Other Defense Activities

Other Defense Activities

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Proposed Appropriation

Other Defense Activities
[(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, 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 **[**twelve**]***ten* passenger motor vehicles for replacement only, **[**$761,290,000**]***$1,313,461,000*, to remain available until expended: *Provided*, That of the funds provided **[**under this heading in Public Law 109-103, $4,900,000 are transferred to "Weapons Activities" for special nuclear material consolidation activities associated with safeguards and security**]***herein, $487,008,000 is for Project 99-D-143 Mixed Oxide (MOX) 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. (Energy and Water Development and Related Agencies Appropriations Act, 2008.)*

Explanation of Change

The budget funds the Mixed Oxide Fuel Fabrication Facility starting in FY 2009.

Other Defense Activities
Office of Health, Safety and Security

Overview

Appropriation Summary by Program

(dollars in thousands)

	FY 2007 Current Appropriation[a]	FY 2008 Original Appropriation	FY 2008 Adjustments [b]	FY 2008 Current Appropriation	FY 2009 [c] Request
Other Defense Activities					
Environment, Safety & Health (defense)	80,380	0	0	0	0
Security and Safety Performance Assurance	313,895	0	0	0	0
Health, Safety and Security	0	429,348	-3,887	425,461	446,868
Subtotal, Other Defense Activities	394,275	429,348	-3,887	425,461	446,868
Use of Prior Year Balance	0	-990	0	-990	0
Total, Other Defense Activities	394,275	428,358	-3,887	424,471	446,868
Energy Supply and Conservation					
Environment, Safety & Health (non-defense)	27,841	0	0	0	0
Total, Energy Supply and Conservation	27,841	0	0	0	0
Total, Other Defense Activities and Energy Supply and Conservation	422,116	428,358	-3,887	424,471	446,868

Preface

On October 1, 2006, the Secretary of Energy integrated certain Department of Energy (DOE) Headquarters level functions for health, safety, environment, and security to ensure clarity of health, safety, and security responsibilities and accountability. The Office of Health, Safety and Security demonstrates the Department's commitment to maintain a safe and secure work environment for all Federal and contractor employees and the surrounding communities and stresses the importance of delineating clear roles and responsibilities and line management accountability for these programs. The Health, Safety and Security program provides a focused and integrated corporate-level analysis of Departmental operating experience and identifies problem areas to provide the foundation for line management to implement effective Department-wide solutions in the subject areas of safety, health, environment, and security.

[a] Includes $24,755,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

[b] Reflects the FY 2008 Consolidated Appropriations Act Rescission of -$3,887,000.

[c] Includes + $1,150,000 for the transfer of non-safety related Quality Assurance activity from the Office of Management.

Within the Other Defense Activities appropriation, the Office of Health, Safety and Security has one program, Health, Safety and Security (two subprograms: Health and Safety, and Security) in addition to Program Direction.

Mission

The Office of Health, Safety and Security (HSS) is DOE's central organization responsible for health, safety, environment, and security; providing corporate-level leadership and strategic vision to coordinate and integrate these programs. HSS is responsible for policy development and technical assistance; safety analysis; corporate safety and security programs; education and training; complex-wide independent oversight; and enforcement. The Chief Health, Safety and Security Officer advises the Secretary and Deputy Secretary on all matters related to health, safety, and security across the complex.

Benefits

HSS provides the Department with effective and consistent policy, assistance, enforcement, and independent oversight activities related to health, safety, environment, and security programs. HSS integrates worker health, safety, environment, and security functions to address crosscutting Departmental issues; to increase collaboration and sharing of technical expertise; and to increase accountability for worker health, safety, and security responsibilities. The integrated approach and functional alignment of responsibilities within HSS alleviates overlap in reporting and provides consistency in policy and guidance development, and technical assistance while increasing the effectiveness of communication and accountability for worker health, safety, and security.

HSS performs functions that support the mission of the Department. These functions include:

- developing, promulgating, and maintaining clear and consistent health, safety, environment and security strategies and policies;
- providing assistance to Headquarters and field elements in the implementation of health, safety, environment, and security policies and requirements;
- providing technical assistance to program offices and field elements on complex health, safety, environment, and security problems and interfaces;
- managing and maintaining corporate level health, safety, environment, and security data management systems;
- providing analysis of Department-wide safety and security performance;
- developing and providing standardized, comprehensive security and safety training, and professional development programs throughout the Department;
- conducting independent oversight performance appraisals to verify that the Department's security interests are protected; the Department can effectively respond to emergencies; and site workers, the public, and the environment are protected from hazardous operations and materials;
- implementing worker safety and health, nuclear safety, and classified information security enforcement programs;
- providing effective cross-organizational leadership in resolving DNFSB-related technical and management issues necessary to ensure public health and safety;

- promoting corporate quality assurance programs;
- managing the accident investigation program;
- implementing medical surveillance and screening programs for current and former workers, and supporting the Department of Labor in the implementation of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA);
- conducting domestic and international health studies to determine worker and public health effects from exposure to hazardous materials associated with Department operations;
- providing specialized security support services to the Department associated with the development and dissemination of security awareness information; management of the foreign ownership, control, or influence and foreign visits and assignments programs; and conduct of vulnerability assessments in support of the implementation of the Design Basis Threat Policy;
- assisting other governmental and departmental organizations in the mission of accounting for and assuring the security of nuclear material throughout the world;
- developing and implementing Department-wide nuclear and radiological materials tracking and accounting programs;
- implementing the Department's physical and personnel security programs for DOE facilities in the National Capital Area, including managing the Headquarters Protective Force and providing executive protective services for the Department;
- identifying and managing the deployment of advanced security technologies;
- managing the U.S. Government-wide program to classify and declassify nuclear weapons-related technology, and implementing the requirements of Executive Order 12958 regarding the classification and declassification of information that is important to national security; and
- managing the Department's security investigations budget and personnel security programs associated with providing access authorizations to DOE Federal and contract personnel.

Annual Performance Results and Targets [a]

FY 2004 Results	FY 2005 Results	FY 2006 Results	FY 2007 Results	FY 2008 Targets	FY 2009 Targets
Corporate Safety Programs					
NA	NA	NA	NA	Develop and present DOE-wide safety goals to the Secretary for incorporation into contractor and Federal operations.	
Health Programs/ Other Health Programs / Occupational Health					
NA	NA	NA	Obtain an average rating of no less than satisfactory for 85% of customer satisfaction surveys from Former Worker Program participants who receive medical screening during FY 2007. (Annual Output A rating of satisfactory was obtained for no less than 85% of customer satisfaction surveys received from Former Worker Program participants who receive medical screening during FY 2007 as indicated by records maintained by the Office of Health and Safety.	Obtain an average rating of no less than satisfactory for 85% of customer satisfaction surveys from Former Worker Program participants who receive medical screenings during FY 2008. (Annual Output)	Obtain an average rating of no less than satisfactory for 85% of customer satisfaction surveys from Former Worker Program participants who receive medical screenings during FY 2008. (Annual Output)
Nuclear Safeguards and Security / Technology Development and Systems Deployment					
NA	NA	NA	Develop and deliver for deployment 2 technology-based security systems that have the support of Departmental organizations and will assist in implementing the Design Basis Threat Policy. (Annual Output) Remotely operated weapons systems and an advanced concept armored vehicle integrated into Oak Ridge and Idaho National Laboratories operations.	Develop and deliver for deployment 2 technology-based security systems that have the support of Departmental organizations and will assist in implementing the Design Basis Threat Policy. (Annual Output)	Develop and deliver for deployment 2 technology-based security systems that have the support of Departmental organizations and will assist in implementing the Design Basis Threat Policy. (Annual Output)

[a] Annual effectiveness and efficiency performance targets will not be reported in the Department's annual Performance and Accountability Report (PAR).

