

# DEPARTMENT OF ENERGY

## NATIONAL NUCLEAR SECURITY ADMINISTRATION

### Federal Funds

#### OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, including official reception and representation expenses not to exceed \$12,000, **[\$439,190,000]** *\$420,754,000*, to remain available until expended: *Provided*, That, of the amount appropriated in this paragraph, \$23,311,750 shall be used for the projects specified in the table that appears under the heading "Congressionally Directed Office of the Administrator (NNSA) Projects" in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act)]. (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

#### Program and Financing (in millions of dollars)

Identification code 89-0313-0-1-053	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Office of the Administrator .....	397	427	431
00.10 Congressionally Directed Projects .....	23	23	23
10.00 Total new obligations .....	397	450	431
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	15	21	10
22.00 New budget authority (gross) .....	402	439	421
22.10 Resources available from recoveries of prior year obligations .....	1	1	1
23.90 Total budgetary resources available for obligation .....	418	460	431
23.95 Total new obligations .....	-397	-450	-431
24.40 Unobligated balance carried forward, end of year .....	21	10	10
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	406	439	421
40.35 Appropriation permanently reduced .....	-4	-4	-4
43.00 Appropriation (total discretionary) .....	402	439	421
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	95	118	91
73.10 Total new obligations .....	397	450	431
73.20 Total outlays (gross) .....	-372	-477	-448
73.40 Adjustments in expired accounts (net) .....	-1	-1	-1
73.45 Recoveries of prior year obligations .....	-1	-1	-1
74.40 Obligated balance, end of year .....	118	91	74
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	297	362	347
86.93 Outlays from discretionary balances .....	73	115	101
86.98 Outlays from mandatory balances .....	2	2	2
87.00 Total outlays (gross) .....	372	477	448
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	402	439	421
90.00 Outlays .....	372	477	448

*Office of the Administrator.*—This account provides the Federal salaries and other expenses of the Administrator's direct staff for Weapons Activities and Defense Nuclear Nonproliferation, and Federal employees at the NNSA Service Center and site offices. Program Direction for Naval Reactors remains within that program's account, and program direction for Secure Transportation Asset remains in Weapons Activities. The Office of the Administrator creates a well-managed, inclusive, responsive, and accountable organization through the strategic management of human capital, enhanced cost-effective utilization of information technology, and greater integration of budget and performance data.

#### Object Classification (in millions of dollars)

Identification code 89-0313-0-1-053	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
Personnel compensation:			
11.1 Full-time permanent .....	191	191	205
11.3 Other than full-time permanent .....	3	5	5
11.5 Other personnel compensation .....	9	7	7
11.8 Special personal services payments .....	1	1	1
11.9 Total personnel compensation .....	204	203	217
12.1 Civilian personnel benefits .....	52	52	52
13.0 Benefits for former personnel .....	3	3	3
21.0 Travel and transportation of persons .....	15	15	15
23.1 Rental payments to GSA .....	4	4	4
23.3 Communications, utilities, and miscellaneous charges .....	3	7	7
25.1 Advisory and assistance services .....	21	40	30
25.2 Other services .....	36	60	50
25.3 Other purchases of goods and services from Government accounts .....	28	29	31
25.4 Operation and maintenance of facilities .....	8	9	9
25.5 Research and development contracts .....	1	1	1
26.0 Supplies and materials .....	2	2	2
32.0 Land and structures .....	2	2	2
41.0 Grants, subsidies, and contributions .....	26	25	10
99.9 Total new obligations .....	397	450	431

#### Employment Summary

Identification code 89-0313-0-1-053	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	1,794	1,942	1,970

#### NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, **[\$828,054,000]** *\$1,003,133,000*, to remain available until expended. (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

#### Program and Financing (in millions of dollars)

Identification code 89-0314-0-1-053	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Naval reactors .....	743	799	966
00.02 Program direction .....	33	34	37
10.00 Total new obligations .....	776	833	1,003
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	6	5	5
22.00 New budget authority (gross) .....	775	828	1,003
23.90 Total budgetary resources available for obligation .....	781	833	1,003
23.95 Total new obligations .....	-776	-833	-1,003
24.40 Unobligated balance carried forward, end of year .....	5	5	5
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	782	828	1,003
40.35 Appropriation permanently reduced .....	-7	-7	-7
43.00 Appropriation (total discretionary) .....	775	828	1,003
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	205	189	189
73.10 Total new obligations .....	776	833	1,003
73.20 Total outlays (gross) .....	-792	-833	-975

NAVAL REACTORS—Continued  
Program and Financing —Continued

Identification code 89-0314-0-1-053	2008 actual	2009 est.	2010 est.
74.40 Obligated balance, end of year .....	189	189	217
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	597	704	853
86.93 Outlays from discretionary balances .....	195	129	122
87.00 Total outlays (gross) .....	792	833	975
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	775	828	1,003
90.00 Outlays .....	792	833	975

*Naval Reactors.*—Responsible for all naval nuclear propulsion work, beginning with reactor technology development, continuing through reactor operation, and ending with reactor plant disposal. The Program ensures the safe and reliable operation of reactor plants in nuclear-powered submarines and aircraft carriers (constituting 40 percent of the Navy's combatants), and fulfills the Navy's requirements for new nuclear propulsion plants that meet current and future national defense requirements.

Due to the crucial nature of nuclear reactor work, Naval Reactors is a centrally managed organization. Federal employees oversee and set policies/procedures for developing new reactor plants and operating existing nuclear plants and the facilities that support these plants.

Object Classification (in millions of dollars)

Identification code 89-0314-0-1-053	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
11.1 Personnel compensation: Full-time permanent .....	21	22	23
12.1 Civilian personnel benefits .....	5	6	6
21.0 Travel and transportation of persons .....	3	2	2
25.2 Other services .....	3	2	2
25.3 Other purchases of goods and services from Government accounts .....	2	1	1
25.4 Operation and maintenance of facilities .....	693	735	904
31.0 Equipment .....	17	32	32
32.0 Land and structures .....	31	32	32
41.0 Grants, subsidies, and contributions .....	1	1	1
99.9 Total new obligations .....	776	833	1,003

Employment Summary

Identification code 89-0314-0-1-053	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	191	209	215

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, the purchase of not to exceed [two passenger motor vehicles, and] one ambulance; [ \$6,380,000,000 ] \$6,384,431,000, to remain available until expended [ : Provided, That \$19,300,000 is authorized to be appropriated for the 09—D—007 LANSCE Refurbishment, PED, Los Alamos National Laboratory, Los Alamos, New Mexico: Provided further, That, of the amount appropriated in this paragraph, \$22,836,000 shall be used for projects specified in the table that appears under the heading "Congressionally Directed Weapons Activities Projects" in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) ] .

(Energy and Water Development and Related Agencies Appropriations Act, 2009.)

Program and Financing (in millions of dollars)

Identification code 89-0240-0-1-053	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Directed stockpile work .....	1,402	1,600	1,515
00.02 Campaigns .....	1,869	1,626	1,430
00.03 Readiness in technical base and facilities .....	1,620	1,684	1,866
00.04 Secure transportation asset .....	209	217	235
00.05 Nuclear weapons incident response .....	159	216	222
00.06 Facilities and infrastructure recapitalization .....	174	149	155
00.07 Safeguards and security .....	858	873	872
00.09 Site Stewardship .....	.....	.....	89
00.10 Environmental projects and operations .....	17	39	.....
00.20 Congressionally directed activity .....	47	23	.....
01.00 Total, direct program .....	6,355	6,427	6,384
09.01 Reimbursable program .....	1,863	2,500	1,900
10.00 Total new obligations .....	8,218	8,927	8,284
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	165	47	.....
22.00 New budget authority (gross) .....	8,094	8,880	8,284
22.10 Resources available from recoveries of prior year obligations .....	1	.....	.....
22.22 Unobligated balance transferred from other accounts .....	5	.....	.....
23.90 Total budgetary resources available for obligation .....	8,265	8,927	8,284
23.95 Total new obligations .....	-8,218	-8,927	-8,284
24.40 Unobligated balance carried forward, end of year .....	47	.....	.....

New budget authority (gross), detail:

<b>Discretionary:</b>			
40.00 Appropriation .....	6,356	6,380	6,384
40.35 Appropriation permanently reduced .....	-58	.....	.....
43.00 Appropriation (total discretionary) .....	6,298	6,380	6,384
<b>Spending authority from offsetting collections:</b>			
58.00 Offsetting collections (cash) .....	2,295	2,500	1,900
58.10 Change in uncollected customer payments from Federal sources (unexpired) .....	-499	.....	.....
58.90 Spending authority from offsetting collections (total discretionary) .....	1,796	2,500	1,900
70.00 Total new budget authority (gross) .....	8,094	8,880	8,284

Change in obligated balances:

72.40 Obligated balance, start of year .....	2,449	2,826	2,809
73.10 Total new obligations .....	8,218	8,927	8,284
73.20 Total outlays (gross) .....	-8,339	-8,944	-9,302
73.45 Recoveries of prior year obligations .....	-1	.....	.....
74.00 Change in uncollected customer payments from Federal sources (unexpired) .....	499	.....	.....
74.40 Obligated balance, end of year .....	2,826	2,809	1,791

Outlays (gross), detail:

86.90 Outlays from new discretionary authority .....	4,139	5,522	5,195
86.93 Outlays from discretionary balances .....	4,200	3,422	4,107
87.00 Total outlays (gross) .....	8,339	8,944	9,302

Offsets:

<b>Against gross budget authority and outlays:</b>			
<b>Offsetting collections (cash) from:</b>			
88.00 Federal sources .....	-2,204	-2,400	-1,810
88.40 Non-Federal sources .....	-91	-100	-90
88.90 Total, offsetting collections (cash) .....	-2,295	-2,500	-1,900
<b>Against gross budget authority only:</b>			
88.95 Change in uncollected customer payments from Federal sources (unexpired) .....	499	.....	.....

Net budget authority and outlays:

89.00 Budget authority .....	6,298	6,380	6,384
90.00 Outlays .....	6,044	6,444	7,402

Weapons Activities provides for the maintenance and refurbishment of nuclear weapons to sustain confidence in their safety, reliability, and performance; expansion of scientific, engineering, and manufacturing capabilities to enable certification of the en-

during nuclear weapons stockpile; and manufacture of nuclear weapon components under a comprehensive test ban. Weapons Activities also provides for continued maintenance and investment in the Department's enterprise of nuclear stewardship, including the evolution of the Nuclear Weapons Complex, to be more responsive and cost effective. Complex transformation will be realized through a combination of ongoing activities that will lead to the elimination of expensive and unneeded redundancies and ensure improvements in efficiency. The Department also supports the capability to return to underground testing, if so directed by the President. The major elements of the program include the following:

**Directed Stockpile Work.**—Encompasses all activities that directly support specific weapons in the stockpile. These activities include: maintenance and day-to-day care; planned refurbishment; reliability assessment; weapon dismantlement and disposal; and research, development, and certification technology efforts to meet stockpile requirements.

**Campaigns.**—Focuses on scientific, technical, and engineering efforts to develop and maintain critical capabilities and tools needed to support stockpile refurbishment and continued assessment and certification of the stockpile for the long-term in the absence of underground nuclear testing.

**Readiness in Technical Base and Facilities.**—Provides the underlying physical infrastructure and operational readiness for the Directed Stockpile Work and Campaign activities. These activities include ensuring that facilities are operational, safe, secure, and compliant with regulatory requirements, and that a defined level of readiness is sustained at facilities funded by the Office of Defense Programs.

**Secure Transportation Asset.**—Provides for the safe, secure movement of nuclear weapons, special nuclear material, and weapon components to meet projected DOE and DoD requirements. The Program Direction in this account provides for the Federal agents and the transportation workforce.

**Nuclear Counterterrorism Incident Response.**—Formerly the Nuclear Weapons Incident Response, manages strategically placed people and equipment to provide a technically trained response to nuclear or radiological incidents worldwide, mitigates nuclear or radiological threats, and has a lead role in defending the Nation from the threat of nuclear terrorism.

**Facilities and Infrastructure Recapitalization.**—Continues its mission to restore the physical infrastructure of the national security enterprise. The program funding is utilized to address an integrated, prioritized series of repair and infrastructure projects focusing on elimination of legacy deferred maintenance that significantly increase the operational efficiency and effectiveness of the NNSA national security enterprise sites. The program is scheduled to conclude in 2013.

**Site Stewardship.**—Ensures environmentally compliant and energy efficient operations throughout the nuclear weapons complex, while modernizing, streamlining and sustaining the stewardship and vitality of the sites as they are transitioned within NNSA's plans for Complex Transformation. This program includes Environmental Projects & Operations, Long-Term Stewardship (LTS), Nuclear Materials Integration, Stewardship Planning and Site Stewardship Line Item Construction Projects.

**Defense Nuclear Security.**—Provides protection for NNSA personnel, facilities, and nuclear weapons and information from a full spectrum of threats, most notably terrorism. Provides for all safeguards and security requirements including protective forces and systems (except for personnel security investigations) at NNSA landlord sites, specifically the Lawrence Livermore National Laboratory, Los Alamos National Laboratory, Sandia Na-

tional Laboratories, the Nevada Test Site, Kansas City Plant, Pantex Plant, Y-12 National Security Complex, and the Savannah River Site Tritium Facilities.

**Cyber Security.**—Provides the requisite guidance needed to ensure that sufficient information technology and information management security safeguards are implemented throughout the NNSA complex. The vision of the NNSA Cyber Security Program is to transform the NNSA security posture by making strategic investments in people, operations, and technology.

**Object Classification** (in millions of dollars)

Identification code 89-0240-0-1-053	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	36	35	35
11.5 Other personnel compensation .....	15	14	14
11.9 Total personnel compensation .....	51	49	49
12.1 Civilian personnel benefits .....	14	21	21
13.0 Benefits for former personnel .....		1	1
21.0 Travel and transportation of persons .....	7	5	5
23.1 Rental payments to GSA .....	1		
23.3 Communications, utilities, and miscellaneous charges .....	1	2	2
25.1 Advisory and assistance services .....	59	45	45
25.2 Other services .....	366	270	270
25.3 Other purchases of goods and services from Government accounts .....	1	12	12
25.4 Operation and maintenance of facilities .....	4,987	4,792	4,749
25.5 Research and development contracts .....	87	80	80
25.7 Operation and maintenance of equipment .....		6	6
26.0 Supplies and materials .....	10	11	11
31.0 Equipment .....	174	271	271
32.0 Land and structures .....	550	807	807
41.0 Grants, subsidies, and contributions .....	46	55	55
99.0 Direct obligations .....	6,354	6,427	6,384
99.0 Reimbursable obligations .....	1,864	2,500	1,900
99.9 Total new obligations .....	8,218	8,927	8,284

**Employment Summary**

Identification code 89-0240-0-1-053	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	544	647	667

**DEFENSE NUCLEAR NONPROLIFERATION**

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one passenger motor vehicle for replacement only, **[\$1,482,350,000] \$2,136,709,000**, to remain available until expended: **Provided**, That, of the amount appropriated in this paragraph, \$1,903,000 shall be used for projects specified under the heading "Congressionally Directed Defense Nuclear Nonproliferation Projects" in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act). (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

**Program and Financing** (in millions of dollars)

Identification code 89-0309-0-1-053	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
01.01 Nonproliferation and verification research and development .....	377	364	297
01.02 Nonproliferation and international security .....	150	150	207
01.03 International nuclear materials protection and cooperation .....	623	400	592
01.04 Elimination of weapons-grade plutonium production .....	170	151	25
01.05 Fissile materials disposition .....	168	41	702
01.06 Global threat reduction initiatives .....	192	395	314

**DEFENSE NUCLEAR NONPROLIFERATION—Continued**  
**Program and Financing —Continued**

Identification code 89-0309-0-1-053	2008 actual	2009 est.	2010 est.
01.07 Int'l nuclear fuel bank .....	50		
01.10 Congressionally directed projects .....	6	2	
02.00 Subtotal, obligations by program activity .....	1,736	1,503	2,137
09.01 Global threat reduction initiative, contributions .....	7		
09.09 Subtotal, contributions .....	7		
10.00 Total new obligations .....	1,743	1,503	2,137
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	428	21	
22.00 New budget authority (gross) .....	1,336	1,482	2,137
23.90 Total budgetary resources available for obligation .....	1,764	1,503	2,137
23.95 Total new obligations .....	-1,743	-1,503	-2,137
24.40 Unobligated balance carried forward, end of year .....	21		
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	1,673	1,493	2,137
40.35 Appropriation permanently reduced .....	-15		
40.36 Unobligated balance permanently reduced (P.L. 110-161) .....	-322		
40.36 Unobligated balance permanently reduced (P.L. 111-08) .....		-11	
41.00 Transferred to other accounts .....	-7		
43.00 Appropriation (total discretionary) .....	1,329	1,482	2,137
58.00 Spending authority from offsetting collections: Offsetting collections (cash) .....	7		
70.00 Total new budget authority (gross) .....	1,336	1,482	2,137
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	1,708	1,699	1,305
73.10 Total new obligations .....	1,743	1,503	2,137
73.20 Total outlays (gross) .....	-1,752	-1,897	-2,216
74.40 Obligated balance, end of year .....	1,699	1,305	1,226
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	587	815	1,175
86.93 Outlays from discretionary balances .....	1,165	1,082	1,041
87.00 Total outlays (gross) .....	1,752	1,897	2,216
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.45 Offsetting collections (cash) from: Offsetting governmental collections (from non-Federal sources) .....	-7		
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	1,329	1,482	2,137
90.00 Outlays .....	1,745	1,897	2,216

**Summary of Budget Authority and Outlays (in millions of dollars)**

	2008 actual	2009 est.	2010 est.
Enacted/requested:			
Budget Authority .....	1,329	1,482	2,137
Outlays .....	1,745	1,897	2,216
Supplemental proposal:			
Budget Authority .....		90	
Outlays .....		50	27
Total:			
Budget Authority .....	1,329	1,572	2,137
Outlays .....	1,745	1,947	2,243

The mission of this program is to: 1) prevent the spread of materials, technology, and expertise relating to weapons of mass destruction; 2) advance the technologies to detect the proliferation of weapons of mass destruction (WMD) worldwide; 3) and eliminate or secure inventories of surplus materials and infrastructure usable for nuclear weapons. The program addresses the danger that hostile nations or terrorist groups may acquire WMD or weapons-usable material, dual-use production technology or

weapons of mass destruction expertise. The major elements of the program include the following:

*Nonproliferation and Verification Research and Development.*—This program reduces the threat to national security posed by nuclear weapons proliferation/detonation or the illicit trafficking of nuclear materials through the long-term development of new and novel technology. Using the unique facilities and scientific skills of NNSA and Department of Energy (DOE) national laboratories and plants, in partnership with industry and academia the program conducts long-term research and development leading to prototype demonstrations and detection systems for nonproliferation mission requirements strengthening U.S. capabilities to respond to current and projected threats to national and homeland security posed by the proliferation of nuclear weapons and diversion of special nuclear material. The program interfaces directly with NNSA and other DOE programs, as well as other U.S. Government agencies, to provide innovative tools, techniques, technologies, and capabilities to meet their nonproliferation, counter-proliferation, and counter-terrorism mission requirements.

*Nonproliferation and International Security.*—The Nonproliferation and International Security (NIS) mission is to prevent and counter weapons of mass destruction (WMD) proliferation by states and non-state actors. The program provides policy and technical support to address the entire proliferation spectrum to deny countries the opportunities to overtly acquire the materials, technology, and expertise necessary to develop WMD programs. The program works to strengthen nonproliferation treaties, regimes, and international institutions; expand the reach of the nonproliferation regime by enhancing foreign compliance with nonproliferation norms and obligations; and eliminate proliferation programs and stockpiles of WMD materials thereby reducing the threat of WMD terrorism. Specific activities include implementing and monitoring transparent WMD reductions; strengthening indigenous international safeguards and export controls systems in other countries; transitioning WMD expertise and infrastructure to peaceful purposes; realizing the nonproliferation opportunities associated with the global expansion of nuclear energy; improving associated international safeguards, export control, and interdiction regimes; serving as the technical edge within the interagency for various interdiction activities; and developing and implementing transparency measures to ensure that nuclear materials are secure.

*International Nuclear Materials Protection and Cooperation.*—Prevents nuclear terrorism by working in Russia and other regions of concern to 1) secure and eliminate vulnerable nuclear weapons and weapons-usable materials, and 2) install detection equipment at international crossing points and Megaports to prevent and detect the illicit transfer of nuclear material. The program continues to improve the security of nuclear material and nuclear warheads in Russia and other countries of proliferation concern by installing Material, Protection, Control and Accounting (MPC&A) upgrades and providing sustainability support to sites with previously installed MPC&A upgrades. Reducing the potential for diversion of nuclear warheads and nuclear materials has been a critical priority for the United States. The United States, through DOE/NNSA's Second Line of Defense Program, will continue to work with international partners to enhance their capabilities to detect, deter, and interdict illicit trafficking in nuclear and other radioactive materials, including the screening of containerized cargo at strategic international seaports.

*Elimination of Weapons-Grade Plutonium Production.*—Enhances nuclear nonproliferation by assisting Russia in ceasing

its production of weapons-grade plutonium by providing replacement power production capacity. This will result in the shutdown of the world's last three plutonium producing reactors, and eliminate the production of 1.2 metric tons of plutonium per year.

**Fissile Materials Disposition.**—The program goal is to eliminate the surplus Russian plutonium and surplus United States (U.S.) plutonium and highly enriched uranium. The program conducts activities in both the U.S. and Russia to dispose of fissile materials that would pose a threat to the U.S. if acquired by hostile nations or terrorist groups. The program focuses U.S. efforts to accomplish the Plutonium Management and Disposition Agreement between the United States and Russia, which commits both countries to dispose of 34 metric tons of surplus weapons-grade plutonium and separate efforts to down blend surplus U.S. highly enriched uranium.

**Global Threat Reduction Initiative (GTRI).**—The Global Threat Reduction Initiative (GTRI) mission is to reduce and protect vulnerable nuclear and radiological materials located at civilian sites worldwide. Through the GTRI, the Department works with Russia and works or plans to work in over 100 other countries worldwide to reduce and protect vulnerable nuclear and radiological material located at civilian sites worldwide that could be used to make a crude nuclear bomb or radiological "dirty bomb." GTRI has three goals - convert, remove, protect - that provide a comprehensive approach to achieving its mission and denying terrorist access to nuclear and radiological materials:

**Convert.**—Convert research reactors from the use of highly enriched uranium (HEU) to low enriched uranium; this results in permanent threat reduction because the minimization, and to the extent possible, the elimination of HEU in civilian applications means one less source of bomb material.

**Remove.**—Remove or dispose of excess nuclear and radiological material; this results in permanent threat reduction because each kilogram or curie of this dangerous material that is removed reduces the risk that a terrorist bomb will go off.

**Protect.**—Protect at-risk nuclear and radiological materials from theft and sabotage; this results in threat reduction by rapidly upgrading the physical security at vulnerable sites until a permanent threat reduction solution can be implemented.

**Object Classification** (in millions of dollars)

Identification code 89-0309-0-1-053	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
25.1 Advisory and assistance services .....	113	26	26
25.2 Other services .....	342	196	196
25.3 Other purchases of goods and services from Government accounts .....	2	2	2
25.4 Operation and maintenance of facilities .....	1,050	1,073	1,207
25.5 Research and development contracts .....	8	12	12
31.0 Equipment .....	55	48	48
32.0 Land and structures .....	139	134	634
41.0 Grants, subsidies, and contributions .....	28	12	12
99.0 Direct obligations .....	1,737	1,503	2,137
99.0 Reimbursable obligations .....	6		
99.9 Total new obligations .....	1,743	1,503	2,137

**CERRO GRANDE FIRE ACTIVITIES**

**Program and Financing** (in millions of dollars)

Identification code 89-0312-0-1-053	2008 actual	2009 est.	2010 est.
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	13	10	5
73.20 Total outlays (gross) .....	-3	-5	-5

74.40 Obligated balance, end of year .....	10	5	
<b>Outlays (gross), detail:</b>			
86.93 Outlays from discretionary balances .....	3	5	5
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....			
90.00 Outlays .....	3	5	5

**Cerro Grande Fire Activities.**—Emergency funding was provided in 2000 and 2001 for restoration activities at the Los Alamos National Laboratory in New Mexico after the Cerro Grande Fire in May 2000.

**PAJARITO PLATEAU HOMESTEADERS COMPENSATION FUND**

**Program and Financing** (in millions of dollars)

Identification code 89-5520-0-2-054	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Direct program activity .....	1		
10.00 Total new obligations (object class 25.2) .....	1		
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	1		
23.95 Total new obligations .....	-1		
24.40 Unobligated balance carried forward, end of year .....			
<b>Change in obligated balances:</b>			
73.10 Total new obligations .....	1		
73.20 Total outlays (gross) .....	-1		
74.40 Obligated balance, end of year .....			
<b>Outlays (gross), detail:</b>			
86.98 Outlays from mandatory balances .....	1		
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....			
90.00 Outlays .....	1		
<b>Memorandum (non-add) entries:</b>			
92.01 Total investments, start of year: Federal securities: Par value .....			

The Pajarito Plateau Homesteaders Compensation Fund is dedicated to the settlement of two lawsuits in the United States District Court for the District of New Mexico. This fund was authorized by Section 3147 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005, (P.L. 108-375) to pay claims for the Pajarito Plateau homesteaders pertaining to acquisition of their lands and property during the Manhattan Project.

**ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES**

**Federal Funds**

**DEFENSE ENVIRONMENTAL CLEANUP**

(INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed four ambulances and three passenger motor vehicles for replacement only, **[\$5,657,250,000] \$5,495,831,000**, to remain available until expended,

## DEFENSE ENVIRONMENTAL CLEANUP—Continued

of which *not more than* \$463,000,000 shall be transferred to the "Uranium Enrichment Decontamination and Decommissioning Fund" [ *Provided*, That, of the amount appropriated in this paragraph, \$17,908,391 shall be used for projects specified in the table that appears under the heading "Congressionally Directed Defense Environmental Cleanup Projects" in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) ]. (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

## Program and Financing (in millions of dollars)

Identification code 89-0251-0-1-053	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Closure sites .....	42	46	42
00.02 Hanford site .....	905	973	903
00.04 River protection, tank farm activities .....	293	320	408
00.05 River protection, waste treatment plant .....	753	690	690
00.06 Idaho .....	517	476	406
00.07 NNSA sites .....	322	322	277
00.08 Oak Ridge .....	195	263	154
00.09 Savannah River Site .....	1,135	1,227	1,210
00.12 Waste Isolation Pilot Plant .....	235	231	220
00.13 Program support .....	35	36	34
00.14 Safeguards and security .....	259	260	279
00.15 Technology development and deployment .....	22	34	55
00.16 Program direction .....	302	329	355
00.17 D&D fund contribution .....	459	463	463
00.19 Congressionally Directed Activities .....	17	18	.....
00.91 Direct Program by Activities - Subtotal .....	5,491	5,688	5,496
02.01 Recovery Act Projects .....	.....	4,102	1,025
10.00 Total new obligations .....	5,491	9,790	6,521
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	103	31	1,025
22.00 New budget authority (gross) .....	5,412	10,784	5,496
22.10 Resources available from recoveries of prior year obligations .....	7	.....	.....
23.90 Total budgetary resources available for obligation .....	5,522	10,815	6,521
23.95 Total new obligations .....	-5,491	-9,790	-6,521
24.40 Unobligated balance carried forward, end of year .....	31	1,025	.....
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	5,461	5,657	5,496
40.01 Appropriation, Recovery Act .....	.....	5,127	.....
40.35 Appropriation permanently reduced .....	-49	.....	.....
41.00 Transferred to other accounts .....	-1	.....	.....
43.00 Appropriation (total discretionary) .....	5,411	10,784	5,496
58.00 Spending authority from offsetting collections: Offsetting collections (cash) .....	1	.....	.....
70.00 Total new budget authority (gross) .....	5,412	10,784	5,496
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	2,075	1,916	5,428
73.10 Total new obligations .....	5,491	9,790	6,521
73.20 Total outlays (gross) .....	-5,644	-6,278	-7,103
73.32 Obligated balance transferred from other accounts .....	1	.....	.....
73.45 Recoveries of prior year obligations .....	-7	.....	.....
74.40 Obligated balance, end of year .....	1,916	5,428	4,846
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	4,041	4,612	3,986
86.93 Outlays from discretionary balances .....	1,603	1,666	3,117
87.00 Total outlays (gross) .....	5,644	6,278	7,103
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.40 Offsetting collections (cash) from: Non-Federal sources .....	-1	.....	.....
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	5,411	10,784	5,496
90.00 Outlays .....	5,643	6,278	7,103

The Defense Environmental Cleanup program is responsible for identifying and reducing risks and managing waste at sites where the Department carried out defense-related nuclear research and production activities that resulted in radioactive, hazardous, and mixed waste contamination requiring remediation, stabilization, or some other type of cleanup action. The budget displays the cleanup program by site.

**Closure Sites.**—Funds the Miamisburg (Mound) site nearing cleanup completion and transfer to a private sector entity. Also, funds post-closure administration costs after physical completion.

**Hanford Site.**—Funds the Hanford site cleanup and environmental restoration to protect the Columbia River. The Hanford site cleanup is managed by two Environmental Management (EM) site offices: the Richland Operations Office and the Office of River Protection.

The Hanford site (Richland) is responsible for cleanup of most of the geographic area on the Hanford site, and its projects are displayed in two accounts: projects to be completed by 2012 and projects to be completed before 2035. The primary cleanup focus is the safe storage, treatment and disposal of Hanford's legacy wastes and environmental restoration. Risk to the public, workers, and the environment will be reduced by removing contamination before it migrates to the Columbia River.

The Office of River Protection at the Hanford site is responsible for the storage, retrieval, treatment, immobilization, and disposal of tank waste and the operation, maintenance, engineering, and construction activities in the 200 Area Tank Farms. Its budget has two components, the operation and maintenance of radioactive liquid waste tank farms and construction of the Waste Treatment and Immobilization Plant.

**Idaho.**—Funds the Idaho Cleanup Project, which is aimed at reducing the risk of contamination reaching the Snake River Plain Aquifer from nuclear and hazardous waste buried or stored on-site. It also funds efforts to eliminate infrastructure costs by aggressively conducting cleanup operations to reduce the site "footprint"; stabilize legacy spent nuclear fuel through 2012; and treat and dispose of the sodium bearing tank wastes, close tank farms, perform initial tank soils remediation work as well as preparation of the stored high-level waste calcine for final disposition.

