after the end of that fiscal half.

“(b) *CONTENTS.*—Each report for a fiscal half shall, for each such defense nuclear nonproliferation program for which amounts are available for the fiscal year that includes that fiscal half, set forth the following:

“(1) The aggregate amount available for such program as of the beginning of such fiscal half and, within such amount, the uncommitted balances, the unobligated balances, and the unexpended balances.

“(2) The aggregate amount newly made available for such program during such fiscal half and, within such amount, the amount made available by appropriations, by transfers, by reprogrammings, and by other means.

“(3) The aggregate amount available for such program as of the end of such fiscal half and, within such amount, the uncommitted balances, the unobligated balances, and the unexpended balances.”.

(b) **FIRST REPORT.**—The first report required to be submitted by section 3254 of the National Nuclear Security Administration Act (as added by subsection (a)) shall be the report covering the first half of fiscal year 2004.

**SEC. 3122. REPORT ON REDUCTION OF EXCESSIVE UNOBLIGATED OR UNEXPENDED BALANCES FOR DEFENSE NUCLEAR NON-PROLIFERATION ACTIVITIES.**

(a) **CONTINGENT REQUIREMENT FOR REPORT.**—If as of September 30, 2004, the aggregate amount unobligated, or obligated but not expended, for defense nuclear nonproliferation activities from amounts appropriated for such activities in fiscal year 2004 exceeds an amount equal to 20 percent of the aggregate amount appropriated for such activities in fiscal year 2004, the Administrator for Nuclear Security shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing an aggressive plan to provide for the timely expenditure of amounts remaining unobligated, or obligated but not expended.

(b) **SUBMITTAL DATE.**—If required to be submitted under subsection (a), the submittal date for the report under that subsection shall be November 30, 2004.

**SEC. 3123. STUDY AND REPORT RELATING TO WEAPONS-GRADE URANIUM AND PLUTONIUM OF THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.**

(a) **STUDY REQUIRED.**—The Secretary of Energy shall carry out a study on the feasibility, costs, and benefits of—

(1) purchasing, from the independent states of the former Soviet Union, weapons-grade uranium and plutonium excess to the defense needs of those states; and

(2) safeguarding the uranium and plutonium so purchased until rendered unusable for nuclear weapons.

(b) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the results of the study required by subsection (a).

**SEC. 3124. AUTHORITY TO USE INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION PROGRAM FUNDS OUTSIDE THE FORMER SOVIET UNION.**

(a) **AUTHORITY.**—Subject to the provisions of this section, the President may obligate and expend international nuclear materials protection and cooperation program funds for a fiscal year, and any such funds for a fiscal year before such fiscal year that remain available for obligation, for a defense nuclear nonproliferation project or activity outside the states of the former Soviet Union if the President determines each of the following:

(1) That such project or activity will—

(A)(i) assist the United States in the resolution of a critical emerging proliferation threat; or

(ii) permit the United States to take advantage of opportunities to achieve long-standing nonproliferation goals; and

(B) be completed in a short period of time.

(2) That the Department of Energy is the entity of the Federal Government that is most capable of carrying out such project or activity.

(b) **SCOPE OF AUTHORITY.**—The authority in subsection (a) to obligate and expend funds for a project or activity includes authority to provide equipment, goods, and services for such project or activity utilizing such funds, but does not include authority to provide cash directly to such project or activity.

(c) **LIMITATION ON TOTAL AMOUNT OF OBLIGATION.**—The amount that may be obligated in a fiscal year under the authority in subsection (a) may not exceed \$50,000,000.

(d) **LIMITATION ON AVAILABILITY OF FUNDS.**—(1) The President may not obligate funds for a project or activity under the authority in subsection (a) until the President makes each determination specified in that subsection with respect to such project or activity.

(2) Not later than 10 days after obligating funds under the authority in subsection (a) for a project or activity, the President shall notify Congress in writing of the determinations made under paragraph (1) with respect to such project or activity, together with—

(A) a justification for such determinations; and

(B) a description of the scope and duration of such project or activity.

(e) **ADDITIONAL LIMITATIONS AND REQUIREMENTS.**—Except as otherwise provided in subsections (a) and (b), the exercise of the authority in subsection (a) shall be subject to any requirement or limitation under another provision of law as follows:

(1) Any requirement for prior notice or other reports to Congress on the use of international nuclear materials protection and cooperation program funds or on international nuclear materials protection and cooperation program projects or activities.

(2) Any limitation on the obligation or expenditure of international nuclear materials protection and cooperation program funds.

(3) Any limitation on international nuclear materials protection and cooperation program projects or activities.

(f) **FUNDS.**—As used in this section, the term “international nuclear materials protection and cooperation program funds” means the funds appropriated pursuant to the authorization of appropriations in section 3101(a)(2) for such program.

#### **SEC. 3125. REQUIREMENT FOR ON-SITE MANAGERS.**

(a) **ON-SITE MANAGER REQUIREMENT.**—Before obligating any defense nuclear nonproliferation funds for a project described in subsection (b), the Secretary of Energy shall appoint one on-site manager for that project. The manager shall be appointed from among employees of the Federal Government.

(b) **PROJECTS COVERED.**—Subsection (a) applies to a project—

(1) to be located in a state of the former Soviet Union;

(2) which involves dismantlement, destruction, or storage facilities, or construction of a facility; and

(3) with respect to which the total contribution by the Department of Energy is expected to exceed \$50,000,000.

(c) *DUTIES OF ON-SITE MANAGER.*—*The on-site manager appointed under subsection (a) shall—*

(1) *develop, in cooperation with representatives from governments of countries participating in the project, a list of those steps or activities critical to achieving the project's disarmament or nonproliferation goals;*

(2) *establish a schedule for completing those steps or activities;*

(3) *meet with all participants to seek assurances that those steps or activities are being completed on schedule; and*

(4) *suspend United States participation in a project when a non-United States participant fails to complete a scheduled step or activity on time, unless directed by the Secretary of Energy to resume United States participation.*

(d) *AUTHORITY TO MANAGE MORE THAN ONE PROJECT.*—(1) *Subject to paragraph (2), an employee of the Federal Government may serve as on-site manager for more than one project, including projects at different locations.*

(2) *If such an employee serves as on-site manager for more than one project in a fiscal year, the total cost of the projects for that fiscal year may not exceed \$150,000,000.*

(e) *STEPS OR ACTIVITIES.*—*Steps or activities referred to in subsection (c)(1) are those activities that, if not completed, will prevent a project from achieving its disarmament or nonproliferation goals, including, at a minimum, the following:*

(1) *Identification and acquisition of permits (as defined in subsection (g)).*

(2) *Verification that the items, substances, or capabilities to be dismantled, secured, or otherwise modified are available for dismantlement, securing, or modification.*

(3) *Timely provision of financial, personnel, management, transportation, and other resources.*

(f) *NOTIFICATION TO CONGRESS.*—*In any case in which the Secretary of Energy directs an on-site manager to resume United States participation in a project under subsection (c)(4), the Secretary shall concurrently notify Congress of such direction.*

(g) *PERMIT DEFINED.*—*In this section, the term "permit" means any local or national permit for development, general construction, environmental, land use, or other purposes that is required in the state of the former Soviet Union in which the project is being or is proposed to be carried out.*

(h) *EFFECTIVE DATE.*—*This section shall take effect six months after the date of the enactment of this Act.*

## **Subtitle D—Other Matters**

### **SEC. 3131. PERFORMANCE OF PERSONNEL SECURITY INVESTIGATIONS OF CERTAIN DEPARTMENT OF ENERGY AND NUCLEAR REGULATORY COMMISSION EMPLOYEES IN SENSITIVE PROGRAMS.**

(a) *PERFORMANCE BY FBI AT DIRECTION OF DOE OR NRC.*—*Subsection f. of section 145 of the Atomic Energy Act of 1954 (42 U.S.C. 2165) is amended to read as follows:*

*"f. (1) Notwithstanding the provisions of subsections a., b., and c. of this section, but subject to subsection e. of this section, a major-*

ity of the members of the Commission may direct that an investigation required by such provisions on an individual described in paragraph (2) be carried out by the Federal Bureau of Investigation rather than by the Civil Service Commission.

“(2) An individual described in this paragraph is an individual who is employed—

“(A) in a program certified by a majority of the members of the Commission to be of a high degree of importance or sensitivity; or

“(B) in any other specific position certified by a majority of the members of the Commission to be of a high degree of importance or sensitivity.”

(b) **REPEAL OF REQUIREMENT FOR PERFORMANCE BY FBI FOR PERSONNEL SECURITY AND ASSURANCE PROGRAMS.**—Subsection e.(2) of such section is amended by striking “or a Personnel Security and Assurance Program”.

**SEC. 3132. POLICY OF DEPARTMENT OF ENERGY REGARDING FUTURE DEFENSE ENVIRONMENTAL MANAGEMENT MATTERS.**

(a) **POLICY REQUIRED.**—(1) Commencing not later than October 1, 2005, the Secretary of Energy shall have in effect a policy for carrying out future defense environmental management matters of the Department of Energy. The policy shall specify each officer within the Department with responsibilities for carrying out that policy and, for each such officer, the nature and extent of those responsibilities.

(2) In paragraph (1), the term “future defense environmental management matter” means any environmental cleanup project, decontamination and decommissioning project, waste management project, or related activity that arises out of the activities of the Department in carrying out programs necessary for national security and is to be commenced after the date of the enactment of this Act. However, such term does not include any such project or activity the responsibility for which has been assigned, as of the date of the enactment of this Act, to the Environmental Management program of the Department.

(b) **REFLECTION IN BUDGET.**—For fiscal year 2006 and each fiscal year thereafter, the Secretary shall ensure that the budget justification materials submitted to Congress in support of the Department of Energy budget for such fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) reflect the policy required by subsection (a).

(c) **CONSULTATION.**—The Secretary shall carry out this section in consultation with the Administrator for Nuclear Security and the Under Secretary of Energy for Energy, Science, and Environment.

(d) **REPORT.**—The Secretary shall include with the budget justification materials submitted to Congress in support of the Department of Energy budget for fiscal year 2005 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report on the policy that the Secretary plans to have in effect under subsection (a) as of October 1, 2005. The report shall specify the officers and responsibilities referred to in subsection (a).

**SEC. 3133. INCLUSION IN 2005 STOCKPILE STEWARDSHIP PLAN OF CERTAIN INFORMATION RELATING TO STOCKPILE STEWARDSHIP CRITERIA.**

(a) *INCLUSION IN 2005 STOCKPILE STEWARDSHIP PLAN.*—In submitting to Congress the updated version of the 2005 stockpile stewardship plan, the Secretary of Energy shall include the matters specified in subsection (b).

(b) *MATTERS INCLUDED.*—The matters referred to in subsection (a) are the following:

(1) An update of any information or criteria described in the report on stockpile stewardship criteria submitted under section 4202 of the Atomic Energy Defense Act (as transferred and redesignated by section 3161(e)(3) of this Act).

(2) A description of any additional information identified, or criteria established, on matters covered by such section 4202 during the period beginning on the date of the submittal of the report under such section 4202 and ending on the date of the submittal of the updated version of the plan under subsection (a) of this section.

(3) For each science-based tool developed by the Department of Energy during such period—

(A) a description of the relationship of such science-based tool to the collection of information needed to determine that the nuclear weapons stockpile is safe and reliable; and

(B) a description of the criteria for judging whether or not such science-based tool provides for the collection of such information.

(c) *2005 STOCKPILE STEWARDSHIP PLAN DEFINED.*—In this section, the term “2005 stockpile stewardship plan” means the updated version of the plan for maintaining the nuclear weapons stockpile developed under section 4203 of the Atomic Energy Defense Act (as transferred and redesignated by section 3161(e)(4) of this Act) that is required to be submitted to Congress not later than March 15, 2005.

**SEC. 3134. PROGRESS REPORTS ON ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.**

(a) *REPORT ON ACCESS TO INFORMATION FOR PERFORMANCE OF RADIATION DOSE RECONSTRUCTIONS.*—(1) Not later than 90 days after the date of the enactment of this Act, the National Institute for Occupational Safety and Health shall submit to Congress a report on the ability of the Institute to obtain, in a timely, accurate, and complete manner, information necessary for the purpose of carrying out radiation dose reconstructions under the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384 et seq.), including information requested from any element of the Department of Energy.

(2) The report shall include the following:

(A) An identification of each matter adversely affecting the ability of the Institute to obtain information described in paragraph (1) in a timely, accurate, and complete manner.