Annual Performance Results and Targets [a]

FY 2004 Results	FY 2005 Results	FY 2006 Results	FY 2007 Results	FY 2008 Targets	FY 2009 Targets
Security Investigations/ Related Security Investigations Activities					
NA	NA	Reduce the average time it takes to process access authorization requests after receipt of the background investigation by 10% (3.2 business hours) over the FY 2004 processing time of 32 business hours. (Efficiency Measure) The average time it takes to process access authorization requests after receipt of the background investigation reduced by at least 10% (3.2 business hours) over the FY 2004 processing time of 32 business hours as documented in Office of Personnel Security operations logs.	Reduce the average time it takes to process access authorization requests after receipt of the background investigation by 11% (3.5 business hours) over the FY 2004 processing time of 32 business hours. (Efficiency Measure) The average time it takes to process access authorization requests after receipt of the background investigation reduced by at least 11% (3.5 business hours) over the FY 2004 processing time of 32 business hours as documented in Office of Personnel Security operations logs.	Reduce the average time it takes to process access authorization requests after receipt of the background investigation by 12% (3.8 business hours) over the FY 2004 processing time of 32 business hours. (Efficiency Measure)	Reduce the average time it takes to process access authorization requests after receipt of the background investigation by 13% (4.2 business hours) over the FY 2004 processing time of 32 business hours. (Efficiency Measure)
Program Direction					
NA	NA	Complete non traditional, lower resource impact oversight activities at 10% (2) additional lower priority DOE sites than conducted in FY 2004 (13), while retaining the critical comprehensive inspections and appraisals at high priority DOE sites. (Efficiency Measure) Independent Oversight inspection activities conducted at 28 lower priority sites and 14 high priority sites as documented in the Independent Oversight Appraisal Activities log, dated 10/05/06.	NA	NA	NA

Means and Strategies

HSS will achieve its mission by issuing clear, concise safety and security policies; providing timely and comprehensive assistance to program offices regarding the implementation of these policies; providing cutting-edge technology-based security solutions; providing world-class training programs for Departmental security and safety professionals; conducting an integrated enforcement program; and applying rigorous independent oversight to departmental operations. HSS provides the corporate-level leadership and strategic vision necessary to coordinate and integrate health, safety, environment, security, enforcement, and independent oversight programs at DOE. Working in partnership with DOE safety and security communities in the program offices and at the field sites, as well as with DOE workers and stakeholders, HSS is committed to continuous innovation and a cooperative work environment. HSS empowers its personnel with the skills and tools necessary for the improvement of health, safety, environment, and security, and is committed to excellence.

In order to achieve its vision and perform its goals, it is necessary for HSS to maintain a highly qualified workforce with the expertise and skills necessary to support, manage, and conduct its operations. The HSS workforce comprises of world-class security and safety professionals grounded in science, engineering, and technology led by effective program and project managers with exceptional communications and leadership skills and supported by innovative resource management experts. Contractor support continues to be a practicable and cost–effective means to provide a surge pool of technical experts, as opposed to expanding the Federal employee base.

The implementation of 10 C.F.R. 851, *Worker Safety and Health Program*, published on February 9, 2006, providing medical screening services to former workers, and continued support to the Department of Labor (DOL) for the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) program are major drivers affecting HSS missions, priorities, and stated health and safety performance targets. The "851" Rule strengthens the worker health and safety programs and adds to the Department's enforcement authority to assess civil penalties for worker safety and health violations. HSS is working with the Office of General Counsel, DOE Program Offices, line management, and contractors to ensure successful implementation of the rule. Key initiatives include workshops, training, development of assistance tools, the issuance of guidance documents, and the development of enforcement strategies and methodologies. HSS will continue to provide teams of health experts to independently examine DOE site hazards and exposures, and provide screening services to former workers for all DOE sites through regional screening programs and a supplemental screening program to serve workers who no longer live near the DOE site at which they worked. HSS will also continue to assist DOL, the National Institute of Occupational Safety and Health (NIOSH), and the President's Advisory Board on Radiation and Worker Health to ensure access to all available records and information needed to support claims filed by DOE contractor employees and to enable DOL to fulfill its responsibilities under this program.

Revisions to the Design Basis Threat Policy have the greatest potential for affecting the HSS mission, priorities, and stated security performance targets. Development of new and revised safeguards and security policies; type and number of training courses developed and conducted; type and number of technologies deployed; and scope of independent oversight appraisals performed are all dependent and reliant upon current Design Basis Threat Policy requirements and implementation plans.

As a result of a Secretarial-directed task force review of the Departmental Personnel Security Program, completed in February 2007, a new Office of Departmental Personnel Security was created to strengthen this program by providing consolidated leadership and direction. Several new initiatives, to include establishing a mandatory training certification program and institutionalization of a quality assurance process were approved for implementation and assigned to this new office.

HSS uses Departmental goals, continuous program reviews with HSS office directors, Independent Oversight appraisals, and other reviews (both internal and external to the Department) of DOE organizations to formulate strategies for achieving the HSS mission. These strategies are then reflected in budget formulation and execution processes.

HSS places a high degree of emphasis on working with DOE program and other staff offices to ensure that security and safety issues are identified and addressed. HSS also interfaces with organizations external to DOE to enhance the safety and security posture of the United States as well as other foreign states that maintain inventories of nuclear material. HSS maintains strong relationships with the DOE Under Secretaries and all staff offices. HSS also maintains strong relationships with the following U.S. Government Departments and Agencies:

- Defense Nuclear Facilities Safety Board (DNFSB)
- Nuclear Regulatory Commission (NRC)
- Department of State (DOS)
- Department of Defense (DoD)
- Defense Threat Reduction Agency (DTRA)
- Department of Homeland Security (DHS)
- Department of Justice (DOJ)
- Federal Bureau of Investigation (FBI)
- National Security Council (NSC)
- United States Secret Service (USSS)
- Department of Labor (DOL)
- Occupational Safety and Health Agency (OSHA)
- Environmental Protection Agency (EPA)
- National Institute of Occupational Safety and Health (NIOSH)
- President's Advisory Board on Radiation and Worker Health

Validation and Verification

To validate and verify program performance, HSS will continuously monitor achievements for all performance targets through weekly reporting mechanisms and periodic meetings with office directors. In addition, HSS provides quarterly status updates to the DOE Chief Financial Officer.

Other Defense Activities
Health, Safety and Security

Funding by Site by Program

(dollars in thousands)

	FY 2007 [a]	FY 2008 [b]	FY 2009 [c]
Argonne National Laboratory	1,131	1,225	1,230
Brookhaven National Laboratory	126	160	160
Chicago Operations Office	2,025	1,380	1,127
East Tennessee Technology Park (K-25)	20	45	30
Hanford Site	175	215	115
Idaho National Laboratory	4,097	2,387	3,729
Idaho Operations Office	7,035	1,839	1,351
Kansas City Plant	1,351	1,250	1,250
Lawrence Berkeley National Laboratory	346	297	297
Lawrence Livermore National Laboratory	4,224	3,739	3,214
Los Alamos National Laboratory	655	890	290
Nevada Site Office	5,736	6,080	6,680
NNSA Service Center	22,578	22,796	19,869
Oak Ridge Institute for Science and Education	5,630	2,858	3,575
Oak Ridge National Laboratory	2,489	4,419	3,808
Oak Ridge Operations Office	6,363	4,796	4,738
Office of Scientific and Technical Information	380	330	130
Ohio Field Office	60	20	70
Pacific Northwest National Laboratory	3,571	4,292	3,809
Pantex Plant	210	10	10
Pantex Site Office	68	75	75
Pittsburgh Naval Reactors	395	378	394
Richland Operations Office	2,914	1,531	1,549
Rocky Flats Field Office	0	50	0
Sandia National Laboratories	8,184	4,725	4,174
Savannah River Operations Office	6,765	3,978	3,664
Savannah River Site	1,177	3,494	1,705
Schenectady Naval Reactors	44	27	24
Washington Headquarters	334,258	351,260	377,246
Y-12 National Security Complex	75	850	2,490
Y-12 Site Office	34	65	65
Total, Other Defense Activities	422,116	425,461	446,868

[a] Includes $24,755,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.
[b] Reflects the Congressional direction to increase funding of the Former Worker Program within budget, and .the FY 2008 Consolidated Appropriations Act Rescission of -$3,887,000.
[c] Includes +$1,150,000 for the transfer of non-safety related Quality Assurance activity from the Office of Management.