**NNSA Sites.**—Funds the safe and efficient cleanup of the environmental legacy at National Nuclear Security Administration sites including Los Alamos National Laboratory, Nevada Site, and the Separations Process Research Unit, as well as non-defense activities at Los Alamos and Idaho. The cleanup strategy is a risk-based approach that focuses first on those contaminant plumes and sources that are the greatest contributors to risk. The overall goal is to ensure that risks to the public and workers are controlled, followed by work to clean up soil and groundwater using a risk-based methodology. NNSA is responsible for long-term stewardship of its sites after physical cleanup is completed.

**Oak Ridge.**—Funds defense-related cleanup of the three facilities that make up the Oak Ridge Reservation: the East Tennessee Technology Park, the Oak Ridge National Laboratory, and the Y-12 Plant. The overall cleanup strategy is based on surface water considerations, encompassing five distinct watersheds that feed the Clinch River. Cleanup actions will ensure that waste is contained; on-site surface water quality is improved to meet required standards; and off-site users of the Clinch River remain protected.

**Savannah River Site.**—Funds the safe stabilization, treatment, and disposition of legacy nuclear materials, spent nuclear fuel, and waste at the Savannah River site. The cleanup funding is displayed in three accounts: projects to be completed before 2035, projects related to Nuclear Material Stabilization and Disposition,

and projects related to the Radioactive Liquid Waste Tank Farms, including Defense Waste Processing Facility operations. The Savannah River cleanup strategy has four primary objectives: 1) eliminate the highest risks first through safe stabilization, treatment, and disposition of EM-owned nuclear materials, spent nuclear fuel, and waste; 2) significantly reduce costs of continuing operations and surveillance and maintenance; 3) decommission all EM-owned facilities; and 4) remediate groundwater and contaminated soils, using an area closure approach.

**Waste Isolation Pilot Plant.**—Funds the world's first permitted deep geologic repository for the permanent disposal of radioactive waste, and the Nation's only disposal site for defense-generated transuranic waste. The Waste Isolation Pilot Plant, managed by the Carlsbad Field Office, is an operating facility, supporting the cleanup of transuranic waste from waste generator and storage sites. The Waste Isolation Pilot Plant is crucial to DOE completing its cleanup and closure mission.

**Program Direction.**—Funds the Federal workforce responsible for the overall direction and administrative support of the EM program, including both Headquarters and field personnel.

**Program Support.**—Funds EM Headquarters policy and oversight activities. This includes management and direction for various crosscutting EM and Department of Energy initiatives; establishment and implementation of national and departmental policy; and analyses and integration activities across the Department of Energy complex in a consistent, responsible and efficient manner.

**Safeguards and Security.**—Funds activities to ensure protection against unauthorized access, theft, diversion, loss of custody or destruction of Department of Energy assets and hostile acts that may cause adverse impacts on fundamental national security or the health and safety of Department of Energy and contractor employees, the public or the environment.

**Technology Development and Deployment.**—Funds projects to address the immediate, near- and long-term technology needs identified by the EM sites, enabling them to accelerate their cleanup schedules, treat orphaned wastes, improve worker safety, and provide technical foundations for the sites' end state visions.

**Federal Contribution to the Uranium Enrichment Decontamination and Decommissioning Fund.**—Funds the Federal Government's contribution to the Uranium Enrichment Decontamination and Decommissioning Fund.

**Object Classification** (in millions of dollars)

Identification code 89-0251-0-1-053	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	144	176	181
11.3 Other than full-time permanent .....	3	5	5
11.5 Other personnel compensation .....	8	12	14
11.9 Total personnel compensation .....	155	193	200
12.1 Civilian personnel benefits .....	42	75	49
13.0 Benefits for former personnel .....	2	2	2
21.0 Travel and transportation of persons .....	9	16	11
22.0 Transportation of things .....	1	2	2
23.1 Rental payments to GSA .....	5	9	6
23.3 Communications, utilities, and miscellaneous charges .....	5	9	6
25.1 Advisory and assistance services .....	526	938	618
25.2 Other services .....	687	1,229	805
25.3 Other purchases of goods and services from Government accounts .....	28	50	33
25.4 Operation and maintenance of facilities .....	2,963	5,310	3,497
25.5 Research and development contracts .....	1	2	2
26.0 Supplies and materials .....	6	10	7
31.0 Equipment .....	2	4	5
32.0 Land and structures .....	975	1,793	1,181
41.0 Grants, subsidies, and contributions .....	83	148	97
99.0 Direct obligations .....	5,490	9,790	6,521

99.0 Reimbursable obligations .....	1		
99.9 Total new obligations .....	5,491	9,790	6,521

**Employment Summary**

Identification code 89-0251-0-1-053	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	1,419	1,505	1,674

**DEFENSE ENVIRONMENTAL SERVICES**

**Program and Financing** (in millions of dollars)

Identification code 89-0249-0-1-053	2008 actual	2009 est.	2010 est.
<b>Change in obligated balances:</b>			
73.20 Total outlays (gross) .....	1		
73.31 Obligated balance transferred to other accounts .....	-1		
<b>Outlays (gross), detail:</b>			
86.93 Outlays from discretionary balances .....	-1		
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....			
90.00 Outlays .....	-1		

The Environmental Management budget was restructured in 2006. Activities funded in 2005 and prior years are now funded in the Defense Environmental Cleanup appropriation.

**OTHER DEFENSE ACTIVITIES**

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed **[10] 12** passenger motor vehicles for replacement only, **[\$1,314,063,000] \$852,468,000**, to remain available until expended: **Provided**, That of the funds provided herein, \$487,008,000 is for project 99—D—143 Mixed Oxide Fuel Fabrication Facility, Savannah River Site, South Carolina: **Provided further**, That the Department of Energy adhere strictly to Department of Energy Order 413.3A for Project 99—D—143: **Provided further**, That, of the amount appropriated in this paragraph, \$999,075 shall be used for projects specified in the table that appears under the heading "Congressionally Directed Other Defense Activities Projects" in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act). **(Energy and Water Development and Related Agencies Appropriations Act, 2009.)**

**Program and Financing** (in millions of dollars)

Identification code 89-0243-0-1-999	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.10 Health, safety and security .....	429	450	450
00.45 Legacy management .....	167	196	190
00.55 Defense related administrative support .....	103	117	123
00.60 Mixed oxide fuel fabrication facility .....		487	
00.65 Defense activities at INL .....	73	79	83
00.75 Hearings and appeals .....	4	8	6
00.85 Congressionally directed projects .....		1	
01.00 Subtotal, direct program obligations .....	776	1,338	852
09.01 Reimbursable program .....	1,056	2,010	2,010
09.99 Subtotal, reimbursable program .....	1,056	2,010	2,010
10.00 Total new obligations .....	1,832	3,348	2,862

OTHER DEFENSE ACTIVITIES—Continued  
Program and Financing —Continued

Identification code 89-0243-0-1-999	2008 actual	2009 est.	2010 est.
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	43	24	.....
22.00 New budget authority (gross) .....	1,814	3,324	2,862
22.10 Resources available from recoveries of prior year obligations ....	3	.....	.....
22.21 Unobligated balance transferred to other accounts .....	-5	.....	.....
22.22 Unobligated balance transferred from other accounts .....	1	.....	.....
23.90 Total budgetary resources available for obligation .....	1,856	3,348	2,862
23.95 Total new obligations .....	-1,832	-3,348	-2,862
24.40 Unobligated balance carried forward, end of year .....	24	.....	.....
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	761	827	852
40.00 Appropriation (Mixed Oxide Fuel Fabrication Facility) .....	.....	487	.....
40.35 Appropriation permanently reduced .....	-7	.....	.....
43.00 Appropriation (total discretionary) .....	754	1,314	852
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash) .....	334	2,010	2,010
58.10 Change in uncollected customer payments from Federal sources (unexpired) .....	726	.....	.....
58.90 Spending authority from offsetting collections (total discretionary) .....	1,060	2,010	2,010
70.00 Total new budget authority (gross) .....	1,814	3,324	2,862
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	408	280	500
73.10 Total new obligations .....	1,832	3,348	2,862
73.20 Total outlays (gross) .....	-1,231	-3,128	-2,997
73.45 Recoveries of prior year obligations .....	-3	.....	.....
74.00 Change in uncollected customer payments from Federal sources (unexpired) .....	-726	.....	.....
74.40 Obligated balance, end of year .....	280	500	365
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	891	2,864	2,564
86.93 Outlays from discretionary balances .....	340	264	433
87.00 Total outlays (gross) .....	1,231	3,128	2,997
<b>Offsets:</b>			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources .....	-310	-2,010	-2,010
88.40 Non-Federal sources .....	-24	.....	.....
88.90 Total, offsetting collections (cash) .....	-334	-2,010	-2,010
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired) .....	-726	.....	.....
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	754	1,314	852
90.00 Outlays .....	897	1,118	987

**Health, Safety and Security.**—The Office of Health, Safety and Security (HSS) provides corporate-level leadership and management to protect the health, safety, and security of the Department's workers, the public, and the environment. HSS functions include: policy and guidance development and technical assistance; analysis of environment, safety, health, and security performance; domestic and international health studies; medical screening programs for former workers; employee compensation support; quality assurance programs; safety and security professional development and training; interface with the Defense Nuclear Facilities Safety Board; deployment of advanced security technologies; national security information programs; provide security for the Department's facilities and personnel in the National Capital Area; independent oversight of security, cyber security, emergency management, environment, safety and health

performance; and implementation of safety and security enforcement programs.

**Office of Legacy Management.**—The programs support long-term stewardship activities (e.g., groundwater monitoring, disposal cell maintenance, records management, and management of natural resources) at sites where active remediation has been completed. In addition, Legacy Management is responsible for the management and administration of pension and benefit continuity for contractor retirees at these sites.

**All Other.**—Obligations are included for defense-related administrative support, defense-related activities at Idaho National Laboratory, and the Office of Hearings and Appeals. The Office of Hearings and Appeals adjudicates personnel security cases, complaints of reprisals by contractor employees for "whistleblowing," and is the appeal authority in various other areas. The Office also decides requests for exception from DOE orders, rules, and regulations. Finally, the Office is responsible for the DOE civil rights functions, including the processing of EEO and Title VI/Title IX complaints, oversight to ensure that DOE financial assistance is not being used in a discriminatory way, as well as coordinating the employee concerns program activities performed by Federal officials.

Object Classification (in millions of dollars)

Identification code 89-0243-0-1-999	2008 actual	2009 est.	2010 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent .....	78	78	82
11.3 Other than full-time permanent .....	1	1	1
11.5 Other personnel compensation .....	3	3	3
11.8 Special personal services payments .....	1	1	1
11.9 Total personnel compensation .....	83	83	87
12.1 Civilian personnel benefits .....	19	19	21
13.0 Benefits for former personnel .....	1	1	1
21.0 Travel and transportation of persons .....	5	5	5
25.1 Advisory and assistance services .....	27	27	29
25.2 Other services .....	243	244	266
25.3 Other purchases of goods and services from Government accounts .....	28	28	31
25.4 Operation and maintenance of facilities .....	329	403	367
26.0 Supplies and materials .....	9	9	11
31.0 Equipment .....	2	2	2
32.0 Land and structures .....	3	490	3
41.0 Grants, subsidies, and contributions .....	27	27	29
99.0 Direct obligations .....	776	1,338	852
99.0 Reimbursable obligations .....	1,056	2,010	2,010
99.9 Total new obligations .....	1,832	3,348	2,862

Employment Summary

Identification code 89-0243-0-1-999	2008 actual	2009 est.	2010 est.
Direct:			
1001 Civilian full-time equivalent employment .....	700	689	689

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97-425, as amended, including the acquisition of real property or facility construction or expansion, **[\$143,000,000]** \$98,400,000, to remain available until expended. (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

Program and Financing (in millions of dollars)

Identification code 89-0244-0-1-053	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Repository Program .....	199	143	98



10.00	Total new obligations .....	199	143	98
<b>Budgetary resources available for obligation:</b>				
22.00	New budget authority (gross) .....	199	143	98
23.95	Total new obligations .....	-199	-143	-98
<b>New budget authority (gross), detail:</b>				
Discretionary:				
40.00	Appropriation .....	201	143	98
40.35	Appropriation permanently reduced .....	-2		
43.00	Appropriation (total discretionary) .....	199	143	98
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	46	20	36
73.10	Total new obligations .....	199	143	98
73.20	Total outlays (gross) .....	-225	-127	-110
74.40	Obligated balance, end of year .....	20	36	24
<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	185	107	74
86.93	Outlays from discretionary balances .....	40	20	36
87.00	Total outlays (gross) .....	225	127	110
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	199	143	98
90.00	Outlays .....	225	127	110

The Defense Nuclear Waste Disposal appropriation was established by the Congress as part of the 1993 Energy and Water Development Appropriation (P.L. 102-377), in lieu of payment from the Department of Energy (DOE) into the Nuclear Waste Fund for activities related to the disposal of defense high-level waste from DOE's atomic energy defense activities. The program's cost estimates reflect DOE's best projections, given the scope of work identified and planned schedule of required activities.

**Object Classification** (in millions of dollars)

Identification code 89-0244-0-1-053	2008 actual	2009 est.	2010 est.	
Direct obligations:				
25.1	Advisory and assistance services .....	4	4	3
25.2	Other services(service contracts) .....	3	3	2
25.4	Operation and maintenance of facilities .....	192	136	93
99.9	Total new obligations .....	199	143	98

**ENERGY PROGRAMS**

*Federal Funds*

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed [ 49 ] 50 passenger motor vehicles for replacement only, including one law enforcement vehicle, [one ambulance] two ambulances, and three buses, [ \$4,772,636,000 ] \$4,941,682,000, to remain available until expended [ : Provided, That, of the amount appropriated in this paragraph, \$93,686,593 shall be used for projects specified in the table that appears under the heading "Congressionally Directed Science Projects" in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act) ]. (Energy and Water Development and Related Agencies Appropriations Act, 2009.)

[ For an additional amount for "Science", \$62,500,000, to remain available until expended ].

**Program and Financing** (in millions of dollars)

Identification code 89-0222-0-1-251	2008 actual	2009 est.	2010 est.	
<b>Obligations by program activity:</b>				
00.01	High energy physics .....	703	792	819
00.03	Nuclear physics .....	424	511	552
00.05	Biological and environmental research .....	489	600	604
00.06	Basic energy sciences .....	1,253	1,569	1,680
00.07	Advanced scientific computing research .....	342	368	409
00.09	Science laboratory infrastructure .....	67	145	133
00.11	Program direction .....	176	192	214
00.14	Fusion energy sciences .....	295	402	421
00.15	Safeguard and securities .....	70	81	83
00.17	Workforce development for teachers & scientists .....	8	14	21
00.18	Small business innovation research .....	121	6	
00.19	Small business technology transfer .....	15		
00.20	Congressionally Directed Projects .....	117	97	
00.21	Advanced Research Projects Agency-Energy .....		15	
00.91	Direct Program by Activities - Subtotal (1 level) .....	4,080	4,792	4,936
02.01	Recovery Act Projects .....		1,429	171
02.02	Contractor Pension Liabilities (contingency) .....			6
02.91	Direct Program by Activities - Subtotal (1 level) .....		1,429	177
09.01	Reimbursable program .....		700	700
10.00	Total new obligations .....	4,080	6,921	5,813
<b>Budgetary resources available for obligation:</b>				
21.40	Unobligated balance carried forward, start of year .....	14	19	171
22.00	New budget authority (gross) .....	4,083	7,073	5,642
22.10	Resources available from recoveries of prior year obligations ...	2		
23.90	Total budgetary resources available for obligation .....	4,099	7,092	5,813
23.95	Total new obligations .....	-4,080	-6,921	-5,813
24.40	Unobligated balance carried forward, end of year .....	19	171	
<b>New budget authority (gross), detail:</b>				
Discretionary:				
40.00	Appropriation .....	4,118	4,773	4,942
40.01	Appropriation, Recovery Act .....		1,600	
40.35	Appropriation permanently reduced .....	-38		
40.36	Unobligated balance permanently reduced .....	-44		
42.00	Transferred from other accounts .....	47		
43.00	Appropriation (total discretionary) .....	4,083	6,373	4,942
58.00	Spending authority from offsetting collections: Offsetting collections (cash) .....		700	700
70.00	Total new budget authority (gross) .....	4,083	7,073	5,642
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	2,377	2,601	4,061
73.10	Total new obligations .....	4,080	6,921	5,813
73.20	Total outlays (gross) .....	-3,854	-5,461	-6,595
73.45	Recoveries of prior year obligations .....	-2		
74.40	Obligated balance, end of year .....	2,601	4,061	3,279
<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	2,052	3,660	3,566
86.93	Outlays from discretionary balances .....	1,802	1,801	3,029
87.00	Total outlays (gross) .....	3,854	5,461	6,595
<b>Offsets:</b>				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources .....		-560	-560
88.40	Non-Federal sources .....		-140	-140
88.90	Total, offsetting collections (cash) .....		-700	-700
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	4,083	6,373	4,942
90.00	Outlays .....	3,854	4,761	5,895

*High Energy Physics.*—The high energy physics (HEP) program aims to understand how our universe works at its most fundamental level, by discovering the most elementary constituents of matter and energy, probing the interactions between them, and exploring the basic nature of space and time itself. The program encompasses both experimental and theoretical particle

## SCIENCE—Continued

physics research and related advanced accelerator and detector technology research and development (R&D). The primary mode of experimental research involves the study of collisions of energetic particles using large particle accelerators or colliding beam facilities.

In addition to contributing to breakthrough scientific discoveries, HEP research also makes major contributions to accelerator technology and provides the expertise necessary for the expansion of such technology into medicine, industry, and homeland security, as well as materials, biology, and chemistry research using light sources. One notable recent example is the Linac Coherent Light Source, currently under construction at the SLAC National Accelerator Laboratory: the concept and proof-of-principle for this state-of-the-art basic energy sciences facility grew out of particle accelerator technology developed for the HEP program.

The HEP budget request supports a world leadership program at Fermilab (the Tevatron Collider and Neutrinos at the Main Injector [NuMI]) and phase-out activities at the SLAC B-factory, which has completed its scientific mission. Funding is provided for the Large Hadron Collider (LHC) research program, including support for software and computing, pre-operations and maintenance of the U.S. built systems that are part of the LHC detectors; and accelerator commissioning and accelerator physics studies using the LHC. The first beam collisions at LHC are anticipated in the fall of 2009, and HEP is contributing to the first phase of planned upgrades of the accelerator.

While the future trajectory of the worldwide HEP program has an emphasis on the energy frontier, the proposed long-range program will provide the U.S. with a balanced and diverse array of world-leading efforts, including new facilities to ensure continued U.S. leadership at the intensity and cosmic frontiers of exploration, such as intense particle beams to probe rare and subtle particle interactions, or ground and space-based observatories for understanding dark energy and dark matter. Accelerator technology R&D is focused on developing infrastructure and expertise to fabricate and test superconducting radio frequency structures, in view of their potential applicability to many scientific disciplines, and HEP is beginning fabrication of new advanced accelerator R&D facilities to develop new particle acceleration technologies for the future.

*Nuclear Physics.*—The nuclear physics (NP) program provides new insights and advances knowledge on the evolution and structure of nuclear matter. The program focuses on three broad but highly related research frontiers: strong interactions among quarks and gluons (quantum chromodynamics) and how they assemble into the various forms of matter; the structure of atomic nuclei at their limits of existence, and nuclear astrophysics to address the origin of the elements and the evolution of the cosmos; and development of a new Standard Model of fundamental interactions and understanding of its implications for the origin of matter and the properties of neutrinos and nuclei.

NP develops the scientific knowledge, technologies, and trained workforce needed to underpin DOE's applied missions and is inherently relevant to a broad suite of applications that are important to the Nation. The advancement of knowledge of nuclear matter and its properties is intertwined with nuclear power, nuclear medicine, national security, environmental and geological sciences, and isotope production.

The NP request continues support of the Relativistic Heavy Ion Collider at Brookhaven National Laboratory to characterize new states of matter and phenomena that occur in hot, dense nuclear matter; the Continuous Electron Beam Accelerator Facility (CEBAF) at Thomas Jefferson National Facility to understand

the substructure of the nucleon; the Holifield Radioactive Ion Beam Facility at Oak Ridge National Laboratory and the Argonne Tandem Linear Accelerator System at Argonne National Laboratory for the study of nuclear structure and nuclear astrophysics. Construction continues on the 12 GeV CEBAF Upgrade project to double the electron beam energy at CEBAF to 12 giga-electron volts (GeV), which will open the opportunity for new discoveries and an understanding of quark confinement. Research, development, and conceptual design continue for the Facility for Rare Isotope Beams, which will enable a comprehensive description of nuclei, elucidate the origin of the elements in the cosmos and the behavior, of neutron stars, and establish the scientific foundation for innovative applications of nuclear science. The Isotope Development and Production for Research and Applications program develops and produces commercial and research radioisotopes that are provided to medical institutions, universities, research organizations, and industry for a wide array of uses and applications.

*Biological and Environmental Research.*—This program funds research in global climate change, environmental remediation, systemic studies on the biological effects of radiation, structural biology, radiochemistry and instrumentation. The program also supports science related to carbon sequestration. In conjunction with the advanced scientific computing research program, an earth systems modeling application is continued to accelerate progress in coupled general circulation model development through use of enhanced computer simulation and modeling. Genomics science activities will develop the science, technology, and knowledge base to harness microbial and plant systems for cost effective renewable energy production, carbon sequestration, and environmental remediation. The budget continues support for Bioenergy Research Centers, where research focuses on developing the science underpinning biofuel production.

*Basic Energy Sciences.*—The basic energy sciences (BES) program funds basic research in material sciences, chemistry, geosciences, and aspects of biosciences that support the Department's nuclear and non-nuclear technology programs. In many basic research areas, such as materials science, funding provided by the BES program represents a large percentage, or even the sole source, of Federal funding. The request supports hydrogen and fuel cell research as well as basic research for electrical energy storage and an advanced nuclear fuel cycle. The request initiates support for Energy Systems Institutes: large multidisciplinary research group working at the interface between discovery science and time-critical DOE mission requirements in the areas of energy, environment, and climate.

The BES program operates large national user research facilities, including synchrotron light and neutron sources and smaller user facilities such as materials preparation and electron microscopy centers. The request includes continued support to maintain utilization of and provide instrumentation for the Department's large state-of-the-art national user facilities. Funding will maintain the quality of service and availability of facility resources to users, including university and government scientists, as well as private companies who rely on unique BES facilities for their basic research needs. Research areas that will benefit from the facilities funding include structural biology, materials science, superconductor technology, and biomedical research and technology development.

Reflecting the high priority given to nanoscale research, BES funding for the multi-agency national nanotechnology program includes funding for the operation of the Nanoscale Science Research Centers (NSRCs) at the Oak Ridge, Lawrence Berkeley, Brookhaven, and Argonne national laboratories, and for one

NSRC collocated at Sandia and Los Alamos national laboratories. The request also includes construction of the Linac Coherent Light Source at the SLAC National Accelerator Facility and the National Synchrotron Light Source II at Brookhaven National Laboratory.

**Fusion Energy Sciences.**—The fusion energy sciences (FES) program is working to develop a predictive scientific understanding needed to create a sustainable fusion energy source, and expanding the fundamental understanding of matter at very high temperatures and densities to better understand our universe and to enhance national security and economic competitiveness. This is accomplished by studying plasmas under a wide range of temperatures and densities, developing advanced diagnostics to make detailed measurements of their properties, and creating theoretical/computational models to resolve the essential physics.

FES is now moving into the burning plasma regime through its participation in ITER, an international fusion research facility under construction in Cadarache, France, which is designed to achieve and investigate the characteristics of a burning plasma. FES funds the U.S. contributions to the ITER Project in collaboration with the European Union (EU), Japan, Russia, Korea, China, and India. The EU is providing approximately 45% of the cost of building the facility, while the remaining parties will each provide approximately 9%. ITER is an essential next step toward eventually developing fusion as a commercially viable energy source.

The budget also provides for support of basic research in plasma science in partnership with the National Science Foundation, a joint program with the National Nuclear Security Administration on the study of high energy density laboratory plasmas, investigation of innovative confinement concepts, and continued operation of the DIII-D, Alcator C-Mod, and the National Spherical Torus Experiment facilities to develop a fuller understanding of the physics of magnetically confined plasma and to identify approaches that may improve the economical and environmental attractiveness of fusion in the long run. Theory, modeling, and evolving computational methods using high performance computing and enabling technologies research will also be conducted in support of the science experiments.

**Advanced Scientific Computing Research.**—This program supports advanced computational research, applied mathematics, computer science, and networking. The program also supports the operation of large high performance computing and network facilities including leadership computing facilities at the Oak Ridge and Argonne national laboratories, the National Energy Research Scientific Computing Facility at Lawrence Berkeley National Laboratory, and the Energy Science Network. The request includes research, integrated with other science programs, on application of computer simulation and modeling to science problems.

**Science Laboratories Infrastructure.**—The goal of this program is to revitalize and repair the general purpose infrastructure at Office of Science laboratories. The request continues support for the Infrastructure Modernization Initiative to ensure the mission readiness of the Laboratories. Stewardship responsibilities for over 24,000 acres of the Oak Ridge Reservation are also funded here.

**Safeguards and Security.**—The mission of this program is to ensure appropriate levels of protection against: unauthorized access; theft; diversion loss of custody or destruction of DOE assets or hostile acts that may cause adverse impacts on fundamental science, national security, the health and safety of DOE and contractor employees, the public, or the environment. The request provides funding for protective forces, physical security, inform-

ation security, cyber security, personnel security, material control and accountability, and program management activities.

**Workforce Development for Teachers and Scientists.**—This program trains young scientists, engineers, and technicians in the scientifically and technically advanced environment of the Office of Science national laboratories to meet the demand for a well-trained scientific and technical workforce, including the teachers that educate the workforce in areas of science, technology, engineering, and mathematics.

**Program Direction.**—Funds the Office of Science federal headquarters and field workforce, which is responsible for overseeing, managing, directing, administering, and supporting basic energy and science-related research disciplines. Federal staff are responsible for SC-wide oversight, management, operational policy, and technical/administrative support activities in budget and planning; information technology; infrastructure management; construction management; safeguards and security; environment, safety, and health; and general administration.

**Object Classification** (in millions of dollars)

Identification code 89-0222-0-1-251	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	97	101	109
11.3 Other than full-time permanent .....	2	2	2
11.5 Other personnel compensation .....	6	6	6
11.9 Total personnel compensation .....	105	109	117
12.1 Civilian personnel benefits .....	24	25	27
21.0 Travel and transportation of persons .....	4	4	5
23.1 Rental payments to GSA .....	1	1	1
23.3 Communications, utilities, and miscellaneous charges .....	6	6	7
25.1 Advisory and assistance services .....	6	6	6
25.2 Other services .....	85	85	75
25.3 Other purchases of goods and services from Government accounts .....	7	7	11
25.4 Operation and maintenance of facilities .....	2,459	3,984	2,949
25.5 Research and development contracts .....	139	305	193
26.0 Supplies and materials .....	2	2	1
31.0 Equipment .....	240	602	530
32.0 Land and structures .....	225	225	345
41.0 Grants, subsidies, and contributions .....	777	860	846
99.0 Direct obligations .....	4,080	6,221	5,113
99.0 Reimbursable obligations .....	.....	700	700
99.9 Total new obligations .....	4,080	6,921	5,813

**Employment Summary**

Identification code 89-0222-0-1-251	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	971	1,066	1,149

**ENERGY TRANSFORMATION ACCELERATION FUND**

For necessary expenses in carrying out the activities authorized by section 5012 of the America COMPETES Act (Pub. L. No. 110-69), \$10,000,000, to remain available until expended.

**Program and Financing** (in millions of dollars)

Identification code 89-0337-0-1-270	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Program Direction .....	.....	.....	10
10.00 Total new obligations .....	.....	.....	10
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	.....	.....	10
23.95 Total new obligations .....	.....	.....	-10

ENERGY TRANSFORMATION ACCELERATION FUND—Continued  
Program and Financing —Continued

Identification code 89-0337-0-1-270	2008 actual	2009 est.	2010 est.
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00	Appropriation .....		10
<b>Change in obligated balances:</b>			
73.10	Total new obligations .....		10
73.20	Total outlays (gross) .....		-10
<b>Outlays (gross), detail:</b>			
86.90	Outlays from new discretionary authority .....		10
<b>Net budget authority and outlays:</b>			
89.00	Budget authority .....		10
90.00	Outlays .....		10

The Energy Transformation Acceleration Fund provides funding to implement the Advanced Research Projects Agency-Energy (ARPA-E) within the Department of Energy, as established by the America COMPETES Act of 2007 (P.L. 110-69). The mission of ARPA-E is to overcome the long-term and high-risk technological barriers to the development of energy technologies.

ARPA-E will facilitate initiatives to enhance the economic security of the United States through the development of energy technologies that reduce energy imports, improve energy efficiency, and reduce energy-related emissions including greenhouse gases. ARPA-E will identify and promote revolutionary advances in the fundamental sciences, translating scientific discoveries and cutting edge inventions into technological innovations. It will also accelerate transformational technological advances in areas that industry by itself is not likely to undertake because of technical and financial uncertainty. The role of ARPA-E is not to duplicate DOE's basic research and applied programs, but to focus on novel early-stage energy research with possible technology applications.

ARPA-E received its first funding for projects in the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) and also received funding in the Omnibus Appropriations Act, 2009 (P.L. 111-8, Division C) under the Science appropriation, to help establish ARPA-E.