(B) For each facility with respect to which the Institute is carrying out one or more dose reconstructions described in paragraph (1)—

(i) a specification of the total number of claims requiring dose reconstruction;

(ii) a specification of the number of claims for which dose reconstruction has been adversely affected by any matter identified under paragraph (1); and

(iii) a specification of the number of claims requiring dose reconstruction for which, because of any matter identified under paragraph (1), dose reconstruction has not been completed within 150 days after the date on which the Secretary of Labor submitted the claim to the Secretary of Health and Human Services.

(b) **REPORT ON DENIAL OF CLAIMS.**—(1) Not later than 90 days after the date of the enactment of this Act, the Secretary of Labor shall submit to Congress a report on the denial of claims under the Energy Employees Occupational Illness Compensation Program Act of 2000 as of the date of such report.

(2) The report shall include for each facility with respect to which the Secretary has received one or more claims under that Act the following:

(A) The number of claims received with respect to such facility that have been denied, including the percentage of total number of claims received with respect to such facility that have been denied.

(B) The reasons for the denial of such claims, including the number of claims denied for each such reason.

**SEC. 3135. REPORT ON INTEGRATION ACTIVITIES OF DEPARTMENT OF DEFENSE AND DEPARTMENT OF ENERGY WITH RESPECT TO ROBUST NUCLEAR EARTH PENETRATOR.**

Section 1032 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 116 Stat. 2643; 10 U.S.C. 2358 note) is amended by adding at the end the following new subsection:

“(e) **INTEGRATION ACTIVITIES IN FISCAL YEAR 2003 WITH RESPECT TO RNEP.**—The report under subsection (a) that is due on April 1, 2004, shall include, in addition to the elements specified in subsection (b), a description of the integration and interoperability of the research and development, procurement, and other activities undertaken during fiscal year 2003 by the Department of Defense and the Department of Energy with respect to the Robust Nuclear Earth Penetrator.”.

## **Subtitle E—Consolidation of National Security Provisions**

**SEC. 3141. TRANSFER AND CONSOLIDATION OF RECURRING AND GENERAL PROVISIONS ON DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.**

(a) **PURPOSE.**—

(1) **IN GENERAL.**—The purpose of this section is to assemble together, without substantive amendment but with technical and conforming amendments of a non-substantive nature, recurring and general provisions of law on Department of Energy national security programs that remain in force in order to consolidate and organize such provisions of law into a single Act

*intended to comprise general provisions of law on such programs.*

(2) *CONSTRUCTION OF TRANSFERS.*—*The transfer of a provision of law by this section shall not be construed as amending, altering, or otherwise modifying the substantive effect of such provision.*

(3) *TREATMENT OF SATISFIED REQUIREMENTS.*—*Any requirement in a provision of law transferred under this section (including a requirement that an amendment to law be executed) that has been fully satisfied in accordance with the terms of such provision of law as of the date of transfer under this section shall be treated as so fully satisfied, and shall not be treated as being revived solely by reason of transfer under this section.*

(4) *CLASSIFICATION.*—*The provisions of the Atomic Energy Defense Act, as amended by this section, shall be classified to the United States Code as a new chapter of title 50, United States Code.*

(b) *DIVISION HEADING.*—*The Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314) is amended by adding at the end the following new division heading:*

**“DIVISION D—ATOMIC ENERGY  
DEFENSE PROVISIONS”.**

(c) *SHORT TITLE; TABLE OF CONTENTS; DEFINITION.*—

(1) *SHORT TITLE; TABLE OF CONTENTS.*—*Section 3601 of the Atomic Energy Defense Act (title XXXVI of Public Law 107-314; 116 Stat. 2756) is—*

(A) *transferred to the end of the Bob Stump National Defense Authorization Act for Fiscal Year 2003;*

(B) *redesignated as section 4001;*

(C) *inserted after the heading for division D of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, as added by subsection (b); and*

(D) *amended—*

(i) *by amending the heading to read as follows:*

**“SEC. 4001. SHORT TITLE; TABLE OF CONTENTS.”;**

(ii) *by striking “This title” and inserting “(a) SHORT TITLE.—This division”; and*

(iii) *by adding at the end the following:*

**“(b) TABLE OF CONTENTS.**—*The table of contents for this division is as follows:*

**“DIVISION D—ATOMIC ENERGY DEFENSE PROVISIONS**

**“Sec. 4001. Short title; table of contents.**

**“Sec. 4002. Definition.**

**“TITLE XLI—ORGANIZATIONAL MATTERS**

**“Sec. 4101. Naval Nuclear Propulsion Program.**

**“Sec. 4102. Management structure for nuclear weapons production facilities and nuclear weapons laboratories.**

**“Sec. 4103. Restriction on licensing requirement for certain defense activities and facilities.**

*Review of overseas military facility structure*

The Senate amendment contained a provision (secs. 2841–2848) that would establish a commission to conduct a thorough study of matters related to U.S. military facility structure overseas. The Commission would assess the adequacy of current U.S. overseas basing structure to execute current missions and the feasibility of closures, realignments, or establishment of new installations overseas to meet emerging defense requirements. The Commission would not take the place of or preclude in any way the ongoing efforts by the Department of Defense to conduct its own review and to develop a comprehensive and integrated global presence and basing strategy.

This provision would also authorize \$3.0 million from the Department of Defense operations and maintenance account to be available to the Commission to carry out its specified responsibilities.

The House bill contained no similar provision.

The Senate recedes with the acknowledgment that a similar provision has been included in the fiscal year 2004 Military Construction Appropriations Act.

**DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS****TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**

**Department of Energy National Security Programs**  
(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
<b>Atomic Energy Defense Activities (053)</b>					
Energy Programs					
Energy supply.....	110,473	110,473	110,473		110,473
National nuclear security administration:					
Weapons activities.....	6,378,000	6,393,000	6,457,272	56,772	6,434,772
Defense nuclear nonproliferation.....	1,340,195	1,312,695	1,340,195	-8,000	1,332,195
Naval reactors.....	768,400	768,400	788,400		768,400
Office of the administrator.....	347,980	347,980	347,980	-6,000	341,980
<b>Total, National nuclear security administration.....</b>	<b>8,834,575</b>	<b>8,822,075</b>	<b>8,933,847</b>	<b>42,772</b>	<b>8,877,347</b>
Environmental and other defense activities:					
Defense environmental restoration & waste management.....					
Defense site acceleration completion.....	5,814,635	5,824,135	5,814,635		5,814,635
Defense environmental services.....	995,179	995,179	995,179		995,179
Other defense activities.....	494,331	497,331	465,059	-5,272	489,059
Defense nuclear waste disposal.....	430,000	430,000	360,000	-37,500	392,500
<b>Total, Environmental &amp; other defense activities.....</b>	<b>7,734,145</b>	<b>7,746,645</b>	<b>7,634,873</b>	<b>-42,772</b>	<b>7,691,373</b>
Cerro Grande fire activities (Use of prior years balances).....					
<b>Subtotal Department of Energy.....</b>	<b>16,679,193</b>	<b>16,679,193</b>	<b>16,679,193</b>		<b>16,679,193</b>
Defense nuclear facilities safety board.....	19,559	19,559	19,559		19,559
<b>Total Atomic Energy Defense Activities.....</b>	<b>16,698,752</b>	<b>16,698,752</b>	<b>16,698,752</b>		<b>16,698,752</b>

**Department of Energy National Security Programs**  
(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
<b>Energy Supply</b>					
Nuclear Energy					
Infrastructure					
Idaho facilities management					
INEEL infrastructure					
	INEEL infrastructure O&M (050).....	21,415	21,415	21,415	21,415
	Idaho sitewide safeguards and security (050).....	56,654	56,654	56,654	56,654
	<b>Total, Infrastructure.....</b>	<b>78,069</b>	<b>78,069</b>	<b>78,069</b>	<b>78,069</b>
	Program direction (050).....	35,407	35,407	35,407	35,407
	<b>Subtotal Nuclear Energy.....</b>	<b>113,476</b>	<b>113,476</b>	<b>113,476</b>	<b>113,476</b>
	Less security charge for reimbursable work (NE) (050).....	-3,003	-3,003	-3,003	-3,003
	<b>Total, Energy Supply.....</b>	<b>110,473</b>	<b>110,473</b>	<b>110,473</b>	<b>110,473</b>
<b>National Nuclear Security Administration</b>					
<b>Weapons Activities</b>					
Directed stockpile work					
	Stockpile research and development.....	433,150	433,150	433,150	433,150
	Stockpile maintenance.....	405,746	405,746	10,000	415,746
	Stockpile evaluation.....	202,885	202,885	202,885	202,885
	Dismantlement/disposal.....	37,722	37,722	37,722	37,722
	Production support.....	278,113	278,113	278,113	278,113
	Field engineering, training and manuals.....	7,170	7,170	7,170	7,170
	<b>Total, Directed stockpile work.....</b>	<b>1,364,786</b>	<b>1,381,786</b>	<b>10,000</b>	<b>1,374,786</b>

**Department of Energy National Security Programs**  
(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
Campaigns					
Science campaigns					
Primary certification.....	65,849	65,849	65,849	-1,000	64,849
Dynamic materials properties.....	82,251	82,251	82,251		82,251
Advanced radiography					
Operations and maintenance.....	65,985	60,985	65,985	-5,000	60,985
Secondary certification and nuclear systems					
margins.....	55,463	55,463	55,463		55,463
<b>Total, Science campaigns.....</b>	<b>269,548</b>	<b>264,548</b>	<b>269,548</b>	<b>-6,000</b>	<b>263,548</b>
Engineering campaigns					
Enhanced surety.....	37,974	37,974	37,974	-1,000	36,974
Weapons system engineering certification.....	28,238	28,238	28,238		28,238
Nuclear survivability.....	23,977	23,977	23,977		23,977
Enhanced surveillance.....	94,781	94,781	94,781	-2,000	92,781
Advanced design and production technologies.....	79,917	79,917	79,917		79,917
Engineering campaigns construction activities					
Operations and maintenance.....	4,500	4,500	4,500		4,500
Construction:					
01-D-108 Microsystem and engineering science					
applications (MESA), SNL, Albuquerque, NM.....	61,800	61,800	61,800		61,800
<b>Total, Engineering campaigns construction activities.....</b>	<b>66,300</b>	<b>66,300</b>	<b>66,300</b>		<b>66,300</b>
<b>Total, Engineering campaigns.....</b>	<b>331,187</b>	<b>331,187</b>	<b>331,187</b>	<b>-3,000</b>	<b>328,187</b>

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## Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
Inertial confinement fusion and high yield campaign					
Operations and maintenance.....	316,769	311,769	316,769	-5,000	311,769
Construction:					
96-D-111 National ignition facility (NIF), LLNL, Livermore, CA.....	150,000	150,000	150,000		150,000
<b>Total, Inertial confinement fusion and high yield campaign.....</b>	<b>466,769</b>	<b>461,769</b>	<b>466,769</b>	<b>-5,000</b>	<b>461,769</b>
 Advanced simulation and computing campaign					
Operations and maintenance.....	713,326	713,326	713,326	-25,000	688,326
Construction:					
01-D-101 Distributed information systems laboratory, SNL, Livermore, CA.....	12,300	12,300	12,300		12,300
00-D-103, Terascale simulation facility, LLNL, Livermore, CA.....	25,000	25,000	25,000		25,000
00-D-107 Joint computational engineering laboratory, SNL, Albuquerque, NM.....					
<b>Total, Construction.....</b>	<b>37,300</b>	<b>37,300</b>	<b>37,300</b>		<b>37,300</b>
<b>Total, Adv simulation and computing campaign.....</b>	<b>750,626</b>	<b>750,626</b>	<b>750,626</b>	<b>-25,000</b>	<b>725,626</b>
 Pit manufacturing and certification campaign.....	320,228	320,228	320,228		320,228
Readiness campaigns					
Stockpile readiness.....	55,158	57,158	55,158		55,158
High explosives manufacturing and weapons assembly/disassembly readiness.....	29,649	29,649	29,649	-2,000	27,649

## Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
Non-nuclear readiness.....	37,397	37,397	37,397	-3,000	34,397
Materials readiness.....					
Tritium readiness					
Operations and maintenance.....	59,893	59,893	59,893		59,893
Construction:					
98-D-125 Tritium extraction facility, Savannah River site, Aiken, SC.....	75,000	75,000	75,000		75,000
98-D-126 Accelerator production of tritium (APT), various locations.....					
<b>Total, Construction.....</b>	<b>75,000</b>	<b>75,000</b>	<b>75,000</b>		<b>75,000</b>
<b>Total, Tritium readiness.....</b>	<b>134,893</b>	<b>134,893</b>	<b>134,893</b>		<b>134,893</b>
<b>Total, Readiness campaigns.....</b>	<b>257,097</b>	<b>259,097</b>	<b>257,097</b>	<b>-5,000</b>	<b>252,097</b>
<b>Total, Campaigns.....</b>	<b>2,395,455</b>	<b>2,387,455</b>	<b>2,395,455</b>	<b>-44,000</b>	<b>2,351,455</b>
 Readiness in technical base and facilities					
Operations of facilities.....	972,773	989,073	1,052,045	106,272	1,079,045
Other sites.....		[-20,000]			
Y-12 Plant facilities and legacy material stewardship.....		[7,000]			
Pantex Plant maintenance.....		[14,300]			
Pantex General Plant projects and capital equipment.....		[15,000]			
 Program readiness.....	131,093	131,093	131,093		131,093
Special projects.....	42,975	42,975	42,975		42,975
Material recycle and recovery.....	76,189	76,189	76,189		76,189
Containers.....	16,006	16,006	16,006		16,006
Storage.....	11,365	11,365	11,365		11,365
Nuclear weapons incident response.....	89,694	89,694	89,694		89,694

## Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2004 Request</u>	<u>House Authorized</u>	<u>Senate Authorized</u>	<u>Conference Change</u>	<u>Conference Authorized</u>
<b>Subtotal, Readiness in technical base and facilities.....</b>	<b>1,340,095</b>	<b>1,356,395</b>	<b>1,419,367</b>	<b>106,272</b>	<b>1,446,367</b>
Construction:					
04-D-101 Test capabilities revitalization, Sandia National Laboratories, Albuquerque, NM.....	36,450	36,450	36,450		36,450
04-D-102 Exterior communications infrastructure modernization, Sandia National Laboratories Albuquerque, NM.....	20,000	20,000	20,000		20,000
04-D-103 Project engineering and design, (PED) various locations.....	2,000	2,000	2,000		2,000
04-D-104 National security sciences building Los Alamos National Laboratory, Los Alamos, NM.....	50,000	38,000		-50,000	
04-D-125 Chemistry and metallurgy facility replacement project, Los Alamos National Laboratory, Los Alamos, NM.....	20,500	20,500	20,500		20,500
04-D-126 Building 12-44 production cells upgrade, Pantex plant, Amarillo, TX.....	8,780	8,780	8,780		8,780
04-D-127 Cleaning and loading modifications Savannah River site, Aiken, SC.....	2,750	2,750	2,750		2,750

## Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
04-D-128 TA-18 Mission relocation project Los Alamos National Laboratory, Los Alamos, NM.....	8,820	8,820	8,820		8,820
03-D-101 Sandia underground reactor facility Sandia National Laboratories, Albuquerque, NM.....					
03-D-102 LANL Administration Building, SM-43 replacement, Los Alamos, NM.....			50,000	38,000	38,000
03-D-103 Project engineering and design (PED) various locations.....	10,570	10,570	10,570		10,570
03-D-121 Gas transfer capacity expansion, Kansas City Plant, Kansas City, MO.....	15,300	15,300	15,300		15,300
03-D-122 Purification facility, Y-12 plant Oak Ridge, TN.....					
03-D-123 Special nuclear materials component requalification facility, Pantex plant, Amarillo, TX.....	7,628	7,628	7,628		7,628
02-D-103 Project engineering and design, various locations.....	10,950	10,950	10,950		10,950
02-D-105 Engineering technology complex upgrade (ETCU), LLNL, Livermore, CA.....	9,776	9,776	9,776		9,776

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## Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
02-D-107 Electrical power systems safety communications and bus upgrades, Nevada Test Site.....	2,887	2,887	2,887		2,887
01-D-103 Project engineering and design (PED) various locations.....	1,600	1,600	1,600		1,600
01-D-107 Atlas relocation and operations Nevada Test Site, NV.....					
01-D-108 Microsystem and engineering science applications (MESA), SNL, Albuquerque, NM.....					
01-D-124 HEU materials facility, Y-12 plant, Oak Ridge, TN.....	45,000	45,000	45,000		45,000
01-D-126 Weapons Evaluation Test Laboratory Pantex Plant, Amarillo, TX.....	2,838	2,838	2,838		2,838
01-D-800 Sensitive compartmented information facility, LLNL, CA.....					
99-D-103 Isotope sciences facilities, LLNL, Livermore, CA.....					
99-D-104 Protection of real property (roof reconstruction-Phase II), LLNL, Livermore, CA.....	3,500	3,500	3,500		3,500

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## Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
99-D-106 Model validation & system certification center, SNL, Albuquerque, NM.....					
99-D-125 Replace boilers & controls, Kansas City plant, Kansas City, MO.....					
99-D-127 Stockpile management restructuring initiative, Kansas City plant, Kansas City, MO.....	12,475	12,475	12,475		12,475
99-D-128 Stockpile management restructuring initiative, Pantex plant, Amarillo, TX.....					
98-D-123 Stockpile management restructuring initiative, Tritium factory modernization and consolidation, Savannah River site, SC.....					
98-D-124 Stockpile management restructuring initiative, Y-12 plant Oak Ridge, TN.....					
97-D-123 Structural upgrades, Kansas City plant, Kansas City, MO.....					
96-D-102 Stockpile stewardship facilities revitalization, Phase VI, various locations.....	1,552	1,552	1,552		1,552

**Department of Energy National Security Programs**  
(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
90-D-124 High explosive synthesis facility, Pantex plant, Amarillo, TX.....					
88-D-125 HE machining facility, PX.....					
<b>Total, Construction.....</b>	<b>273,376</b>	<b>261,376</b>	<b>273,376</b>	<b>-12,000</b>	<b>261,376</b>
<b>Total, Readiness in technical base and facilities.....</b>	<b>1,613,471</b>	<b>1,617,771</b>	<b>1,692,743</b>	<b>94,272</b>	<b>1,707,743</b>
Facilities and infrastructure recapitalization program					
Operation and maintenance.....	261,404	261,404	261,404		261,404
Construction					
04-D-203 Facilities and infrastructure recapitalization program (FIRP), project engineering design (PED), various locations.....	3,719	3,719	3,719		3,719
<b>Total, Facilities and infrastructure recapitalization program.....</b>	<b>265,123</b>	<b>265,123</b>	<b>265,123</b>		<b>265,123</b>
Secure transportation asset					
Operations and equipment.....	123,605	123,605	123,605		123,605
Program direction.....	58,795	58,795	58,795		58,795
<b>Total, Secure transportation asset.....</b>	<b>182,400</b>	<b>182,400</b>	<b>182,400</b>		<b>182,400</b>
Safeguards and security					
Operations and maintenance.....	582,067	583,767	582,067	-3,500	578,567
Physical and cyber security research and development.....		[-10,000]		[-3,500]	
LLNL security upgrades.....		[11,700]			

## Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
Construction:					
99-D-132 Nuclear material safeguards and security upgrade project, LANL, Los Alamos, NM.....	3,683	3,683	3,683		3,683
<b>Total, Safeguards and security.....</b>	<b>585,750</b>	<b>587,450</b>	<b>585,750</b>	<b>-3,500</b>	<b>582,250</b>
<b>Subtotal, Weapons Activities.....</b>	<b>6,406,985</b>	<b>6,421,985</b>	<b>6,486,257</b>	<b>56,772</b>	<b>6,463,757</b>
Adjustments					
Use of prior year balances.....					
Less security charge for reimbursable work.....	-28,985	-28,985	-28,985		-28,985
<b>Total, Adjustments.....</b>	<b>-28,985</b>	<b>-28,985</b>	<b>-28,985</b>		<b>-28,985</b>
<b>Total, Weapons Activities.....</b>	<b>6,378,000</b>	<b>6,393,000</b>	<b>6,457,272</b>	<b>56,772</b>	<b>6,434,772</b>
<b>Defense Nuclear Nonproliferation</b>					
Nonproliferation and verification R&D					
Operation and maintenance.....	203,873	203,873	203,873		203,873
Construction:					
00-D-192 Nonproliferation and international security center (NISC), LANL.....					
<b>Total, Nonproliferation &amp; verification R&amp;D.....</b>	<b>203,873</b>	<b>203,873</b>	<b>203,873</b>		<b>203,873</b>
Nonproliferation and international security.....	101,734	101,734	101,734		101,734
IAEA safeguards and nonproliferation policy.....		[-5,000]			
Nuclear noncompliance verification.....		[5,000]			

## Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
Nonproliferation programs with Russia					
International nuclear materials protection and cooperation.....	226,000	226,000	226,000	5,000	231,000
Russian transition initiatives.....	40,000	40,000	40,000		40,000
HEU transparency implementation.....	18,000	18,000	18,000		18,000
International nuclear safety and cooperation.....	14,083	11,583	14,083	-8,000	6,083
Elimination of weapons-grade plutonium production program	50,000	50,000	50,000		50,000
Accelerated materials disposition.....	30,000	5,000	30,000	-5,000	25,000
Fissile materials disposition					
U S surplus materials disposition.....	193,805	193,805	193,805		193,805
Russian surplus materials disposition.....	47,100	47,100	47,100		47,100
Construction:					
01-D-407 Highly enriched uranium (HEU) blend down, Savannah River, SC.....					
99-D-141 Pit disassembly and conversion facility, Savannah River, SC.....	13,600	13,600	13,600		13,600
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC.....	402,000	402,000	402,000		402,000
<b>Total, Construction.....</b>	<b>415,600</b>	<b>415,600</b>	<b>415,600</b>		<b>415,600</b>
Program direction.....					
<b>Total, Fissile materials disposition.....</b>	<b>656,505</b>	<b>656,505</b>	<b>656,505</b>		<b>656,505</b>
<b>Total, Nonproliferation programs with Russia.....</b>	<b>1,034,588</b>	<b>1,007,088</b>	<b>1,034,588</b>	<b>-8,000</b>	<b>1,026,588</b>

## Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2004</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>	<u>Authorized</u>
Return of domestic sealed sources.....					
Program direction.....					
<b>Subtotal, Defense Nuclear Nonproliferation.....</b>	<b>1,340,195</b>	<b>1,312,695</b>	<b>1,340,195</b>	<b>-8,000</b>	<b>1,332,195</b>
Adjustments:					
Use of prior year balances.....					
International renewable energy program.....					
<b>Total, Adjustments.....</b>					
<b>Total, Defense Nuclear Nonproliferation.....</b>	<b>1,340,195</b>	<b>1,312,695</b>	<b>1,340,195</b>	<b>-8,000</b>	<b>1,332,195</b>
 <b>Naval Reactors</b>					
Naval reactors development					
Operation and maintenance.....	724,600	724,600	744,600		724,600
Construction:					
03-D-201 Cleanroom technology facility.....	300	300	300		300
01-D-200 Major office replacement building, Schenectady, NY.....					
90-N-102 Expended core facility dry cell project, Naval Reactors Facility, ID.....	18,300	18,300	18,300		18,300
<b>Total, Construction.....</b>	<b>18,600</b>	<b>18,600</b>	<b>18,600</b>		<b>18,600</b>
<b>Total, Naval reactors development.....</b>	<b>743,200</b>	<b>743,200</b>	<b>763,200</b>		<b>743,200</b>
Program direction.....	25,200	25,200	25,200		25,200
<b>Total, Naval Reactors.....</b>	<b>768,400</b>	<b>768,400</b>	<b>788,400</b>		<b>768,400</b>

**Department of Energy National Security Programs**  
(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
<b>Office Of The Administrator</b>					
Office of the administrator.....	347,980	347,980	347,980	-6,000	341,980
Defense nuclear nonproliferation.....					
<b>Total, National Nuclear Security Administration.....</b>	<b>8,834,575</b>	<b>8,822,075</b>	<b>8,933,847</b>	<b>42,772</b>	<b>8,877,347</b>
<b>Defense Environmental Restoration &amp; Waste Mgt</b>					
Site/project completion					
Operation and maintenance.....					
Construction:					
03-D-414 Preliminary project engineering and design					
various locations.....					
02-D-402 Intec cathodic protection system					
expansion project, INEEL, Idaho Falls, ID.....					
02-D-420 Plutonium packaging and stabilization,					
Savannah River, SC.....					
01-D-414 Preliminary project, engineering and					
design (PE&D), various locations.....					
99-D-402 Tank farm support services, F&H area,					
Savannah River site, Aiken, SC.....					
99-D-404 Health physics instrumentation					
laboratory, INEEL, ID.....					

## Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2004</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>	<u>Authorized</u>
98-D-453 Plutonium stabilization and handling system for PFP, Richland, WA.....					
96-D-471 CFC HVAC/chiller retrofit, Savannah River site, Aiken, SC.....					
92-D-140 F&H canyon exhaust upgrades, Savannah River, SC.....					
86-D-103 Decontamination and waste treatment facility, LLNL, Livermore, CA.....					
<b>Total, Construction.....</b>					
<b>Total, Site/project completion.....</b>					
Post 2006 completion					
Operation and maintenance.....					
Uranium enrichment D&D fund contribution.....					
Construction:					
93-D-187 High-level waste removal from filled waste tanks, Savannah River, SC.....					
Office of river protection					
Operation and maintenance.....					
Construction:					
03-D-403 Immobilized high-level waste					

**Department of Energy National Security Programs**  
(Dollars in Thousands)

	<u>FY2004</u>	<u>House</u>	<u>Senate</u>	<u>Conference</u>	<u>Conference</u>
	<u>Request</u>	<u>Authorized</u>	<u>Authorized</u>	<u>Change</u>	<u>Authorized</u>
interim storage facility, Richland, WA.....					
01-D-416 Tank waste remediation system, RL.....					
97-D-402 Tank farm restoration and safe operations, Richland, WA.....					
94-D-407 Initial tank retrieval systems, Richland, WA.....					
Total, Construction.....					
Total, Office of river protection.....					
Total, Post 2006 completion.....					
Uranium enrichment D&D fund contribution.....					
Science and technology.....					
Excess facilities.....					
Multi-Site activities.....					
Safeguards and security.....					
Program direction.....					
Subtotal, Defense environmental restoration and waste management.....					
Adjustments:					
Use of prior year balances.....					
Less security charge for reimbursable work.....					
Total, Adjustments.....					
<b>Total, Defense Environmental Restoration And Waste Management.....</b>					

**Department of Energy National Security Programs**  
(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
<b>Environmental Management Cleanup Reform</b>					
Environmental management cleanup reform.....					
<b>Defense Site Acceleration Completion</b>					
<i>(was Defense Facilities Closure Projects)</i>					
2006 Accelerated completions.....	1,245,171	1,254,671	1,245,171		1,245,171
2012 Accelerated Completions					
Operation and maintenance.....	1,512,554	1,512,554	1,512,554		1,512,554
Construction:					
04-D-414 Project engineering and design, various locations.....	23,500	23,500	23,500		23,500
04-D-423 3013 container surveillance capability in 235-F, SR.....	1,134	1,134	1,134		1,134
02-D-402 Cathodic protection system expansion, ID.....	1,126	1,126	1,126		1,126
01-D-416 Waste treatment and immobilization plant, RL.....	690,000	690,000	690,000		690,000
<b>Total, Construction.....</b>	<b>715,760</b>	<b>715,760</b>	<b>715,760</b>		<b>715,760</b>
<b>Total, 2012 Accelerated Completions.....</b>	<b>2,228,314</b>	<b>2,228,314</b>	<b>2,228,314</b>		<b>2,228,314</b>

## Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
2035 Accelerated Completions					
Operation and maintenance.....	1,892,884	1,892,884	1,892,884		1,892,884
Construction:					
04-D-408 Glass waste storage building #2, SR.....	20,259	20,259	20,259		20,259
03-D-403 Immobilized HLW interim storage facility, RL.....	13,954	13,954	13,954		13,954
03-D-414 Project engineering and design, various locations.....	51,500	51,500	51,500		51,500
<b>Total, Construction.....</b>	<b>85,713</b>	<b>85,713</b>	<b>85,713</b>		<b>85,713</b>
<b>Total, 2035 Accelerated Completions.....</b>	<b>1,978,597</b>	<b>1,978,597</b>	<b>1,978,597</b>		<b>1,978,597</b>
Safeguards and security.....	299,977	299,977	299,977		299,977
Technology development and deployment.....	63,920	63,920	63,920		63,920
Site closure.....					
Safeguards and security.....					
<b>Subtotal, Defense Site Acceleration Completion.....</b>	<b>5,815,979</b>	<b>5,825,479</b>	<b>5,815,979</b>		<b>5,815,979</b>
Less general reduction.....					
Less security charge for reimbursable work.....	-1,344	-1,344	-1,344		-1,344
Use of prior year balances.....					
<b>Total, Defense Site Acceleration Completion.....</b>	<b>5,814,635</b>	<b>5,824,135</b>	<b>5,814,635</b>		<b>5,814,635</b>

## Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
<b>Defense Environmental Services</b>					
<i>(was Defense Environmental Management Privatization)</i>					
Community and regulatory support.....	61,337	61,337	61,337		61,337
Federal contribution to the uranium enrichment.....	452,000	452,000	452,000		452,000
Non-closure environmental activities					
Operation and maintenance.....	189,698	189,698	189,698		189,698
Program direction.....	292,144	292,144	292,144		292,144
Privatization initiatives, various locations.....					
<b>Subtotal, Defense Environmental Services.....</b>	<b>995,179</b>	<b>995,179</b>	<b>995,179</b>		<b>995,179</b>
Less general reduction.....					
<b>Total, Defense Environmental Services.....</b>	<b>995,179</b>	<b>995,179</b>	<b>995,179</b>		<b>995,179</b>
<b>Total, Defense Environmental Rest &amp; Waste Mgt.....</b>	<b>6,809,814</b>	<b>6,819,314</b>	<b>6,809,814</b>		<b>6,809,814</b>
<b>Other Defense Activities</b>					
Energy security and assurance					
Energy security.....					
Program direction.....	4,272	3,272		-4,272	
<b>Total, Energy security and assurance.....</b>	<b>4,272</b>	<b>3,272</b>		<b>-4,272</b>	
Office of Security					
Nuclear safeguards and security.....	104,713	104,713	104,713		104,713
Security investigations.....	54,554	54,554	54,554		54,554
Program direction.....	52,490	52,490	52,490		52,490

## Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
Chief information officer					
Corporate management information program.....					
<b>Total, Office of Security.....</b>	<b>211,757</b>	<b>211,757</b>	<b>211,757</b>		<b>211,757</b>
Intelligence	39,823	44,823	39,823		39,823
Counterintelligence.....	45,955	45,955	45,955		45,955
Advanced accelerator applications.....					
Independent oversight and performance assurance.....	22,575	22,575	22,575		22,575
Environment, safety & health					
Environment, safety and health (defense).....	87,276	87,276	87,276		87,276
Program direction.....	20,410	20,410	20,410		20,410
<b>Total, Environment, safety and health.....</b>	<b>107,686</b>	<b>107,686</b>	<b>107,686</b>		<b>107,686</b>
Worker and community transition					
Worker and community transition.....	12,321	12,321	12,321		12,321
Program direction.....	2,679	1,679	2,679	-1,000	1,679
<b>Total, Worker and community transition.....</b>	<b>15,000</b>	<b>14,000</b>	<b>15,000</b>	<b>-1,000</b>	<b>14,000</b>
Office of Legacy Management					
Office of Legacy Management (050).....	19,178	19,178	19,178		19,178
Program direction.....					
National security programs administrative support.....	25,000	25,000			25,000
Office of hearings and appeals.....	3,797	3,797	3,797		3,797
<b>Subtotal, Other defense activities.....</b>	<b>495,043</b>	<b>498,043</b>	<b>465,771</b>	<b>-5,272</b>	<b>489,771</b>

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## Department of Energy National Security Programs

(Dollars in Thousands)

	<u>FY2004</u> <u>Request</u>	<u>House</u> <u>Authorized</u>	<u>Senate</u> <u>Authorized</u>	<u>Conference</u> <u>Change</u>	<u>Conference</u> <u>Authorized</u>
Adjustments:					
Use of prior year balances.....		-712	-712	-712	-712
Less security charge for reimbursable work (SO).....		-712	-712	-712	-712
<b>Total, Adjustments</b> .....		<b>-712</b>	<b>-712</b>	<b>-712</b>	<b>-712</b>
<b>Total, Other Defense Activities</b> .....	<b>494,331</b>	<b>497,331</b>	<b>465,059</b>	<b>-5,272</b>	<b>489,059</b>
<b>Defense Nuclear Waste Disposal</b>					
Defense nuclear waste disposal.....	430,000	430,000	360,000	-37,500	392,500
<b>Total, Environmental and Other Defense Activities</b> .....	<b>7,734,145</b>	<b>7,746,645</b>	<b>7,634,873</b>	<b>-42,772</b>	<b>7,691,373</b>
<b>Cerro Grande Fire Activities</b>					
Use of prior year balances.....					
<b>SUBTOTAL DEPARTMENT OF ENERGY</b> .....	<b>16,679,193</b>	<b>16,679,193</b>	<b>16,679,193</b>		<b>16,679,193</b>
Defense nuclear facilities safety board.....	19,559	19,559	19,559		19,559
<b>TOTAL ATOMIC ENERGY DEFENSE ACTIVITIES</b> .....	<b>16,698,752</b>	<b>16,698,752</b>	<b>16,698,752</b>		<b>16,698,752</b>

## Subtitle A—National Security Programs Authorizations

*National Nuclear Security Administration (sec. 3101)*

The House bill contained a provision (sec. 3101) that would authorize \$8.8 billion for the National Nuclear Security Administration (NNSA), including funds for weapons activities, defense nuclear nonproliferation programs, naval reactor programs, and the Office of the Administrator.

The Senate amendment contained a similar provision (sec. 3101).

The conferees agree to include a provision that would authorize \$8.9 billion for NNSA.

The budget request included \$405.7 million in stockpile maintenance for directed stockpile work. The conferees agree to authorize \$415.7 million for directed stockpile work, an increase of \$10.0 million, to support activities at the Y-12 Plant in Oak Ridge, Tennessee, to replace aging manufacturing process equipment and support systems at Y-12.

The budget request included \$65.8 million for the primary certification campaign. The conferees agree to \$64.8 million, a decrease of \$1.0 million.

The budget request included \$66.0 million in operations and maintenance for the advanced radiography campaign. The conferees agree to authorize \$61.0 million for the advanced radiography campaign, a decrease of \$5.0 million. The conferees urge NNSA to focus on delivering the radiographic tools essential to its nearer term production requirements.

The budget request included \$38.0 million for the enhanced surety campaign. The conferees agree to authorize \$37.0 million for the enhanced surety campaign, a decrease of \$1.0 million.

The budget request included \$94.8 million for the enhanced surveillance campaign. The conferees agree to authorize \$92.8 million for the enhanced surveillance campaign, a decrease of \$2.0 million.

The budget request included \$316.8 million in operations and maintenance for the inertial confinement fusion (ICF) and high yield campaign. The conferees agree to authorize \$311.8 million for the ICF and high yield campaign, a decrease of \$5.0 million. While the conferees believe diagnostics and target fabrication capabilities have been under emphasized in the past, the conferees question whether such a large budget increase could be executed effectively.

The budget request included \$713.3 million in operations and maintenance for the advanced simulation and computing campaign. The conferees agree to authorize \$688.3 million for the advanced simulation and computing campaign, a decrease of \$25.0 million.

The budget request included \$29.6 million for the high explosives manufacturing and weapons assembly and disassembly readiness campaign. The conferees agree to authorize \$27.6 million for the high explosives manufacturing and weapons assembly and disassembly readiness campaign, a decrease of \$2.0 million.

The budget request included \$37.4 million for the non-nuclear readiness campaign. The conferees agree to authorize \$34.4 million for the non-nuclear readiness campaign, a decrease of \$3.0 million.

The budget request included \$1.3 billion for Readiness in Technical Base and Facilities (RTBF). The conferees agree to authorize \$1.4 billion, an increase of \$106.3 million for the operations of facilities program to include a \$7 million increase for facilities maintenance and legacy material stewardship at Y-12, and a \$20.0 million increase for plant maintenance, plant projects and capital equipment at Pantex.

The budget request included \$50.0 million for RTBF to begin construction of a national security sciences building (project 04-D-104) at Los Alamos National Laboratory (LANL). The conferees agree to authorize \$38.0 million for project 03-D-102, a decrease of \$12.0 million. The national security sciences building at LANL, listed as 03-D-102, received an advanced appropriation in fiscal year 2003 of \$12.0 million. The conferees note that construction projects should be authorized prior to obligation of funds.