Site Description

Argonne National Laboratory (ANL)

Health, Safety and Security: ANL provides specialized technical expertise on environmental and public protection issues, including analysis of emerging environmental rulemakings and identification of pollution prevention opportunity assessments. It also develops input for inclusion in environmental guidance materials and implementation tools; provides specialized technical expertise for the development of DOE performance summaries on air and water resource protection and environmental releases; develops input for inclusion into human and ecological risk assessments; and maintains modeling capabilities and develops and maintains codes to support dose and risk assessments for the analysis of potential impacts of radiological releases to the environment related to DOE operations.

ANL supports tasks associated with the Foreign Ownership, Control, or Influence (FOCI) program by providing a computer-based system that facilitates a thorough investigation of FOCI on contracts and subcontracts involving access to classified information and special nuclear material.

Brookhaven National Laboratory (BNL)

Health, Safety and Security: BNL provides specialized subject matter technical expertise in conducting reviews of safety analysis and risk assessment documents, such as Safety Analysis Reports and Basis for Interim Operations. BNL provides specialized technical input in the development of rules, orders, safety guides and standards, and documents such as Safety Analysis Reports, technical safety requirements, waste disposal standards, fire protection standards, lightning and wind protection standards, and facility operation. In addition, BNL participates in the Illness and Injury Surveillance Program through collection and transmission of worker health, exposure, and demographic data.

Chicago Operations Office (CH)

Health, Safety and Security: CH researches and provides worker employment, medical, and exposure records in support of the Department of Labor's implementation of the Energy Employees Occupational Illness Compensation Program Act.

CH supports background investigations conducted by the Federal Bureau of Investigation and the Office of Personnel Management for DOE Federal employees and contractors. HSS will allocate funding to each processing DOE personnel security office based on projected costs. If actual requirements exceed the HSS allocation in any given fiscal year, the landlord/program offices will be responsible for providing the additional funds.

East Tennessee Technology Park (K25)

Health, Safety and Security: K25 participates in the Illness and Injury Surveillance Program through collection and transmission of worker health, exposure, and demographic data. This site provides access to site records and information for use in occupational and public health related studies performed by the Department of Health and Human Services under an interagency agreement with DOE.

Provides technical support to develop HQ classification guidance. Work covers all classification areas, including weapons, material production, material disposition, technology, chem/bio, and intelligence issues as directed. Also includes technical work as directed for the Technical Evaluation Panel (TEP) meetings and classification guide working groups.

Idaho National Laboratory (INL)

Health, Safety and Security: INL participates in the Illness and Injury Surveillance Program through collection and transmission of worker health, exposure, and demographic data.

INL provides on-site participation and field assistance for facilities' Site Safeguards and Security Plan development and review, specialized security engineering support, and day-to-day technical support of the Headquarters' security alarm and access control system. INL serves as the host site for performance testing and operational evaluation of advanced security technologies.

Idaho Operations Office (ID)

Health, Safety and Security: ID researches and provides worker employment, medical, and exposure records in support of the Department of Labor's implementation of the Energy Employees Occupational Illness Compensation Program Act.

ID supports background investigations conducted by the Federal Bureau of Investigation and the Office of Personnel Management for DOE Federal employees and contractors. HSS will allocate funding to each processing DOE personnel security office based on projected costs. If actual requirements exceed the HSS allocation in any given fiscal year, the landlord/program offices will be responsible for providing the additional funds.

Kansas City Plant (KCP)

Health, Safety and Security: KCP participates in the Illness and Injury Surveillance Program through the collection and transmission of worker health and demographic data. KCP provides technical support to develop HQ classification guidance including weapons, material production, material disposition, technology, chem/bio, and intelligence issues as directed. Support is also provided for Technical Evaluation Panel (TEP) meetings and classification guide working groups.

Program Direction: Funding provides for the maintenance, storage, and delivery of the Multiple Integrated Laser Engagement Systems (MILES) equipment used by SSA to simulate weapons fire during force-on-force tactical field exercises in support of Independent Oversight assessment activities.

Lawrence Berkeley National Laboratory (LBNL)

Health, Safety and Security: LBNL provides specialized expertise in seismic analysis, structural response, natural phenomena hazards standards, and safety analysis. The site also provides continuous public access to an organized, well-documented, retrievable collection of DOE health effects information through an electronic database, the Comprehensive Epidemiologic Data Resources.

Lawrence Livermore National Laboratory (LLNL)

Health, Safety and Security: LLNL provides specialized expertise in seismic analysis, structural response, natural phenomena hazards standards and energy security safety analysis. LLNL supports the congressionally mandated Marshall Islands program and other international health studies by providing environmental sampling and analysis to determine the radiological conditions. LLNL also participates in the Illness and Injury Surveillance Program through the collection and transmission of worker health and demographic data.

Support is also provided to the Classification, Declassification and Controlled Information Program by providing specialized technical expertise in the development of classification guidance covering the following areas: nuclear weapons; material production; material disposition; computer codes; arms control; subcritical experimentation (experiments, in lieu of weapon testing, conducted underground at the Nevada Test Site with very small amounts of plutonium and high explosives); homeland security; guidance streamlining initiative; innovative methods of uranium enrichment; and intelligence issues. In addition, LLNL provides analysis and reports on the detailed content and proliferation potential of certain nuclear weapon-related information available in the public domain.

Los Alamos National Laboratory (LANL)

Health, Safety and Security: LANL participates in the Illness and Injury Surveillance Program through the collection and transmission of worker health and demographic data. This site provides access to site records and information for use in occupational and public health related studies performed by the Department of Health and Human Services under an interagency agreement with DOE.

LANL provides on-site participation and field assistance for Site Safeguards and Security Plan development and review, specialized security engineering support, survey support, and day-to-day technical support of the Headquarters' programs. Other LANL activities include specialized technical expertise and support to the Classification, Declassification and Controlled Information Program in the development of classification guidance covering the following areas: weapons, material production, material disposition, computer codes, commercial inorganic membranes (permits private sector to utilize gaseous diffusion technology to develop filters for commercial use), centrifuges, and novel methods of uranium enrichment.

Nevada Site Office

Health, Safety and Security: The Nevada Site Office provides technical support to the Illness and Injury Surveillance Program through collection and transmission of worker health, exposure, and demographic data.

Activities conducted at the Special Technologies Laboratory focus on development and deployment of advanced physical security technologies to enhance protective force personnel safety, survivability and threat response capabilities. Activities focus on developing and deploying systems that provide a real-time status and location of security forces; a friend/foe identification system; and a command and control architecture for improved tactical operations. Additionally, the Nevada Site Office facilities operate the command, control, communications, and information (C3I) technology integration center that provides performance metrics for C3I systems as a predecessor to operational deployments.

NNSA Service Center

Health, Safety and Security: The NNSA Service Center researches and provides worker employment, medical, and exposure records in support of the Department of Labor's implementation of the Energy Employees Occupational Illness Compensation Program Act.