Object Classification (in millions of dollars)

Identification code 89-0337-0-1-270	2008 actual	2009 est.	2010 est.
Direct obligations:			
11.1	Personnel compensation: Full-time permanent .....		2
12.1	Civilian personnel benefits .....		1
23.3	Communications, utilities, and miscellaneous charges .....		1
25.1	Advisory and assistance services .....		6
99.9	Total new obligations .....		10

Employment Summary

Identification code 89-0337-0-1-270	2008 actual	2009 est.	2010 est.
Direct:			
1001	Civilian full-time equivalent employment .....		40

ENERGY TRANSFORMATION ACCELERATION FUND, RECOVERY ACT  
Program and Financing (in millions of dollars)

Identification code 89-0336-0-1-270	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
02.01	Recovery Act Projects .....	1	399
10.00	Total new obligations .....	1	399
<b>Budgetary resources available for obligation:</b>			
21.40	Unobligated balance carried forward, start of year .....		399
22.00	New budget authority (gross) .....	400	
23.90	Total budgetary resources available for obligation .....	400	399
23.95	Total new obligations .....	-1	-399
24.40	Unobligated balance carried forward, end of year .....	399	
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.01	Appropriation, Recovery Act .....	400	
<b>Change in obligated balances:</b>			
72.40	Obligated balance, start of year .....		1
73.10	Total new obligations .....	1	399
73.20	Total outlays (gross) .....		-100
74.40	Obligated balance, end of year .....	1	300
<b>Outlays (gross), detail:</b>			
86.93	Outlays from discretionary balances .....		100
<b>Net budget authority and outlays:</b>			
89.00	Budget authority .....	400	
90.00	Outlays .....		100

Object Classification (in millions of dollars)

Identification code 89-0336-0-1-270	2008 actual	2009 est.	2010 est.
Direct obligations:			
11.1	Personnel compensation: Full-time permanent .....	1	1
25.5	Research and development contracts .....		398
99.9	Total new obligations .....	1	399

Employment Summary

Identification code 89-0336-0-1-270	2008 actual	2009 est.	2010 est.
Direct:			
1001	Civilian full-time equivalent employment .....	8	8

ENERGY SUPPLY AND CONSERVATION

Program and Financing (in millions of dollars)

Identification code 89-0224-0-1-999	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
09.10	Reimbursable program .....	200	
10.00	Total new obligations .....	200	
<b>Budgetary resources available for obligation:</b>			
21.40	Unobligated balance carried forward, start of year .....	165	59
22.00	New budget authority (gross) .....	187	
22.10	Resources available from recoveries of prior year obligations .....	20	
22.21	Unobligated balance transferred to other accounts .....	-113	-7
23.90	Total budgetary resources available for obligation .....	259	52
23.95	Total new obligations .....	-200	
24.40	Unobligated balance carried forward, end of year .....	59	52
<b>New budget authority (gross), detail:</b>			
Discretionary:			
Spending authority from offsetting collections:			
58.00	Offsetting collections (cash) .....	479	

58.10	Change in uncollected customer payments from Federal sources (unexpired) .....	-292		
58.90	Spending authority from offsetting collections (total discretionary) .....	187		
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	1,742	652	365
73.10	Total new obligations .....	200		
73.20	Total outlays (gross) .....	-1,562	-287	-137
73.45	Recoveries of prior year obligations .....	-20		
74.00	Change in uncollected customer payments from Federal sources (unexpired) .....	292		
74.40	Obligated balance, end of year .....	652	365	228
<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	176		
86.93	Outlays from discretionary balances .....	1,386	287	137
87.00	Total outlays (gross) .....	1,562	287	137
<b>Offsets:</b>				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources .....	-382		
88.40	Non-Federal sources .....	-97		
88.90	Total, offsetting collections (cash) .....	-479		
Against gross budget authority only:				
88.95	Change in uncollected customer payments from Federal sources (unexpired) .....	292		
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....			
90.00	Outlays .....	1,083	287	137

In 2008, Congress disaggregated Energy Supply and Conservation into several new program-oriented accounts and appropriated funding accordingly. All activities formerly funded under this account are funded in the new program-oriented accounts, including Nuclear Energy, Energy Efficiency and Renewable Energy, and Electricity Delivery and Energy Reliability.

NUCLEAR ENERGY

(INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed [29] 36 passenger motor vehicles[, including three new buses and 26 replacement vehicles], including one ambulance, [\$792,000,000] all for replacement only, \$761,634,000, to remain available until expended[: Provided, That, of the amount appropriated in this paragraph, \$2,854,500 shall be used for projects specified in the table that appears under the heading "Congressionally Directed Nuclear Energy Projects" in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act)]. (Energy and Water Development and Related Agencies Appropriations Act, 2009.)

Program and Financing (in millions of dollars)

Identification code 89-0319-0-1-999	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01	Integrated University Program .....	5	
00.02	NP2010 .....	134	178
00.03	Generation IV .....	113	179
00.04	Nuclear Hydrogen Initiative .....	10	8
00.05	Fuel Cycle R&D (formerly Advanced Fuel Cycle Initiative) .....	179	144
00.91	Research and Development .....	436	514
02.01	Program direction .....	78	77
02.02	Infrastructure .....	164	210
02.03	Pu-238 Production Restart .....		30

02.08	Contractor Pension Liabilities (contingency) .....			45
02.09	Mixed Oxide Fuel Fabrication Facility .....	279		
02.10	Congressionally directed projects .....		3	
02.91	Other Nuclear Energy Programs .....	521	290	361
03.00	Direct Program by Activities - Subtotal .....	957	804	766
09.01	Reimbursable program .....		250	250
10.00	Total new obligations .....	957	1,054	1,016

<b>Budgetary resources available for obligation:</b>				
21.40	Unobligated balance carried forward, start of year .....		15	4
22.00	New budget authority (gross) .....	961	1,042	1,012
22.22	Unobligated balance transferred from other accounts .....	11	1	
23.90	Total budgetary resources available for obligation .....	972	1,058	1,016
23.95	Total new obligations .....	-957	-1,054	-1,016
24.40	Unobligated balance carried forward, end of year .....	15	4	

<b>New budget authority (gross), detail:</b>				
Discretionary:				
40.00	Appropriation .....	692	792	762
40.00	Appropriation (Mixed Oxide Fuel Fabrication Facility) .....	279		
40.35	Appropriation permanently reduced .....	-9		
41.00	Transferred to other accounts .....	-3		
42.00	Transferred from other accounts .....	2		
43.00	Appropriation (total discretionary) .....	961	792	762
58.00	Spending authority from offsetting collections: Offsetting collections (cash) .....		250	250
70.00	Total new budget authority (gross) .....	961	1,042	1,012

<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....		641	658
73.10	Total new obligations .....	957	1,054	1,016
73.20	Total outlays (gross) .....	-316	-1,037	-1,072
74.40	Obligated balance, end of year .....	641	658	602

<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	314	606	593
86.93	Outlays from discretionary balances .....	2	431	479
87.00	Total outlays (gross) .....	316	1,037	1,072

<b>Offsets:</b>				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources .....		-200	-200
88.40	Non-Federal sources .....		-50	-50
88.90	Total, offsetting collections (cash) .....		-250	-250

<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	961	792	762
90.00	Outlays .....	316	787	822

The Office of Nuclear Energy funds a range of research and development activities and supports the Department's nuclear facilities. The 2010 budget provides funding to conclude the Nuclear Power 2010 program, which is a partnership with private industry to demonstrate key regulatory approval processes. The Budget also supports the Generation IV Nuclear Energy Systems program, through which the United States will participate in multinational research and development projects in support of next generation nuclear reactors. The Budget supports important materials research and modeling activities as well as fuel cycle R&D that will include a range of work on waste storage and management. Funding is also provided to support the Department's nuclear energy infrastructure to enable research and development and ensure operation in a safe, environmentally compliant, and cost-effective manner. It is important to note that the Safeguards and Security for Idaho National Laboratory is funded under the Other Defense Activities appropriation. The Budget also includes funding to start preliminary design and engineering for a domestic capability to produce plutonium-238 for use in radioisotope power systems required for certain Nation-

NUCLEAR ENERGY—Continued

al Aeronautics and Space Administration (NASA) space missions and national security missions.

Object Classification (in millions of dollars)

Identification code 89-0319-0-1-999	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	36	37	39
11.3 Other than full-time permanent .....	1	1	1
11.5 Other personnel compensation .....	2	2	2
11.9 Total personnel compensation .....	39	40	42
12.1 Civilian personnel benefits .....	11	13	14
21.0 Travel and transportation of persons .....	3	2	2
25.1 Advisory and assistance services .....	22	19	18
25.2 Other services .....	77	65	59
25.3 Other purchases of goods and services from Government accounts .....	6	5	5
25.4 Operation and maintenance of facilities .....	358	291	273
25.7 Operation and maintenance of equipment .....	4	3	3
26.0 Supplies and materials .....	1		
31.0 Equipment .....	8	7	7
32.0 Land and structures .....	254	213	203
41.0 Grants, subsidies, and contributions .....	174	146	140
99.0 Direct obligations .....	957	804	766
99.0 Reimbursable obligations .....		250	250
99.9 Total new obligations .....	957	1,054	1,016

Employment Summary

Identification code 89-0319-0-1-999	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	360	411	411

ELECTRICITY DELIVERY AND ENERGY RELIABILITY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for electricity delivery and energy reliability activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, **[\$137,000,000] \$208,008,000**, to remain available until expended: *Provided*, That, of the amount appropriated in this paragraph, \$19,648,475 shall be used for projects specified in the table that appears under the heading "Congressionally Directed Electricity Delivery and Energy Reliability Projects" in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act). (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

Program and Financing (in millions of dollars)

Identification code 89-0318-0-1-999	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Research and Development .....	83	86	174
00.02 Operations and Analysis .....	12	12	13
00.03 Program direction .....	17	23	21
00.04 Congressionally Directed Activities .....	24	20	
00.91 Direct Program by Activities - Subtotal (1 level) .....	136	141	208
02.01 Recovery Act Projects .....		381	4,119
09.01 Reimbursable program .....		20	20
10.00 Total new obligations .....	136	542	4,347
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....		4	4,119
22.00 New budget authority (gross) .....	137	4,657	228
22.22 Unobligated balance transferred from other accounts .....	3		
23.90 Total budgetary resources available for obligation .....	140	4,661	4,347
23.95 Total new obligations .....	-136	-542	-4,347

24.40 Unobligated balance carried forward, end of year .....	4	4,119	
<b>New budget authority (gross), detail:</b>			
<b>Discretionary:</b>			
40.00 Appropriation .....	140	137	208
40.01 Appropriation, Recovery Act .....		4,500	
40.35 Appropriation permanently reduced .....	-1		
41.00 Transferred to other accounts .....	-2		
43.00 Appropriation (total discretionary) .....	137	4,637	208
58.00 Spending authority from offsetting collections: Offsetting collections (cash) .....		20	20
70.00 Total new budget authority (gross) .....	137	4,657	228
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....		85	425
73.10 Total new obligations .....	136	542	4,347
73.20 Total outlays (gross) .....	-51	-202	-2,237
74.40 Obligated balance, end of year .....	85	425	2,535
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	49	148	145
86.93 Outlays from discretionary balances .....	2	54	2,092
87.00 Total outlays (gross) .....	51	202	2,237
<b>Offsets:</b>			
<b>Against gross budget authority and outlays:</b>			
<b>Offsetting collections (cash) from:</b>			
88.00 Federal sources .....		-18	-18
88.40 Non-Federal sources .....		-2	-2
88.90 Total, offsetting collections (cash) .....		-20	-20
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	137	4,637	208
90.00 Outlays .....	51	182	2,217

The mission of the Office of Electricity Delivery and Energy Reliability (OE) is to lead national efforts to modernize the electric grid, enhance security and reliability of the Nation's energy infrastructure, and facilitate recovery from disruptions to the energy supply. This effort is accomplished through research, development, demonstration and technology transfer; implementation of the electricity grid modernization requirements contained in the Energy Policy Act of 2005 (including the congestion study and analysis of potential National Interest Electric Transmission corridors as authorized by Section 1221); technical assistance and analytical support to States and regions for policies, market mechanisms, and activities that facilitate competitive, reliable, environmentally sensitive, and customer-friendly electric markets; authorization for electricity exports and Presidential permits for cross-border transmission lines; energy power systems analysis; and coordinating and carrying out DOE Lead Sector Specific Agency responsibilities for protecting the Nation's critical energy infrastructure. Partnerships to engage industry, utilities, States, other Federal programs and agencies, universities, national laboratories, and other stakeholders in OE's efforts to ensure a more secure, reliable, efficient, and affordable national electricity supply will continue to be a key element of the program.

Object Classification (in millions of dollars)

Identification code 89-0318-0-1-999	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	7	7	7
11.3 Other than full-time permanent .....	1	1	1
11.9 Total personnel compensation .....	8	8	8
12.1 Civilian personnel benefits .....	2	8	2
21.0 Travel and transportation of persons .....	1	4	1
25.1 Advisory and assistance services .....	14	54	88
25.2 Other services .....	6	23	39
25.3 Other purchases of goods and services from Government accounts .....	1	4	1

25.4	Operation and maintenance of facilities .....	55	224	4,039
25.5	Research and development contracts .....	45	182	145
32.0	Land and structures .....	1	4	1
41.0	Grants, subsidies, and contributions .....	3	11	3
99.0	Direct obligations .....	136	522	4,327
99.0	Reimbursable obligations .....		20	20
99.9	Total new obligations .....	136	542	4,347

99.9	Total new obligations .....	34		
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**Employment Summary**

Identification code 89-0318-0-1-999	2008 actual	2009 est.	2010 est.
Direct:			
1001 Civilian full-time equivalent employment .....	70	67	67

**LEGACY MANAGEMENT**

**Program and Financing** (in millions of dollars)

Identification code 89-0320-0-1-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Legacy Management .....	34		
10.00 Total new obligations .....	34		
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....		1	1
22.00 New budget authority (gross) .....	34		
22.22 Unobligated balance transferred from other accounts .....	1		
23.90 Total budgetary resources available for obligation .....	35	1	1
23.95 Total new obligations .....	-34		
24.40 Unobligated balance carried forward, end of year .....	1	1	1
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	34		
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....		23	14
73.10 Total new obligations .....	34		
73.20 Total outlays (gross) .....	-11	-9	-9
74.40 Obligated balance, end of year .....	23	14	5
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	11		
86.93 Outlays from discretionary balances .....		9	9
87.00 Total outlays (gross) .....	11	9	9
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	34		
90.00 Outlays .....	11	9	9

This program supports non-defense related long-term stewardship activities (e.g., groundwater monitoring, disposal cell maintenance, and management of natural resources) at sites where active remediation has been completed. In addition, Legacy Management is responsible for the management and administration of pension and benefit continuity for contractor retirees at these sites. These activities are funded within the Other Defense Activities appropriation beginning in FY 2009.

**Object Classification** (in millions of dollars)

Identification code 89-0320-0-1-271	2008 actual	2009 est.	2010 est.
Direct obligations:			
25.2 Other services .....	33		
41.0 Grants, subsidies, and contributions .....	1		

**ENERGY EFFICIENCY AND RENEWABLE ENERGY**

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, [and the purchase of not to exceed two passenger vehicles for replacement, \$1,928,540,000] \$2,318,602,000, to remain available until expended [; Provided, That, of the amount appropriated in this paragraph, \$228,803,380 shall be used for projects specified in the table that appears under the heading "Congressionally Directed Energy Efficiency and Renewable Energy Projects" in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act)]. (Energy and Water Development and Related Agencies Appropriations Act, 2009.)

[In addition to the amounts otherwise provided by section 101 for "Department of Energy—Energy Programs—Energy Efficiency and Renewable Energy" for weatherization assistance under part A of title IV of the Energy Conservation and Production Act (42 U.S.C. 6861 et seq.), there is appropriated \$250,000,000 for an additional amount for fiscal year 2009, to remain available until expended.]

[The amount provided by this section is designated as an emergency requirement and necessary to meet emergency needs pursuant to section 204(a) of S. Con. Res. 21 (110th Congress) and section 301(b)(2) of S. Con. Res. 70 (110th Congress), the concurrent resolutions on the budget for fiscal years 2008 and 2009.] (Continuing Appropriations Resolution, 2009.)

**Program and Financing** (in millions of dollars)

Identification code 89-0321-0-1-270	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Hydrogen technology .....	206	169	68
00.02 Biomass and biorefinery systems R&D .....	262	230	235
00.03 Solar energy .....	226	175	320
00.04 Wind energy .....	49	55	75
00.05 Geothermal technology .....	22	44	50
00.06 Water power energy .....	10	40	30
00.07 Vehicle technologies .....	209	273	334
00.08 Building technologies .....	108	140	238
00.09 Industrial technologies .....	63	90	100
00.10 Federal energy management program .....	20	22	32
00.11 Facilities and infrastructure .....	15	76	63
00.12 Weatherization and intergovernmental activities .....	291	516	301
00.13 Program direction/support .....	115	146	358
00.14 Congressionally directed projects .....	184	229	
00.15 Education Initiative .....			115
00.91 Direct Program by Activities - Subtotal (1 level) .....	1,780	2,205	2,319
01.00 Total, direct program .....	1,780	2,205	2,319
02.01 Recovery Act Projects .....		15,512	1,288
09.10 Reimbursable program .....	676	508	500
10.00 Total new obligations .....	2,456	18,225	4,107
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....		28	1,288
22.00 New budget authority (gross) .....	2,388	19,479	2,819
22.22 Unobligated balance transferred from other accounts .....	96	6	
23.90 Total budgetary resources available for obligation .....	2,484	19,513	4,107
23.95 Total new obligations .....	-2,456	-18,225	-4,107
24.40 Unobligated balance carried forward, end of year .....	28	1,288	
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	1,739	2,179	2,319
40.01 Appropriation, Recovery Act .....		16,800	
40.35 Appropriation permanently reduced .....	-17		
41.00 Transferred to other accounts .....	-18		
43.00 Appropriation (total discretionary) .....	1,704	18,979	2,319

ENERGY EFFICIENCY AND RENEWABLE ENERGY—Continued  
Program and Financing —Continued

Identification code 89-0321-0-1-270		2008 actual	2009 est.	2010 est.
Spending authority from offsetting collections:				
58.00	Offsetting collections (cash) .....	325	500	500
58.10	Change in uncollected customer payments from Federal sources (unexpired) .....	359		
58.90	Spending authority from offsetting collections (total discretionary) .....	684	500	500
70.00	Total new budget authority (gross) .....	2,388	19,479	2,819
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....		1,288	16,003
73.10	Total new obligations .....	2,456	18,225	4,107
73.20	Total outlays (gross) .....	-809	-3,510	-13,541
74.00	Change in uncollected customer payments from Federal sources (unexpired) .....	-359		
74.40	Obligated balance, end of year .....	1,288	16,003	6,569
<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	812	2,417	1,544
86.93	Outlays from discretionary balances .....	-3	1,093	11,997
87.00	Total outlays (gross) .....	809	3,510	13,541
<b>Offsets:</b>				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources .....	-49	-400	-400
88.40	Non-Federal sources .....	-276	-100	-100
88.90	Total, offsetting collections (cash) .....	-325	-500	-500
Against gross budget authority only:				
88.95	Change in uncollected customer payments from Federal sources (unexpired) .....	-359		
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	1,704	18,979	2,319
90.00	Outlays .....	484	3,010	13,041

Energy Efficiency and Renewable Energy (EERE) programs undertake research, development, demonstration and deployment activities to advance technologies and related practices to help meet the growing global demand for clean, reliable, sustainable, and affordable energy services and to reduce energy consumption. EERE programs include:

**Hydrogen Technology.**—This program aims to reduce petroleum use, greenhouse gas emissions, and criteria air pollutants, and to contribute to a more diverse and efficient energy infrastructure by enabling the widespread commercialization of hydrogen and fuel cell technologies.

**Biomass.**—This program funds research, development, and deployment to validate and assist in commercialization of integrated biorefinery technologies. The program's activities include the development of biomass conversion technologies and environmentally sustainable feedstock production systems. The program's long-term goal is to enable industry to develop commercial biorefineries that can sustainably and economically convert lignocellulosic biomass and algae to fuels, chemical, heat, and power. The program's near-term goal is to help make cellulosic ethanol cost competitive by 2012 using a wide array of regionally available biomass resources and biorefinery pathways.

**Solar Energy.**—The program's main objective is to achieve cost parity for solar electricity by 2015. To achieve this objective, the Photovoltaic subprogram collaborates with several industry-led consortia focusing on lowering costs through manufacturing and efficiency improvements. The Concentrating Solar Power subprogram is developing thermal storage to provide baseload power on demand. Additionally, the Systems Integration and Market Transformation subprograms support cost goals by addressing

grid integration issues and accelerating the deployment of solar through city outreach and workforce development efforts.

**Wind Energy.**—This program develops technology in partnership with industry to improve the reliability and affordability of land-based wind energy systems. The program also supports activities that help reduce barriers to electric grid interconnection, as well as other issues related to technology acceptance in the market. The program supports offshore wind energy development through technology development and characterization as well as through resource assessment.

**Water Power.**—This program conducts research, development, validation testing and deployment of innovative water technologies to accelerate market penetration of cost-effective and environmentally responsible renewable power generation from water. Early priorities of this relatively new program include: cost and resource assessments of the suite of potential marine, hydrokinetic, and advanced hydropower technologies, and environmental studies.

**Vehicle Technologies.**—The program's R&D seeks technology breakthroughs that will enable the U.S. to greatly reduce highway transportation petroleum use and greenhouse gas emissions. Program activities encompass a suite of technologies for hybrid, plug-in hybrid, fuel cell, and advanced efficiency vehicles, including lightweight materials, electronic power controls and electric driven motors, and advanced energy storage devices. This program also supports research to improve the efficiency of advanced combustion engines, using fuels with formulations developed for advanced engines, and incorporating non-petroleum based fuels components. The program also funds community-based outreach via Clean Cities coalitions, competitive awards, and other activities to facilitate the market adoption of alternative fuels and highly efficient automotive technologies.

**Building Technologies.**—In partnership with the buildings industry, the program develops, promotes, and integrates energy technologies and practices to make buildings more efficient and affordable. The Building Technologies Program accelerates the availability of highly efficient building technologies and practices through research and development; increases the minimum efficiency of buildings and equipment through the promotion of model building efficiency codes and the promulgation of national lighting and appliance standards; and encourages the use of energy-efficient and renewable energy technologies and practices in residential and commercial buildings through activities such as the Solar Decathlon, ENERGY STAR partnership with EPA, and the Builders Challenge.

**Industrial Technologies.**—The Industrial Technologies Program supports cost-shared R&D of technologies to reduce industry's energy intensity and carbon emissions. Market transformation and technology development and deployment activities are pursued to accelerate industry's adoption of clean energy technologies that increase energy productivity.

**Federal Energy Management Program.**—This program enables the Federal Government to meet the relevant energy, water, and transportation goals of existing legislation and Executive Orders by providing interagency coordination, technical expertise, training, financing resources and contracting support.

**Facilities and Infrastructure.**—This activity provides funding for the National Renewable Energy Laboratory for general plant projects, maintenance, upgrades, and new facilities in support of EERE's R&D mission.

**Weatherization and Intergovernmental Activities.**—The Weatherization and Intergovernmental Activities program supports clean energy deployment in partnership with State, local, U.S. Territory, and Tribal governments. The State Energy Pro-



gram provides technical and financial resources to States to help them address issues in utility, renewable energy, and building code policies. Funding also supports energy efficiency and renewable energy projects that meet local needs. The Tribal Energy Program supports feasibility assessments and development of implementation plans for clean energy projects on Tribal lands. The Weatherization Assistance Program lowers energy use and costs for low income families by supporting energy efficient home retrofits through state-managed networks of local weatherization providers.

**Object Classification** (in millions of dollars)

Identification code 89-0321-0-1-270	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	49	55	55
11.3 Other than full-time permanent .....	1	3	1
11.5 Other personnel compensation .....	2	3	2
11.9 Total personnel compensation .....	52	61	58
12.1 Civilian personnel benefits .....	14	24	10
21.0 Travel and transportation of persons .....	4	10	3
23.3 Communications, utilities, and miscellaneous charges .....	2	5	1
25.1 Advisory and assistance services .....	85	30	59
25.2 Other services .....	31	175	21
25.3 Other purchases of goods and services from Government accounts .....	12	100	8
25.4 Operation and maintenance of facilities .....	516	650	359
25.5 Research and development contracts .....	138	3,623	2,446
26.0 Supplies and materials .....	1	60	.....
31.0 Equipment .....	38	43	25
32.0 Land and structures .....	65	54	45
41.0 Grants, subsidies, and contributions .....	822	12,882	572
99.0 Direct obligations .....	1,780	17,717	3,607
99.0 Reimbursable obligations .....	676	508	500
99.9 Total new obligations .....	2,456	18,225	4,107

**Employment Summary**

Identification code 89-0321-0-1-270	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	478	517	740
<b>Reimbursable:</b>			
2001 Civilian full-time equivalent employment .....	1	.....	.....

**NON-DEFENSE ENVIRONMENTAL CLEANUP**

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, **[\$261,819,000] \$237,517,000**, to remain available until expended: *Provided*, That the appropriation includes funds for environmental remediation activities associated with the Energy Technology and Engineering Center (ETEC) at the Santa Susana Field Laboratory (SSFL), subject to the following: (1) the Department shall use a portion of this funding to enter into an interagency agreement with the Environmental Protection Agency (EPA) regarding a comprehensive radioactive site characterization of Area IV of the SSFL and (2) the Department shall provide the amount required by EPA for the radioactive site characterization in fiscal year 2009 from within the available funds: *Provided further*, That of the amounts provided, \$5,000,000 is available for necessary expenses for the purpose of carrying out remedial actions under this title at real property in the vicinity of the Tuba City processing site designated in section 102(a)(1), of the Uranium Mill Tailings Radiation Control Act of 1978 (Public Law 95-604, as amended; 42 U.S.C. 7901, et seq.), notwithstanding section 112 of that Act, at a dump site immediately adjacent to the north-northwest section of the Tuba City processing site, and on the north side of Highway 160: *Provided further*, That, of the amount appro-

riated in this paragraph, \$4,757,500 shall be used for projects specified in the table that appears under the heading "Congressionally Directed Non-Defense Environmental Cleanup Projects" in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act). (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

**Program and Financing** (in millions of dollars)

Identification code 89-0315-0-1-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 West Valley demonstration project .....	65	66	58
00.02 Gaseous diffusion plants .....	40	81	105
00.03 Fast flux test facility .....	10	11	8
00.04 Small sites .....	69	101	67
00.06 Congressionally directed activities .....	.....	5	.....
00.91 Direct Program by Activities - Subtotal .....	184	264	238
02.01 Recovery Act Projects .....	.....	386	97
09.01 Reimbursable program .....	.....	75	75
10.00 Total new obligations .....	184	725	410
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	3	2	97
22.00 New budget authority (gross) .....	182	820	313
22.10 Resources available from recoveries of prior year obligations .....	1	.....	.....
23.90 Total budgetary resources available for obligation .....	186	822	410
23.95 Total new obligations .....	-184	-725	-410
24.40 Unobligated balance carried forward, end of year .....	2	97	.....
<b>New budget authority (gross), detail:</b>			
<b>Discretionary:</b>			
40.00 New budget authority (gross), detail .....	184	262	238
40.01 Appropriation, Recovery Act .....	.....	483	.....
40.35 Appropriation permanently reduced .....	-2	.....	.....
43.00 Appropriation (total discretionary) .....	182	745	238
58.00 Spending authority from offsetting collections: Offsetting collections (cash) .....	.....	75	75
70.00 Total new budget authority (gross) .....	182	820	313
<b>Change in obligated balances:</b>			
72.40 Obligated balances, start of year .....	296	170	443
73.10 Total new obligations .....	184	725	410
73.20 Total outlays (gross) .....	-309	-452	-478
73.45 Recoveries of prior year obligations .....	-1	.....	.....
74.40 Obligated balance, end of year .....	170	443	375
<b>Outlays (gross), detail:</b>			
86.90 Outlays (gross), detail .....	83	306	242
86.93 Outlays from discretionary balances .....	226	146	236
87.00 Total outlays (gross) .....	309	452	478
<b>Offsets:</b>			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources .....	.....	-60	-60
88.40 Non-Federal sources .....	.....	-15	-15
88.90 Total, offsetting collections (cash) .....	.....	-75	-75
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	182	745	238
90.00 Outlays .....	309	377	403

The Non-Defense Environmental Cleanup program includes funds to manage and clean up sites used for civilian energy research, and non-defense related activities. Past activities related to nuclear energy research and development resulted in radioactive, hazardous, and mixed waste contamination that requires remediation, stabilization, or some other type of action. The budget displays the cleanup program by site.

**West Valley Demonstration Project.**—Funds waste disposition, building decontamination, removal of non-essential facilities in the near-term, and development of the Decommissioning Envir-

NON-DEFENSE ENVIRONMENTAL CLEANUP—Continued

Environmental Impact Statement. West Valley Demonstration Project plans to achieve interim end state completion in 2012.

**Gaseous Diffusion Plants.**—Funds surveillance and maintenance of the former Uranium Program facilities and manages legacy polychlorinated biphenyl contamination. Also included are the operation of two depleted uranium hexafluoride conversion facilities at Paducah, Kentucky, and Portsmouth, Ohio, to convert the depleted uranium hexafluoride into a more stable form for reuse or disposition.

**Fast Flux Test Facility.**—Funds the long-term surveillance and maintenance and eventual decontamination and decommissioning of the Fast Flux Test Facility, operated from the 1960s through 1980s.

**Small Sites.**—Funds cleanup, closure, and post-closure environmental activities at a number of geographic sites across the Nation, including Brookhaven National Laboratory, Energy Technology Engineering Center, Moab, and the Stanford Linear Accelerator Center. Some sites are associated with other Department of Energy programs, particularly the Office of Science, and will have continuing missions after EM completes the cleanup. Others will transition to the Office of Legacy Management or private sector entities for post-closure activities.