The budget request included \$585.8 million for safeguards and security. The conferees agree to authorize \$582.3 million for safeguards and security, a decrease of \$3.5 million in physical and cyber security research and development. The conferees note that the proposed activities would be largely duplicative of research the Department of Energy requested in other defense activities. Of the amounts authorized for safeguards and security, the conferees agree to authorize the Department to expend appropriated funds available, not to exceed \$8.0 million, for the planning, engineering, and design of a proposed Security Improvements project at the Y-12 National Security Complex.

The budget request included \$226.0 million for international nuclear materials protection and cooperation. The conferees agree to authorize \$231.0 million, an increase of \$5.0 million for the second line of defense program which helps to prevent nuclear materials from being smuggled across Russian and other international borders. The budget request included \$30.0 million for accelerated materials disposition. The conferees agree to authorize \$25.0 million for accelerated materials disposition, a decrease of \$5.0 million. The conferees note their concern with the cost-effectiveness of this program.

#### *Defense environmental management (sec. 3102)*

The House bill contained a provision (sec. 3102) that would authorize \$6.8 billion for the Department of Energy for defense environmental management (EM) activities for fiscal year 2004, including funds for defense site acceleration completion and defense environmental services.

The Senate amendment contained a similar provision (sec. 3102) that would authorize \$6.8 billion for defense environmental activities.

The conferees agree to authorize \$6.8 billion for defense environmental management, the amounts of the budget request, including \$5.8 billion for defense site acceleration completion and \$995.2 million for defense environmental services.

The conferees support the continuing efforts of the Department of Energy to accelerate cleanup at all of the environmental management (EM) sites, which will result in reducing risk to the environment, workers, and the community, shortening cleanup sched-

ules, and saving tens of billions of dollars across the EM complex. The conferees also support a policy that would take funds made available due to the cleanup completion of Fernald, Mound, Rocky Flats and other sites, and roll them into the remaining EM sites to help accelerate their completion even sooner, if possible.

*Other defense activities (sec. 3103)*

The House bill contained a provision (sec. 3103) that would authorize \$497.3 million for the Department of Energy (DOE) for other defense activities for fiscal year 2004.

The Senate amendment contained a similar provision (sec. 3103) that would authorize \$465.1 million for DOE other defense activities.

The conferees agreed to authorize \$489.1 million, a reduction of \$5.3 million below the budget request.

The budget request included \$4.3 million for program direction for energy security and assurance. The conferees agree to authorize no funds for these activities. These funds are requested for program direction costs for an operational component of this office that was transferred to the Department of Homeland Security (DHS) in fiscal year 2003. The conferees note that funding for this component should be included in the DHS budget.

The budget request included \$15.0 million for worker and community transition (WCT), including \$2.7 million for program direction. The conferees agree to include \$14.0 million for WCT, a reduction of \$1.0 million to be taken out of the program direction activities. The conferees note that the request for programmatic funds drops 46 percent from fiscal year 2003, while program direction remains level. The conferees have included a proportional decrease to program direction.

*Defense nuclear waste disposal (sec. 3104)*

The House bill contained a provision (sec. 3104) that would authorize \$430.0 million for defense nuclear waste disposal for fiscal year 2004.

The Senate amendment contained a similar provision (sec. 3104) that would authorize \$360.0 million for defense nuclear waste disposal.

The conferees agree to authorize \$392.5 million for defense nuclear waste disposal, a decrease of \$37.5 million to the budget request. The conferees note that the authorized amount for defense nuclear waste disposal reflects a \$79.5 million increase to the fiscal year 2003 appropriated level.

*Energy supply (sec. 3105)*

The House bill contained a provision (sec. 3105) that would authorize \$110.5 million for defense energy supply programs for fiscal year 2004.

The Senate amendment contained a similar provision (sec. 3105) that would authorize \$110.5 million.

The conferees agree to authorize \$110.5 million for defense energy supply programs for fiscal year 2004, the amount of the budget request.

Subtitle B—Program Authorizations, Restrictions, and Limitations

*Termination of requirement for annual updates of long-term plan for nuclear weapons stockpile life extension program (sec. 3111)*

The House bill contained a provision (sec. 3112) that would terminate certain annual reporting requirements related to stockpile life extension programs, effective December 31, 2004.

The Senate amendment contained no similar provision.

The Senate recedes with a technical amendment.

The conferees note that this material should be included in the annual report submitted by the National Nuclear Security Administration on the overall stockpile stewardship program, as well as other required reports. The annual report just received by Congress was extremely late. The conferees expect subsequent reports to be submitted on time.

*Department of Energy project review groups not subject to Federal Advisory Committee Act by reason of inclusion of employees of Department of Energy management and operating contractors (sec. 3112)*

The House bill contained a provision (sec. 3114) that would allow an officer or employee of a management and operating (M&O) contractor of the Department of Energy, when serving on an advisory committee or review group for the Department on matters related to the Department's M&O contracts, to be treated as an officer or employee of the Department for the purposes of determining whether the group is an advisory committee within the meaning of section 3 of the Federal Advisory Committee Act (5 United States Code App.).

The Senate amendment contained no similar provision.

The Senate recedes.

*Readiness posture for resumption by the United States of underground nuclear weapons tests (sec. 3113)*

The Senate amendment contained a provision (sec. 3132) that would require the Secretary of Energy to achieve, and thereafter maintain, a posture of 18 months for resumption by the United States of underground nuclear tests. The Secretary of Energy would achieve this readiness posture by October 1, 2006. However, if, through the review conducted to comply with section 3142(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003, the Secretary determined that a different readiness posture was feasible and advisable, then the provision would require the Secretary to achieve, and thereafter maintain, that optimal test readiness posture.

The House bill contained no similar provision.

The House recedes with an amendment that would eliminate the requirement for the Secretary to identify an optimal test readiness posture in lieu of 18 months. Consistent with subsection 3142(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314), the Secretary determined that 18 months is the optimal test readiness posture. Furthermore, the amendment clarified that the readiness posture should be "not

more” than 18 months for resumption by the United States of underground nuclear tests.

*Technical base and facilities maintenance and recapitalization activities (sec. 3114)*

The Senate amendment contained a provision (sec. 3133) that would require the Administrator for Nuclear Security to add discipline, criteria, and new requirements and limitations to the Operations of Facilities Program within the Readiness in Technical Base and Facilities (RTBF) Program.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Administrator to submit a report to the congressional defense committees setting forth guidelines on how NNSA’s current and future maintenance needs shall be met, including the types of criteria to be used. The goal of the guidelines included in the report should be to avoid NNSA maintenance backlogs. The Administrator of NNSA would be required to complete the selection of the Facilities and Infrastructure Recapitalization Program (FIRP) projects by December 31, 2004. The Operations of Facilities Program would remain a subprogram within the RTBF Program. Within the RTBF Program, the Deputy Administrator for Defense Programs would be required to appoint an individual manager to ensure the Operations of Facilities Program receives the focus and priority it requires. Finally, the amendment would require the Secretary of Energy to submit a detailed budget justification for the Operations of Facilities Program broken down into individual budget elements.

The conferees note that FIRP was originally envisioned and introduced to Congress as a ten-year program with a narrow and specific goal of eliminating the enormous maintenance backlog, which had accumulated over many years. Accordingly, FIRP would terminate on September 30, 2011, at the end of the program’s tenth year.

The conferees are concerned that the NNSA has not placed enough priority on future maintenance and repair needs across the nuclear weapons complex. While FIRP seems to be making significant progress in addressing maintenance backlogs, the NNSA needs to make much more progress in addressing current and future maintenance and repair needs within the RTBF program.

*Continuation of processing, treatment, and disposition of legacy nuclear materials (sec. 3115)*

The Senate amendment contained a provision (sec. 3134) that would amend section 3137 of the National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398) that prohibited the Department of Energy (DOE) from decommissioning the F Canyon facility at the Savannah River Site until the Secretary of Energy and the Defense Nuclear Facilities Safety Board (DNFSB) jointly submits a report to the Committees on Armed Services of the Senate and the House of Representatives. The report would set forth an assessment of whether or not all materials present in the F Canyon are safely stabilized and future needs for fissile materials disposition can be met through H Canyon. The Senate provision would amend section 3137 of the National Defense Authorization

Act for Fiscal Year 2001 by deleting the requirement that F Canyon be maintained in a high state of readiness and eliminating the DNFSB certification requirement. In addition, the provision would require the DOE to submit a report to the congressional defense committees and the DNFSB before commencing the decommissioning of F Canyon. The provision would retain the requirement that H Canyon be maintained in a high state of readiness to ensure the availability of H Canyon for any future canyon processing needs.

The House bill contained no similar provision.

The House recedes with a technical amendment.

*Repeal of prohibition on research and development of low-yield nuclear weapons (sec. 3116)*

The House bill contained a provision (sec. 3111) that would amend section 3136 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160). The provision would maintain the prohibition on development of new nuclear weapons with yields less than five kilotons, but would allow research on such weapons, including concept definition studies, feasibility studies, and detailed engineering design.

The Senate amendment contained a similar provision (sec. 3131) that: (1) would repeal section 3136 of the National Defense Authorization Act for Fiscal Year 1994 and thereby end the prohibition on research and development of low-yield nuclear weapons; (2) would state that nothing in the provision should be construed as authorizing the testing, acquisition, or deployment of a low-yield nuclear weapon; (3) would require the Secretary of Energy to obtain specific congressional authorization before commencing the engineering development phase, or any subsequent phase, of a low-yield nuclear weapon; and (4) would require the Secretary of State, the Secretary of Defense and the Secretary of Energy to jointly submit to Congress, no later than March 1, 2004, a report assessing whether or not the repeal of section 3136 of the National Authorization Act for Fiscal Year 1994 would effect the ability of the United States to achieve its nonproliferation objectives and whether or not any changes in programs and activities would be required to achieve those objectives.

The House recedes.

*Requirement for specific authorization of Congress for commencement of engineering development phase or subsequent phase of robust nuclear earth penetrator (sec. 3117)*

The Senate amendment contained a provision (sec. 3135) that would require the Secretary of Energy to obtain specific authorization from Congress to commence development engineering (phase 6.3) of the nuclear weapons development process, or any subsequent phase, of a robust nuclear earth penetrator weapon.

The House bill contained no similar provision.

The House recedes.

## Subtitle C—Proliferation Matters

*Semi-annual financial reports on Defense Nuclear Nonproliferation Programs (sec. 3121)*

The Senate bill contained a provision (sec. 3142) that would require the Administrator for Nuclear Security to submit to the Committees on Armed Services of the Senate and House of Representatives a report every six months on the financial status of Defense Nuclear Nonproliferation Programs. Each semi-annual report would describe the amount of funds authorized to be appropriated for the fiscal year in which the report would be submitted, and include the aggregate amount appropriated for that fiscal year, the amounts obligated, committed, and disbursed as of the end of the reporting period, and the amounts that remain available for obligation. The first report would be required in fiscal year 2004.

The House bill contained no similar provision.

The House recedes with a clarifying amendment that would require the Administrator for Nuclear Security to submit to the Committees on Armed Services of the Senate and House of Representatives a report every six months on the financial status of the Defense Nuclear Nonproliferation Programs by program. Each semi-annual report would set forth the amount of funds available for the fiscal year in which the report would be submitted, the carry over or uncommitted balances, the unobligated and unexpended balances as of the beginning of the reporting period, the aggregate of any new funds available during the reporting period, and the uncommitted or unobligated and unexpended balances as of the end of the reporting period. The reports are due to the committees 30 calendar days after the end of each fiscal half of the fiscal year. The first report would be due April 30, 2004, and would cover the first six months of fiscal year 2004.

Because the conferees are concerned with the high level of unexpended and unobligated balances in the Defense Nuclear Nonproliferation Programs, the conferees believe it is necessary that the program improve its budget management to expend funds in a timely and efficient manner without sacrificing oversight. The conferees believe that semi-annual financial reporting will assist the committees with tracking program expenditures to ensure that the national security benefit proposed by the Defense Nuclear Nonproliferation Programs can be realized.