The NNSA Service Center supports background investigations conducted by the Federal Bureau of Investigation and the Office of Personnel Management for DOE Federal employees and contractors. HSS will allocate funding to each processing DOE personnel security office based on projected costs. If actual requirements exceed the HSS allocation in any given fiscal year, the landlord/program offices will be responsible for providing the additional funds.

Oak Ridge Institute for Science & Education (ORISE)

Health, Safety and Security: ORISE manages the Radiological Exposure Monitoring System, which maintains radiation exposure records for DOE and contractor personnel. ORISE also provides services and products that support the development, implementation, and maintenance of international health studies and the Former Worker Program screening and medical examinations for former employees who are at risk for chronic beryllium disease because of their work at DOE, and analysis of data obtained on these individuals; and technical support in the areas of data management, quality assurance, analysis, report preparation, and program implementation at sites. ORISE also provides support in the administration, training, materials and follow-up services including conferences, workshops, and training materials. ORISE is the data center for processing Illness and Injury Surveillance Program data, and supports the Beryllium Exposure Registry and analyses. ORISE conducts the National Former Worker Medical Supplemental Screening Program. This program serves former workers not covered by the HSS site-specific former worker medical screening initiatives.

ORISE provides technical support for the implementation, training, operation, and quality assurance of the DOE Human Reliability Program, and a variety of research and analysis activities in support of the personnel security function. ORISE also provides support to the Security Awareness Special Interest Group, which is a forum for Security Awareness Coordinators to disseminate security awareness information, media, and tools.

Oak Ridge National Laboratory (ORNL)

Health, Safety and Security: ORNL provides specialized technical expertise in environment, safety, and health activities; criticality codes and standards; restoration and protection of the environment; and risk-based, integrated worker safety programs. ORNL provides specialized technical expertise in the operational reviews of the DOE Technical Standards Program and development of web-based platforms for environmental guidance materials and compliance tools. ORNL also supports technical reviews of the potential impacts of proposed environmental regulations on DOE operations and HSS efforts to promote the protection of cultural resources. ORNL is the primary Federal laboratory maintaining capabilities for modeling radiation dosimetry used in worker and public dose and risk assessments. ORNL is also involved in project development, protocol development, and input to developmental needs to revise or update worker protection requirements.

The laboratory provides specialized technical expertise in the development of risk-based, integrated worker safety programs through the development of input and resource information for various technical standards and guides. ORNL provides services and products that support the development, implementation, and maintenance of international health studies. ORNL provides support in the administration, training, materials, and follow-up services including conference, workshops, and training materials. ORNL participates in the Illness and Injury Surveillance Program through collection and transmission of worker health, exposure, and demographic data and also manages a toll-free information hotline for former workers interested in learning more about medical screening services available to them through the Former Worker Program.

ORNL supports technology development and deployment efforts throughout the complex focusing on tracking technologies with an emphasis on high-value protective force weapons and classified tooling. ORNL provides technical support to develop HQ classification guidance including weapons, material production, material disposition, technology, chem/bio, and intelligence issues as directed. Support is also provided for Technical Evaluation Panel (TEP) meetings and classification guide working groups.

Oak Ridge Operations Office (OR)

Health, Safety and Security: OR supports the implementation of the analytical services activity by conducting audits of commercial analytical laboratories, and commercial waste treatment, storage and disposal facilities to ensure environmental analytical data is of high quality, reliable, and defensible. In addition, OR manages the funding for the Filter Test Facility which provides for the testing of all high efficiency particulate air (HEPA) filters used in DOE safety systems (safety class and safety significant) and habitability systems. OR also researches and provides worker employment, medical, and exposure records in support of the Department of Labor's implementation of the Energy Employees Occupational Illness Compensation Program Act.

OR supports background investigations conducted by the Federal Bureau of Investigation and the Office of Personnel Management for DOE Federal employees and contractors. HSS will allocate funding to each processing DOE personnel security office based on projected costs. If actual requirements exceed the HSS allocation in any given fiscal year, the landlord/program offices will be responsible for providing the additional funds.

Office of Scientific and Technical Information (OSTI)

Health, Safety and Security: OSTI supports the Classification, Declassification and Controlled Information Program by improving the access capability to DOE's OpenNet database and maintaining a thesaurus and dictionary for the automated classification guidance system used in the electronic Classification Guidance System.

Ohio Field Office

Health, Safety and Security: The Ohio Field Office provides access to site records and information for use in occupational and public health studies performed by the Department of Health and Human Services, under their Memorandum of Understanding with DOE. The Ohio Field Office also researches and provides worker employment, medical, and exposure records in support of the Department of Labor's implementation of the Energy Employees Occupational Illness Compensation Program Act.

Pacific Northwest National Laboratory (PNNL)

Health, Safety and Security: PNNL provides technical support in preparing policies, procedures, and guides, as well as developing materials that address the process and protocols used for program implementation, planning, analysis of evaluation results and trends, and compilation of policy issues related to the evaluations. PNNL provides specialized technical expertise on environmental and public protection issues, including analysis of emerging rulemakings, and input for the development of environmental guidance materials and implementation tools in areas such as air and water quality protection, and human and ecological risk assessments related to DOE releases.

PNNL also provides health physics and other technical expertise in all aspects of radiological practices, processes and systems at DOE sites with Radiological Control Programs, including support for the development of implementation guides, technical standards and technical solutions for specific radiological control problems. PNNL's specialized technical expertise supports the development and implementation of the DOE Laboratory Accreditation Program. PNNL also provides specialized support for the affirmative procurement of environmentally preferable products.

PNNL supports access to cumulative dosimetry data and information resulting from studies of historical releases of contaminants that traveled off site from DOE facilities (environmental dose reconstructions). PNNL provides technical support to the Illness and Injury Surveillance Program through assistance in developing methods to estimate cumulative dosimetry exposures for current workers. PNNL provides support to the international health studies program.

PNNL provides technical expertise to support policy development for various security disciplines (e.g., information security, protective forces, physical security, personnel security, and material control and accountability), special nuclear material consolidation, Site Safeguards and Security Plans, Site Security Plans, and performance testing. PNNL provides technical, analytical, and operational support to the Foreign Access Central Tracking System.

PNNL provides specialized technical support to the Classification, Declassification and Controlled Information Program for the development of classification guidance covering the following areas: weapons, material production, material disposition, technology, chemical and biological weapons, critical infrastructure, and intelligence.

Pantex Plant (Pantex)

Health, Safety and Security: Pantex serves as the integration test bed for the deployment and evaluation of security technologies such as networked security sensors, distributed situational awareness, and real-time monitoring through a newly developed tactical operations center. Pantex provides technical support to develop HQ classification guidance including weapons, material production, material disposition, technology, chem/bio, and intelligence issues as directed. Support is also provided for Technical Evaluation Panel (TEP) meetings and classification guide working groups.

Pantex Site Office

Health, Safety and Security: The Pantex Site Office provides technical support to the Illness and Injury Surveillance Program through collection and transmission of worker health, exposure, and demographic data.

Pittsburgh Naval Reactors

Health, Safety and Security: Pittsburgh Naval Reactors supports background investigations conducted by the Federal Bureau of Investigation and the Office of Personnel Management for DOE Federal employees and contractors. HSS will allocate funding to each processing DOE personnel security office based on projected costs. If actual requirements exceed the HSS allocation in any given fiscal year, the landlord/program offices will be responsible for providing the additional funds.