Object Classification (in millions of dollars)

Identification code 89-0315-0-1-271	2008 actual	2009 est.	2010 est.
Direct obligations:			
25.2 Other services .....	124	438	265
25.3 Other purchases of goods and services from Government accounts .....	1	4	1
25.4 Operation and maintenance of facilities .....	30	106	35
32.0 Land and structures .....	29	102	34
99.0 Direct obligations .....	184	650	335
99.0 Reimbursable obligations .....		75	75
99.9 Total new obligations .....	184	725	410

FOSSIL ENERGY RESEARCH AND DEVELOPMENT  
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95-91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), **[\$876,320,000] \$617,565,000**, to remain available until expended, of which \$149,000,000 shall be derived by transfer from "Clean Coal Technology": *Provided*, That **of the amounts provided, \$288,174,000** is available for the Clean Coal Power Initiative Round III solicitation, pursuant to title IV of the Public Law 109-58: *Provided further*, That funds appropriated for prior solicitations under the Clean Coal Technology Program, Power Plant Improvement Initiative, Clean Coal Power Initiative, and FutureGen, but not required by the Department to meet its obligations on projects selected under such solicitations, may be utilized for the Clean Coal Power Initiative, pursuant to title IV of Public Law 109-58, **[Round III solicitation under this Act]** in accordance with the requirements of this Act rather than the Acts under which the funds were appropriated: *Provided further*, That no Clean Coal Power Initiative project may be selected for which full funding is not available to provide for the total project: *Provided further*, That if a Clean Coal Power Initiative project selected after enactment of this legislation for negotiation under this or any other Act in any fiscal year, is not awarded within 2 years from the date the application was selected, negotiations shall cease and the Federal funds committed to the application shall be retained by

the Department for future coal-related research, development and demonstration projects, except that the time limit may be extended at the Secretary's discretion for matters outside the control of the applicant, or if the Secretary determines that extension of the time limit is in the public interest: *Provided further*, That the Secretary may not delegate this responsibility for applications greater than \$10,000,000: *Provided further*, That financial assistance for costs in excess of those estimated as of the date of award of original Clean Coal Power Initiative financial assistance may not be provided in excess of the proportion of costs borne by the Government in the original agreement and shall be limited to 25 percent of the original financial assistance: *Provided further*, That funds shall be expended in accordance with the provisions governing the use of funds contained under the heading "Clean Coal Technology" in 42 U.S.C. 5903d [as well as those contained under the heading "Clean Coal Technology" in prior appropriations]: *Provided further*, That any technology selected under these programs shall be considered a Clean Coal Technology, and any project selected under these programs shall be considered a Clean Coal Technology Project, for the purposes of 42 U.S.C. 7651n, and chapters 51, 52, and 60 of title 40 of the Code of Federal Regulations: *Provided further*, That funds available for the Clean Coal Power Initiative **[Round III Funding Opportunity Announcement]** may be used to support any technology **[that meets the requirements of the Round III Announcement]** relating to carbon capture and storage or **[other]** beneficial uses of CO<sub>2</sub>, without regard to the 70 and 30 percent funding allocations specified in section 402(b)(1)(A) and 402(b)(2)(A) of Public Law 109-58: *Provided further*, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas: *Provided further*, That, of the amount appropriated in this paragraph, \$43,864,150 shall be used for projects specified in the table that appears under the heading "Congressionally Directed Fossil Energy Projects" in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act). (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

Program and Financing (in millions of dollars)

Identification code 89-0213-0-1-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 CCPI .....	2		723
00.02 Futuregen .....	2		58
00.03 Innovations for existing plants .....	36	50	41
00.04 Integrated gasification combined cycle .....	52	65	55
00.05 Turbines .....	24	28	31
00.06 Sequestration .....	116	150	180
00.07 Fuels .....	24	25	15
00.08 Fuel cells .....	54	58	54
00.09 Advanced research .....	37	28	28
00.10 Oil and gas research and development .....	25	25	25
00.11 Program direction - management .....	118	125	125
00.12 Program direction - NETL R&D .....	28	27	33
00.13 Plant and capital equipment .....	13	18	20
00.14 Environmental restoration .....	10	10	10
00.15 Special recruitment program .....	1	1	1
00.16 Cooperative research and development .....	5	5	
00.17 Congressionally directed projects .....	47	44	
00.91 Direct Program by Activities - Subtotal (1 level) .....	594	659	1,399
02.01 Recovery Act Projects .....		248	3,152
09.01 Reimbursable program .....		50	50
10.00 Total new obligations .....	594	957	4,601
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	464	606	3,975
22.00 New budget authority (gross) .....	727	4,326	668
22.10 Resources available from recoveries of prior year obligations .....	9		
23.90 Total budgetary resources available for obligation .....	1,200	4,932	4,643
23.95 Total new obligations .....	-594	-957	-4,601
24.40 Unobligated balance carried forward, end of year .....	606	3,975	42
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	584	727	618
40.01 Appropriation, Recovery Act .....		3,400	
40.35 Appropriation permanently reduced .....	-7		
41.00 Transferred to other accounts .....	-16		

42.00	Transferred from other accounts .....	166	149	.....
43.00	Appropriation (total discretionary) .....	727	4,276	618
58.00	Spending authority from offsetting collections: Offsetting collections (cash) .....		50	50
70.00	Total new budget authority (gross) .....	727	4,326	668
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	741	802	850
73.10	Total new obligations .....	594	957	4,601
73.20	Total outlays (gross) .....	-524	-909	-1,132
73.45	Recoveries of prior year obligations .....	-9	.....	.....
74.40	Obligated balance, end of year .....	802	850	4,319
<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	196	502	297
86.93	Outlays from discretionary balances .....	328	407	835
87.00	Total outlays (gross) .....	524	909	1,132
<b>Offsets:</b>				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources .....		-40	-40
88.40	Non-Federal sources .....		-10	-10
88.90	Total, offsetting collections (cash) .....		-50	-50
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	727	4,276	618
90.00	Outlays .....	524	859	1,082

The Fossil Energy Research and Development program supports high-priority, high-risk research that will improve the Nation's ability to use coal cleanly and efficiently. The program funds research and development with academia, national laboratories, and the private sector to advance the technology base used to develop new products and processes for clean and efficient coal use. Fossil Energy R&D supports activities ranging from early concept research in universities and national laboratories to applied R&D and proof-of-concept projects with private-sector firms.

**Coal.**—Research and Development activities focus on: 1) advanced coal-fueled power systems that support carbon capture and storage (CCS), including integrated gasification combined cycle (IGCC) technology, hydrogen turbine technology and fuel cells; 2) CO<sub>2</sub> capture technology applicable to both new and existing fossil-fueled facilities; 3) CO<sub>2</sub> storage, with emphasis on CO<sub>2</sub> monitoring, verification and accounting; and 4) advanced research to bridge fundamental science and engineering development. The Department will continue to work with the private sector and academia to conduct and direct research toward overcoming critical challenges to continued coal use for power generation in the United States.

**Oil and Gas.**—The Oil program will effect an orderly termination of activities. The Gas program will conduct methane hydrate research .

**Program Direction and Management Support.**—The program provides the funding for all headquarters and field personnel and overhead expenses in Fossil Energy R&D and Clean Coal Technology, including research by Federal employees. In addition, it provides support for day-to-day project management functions. No funding is proposed for the Alaska Natural Gas Transportation Project Loan Guarantee program because existing balances are sufficient to address current project activity. Also included is the Import/Export Authorization program which will continue regulatory reviews and oversight of the transmission of natural gas across the U.S. borders.

**Environmental Restoration.**—DOE is managing the environmental cleanup of former and present Fossil Energy project sites. Activities include environmental protection, onsite cleanup, and cleanup at several former offsite research and development loca-

tions in Wyoming and Connecticut and environmental efforts at the National Energy Technology Laboratory Morgantown and Pittsburgh sites, and the Albany Research Center.

**Object Classification** (in millions of dollars)

Identification code 89-0213-0-1-271	2008 actual	2009 est.	2010 est.	
<b>Direct obligations:</b>				
<b>Personnel compensation:</b>				
11.1	Full-time permanent .....	57	67	77
11.3	Other than full-time permanent .....	2	2	5
11.5	Other personnel compensation .....	2	2	5
11.9	Total personnel compensation .....	61	71	87
12.1	Civilian personnel benefits .....	15	18	36
21.0	Travel and transportation of persons .....	4	5	10
23.3	Communications, utilities, and miscellaneous charges .....	7	8	17
25.1	Advisory and assistance services .....	83	98	200
25.2	Other services .....	27	106	58
25.3	Other purchases of goods and services from Government accounts .....	5	6	12
25.4	Operation and maintenance of facilities .....	53	63	127
25.5	Research and development contracts .....	298	483	3,905
26.0	Supplies and materials .....	4	5	10
31.0	Equipment .....	14	17	34
32.0	Land and structures .....	23	27	55
99.0	Direct obligations .....	594	907	4,551
99.0	Reimbursable obligations .....	.....	50	50
99.9	Total new obligations .....	594	957	4,601

**Employment Summary**

Identification code 89-0213-0-1-271	2008 actual	2009 est.	2010 est.	
<b>Direct:</b>				
1001	Civilian full-time equivalent employment .....	594	683	708

**NAVAL PETROLEUM AND OIL SHALE RESERVES**

For expenses necessary to carry out naval petroleum and oil shale reserve activities, including the hire of passenger motor vehicles, **[\$19,099,000] \$23,627,000**, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities. (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

**Program and Financing** (in millions of dollars)

Identification code 89-0219-0-1-271	2008 actual	2009 est.	2010 est.	
<b>Obligations by program activity:</b>				
00.01	Naval petroleum reserves .....	24	19	24
10.00	Total new obligations .....	24	19	24
<b>Budgetary resources available for obligation:</b>				
21.40	Unobligated balance carried forward, start of year .....	14	11	11
22.00	New budget authority (gross) .....	20	19	24
22.10	Resources available from recoveries of prior year obligations .....	1	.....	.....
23.90	Total budgetary resources available for obligation .....	35	30	35
23.95	Total new obligations .....	-24	-19	-24
24.40	Unobligated balance carried forward, end of year .....	11	11	11
<b>New budget authority (gross), detail:</b>				
Discretionary:				
40.00	Appropriation .....	20	19	24
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	12	17	16
73.10	Total new obligations .....	24	19	24
73.20	Total outlays (gross) .....	-18	-20	-23
73.45	Recoveries of prior year obligations .....	-1	.....	.....
74.40	Obligated balance, end of year .....	17	16	17

NAVAL PETROLEUM AND OIL SHALE RESERVES—Continued  
Program and Financing —Continued

Identification code 89-0219-0-1-271	2008 actual	2009 est.	2010 est.
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	10	12	15
86.93 Outlays from discretionary balances .....	8	8	8
87.00 Total outlays (gross) .....	18	20	23
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	20	19	24
90.00 Outlays .....	18	20	23

Following the sale of the Naval Petroleum Reserve 1 (NPR-1) (Elk Hills) site mandated by the National Defense Authorization Act for Fiscal Year 1996 (P.L. 104-106), the most significant post-sale activity is the settlement of ownership equity shares with the former unit partner, Chevron USA Inc. Additional activities include environmental remediation and cultural resource activities.

The account also funds activities at the Naval Petroleum Reserve 3 in Wyoming (Teapot Dome field), a stripper well oil field that the Department is operating until it reaches its economic production limit.

Object Classification (in millions of dollars)

Identification code 89-0219-0-1-271	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
11.1 Personnel compensation: Full-time permanent .....	2	3	3
12.1 Civilian personnel benefits .....	1	1	1
25.1 Advisory and assistance services .....	9	5	8
25.2 Other services .....	9	6	9
25.4 Operation and maintenance of facilities .....	3	4	3
99.9 Total new obligations .....	24	19	24

Employment Summary

Identification code 89-0219-0-1-271	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	21	28	28

ENERGY CONSERVATION

In 2005, congressional budget subcommittees implemented a number of structural changes, including the unification of energy efficiency and renewable energy programs under a single subcommittee. Consequently, programs formerly funded under Energy Conservation were funded through the Energy Supply and Conservation account.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), **[\$205,000,000] \$228,573,000**, to remain available until expended, of which \$31,507,000 shall be provided to initiate new site expansion activities, beyond land acquisition, consistent with the budget request: *Provided*, That none of the funds provided for new site expansion activities may be obligated or expended for authorized activities until the Secretary has submitted a report to the Congress on the effects of expansion of the Reserve on the domestic petroleum market, which is required to be submitted within 45 days of enactment of this Act. (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

Program and Financing (in millions of dollars)

Identification code 89-0218-0-1-274	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Storage facilities operations .....	178	192	229
00.03 SPR expansion .....		38	
00.04 SPR expansion management .....		1	
10.00 Total new obligations .....	178	231	229
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	14	26	
22.00 New budget authority (gross) .....	187	205	229
22.10 Resources available from recoveries of prior year obligations .....	3		
23.90 Total budgetary resources available for obligation .....	204	231	229
23.95 Total new obligations .....	-178	-231	-229
24.40 Unobligated balance carried forward, end of year .....	26		
<b>New budget authority (gross), detail:</b>			
<b>Discretionary:</b>			
40.00 Appropriation .....	189	205	229
40.35 Appropriation permanently reduced .....	-2		
43.00 Appropriation (total discretionary) .....	187	205	229
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	95	104	151
73.10 Total new obligations .....	178	231	229
73.20 Total outlays (gross) .....	-166	-184	-244
73.45 Recoveries of prior year obligations .....	-3		
74.40 Obligated balance, end of year .....	104	151	136
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	73	113	126
86.93 Outlays from discretionary balances .....	93	71	118
87.00 Total outlays (gross) .....	166	184	244
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	187	205	229
90.00 Outlays .....	166	184	244
<b>Summary of Budget Authority and Outlays (in millions of dollars)</b>			
	2008 actual	2009 est.	2010 est.
<b>Enacted/requested:</b>			
Budget Authority .....	187	205	229
Outlays .....	166	184	244
<b>Supplemental proposal:</b>			
Budget Authority .....		22	
Outlays .....		12	8
<b>Total:</b>			
Budget Authority .....	187	227	229
Outlays .....	166	196	252

The object of this program is to reduce the vulnerability of the United States to energy supply disruptions by maintaining a crude oil stockpile capable of rapid deployment at the direction of the President. This program enables the President to meet the Nation's membership commitments within the International Energy Agency's coordinated energy emergency response plans and programs to deter intentional energy supply disruptions and to take effective, coordinated action should an energy supply disruption occur.

This account provides for ongoing storage site operations and maintenance activities, planning studies and activities, drawdown testing/readiness of the Reserve, and program administration. The 2010 budget continues to provide further insurance against oil supply disruptions that could harm the U.S. economy by pursuing a Strategic Petroleum Reserve (SPR) program that is environmentally responsible and fully responsive to the needs of the Nation and the public. In 2009, DOE will use \$563 million in available balances for the purchase of additional SPR oil, and will continue to fill using Federal royalty oil until the existing

727 million barrel capacity is filled in early 2010. In 2010, DOE will replace an existing storage cavern at one SPR site that poses an environment risk for continued use.

The key measure of program performance is expressed as capability to comply with Level 1 Technical and Performance Criteria. These criteria are specifically engineered performance and reliability standards applied to critical inventory storage, drawdown, and distribution systems required for drawing down and distributing crude oil inventory.

**Object Classification** (in millions of dollars)

Identification code 89-0218-0-1-274	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
11.1 Personnel compensation: Full-time permanent .....	10	13	15
12.1 Civilian personnel benefits .....	2	3	3
21.0 Travel and transportation of persons .....	1	1	1
23.2 Rental payments to others .....	2	3	3
23.3 Communications, utilities, and miscellaneous charges .....	4	5	6
25.1 Advisory and assistance services .....	1	1	1
25.2 Other services .....	43	56	60
25.4 Operation and maintenance of facilities .....	115	149	140
99.9 Total new obligations .....	178	231	229

**Employment Summary**

Identification code 89-0218-0-1-274	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	108	126	122

**SPR PETROLEUM ACCOUNT**

**Program and Financing** (in millions of dollars)

Identification code 89-0233-0-1-274	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Strategic Petroleum Reserve .....	1	591	.....
10.00 Total new obligations (object class 25.2) .....	1	591	.....
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	592	591	.....
23.95 Total new obligations .....	-1	-591	.....
24.40 Unobligated balance carried forward, end of year .....	591	.....	.....
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	25	25	53
73.10 Total new obligations .....	1	591	.....
73.20 Total outlays (gross) .....	-1	-563	.....
74.40 Obligated balance, end of year .....	25	53	53
<b>Outlays (gross), detail:</b>			
86.93 Outlays from discretionary balances .....	1	.....	.....
86.98 Outlays from mandatory balances .....	.....	563	.....
87.00 Total outlays (gross) .....	1	563	.....
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	.....	.....	.....
90.00 Outlays .....	1	563	.....

**Summary of Budget Authority and Outlays** (in millions of dollars)

	2008 actual	2009 est.	2010 est.
<b>Enacted/requested:</b>			
Budget Authority .....	.....	.....	.....
Outlays .....	1	563	.....
<b>Supplemental proposal:</b>			
Budget Authority .....	.....	-22	.....
Outlays .....	.....	.....	.....
<b>Total:</b>			
Budget Authority .....	.....	-22	.....

Outlays .....	1	563	.....
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This account provides for the acquisition, transportation, and injection of petroleum into SPR, including U.S. Customs duties, terminal throughput charges, incremental drawdown costs, and other related miscellaneous costs. The Petroleum Account also funds drawdown and sales operations of the Reserve. In September 2008, DOE loaned 5.4 million barrels of oil to refiners in response to Hurricanes Gustav and Ike.

**ENERGY INFORMATION ADMINISTRATION**

For necessary expenses in carrying out the activities of the Energy Information Administration, **[\$110,595,000]** \$133,058,000, to remain available until expended. (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

**Program and Financing** (in millions of dollars)

Identification code 89-0216-0-1-276	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Obligations by program activity .....	95	111	133
10.00 Total new obligations .....	95	111	133
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	95	111	133
23.95 Total new obligations .....	-95	-111	-133
<b>New budget authority (gross), detail:</b>			
<b>Discretionary:</b>			
40.00 Discretionary: .....	96	111	133
40.35 Appropriation permanently reduced .....	-1	.....	.....
43.00 Appropriation (total discretionary) .....	95	111	133
<b>Change in obligated balances:</b>			
72.40 Change in obligated balances .....	24	24	41
73.10 Total new obligations .....	95	111	133
73.20 Total outlays (gross) .....	-95	-94	-123
74.40 Obligated balance, end of year .....	24	41	51
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	72	78	93
86.93 Outlays from discretionary balances .....	23	16	30
87.00 Total outlays (gross) .....	95	94	123
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	95	111	133
90.00 Outlays .....	95	94	123

The Energy Information Administration (EIA) provides timely, accurate and relevant energy information to meet the requirements of government, industry, and the public in a manner that promotes sound policymaking, efficient markets, and public understanding. In carrying out its legislative mandate, EIA conducts survey and data collection operations, produces energy analyses and forecasts, and publishes data and analyses primarily through the Internet and other electronic media. These programs require that the agency design, develop and maintain information systems on petroleum, natural gas, coal, nuclear, electricity, alternate fuel sources, and energy consumption. Activities include collecting data and ensuring its accuracy; preparing forecasts of alternative energy futures; and preparing reports on energy sources, end-uses, prices, supply and demand, and associated environmental, economic, international, and financial matters. In addition, through its National Energy Information Center, EIA ensures that all information and data products can be accessed through the agency's website, <http://www.eia.doe.gov> and responds to inquiries from the Congress, the Administration, State and local

## ENERGY INFORMATION ADMINISTRATION—Continued

government, industry, news media, financial institutions, academia, and the public. Finally, EIA provides survey and statistical design standards, documentation standards, and energy data public-use forms clearance and burden control services.

## Object Classification (in millions of dollars)

Identification code 89-0216-0-1-276	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	36	42	44
11.3 Other than full-time permanent .....	1	1	1
11.5 Other personnel compensation .....	1	1	1
11.9 Total personnel compensation .....	38	44	46
12.1 Civilian personnel benefits .....	9	11	14
25.1 Consulting services - non-Government contracts .....	30	35	48
25.2 Other services - service contracts .....	3	4	5
25.3 Purchases of goods and services from Government accounts .....	7	8	10
26.0 Supplies and materials .....	6	7	8
31.0 Equipment .....	2	2	2
99.9 Total new obligations .....	95	111	133

## Employment Summary

Identification code 89-0216-0-1-276	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	352	375	375

## FEDERAL ENERGY REGULATORY COMMISSION

## SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses not to exceed \$3,000, **[\$273,400,000]** \$298,000,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, not to exceed **[\$273,400,000]** \$298,000,000 of revenues from fees and annual charges, and other services and collections in fiscal year **[2009]** 2010 shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year **[2009]** 2010 so as to result in a final fiscal year **[2009]** 2010 appropriation from the general fund estimated at not more than \$0. (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

## Program and Financing (in millions of dollars)

Identification code 89-0212-0-1-276	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
09.01 Energy infrastructure .....	198	205	225
09.02 Competitive markets .....	36	35	37
09.03 Enforcement .....	14	33	36
09.99 Total reimbursable program .....	248	273	298
10.00 Total new obligations .....	248	273	298
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	3	16	16
22.00 New budget authority (gross) .....	260	273	298
22.10 Resources available from recoveries of prior year obligations .....	1	.....	.....
23.90 Total budgetary resources available for obligation .....	264	289	314
23.95 Total new obligations .....	-248	-273	-298
24.40 Unobligated balance carried forward, end of year .....	16	16	16

New budget authority (gross), detail:  
Discretionary:

58.00	Spending authority from offsetting collections: Offsetting collections (cash) .....	260	273	298
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	21	33	34
73.10	Total new obligations .....	248	273	298
73.20	Total outlays (gross) .....	-235	-272	-296
73.45	Recoveries of prior year obligations .....	-1	.....	.....
74.40	Obligated balance, end of year .....	33	34	36
<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	223	246	269
86.93	Outlays from discretionary balances .....	12	26	27
87.00	Total outlays (gross) .....	235	272	296
<b>Offsets:</b>				
Against gross budget authority and outlays:				
88.45	Offsetting collections (cash) from: Offsetting governmental collections (from non-Federal sources) .....	-260	-273	-298
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	.....	.....	.....
90.00	Outlays .....	-25	-1	-2

The Federal Energy Regulatory Commission (Commission) regulates and oversees key interstate aspects of the electric power, natural gas, oil pipeline, and hydropower industries. The Commission supports competitive markets, assures access to abundant, reliable energy, promotes the development of a strong energy infrastructure, and prevents market manipulation. Regulated businesses pay fees and charges sufficient to recover the Commission's full cost of operations.

The Commission exercises authority granted by a number of major statutes: the Federal Power Act (FPA); the Public Utility Regulatory Policies Act (PURPA); the Public Utility Holding Company Act (PUHCA); the Natural Gas Act (NGA); and the Natural Gas Policy Act (NGPA); and the Energy Policy Act of 2005 (EPA 2005).

**Energy Infrastructure.**—The Commission seeks to promote the development of a strong energy infrastructure to meet market and operational demands. The Commission has two primary objectives in this area: stimulate appropriate infrastructure development and maintain a reliable and safe infrastructure.

The Commission is responsible for licensing non-federal hydro-power projects, enforcing license terms and conditions, and performing dam safety inspections. It regulates over 1,600 projects (encompassing approximately 2,500 dams and impoundments and the associated lakes and reservoirs) which supply about 5 percent of the electric energy generated in the United States. In an effort to increase the efficiency of the hydroelectric licensing process, the Integrated Licensing Process was designed to enable Commission final action on the license application within a target timeframe of between 16 to 18 months from filing. Recently, Commission staff developed licensing procedures for pilot projects tailored to meet the needs of entities interested in testing new hydrokinetic technology, while minimizing the risk of adverse environmental impacts. In addition, the Commission's dam safety inspection program verifies the structural integrity of dams and compliance with license requirements, and identifies subsequent necessary investigations, remedial modifications, or required maintenance.

The Commission certifies interstate natural gas pipelines and storage projects, and authorizes LNG facilities to meet the demand for natural gas. The Commission has expedited the review process through Commission staff's active participation in the pre-filing process. The pre-filing process engages stakeholders in the identification and resolution of concerns prior to a company filing an application with the Commission. Also, public safety is

among the Commission's highest priorities when it comes to regulating LNG terminals. The Commission's LNG program ensures the safety and reliability of proposed and operating LNG terminals in the United States, and that approved LNG terminals and associated LNG vessel traffic meet safety and environmental requirements during construction and operation.

The Commission has jurisdiction to issue permits to site electric transmission facilities under certain circumstances. The Commission's jurisdiction is limited to facilities located in National Interest Electric Transmission Corridors, as designated by the Secretary of Energy. The Commission reviews each transmission siting application to ensure that it: is consistent with the public interest and will protect or benefit consumers; will be used for transmission in interstate commerce; will significantly reduce transmission congestion; is consistent with sound National energy policy and will enhance energy independence; and will maximize the transmission capabilities of existing towers or structures to the extent reasonable and economical. The Commission will include in its public interest review an analysis of the impact the proposed facilities (or their absence) will have on the reliability of the bulk power system.

In addition, the Commission determines rates for the interstate transportation of natural gas and oil on jurisdictional pipelines and rates for the interstate transmission and wholesale sales of electric energy. The Commission authorizes tariff provisions, as appropriate, to allow the natural gas and oil pipelines and public utilities to adjust their services to meet their customers' needs. The Commission will continue to develop pricing policies and incentive mechanisms to encourage the development of the Nation's energy infrastructure, to promote capital investment, and to support competitive markets. For example, the Commission offers incentives, where appropriate, for potential investors to build electric transmission facilities. This policy seeks to ensure investment in the Nation's aging transmission infrastructure, promote electric power reliability and lower costs for consumers by reducing transmission congestion. In 2008, the Commission received 15 requests for incentive rate treatment for proposals to build over 5,356 miles of transmission lines at a total cost of approximately \$22 billion.

As the need for new generating facilities continues to increase, the Commission has and will continue to adapt its policies on interconnection. The Commission faces the challenge of interconnecting diverse generating facilities, such as location-constrained renewable resources. There are currently over 1,300 requests to connect generation facilities to the grid pending in various regional interconnection queues. Many of these interconnection requests come from renewable energy facilities. The Commission will continue to work with RTOs and ISOs to manage their clogged interconnection queues and connect these resources to the grid, helping to ensure adequate supplies of energy.

Additionally, the Commission coordinates with several other agencies as a member of the Smart Grid Collaborative. Under the Energy Independence and Security Act (EISA) of 2007, the Commission is charged with the responsibility of reviewing and approving interoperability standards of smart grid technology.

The Commission's electric grid reliability efforts include federal oversight of mandatory and enforceable electric reliability standards for the Nation's bulk power system. The standards, developed by a Commission-certified Electric Reliability Organization (ERO), apply to the users, owners, and operators of the bulk power system of the United States, excluding Alaska and Hawaii. The Commission has approved and made mandatory 114 reliability standards submitted by the ERO for Commission approval. These standards address bulk power system planning

and operations including emergency practices needed to protect and improve electric grid reliability.

The Commission's continued work to protect and improve electric grid reliability will focus on: 1) overseeing the development and enforcement of mandatory electric reliability standards to protect the bulk power system, including cyber security standards; 2) addressing and improving infrastructure security; and 3) coordinating efforts with Canada and Mexico to address reliability standards and other cross-border reliability issues.

*Competitive Markets.*—The Commission believes that competition, combined with effective regulation, is consistent with national policy for wholesale energy markets. To that end, the Commission develops rules that improve the operation of competitive markets and works to prevent the accumulation and exercise of market power, ensuring just and reasonable rates in wholesale energy markets.

The Commission continues to promote market transparency, promulgating and approving clear market rules. Order No. 888 set the foundation upon which to attain competitive electric markets ten years ago; however, the industry has changed considerably since then. With Order No. 890, the Commission reformed its open access transmission tariff in 2007, ensuring that it continues to remedy opportunities for undue discrimination in the provision of transmission services and increase competition in wholesale energy markets. In October 2008, the Commission issued Order No. 719 to further increase competition. This rule requires RTOs and ISOs to alter their market rules to remove barriers to the use of demand response resources and to allow prices to reflect supply and demand conditions.

The Commission works to prevent the accumulation and exercise of market power. To that end, the Commission addresses both vertical market power issues and horizontal market power. The Commission will use its strengthened merger and corporate review authority to continue to ensure that mergers and consolidations will not harm the public interest.

The Commission has adjusted policy to improve the opportunity for the integration of substantial levels of clean energy, including variable generation such as wind and solar. For example, the Commission approved the use of an anchor shipper in merchant transmission projects in February 2009. This policy change was aimed at reducing the financial risk associated with building transmission for wind generation facilities. The Commission's efforts to integrate clean energy are supported by the Commission's endeavors to incorporate advanced technologies to increase grid flexibility while maintaining security and reliability.

*Enforcement.*—The Commission has adjusted its regulatory policies to meet the dramatic changes that have occurred in both the natural gas and electric industries, in particular the change to greater reliance on competition to set prices. It is important that the Commission understands market dynamics in order to detect violations of statutory and regulatory requirements quickly. The Commission seeks to prevent violations of its rules, enforce compliance with its jurisdictional laws, publicize misconduct where appropriate, and take prompt action to prevent future misconduct. The Commission can identify violations by many methods, including review of market information required to be filed by market participants; investigations of significant price spikes or market anomalies; periodic audits of compliance with Commission tariffs, rules and regulations; referrals from RTO and independent system operator market monitors; tips and complaints from the public and market participants; and self-reports of violations by companies.

Perhaps most important, the Commission must ensure that jurisdictional utilities have effective internal monitoring and

FEDERAL ENERGY REGULATORY COMMISSION—Continued

compliance programs in place to help assure that they are following established Commission rules and regulations.

To help market participants and regulated entities comply with the Commission's rules, the Commission works with stakeholders to explain the intent and requirements of its rules and the laws it administers. The Commission has adopted rules detailing prohibitions on energy market manipulation and has adopted procedures to allow companies to challenge the findings of operational audits before a final order is issued. The Commission also employs a "no action letter" process to permit market participants to seek advice on whether staff would recommend action against specific transactions in light of the relevant laws and policies. Such initiatives will provide greater transparency and regulatory certainty.

The Commission's enforcement tools include penalty authority for violations of the NGA and all of Part II of the FPA. Entities can be penalized up to \$1 million each day for the duration of the violation. Penalties of this magnitude also are applicable to any entity (not just companies traditionally subject to the Commission's jurisdiction) that manipulates wholesale gas or electric markets by engaging in fraud or deceit in connection with jurisdictional transactions. Armed with this authority, the Commission has created an even stronger and more effective compliance and enforcement program to protect the public interest.

*Management Initiatives.*—The Commission has initiatives underway and processes in place to support its three strategic goals. These activities, including alternative dispute resolution and litigation, and the effective management of human capital, agency resources, and information technology, help the Commission work more efficiently, both within and across program areas. The Commission also understands that open lines of communication with affected parties and the public are critical for effective function of Commission operations. The Commission relies on various methods to communicate its policies and actions to the public which provides a transparent and open process.

**Object Classification** (in millions of dollars)

Identification code 89-0212-0-1-276	2008 actual	2009 est.	2010 est.
99.0 Reimbursable obligations .....	246	273	297
99.5 Below reporting threshold .....	2		1
99.9 Total new obligations .....	248	273	298

**Employment Summary**

Identification code 89-0212-0-1-276	2008 actual	2009 est.	2010 est.
Reimbursable:			
2001 Civilian full-time equivalent employment .....	1,282	1,465	1,528

CLEAN COAL TECHNOLOGY

[(INCLUDING TRANSFER OF FUNDS)]

[Of the funds made available under this heading for obligation in prior years, \$149,000,000 of uncommitted balances are transferred to Fossil Energy Research and Development to be used until expended: *Provided*, That funds made available in previous appropriations Acts shall be made available for any ongoing project regardless of the separate request for proposal under which the project was selected.] (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

**Program and Financing** (in millions of dollars)

Identification code 89-0235-0-1-271	2008 actual	2009 est.	2010 est.
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	75	17	17
22.00 New budget authority (gross) .....	-58		
23.90 Total budgetary resources available for obligation .....	17	17	17
24.40 Unobligated balance carried forward, end of year .....	17	17	17
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.36 Unobligated balance deferred to future years .....	-149		
41.00 Transferred to other accounts .....	-166	-149	
43.00 Appropriation (total discretionary) .....	-315	-149	
55.00 Funds becoming available from prior year deferrals .....	257	149	
70.00 Total new budget authority (gross) .....	-58		
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	9	9	9
74.40 Obligated balance, end of year .....	9	9	9
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	-58		
90.00 Outlays .....			