*Report on reduction of excessive unobligated or unexpended balances for defense nuclear nonproliferation activities (sec. 3122)*

The Senate bill contained a provision (sec. 3143) that would require the Administrator for Nuclear Security to provide the Committees on Armed Services of the Senate and the House of Representatives with an aggressive plan to reduce the amount of funds obligated but not expended for the Defense Nuclear Nonproliferation Program if, at the end of fiscal year 2004, the program's obligated but not expended balances exceed 20 percent of the amount appropriated for the program in fiscal year 2004. This plan would be due not later than November 30, 2004. The purpose of the plan would be to provide the committees with the Department of Energy's strategic approach to addressing the low expenditures of de-

fense nuclear nonproliferation appropriated funds from current and previous fiscal years.

The House bill contained no similar provision.

The House recedes with technical amendments.

The conferees believe the Defense Nuclear Nonproliferation Program should strive to attain the department-wide average of 15 percent obligated but not expended level per fiscal year. Currently, the funds available for the program include almost 50 percent uncosted and unexpended balances. The conferees believe the program must address these expenditure rates immediately by taking a more focused and aggressive approach to expending these funds without sacrificing accountability, management, and oversight. The conferees urge the program to consider innovative methods in developing and implementing such an approach, such as utilizing more robust information technology systems to better track project expenditure rates and contracting activities.

*Study and report relating to weapons-grade uranium and plutonium of the independent states of the former Soviet Union (sec. 3123)*

The House bill contained a provision (sec. 1308) that would require the Secretary of Defense to conduct a study and submit a report to Congress not later than one year after the date of enactment of this Act. The study would examine the costs and benefits of purchasing all former Soviet Union weapons-grade uranium and plutonium in fiscal year 2005 and safeguarding it from smuggling or theft until it could be rendered unusable for nuclear weapons.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary of Energy to conduct a study and submit a report to Congress not later than one year after the date of enactment that would examine the feasibility, costs, and benefits of purchasing former Soviet Union weapons-grade uranium and plutonium excess to defense needs, and the feasibility and costs of safeguarding this material from theft until it can be rendered unusable for nuclear weapons. The conferees encourage the Secretary to include in the study an analysis of the feasibility of purchasing this material in one year, as well as other options in quantity and timing as the Secretary considers appropriate, and to consider several possible locations for safeguarding this material using risk of theft, cost, and practicality as metrics.

*Authority to Use International Nuclear Materials Protection and Cooperation program funds outside the former Soviet Union (sec. 3124)*

The Senate amendment contained a provision (sec. 3141) that would authorize the Secretary of Energy to conduct nuclear nonproliferation threat reduction activities and projects outside the states of the former Soviet Union for the International Nuclear Materials Protection and Cooperation program.

The House bill contained no similar provision.

The House recedes with an amendment that would require the President to make certain determinations and to notify the Congress in writing within 10 days after obligating funds under this

authority of those determinations as follows: (1) that the project or activity will assist the United States in the resolution of a critical emerging proliferation threat; or permit the United States to take advantage of opportunities to achieve long-standing nonproliferation goals; (2) that the Department of Energy is the entity of government most capable of carrying out the project or activity; and (3) that the project or activity will be completed in a short period of time. The written notification is to include a justification for the determinations and a description of the scope and duration of the project or activity.

The conferees expect that the President would assign such projects or activities to the agency whose mission is most appropriate to the project or activity. The conferees further expect that this authority will be used only for projects or activities that are expected to be completed within a short period of time.

*Requirement for on-site managers (sec. 3125)*

The House bill contained a provision (sec. 3117) that would require the Secretary of Energy to appoint a federal employee as an on-site manager before obligation of funds for any defense nuclear nonproliferation program that involves dismantlement, destruction, or storage facilities, or construction of a facility, and that is executed in a state of the former Soviet Union, if the total contribution by the Department of Energy is expected to exceed \$25.0 million.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the Secretary to appoint an employee of the Federal Government as an on-site manager to oversee any defense nuclear nonproliferation program that involves dismantlement, destruction, or storage facilities, or construction of a facility, and that is executed in a state of the former Soviet Union, if the total contribution by the Department is expected to exceed \$50.0 million. The amendment would allow one individual to serve as the site manager for more than one project so long as the total cost of the projects does not exceed \$150.0 million for that fiscal year.

Subtitle D—Other Matters

*Performance of personnel security investigations of certain Department of Energy and Nuclear Regulatory Commission Employees in Sensitive Programs (sec. 3131)*

The Senate amendment contained a provision (sec. 3151) that would amend section 145 of the Atomic Energy Act of 1954 (Public Law 83-703) to provide the Secretary of Energy the authority to refer security investigations to either the Federal Bureau of Investigations (FBI) or the Office of Personnel Management (OPM). Current law requires the FBI to investigate all initial personnel security investigations and all reinvestigations for DOE federal and contractor employees assigned to a Department of Energy Special Access Program (SAP) or a Personnel Security and Assurance Program.

The House bill contained no similar provision.

The House recedes with an amendment that would amend section 145(e)(2) of the Atomic Energy Act of 1954 to repeal the re-

quirement that the Secretary or the Commissioner of the Nuclear Regulatory Commission (NRC), as successors to the Atomic Energy Commission, must refer security investigations concerning DOE federal and contractor employees assigned to a Personnel Security and Assurance Program to the FBI. Under this provision, the Secretary or Commissioner would have the authority to refer such personnel security investigations to either the FBI or OPM, as successor to the Civil Service Commission. Nothing in this provision would change the requirement that the Secretary or Commissioner must refer security investigations to the FBI for DOE federal and contractor employees assigned to a DOE Special Access Program, or the authority to refer security investigations to the FBI for personnel that the Secretary or the Commissioner certifies, due to their specific position, to be of a high degree of importance or sensitivity.

*Policy of Department of Energy regarding future defense environmental management matters (sec. 3132)*

The Senate amendment contained a provision (sec. 3152) that would require the Secretary of Energy to establish a policy to clarify the shared or overlapping responsibilities between the Environmental Management (EM) program and the National Nuclear Security Administration (NNSA). This provision would require the Secretary to include a report declaring DOE's policy on these matters to be submitted with the administration's budget request for fiscal year 2005.

The provision would also require the Secretary of Energy to prepare a plan to implement the new policy to be presented with the administration's budget request for fiscal year 2006.

The House bill contained no similar provision.

The House recedes with an amendment that would require the Secretary of Energy to put in place, not later than October 1, 2005, a policy for carrying out future defense environmental management matters that have not already been included or considered in the Defense Site Acceleration Completion plan. The Secretary of Energy shall include in the budget submission for fiscal year 2005 a report on the policy the Secretary plans to have in effect as of October 1, 2005. The Secretary of Energy must have the policy in effect no later than October 1, 2005, and reflect the policy in the budget submission for fiscal year 2006 and each fiscal year thereafter.

The conferees support EM's initiative to accelerate cleanup across the entire NNSA and former nuclear weapons facilities complex. However, as the Secretary seeks to define and designate the complete scope of cleanup and waste management within the accelerated cleanup initiative, the conferees want to ensure that it is clear which program will be responsible for future defense EM matters. The Secretary of Energy can clarify this matter by establishing a clear policy that would help both EM and NNSA plan for future cleanup activities and the associated costs.

*Inclusion in 2005 stockpile stewardship plan of certain information relating to stockpile stewardship criteria (sec. 3133)*

The Senate amendment contained a provision (sec. 3153) that would require the Secretary of Energy to submit a report to the

congressional defense committees, by March 1, 2005, on clear and specific criteria for judging whether the science-based tools being used by the Department of Energy for determining the safety and reliability of the nuclear weapons stockpile are performing in a manner that will provide an adequate degree of certainty regarding the safety and reliability of the stockpile. This would be an update of the report required in section 3158 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999.

The House bill contained no similar provision.

The House recesses with an amendment that would include this report as part of the Fiscal Year 2005 Stockpile Stewardship Plan. The conferees note that this annual report has been consistently late and urge the Department to submit this important report on time.

*Progress reports on energy employees occupational illness compensation program (sec. 3134)*

The Senate amendment contained a provision (sec. 3154) that would require the National Institute for Occupational Safety and Health (NIOSH) to submit a report to Congress on the ability of NIOSH to obtain, in a timely, accurate, and complete manner, information necessary to carry out radiation dose reconstructions under the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA). The report should be submitted within 90 days of enactment of this Act.

The House bill contained no similar provision.

The House recesses.

The conferees direct NIOSH to send the report to the congressional defense committees, the Committees on Government Affairs and Health Education, Labor and Pensions of the Senate, and the Committees on Government Reform and Education and the Workforce of the House of Representatives.

*Report on integration activities of Department of Defense and Department of Energy with respect to robust nuclear earth penetrator (sec. 3135)*

The Senate amendment contained a provision (sec. 3155) that would require the Secretary of Energy and Secretary of Defense to develop, submit to Congress three months after the date of the enactment of this Act, and implement, a plan to coordinate the robust nuclear earth penetrator (RNEP) feasibility study at the Department of Energy (DOE) with the ongoing conventional hard and deeply buried weapons development programs at the Department of Defense.

The House bill contained no similar provision.

The House recesses with an amendment that would modify the reporting requirement of section 1032 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314) to include analysis of the integration and interoperability of the robust nuclear earth penetrator with regard to research and development, procurement, and other activities by the Departments of Defense and Energy during fiscal year 2003. This information would be included in the report due April 1, 2004.

Subtitle E—Consolidation of National Security Provisions

*Transfer and consolidation of recurring and general provisions on Department of Energy national security programs (sec. 3141)*

The House bill contained a provision (sec. 3121) that would assemble under the Atomic Energy Defense Act (title XXXVI) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314), with technical and conforming amendments, recurring and general provisions of law on Department of Energy national security programs that remain in force. Although there are technical and conforming changes resulting in the recodification there are no substantive changes in law effecting the DOE national security programs. The provisions of the Atomic Energy Defense Act, as amended by this provision, would be redesignated to a new chapter of title 50, United States Code.

The Senate amendment contained a similar provision (sec. 3161).

The Senate recedes with technical amendments.

ITEMS OF SPECIAL INTEREST

*Thorium-based fuel cycle research*

The conferees believe the Secretary of Energy should review whether there is a role for thorium fuel cycle research in Department of Energy programs, to include nonproliferation programs under the National Nuclear Security Administration and advanced fuel cycle research and related work under the Office of Nuclear Energy. If the Secretary determines this technology should be pursued, this should be reflected in the Fiscal year 2005 budget request.

LEGISLATIVE PROVISIONS NOT ADOPTED

*Extension to all DOE facilities of authority to prohibit dissemination of certain unclassified information*

The House bill contained a provision (sec. 3113) that would amend section 148 of the Atomic Energy Act of 1954 (Public Law 83–703) to expand the range of situations under which the Department of Energy could treat information as sensitive unclassified nuclear information, and consequently limit its dissemination.

The Senate amendment contained no similar provision.

The House recedes.

*Availability of funds*

The House bill contained a provision (sec. 3115) that would amend section 3628 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314) by establishing a three-year limitation on the availability of funds for obligation within the National Nuclear Security Administration (NNSA), for operation and maintenance and for plant projects.

The Senate amendment contained no similar provision.

The House recedes.

The conferees are concerned that the NNSA has not complied with section 3252 of the National Nuclear Security Administration

Act (Public Law 106–65), which provides that at a minimum, the NNSA Administrator should establish procedures that “. . . provide for the planning, programming, and budgeting of activities of the Administration using funds that are available for obligation for a limited number of years.” Contrary to the requirements of section 3252, the last four NNSA budget submissions have not included a limit on the number of years the funds were available for obligation. While the conferees have agreed not to include a provision that would place a specific limitation on the authority of funds in this Act, the conferees expect the Administrator to meet the requirements of section 3252 of the NNSA Act in the fiscal year 2005 budget and subsequent submissions.

*Limitation on obligation of funds for nuclear test readiness program*

The House bill contained a provision (sec. 3116) that would prohibit the obligation of more than 40 percent of funds available to the Secretary of Energy in fiscal year 2004 for the nuclear test readiness program until the Secretary submits the report on test readiness posture options required by subsection 3142(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314).

The Senate amendment contained no similar provision.

The House recedes.

The report on test readiness posture options was sent to the congressional defense committees on May 20, 2003, and received shortly thereafter. While this made the funding limitation in the House bill no longer necessary, the conferees note that the report was sent several months late even though the information in that report was very relevant to the fiscal year 2004 budget request for enhanced test readiness. The conferees encourage the Department of Energy to use due diligence in meeting report schedules and deadlines in the future.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

LEGISLATIVE PROVISIONS ADOPTED

*Authorization (sec. 3201)*

The House bill contained a provision (sec. 3201) that would authorize \$19.6 million for the Defense Nuclear Facilities Safety Board for fiscal year 2004.