Richland Operations Office (RL)

Health, Safety and Security: RL supports international health studies activities. Through AdvancedMed, RL participates in the Illness and Injury Surveillance Program through collection and transmission of worker health, exposure, and demographic data. AdvancedMed also coordinates with the University of Washington to offer a resource to current Hanford Tank Farm workers for independent medical screening. RL also researches and provides worker employment, medical, and exposure records in support of the Department of Labor's implementation of the Energy Employees Occupational Illness Compensation Program Act.

RL supports background investigations conducted by the Federal Bureau of Investigation and the Office of Personnel Management for DOE Federal employees and contractors. HSS will allocate funding to each processing DOE personnel security office based on projected costs. If actual requirements exceed the HSS allocation in any given fiscal year, the landlord/program offices will be responsible for providing the additional funds.

Sandia National Laboratories (SNL)

Health, Safety and Security: SNL provides specialized technical expertise in the development of software for radiological hazard analyses at DOE facilities. SNL also provides technical support to the Illness and Injury Surveillance program through collection and transmission of worker health, exposure, and demographic data.

SNL focuses on deployment and integration of technologies and systems required to protect the Department from catastrophic consequences of such circumstances as use of nuclear weapons and/or material for malevolent purposes, or the erosion of national security secrets through theft or diversion of classified materials or information. Technical assistance provides for assessment of site vulnerability analyses and Site Safeguards and Security Plans. The technology deployment program focuses on physical security technologies to protect and secure the DOE complex. Activities include deploying active denial technologies; countermeasures for security equipment vulnerabilities; and enhanced protective force technologies, such as deployment of a ballistic turret for static and mobile remotely operated weapon systems.

SNL also provides technical expertise to the Classification, Declassification and Controlled Information Program in the development of Headquarters classification guidance covering the following areas: nuclear weapons, nuclear weapon production and military use, stockpile stewardship, chemical/biological weapons, nuclear smuggling, computer codes, and intelligence.

Savannah River Operations Office (SR)

Health, Safety and Security: SR researches and provides worker employment, medical, and exposure records in support of the Department of Labor's implementation of the Energy Employees Occupational Illness Compensation Program Act.

SR supports background investigations conducted by the Federal Bureau of Investigation and the Office of Personnel Management for DOE Federal employees and contractors. HSS will allocate funding to each processing DOE personnel security office based on projected costs. If actual requirements exceed the HSS allocation in any given fiscal year, the landlord/program offices will be responsible for providing the additional funds.

Savannah River Site (SRS)

Health, Safety and Security: SRS provides access to site records and information for use in occupational and public-health related studies performed by the Department of Health and Human Services under their Memorandum of Understanding with DOE. SRS also supports HSS through participation in the Illness and Injury Surveillance Program. This site provides access to site records and information for use in occupational and public health related studies performed by the Department of Health and Human Services under an interagency agreement with DOE.

SRS supports nuclear material control and accountability through the development, enhancement, and deployment of the Local Area Nuclear Material Accountability Software (LANMAS) application for nuclear materials accountability throughout the DOE complex. This technology allows greater reliability, efficiency, and cost savings through increased standardization and use of advanced software technologies. Additionally, SRS serves as a security technology deployment evaluation site for exterior delay, early warning, active denial systems, and armed response technologies.

Schenectady Naval Reactors

Health, Safety and Security: Schenectady Naval Reactors supports background investigations conducted by the Federal Bureau of Investigation and the Office of Personnel Management for DOE Federal employees and contractors. HSS will allocate funding to each processing DOE personnel security office based on projected costs. If actual requirements exceed the HSS allocation in any given fiscal year, the landlord/program offices will be responsible for providing the additional funds.

Washington Headquarters

Health, Safety and Security: Funding supports the implementation of Departmental health, safety, and environmental programs needed to enhance the safety of DOE workers, the public and the environment through policy development and safety support and assistance. This subprogram also provides for the

Departmental program to implement worker health and safety, nuclear safety, and classified information security enforcement; and quality assurance programs throughout the Department.

Funding also provides technical and analytical expertise that enhances the Department's security mission effectiveness through policy development, security support and assistance, and training and professional development. Support provides for the development and management of nuclear material control and accountability activities that support safeguards and nonproliferation programs DOE sites, the Department, and the U.S. Government; deployment of security technologies to meet Design Basis Threat requirements; manage the U.S. Government program to identify and protect nuclear weapons information; provide Specialized Security Activities; Headquarters Security Operations, and operation and maintenance of corporate databases systems, e.g., the Safeguards and Security Information Management System, the electronic DOE Integrated Security System (eDISS+), and classification and declassification data systems.

Support provides for background investigations conducted by the Federal Bureau of Investigation and the Office of Personnel Management for DOE Federal employees and contractors. HSS will continue to be responsible for managing DOE Headquarters security investigations budget.

Program Direction: Funding provides for Federal employee salaries and benefits, travel, and other related expenses needed to carry out the HSS mission. Funding also provides for support services for Headquarters security programs, to perform the independent oversight mission, to provide effective cross-organizational leadership in resolving Defense Nuclear Facilities Safety Board-related technical and management issues necessary to ensure public health and safety and to provide executive protection activities.

Y-12 National Security Complex (Y-12)

Health, Safety and Security: The Y-12 technology deployment program provides physical security technologies focusing on protective force survivability and chemical defense measures. Y-12 also serves as a test bed to evaluate advanced protective force security technologies identified through the HSS Technology Deployment Program. Y-12 also provides technical expertise and support to the Classification, Declassification and Controlled Information Program in the development of classification guidance covering the following areas: nuclear weapons, material production, material disposition, technology, chemical/biological, intelligence, and the development of automated guidance streamlining technologies and techniques to manage classification policy and guidance.

Y-12 Site Office

Health, Safety and Security: Provides technical support to the Illness and Injury Surveillance Program through collection and transmission of worker health, exposure, and demographic data.

Health, Safety and Security

Funding Profile by Subprogram

(dollars in thousands)

	FY 2007 Current Appropriation [a]	FY 2008 Original Appropriation	FY 2008 Adjustments [b]	FY 2008 Current Appropriation	FY 2009 Request
Health, Safety and Security					
Health and Safety	68,152	59,093	+1,364	60,457	68,348
Security	237,077	270,212	-4,345	265,867	278,923
Total, Program Health, Safety and Security	305,229	329,305	-2,981	326,324	347,271

Public Law Authorizations:
42 U.S.C. Section 7274 "Program to Monitor DOE Workers Exposed to Hazardous and Radioactive Substances"
Public Law 83-703, "Atomic Energy Act of 1954," as amended
Public Law 93-438, "Energy Reorganization Act of 1974"
Public Law 95-91, "Department of Energy Organization Act"
Public Law 95-134, "Marshall Islands (Related to Rongelap and Utirik Atolls)"Public Law 95-242, "Nuclear Non-Proliferation Act of 1978"
Public Law 96-205, "Trust Territory of the Pacific Islands"
Public Law 99-239, "Compact of Free Association Act of 1985"
Public Law 100-408, "Price-Anderson Amendments Act of 1988"
Public Law 103-337, "National Defense Authorization Act of 1995"
Public Law 103-62, "Government Performance and Results Act of 1993"
Public Law 107-310, "Dam Safety and Securities Act of 2002"
Public Law 108-188, "Compact of Free Association Amendments Act of 2003"
Public Law 108-375, "The Ronald W. Reagan National Defense Authorization Act for FY 2005"
Public Law 109-163, "The National Defense Authorization Act for FY 2006"
H.R. 1815, Section 3103
Public Law 110-161, "FY 2008 Consolidated Appropriations Bill"

Mission

The Office of Health, Safety and Security (HSS) is the Department of Energy's (DOE) central organization responsible for health, safety, environment, and security; providing corporate-level leadership and strategic vision to coordinate and integrate these programs. HSS is responsible for policy development and technical assistance; safety analysis; corporate safety and security programs; education and training; complex-wide independent oversight; and enforcement. The Chief Health, Safety and Security Officer advises the Secretary and Deputy Secretary on all matters related to health, safety, and security across the complex.

