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U.S. House of Representatives
 Committee on Commerce
 Room 2125, Rayburn House Office Building
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JAMES F. DERDERIAN, CHIEF OF STAFF

SUPPORT STATES' RIGHTS & PROTECT THE ENVIRONMENT

OPPOSE THE DOE REORGANIZATION IN S. 1059

Dear Colleague:

I want to alert you to a very dangerous provision buried within the Department of Defense Authorization conference report that would allow the nation's largest polluter --the Department of Energy weapons complex-- to police itself and escape oversight by the federal government or the states. This ill-conceived language was not in either the House or Senate bill, but rather added over Democratic and Republican objections by Republican leadership without a single vote.

Title XXXII of S.1059 establishes a new National Nuclear Security Administration to manage DOE's weapons programs. This provision threatens to gut 20 years of progress made by Congress and the Bush and Clinton Administrations in protecting DOE workers and the communities that host these facilities.

Recent stories in the *Washington Post* detailing the years of deadly mismanagement of radioactive materials and illegal dumping of radioactive waste at the DOE facilities in Paducah, Kentucky are only the most recent reminder of the way things were managed without oversight. Sadly, this is a story we've heard too often before in Colorado, Washington, Ohio, South Carolina, Texas and other states that are home to DOE facilities. This is the toxic legacy of the last time that an independent --and ultimately unaccountable-- agency managed these facilities. **That's why our nation's governors and 46 state attorneys general sent letters to the Congress and the Administration urging that the DOE reorganization provisions be removed from the bill and re-written with input from the states that would have to bear the burden of cleaning up the new pollution.**

This provision has been opposed by a broad coalition including:

**The National Governors Association
 The National Association of Attorneys General
 The Natural Resources Defense Council
 Physicians for Social Responsibility**

In fact, many Democratic and Republican conferees --including members of the House and Senate Armed Services Committees, the House Science Committee and the House Commerce Committee-- formally objected to including this dangerous language in the bill. It is also opposed by the Secretary of Energy. They understand that there's no need to trade one threat to our nation's environment, safety and health for another.

I intend to offer a motion to recommit to strike this objectionable language and allow this conference report to proceed without threat of a veto.

Sincerely,



JOHN D. DINGELL
 RANKING MEMBER