The Senate amendment contained an identical provision (sec. 3201).

The conference agreement includes this provision.

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

LEGISLATIVE PROVISIONS ADOPTED

*Authorized Uses for National Defense Stockpile Funds (sec. 3301)*

The House bill contained a provision (sec. 3301) that would authorize \$69.7 million from the National Defense Stockpile Transaction Fund for the operation and maintenance of the National Defense Stockpile for fiscal year 2004. The provision would also per-

mit the use of additional funds for extraordinary or emergency conditions 45 days after a notification to the Congress.

The Senate amendment contained no similar provision.  
The Senate recesses.

*Revisions to required receipt objectives for previously authorized disposals from National Defense Stockpile (sec. 3302)*

The House bill contained a provision (sec. 3302) that would amend section 3402 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65) to increase the required receipt objectives for previously authorized disposals from the National Defense Stockpile.

The Senate amendment contained no similar provision.

The Senate recesses with an amendment that would increase the required receipt objectives for previously authorized disposals from the National Defense Stockpile.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

LEGISLATIVE PROVISIONS ADOPTED

*Authorization of appropriations (sec. 3401)*

The House bill contained a provision (sec. 3401) that would authorize \$16.5 million for the operation and maintenance of the Naval Petroleum and Oil Shale Reserves.

The Senate amendment contained no similar provision.

The Senate recesses.

The conferees understand that the administration intends to request the transfer of Naval Petroleum Reserve Two from the Department of Energy to the Department of Interior, and that additional authority is necessary to proceed with such a transfer. The conferees expect that a legislative package authorizing the transfer would include the requisite changes to title 10, United States Code, as well as the appropriate budgetary adjustments.

TITLE XXXV—MARITIME ADMINISTRATION

LEGISLATIVE PROVISIONS ADOPTED

*Title XXXV—Maritime Administration (sec. 3501-3546)*

The House bill contained several provisions (sec. 3501-3542) that would establish a new maritime security fleet program, beginning in fiscal year 2006, establish a new national defense tank vessel construction assistance program, provide for the authorization of appropriations for the Maritime Administration (MARAD) for fiscal year 2004, and authorize the transfer of the USS *Hoist* to the Last Patrol Museum, Toledo, Ohio.

The Senate amendment contained no similar provisions.

The Senate recesses with an amendment that would: (1) authorize appropriations for MARAD for fiscal years 2004-2008; (2) provide general authority to MARAD to convey obsolete vessels without additional statutory authorization; (3) amend current law to bring the service obligation of maritime academy students more in line with the requirements of students at the other federal service academies; (4) amend current law as it pertains to the preparation

of MARAD obsolete vessels for use as artificial reefs; (5) allow MARAD to establish a pilot program to reimburse vessels participating in the maritime security program for extra cost for conducting U.S.-based maintenance and repair; (6) authorize changes to the current title XI loan guarantee program to reduce the likelihood of defaults; and (7) establish a new maritime security fleet program and a new national defense tank vessel construction assistance program.

Section 3512 would grant MARAD general authority to transfer obsolete vessels without the need for specific legislative authorization. Many of these ships are in disrepair and are no longer useful for government purposes, but could be used by not-for-profit corporations as museums, or by states or commonwealths for other public interest projects.

Under section 3515 of this title, students at the U.S. Merchant Marine Academy and students at the state maritime academies who receive federal scholarship assistance and who have attended their respective schools for two or more years would be required to serve on active duty or to reimburse the government for educational expenses if the Secretary of Transportation determined that the individuals breached their service agreement. If for any reason the individual were not ordered to active duty, the Secretary would be authorized to recover costs of the provided education, including the use of federal debt collection procedures, or other remedies to obtain payment. This section would also grant the Secretary similar authority with respect to graduate students. This change would align the service obligation of maritime academy students more closely with the requirements of students at the other federal service academies. The section would further require that U.S. Merchant Marine Academy graduates and graduates of state maritime academies who receive federal financial assistance maintain a valid merchant mariner license and certification under the International Convention for the Standards of Training, Certification, and Watch-keeping. Such a mandate would ensure that maritime academy graduates possess the license and certifications necessary to meet Coast Guard requirements. The section would also authorize an increase in the amount of annual student incentive payments for state maritime academy graduates from \$3,000 to \$4,000. The conferees expect that this increase would offset the increasing costs of higher education and encourage students to serve the maritime and national security needs of the United States.

The conferees agree to include a provision (sec. 3516) that would make technical amendments to section 3504(b) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314) regarding environmental best management practices for preparing vessels for use as artificial reefs. It is anticipated that these technical modifications would facilitate the development of useful guidance for the preparation of obsolete vessels for use as artificial reefs.

Section 3517 would authorize the Secretary to establish a pilot program that would provide financial assistance to maritime security fleet contractors for the cost of repairs performed in the United States. The conferees expect that this program could be adminis-

tered in a way that would benefit and enhance our domestic ship repair base, on which we rely for such important activities as maintaining and activating the Ready Reserve Force ships during emergencies. The conferees also believe that MARAD could administer such a pilot program in a manner that would hold operators of the U.S.-flag maritime security fleet harmless.

Subtitle B would amend the Merchant Marine Act, 1936 (46 U.S.C. App. 1274 et seq.) to require the Secretary of Transportation to adopt several changes to the vessel loan guarantee program to help reduce the likelihood of loan defaults. Section 3521 would require the Secretary to establish a system of controls to ensure that no loan or portion of a loan is disbursed to a ship owner before the obligor of a loan guarantee has met its cost-sharing obligation (25 percent or 12.5 percent depending on the type of vessel).

Section 3522 would require the Secretary to promulgate regulations regarding the circumstances under which MARAD could waive requirements concerning the financial condition of the applicant, and establish a transparent, independent, risk-based process for verifying and documenting the progress of projects under construction before disbursing loan funds.

Section 3523 would require the Secretary to monitor the financial condition and operation of the obligor on a regular basis during the term of the guarantee and to take additional action if financial issues jeopardize the obligor's continued ability to meet its responsibilities.

Section 3524 would require the Secretary to maximize the return on a default-related sale of assets by obtaining independent appraisals and ensuring adequate competition during foreclosure proceedings.

The conference agreement also includes provisions that would set deadlines for secretarial approval or denial of applications for loan guarantees (sec. 3525), and would allow the Secretary to obtain an independent risk analysis related to markets, technology, financial structures, or other factors (sec. 3526). The conferees intend that the Secretary should not use this authority in routine cases nor where the MARAD already has sufficient expertise to assess fully the risk of approving a loan guarantee application.

Section 3528 would require the Secretary to develop an organizational framework for the management of the loan guarantee program to ensure a clear distinction among the functions of loan application and approval, project monitoring, and default management. The Secretary would need to update loan guarantee program risk categories and associated subsidy rates on an annual basis. The Secretary would also be required to consider the risk presented by an unduly large percentage of loans outstanding by any one borrower or group of affiliated borrowers before making an obligation or commitment.

Section 3531 would establish a new maritime security fleet program upon the expiration of the current program at the end of fiscal year 2005. The new program would expand upon the current program by increasing the number of participating vessels and the size of the monetary payment allowable for each participating vessel. Under the new program, the Department of Defense (DOD), in conjunction with the Department of Transportation (DOT), could

select the participants and vessels that could provide the type of sealift support that best complements the Department's organic fleet. The new program would reflect an expansion beyond the use of liner operators. In fact, the conferees intend that this program would include significant roll on/roll off assets and double hulled product tanker assets. The Secretary of Transportation, in conjunction with the Secretary of Defense, could enter into 60 operating agreements with eligible applicants, as opposed to the current authorization for 47 such agreements. The section would also authorize, subject to appropriations, contractor reimbursement for each vessel operated in the program: \$2.6 million per year for each of fiscal years 2006, 2007, and 2008; \$2.9 million per vessel for each of fiscal years 2009, 2010, and 2011; and \$3.1 million per vessel for each of fiscal years 2012, 2013, 2014, and 2015.

Section 3531 would establish age restrictions for vessels entering the new maritime security fleet program, but would allow operators with certain vessels that have participated in the current program an additional 30 months to meet these requirements. The conferees expect that the DOD, in conjunction with the DOT, would work closely with existing program participants and new applicants to ensure that the newest and most capable vessels enter the program or are offered as replacement vessels. The conferees recognize that certain older vessels may remain in the program for some time. However, the conferees encourage new and existing participants to work closely with the DOD and DOT to address the Departments' operational requirements that are not adequately addressed by the current fleet.

Section 3531 would establish four categories of eligibility for program participation: (1) vessels owned and operated by persons who are citizens of the United States, as described under section 2 of the Shipping Act, 1916 (46 U.S.C. 802); (2) vessels owned by section 2 citizens or U.S. citizens' trusts, and chartered to a documentation citizen; (3) vessels owned and operated by a defense contractor; and (4) vessels owned by a documentation citizen, but chartered to a section 2 citizen. The provision would impose additional requirements for corporate management and control of the demise charterer for categories (2) and (3). In the case of category (3), the provision would also impose a requirement for a special security agreement.

Finally, section 3531 would establish priorities for the award of new agreements.

(1) The first priority for up to five agreements or slots would be accorded to section 2 citizens who own and operate new tank vessels constructed in the United States. The conferees note that the lack of U.S.-flag tankers for transporting jet fuel posed a serious risk to U.S. resupply operations in Iraq. The establishment of a new priority for U.S.-built, -owned, and -operated tankers is a first step in alleviating this serious shortfall. During Operation Iraqi Freedom, the United States chartered 26 double hulled product tankers for the supply effort, however, only one was a documented U.S.-flag vessel. While this group of vessels was able to support our forces during Operation Iraqi Freedom, the fact that only one was operated by a U.S.-flag carrier raises concerns about the level of support for future operations.

(2) The second priority for the award of new operating agreements would be accorded to the 47 vessels that are participating in the current program. Additional latitude would be granted on the age restrictions to allow for replacement of older vessels with newer, more militarily useful vessels.

(3) The third priority would be reserved for vessels that are owned and operated by section 2 citizens, or owned by documentation citizens and operated by section 2 citizens.

Section 3535 would require the Comptroller General of the United States to conduct a study to determine the potential effects of increasing or decreasing the current 7,500 ton limitation on the carriage of bulk food aid cargo by maritime security program participants, and to examine whether the limitation should apply to bagged cargo, as well as bulk cargo.

Section 3541 would establish a new national defense tank vessel construction assistance program. This program would provide financial assistance to U.S. citizen owners in the form of a direct payment for up to 75 percent of the actual vessel construction, but in no case more than \$50.0 million per vessel. The provision would:

(1) Establish size restrictions to ensure that these double hulled vessels would be competitive in the commercial market and would meet the petroleum transportation needs of the DOD in time of war or other national emergency;

(2) Grant vessel owners a priority for loan guarantees and would make them eligible to use funds in their capital construction fund accounts for building these vessels; and

(3) Give vessel owners priority for the award of an operating agreement under the new maritime security program.

The conferees believe that this construction assistance program would reduce the need for reliance on foreign-flag product tankers.

#### LEGISLATIVE PROVISIONS NOT ADOPTED

##### *Authority to convey National Defense Reserve Fleet vessels and vessel contents*

The House bill contained a provision (sec. 3543) that would authorize the Secretary of Transportation to convey the right, title, and interest of the U.S. Government to certain obsolete National Defense Reserve Fleet (NDRF) vessels for use as moored support ships and as memorials.

The Senate amendment contained no similar provision.

The House recedes.

The conferees agree to provide the Secretary with the general and permanent authority to transfer obsolete NDRF vessels without specific statutory authority for each transfer, as provided elsewhere in this conference report. The conferees expect that the Secretary would quickly develop procedures to allow for the efficient and safe transfer of these obsolete vessels to deserving not-for-profit corporations, appropriate states, or commonwealths.

## TITLE XXXVI—NUCLEAR SECURITY INITIATIVE

*Short title (sec. 3601)*

The House bill contained a provision (sec. 3601) that would name this title the “Nuclear Security Initiative Act of 2003.”

The Senate amendment contained no similar provision.

The Senate recedes.

Subtitle A—Administration and Oversight of Threat Reduction and Nonproliferation Programs

*Management assessment of Department of Defense and Department of Energy threat reduction and nonproliferation programs (sec. 3611)*

The House bill contained a provision (sec. 3621) that would require the National Academy of Sciences to carry out an analysis of the effect on threat reduction and nonproliferation programs of applicable congressional oversight measures.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the General Accounting Office to carry out an assessment of the management of the Department of Defense and Department of Energy threat reduction and nonproliferation programs.