[a] Includes $6,997,000 transferred to other DOE organizations resulting from the Office of Health, Safety and Security formation.
[b] Reflects Congressional direction to increase funding of the Former Worker Program within budget and the FY 2008 Consolidated Appropriations Act Rescission.

Health and Safety

Funding Schedule by Activity

(dollars in thousands)

	FY 2007 [a]	FY 2008 [b]	FY 2009
Health and Safety			
Health and Safety Policy, Standards and Guidance	3,799	3,325	4,425
DOE-Wide Environment, Safety and Health Programs	4,049	3,428	3,575
Corporate Safety Programs	9,283	5,971	8,289
Health Programs	45,519	44,760	47,559
Employee Compensation Program	5,502	2,973	4,500
Total, Subprogram Health and Safety	68,152	60,457	68,348

Description

The Health and Safety subprogram provides technical and analytical expertise that enhances the safety of DOE workers, the public and the environment through policy development and safety support and assistance. Safety activities provide corporate level support and efficiency and effectiveness of operations by managing Department-wide environment, safety and health programs. Health activities support the Department of Labor for the implementation of the Energy Employees Occupational Illness Compensation Program Act to compensate workers adversely affected by DOE operations; domestic health studies including the Former Worker Program (a nationwide program of medical screening to identify work related health effects) and studies to investigate and identify work related injury and illness in the DOE worker population; and international health studies to support radiation health effects research in Japan, the Marshall Islands, Russia, and Spain. The benefits of these projects and programs include discovery and documenting health effects outcomes that provide the scientific basis for national and international worker protection policy and standards. These radiation protection standards and practices, in turn, provide levels of protection appropriate for the risk posed to workers by hazards present at DOE sites.

The Program Goals of Health, Safety and Security will be accomplished not only through the efforts of the direct (GPRA Unit) programs but with additional efforts from subprograms, which support the GPRA Units in carrying out their mission. The Health and Safety subprogram performs the following functions in support of the overall mission of Health, Safety and Security.

[a] Includes $5,505,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

[b] Reflects Congressional direction to increase funding of the Former Worker Program within budget, and the FY 2008 Consolidated Appropriations Act Rescission.

Detailed Justification

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Health and Safety Policy, Standards and Guidance	**3,799**	**3,325**	**4,425**

The programs funded under this activity ensure that DOE workers and the public, property, and the environment are adequately protected from the unique nuclear, chemical, and industrial hazards posed by DOE operations while striving to be current with worldwide technologies, knowledge, and experience.

Nuclear Facility Safety policy and assistance activities provide for the development and maintenance of nuclear safety and, public radiological protection requirements and standards to establish DOE's regulatory framework, as required by the Atomic Energy Act and related laws, and in a manner consistent with national and international nuclear safety related consensus standards. HSS will continue to update and refine nuclear safety requirements and standards, addressing hazards and safety management issues such as incorporating safety into project design; nuclear materials management; reducing the potential for criticality events; reducing the potential impacts of natural phenomenon hazards such as fire, seismic events, and tornados; electrical, explosives, and construction safety; proper maintenance of facilities and infrastructure; and excellence in conduct of operations. Focus will be on the development and revision of nuclear safety directives that were identified through the directives review completed in FY 2008 to identify gaps, redundancies, and need for improved clarity or consistency in such areas as facility readiness for startup or restart, integration of safety in design, worker fatigue, quality assurance, fire safety, risk informed decisions, etc. In addition, support will be provided to DOE operating units to ensure safety requirements are properly interpreted and implemented to provide adequate protection to workers and the public, to respond to issues raised by the Defense Nuclear Facilities Safety Board, and to develop DOE and industry technical nuclear safety standards. Policies and standards will also continue to be enhanced to reflect updated commercial codes and standards, changing DOE missions and work environments, and emerging safety issues that are encountered when working with nuclear or other hazardous materials in aging facilities.

Funding provides for assistance to the sites in the development and review of draft Safety Evaluation Reports (SERs) to ensure these documents address nuclear safety for projects to proceed to Critical Descision-1 requirements under DOE O 413.3A. Assistance will also continue to ensure that links between accident scenarios and credited safety significant controls have been provided in the draft SER generated by site offices approving the conceptual safety analysis. This will include, as appropriate, a crosswalk analysis of how each requirement, described in DOE O 413.3A and DOE Standard 1189, is met.

HSS will continue to provide hands-on assistance to DOE sites in implementing new DOE policies and requirements in areas such as the use of risk assessment in nuclear safety analyses, the packaging of nuclear materials, and the categorization of hazards at DOE facilities. As part of its responsibility under DOE's risk assessment policy, HSS will co-chair the Department's risk assessment review and coordination committee and will support the development of risk assessments that better inform DOE nuclear safety decisions by providing tools and advice that ensure quality risk assessments and more protective and cost effective implementation of nuclear safety programs.

Worker Safety and Health Policies provides for the promotion of work in a safe manner while maintaining safety performance well above the national average compared to industrial operations similar to DOE operations. Funding provides for the conduct of research, sponsoring developmental working groups, and performing the physical tasks necessary to update and maintain existing standards, and develop new safety and health regulations and DOE directives based on new and evolving working conditions throughout the Department. Several DOE policies are scheduled to be revised and updated in FY 2009. Additionally, amendments to 10 C.F.R. 851 "Worker Safety and Health Program," will be developed based on the lessons learned to correct issues discovered during the implementation process including the development of a clearer scope regarding covered contracts and the application of the occupational medical appendix. DOE Order 440.1B "Worker Protection Management for DOE Federal and Contractor Employees," will be revised as this Order only removed the contractor requirements contained in DOE O 440.1A and did not update this 10-year-old federal worker safety and health directive. In addition, the associated guides will also be updated. Amendments will be developed for 10 C.F.R. 707, *Workplace Substance Abuse Programs at DOE Sites*, to reflect current expectations for substance abuse programs and its associated guide will also be revised. Following final promulgation of Amendments to 10 C.F.R. 835, *Occupational Radiation Protection*, lessons learned from implementation of the amended Rule will be used to update the 19 guides and technical standards associated with occupational radiation protection.

Federal Employee Occupational Safety and Health (FEOSH) funding assures compliance with 20 C.F.R. 1960 and Executive Order 12196 by providing guidance and technical assistance to DOE line managers who are working to ensure safe and healthy working conditions for their employees. Funding provides for the development of employee training programs that relies on support from the National Training Center. These activities also provide for the development of the annual FEOSH report to the Secretary of Labor in accordance with 20 C.F.R. 1960, and meeting goals for reduction of injury and illness rates.

Environmental Performance Improvement provides for maintenance of environmental protection policies, directives, and guidance to advance compliance with environmental goals and requirements established through Executive Orders, and environmental laws and regulations, to enhance DOE's environmental protection performance and to advance implementation and continuous improvement of environmental management systems throughout the Department. This includes policy and assistance activities that provide for the development and maintenance of public radiological protection requirements and standards to establish DOE's regulatory framework, as required by the Atomic Energy Act and related laws, and in a manner consistent with Federal guidance and recommendations of national and international radiation protection organizations. As part of this effort, HSS will compile and analyze environmental performance data; identify and respond to opportunities for performance improvement; and provide input to DOE reports responsive to the requirements of Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management, and environmental stewardship scorecards issued by Office of Management and Budget and the Office of the Federal Environmental Executive.