The Clean Coal Technology Program was established in the 1980s to perform commercial-scale demonstrations of advanced coal-based technologies. The budget proposes no new funding. All projects have concluded and only closeout activities remain.

ALTERNATIVE FUELS PRODUCTION

**Program and Financing** (in millions of dollars)

Identification code 89-5180-0-2-271	2008 actual	2009 est.	2010 est.
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	9	9	9
74.40 Obligated balance, end of year .....	9	9	9
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....			
90.00 Outlays .....			

The alternative fuels program was established in 1980 for the purpose of expediting the development and production of alternative fuels from coal. A loan guarantee was issued by the Department of Energy in 1982 for the construction and startup of the Great Plains Synthetic Fuels Plant to produce synthetic gas lignite coal.

Upon default of the borrower in 1985 under the terms of the loan guarantee, the Department acquired ownership of the Great Plains Coal Gasification Project plant by foreclosure. On October 31, 1988, the Department completed the transfer of the Great Plains Plant to Dakota Gasification Company (DGC) under terms of an Asset Purchase Agreement.

Funds in this account are used to pay for expenses and responsibilities related to the Department's prior operation of the Great Plains Coal Gasification Project and the administration of the Asset Purchase Agreement and related contracts and agreements which transferred the facility to the private sector. Remaining outstanding obligations are for carrying out contractual obligations through the end of the contract term in December 2009.



ULTRA-DEEPWATER AND UNCONVENTIONAL NATURAL GAS AND OTHER  
PETROLEUM RESEARCH FUND

Special and Trust Fund Receipts (in millions of dollars)

Identification code 89-5523-0-2-271	2008 actual	2009 est.	2010 est.
01.00 Balance, start of year			
01.99 Balance, start of year			
<b>Receipts:</b>			
02.20 OCS Receipts, Ultra-deepwater and Unconventional Natural Gas and Other Petroleum Research Fund	50	50	50
02.21 OCS Receipts, Ultra-deepwater and Unconventional Natural Gas and Other Petroleum Research Fund - legislative proposal subject to PAYGO			-50
02.99 Total receipts and collections	50	50	
04.00 Total: Balances and collections	50	50	
<b>Appropriations:</b>			
05.00 Ultra-deepwater and Unconventional Natural Gas and Other Petroleum Research Fund	-50	-50	-50
05.01 Ultra-deepwater and Unconventional Natural Gas and Other Petroleum Research Fund - legislative proposal subject to PAYGO			50
05.99 Total appropriations	-50	-50	
07.99 Balance, end of year			

Program and Financing (in millions of dollars)

Identification code 89-5523-0-2-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Ultra-deepwater	18	17	17
00.02 Unconventional resources	16	16	16
00.03 Technology challenges of small producers	4	4	4
00.04 Consortium program administration funds	4	4	4
00.05 NETL in-house	7	7	7
00.06 DOE oversight	2	2	2
10.00 Total new obligations	51	50	50
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year	7	6	6
22.00 New budget authority (gross)	50	50	50
23.90 Total budgetary resources available for obligation	57	56	56
23.95 Total new obligations	-51	-50	-50
24.40 Unobligated balance carried forward, end of year	6	6	6
<b>New budget authority (gross), detail:</b>			
Mandatory:			
60.20 Appropriation (special fund)	50	50	50
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year	41	85	95
73.10 Total new obligations	51	50	50
73.20 Total outlays (gross)	-7	-40	-50
74.40 Obligated balance, end of year	85	95	95
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority	2	20	20
86.98 Outlays from mandatory balances	5	20	30
87.00 Total outlays (gross)	7	40	50
<b>Net budget authority and outlays:</b>			
89.00 Budget authority	50	50	50
90.00 Outlays	7	40	50

Summary of Budget Authority and Outlays (in millions of dollars)

	2008 actual	2009 est.	2010 est.
<b>Enacted/requested:</b>			
Budget Authority	50	50	50
Outlays	7	40	50
<b>Legislative proposal, subject to PAYGO:</b>			
Budget Authority			-50
Outlays			-20
<b>Total:</b>			

Budget Authority	50	50	
Outlays	7	40	30

The Energy Policy Act of 2005 (Public Law 109-58) created a mandatory Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research program beginning in 2007. The program is funded from Federal revenues from oil and gas leases. This Budget proposes to cancel the program through a legislative proposal.

Object Classification (in millions of dollars)

Identification code 89-5523-0-2-271	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
25.1 Advisory and assistance services	11	8	8
25.2 Other services	1	1	1
25.5 Research and development contracts	36	41	41
31.0 Equipment	2		
32.0 Land and structures	1		
99.9 Total new obligations	51	50	50

Employment Summary

Identification code 89-5523-0-2-271	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment	9		

ULTRA-DEEPWATER AND UNCONVENTIONAL NATURAL GAS AND OTHER  
PETROLEUM RESEARCH FUND

(Legislative proposal, subject to PAYGO)

Program and Financing (in millions of dollars)

Identification code 89-5523-4-2-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Ultra-deepwater			-17
00.02 Unconventional resources			-16
00.03 Technology challenges of small producers			-4
00.04 Consortium program administration funds			-4
00.05 NETL in-house			-7
00.06 DOE oversight			-2
10.00 Total new obligations			-50
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross)			-50
23.95 Total new obligations			50
<b>New budget authority (gross), detail:</b>			
Mandatory:			
60.20 Appropriation (special fund)			-50
<b>Change in obligated balances:</b>			
73.10 Total new obligations			-50
73.20 Total outlays (gross)			20
74.40 Obligated balance, end of year			-30
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority			-20
<b>Net budget authority and outlays:</b>			
89.00 Budget authority			-50
90.00 Outlays			-20

Object Classification (in millions of dollars)

Identification code 89-5523-4-2-271	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
25.1 Advisory and assistance services			-8
25.2 Other services			-1
25.5 Research and development contracts			-41

ULTRA-DEEPWATER AND UNCONVENTIONAL NATURAL GAS AND OTHER  
PETROLEUM RESEARCH FUND—Continued  
Object Classification—Continued

Identification code 89-5523-4-2-271	2008 actual	2009 est.	2010 est.
99.9 Total new obligations .....			-50

ELK HILLS SCHOOL LANDS FUND

Title XXXIV, Subtitle B of Public Law 104-106 required the Department to sell the government's interest in Naval Petroleum Reserve No. 1 (Elk Hills) pursuant to the terms of the Act. The sale occurred in February 1998. Section 3415 of the Act required, among other things, that the Department make an offer of settlement based on the fair value of the State of California's longstanding claims to two parcels of land ("school lands") within the Reserve. Under the Act, nine percent of the net proceeds were reserved in a contingent fund in the Treasury for payment to the State. In compliance with the Act and in order to remove any cloud over title which could diminish the sales value of the Reserve, the Department entered into a settlement agreement with the State on October 11, 1996. That agreement calls for payment to the State, subject to appropriations, of nine percent of the net proceeds of sale, payable over a seven-year period (without interest), commencing in 1999. Under the settlement agreement and provided that funds are appropriated, the first five installments are for \$36 million each year, and the remaining balance is to be paid in two equal installments in years six and seven unless the seventh payment needs to be deferred in whole or in part due to the equity finalization schedule. Under the settlement agreement, \$300 million has been paid to the State of California. There is no request for funding in 2010. The timing and levels of any future budget request are dependent on the schedule and results of the equity finalization process.

PAYMENTS TO STATES UNDER FEDERAL POWER ACT

Special and Trust Fund Receipts (in millions of dollars)

Identification code 89-5105-0-2-806	2008 actual	2009 est.	2010 est.
01.00 Balance, start of year .....			
01.99 Balance, start of year .....			
Receipts:			
02.00 Licenses under Federal Power Act from Public Lands and National Forests, Payment to States (37 1/2%) .....	3	8	8
04.00 Total: Balances and collections .....	3	8	8
Appropriations:			
05.00 Payments to States under Federal Power Act .....	-3	-8	-8
07.99 Balance, end of year .....			

Program and Financing (in millions of dollars)

Identification code 89-5105-0-2-806	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Direct program activity .....	3	8	8
10.00 Total new obligations (object class 41.0) .....	3	8	8
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	3	8	8
23.95 Total new obligations .....	-3	-8	-8
<b>New budget authority (gross), detail:</b>			
Mandatory:			
60.20 Appropriation (special fund) .....	3	8	8

<b>Change in obligated balances:</b>			
73.10 Total new obligations .....	3	8	8
73.20 Total outlays (gross) .....	-3	-8	-8

<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....	3	8	8

<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	3	8	8
90.00 Outlays .....	3	8	8

The States are paid 37.5 percent of the receipts from licenses for occupancy and use of national forests and public lands within their boundaries issued by the Federal Energy Regulatory Commission (16 U.S.C. 810).

NORTHEAST HOME HEATING OIL RESERVE

For necessary expenses for Northeast Home Heating Oil Reserve storage, operation, and management activities pursuant to the Energy Policy and Conservation Act, **[\$9,800,000] \$11,300,000**, to remain available until expended. (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

Program and Financing (in millions of dollars)

Identification code 89-5369-0-2-274	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Northeast home heating oil reserve .....	12	11	11
10.00 Total new obligations (object class 25.2) .....	12	11	11
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	1	1	
22.00 New budget authority (gross) .....	12	10	11
23.90 Total budgetary resources available for obligation .....	13	11	11
23.95 Total new obligations .....	-12	-11	-11
24.40 Unobligated balance carried forward, end of year .....	1		

<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	12	10	11

<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	9	9	10
73.10 Total new obligations .....	12	11	11
73.20 Total outlays (gross) .....	-12	-10	-12
74.40 Obligated balance, end of year .....	9	10	9

<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	3	8	9
86.93 Outlays from discretionary balances .....	9	2	3
87.00 Total outlays (gross) .....	12	10	12

<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	12	10	11
90.00 Outlays .....	12	10	12

The Northeast Home Heating Oil Reserve assures a home heating oil supply for the Northeast States during times of very low inventories and significant threats to immediate supply. Two million barrels of heating oil will protect the Northeast against disruption for 10 days, the time required for ships to carry heating oil from the Gulf Coast to New York Harbor in the event of a supply disruption or shortage in the northeast region.

Contracts for the storage, operation and maintenance of the reserve were awarded on August 7, 2007. A sale of 35,000 barrels was conducted at the time to offset storage costs. The Department repurchased 19,253 barrels of the oil in FY2008. Purchase of the remainder, 15,427 barrels of oil, is scheduled for FY 2010. Con-

tracts were awarded to Hess Corp (for 1,000,000 barrels in New York harbor) to Morgan Stanley (for 750,000 barrels in New Haven, CT), and to Hess Corp (for 250,000 barrels in Groton, CT).

#### NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982, Public Law 97-425, as amended (the "NWPAct"), including the acquisition of real property or facility construction or expansion, **[\$145,390,000]** \$98,400,000, to remain available until expended, and to be derived from the Nuclear Waste Fund: *Provided*, That of the funds made available in this Act **for Nuclear Waste Disposal, \$5,000,000** from the Nuclear Waste Fund, 1.62 percent, but not to exceed \$3,182,900 shall be provided to the **Office of the Attorney General of the** State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the **Act** NWPAct: *Provided further*, That notwithstanding the lack of a written agreement with the State of Nevada under section 117(c) of the NWPAct, **[\$1,000,000]** 0.32 percent, but not to exceed \$636,580, shall be provided to Nye County, Nevada, for on-site oversight activities under section 117(d) of **that Act** the NWPAct: *Provided further*, That **[\$9,000,000]** of the funds made available in this Act from the Nuclear Waste Fund, 2.1 percent, but not to exceed \$5,729,221, shall be provided to affected units of local government, as defined in the NWPAct, to conduct appropriate activities and participate in licensing activities under Section 116(c) of the NWPAct: *Provided further*, That of the **[\$9,000,000]** amounts provided to affected units of local government, 7.5 percent of the funds provided shall be made available to affected units of local government in California with the balance made available to affected units of local government in Nevada for distribution as determined by the Nevada affected units of local government: *Provided further*, That this funding shall be provided to affected units of local government, as defined in the NWPAct: *Provided further*, That **[\$500,000]** of the funds made available in this Act from the Nuclear Waste Fund, 0.16 percent, but not to exceed \$318,290 shall be provided to the **Timbisha-Shoshone Tribe** affected Federally-recognized Indian tribes, as defined in the NWPAct, solely for expenditures, other than salaries and expenses of tribal employees, to conduct appropriate activities and participate in licensing activities under section 118(b) of the NWPAct: *Provided further*, That **notwithstanding the provisions of chapters 65 and 75 of title 31, United States Code, the Department shall have no monitoring, auditing or other oversight rights or responsibilities over amounts provided to affected units of local government: Provided further**, That the funds for the State of Nevada shall be made available solely to the Office of the Attorney General by direct payment and to units of local government by direct payment **3.0 percent of the first \$300,000,000 made available in this Act for nuclear waste disposal and defense nuclear waste disposal activities, plus 2.5 percent of those funds in excess of \$300,000,000, shall be provided to Nye County, Nevada, as payment equal to taxes under section 116(c)(3) of the NWPAct: Provided further**, That within 90 days of the completion of each Federal fiscal year, the **Office of the Attorney General of the** State of Nevada, each affected Federally-recognized Indian tribe, and each of the affected units of local government shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by the NWPAct and this Act: *Provided further*, That failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: *Provided further*, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action, except for normal and recognized executive-legislative communications, on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: *Provided further*, That all proceeds and recoveries realized by the Secretary in carrying out activities authorized by the NWPAct, including but not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended: *Provided further*, That no funds provided in this Act or any previous Act may be used to pursue repayment

or collection of funds provided in any fiscal year to affected units of local government for oversight activities that had been previously approved by the Department of Energy, or to withhold payment of any such funds: *Provided further*, That, of the amount appropriated in this paragraph, \$1,855,425 shall be used for projects specified in the table that appears under the heading "Congressionally Directed Nuclear Waste Disposal Projects" in the text and table under this heading in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act)]. (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

#### Special and Trust Fund Receipts (in millions of dollars)

Identification code 89-5227-0-2-271	2008 actual	2009 est.	2010 est.
01.00 Balance, start of year .....	19,924	20,494	22,237
01.99 Balance, start of year .....	19,924	20,494	22,237
<b>Receipts:</b>			
02.20 Nuclear Waste Disposal Fund .....	763	769	766
02.40 Earnings on Investments, Nuclear Waste Disposal Fund .....	27	1,172	1,273
02.99 Total receipts and collections .....	790	1,941	2,039
04.00 Total: Balances and collections .....	20,714	22,435	24,276
<b>Appropriations:</b>			
05.00 Nuclear Waste Disposal .....	-189	-145	-98
05.01 Nuclear Waste Disposal .....	2		
05.02 Salaries and Expenses .....	-29	-49	-56
05.03 Salaries and Expenses .....	-4	-4	-4
05.99 Total appropriations .....	-220	-198	-158
07.99 Balance, end of year .....	20,494	22,237	24,118

#### Program and Financing (in millions of dollars)

Identification code 89-5227-0-2-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Nuclear waste disposal fund .....	118	87	28
00.02 Program direction .....	62	68	70
10.00 Total new obligations .....	180	155	98
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	3	10	
22.00 New budget authority (gross) .....	187	145	98
23.90 Total budgetary resources available for obligation .....	190	155	98
23.95 Total new obligations .....	-180	-155	-98
24.40 Unobligated balance carried forward, end of year .....	10		
<b>New budget authority (gross), detail:</b>			
<b>Discretionary:</b>			
40.20 Appropriation (special fund) .....	189	145	98
40.37 Appropriation temporarily reduced .....	-2		
43.00 Appropriation (total discretionary) .....	187	145	98
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	119	86	74
73.10 Total new obligations .....	180	155	98
73.20 Total outlays (gross) .....	-213	-167	-125
74.40 Obligated balance, end of year .....	86	74	47
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	105	73	49
86.93 Outlays from discretionary balances .....	108	94	76
87.00 Total outlays (gross) .....	213	167	125
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	187	145	98
90.00 Outlays .....	213	167	125
<b>Memorandum (non-add) entries:</b>			
92.01 Total investments, start of year: Federal securities: Par value .....	39,435	42,570	44,705
92.02 Total investments, end of year: Federal securities: Par value .....	42,570	44,705	46,529

NUCLEAR WASTE DISPOSAL—Continued

The Nuclear Waste Disposal Account was established as part of the Nuclear Waste Policy Act of 1982 (P.L. 97-425), as amended, to provide funding to implement Federal policy for disposal of commercial spent nuclear fuel and high-level radioactive waste. The Administration has determined that developing a repository at Yucca Mountain is not a workable option and that the Nation needs a better solution for nuclear waste disposal. The budget provides funding for the Administration to devise a new strategy for safe and secure management of the Nation's nuclear waste, and minimal funding to participate in the repository licensing proceeding underway by the U.S. Nuclear Regulatory Commission (NRC) as the new strategy is developed. Repository development activities previously funded by the account that do not directly support the NRC licensing effort, such as site infrastructure development, design and engineering activities, and operational planning, are being terminated.

Object Classification (in millions of dollars)

Identification code 89-5227-0-2-271	2008 actual	2009 est.	2010 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent .....	23	25	25
11.3 Other than full-time permanent .....	1	1	1
11.5 Other personnel compensation .....	1	1	1
11.9 Total personnel compensation .....	25	27	27
12.1 Civilian personnel benefits .....	7	8	5
21.0 Travel and transportation of persons .....	1	1	1
23.2 Rental payments to others .....	2	2	2
25.1 Advisory and assistance services .....	37	30	15
25.2 Other services .....	42	35	19
25.3 Other purchases of goods and services from Government accounts .....	2	2	1
25.4 Operation and maintenance of facilities .....	36	29	16
41.0 Grants, subsidies, and contributions .....	28	21	12
99.9 Total new obligations .....	180	155	98

Employment Summary

Identification code 89-5227-0-2-271	2008 actual	2009 est.	2010 est.
Direct:			
1001 Civilian full-time equivalent employment .....	240	296	296

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, **[\$535,503,000]** \$559,377,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended, of which \$10,000,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992: *Provided, That the Secretary shall collect up to \$200,000,000 in assessments pursuant to section 1802 of the Atomic Energy Act of 1954 (42 U.S.C. 2297g-1), as amended by this Act. (Energy and Water Development and Related Agencies Appropriations Act, 2009.)*

Special and Trust Fund Receipts (in millions of dollars)

Identification code 89-5231-0-2-271	2008 actual	2009 est.	2010 est.
01.00 Balance, start of year .....	4,424	4,453	4,599
01.99 Balance, start of year .....	4,424	4,453	4,599
Receipts:			
02.20 Domestic Utility Fees, Decontamination and Decommissioning Fund .....			200
02.40 Earnings on Investments, Decontamination and Decommissioning Fund .....	192	219	221

02.41 General Fund Payment - Defense, Decontamination and Decommissioning Fund .....	459	463	463
02.99 Total receipts and collections .....	651	682	884
04.00 Total: Balances and collections .....	5,075	5,135	5,483
Appropriations:			
05.00 Uranium Enrichment Decontamination and Decommissioning Fund .....	-628	-536	-559
05.01 Uranium Enrichment Decontamination and Decommissioning Fund .....	6		
05.99 Total appropriations .....	-622	-536	-559
07.99 Balance, end of year .....	4,453	4,599	4,924

Program and Financing (in millions of dollars)

Identification code 89-5231-0-2-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Uranium enrichment D&D activities .....	600	529	559
00.02 Uranium/thorium reimbursement .....	20	10	
00.91 Direct Program by Activities - Subtotal .....	620	539	559
02.01 Recovery Act Projects .....		312	78
10.00 Total new obligations .....	620	851	637

Budgetary resources available for obligation:

21.40 Unobligated balance carried forward, start of year .....	1	3	78
22.00 New budget authority (gross) .....	622	926	559
23.90 Total budgetary resources available for obligation .....	623	929	637
23.95 Total new obligations .....	-620	-851	-637
24.40 Unobligated balance carried forward, end of year .....	3	78	

New budget authority (gross), detail:

Discretionary:			
40.01 Appropriation, Recovery Act .....		390	
40.20 Appropriation (special fund) .....	628	536	559
40.37 Appropriation temporarily reduced .....	-6		
43.00 Appropriation (total discretionary) .....	622	926	559

Change in obligated balances:

72.40 Obligated balance, start of year .....	189	251	434
73.10 Total new obligations .....	620	851	637
73.20 Total outlays (gross) .....	-558	-668	-669
74.40 Obligated balance, end of year .....	251	434	402

Outlays (gross), detail:

86.90 Outlays from new discretionary authority .....	390	414	391
86.93 Outlays from discretionary balances .....	168	254	278
87.00 Total outlays (gross) .....	558	668	669

Net budget authority and outlays:

89.00 Budget authority .....	622	926	559
90.00 Outlays .....	558	668	669

Memorandum (non-add) entries:

92.01 Total investments, start of year: Federal securities: Par value .....	4,623	4,710	4,858
92.02 Total Investments, end of year: Federal securities: Par Value .....	4,710	4,858	5,183

*Decontamination and Decommissioning Activities.*—Funds projects to decontaminate, decommission, and remediate the sites and facilities of the gaseous diffusion plants at Portsmouth, Ohio; Paducah, Kentucky; and East Tennessee Technology Park, Oak Ridge, Tennessee.

*Uranium/Thorium Licensee Reimbursement.*—Provides funds to reimburse licensees for the Federal Government's share of the cost of cleanup of uranium and thorium processing sites.

Object Classification (in millions of dollars)

Identification code 89-5231-0-2-271	2008 actual	2009 est.	2010 est.
Direct obligations:			
25.1 Advisory and assistance services .....	1	1	1
25.2 Other services .....	341	468	379

25.4	Operation and maintenance of facilities .....	276	379	255
41.0	Grants, subsidies, and contributions .....	2	3	2
99.9	Total new obligations .....	620	851	637

86.93	Outlays from discretionary balances .....	20		
87.00	Total outlays (gross) .....	28	36	16

**URANIUM SALES AND REMEDIATION**  
**Program and Financing** (in millions of dollars)

Identification code 89-5530-0-2-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Uranium remediation .....	14	29	
10.00 Total new obligations (object class 25.2) .....	14	29	
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	43	29	
23.95 Total new obligations .....	-14	-29	
24.40 Unobligated balance carried forward, end of year .....	29		
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	61	13	
73.10 Total new obligations .....	14	29	
73.20 Total outlays (gross) .....	-62	-42	
74.40 Obligated balance, end of year .....	13		
<b>Outlays (gross), detail:</b>			
86.93 Outlays from discretionary balances .....	62	42	
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....			
90.00 Outlays .....	62	42	

**Offsets:**  
Against gross budget authority and outlays:  
Offsetting collections (cash) from:

88.00 Federal sources .....	-16	-6	-16
88.40 Non-Federal sources .....	-16	-30	
88.90 Total, offsetting collections (cash) .....	-32	-36	-16

**Net budget authority and outlays:**

89.00 Budget authority .....			
90.00 Outlays .....	-4		

The charter of the DOE isotope production and distribution program covers the production and sale of radioactive and stable isotopes, associated byproducts, surplus materials such as lithium and helium, and related isotope services to the user community utilizing Government-owned facilities. Services include, but are not limited to, irradiation services, target preparation and processing, source encapsulation and other special preparations, analyses, chemical separations, and the lease of stable isotopes for research purposes. In FY 2008, research isotopes were priced based on direct production costs. The Isotope Program is in the process of developing new pricing policies for research isotopes to make them more affordable to the research community. DOE will continue to sell commercial isotopes at full-cost recovery.

**Object Classification** (in millions of dollars)

Identification code 89-4180-0-3-271	2008 actual	2009 est.	2010 est.
<b>Reimbursable obligations:</b>			
25.2 Other services .....	1	1	1
25.4 Operation and maintenance of facilities .....	28	29	17
99.9 Total new obligations .....	29	30	18

The Energy and Water Development Appropriations Act of 2006 provided the Department of Energy authority to barter, transfer, or sell uranium and to use any proceeds, without fiscal year limitation, to remediate contaminated uranium inventories held by the Secretary of Energy.

**ISOTOPE PRODUCTION AND DISTRIBUTION PROGRAM FUND**  
**Program and Financing** (in millions of dollars)

Identification code 89-4180-0-3-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
09.01 Isotope production and distribution .....	29	30	18
10.00 Total new obligations .....	29	30	18
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	13	16	20
21.45 Adjustments to unobligated balance carried forward, start of year .....		-2	
22.00 New budget authority (gross) .....	32	36	16
23.90 Total budgetary resources available for obligation .....	45	50	36
23.95 Total new obligations .....	-29	-30	-18
24.40 Unobligated balance carried forward, end of year .....	16	20	18
<b>New budget authority (gross), detail:</b>			
Discretionary:			
58.00 Spending authority from offsetting collections: Offsetting collections (cash) .....	32	36	16
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	12	13	7
73.10 Total new obligations .....	29	30	18
73.20 Total outlays (gross) .....	-28	-36	-16
74.40 Obligated balance, end of year .....	13	7	9
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	8	36	16

**ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOANS PROGRAM ACCOUNT**

【Notwithstanding any other provision of this joint resolution, there is appropriated \$7,510,000,000 for fiscal year 2009 for "Department of Energy—Energy Programs—Advanced Technology Vehicles Manufacturing Loan Program Account" for the cost of direct loans as authorized by section 136(d) of the Energy Independence and Security Act of 2007 (Public Law 110-140; 42 U.S.C. 17013(d)), to remain available until expended. Of such amount, \$10,000,000 shall be used for administrative expenses in carrying out the direct loan program. Commitments for direct loans using such amount shall not exceed \$25,000,000,000 in total loan principal. The cost of such direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974】 For administrative expenses in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, \$20,000,000, to remain available until expended. (Continuing Appropriations Resolution, 2009.)

**Program and Financing** (in millions of dollars)

Identification code 89-0322-0-1-272	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Direct Loan Subsidy .....		2,196	2,598
00.09 Administrative Expenses .....		20	20
10.00 Total new obligations .....		2,216	2,618
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....			5,304
22.00 New budget authority (gross) .....		7,520	20
23.90 Total budgetary resources available for obligation .....		7,520	5,324
23.95 Total new obligations .....		-2,216	-2,618

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM  
ACCOUNT—Continued  
Program and Financing —Continued

Identification code 89-0322-0-1-272	2008 actual	2009 est.	2010 est.
24.40 Unobligated balance carried forward, end of year .....		5,304	2,706
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....		7,510	20
42.00 Transferred from other accounts .....		10	
43.00 Appropriation (total discretionary) .....		7,520	20
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....			5
73.10 Total new obligations .....		2,216	2,618
73.20 Total outlays (gross) .....		-2,211	-2,618
74.40 Obligated balance, end of year .....		5	5
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....		2,211	15
86.93 Outlays from discretionary balances .....			2,603
87.00 Total outlays (gross) .....		2,211	2,618
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....		7,520	20
90.00 Outlays .....		2,211	2,618

Summary of Loan Levels, Subsidy Budget Authority and Outlays by Program (in millions of dollars)

Identification code 89-0322-0-1-272	2008 actual	2009 est.	2010 est.
Direct loan levels supportable by subsidy budget authority:			
115001 Direct Auto Loans .....		10,100	14,900
115999 Total direct loan levels .....		10,100	14,900
Direct loan subsidy (in percent):			
132001 Direct Auto Loans .....		21.74	17.43
132999 Weighted average subsidy rate .....		21.74	17.43
Direct loan subsidy budget authority:			
133001 Direct Auto Loans .....		2,196	2,598
133999 Total subsidy budget authority .....		2,196	2,598
Direct loan subsidy outlays:			
134001 Direct Auto Loans .....		2,196	2,598
134999 Total subsidy outlays .....		2,196	2,598
Administrative expense data:			
3510 Budget authority .....		20	20
3590 Outlays from new authority .....		15	15

Section 136 of the Energy Independence and Security Act of 2007 established a direct loan program to support the development of advanced technology vehicles and associated components in the United States, known as the Advanced Technology Vehicles Manufacturing Loan Program (ATVM). The 2009 Continuing Resolution (CR), enacted on September 30, 2008, appropriated \$7.5 billion to support a maximum of \$25 billion in loans under the ATVM. The ATVM provides loans to automobile and automobile part manufacturers for the cost of re-equipping, expanding, or establishing manufacturing facilities in the United States to produce advanced technology vehicles or qualified components, and for associated engineering integration costs.

Because DOE has not yet evaluated the potential subsidy costs for any projects that might be eligible for the ATVM, the 2010 Budget reflects placeholder estimates for direct loan subsidy costs, based on an illustrative portfolio.

These estimates are not related to any specific project proposals. DOE will calculate the credit subsidy cost of any direct loan on a case-by-case basis in accordance with Federal Credit Reform Act of 1990 (FCRA) and OMB Circular A-11. For any project, the terms and conditions of the loan, the risks associated with the

project, and any other factor that affects the amount and timing of such cash flows will affect the credit subsidy cost calculations.

As required by the FCRA, this account records, for this program, the subsidy costs associated with the direct loans committed in 1992 and beyond (including modifications of direct loans that resulted from obligations or commitments in any year), as well as administrative expenses of this program. The subsidy amounts are estimated on a present value basis; the administrative expenses are estimated on a cash basis.