Subtitle B—Relations Between the United States and Russia

*Comprehensive inventory of Russian tactical nuclear weapons (sec. 3621)*

The House bill contained a provision (sec. 3631) that would urge the United States to work with the Russian Federation to develop comprehensive inventories of Russian highly enriched uranium, weapons-grade plutonium, and assembled warheads, with special attention to be focused on tactical warheads and warheads that are no longer operationally deployed. The provision would require the President to submit to the Congress an annual report describing progress that has been made toward creating an inventory and exchanging the information.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would urge the United States to work with the Russian Federation to develop a comprehensive inventory of Russian tactical nuclear weapons. The provision would require the President to submit to the Congress a report describing the progress that has been made toward creating such an inventory.

*Establishment of interparliamentary threat reduction working group (sec. 3622)*

The House bill contained a provision (sec. 3632) that would establish a Duma-Congress nuclear threat reduction working group. The purpose of the working group would be to explore means to enhance cooperation between the United States and the Russian Federation with respect to nuclear proliferation and security, and other issues related to reducing nuclear weapons dangers.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would broaden the working group to include participants from the Russian Federation Council as well as the Russian Duma, and would broaden the focus of the working group to include all types of weapons of mass destruction.

The conferees recommend that this working group coordinate its activities with the Library of Congress Open World Program. The conferees further recommend that the number of Russian participants in the working group be roughly equal to the number of U.S. participants.

*Sense of Congress on cooperation by United States and NATO with Russia on ballistic missile defenses (sec. 3623)*

The House bill contained a provision (sec. 3633) that would establish as national policy that: (1) the United States should take the lead, in conjunction with the North Atlantic Treaty Organization (NATO), in arranging appropriate cooperative relationships with the Russian Federation with respect to development and deployment of theater-level ballistic missile defenses; (2) such cooperation should promote a new bilateral strategic framework consisting of transparency and confidence between and improve security of the two countries. The provision would also require the President to submit a report to Congress, no later than a year after the enactment of this Act, on the feasibility of increasing cooperation with the Russian Federation on theater-level missile defenses.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would express the sense of Congress that the President, in conjunction with NATO, should encourage appropriate cooperative relationships with the Russian Federation in the development and deployment of ballistic missile defenses. The amendment would also require the Secretary of Defense to submit a report to the Armed Services Committees of the Senate and House of Representatives not later than one year after the date of enactment of this Act, on the feasibility of increasing ballistic missile defense cooperation with the Russian Federation.

The conferees believe that missile defense cooperation with the Russian Federation could improve the U.S. relationship with Russia by enhancing transparency and confidence between the two nations. The conferees also believe that such cooperation would accurately reflect a new bilateral relationship between the United States and Russia based on openness, common interests, and mutual trust, rather than the Cold War construct of mutual assured destruction.

*Sense of Congress on enhanced collaboration to achieve more reliable Russian early warning systems (sec. 3624)*

The House bill contained a provision (sec. 3634) that would make certain findings and establish as national policy that the President should: (1) encourage joint United States-Russian programs to improve Russian ballistic missile early-warning systems, including the Russian-American Observation Satellite (RAMOS) program and (2) encourage other joint programs to assure that the Russian Federation has reliable information regarding ballistic

missile launches. It would also require the Secretary of Defense to ensure that, pending a new agreement between the United States and the Russian Federation, sufficient funds are appropriated for the RAMOS program for its satisfactory continuation during fiscal years 2004 and 2005.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would express the sense of Congress that the United States should, consistent with U.S. national security interests: (1) encourage joint efforts by the United States and the Russian Federation to improve Russian ballistic missile early warning systems; (2) encourage other U.S.-Russian programs to ensure that the Russian Federation has reliable information concerning ballistic missile launches; and (3) ensure that funds appropriated for RAMOS Program are used to provide for the satisfactory continuation of RAMOS.

#### Subtitle C—Other Matters

*Promotion of discussions on nuclear and radiological security and safety between the International Atomic Energy Agency and the Organization for Economic Cooperation and Development (sec. 3631)*

The House bill contained a provision (sec. 3641) that would express the sense of the Congress that the United States should seek to initiate discussions between the International Atomic Energy Agency and the Organization for Economic Cooperation and Development for the purpose of exploring issues of nuclear and radiological security and safety, including the creation of new sources of revenue (including debt reduction) for states to provide nuclear security. The provision would require the President to submit to the Congress a report on the efforts made by the United States to initiate such discussions and on the results of such discussions.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment that would require the President to submit a report to the Congress on the results of the discussions only if efforts to have such discussions have been made.

#### LEGISLATIVE PROVISIONS NOT ADOPTED

*Annual report on the use of funds appropriated for threat reduction and nonproliferation in states of the former Soviet Union*

The House bill contained a provision (sec. 3622) that would require the Secretary of Energy, in consultation with the Secretary of Defense, to submit an annual report on the use of funds appropriated for threat reduction and nonproliferation programs in the Russian Federation and the other independent states of the former Soviet Union.

The Senate amendment contained no similar provision.

The House recedes.

*Establishment of International Nuclear Materials Protection and Cooperation Program in Department of State*

The House bill contained a provision (sec. 3611) that would authorize the Secretary of State to establish an international nuclear

materials protection and cooperation program with respect to countries other than the Russian Federation and the other independent states of the former Soviet Union.

The Senate amendment contained no similar provision.

The House recesses.

*Nonproliferation fellowships*

The House bill contained a provision (sec. 3636) that would authorize the Administrator for Nuclear Security to carry out a program under which the Administrator awards, to scientists employed at the Kurchatov Institute of the Russian Federation and the Lawrence Livermore National Laboratory, international exchange fellowships, to be known as Teller-Kurchatov Fellowships, in the nuclear nonproliferation sciences. The purpose of the program would be to provide opportunities for advancement in the field of nuclear nonproliferation to scientists who, as demonstrated by their academic or professional achievements, show particular promise of making significant contributions in that field.

The Senate amendment contained no similar provision.

The House recesses.

The conferees recommend that the Secretary of Energy assess the feasibility and advisability of initiating a reciprocal nonproliferation fellowship program that would provide the opportunity for an employee of a U.S. national laboratory, and an employee of a Russian nuclear institute or nuclear laboratory, to study and work at a comparable institute or laboratory in the other country focusing on nuclear nonproliferation sciences.

*Plan for and coordination of chemical and biological weapons nonproliferation programs with states of the former Soviet Union*

The House bill contained a provision (sec. 3623) that would require the President to develop with the President of the Russian Federation a comprehensive plan to: account for, secure and destroy all chemical and biological weapons and the materials designed for use in such weapons that are located in Russia and the independent states of the former Soviet Union; and prevent the outflow from those states of the technology and scientific expertise that could be used for developing such weapons or their means of delivery.

The Senate amendment contained no similar provision.

The House recesses.

*Teller-Kurchatov Alliance for Peace*

The House bill contained a provision (sec. 3635) that would urge the Secretary of Energy to enter into an agreement with the Minister of Atomic Energy of the Russian Federation to carry out a cooperative venture, to be known as the Teller-Kurchatov Alliance for Peace, to develop and promote peaceful, safe, and environmentally sensitive uses of nuclear energy.

The Senate amendment contained no similar provision.

The House recesses.

From the Committee on Armed Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

DUNCAN HUNTER,  
 CURT WELDON,  
 JIM SAXTON,  
 JOHN M. MCHUGH,  
 TERRY EVERETT,  
 ROSCOE BARTLETT,  
 HOWARD "BUCK" MCKEON,  
 MAC THORNBERRY,  
 JOHN HOSTETTLER,  
 WALTER B. JONES,  
 JIM RYUN,  
 JIM GIBBONS,  
 ROBIN HAYES,  
 HEATHER WILSON,  
 KEN CALVERT,  
 IKE SKELTON,  
 SOLOMON P. ORTIZ,  
 LANE EVANS,  
 NEIL ABERCROMBIE,  
 SILVESTRE REYES,

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X:

PORTER J. GOSS,  
 PETE HOEKSTRA,  
 JANE HARMAN,

From the Committee on Agriculture, for consideration of secs. 1057 and 2822 of the House bill, and modifications committed to conference:

BOB GOODLATTE,  
 FRANK D. LUCAS,  
 CHARLES W. STENHOLM,

From the Committee on Education and the Workforce, for consideration of secs. 544, 553, 563, 567, 907, 1046, 1501, 1502, and 1504–1506 of the House bill, and secs. 233, 351, 352, 368, 701, 1034, and 1036 of the Senate amendment, and modifications committed to conference:

MICHAEL N. CASTLE,  
 JOHN KLINE,

From the Committee on Energy and Commerce, for consideration of secs. 601, 3113, 3201, and 3517 of the House bill, and secs. 601, 701, 852, 3151, and 3201 of the Senate amendment, and modifications committed to conference:

BILLY TAUZIN,  
 JOE BARTON,

From the Committee on Financial Services, for consideration of secs. 814 and 907 of the House bill, and modifications committed to conference:

MICHAEL G. OXLEY,  
 PETER T. KING,

From the Committee on Government Reform, for consideration of secs. 315, 323, 551, 805, 822, 824, 828, 829, 1031, 1046, 1050, 1057, Title XI, Title XIV, secs. 2825 and 2826 of the House bill, and secs. 326, 801, 811, 813, 822, 831–

833, 841, 852, 853, 1013, 1035, 1102–1104, and 2824–2826 of the Senate amendment, and modifications committed to conference:

TOM DAVIS,  
CHRISTOPHER SHAYS,  
JO ANN DAVIS,  
ADAM H. PUTNAM,  
MICHAEL R. TURNER,

From the Select Committee on Homeland Security, for consideration of sec. 1456 of the House bill, and modifications committed to conference:

CHRISTOPHER COX,  
JOHN SHADEGG,  
BENNIE G. THOMPSON,

From the Committee on House Administration, for consideration of sec. 564 of the Senate amendment, and modifications committed to conference:

ROBERT W. NEY,  
JOHN L. MICA,  
JOHN B. LARSON,

From the Committee on International Relations, for consideration of secs. 1047, 1201, 1202, 1209, Title XIII, secs. 3601, 3611, 3631, 3632, and 3634–3636 of the House bill, and secs. 323, 343, 921, 1201, 1202, 1204, 1205, 1207, 1208, Title XIII, and sec. 3141 of the Senate amendment, and modifications committed to conference:

HENRY HYDE,  
DOUG BEREUTER,

From the Committee on the Judiciary, for consideration of secs. 661–665 and 851–853 of the Senate amendment, and modifications committed to conference:

JAMES F. SENSENBRENNER, Jr.,  
LAMAR SMITH,

From the Committee on Resources, for consideration of secs. 311, 317–319, 601, and 1057 of the House bill, and secs. 322, 330, and 601 of the Senate amendment, and modifications committed to conference:

RICHARD POMBO,  
DENNY REHBERG,

From the Committee on Science, for consideration of secs. 852 and 911 of the Senate amendment, and modifications committed to conference:

SHERWOOD BOEHLERT,  
NICK SMITH,  
RALPH M. HALL,

From the Committee on Transportation and Infrastructure, for consideration of secs. 312, 601, 907, 1049, 1051, and 2824 of the House bill, and secs. 324, 601, and 2821 of the Senate amendment, and modifications committed to conference:

DON YOUNG,  
THOMAS PETRI,  
BRAD CARSON,

From the Committee on Veterans Affairs, for consideration of sec. 565 of the House bill, and secs. 644 and 707 of the Senate amendment, and modifications committed to conference:

CHRISTOPHER H. SMITH,  
MIKE BILIRAKIS,

From the Committee on Ways and Means, for consideration of sec. 701 of the Senate amendment, and modifications committed to conference:

WILLIAM THOMAS,  
JIM McCRERY,

*Managers on the Part of the House.*

JOHN W. WARNER,  
JOHN McCAIN,  
JAMES INHOFE,  
PAT ROBERTS,  
WAYNE ALLARD,  
JEFF SESSIONS,  
SUSAN COLLINS,  
JOHN ENSIGN,  
JAMES TALENT,  
SAXBY CHAMBLISS,  
LINDSEY GRAHAM,  
ELIZABETH DOLE,  
JOHN CORNYN,  
E. BENJAMIN NELSON,  
MARK PRYOR,

*Managers on the Part of the Senate.*