Environmental Protection activities include assistance to DOE operating units in the identification of Departmental and statutory requirements, resolution of environmental compliance issues, and inclusion

of environmental performance expectations in new or amended site operating contract procurement specifications. Efforts will include developing root cause analyses of environmental noncompliance events; assisting DOE operating units with developing and implementing corrective actions; and the formulation and implementation of environmental management systems performance improvements. DOE-wide environmental performance trend analysis, and the development of guidance and bulletins to provide compliance lessons-learned information, will continue to be provided to improve Departmental compliance posture and reduce the potential for occurrences of noncompliant events. To further improve environmental compliance performance, continued support will be provided to maintain an intra-departmental work group in response to Executive Order 13423 implementation instructions from the Council on Environmental Quality, and to ensure that root-cause analyses of noncompliance situations are conducted and correctives actions are identified and implemented. HSS will also continue annual reviews and reports on DOE performance for the National Environmental Standards for Hazardous Air Pollutants for radionuclide emissions (required under the Clean Air Act) and support and coordinate an annual DOE radionuclide National Environmental Standards for Hazardous Air Pollutants workshop. National Environmental Standards for Hazardous Air Pollutants summaries are submitted annually to EPA under an interagency agreement.

Assistance will continue to be provided to evaluate and resolve site regulatory compliance issues, and, where appropriate, to pursue cost-effective, alternative compliance strategies, including preparing petitions for regulatory variances and waivers. Other compliance assistance activities include issuance of guidance regarding the interpretation and implementation of new regulatory requirements applicable to DOE operations and developing web-based compliance tools to assist DOE sites with recognition and understanding of applicable environmental requirements. HSS will continue to provide Environmental Program support to the Department by coordinating and developing consolidated responses to proposed changes in environmental requirements applicable to Departmental operations to ensure that DOE concerns are reflected in the formulation of those regulations.

Other environmentally related activities provided within this activity include Cultural Resource Management workshops to assist Field elements in fulfilling their historic preservation responsibilities to curate artifacts under their charge; an Environmental Management System workshop to support implementation efforts by promoting the sharing of lessons learned and implementation successes and failures; and a Clean Air Act workshop to support DOE implementation of requirements for conformity to clean air act implementation plans.

Activities to revise and reissue DOE Order 5400.5, Radiation Protection of the Public and the Environment under the new directives system and an associated rule, 10 C.F.R. 834, will be implemented in order to update the Department's radiation protection practices to reflect the current state of knowledge and practice in radiological science. Supporting documentation will be developed and issued through a coordinating committee made up of field and program office staff to assist in the implementation of the new rule, including guides on monitoring, control/release of property, and use of optimization techniques. This activity also includes the maintenance of associated guidance and standards for DOE's public and environmental radiation protection programs.

(dollars in thousands)

FY 2007	FY 2008	FY 2009

Funding provides for the review and, where appropriate, approval of requests from the field and program offices for specific authorizations and exemptions related to public and environmental radiation protection and radioactive waste management. This effort includes review of requests for authorized limits to control and release property potentially containing small amounts of residual radioactive material. Activities will be maintained to support sites' waste disposal efforts by reviewing DOE low-level waste disposal and transuranic waste disposal sites to ensure that they comply with DOE Order 435.1 requirements and Federal radiation protection policies. Coordination with international standards organizations will also continue to benchmark U.S. radiation protection approaches against existing and proposed standards and to represent the United States in international standards development processes.

Efforts will continue to unify the Federal Government's approach to radiation protection. Emphasis will be devoted to improving and integrating a protective, more effective waste management approach that will support the timely disposition of radioactive and hazardous waste from DOE operations, as well as disposition of wastes from radiological events. In particular, efforts will continue to harmonize interagency approaches to the disposition of low activity waste pursuant to recommendations of the National Academy of Science. Assistance will also be provided to develop interagency initiatives to improve and update radiation dosimetry to support consistency and transparency in all Federal radiation protection activities.

HSS will assist DOE sites and programs in assessing the acceptability of low-level waste disposal sites and in evaluating site performance based on review of disposal system performance assessments and site-wide composite analyses. Efforts will include site visits as part of the Federal Low-level Waste Review Group teams. Support will continue to be provided to DOE operations, and state and Federal agencies in assessing dose and risks to the public from the release of property containing residual radioactive material and the safe disposal of radioactive waste. In addition, to assist DOE elements in complying with radiation protection requirements, HSS will maintain and improve tools for dose and risk assessment, such as the residual radioactivity (RESRAD) family of codes, to estimate doses associated with residual radioactive material in soils, buildings, and materials. This task will also ensure that computations made with these tools meet DOE and Federal quality standards.

This activity also supports DOE's leadership role for the continued development and maintenance of operational guidelines that support protective action decisions and Federal policy in response to and recovery from events involving radiological dispersal and improvised nuclear devices. HSS participates in these activities with several interagency work groups involving, for example, the Department of Homeland Security, the Office of Science Technology and Policy, Department of Health and Human Services, the Environmental Protection Agency, and the Occupational Health and Safety Administration. Activities include coordinating external peer review of exist and development of additional guidelines to support protective action decisions by interagency teams during a radiological emergency. DOE contributes its expertise and support necessary for the Federal government to have the guidelines and mechanisms in place by which a safe and orderly recovery from potentially widespread radiological contamination can be made to restore infrastructure use and vital economic activity, while protecting workers and the general public.

(dollars in thousands)

FY 2007	FY 2008	FY 2009

The Human Performance Improvement initiative identifies and analyzes human performance gaps and identifies, evaluates, and implements corrective actions to close those gaps. Funding provides for the development of course materials and conducting training, in coordination with the National Training Center; conducting DOE-wide workshops; facilitating implementation at the site level; and maintaining a knowledge-sharing alliance with the Energy Facility Contractors Operating Group, the U.S. Navy, the International Society for Performance Improvement, the International Atomic Energy Agency, and Institute of Nuclear Power Operations. Funding also provides for assistance to DOE offices and contractors in developing internal expertise in Human Performance and related subjects, and assistance in integrating Human Performance principles, concepts, and tools into their policies, management systems, processes, and organizational cultures.

Environment, Safety and Health Training through the National Training Center, provides for the development and delivery of environment, safety, and health technical training to develop and maintain DOE and contractor ES&H competencies. Funding supports the National Training Center in providing training and instructional design for Leadership Training; environment, safety, and health staff support; Defense Nuclear Facilities Safety Board Recommendation 2004-1; and the Federal Technical Capability Program.

The Federal Technical Capability Program (FTCP) provides for the recruitment, deployment, development, and retention of Federal personnel with the demonstrated technical capability to safely accomplish the Department's mission and responsibilities. In 1993, the Defense Nuclear Facilities Safety Board issued Recommendation 93-3, Improving DOE Technical Capability in Defense Nuclear Facilities. This recommendation resulted in DOE's establishing the FTCP and developing two standards: DOE M 426.1-1, Federal Technical Capability Manual, and DOE G 426.1-1, Recruiting, Hiring, and Retaining High Quality Technical Staff: A Manager's Guide to Administrative Flexibilities. These standards provide techniques and processes for improving the recruitment, retention, training, and qualification of high-quality personnel.

The FTCP is responsible for overseeing the overall implementation of the Technical Qualification Program (TQP). Recognition that an effective TQP for the DOE is in place is accomplished through an accreditation process. HSS is responsible for funding the TQP site accreditations. The accreditation enables both Headquarters and field organizations in the DOE to demonstrate that they have an effective program in place to ensure the technical competency of DOE technical employees whose duties and responsibilities require them to provide assistance, guidance, direction, oversight, or evaluation of contractor activities that could impact the safe operation of a defense nuclear facility. Accreditation ensures the consistent application of TQP requirements across the Department, thereby facilitating the transportability of qualification when an individual moves from one organization to another. Six site accreditations are scheduled to be completed in FY 2009.