Object Classification (in millions of dollars)

Identification code 89-0322-0-1-272	2008 actual	2009 est.	2010 est.
Direct obligations:			
11.1 Personnel compensation: Full-time permanent .....		1	1
25.1 Advisory and assistance services .....		19	19
41.0 Grants, subsidies, and contributions .....		2,196	2,598
99.9 Total new obligations .....		2,216	2,618

Employment Summary

Identification code 89-0322-0-1-272	2008 actual	2009 est.	2010 est.
Direct:			
1001 Civilian full-time equivalent employment .....		6	9

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING DIRECT LOAN FINANCING  
ACCOUNT

Program and Financing (in millions of dollars)

Identification code 89-4579-0-3-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Direct Loans .....		10,100	14,900
00.02 Payment of interest FFB .....		164	497
10.00 Total new obligations .....		10,264	15,397
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....			2,667
22.00 New financing authority (gross) .....		12,931	19,721
22.60 Portion applied to repay debt .....			-2,110
23.90 Total budgetary resources available for obligation .....		12,931	20,278
23.95 Total new obligations .....		-10,264	-15,397
24.40 Unobligated balance carried forward, end of year .....		2,667	4,881
<b>New financing authority (gross), detail:</b>			
Mandatory:			
67.10 Authority to borrow .....		10,100	14,900
69.00 Offsetting collections (cash) .....		2,831	4,821
70.00 Total new financing authority (gross) .....		12,931	19,721
<b>Change in obligated balances:</b>			
73.10 Total new obligations .....		10,264	15,397
73.20 Total financing disbursements (gross) .....		-10,264	-15,397
<b>Outlays (gross), detail:</b>			
87.00 Total financing disbursements (gross) .....		10,264	15,397
<b>Offsets:</b>			
Against gross financing authority and financing disbursements:			
Offsetting collections (cash) from:			
88.00 Federal sources .....		-2,196	-2,598
88.25 Interest on uninvested funds .....		-34	-97
88.40 Non-Federal sources (interest) .....		-164	-497
88.40 Non-Federal sources (principal) .....		-427	-1,614
88.40 Non-Federal sources (fees) .....		-10	-15
88.90 Total, offsetting collections (cash) .....		-2,831	-4,821
<b>Net financing authority and financing disbursements:</b>			
89.00 Financing authority .....		10,100	14,900

90.00	Financing disbursements .....	7,433	10,576
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**Status of Direct Loans** (in millions of dollars)

Identification code 89-4579-0-3-271	2008 actual	2009 est.	2010 est.
<b>Position with respect to appropriations act limitation on obligations:</b>			
1111	Limitation on direct loans .....		
1131	Direct loan obligations exempt from limitation .....	10,100	14,900
1150	Total direct loan obligations .....	10,100	14,900
<b>Cumulative balance of direct loans outstanding:</b>			
1210	Outstanding, start of year .....		9,673
1231	Disbursements: Direct loan disbursements .....	10,100	14,900
1251	Repayments: Repayments and prepayments .....	-427	-1,614
1290	Outstanding, end of year .....	9,673	22,959

**TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM**

【Subject to section 502 of the Congressional Budget Act of 1974, commitments to guarantee loans under title XVII of the Energy Policy Act of 2005, shall not exceed a total principal amount of \$47,000,000,000 for eligible projects, to remain available until committed, and of which \$18,500,000,000 shall be for nuclear power facilities: *Provided*, That these amounts are in addition to the authority provided under section 20320 of Division B of Public Law 109—289, as amended by Public Law 110—5: *Provided further*, That such】 *Such* sums as are derived from amounts received from borrowers pursuant to section 1702(b)(2) of the Energy Policy Act of 2005 under this heading in this and prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: *【Provided further*, That the source of such payment received from borrowers is not a loan or other debt obligation that is guaranteed by the Federal Government: *Provided further*, That pursuant to section 1702(b)(2) of the Energy Policy Act of 2005, no appropriations are available to pay the subsidy cost of such guarantees:】 *Provided* *【further*】, That for necessary administrative expenses to carry out this Loan Guarantee program, *【\$19,880,000】* \$43,000,000 is appropriated, to remain available until expended: *Provided further*, That *【\$19,880,000】* \$43,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year *【2009】* 2010 appropriations from the general fund estimated at not more than \$0: *Provided further*, That *【none of the funds made available in this Act shall be available for the execution of a new solicitation with respect to such guaranteed loans until 30 days after the Department of Energy has submitted to the Committees on Appropriations of the House of Representatives and the Senate a loan guarantee implementation plan that defines the proposed award levels and eligible technologies: Provided further*, That none of the loan guarantee authority made available in this Act shall be available for commitments to guarantee loans for any projects where funds, personnel, or property (tangible or intangible) of any Federal agency, instrumentality, personnel or affiliated entity are expected to be used (directly or indirectly) through acquisitions, contracts, demonstrations, exchanges, grants, incentives, leases, procurements, sales, other transaction authority, or other arrangements, to support the project or to obtain goods or services from the project: *Provided further*, That the previous proviso shall not be interpreted as precluding the use of the loan guarantee authority in this Act for commitments to guarantee loans for projects as a result of such projects benefiting from (a) otherwise allowable Federal income tax benefits; (b) being located on Federal land pursuant to a lease or right-of-way agreement for which all consideration for all uses is (i) paid exclusively in cash, (ii) deposited in the Treasury as offsetting receipts, and (iii) equal to the fair market value as determined by the head of the relevant Federal agency; (c) Federal insurance programs, including Price-Anderson; or (d) for electric generation projects, use of transmission facilities owned or operated by a Federal Power Marketing Administration or the Tennessee Valley Authority that have been authorized, approved, and financed independent of the project receiving the guarantee: *Provided further*, That none of the loan guarantee authority made available in this Act shall be available for any project unless the Director of the Office of

Management and Budget has certified in advance in writing that the loan guarantee and the project comply with the provisions under this title】 *fees collected under section 1702 (h) in excess of the amount appropriated for administrative expenses shall not be available until appropriated. (Energy and Water Development and Related Agencies Appropriations Act, 2009.)*

**Program and Financing** (in millions of dollars)

Identification code 89-0208-0-1-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01	Direct loan subsidy .....	945	3,437
00.09	Administrative Expense .....	25	
09.01	Reimbursable program (Administrative Expenses) .....	5	20
09.99	Total reimbursable program .....	5	20
10.00	Total new obligations .....	5	990
21.40	Unobligated balance carried forward, start of year .....	5	5,025
22.00	New budget authority (gross) .....	5	6,010
22.22	Unobligated balance transferred from other accounts .....	5	
23.90	Total budgetary resources available for obligation .....	10	6,015
23.95	Total new obligations .....	-5	-990
24.40	Unobligated balance carried forward, end of year .....	5	5,025
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.01	Appropriation, Recovery Act .....	6,000	
41.00	Transferred to other accounts .....	-10	
43.00	Appropriation (total discretionary) .....	5,990	
58.00	Spending authority from offsetting collections: Offsetting collections (cash) .....	5	20
70.00	Total new budget authority (gross) .....	5	6,010
<b>Change in obligated balances:</b>			
72.40	Obligated balance, start of year .....	2	494
73.10	Total new obligations .....	5	990
73.20	Total outlays (gross) .....	-3	-498
74.40	Obligated balance, end of year .....	2	494
<b>Outlays (gross), detail:</b>			
86.90	Outlays from new discretionary authority .....	3	493
86.93	Outlays from discretionary balances .....	5	2,252
87.00	Total outlays (gross) .....	3	498
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.40	Offsetting collections (cash) from: Non-Federal sources (Administrative) .....	-5	-20
<b>Net budget authority and outlays:</b>			
89.00	Budget authority .....	5,990	
90.00	Outlays .....	-2	478

**Summary of Loan Levels, Subsidy Budget Authority and Outlays by Program** (in millions of dollars)

Identification code 89-0208-0-1-271	2008 actual	2009 est.	2010 est.
<b>Direct loan levels supportable by subsidy budget authority:</b>			
115001	Section 1703 FFB Loans .....	6,000	15,500
115002	Section 1705 FFB Loans .....	8,000	29,000
115999	Total direct loan levels .....	14,000	44,500
<b>Direct loan subsidy (in percent):</b>			
132001	Section 1703 FFB Loans .....	0.00	0.00
132002	Section 1705 FFB Loans .....	0.00	11.81
132999	Weighted average subsidy rate .....	0.00	6.75
<b>Direct loan subsidy budget authority:</b>			
133002	Section 1705 FFB Loans .....	945	3,437
133999	Total subsidy budget authority .....	945	3,437
<b>Direct loan subsidy outlays:</b>			
134002	Section 1705 FFB Loans .....	472	2,250
134999	Total subsidy outlays .....	472	2,250

**TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM—Continued**  
**Summary of Loan Levels, Subsidy Budget Authority and Outlays by Program —Continued**

Identification code 89-0208-0-1-271	2008 actual	2009 est.	2010 est.
Administrative expense data:			
3510 Budget authority .....	10	45	6
3590 Outlays from new authority .....	3	5	6

The Loan Guarantee Program Office will consider and coordinate Departmental action on all loan guarantee applications submitted to the Department of Energy in compliance with Title XVII of the Energy Policy Act of 2005. Section 1703 of that Act authorizes the Department to provide loan guarantees for renewable energy systems, advanced nuclear facilities, coal gasification, carbon sequestration, energy efficiency, and many other types of projects. These projects must avoid, reduce, or sequester air pollutants or anthropogenic emissions of greenhouse gases; employ new or significantly improved technologies compared to commercial technologies in service in the United States at the time the guarantee is issued; and offer a reasonable prospect of repayment of the principal and interest on the guaranteed obligation.

DOE is implementing this program under authorizing law that allows borrowers to pay the credit subsidy costs of these loan guarantees.

Section 406 of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 (the "Recovery Act"), amended the LGPO's authorizing legislation, by establishing Section 1705 which is a temporary program for the rapid deployment of renewable energy and electric power transmission projects. Section 1705 provides \$6 billion in appropriated credit subsidy which will allow the Secretary to make loan guarantees available for the following categories of projects that commence construction not later than September 30, 2011:

-Renewable energy systems, including incremental hydropower, that generate electricity or thermal energy, and facilities that manufacture related components.

-Electric power transmission systems, including upgrading and reconductoring projects.

-Leading edge biofuel projects that will use technologies performing at the pilot or demonstrations scale that the Secretary determines are likely to become commercial technologies and will produce transportation fuels that substantially reduce life-cycle greenhouse gas emissions compared to other transportation fuel. Funding for these projects shall not exceed \$500,000,000.

The decision to issue loan guarantees will depend on the merits and benefits of particular project proposals and their compliance with statutory and regulatory requirements.

\$51.0 billion is available to support eligible projects under Section 1703. Loan volume utilized may not be reused. DOE is not seeking additional appropriations for credit subsidy costs in 2010. The 2010 Budget reflects placeholder estimates based on illustrative examples, unrelated to any specific project.

The Loan Guarantee Program Office will centralize loan guarantee services for the Department to ensure all processes and criteria are applied uniformly in accordance with established requirements, procedures and guidelines. The Department requests \$43.0 million in funding in 2010 to operate the Office and support personnel and associated costs. This request will be offset by collections authorized under EAct 2005. To ensure that the Department meets statutory requirements and implements effective management and oversight of its loan guarantee activities, program funding also will support the procurement of outside expertise in areas such as finance, project engineering, and commercial market assessment.

As required by the Federal Credit Reform Act of 1990, this account records, for this program, the subsidy costs associated with the loan guarantees committed in 1992 and beyond (including modifications of direct loans or loan guarantees that resulted from obligations or commitments in any year), as well as administrative expenses of this program. The subsidy amounts are estimated on a present value basis; the administrative expenses are estimated on a cash basis.

**Object Classification (in millions of dollars)**

Identification code 89-0208-0-1-271	2008 actual	2009 est.	2010 est.
Direct obligations:			
25.1 Advisory and assistance services .....		25	
41.0 Grants, subsidies, and contributions .....		945	3,437
99.0 Direct obligations .....		970	3,437
99.0 Reimbursable obligations .....	4	20	43
99.5 Below reporting threshold .....	1		
99.9 Total new obligations .....	5	990	3,480

**Employment Summary**

Identification code 89-0208-0-1-271	2008 actual	2009 est.	2010 est.
Reimbursable:			
2001 Civilian full-time equivalent employment .....	8	35	84

**TITLE 17 INNOVATIVE TECHNOLOGY DIRECT LOAN FINANCING ACCOUNT**

**Program and Financing (in millions of dollars)**

Identification code 89-4455-0-3-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Direct loans .....		14,000	44,500
00.03 FFB Interest Expense .....		38	72
10.00 Total new obligations .....		14,038	44,572
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....			1,875
22.00 New financing authority (gross) .....		15,913	49,799
22.60 Portion applied to repay debt .....			-9
23.90 Total budgetary resources available for obligation .....		15,913	51,665
23.95 Total new obligations .....		-14,038	-44,572
24.40 Unobligated balance carried forward, end of year .....		1,875	7,093
<b>New financing authority (gross), detail:</b>			
Mandatory:			
67.10 Authority to borrow .....		14,000	44,500
69.00 Offsetting collections (cash) .....		1,443	4,112
69.10 Change in uncollected customer payments from Federal sources (unexpired) .....		472	1,187
69.47 Portion applied to repay debt .....		-2	
69.90 Spending authority from offsetting collections (total mandatory) .....		1,913	5,299
70.00 Total new financing authority (gross) .....		15,913	49,799
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....			7,499
73.10 Total new obligations .....		14,038	44,572
73.20 Total financing disbursements (gross) .....		-6,067	-23,776
74.00 Change in uncollected customer payments from Federal sources (unexpired) .....		-472	-1,187
74.40 Obligated balance, end of year .....		7,499	27,108
<b>Outlays (gross), detail:</b>			
87.00 Total financing disbursements (gross) .....		6,067	23,776
<b>Offsets:</b>			
Against gross financing authority and financing disbursements:			
Offsetting collections (cash) from:			
88.00 Federal sources .....		-472	-2,250



88.25	Interest on uninvested funds .....	-33	-128
88.40	Repayments of Principal .....	-2	-9
88.40	Interest Received on Loans .....	-38	-72
88.40	Subsidy paid by borrower .....	-898	-1,653
88.90	Total, offsetting collections (cash) .....	-1,443	-4,112
	Against gross financing authority only:		
88.95	Change in receivables from program accounts .....	-472	-1,187

<b>Net financing authority and financing disbursements:</b>			
89.00	Financing authority .....	13,998	44,500
90.00	Financing disbursements .....	4,624	19,664

**Status of Direct Loans** (in millions of dollars)

Identification code 89-4455-0-3-271	2008 actual	2009 est.	2010 est.
Position with respect to appropriations act limitation on obligations:			
1111	Limitation on direct loans .....	47,000	.....
1121	Limitation available from carry-forward .....	.....	85,600
1131	Direct loan obligations exempt from limitation .....	52,600	.....
1143	Unobligated limitation carried forward (P.L. xx) (-) .....	-85,600	-41,100
1150	Total direct loan obligations .....	14,000	44,500
Cumulative balance of direct loans outstanding:			
1210	Outstanding, start of year .....	.....	6,065
1231	Disbursements: Direct loan disbursements .....	6,067	23,776
1251	Repayments: Repayments and prepayments .....	-2	-9
1290	Outstanding, end of year .....	6,065	29,832

**TITLE 17 INNOVATIVE TECHNOLOGY GUARANTEED LOAN FINANCING ACCOUNT**

**Status of Guaranteed Loans** (in millions of dollars)

Identification code 89-4577-0-4-271	2008 actual	2009 est.	2010 est.
Position with respect to appropriations act limitation on commitments:			
2111	Limitation on guaranteed loans made by private lenders .....	.....	.....
2121	Limitation available from carry-forward .....	4,000	4,000
2131	Guaranteed loan commitments exempt from limitation .....	.....	.....
2142	Uncommitted loan guarantee limitation .....	-4,000	.....
2143	Uncommitted limitation carried forward .....	-4,000	.....
2150	Total guaranteed loan commitments .....	.....	.....
Cumulative balance of guaranteed loans outstanding:			
2210	Outstanding, start of year .....	.....	.....
2231	Disbursements of new guaranteed loans .....	.....	.....
2251	Repayments and prepayments .....	.....	.....
2290	Outstanding, end of year .....	.....	.....
Memorandum:			
2299	Guaranteed amount of guaranteed loans outstanding, end of year .....	.....	.....

**Trust Funds**

**ADVANCES FOR COOPERATIVE WORK**

In past years, this account received advances from domestic and foreign sources, to fund research and development activities for civilian reactor, magnetic fusion, and basic energy sciences. Sources also provided funds for defense programs, the technical information management program. The account will be terminated when balances have been expended.

**POWER MARKETING ADMINISTRATION**

**Federal Funds**

**OPERATION AND MAINTENANCE, ALASKA POWER ADMINISTRATION**

The Alaska Power Administration (APA) was created in 1967 by the Secretary of the Interior to assume the functions of the Bureau of Reclamation in Alaska. These functions include oper-

ations, maintenance, transmission, and power marketing of the two Federal hydroelectric projects (Eklutna and Snettisham), and the investigation of future water and power development programs. All Alaska activities of APA, including the Juneau headquarters office, were terminated on September 30, 1998. A fund is maintained to liquidate the remaining obligations of the APA.

**OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION**

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, including transmission wheeling and ancillary services pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, **[\$7,420,000] \$7,638,000**, to remain available until expended: *Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to \$7,638,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2010 appropriation estimated at not more than \$0: Provided further, That, notwithstanding 31 U.S.C. 3302, up to **[\$49,520,000] \$70,806,000** collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: *Provided further, That notwithstanding the provisions of 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, all funds collected by the Southeastern Power Administration that are applicable to the repayment of the annual expenses of this account in this and subsequent fiscal years shall be credited to this account as discretionary offsetting collections for the sole purpose of funding such expenses, with such funds remaining available until expended: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses). (Energy and Water Development and Related Agencies Appropriations Act, 2009.)**

**Program and Financing** (in millions of dollars)

Identification code 89-0302-0-1-271	2008 actual	2009 est.	2010 est.	
<b>Obligations by program activity:</b>				
00.01	Program direction .....	6	7	8
09.01	Purchase power and wheeling .....	48	50	71
10.00	Total new obligations .....	54	57	79
<b>Budgetary resources available for obligation:</b>				
22.00	New budget authority (gross) .....	54	57	79
23.95	Total new obligations .....	-54	-57	-79
<b>New budget authority (gross), detail:</b>				
Discretionary:				
40.00	Appropriation .....	6	7	.....
58.00	Spending authority from offsetting collections: Offsetting collections (cash) .....	48	50	79
70.00	Total new budget authority (gross) .....	54	57	79
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	1	2	2
73.10	Total new obligations .....	54	57	79
73.20	Total outlays (gross) .....	-53	-57	-80
74.40	Obligated balance, end of year .....	2	2	1
<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	51	56	79
86.93	Outlays from discretionary balances .....	2	1	1
87.00	Total outlays (gross) .....	53	57	80

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER  
ADMINISTRATION—Continued  
Program and Financing —Continued

Identification code 89-0302-0-1-271	2008 actual	2009 est.	2010 est.
<b>Offsets:</b>			
Against gross budget authority and outlays:			
88.00 Offsetting collections (cash) from: Federal sources .....	-48	-50	-79
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	6	7	.....
90.00 Outlays .....	5	7	1

The Southeastern Power Administration (Southeastern) markets power generated at 22 Corps of Engineers' hydroelectric generating plants in an eleven-State area of the Southeast. Power deliveries are made by means of contracting for use of transmission facilities owned by others.

Southeastern sells wholesale power primarily to publicly and cooperatively-owned electric distribution utilities. Southeastern does not own or operate any transmission facilities. Its long-term contracts provide for periodic electric rate adjustments to ensure that the Federal Government recovers the costs of operations and the capital invested in power facilities, with interest, in keeping with statutory requirements.

*Program Direction.*—Provision is made for negotiation and administration of transmission and power contracts, collection of revenues, development of wholesale power rates, amortization of the Federal power investment, energy efficiency and competitiveness program, investigation and planning of proposed water resources projects, scheduling and dispatch of power generation, scheduling storage and release of water, administration of contractual operation requirements, and determination of methods of operating generating plants individually and in coordination with others to obtain maximum utilization of resources.

*Purchase Power and Wheeling.*—Provision is made for the payment of wheeling fees and for the purchase of electricity in connection with the disposal of power under contracts with utility companies. Customers are encouraged to use alternative funding mechanisms, including customer advances and net billing to finance these activities. Offsetting collections to fund these ongoing operating services are also available up to \$50 million. Estimates for these activities reflect average water levels over the past 20 years and prevailing electricity prices in 2007.

*Reimbursable Program.*—The Consolidated Appropriations Act, 2008 (P.L. 110-161) provided Southeastern with authority to accept advance payment from customers for reimbursable work associated with operations and maintenance activities, consistent with those authorized in section 5 of the Flood Control Act of 1944. Funds received from any State, municipality, corporation, association, firm, district or individual as an advance payment for reimbursable work will be credited to Southeastern's account and remain available until expended.

*Reclassification of Receipts.*—The 2010 Budget allows for the reclassification as discretionary offsetting collections of power receipts that are currently classified as mandatory for Southeastern in the amount of annual expenses for 2010 and for subsequent years. Reclassification of these receipts would be achieved through this legislation with a 2010 impact of \$7,638,000. This impact is reflected as a change in a mandatory program in the associated receipt account.

Object Classification (in millions of dollars)

Identification code 89-0302-0-1-271	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
11.1 Personnel compensation: Full-time permanent .....	4	5	5
25.2 Other services .....	2	2	3
99.0 Direct obligations .....	6	7	8
99.0 Reimbursable obligations .....	48	50	71
99.9 Total new obligations .....	54	57	79

Employment Summary

Identification code 89-0302-0-1-271	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	36	44	44

CONTINUING FUND, SOUTHEASTERN POWER ADMINISTRATION

Special and Trust Fund Receipts (in millions of dollars)

Identification code 89-5653-0-2-271	2008 actual	2009 est.	2010 est.
01.00 Balance, start of year .....	.....	.....	.....
01.99 Balance, start of year .....	.....	.....	.....
<b>Receipts:</b>			
02.20 Deposits from Sale and Transmission of Electric Energy, Southeastern Power Administration .....	63	.....	.....
04.00 Total: Balances and collections .....	63	.....	.....
<b>Appropriations:</b>			
05.00 Continuing Fund, Southeastern Power Administration .....	-63	.....	.....
07.99 Balance, end of year .....	.....	.....	.....

Program and Financing (in millions of dollars)

Identification code 89-5653-0-2-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Direct program activity .....	63	.....	.....
10.00 Total new obligations (object class 25.2) .....	63	.....	.....
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	63	.....	.....
23.95 Total new obligations .....	-63	.....	.....
<b>New budget authority (gross), detail:</b>			
Mandatory:			
60.20 Appropriation (special fund) .....	63	.....	.....
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	16	18	.....
73.10 Total new obligations .....	63	.....	.....
73.20 Total outlays (gross) .....	-61	-18	.....
74.40 Obligated balance, end of year .....	18	.....	.....
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....	45	.....	.....
86.98 Outlays from mandatory balances .....	16	18	.....
87.00 Total outlays (gross) .....	61	18	.....
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	63	.....	.....
90.00 Outlays .....	61	18	.....

A continuing fund maintained from receipts from the sale and transmission of electric power in the Southeastern service area is available to defray emergency expenses necessary to ensure continuity of service (16 U.S.C. 825s-2). The fund was activated in fiscal year 2009 to finance power purchases associated with below normal hydro power generation due to severe drought. Consistent with sound business practices, the Southeastern Power

Administration has implemented a policy to recover all emergency costs associated with purchased power and wheeling within one year from the time funds are expended, as proposed in the 2008 Budget.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed \$1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, **[\$28,414,000]** \$44,944,000, to remain available until expended: *Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to \$31,868,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Southwestern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2010 appropriation estimated at not more than \$13,076,000: Provided further, That, notwithstanding 31 U.S.C. 3302, up to **[\$35,000,000]** \$38,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, all funds collected by the Southwestern Power Administration that are applicable to the repayment of the annual expenses of this account in this and subsequent fiscal years shall be credited to this account as discretionary offsetting collections for the sole purpose of funding such expenses, with such funds remaining available until expended: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses). (Energy and Water Development and Related Agencies Appropriations Act, 2009.)*

Program and Financing (in millions of dollars)

Identification code 89-0303-0-1-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 System operation and maintenance .....	6	3	8
00.03 Construction .....	3	3	4
00.04 Program direction .....	21	22	1
02.93 Direct program subtotal .....	30	28	13
Reimbursable program:			
09.05 Purchase power and wheeling .....	3	35	38
09.10 Other reimbursable activities .....	2	37	37
09.99 Total reimbursable program .....	5	72	75
10.00 Total new obligations .....	35	100	88
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	7	7	7
22.00 New budget authority (gross) .....	35	100	88
23.90 Total budgetary resources available for obligation .....	42	107	95
23.95 Total new obligations .....	-35	-100	-88
24.40 Unobligated balance carried forward, end of year .....	7	7	7
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation .....	30	28	13
Spending authority from offsetting collections:			
58.00 Offsetting collections (cash) .....	6	72	75
58.10 Change in uncollected customer payments from Federal sources (unexpired) .....	-1		

58.90	Spending authority from offsetting collections (total discretionary) .....	5	72	75
70.00	Total new budget authority (gross) .....	35	100	88
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	26	26	26
73.10	Total new obligations .....	35	100	88
73.20	Total outlays (gross) .....	-36	-100	-94
74.00	Change in uncollected customer payments from Federal sources (unexpired) .....	1		
74.40	Obligated balance, end of year .....	26	26	20
<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	22	89	83
86.93	Outlays from discretionary balances .....	14	11	11
87.00	Total outlays (gross) .....	36	100	94
<b>Offsets:</b>				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources .....		-6	-6
88.40	Non-Federal sources .....	-6	-66	-69
88.90	Total, offsetting collections (cash) .....	-6	-72	-75
Against gross budget authority only:				
88.95	Change in uncollected customer payments from Federal sources (unexpired) .....	1		
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	30	28	13
90.00	Outlays .....	30	28	19

The Southwestern Power Administration (Southwestern) operates in a six-state area as a marketing agent for renewable hydroelectric power produced at the U.S. Army Corps of Engineers' dams. It also operates and maintains 1,380 miles of high voltage transmission lines, 25 substations, and switching facilities, power system controls and communication sites, and is responsible for the construction and maintenance of these facilities.

Southwestern markets and delivers its power at wholesale rates primarily to publicly and cooperatively owned electric distribution utilities. In compliance with statutory requirements, Southwestern's power sales contracts provide for periodic rate adjustments to ensure that the Federal Government recovers all costs of operations, other costs allocated to power, and the capital investments in power facilities, with interest. Southwestern is also responsible for scheduling and dispatching power and negotiating power sales contracts to meet changing customer load requirements.

**Program Direction.**—Provides compensation and all related expenses for personnel who market, deliver, operate, and maintain Southwestern's high-voltage interconnected power system and associated facilities.

**Operations and Maintenance.**—Provides essential electrical and communications equipment replacements and upgrades, capitalized moveable equipment, technical services, and supplies and materials necessary for the safe, reliable, and cost effective operation and maintenance of the power system.

**Purchase Power and Wheeling.**—Provides for the purchase and delivery of energy to meet limited peaking power contractual obligations and transmission line losses resulting from the delivery of power over the Federal system. Federal power receipts and alternative financing methods, including net billing, bill crediting, and customer advances are used to fund system-purchased power support and other contractual services. Customers will provide other power resources and/or purchases for the remainder of their firm loads.

**Construction.**—Provides for replacement, addition, and modification of existing infrastructure to sustain reliable delivery of power to customers, to contain annual maintenance costs, and to improve overall efficiency.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER  
ADMINISTRATION—Continued

**Reimbursable Program.**—This activity involves services provided by Southwestern to others under various types of reimbursable arrangements.

**Reclassification of Receipts.**—The 2010 Budget allows for the reclassification as discretionary offsetting collections of power receipts that are currently classified as mandatory for Southwestern in the amount of annual expenses for 2010 and for subsequent years. Reclassification of these receipts would be achieved through this legislation with a 2010 impact of \$31,868,000. This impact is reflected as a change in a mandatory program in the associated receipt account.

**Object Classification** (in millions of dollars)

Identification code 89-0303-0-1-271	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
11.1 Personnel compensation: Full-time permanent .....	15	16	1
12.1 Civilian personnel benefits .....	3	3	
21.0 Travel and transportation of persons .....	1	1	
25.2 Other services .....	7	5	6
26.0 Supplies and materials .....	2	1	2
31.0 Equipment .....	3	2	4
99.0 Direct obligations .....	31	28	13
99.0 Reimbursable obligations .....	4	72	75
99.9 Total new obligations .....	35	100	88

**Employment Summary**

Identification code 89-0303-0-1-271	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	166	179	20
<b>Reimbursable:</b>			
2001 Civilian full-time equivalent employment .....			164

CONTINUING FUND, SOUTHWESTERN POWER ADMINISTRATION

**Special and Trust Fund Receipts** (in millions of dollars)

Identification code 89-5649-0-2-271	2008 actual	2009 est.	2010 est.
01.00 Balance, start of year .....	1	1	1
01.99 Balance, start of year .....	1	1	1
04.00 Total: Balances and collections .....	1	1	1
07.99 Balance, end of year .....	1	1	1

**Program and Financing** (in millions of dollars)

Identification code 89-5649-0-2-271	2008 actual	2009 est.	2010 est.
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	8	4	
73.20 Total outlays (gross) .....	-4	-4	
74.40 Obligated balance, end of year .....	4		
<b>Outlays (gross), detail:</b>			
86.98 Outlays from mandatory balances .....	4	4	
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....			
90.00 Outlays .....	4	4	

A continuing fund maintained from receipts from the sale and transmission of electric power in the Southwestern service area, is available permanently for emergency expenses necessary to ensure continuity of electric service and continuous operation of the facilities. The fund is also available on an ongoing basis for

paying for purchase power and wheeling expenses when the Administrator determines that such expenses are necessary to meet contractual obligations for the sale and delivery of power during periods of below-average generation (16 U.S.C. 825s-1 as amended further by Public Law No. 101-101). Consistent with sound business practices, Southwestern has developed a policy to recover emergency costs associated with purchased power and wheeling within one year from the time funds are expended, as proposed in the 2008 Budget.

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

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed \$1,500; ~~[\$218,346,000,]~~ \$256,711,000, to remain available until expended, of which ~~[\$208,642,000]~~ \$245,216,000 shall be derived from the Department of the Interior Reclamation Fund: *Provided, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to \$147,530,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2010 appropriation estimated at not more than \$109,181,000, of which \$97,686,000 is derived from the Reclamation Fund: Provided further, That of the amount herein appropriated, ~~[\$7,342,000]~~ \$7,584,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That notwithstanding [the provision of] 31 U.S.C. 3302, up to ~~[\$403,118,000]~~ \$349,807,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That of the amount herein appropriated, up to \$18,612,000 is provided on a nonreimbursable basis for environmental remediation at the Basic Substation site in Henderson, Nevada: Provided further, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), funds collected by the Western Area Power Administration from the sale of power and related services that are applicable to the repayment of the annual expenses of this account in this and subsequent fiscal years shall be credited to this account as discretionary offsetting collections for the sole purpose of funding such expenses, with such funds remaining available until expended: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses). (Energy and Water Development and Related Agencies Appropriations Act, 2009.)*

**Program and Financing** (in millions of dollars)

Identification code 89-5068-0-2-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Systems operation and maintenance .....	62	74	63
00.04 Program direction .....	148	149	71
00.05 Utah mitigation and conservation fund .....	7	7	7
00.91 Total operating expenses .....	217	230	141
01.01 Capital investment .....	32	28	21
09.01 Reimbursable program .....	629	1,052	1,261
10.00 Total new obligations .....	878	1,310	1,423

<b>Budgetary resources available for obligation:</b>				
21.40	Unobligated balance carried forward, start of year .....	206	227	127
22.00	New budget authority (gross) .....	899	1,210	1,300
23.90	Total budgetary resources available for obligation .....	1,105	1,437	1,427
23.95	Total new obligations .....	-878	-1,310	-1,423
24.40	Unobligated balance carried forward, end of year .....	227	127	4
<b>New budget authority (gross), detail:</b>				
Discretionary:				
40.00	Appropriation .....	10	10	11
40.01	Appropriation, Recovery Act .....		10	
40.20	Appropriation (special fund) .....	221	208	98
40.37	Appropriation temporarily reduced .....	-2		
43.00	Appropriation (total discretionary) .....	229	228	109
Spending authority from offsetting collections:				
58.00	Offsetting collections (cash) .....	665	982	1,191
58.10	Change in uncollected customer payments from Federal sources (unexpired) .....	5		
58.90	Spending authority from offsetting collections (total discretionary) .....	670	982	1,191
70.00	Total new budget authority (gross) .....	899	1,210	1,300
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	202	242	239
73.10	Total new obligations .....	878	1,310	1,423
73.20	Total outlays (gross) .....	-833	-1,313	-1,483
74.00	Change in uncollected customer payments from Federal sources (unexpired) .....	-5		
74.40	Obligated balance, end of year .....	242	239	179
<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	504	1,083	1,240
86.93	Outlays from discretionary balances .....	319	195	193
86.98	Outlays from mandatory balances .....	10	35	50
87.00	Total outlays (gross) .....	833	1,313	1,483
<b>Offsets:</b>				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources .....	-173	-175	-231
88.40	Non-Federal sources .....	-492	-807	-960
88.90	Total, offsetting collections (cash) .....	-665	-982	-1,191
Against gross budget authority only:				
88.95	Change in uncollected customer payments from Federal sources (unexpired) .....	-5		
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	229	228	109
90.00	Outlays .....	168	331	292

The Western Area Power Administration (Western) markets electric power in fifteen central and western states from federally-owned power plants operated primarily by the Bureau of Reclamation, the Army Corps of Engineers, and the International Boundary and Water Commission. Western operates and maintains about 17,000 circuit-miles of high-voltage transmission lines, more than 300 substations/switchyards and associated power system controls, and communication and electrical facilities for 15 separate power projects. Western also constructs additions and modifications to existing facilities.

In keeping with statutory requirements, Western's long-term power contracts allow for periodic rate adjustments to ensure that the Federal Government recovers costs of operations, other costs allocated to power, and the capital investment in power facilities, with interest.

Power is sold to wholesale customers such as municipalities, cooperatives, irrigation districts, public utility districts, State and Federal Government agencies, and private utilities. Receipts are deposited in the Reclamation Fund, the Falcon and Amistad Operating and Maintenance Fund, the General Fund, the Color-

ado River Dam Fund and the Colorado River Basins Power Marketing Fund.

**Systems Operation and Maintenance.**—Provides essential electrical and communication equipment replacements and upgrades, capitalized moveable equipment, technical services, and supplies and materials necessary for safe reliable operation and cost-effective maintenance of the power systems.

**Purchase Power and Wheeling.**—Provision is made for the payment of wheeling fees and for the purchase of electricity in connection with the distribution of power under contracts with utility companies. Customers are encouraged to contract for power and wheeling on their own, or use alternative funding mechanisms, including customer advances, net billing and bill crediting to finance these activities. Ongoing operating services are also available on a reimbursable basis. As in past years, the budget continues to provide certain receipt financing for purchase power and wheeling expenses from the use of discretionary offsetting receipts collected to recover these expenses.

**System Construction.**—Western's construction and rehabilitation activity emphasizes replacement and upgrades of existing infrastructure to sustain reliable power delivery to its customers, to contain annual maintenance costs, and to improve overall operational efficiency. Western will continue to participate in joint construction projects with customers to encourage more widespread transmission access.

**Program Direction.**—Provides compensation and all related expenses for the workforce that operates and maintains Western's high-voltage interconnected transmission system (systems operation and maintenance program), and those that plan, design, and supervise the construction of replacements, upgrades and additions (system construction program) to the transmission facilities.

**Utah Mitigation and Conservation.**—This account is primarily for environmental mitigation expenditures covering fish and wildlife, and recreation resources impacted by the Central Utah Project and the Colorado River Storage Project (CRSP) in the State of Utah.

**Reimbursable Program.**—This program involves services provided by Western to others under various types of reimbursable arrangements.

Western will continue to spend out of the Colorado River Dam Fund for operations and maintenance activities associated with the Boulder Canyon Project via a reimbursable arrangement with the Interior Department's Bureau of Reclamation. The Colorado River Dam Fund is a revolving fund operated by the Bureau of Reclamation. Authority for Western to obligate directly from the Colorado River Dam Fund comes from section 104(a) of the Hoover Power Plant Act of 1984.

**Reclassification of Receipts.**—The 2010 Budget allows for the reclassification as discretionary offsetting collections of power receipts that are currently classified as mandatory for Western in the amount of annual expenses for 2010 and for subsequent years. Reclassification of these receipts would be achieved through this legislation with a 2010 impact of \$147,530,000. This impact is reflected as a change in a mandatory program in the associated receipt account.

For presentation of the 2010 Budget, this account includes \$10 million enacted in the American Recovery and Reinvestment Act of 2009 for use by Western Area Power Administration to complete activities authorized in section 402 of the Act.

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

Object Classification (in millions of dollars)

Identification code 89-5068-0-2-271	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	72	81	35
11.3 Other than full-time permanent .....	1	1	.....
11.5 Other personnel compensation .....	12	8	3
11.9 Total personnel compensation .....	85	90	38
12.1 Civilian personnel benefits .....	26	28	10
21.0 Travel and transportation of persons .....	5	7	2
22.0 Transportation of things .....	3	4	1
23.1 Rental payments to GSA .....	2	2	.....
23.3 Communications, utilities, and miscellaneous charges .....	4	5	1
25.2 Other services .....	43	49	42
25.3 Other purchases of goods and services from Government accounts .....	2	9	.....
26.0 Supplies and materials .....	11	9	8
31.0 Equipment .....	13	20	27
32.0 Land and structures .....	47	28	26
41.0 Grants, subsidies, and contributions .....	8	7	7
99.0 Direct obligations .....	249	258	162
99.0 Reimbursable obligations .....	629	1,052	1,261
99.9 Total new obligations .....	878	1,310	1,423

Employment Summary

Identification code 89-5068-0-2-271	2008 actual	2009 est.	2010 est.
<b>Direct:</b>			
1001 Civilian full-time equivalent employment .....	1,059	1,073	359
<b>Reimbursable:</b>			
2001 Civilian full-time equivalent employment .....	.....	.....	748

WESTERN AREA POWER ADMINISTRATION, BORROWING AUTHORITY, RECOVERY ACT.

Program and Financing (in millions of dollars)

Identification code 89-4404-0-3-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
09.01 Reimbursable program .....	.....	.....	100
10.00 Total new obligations .....	.....	.....	100
<b>Budgetary resources available for obligation:</b>			
22.00 New budget authority (gross) .....	.....	.....	100
23.95 Total new obligations .....	.....	.....	-100
24.40 Unobligated balance carried forward, end of year .....	.....	.....	.....
<b>New budget authority (gross), detail:</b>			
<b>Mandatory:</b>			
67.10 Authority to borrow .....	.....	.....	100
<b>Change in obligated balances:</b>			
73.10 Total new obligations .....	.....	.....	100
73.20 Total outlays (gross) .....	.....	.....	-45
74.40 Obligated balance, end of year .....	.....	.....	55
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....	.....	.....	45
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	.....	.....	100
90.00 Outlays .....	.....	.....	45

The American Recovery and Reinvestment Act of 2009 (the Act) provided Western Area Power Administration (Western) borrowing authority for the purpose of constructing, financing, facilitating, planning, operating, maintaining or studying construction of new or upgraded electric power transmission lines and related

facilities with at least one terminus within the area served by Western, and for delivering or facilitating the delivery of power generated by renewable energy resources constructed or reasonably expected to be constructed after the date of enactment. This authority to borrow from the United States Treasury is available to Western on a permanent, indefinite basis, with the amount of borrowing outstanding not to exceed \$3.25 billion at any one time. Western has established a separate program and office to administer the borrowing authority and to comply with the transparency and reporting requirements established under the Act. The new Transmission Infrastructure Program will support Western's and the Department of Energy's priorities by facilitating the delivery of renewable energy resources to market.

Object Classification (in millions of dollars)

Identification code 89-4404-0-3-271	2008 actual	2009 est.	2010 est.
<b>Reimbursable obligations:</b>			
25.2 Other services .....	.....	.....	25
31.0 Equipment .....	.....	.....	25
32.0 Land and structures .....	.....	.....	50
99.9 Total new obligations .....	.....	.....	100

EMERGENCY FUND, WESTERN AREA POWER ADMINISTRATION

Program and Financing (in millions of dollars)

Identification code 89-5069-0-2-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Direct program activity .....	3	1	.....
10.00 Total new obligations .....	3	1	.....
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	1	1	1
22.00 New budget authority (gross) .....	3	1	.....
23.90 Total budgetary resources available for obligation .....	4	2	1
23.95 Total new obligations .....	-3	-1	.....
24.40 Unobligated balance carried forward, end of year .....	1	1	1
<b>New budget authority (gross), detail:</b>			
<b>Mandatory:</b>			
60.20 Appropriation (special fund) .....	3	1	.....
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	.....	2	.....
73.10 Total new obligations .....	3	1	.....
73.20 Total outlays (gross) .....	-1	-3	.....
74.40 Obligated balance, end of year .....	2	.....	.....
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....	1	1	.....
86.98 Outlays from mandatory balances .....	.....	2	.....
87.00 Total outlays (gross) .....	1	3	.....
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	3	1	.....
90.00 Outlays .....	1	3	.....

An emergency fund maintained from receipts from the sale and transmission of electric power is available to defray expenses necessary to ensure continuity of service. The fund was activated in 2008 for several emergency operation and maintenance requirements. These emergencies included the replacement of a shunt oil reactor at the Fort Thompson Substation, South Dakota; repair of lines and structures damaged by a tornado in Windsor, Colorado; replacement of a transformer in Lusk, Wyoming; and, con-

Continuation of funding for the replacement and repair of transmission lines damaged by storms in the Upper Great Plains Region.

**Object Classification** (in millions of dollars)

Identification code 89-5069-0-2-271	2008 actual	2009 est.	2010 est.
<b>Direct obligations:</b>			
25.2 Other services .....	1		
32.0 Land and structures .....	2	1	
99.9 Total new obligations .....	3	1	

**FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND**

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, **[\$2,959,000,] \$2,568,000**, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section **[423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995] 2 of the Act of June 18, 1954 (68 Stat. 255) as amended: Provided, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to \$2,348,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2010 appropriation estimated at not more than \$220,000: Provided further, That notwithstanding the provisions of section 2 of the Act of June 18, 1954 (68 Stat. 255) as amended, and 31 U.S.C. 3302, all funds collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams that are applicable to the repayment of the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities in this and subsequent fiscal years shall be credited to this account as discretionary offsetting collections for the sole purpose of funding such expenses, with such funds remaining available until expended: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred. (Energy and Water Development and Related Agencies Appropriations Act, 2009.)**

**Special and Trust Fund Receipts** (in millions of dollars)

Identification code 89-5178-0-2-271	2008 actual	2009 est.	2010 est.
01.00 Balance, start of year .....		1	1
01.99 Balance, start of year .....		1	1
<b>Receipts:</b>			
02.20 Falcon and Amistad Operating and Maintenance Fund Receipts .....	3	3	2
02.21 Falcon and Amistad Operating and Maintenance Fund Receipts .....			-2
02.99 Total receipts and collections .....	3	3	
04.00 Total: Balances and collections .....	3	4	1
<b>Appropriations:</b>			
05.00 Falcon and Amistad Operating and Maintenance Fund .....	-2	-3	
07.99 Balance, end of year .....	1	1	1

**Program and Financing** (in millions of dollars)

Identification code 89-5178-0-2-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
00.01 Direct program activity .....	2	3	
09.01 Reimbursable program .....			2
10.00 Total new obligations .....	2	3	2

**Budgetary resources available for obligation:**

22.00 New budget authority (gross) .....	2	3	2
23.95 Total new obligations .....	-2	-3	-2

**New budget authority (gross), detail:**

<b>Discretionary:</b>			
40.20 Appropriation (special fund) .....	2	3	
58.00 Spending authority from offsetting collections: Offsetting collections .....			2
70.00 Total new budget authority (gross) .....	2	3	2

**Change in obligated balances:**

72.40 Obligated balance, start of year .....	2	2	2
73.10 Total new obligations .....	2	3	2
73.20 Total outlays (gross) .....	-2	-3	-3
74.40 Obligated balance, end of year .....	2	2	1

**Outlays (gross), detail:**

86.90 Outlays from new discretionary authority .....	2	2	2
86.93 Outlays from discretionary balances .....		1	1
87.00 Total outlays (gross) .....	2	3	3

**Offsets:**

<b>Against gross budget authority and outlays:</b>			
88.40 Offsetting collections (cash) from: Non-Federal sources .....			-2

**Net budget authority and outlays:**

89.00 Budget authority .....	2	3	
90.00 Outlays .....	2	3	1

Pursuant to section 2 of the Act of June 18, 1954, as amended, Western Area Power Administration is requesting funding from the Falcon and Amistad Operating and Maintenance Fund to defray operations, maintenance, and emergency (O,M&E) expenses for the hydroelectric facilities at Falcon and Amistad Dams on the Rio Grande River. Most of these funds will be made available to the United States Section of the International Boundary and Water Commission through a reimbursable agreement. \$200,000 in the fund is for an emergency reserve that will remain unobligated unless unanticipated expenses arise. Revenues in excess of O,M&E will be paid to the General Fund to repay the costs of replacements and the original investment with interest.

**Reclassification of receipts.**—The 2010 Budget allows for the reclassification as discretionary offsetting collections of power receipts that are currently classified as mandatory for Falcon and Amistad in the amount of annual expenses for 2010 and for subsequent years. Reclassification of these receipts would be achieved through this legislation with a 2010 impact of \$2,348,000. This impact is reflected as a change in a mandatory program in the associated receipt account.

**Object Classification** (in millions of dollars)

Identification code 89-5178-0-2-271	2008 actual	2009 est.	2010 est.
25.3 Direct obligations: Other purchases of goods and services from Government accounts .....	2	3	
99.0 Reimbursable obligations: reimbursable obligations .....			2
99.9 Total new obligations .....	2	3	2

**BONNEVILLE POWER ADMINISTRATION FUND**

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for the *Leaburg Fish Sorter, the Okanogan Basin Locally Adapted Steelhead Supplementation Program, and the Crystal Springs Hatchery Facilities, and, in addition, for official reception and representation expenses in an amount not to exceed \$1,500. During fiscal year [2009] 2010, no new direct loan oblig-*

## BONNEVILLE POWER ADMINISTRATION FUND—Continued

ations may be made. (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

## Program and Financing (in millions of dollars)

Identification code 89-4045-0-3-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
09.02 Power business line .....	1,103	1,415	1,428
09.03 Residential exchange .....	213	213	221
09.05 Bureau of Reclamation .....	72	82	88
09.06 Corps of Engineers .....	178	180	193
09.07 Colville settlement .....	20	21	21
09.10 U.S. Fish & Wildlife .....	19	20	24
09.20 Planning council .....	8	9	10
09.21 Fish and wildlife .....	149	200	230
09.23 Transmission business line .....	307	337	367
09.24 Conservation and energy efficiency .....	95	63	64
09.25 Interest .....	362	321	352
09.26 Pension and health benefits .....	18	31	31
09.29 Total operating expenses .....	939	961	1,054
09.41 Power business line .....	105	159	187
09.42 Transmission services .....	129	322	490
09.43 Conservation and energy efficiency .....	8	32	56
09.44 Fish and Wildlife .....	26	50	70
09.45 Capital Equipment .....	22	30	43
09.51 Projects funded in advance .....	99	99	105
10.00 Total new obligations .....	2,720	3,584	3,980
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	47	38	23
22.00 New budget authority (gross) .....	3,191	3,911	4,417
22.60 Portion applied to repay debt .....	-480	-342	-448
23.90 Total budgetary resources available for obligation .....	2,758	3,607	3,992
23.95 Total new obligations .....	-2,720	-3,584	-3,980
24.40 Unobligated balance carried forward, end of year .....	38	23	12
<b>New budget authority (gross), detail:</b>			
Mandatory:			
61.00 Transferred to other accounts .....	-82	.....	.....
66.10 Contract authority .....	515	.....	.....
67.10 Authority to borrow .....	425	593	846
69.00 Offsetting collections (cash) .....	3,033	3,594	3,990
69.10 Change in uncollected customer payments from Federal sources (unexpired) .....	-8	.....	.....
69.47 Portion applied to repay debt .....	.....	-276	-419
69.49 Portion applied to liquidate contract authority .....	-692	.....	.....
69.90 Spending authority from offsetting collections (total mandatory) .....	2,333	3,318	3,571
70.00 Total new budget authority (gross) .....	3,191	3,911	4,417
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	2,035	2,102	2,102
73.10 Total new obligations .....	2,720	3,584	3,980
73.20 Total outlays (gross) .....	-2,661	-3,584	-3,980
74.00 Change in uncollected customer payments from Federal sources (unexpired) .....	8	.....	.....
74.40 Obligated balance, end of year .....	2,102	2,102	2,102
<b>Outlays (gross), detail:</b>			
86.97 Outlays from new mandatory authority .....	2,653	3,569	3,969
86.98 Outlays from mandatory balances .....	8	15	11
87.00 Total outlays (gross) .....	2,661	3,584	3,980
<b>Offsets:</b>			
Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources .....	-28	-90	-90
88.40 Non-Federal sources .....	-3,005	-3,504	-3,900
88.90 Total, offsetting collections (cash) .....	-3,033	-3,594	-3,990
Against gross budget authority only:			
88.95 Change in uncollected customer payments from Federal sources (unexpired) .....	8	.....	.....
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	166	317	427

90.00	Outlays .....	-372	-10	-10
<b>Memorandum (non-add) entries:</b>				
93.03	Obligated balance, start of year: Contract authority .....	692	515	515
93.04	Obligated balance, end of year: Contract authority .....	515	515	515

## Status of Direct Loans (in millions of dollars)

Identification code 89-4045-0-3-271	2008 actual	2009 est.	2010 est.	
Cumulative balance of direct loans outstanding:				
1210	Outstanding, start of year .....	2	2	2
1290	Outstanding, end of year .....	2	2	2

Bonneville Power Administration (BPA) is a Federal electric power marketing agency in the Pacific Northwest. BPA markets hydroelectric power from 21 multipurpose water resource projects of the U.S. Army Corps of Engineers and 10 projects of the U.S. Bureau of Reclamation, plus some energy from non-Federal generating projects in the region. These generating resources and BPA's transmission system, consisting of over 15,000 circuit miles of high-voltage transmission lines and 237 substations, are operated as an integrated power system with operating and financial results combined and reported as the Federal Columbia River Power System (FCRPS). BPA provides about thirty-five percent of the region's electric energy supply and about three-fourths of the region's high-voltage electric power transmission capacity.

BPA is responsible for meeting the net firm power requirements of its requesting customers through a variety of means, including energy conservation programs, acquisition of renewable and other resources, and power exchanges with utilities both in and outside the region.

BPA will finance its operations with a business-type budget under the Government Corporation Control Act, 31 USC 9101-10, on the basis of the self-financing authority provided by the Federal Columbia River Transmission System Act of 1974 (Transmission Act) (Public Law 93-454) and the U.S. Treasury borrowing authority provided by the Transmission Act, the Pacific Northwest Electric Power Planning and Conservation Act (Pacific Northwest Power Act) (Public Law 96-501) for energy conservation, renewable energy resources, capital fish facilities, and other purposes, the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), and other legislation. Authority to borrow from the U.S. Treasury is available to the BPA on a permanent, indefinite basis. The amount of U.S. Treasury borrowing outstanding at any time cannot exceed \$7.70 billion. BPA finances its approximate \$4.0 billion annual cost of operations and investments primarily using power and transmission revenues and loans from the U.S. Treasury.

**Operating Expenses-Transmission Services.**—Provides for operating about 15,000 miles of high-voltage transmissions line and 237 substations, and for maintaining the facilities and equipment of the Bonneville transmission system in 2010.

**Power Services.**—Provides for the planning, contractual acquisition and oversight of reliable, cost effective resources. These resources are needed to serve BPA's portion of the region's forecasted net electric load requirements. This activity also includes protection, mitigation and enhancement of fish and wildlife affected by hydroelectric facilities on the Columbia River and its tributaries in accordance with the Pacific Northwest Power Act. This activity provides for payment of the operation and maintenance (O&M) costs allocated to power the 31 U.S. Army Corps of Engineers and U.S. Bureau of Reclamation hydro projects, and amortization on the U.S. Bureau of Reclamation capital investment in power generating facilities and irrigation assistance at



Bureau facilities. This activity also provides for the planning, contractual acquisition and oversight of reliable, cost effective conservation. It also provides for extending the benefits of low cost Federal power to the residential and small farm customers of investor-owned and publicly-owned utilities, in accordance with the Pacific Northwest Power Act and for activities of the Pacific Northwest Electric Power and Conservation Planning Council required by the Pacific Northwest Power Act.

*Interest.*—Provides for payments to the U.S. Treasury for interest on U.S. Treasury borrowings to finance BPA's capital investments under \$7.70 billion of U.S. Treasury borrowing authority provided by the Transmission Act, the Pacific Northwest Power Act for energy conservation, renewable energy resources, capital fish facilities, and other purposes, the American Recovery and Reinvestment Act of 2009, and other legislation. This interest category also includes interest on U.S. Army Corps of Engineers, BPA and U.S. Bureau of Reclamation appropriated debt.

*Capital Investments-Transmission Services.*—Provides for the planning, design and construction of transmission lines, substation and control system additions, replacements, and enhancements to the FCRPS transmission system for a reliable, efficient and cost-effective regional transmission system. Provides for planning, design, and construction work to repair or replace existing transmission lines, substations, control systems, and general facilities of the FCRPS transmission system.

*Power Services.*—Provides for direct funding of additions, improvements, and replacements at existing Federal hydroelectric projects in the Northwest. It also provides for capital investments to implement environmental activities, and protect, mitigate, and enhance fish and wildlife affected by hydroelectric facilities on the Columbia River and its tributaries, in accordance with the Pacific Northwest Power Act. This activity provides for the planning, contractual acquisition and oversight of reliable, cost effective conservation.

*Capital Equipment / Capitalized Bond Premium.*—Provides for capital information technologies, and office furniture and equipment, and software capital development in support of all BPA programs. It also provides for bond premiums incurred for refinancing of bonds. The 2010 capital obligations are estimated to be \$846 million.

*Contingencies.*—Although contingencies are not specifically funded, the need may arise to provide for purchase of power in low-water years; for repair and/or replacement of facilities affected by natural and man-made emergencies, including the resulting additional costs for contracting, construction, and operation and maintenance work; for unavoidable increased costs for the planned program due to necessary but unforeseen adjustments, including engineering and design changes, contractor and other claims and relocations; or for payment of a retrospective premium adjustment in excess nuclear property insurance.

*Financing.*—The Transmission Act provides for the use by BPA of all receipts, collections, and recoveries in cash from all sources, including the sale of bonds, to finance the annual budget programs of BPA. These receipts result primarily from the sale of power and transmission services. The Transmission Act also provides for authority to borrow from the U.S. Treasury at rates comparable to borrowings at open market rates for similar issues. BPA has \$7.70 billion of U.S. Treasury borrowing authority provided by the Transmission Act, the Pacific Northwest Power Act for energy conservation, renewable energy resources, capital fish facilities, and other purposes, the American Recovery and Reinvestment Act of 2009, and other legislation. The amount of BPA's current outstanding bonds with the U.S. Treasury is \$2.19 billion. BPA also currently has \$6.47 billion of non-Federal debt

outstanding, including Energy Northwest bonds. BPA will rely primarily on its U.S. Treasury borrowing authority to finance capital projects, but may also elect to use cash reserves generated by revenues from customers or seek third party financing sources when feasible to finance some of these investments.

In 2008, BPA made payments to the Treasury of \$963 million and also expects to make payments of \$654 million in 2009 and \$824 million in 2010. The 2010 payment will be distributed as follows: interest on bonds and appropriations (\$374 million), amortization (\$419 million), and other (\$31 million). BPA also received credits totaling \$96 million applied against its Treasury payments in 2008 to reflect amounts diverted to fish mitigation efforts, but not allocable to power, in the Columbia and Snake River systems.

BPA, with input from its stakeholders, considers other strategies to sustain funding for its infrastructure investment requirements as well. BPA's recently updated Financial Plan defines strategies and policies for guiding how BPA will manage risk and variability of electricity markets and water years. It also describes how BPA will continue to manage to ensure it meets its Treasury repayment responsibilities.

*Direct Loans.*—During 2010, no new direct loan obligations may be made.

*Operating Results.*—Total revenues are forecast at approximately \$3.9 billion in 2010.

It should be noted that BPA's revenue forecasts are based on several critical assumptions about both the supply of and demand for Federal energy. During the operating year, deviation from the conditions assumed in a rate case may result in a variation in actual revenues of several hundred million dollars from the forecast.

Consistent with Administration policy, BPA will continue to fully recover, from the sale of electric power and transmission, funds sufficient to cover the full cost of Civil Service Retirement System and Post-Retirement Health Benefits for its employees. The entire cost of BPA employees working under the Federal Employees Retirement System is fully recovered in wholesale electric power and transmission rates.

#### Balance Sheet (in millions of dollars)

Identification code 89-4045-0-3-271	2007 actual	2008 actual
<b>ASSETS:</b>		
Federal assets:		
1101 Fund balances with Treasury .....	1,375	1,625
Investments in US securities:		
1106 Receivables, net .....	3	3
1206 Non-Federal assets: Receivables, net .....	318	309
Other Federal assets:		
1802 Inventories and related properties .....	68	76
1803 Property, plant and equipment, net .....	3,961	4,493
1901 Other assets .....	13,789	13,342
1999 Total assets .....	19,514	19,848
<b>LIABILITIES:</b>		
Federal liabilities:		
2102 Interest payable .....	-7	19
2103 Debt .....	8,062	7,850
Non-Federal liabilities:		
2201 Accounts payable .....	254	288
2203 Debt .....	6,380	6,222
2207 Other .....	4,825	5,469
2999 Total liabilities .....	19,514	19,848
4999 Total liabilities and net position .....	19,514	19,848

**BONNEVILLE POWER ADMINISTRATION FUND—Continued**  
**Object Classification** (in millions of dollars)

Identification code 89-4045-0-3-271	2008 actual	2009 est.	2010 est.
<b>Reimbursable obligations:</b>			
<b>Personnel compensation:</b>			
11.1 Full-time permanent .....	227	234	260
11.3 Other than full-time permanent .....	11	56	62
11.5 Other personnel compensation .....	24	15	17
11.9 Total personnel compensation .....	262	305	339
12.1 Civilian personnel benefits .....	75	19	21
13.0 Benefits for former personnel .....	18	25	28
21.0 Travel and transportation of persons .....	17	16	18
22.0 Transportation of things .....	1	2	2
23.1 Rental payments to GSA .....	1	1	1
23.2 Rental payments to others .....	46	22	24
23.3 Communications, utilities, and miscellaneous charges .....	7	6	7
25.2 Consulting Services .....	190	323	359
25.2 Other services .....	1,188	1,788	1,991
25.4 Operation and maintenance of facilities .....	3		
25.5 Research and development contracts .....	5	8	8
26.0 Supplies and materials .....	89	201	223
31.0 Equipment .....	2	8	4
32.0 Land and structures .....	42	42	47
41.0 Grants, subsidies, and contributions .....	63	73	81
43.0 Interest and dividends .....	711	745	827
99.0 Reimbursable obligations .....	2,720	3,584	3,980
99.9 Total new obligations .....	2,720	3,584	3,980

**Employment Summary**

Identification code 89-4045-0-3-271	2008 actual	2009 est.	2010 est.
<b>Reimbursable:</b>			
2001 Civilian full-time equivalent employment .....	2,924	3,000	3,000

**COLORADO RIVER BASINS POWER MARKETING FUND, WESTERN AREA POWER ADMINISTRATION**

**Program and Financing** (in millions of dollars)

Identification code 89-4452-0-3-271	2008 actual	2009 est.	2010 est.
<b>Obligations by program activity:</b>			
09.01 Program direction .....	46	45	49
09.02 Equipment, Contracts and Related Expenses .....	186	195	213
10.00 Total new obligations .....	232	240	262
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance carried forward, start of year .....	84	106	106
22.00 New budget authority (gross) .....	254	240	262
23.90 Total budgetary resources available for obligation .....	338	346	368
23.95 Total new obligations .....	-232	-240	-262
24.40 Unobligated balance carried forward, end of year .....	106	106	106
<b>New budget authority (gross), detail:</b>			
<b>Discretionary:</b>			
<b>Spending authority from offsetting collections:</b>			
58.00 Offsetting collections (cash) .....	258	263	285
58.27 Capital transfer to general fund .....	-4	-23	-23
58.90 Spending authority from offsetting collections (total discretionary) .....	254	240	262
<b>Change in obligated balances:</b>			
72.40 Obligated balance, start of year .....	40	54	54
73.10 Total new obligations .....	232	240	262
73.20 Total outlays (gross) .....	-218	-240	-262
74.40 Obligated balance, end of year .....	54	54	54
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority .....	98	240	262
86.93 Outlays from discretionary balances .....	120		
87.00 Total outlays (gross) .....	218	240	262

**Offsets:**

Against gross budget authority and outlays:			
Offsetting collections (cash) from:			
88.00 Federal sources .....	-10	-10	-10
88.40 Non-Federal sources .....	-248	-253	-275
88.90 Total, offsetting collections (cash) .....	-258	-263	-285
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....	-4	-23	-23
90.00 Outlays .....	-40	-23	-23

Western Area Power Administration's (Western) operation and maintenance (O&M) and power marketing expenses for the Colorado River Storage Project, the Colorado River Basin Project, the Seedskadee Project, the Dolores Project and the Fort Peck Project are financed from power revenues.

**Colorado River Storage Project.**—Western markets power and operates and maintains the power transmission facilities of the Colorado River Storage Project consisting of four major storage units: Glen Canyon on the Colorado River, Flaming Gorge on the Green River in Utah, Navajo on the San Juan River in New Mexico, and the Wayne N. Aspinall unit on the Gunnison River in Colorado.

**Colorado River Basin Project.**—This project includes Western's expenses associated with the Central Arizona Project and the United States entitlement from the Navajo coal-fired powerplant. Revenues in excess of operating expenses are transferred to the Lower Colorado River Basin Development Fund.

**Fort Peck Project.**—Revenues collected by Western are used to defray operation and maintenance and power marketing expenses associated with the power generation and transmission facilities of the Fort Peck Project; and Western operates and maintains the transmission system and performs power marketing functions.

**Seedskadee Project.**—This project includes Western's expenses for O&M, power marketing, and transmission of hydroelectric power from the Fontenelle Dam power plant in southwestern Wyoming.

**Dolores Project.**—This project includes Western's expenses for O&M, power marketing, and transmission of hydroelectric power from power plants at McPhee Dam and Towaoc Canal in southwestern Colorado.

**Equipment, Contracts and Related Expenses.**—Western operates and maintains approximately 4,000 miles of transmission lines, substations, switchyards, communications and control equipment associated with this fund. Wholesale power is provided to utilities over interconnected high-voltage transmission systems. In keeping with statutory requirements, long-term power contracts provided for periodic rate adjustments to ensure that the Federal Government recovers all costs of O&M, and all capital invested in power, with interest. This activity provides for the supplies, materials, services, capital equipment replacements and additions, including communications and control equipment, purchase power, transmission and wheeling services, and interest payments to the U.S. Treasury.

**Program Direction.**—The personnel compensation and related expenses for all these activities are quantified under Program Direction.

**Balance Sheet** (in millions of dollars)

Identification code 89-4452-0-3-271	2007 actual	2008 actual
<b>ASSETS:</b>		
<b>Federal assets:</b>		
1101 Fund balances with Treasury .....	123	159
<b>Investments in US securities:</b>		
1106 Receivables, net .....	2	2
1206 Non-Federal assets: Receivables, net .....	39	32
<b>Other Federal assets:</b>		

1802	Inventories and related properties .....	3	3
1803	Property, plant and equipment, net .....	121	132
1901	Other assets .....	31	38
1999	Total assets .....	319	366
<b>LIABILITIES:</b>			
2105	Federal liabilities: Other .....	384	432
Non-Federal liabilities:			
2201	Accounts payable .....	17	9
2203	Debt .....	13	13
2207	Other .....	43	29
2999	Total liabilities .....	457	483
<b>NET POSITION:</b>			
3300	Cumulative results of operations .....	-138	-117
4999	Total liabilities and net position .....	319	366

**Object Classification** (in millions of dollars)

Identification code 89-4452-0-3-271	2008 actual	2009 est.	2010 est.	
Reimbursable obligations:				
Personnel compensation:				
11.1	Full-time permanent .....	23	22	24
11.5	Other personnel compensation .....	3	2	3
11.9	Total personnel compensation .....	26	24	27
12.1	Civilian personnel benefits .....	8	8	10
21.0	Travel and transportation of persons .....	2	1	3
22.0	Transportation of things .....	1	1	1
23.1	Rental payments to GSA .....	1	1	1
23.3	Communications, utilities, and miscellaneous charges .....	1	1	1
25.2	Other services .....	162	177	186
25.3	Other purchases of goods and services from Government accounts .....	4	5	5
26.0	Supplies and materials .....	3	2	3
31.0	Equipment .....	2	3	3
32.0	Land and structures .....	16	5	17
43.0	Interest and dividends .....	6	12	5
99.9	Total new obligations .....	232	240	262

**Employment Summary**

Identification code 89-4452-0-3-271	2008 actual	2009 est.	2010 est.	
Reimbursable:				
2001	Civilian full-time equivalent employment .....	281	272	291

**DEPARTMENTAL ADMINISTRATION  
Federal Funds**

DEPARTMENTAL ADMINISTRATION  
(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses not to exceed \$30,000, **[\$272,643,000] \$302,071,000**, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): *Provided*, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total **[\$117,317,000] \$119,740,000** in fiscal year **[2009] 2010** may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of 31 U.S.C. 3302: *Provided further*, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during **[2009] 2010**, and any related appropriated receipt account balances remaining from prior years' miscellaneous revenues, so as to result in a final fiscal year **[2009] 2010** appropriation from the general fund estimated at not more than **[\$155,326,000] \$182,331,000**. (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

**Program and Financing** (in millions of dollars)

Identification code 89-0228-0-1-276	2008 actual	2009 est.	2010 est.	
<b>Obligations by program activity:</b>				
00.02	Office of Policy and International Affairs .....	20	27	19
00.03	Chief Information Officer .....	12	12	.....
00.04	Office of Congressional and Intergovernmental Affairs .....	4	9	6
00.05	Office of Public Affairs .....	3	7	5
00.07	General Counsel .....	29	34	32
00.08	Office of the Secretary .....	5	6	6
00.10	Economic impact and diversity .....	6	6	4
00.12	Chief Financial Officer .....	42	45	66
00.13	Management .....	65	70	88
00.15	Human capital management .....	27	33	30
00.16	Indian energy policy .....	.....	2	2
01.00	Total, direct program .....	213	251	258
09.01	Reimbursable program .....	75	65	71
10.00	Total new obligations .....	288	316	329
<b>Budgetary resources available for obligation:</b>				
21.40	Unobligated balance carried forward, start of year .....	50	71	27
22.00	New budget authority (gross) .....	310	272	302
22.10	Resources available from recoveries of prior year obligations .....	3	.....	.....
22.21	Unobligated balance transferred to other accounts .....	-5	.....	.....
22.22	Unobligated balance transferred from other accounts .....	1	.....	.....
23.90	Total budgetary resources available for obligation .....	359	343	329
23.95	Total new obligations .....	-288	-316	-329
24.40	Unobligated balance carried forward, end of year .....	71	27	.....
<b>New budget authority (gross), detail:</b>				
Discretionary:				
40.00	Appropriation .....	195	155	182
40.35	Appropriation permanently reduced .....	-1	.....	.....
43.00	Appropriation (total discretionary) .....	194	155	182
58.00	Spending authority from offsetting collections: Offsetting collections (cash) .....	116	117	120
70.00	Total new budget authority (gross) .....	310	272	302
<b>Change in obligated balances:</b>				
72.40	Obligated balance, start of year .....	75	87	41
73.10	Total new obligations .....	288	316	329
73.20	Total outlays (gross) .....	-273	-362	-317
73.45	Recoveries of prior year obligations .....	-3	.....	.....
74.40	Obligated balance, end of year .....	87	41	53
<b>Outlays (gross), detail:</b>				
86.90	Outlays from new discretionary authority .....	205	225	249
86.93	Outlays from discretionary balances .....	68	137	68
87.00	Total outlays (gross) .....	273	362	317
<b>Offsets:</b>				
Against gross budget authority and outlays:				
Offsetting collections (cash) from:				
88.00	Federal sources .....	-31	-69	-51
88.40	Non-Federal sources .....	-85	-48	-69
88.90	Total, offsetting collections (cash) .....	-116	-117	-120
<b>Net budget authority and outlays:</b>				
89.00	Budget authority .....	194	155	182
90.00	Outlays .....	157	245	197

**Chief Financial Officer (CFO).**—The Office of the Chief Financial Officer provides the Department with centralized oversight for a full range of financial management and program evaluation services. CFO financial activities include: budget formulation, presentation and execution; accounting and financial policy; oversight of DOE-wide internal control; and development, maintenance and operation of DOE financial management systems. Management activities include strategic planning, program evaluation, performance management, and special analysis.

**Chief Information Officer (CIO).**—This office provides advice and assistance to the Secretary of Energy and other senior managers to ensure that information technology is acquired and

DEPARTMENTAL ADMINISTRATION—Continued

information resources are managed in a manner that complies with policies and procedures of legislation including the Paperwork Reduction Act, the Clinger Cohen Act and the Federal Information Security Act.

*Policy and International Affairs (PI).*—The Office of Policy and International Affairs serves as the primary advisor to the Secretary and the Department on energy supply, demand, and technology policy development, analysis and implementation, and leads the Department's international energy initiatives. PI's objectives are: increasing energy , diversity; reducing energy-related environmental impacts; enhancing U.S. energy infrastructure; and increasing energy productivity.

*Management (MA).*—The Office of Management provides DOE with centralized direction and oversight for the full range of management, procurement and administrative services. MA is responsible for project and contract management policy development and oversight, acquisition and contract administration, and delivery of procurement services to DOE headquarters organizations. MA's administrative activities include the management of headquarters facilities and the delivery of other services critical to the proper functions of the Department.

*The Office of the Chief Human Capital Officer (OCHCO).*—Provides leadership to the Department of Energy (DOE) on the impact and use of policies proposals, programs, and partnership agreements and relationships related to all aspects of human capital management (HCM). The Office uses an integrated approach that links human resources, training and development, and diversity in developing, deploying, and assessing a full range of short and long-term HCM solutions, policies, and programs. OCHCO proactively seeks solutions and approaches to serve the HCM requirements of the Department to advance and support the DOE mission by creating and implementing solutions that address workforce issues in the areas of recruiting, hiring, motivating, succession planning, competency development, training and learning, retention, and diversity. OCHCO also provides leadership and direction in dealings with the Office of Personnel Management (OPM), Government Accountability Office (GAO), the Merit Systems Protection Board (MSPB), Federal Labor Relations Authority (FLRA) and other Federal and non-Federal organizations relative to human capital programs and policies.

*Congressional and Intergovernmental Affairs.*—This office is responsible for coordinating, directing, and promoting the Secretary's and the Department's policies and legislative initiatives with Congress, State, territorial, Tribal and local government officials, and other Federal agencies. The office is also responsible for managing and overseeing the Department's liaison with members of Congress, the White House and other levels of government and stakeholders which includes public interest groups representing state, local and tribal governments.

*Public Affairs.*—This office is responsible for directing and managing the Department's policies and initiatives with the public, news media, and other stakeholders on energy issues and serves as the Department's chief spokesperson. The office manages and oversees all public affairs efforts, which include public information, press and media services, the departmental newsletter, speech writing, special projects, editorial services, and review of proposed publications and audiovisuals.

*General Counsel.*—The Office of the General Counsel (GC) is responsible for providing legal services to all DOE offices, and for determining the Department's authoritative position on any question of law with respect to all Department offices and programs, except for those belonging exclusively to the Federal En-

ergy Regulatory Commission. GC's responsibilities include the provision of legal opinions, advice and services to administrative and program offices, and participation in or management of both administrative and judicial litigation. The office is responsible for the coordination and clearance of proposed legislation affecting energy policy and Department activities. The General Counsel serves as the Department's Regulatory Policy Officer under Executive Order 12866. GC administers and monitors standards of conduct requirements, conducts patent program and intellectual property activities, manages the Department's Alternative Dispute Resolution Program, and coordinates rulemaking actions of the Department with other federal agencies. GC also includes the Office of National Environmental Policy Act (NEPA) Policy and Compliance, which provides independent technical and policy reviews to ensure that proposed Department actions comply with NEPA and related environmental requirements. This office serves as the focal point of the Department's NEPA expertise, develops NEPA compliance strategies, coordinates with other agencies on key policy matters, and prepares guidance and provides technical assistance to improve the efficiency and effectiveness of DOE's implementation of the NEPA process.

*Office of the Secretary.*—Directs and leads the management of the Department and provides policy guidance to line and staff organizations in the accomplishment of DOE's mission.

*Economic Impact and Diversity.*—This office is responsible for advising the Secretary on the effects of the Department's policies, regulations and actions on underrepresented population groups, small and minority business enterprises, and minority educational institutions. The Office develops Department-wide policies, strategies and goals and establishes program priorities including: 1) supporting minority educational institutions by increasing Department of Energy (DOE) funding levels of Historically Black Colleges and Universities (HBCUs), Hispanic Serving Institutions (HSIs), and Tribal Colleges and Universities (TCUs); 2) ensuring that the Bank Deposit Financial Assistance Program remain operational and funded to provide minority-owned financial institutions (MFIs) with stable deposits to assist in building economic viability for minority entrepreneurs, businesses and communities; and 3) promoting and increasing prime contracting, subcontracting, and energy technology opportunities for small businesses, in order that they may fully participate in the acquisition process and technology programs at DOE.

*Cost of Work for Others.*—This activity covers the cost of work performed under orders placed with the Department by non-DOE entities which are precluded by law from making advance payments and certain revenue programs. Reimbursement for these costs is made through deposits of offsetting collections to this account.

Object Classification (in millions of dollars)

Identification code 89-0228-0-1-276	2008 actual	2009 est.	2010 est.
Direct obligations:			
Personnel compensation:			
11.1 Full-time permanent .....	88	111	116
11.3 Other than full-time permanent .....	6	7	7
11.5 Other personnel compensation .....	4	5	5
11.9 Total personnel compensation .....	98	123	128
12.1 Civilian personnel benefits .....	22	24	27
21.0 Travel and transportation of persons .....	4	4	5
23.3 Communications, utilities, and miscellaneous charges .....	1	1	1
25.1 Advisory and assistance services .....	26	31	31
25.2 Other services .....	25	28	25
25.3 Other purchases of goods and services from Government accounts .....	28	29	30
25.4 Operation and maintenance of facilities .....	5	6	6
26.0 Supplies and materials .....	4	5	5
99.0 Direct obligations .....	213	251	258

99.0	Reimbursable obligations .....	75	65	71
99.9	Total new obligations .....	288	316	329

**Employment Summary**

Identification code 89-0228-0-1-276	2008 actual	2009 est.	2010 est.	
<b>Direct:</b>				
1001	Civilian full-time equivalent employment .....	888	1,207	1,248

**OFFICE OF THE INSPECTOR GENERAL**

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, **[\$51,927,000] \$51,445,000**, to remain available until expended. (*Energy and Water Development and Related Agencies Appropriations Act, 2009.*)

**Program and Financing** (in millions of dollars)

Identification code 89-0236-0-1-276	2008 actual	2009 est.	2010 est.	
<b>Obligations by program activity:</b>				
00.01	Direct program activity .....	46	53	51
02.01	Recovery Act Projects .....		6	9
10.00	Total new obligations .....	46	59	60

**Budgetary resources available for obligation:**

21.40	Unobligated balance carried forward, start of year .....	1	1	9
22.00	New budget authority (gross) .....	46	67	51
23.90	Total budgetary resources available for obligation .....	47	68	60
23.95	Total new obligations .....	-46	-59	-60
24.40	Unobligated balance carried forward, end of year .....	1	9	

**New budget authority (gross), detail:**

<b>Discretionary:</b>				
40.00	Appropriation .....	46	52	51
40.01	Appropriation, Recovery Act .....		15	
43.00	Appropriation (total discretionary) .....	46	67	51

**Change in obligated balances:**

72.40	Obligated balance, start of year .....	7	10	12
73.10	Total new obligations .....	46	59	60
73.20	Total outlays (gross) .....	-43	-57	-64
74.40	Obligated balance, end of year .....	10	12	8

**Outlays (gross), detail:**

86.90	Outlays from new discretionary authority .....	36	50	43
86.93	Outlays from discretionary balances .....	7	7	21
87.00	Total outlays (gross) .....	43	57	64

**Net budget authority and outlays:**

89.00	Budget authority .....	46	67	51
90.00	Outlays .....	43	57	64

This appropriation provides Department-wide, including the National Nuclear Security Administration, audit, inspection, and investigative functions to identify and correct management and administrative deficiencies which create conditions for existing or potential instances of fraud, waste, abuse and violations of law. The audit function provides financial and performance audits of programs and operations. The inspection function provides independent inspections and analyses of the performance, on a system basis, of programs and operations. The investigative function provides for the detection and investigation of improper and illegal activities involving programs, personnel, and operations. Through these efforts the OIG identifies opportunities for cost savings and operational efficiencies; identifies programs that are not meeting performance expectations; recovers monies to the Department and the Treasury as a result of civil and criminal

prosecutions; and identifies ways to make Departmental programs safer and more secure.

**Object Classification** (in millions of dollars)

Identification code 89-0236-0-1-276	2008 actual	2009 est.	2010 est.	
<b>Direct obligations:</b>				
<b>Personnel compensation:</b>				
11.1	Full-time permanent .....	21	22	23
11.5	Other personnel compensation .....	2	2	3
11.9	Total personnel compensation .....	23	24	26
12.1	Civilian personnel benefits .....	7	7	8
21.0	Travel and transportation of persons .....	1	1	1
25.2	Other services .....	12	24	22
25.3	Other purchases of goods and services from Government accounts .....	2	2	2
26.0	Supplies and materials .....	1	1	1
99.9	Total new obligations .....	46	59	60

**Employment Summary**

Identification code 89-0236-0-1-276	2008 actual	2009 est.	2010 est.	
<b>Direct:</b>				
1001	Civilian full-time equivalent employment .....	234	279	279

**WORKING CAPITAL FUND**

**Program and Financing** (in millions of dollars)

Identification code 89-4563-0-4-276	2008 actual	2009 est.	2010 est.	
<b>Obligations by program activity:</b>				
09.01	Payroll and other personnel .....	3	4	7
09.02	Project management career development program .....	1	1	1
<b>Administrative services:</b>				
09.10	Supplies .....	3	3	3
09.11	Postage .....	3	3	4
09.12	Photocopying .....	3	3	3
09.13	Printing and graphics .....	3	3	3
09.14	Building rental, operations & maintenance .....	73	83	87
09.15	STARS .....	7	8	8
09.16	CHRIS .....	2	2	2
09.17	Internal control/Financial Statement Audit .....	4	5	16
09.18	Procurement Management .....	1	16	16
<b>Information management systems &amp; operations:</b>				
09.20	Telecommunication .....	17	10	15
09.22	Networking .....	10	7	
10.00	Total new obligations .....	130	148	165

**Budgetary resources available for obligation:**

21.40	Unobligated balance carried forward, start of year .....	28	22	22
22.00	New budget authority (gross) .....	124	148	165
23.90	Total budgetary resources available for obligation .....	152	170	187
23.95	Total new obligations .....	-130	-148	-165
24.40	Unobligated balance carried forward, end of year .....	22	22	22

**New budget authority (gross), detail:**

<b>Discretionary:</b>				
58.00	Spending authority from offsetting collections: Offsetting collections (cash) .....	124	148	165

**Change in obligated balances:**

72.40	Obligated balance, start of year .....	49	61	62
73.10	Total new obligations .....	130	148	165
73.20	Total outlays (gross) .....	-118	-147	-164
74.40	Obligated balance, end of year .....	61	62	63

**Outlays (gross), detail:**

86.90	Outlays from new discretionary authority .....	52	142	158
86.93	Outlays from discretionary balances .....	66	5	6
87.00	Total outlays (gross) .....	118	147	164

**Offsets:**

Against gross budget authority and outlays:

**WORKING CAPITAL FUND—Continued**  
**Program and Financing —Continued**

Identification code 89-4563-0-4-276	2008 actual	2009 est.	2010 est.
88.00 Offsetting collections (cash) from: Federal sources .....	-124	-148	-165
<b>Net budget authority and outlays:</b>			
89.00 Budget authority .....			
90.00 Outlays .....	-6	-1	-1

The Department's Working Capital Fund (WCF) provides the following common administrative services: rent and building operations, telecommunications, network connectivity, automated office systems including the Standard Accounting and Reporting System, Strategic Integrated Procurement Enterprise System, payroll and personnel processing, supplies, printing, copying, mail, training services, project management career development program, procurement management, audit of financial statement and controls for financial reporting. Establishment of the WCF has helped the Department reduce waste and improve efficiency by expanding customer's choice of the amount, quality and source of administrative services.

**Object Classification (in millions of dollars)**

Identification code 89-4563-0-4-276	2008 actual	2009 est.	2010 est.
<b>Reimbursable obligations:</b>			
23.1 Rental payments to GSA .....	42	44	46
23.3 Communications, utilities, and miscellaneous charges .....	18	20	20
24.0 Printing and reproduction .....	2	2	2
25.1 Advisory and assistance services .....	10	11	23
25.2 Other services .....	39	46	49
25.3 Other purchases of goods and services from Government accounts .....	7	12	12
25.6 Medical care .....	3	3	3
31.0 Equipment .....	9	10	10
99.9 Total new obligations .....	130	148	165

**GENERAL FUND RECEIPT ACCOUNTS**

(in millions of dollars)

	2008 actual	2009 est.	2010 est.
<b>Offsetting receipts from the public:</b>			
89-089400 Fees and Recoveries, Federal Energy Regulatory Commission .....	20	27	27
89-143500 General Fund Proprietary Interest Receipts, not Otherwise Classified .....	1	1	1
89-223000 Oil and Gas Sale Proceeds at NPRs .....	7	6	5
89-224500 Sale and Transmission of Electric Energy, Falcon Dam .....	2	2	2
89-224700 Sale and Transmission of Electric Energy, Southwestern Power Administration .....	124	87	52
89-224800 Sale and Transmission of Electric Energy, Southeastern Power Administration .....	114	173	147
89-224900 Sale of Power and Other Utilities, not Otherwise Classified .....		30	30
89-288900 Repayments on Miscellaneous Recoverable Costs, not Otherwise Classified .....	21	31	31
89-322000 All Other General Fund Proprietary Receipts Including Budget Clearing Accounts .....	75	65	65
General Fund Offsetting receipts from the public.....	364	422	360
<b>Intragovernmental payments:</b>			
89-388500 Undistributed Intragovernmental Payments and Receivables from Cancelled Accounts .....	17	10	10
General Fund Intragovernmental payments .....	17	10	10

**GENERAL PROVISIONS—DEPARTMENT OF ENERGY**

**SEC. 301. CONTRACT COMPETITION.**

(a) None of the funds in this or any other appropriations Act for fiscal year [2009] 2010 or any previous fiscal year may be used to make payments for a noncompetitive management and operating contract, or a contract for environmental remediation or waste management in excess of \$100,000,000 in annual funding at a current or former management and operating contract site or facility, or to award a significant extension or expansion to an existing management and operating contract, or other contract covered by this section, unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver.

(b) Within 30 days of formally notifying an incumbent contractor that the Secretary intends to grant such a waiver, the Secretary shall submit to the Subcommittees on Energy and Water Development of the Committees on Appropriations of the House of Representatives and the Senate a report notifying the Subcommittees of the waiver and setting forth, in specificity, the substantive reasons why the Secretary believes the requirement for competition should be waived for this particular award.

(c) In this section the term "competitive procedures" has the meaning provided in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403) and includes procedures described in section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253) other than a procedure that solicits a proposal from only one source.

**SEC. 302. UNFUNDED REQUESTS FOR PROPOSALS.** None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

**SEC. 303. DEPARTMENT OF ENERGY DEFENSE NUCLEAR FACILITIES WORKFORCE RESTRUCTURING.** None of the funds appropriated by this Act may be used—

(1) to augment the funds made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 4604 of the Atomic Energy Defense Act (50 U.S.C. 2704) unless the Department of Energy submits a reprogramming [request] notice to the appropriate congressional committees; or

(2) to provide enhanced severance payments or other benefits for employees of the Department of Energy under such section; or

(3) develop or implement a workforce restructuring plan that covers employees of the Department of Energy.

**SEC. 304. UNEXPENDED BALANCES.** The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

**SEC. 305. BONNEVILLE POWER AUTHORITY SERVICE TERRITORY.** None of the funds in this or any other Act for the Administrator of the Bonneville Power Administration may be used to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies in advance that such services are not available from private sector businesses.

**SEC. 306. USER FACILITIES.** When the Department of Energy makes a user facility available to universities or other potential users, or seeks input from universities or other potential users regarding significant characteristics or equipment in a user facility or a proposed user facility, the Department shall ensure broad public notice of such availability or such need for input to universities and other potential users. When the Department of Energy considers the participation of a university or other potential user as a formal partner in the establishment or operation of a user facility, the Department shall employ full and open competition in selecting such a partner. For purposes of this section, the term "user facility" includes, but is not limited to: (1) a user facility as described in section 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13503(a)(2)); (2) a National Nuclear Security Administration Defense Programs

Technology Deployment Center/User Facility; and (3) any other Departmental facility designated by the Department as a user facility.

SEC. 307. INTELLIGENCE ACTIVITIES. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year **[2009]** 2010 until the enactment of the Intelligence Authorization Act for fiscal year **[2009]** 2010.

SEC. 308. LABORATORY DIRECTED RESEARCH AND DEVELOPMENT. Of the funds made available by the Department of Energy for activities at government-owned, contractor-operated laboratories funded in this Act or subsequent Energy and Water Development Appropriations Acts, the Secretary may authorize a specific amount, not to exceed 8 percent of such funds, to be used by such laboratories for laboratory directed research and development: *Provided*, That the Secretary may also authorize a specific amount not to exceed 4 percent of such funds, to be used by the plant manager of a covered nuclear weapons production plant or the manager of the Nevada Site Office for plant or site directed research and development: *Provided further*, That notwithstanding Department of Energy order 413.2A, dated January 8, 2001, beginning in fiscal year 2006 and thereafter, all DOE laboratories may be eligible for laboratory directed research and development funding.]

**[SEC. 309. RELIABLE REPLACEMENT WARHEAD.** None of the funds provided in this Act shall be available for the Reliable Replacement Warhead (RRW).]

SEC. **[310]**309. GENERAL PLANT PROJECTS. Plant or construction projects for which amounts are made available under this and subsequent appropriation Acts with a current estimated cost of less than \$10,000,000 are considered for purposes of section 4703 of Public Law 107-314 as a plant project for which the approved total estimated cost does not exceed the minor construction threshold and for purposes of section 4704 of Public Law 107-314 as a construction project with a current estimated cost of less than a minor construction threshold.

**[SEC. 311. ENERGY PRODUCTION.** The Secretary of Energy shall provide funding to the National Academy of Sciences to conduct an inventory of the energy development potential on all lands currently managed by the Department of Energy together with a report, to be submitted not later than July 1, 2009, which includes (1) a detailed analysis of all such resources including oil, gas, coal, solar, wind, geothermal and other renewable resources on such lands, (2) a delineation of the resources presently available for development as well as those potentially available in the future, and (3) an analysis of the environmental impacts associated with any future development including actions necessary to mitigate negative impacts.]

**[SEC. 312. (a) RENO HYDROGEN FUEL PROJECT.** The non-Federal share of project costs shall be 20 percent.

(b) The cost of project vehicles, related facilities, and other activities funded from the Federal Transit Administration sections 5307, 5308, 5309, and 5314 program, including the non-Federal share for the FTA funds, is an eligible component of the non-Federal share for this project.

(c) Contribution of the non-Federal share of project costs for all grants made for this project may be deferred until the entire project is completed.

(d) All operations and maintenance costs associated with vehicles, equipment, and facilities utilized for this project are eligible project costs.

(e) This section applies to project appropriations beginning in fiscal year 2004.]

**[SEC. 313. (a) INTEGRATED UNIVERSITY PROGRAM.** The Secretary of Energy, along with the Administrator of the National Nuclear Security Administration and the Chairman of the Nuclear Regulatory Commission, shall establish an Integrated University Program.

(b) For the purposes of carrying out this section, \$45,000,000 is authorized to be appropriated in each of fiscal years 2009 to 2019 as follows:

- (1) \$15,000,000 for the Department of Energy;
- (2) \$15,000,000 for the Nuclear Regulatory Commission; and
- (3) \$15,000,000 for the National Nuclear Security Administration.

(c) Of the amounts authorized to carry out this section, \$10,000,000 shall be used by each organization to support university research and

development in areas relevant to their respective organization's mission, and \$5,000,000 shall be used by each organization to support a jointly implemented Nuclear Science and Engineering Grant Program that will support multiyear research projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering. ]

SEC. 310. *None of the funds made in this or subsequent Acts may be used for the testing of nuclear explosives in the recovery of oil and gas.*

SEC. 311. (a) *Section 1801 of the Atomic Energy Act of 1954 (42 U.S.C. 2297g) is amended in subsection (b)(2) by striking "amounts contained within the Fund" and inserting "assessments collected pursuant to section 1802 of the Atomic Energy Act of 1954 (42 U.S.C. 2297g-1) as amended".*

(b) *Section 1802 of the Atomic Energy Act of 1954 (42 U.S.C. 2297g-1) is amended:*

(1) *in subsection (a):*

(A) *by striking "\$518,233,333" and inserting "\$663,000,000"; and*

(B) *by striking "on October 24, 1992" and inserting "with fiscal year 2011".*

(2) *in subsection (c):*

(A) *by inserting "(1)" before "The Secretary";*

(B) *by inserting after "utilities": ", only to the extent provided in advance in appropriation Acts";*

(C) *by striking "\$150,000,000" and inserting "\$200,000,000";*

(D) *by inserting "beginning in fiscal year 2011" after "adjusted for inflation";*

(E) *by striking "(1)" and inserting "(A)";*

(F) *by striking "(2)" and inserting "(B)";*

(G) *by adding a new paragraph 2, ",(2) Amounts authorized to be collected pursuant to this section shall be deposited in the Fund and credited as offsetting receipts."*

(3) *in subsection (d), by striking "for the period encompassing 15 years after the date of the enactment of this title" and inserting "through fiscal year 2025"; and*

(4) *in subsection (e):*

(A) *in paragraph (1), by striking "15 years after the date of the enactment of this title" and inserting "September 30, 2025";*

(B) *in paragraph (2), by striking "\$2,250,000,000" and inserting "\$3,000,000,000"; and*

(C) *in paragraph (2) by inserting "beginning in fiscal year 2011" after "adjusted for inflation".*

SEC. 312. *Not to exceed 5 per centum, or \$100,000,000, of any appropriation, whichever is less, made available for Department of Energy activities funded in this Act or subsequent Energy and Water Development Appropriations Acts may hereafter be transferred between such appropriations, but no such appropriation, except as otherwise provided, shall be increased or decreased by more than 5 per centum by any such transfers, and notification of such transfers shall be submitted promptly to the Committees on Appropriations of the House and Senate. (Energy and Water Development and Related Agencies Appropriations Act, 2009.)*

## TITLE V—GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

**[SEC. 502.** None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in this Act or any other appropriation Act. ]

SEC. 502. *Section 382 of the Delta Regional Authority Act of 2000 is amended by deleting (c)(1) and inserting in lieu thereof the following: "(1) IN GENERAL - VOTING- A decision by the Authority shall require the affirmative vote of the Federal cochairperson and a majority of the State members (not including any member representing a State that is delinquent under subsection (g)(2)(C)) to be effective.". (Energy and Water Development and Related Agencies Appropriations Act, 2009.)*