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009
DOE-Wide Environment, Safety, and Health Programs	**4,049** [a]	**3,428**	**3,575**

The DOE Laboratory Accreditation Program (DOELAP), mandated by 10 C.F.R. 835, provides assurance that worker radiation exposures are being accurately determined by providing for the manufacture of lung phantoms used in performance testing for the Radiobioassy Accreditation Program. Funding also provides for the operation of the DOE Phantom Library, a library of pedigree phantoms available for loan to DOE facilities to perform calibrations of personnel radiation monitors, used to quantify a workers internal exposure to radioactive materials.

Radiation Exposure Monitoring System (REMS) funding provides for the monitoring and data management systems needed to prepare the annual DOE Occupational Radiation Exposure Report. Title 10 C.F.R. 835, *Occupational Radiation Protection*, Subpart I, requires annual monitoring of individual occupational radiation exposure records for DOE employees, contractors, and subcontractors, as well as members of the public. The report is based on the monitoring data input into the REMS Repository by DOE operating units as required by DOE Order 231.1-1A and DOE M 231.1-1A. Funding provides for the collection of data, operation and maintenance of the REMS database, and preparation of the annual report.

The DOE Voluntary Protection Program (DOE-VPP) encourages and rewards safety performance that is better than industry averages. Based on accident and injury compensation cost comparisons between VPP and non-VPP sites, the DOE-VPP program has an estimated return on investment showing a cost saving/avoidance average of $250K per participating contractor per year. Twenty-seven participating contractors are currently collectively saving the Department approximately $6.5M per year by implementing the program. DOE-VPP is a part of the Integrated Safety Management System that ensures health and safety programs are maintained or continue to improve resulting in overall operational cost savings. Funding provides for recertification of contractor DOE-VPP status and evaluation of new applications for DOE-VPP status. The DOE-VPP program currently has 26 participants at the Star Level and one at the Merit Level. Each of the Star sites is inspected every three years, and the Merit site is inspected annually to ensure performance does not decline. Funding provides for conducting sixteen inspections and development of inspection reports, the purchase of awards (plaques, flags, trophies), promotional items (booth, graphics, pamphlets), and additional technical expertise where needed. In addition, funding provides for the development and maintenance of the electronic VPP (e-VPP) program in support of the electronic government initiative under the President's Management Agenda.

Pollution Prevention activities will continue to provide direction to DOE operating units regarding the implementation of practices that improve environmental performance at DOE sites by promoting recycling and reuse of materials, including electronics; replacement of toxic substances and materials by non-toxic substitutes; reduction of waste volumes and their toxicity; and other sustainable environmental stewardship practices stipulated in Executive Order 13423, Strengthening Federal Environmental, Energy, and Transportation Management. These activities will continue to promote programs to

[a] Includes $1,209,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

formally recognize outstanding pollution prevention and sustainable environmental stewardship achievements at DOE sites (i.e., Best-in-Class Awards) and nominate recognized DOE awards for consideration in the White House Closing-the-Circle Awards competition. In addition, HSS will continue to evaluate innovative pollution practices across the DOE complex and issue "Pollution Prevention Star" awards for exemplary performance. HSS will also maintain and operate the Pollution Prevention Performance Tracking and Reporting System website for use by DOE sites in monitoring and reporting their pollution prevention and sustainable environmental stewardship performance. A review of DOE sites' toxic chemical release inventory annual reporting data will be performed to evaluate the effectiveness of the Department's pollution prevention efforts and validate adherence with the federal agency reporting provisions of Executive Order 13423.

HSS will provide DOE and field elements with a broad array of assistance and support in developing and achieving DOE and Government-wide pollution prevention goals. Assistance on alternative pollution prevention funding mechanisms (Generator Set-Aside Fee Program) will focus on green purchasing efforts to assist with implementation of the new guides for integrating environmentally preferable purchasing and green building procurement into site environmental management systems. Continued support will be provided to line management in measuring and evaluating the performance of sites' pollution prevention and environmentally preferable purchasing and in identifying green design criteria, High Performance Sustainable Building principles, and other sustainable environmental stewardship considerations for incorporation into capital asset proposals and specifications for design and construction of new and retrofit facilities. Assistance will also be provided 1) in identification of cost-effective pollution prevention, post-consumer recycling, and environmentally preferable purchasing strategies for achieving pollution prevention and sustainable environmental stewardship goals; and 2) to pollution prevention personnel, for pollution prevention opportunity assessment procedures, and to procurement personnel for environmentally preferable purchasing policies and procedures.

Other Corporate Environmental Program activities include preparation of DOE environmental reports, including DOE's annual reports detailing the Department's progress implementing Executive Order 13101, *Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition*, and Executive Order 13148, *Greening the Government Through Leadership in Environmental Management*. Interface activities with EPA will continue to ensure that preparation of reports to Congress on the status of Environmental Indicators reflect the latest cleanup progress at DOE sites.

Environmental management system implementation assistance will be provided through guidance and hands-on technical support to Program and Field elements in areas such as performance improvement, best practices, lessons learned, and compliance problem solving. Environmental management system assistance will also be provided by supporting the review of site-specific environmental performance, identification and implementation of corrective actions, and identification of opportunities for continuous improvement of environmental performance. HSS will assist sites to enhance their efforts to protect the environment by providing support in the development of environmental performance expectations and measures in operating contract award fee criteria, and evaluation of environmental performance in operating contract award fee determinations. In addition, environmental management

system workshops will be provided to support implementation efforts by promoting the sharing of lessons learned and implementation successes and failures.

DOE's Safety and Security Enforcement activity implements Congressionally mandated programs, as required by 10 C.F.R. 851, *Worker Safety and Health Program*; and 10 C.F.R. 824, *Procedural Rules for the Assessment of Civil Penalties for Classified Information Security Violations* (Classified Information Security). The goal of this activity is to promote proactive behavior on the part of DOE contractors to adhere to safety and security requirements and regulations and to continuously improve their performance in worker safety and health, and security through the timely self-identification, reporting, and correction of noncompliant conditions. Funding provides for review and analysis of noncompliance reports, preparation and conduct of onsite investigations, development of investigation reports, analysis and decision-making on enforcement actions; and if violations have occurred, development of preliminary notices of violations, notification of violations, enforcement letters, consent orders, compliance orders, and notification to contractors of associated fines or other sanctions.

The Worker Safety and Health Enforcement Program became effective February 9, 2007, in accordance with 10 C.F.R. 851, and enforces compliance with DOE worker safety and health regulations at Departmental contractor sites. During the trial reporting period, approximately 100 reports of noncompliance events were identified. It is projected that this activity will result in a review of over 500 cases resulting in approximately ten worker, safety and health enforcement actions per year.

The Security Enforcement Program enforces compliance with DOE classified information security requirements, effective February 26, 2006, at Departmental contractor sites in accordance with 10 C.F.R. 824, which implements section 234B of the Atomic Energy Act of 1954, 42 United States Code (USC) 2282b. This program is expected to review over 600 cases per year. Reviews are conducted using the DOE Incident Tracking and Analysis Capability (ITAC) portion of the Safeguards and Security Information Management System , Safeguards and Security Periodic Surveys and Special Surveys, Independent Oversight Inspections and Special Reviews, Office of Inspector General reports, and Government Accountability Office audits and inspections. Based on the first year of the implementation of this program, it is expected to conduct approximately ten security enforcement actions per year.

Enforcement program funding provides for the operation and maintenance of the Noncompliance Tracking System (NTS), a web-based system used by DOE contractors to report nuclear and worker safety and health noncompliant events as described in 10 C.F.R. 820 and 10 C.F.R. 851. The NTS is the primary source to identify which events warrant enforcement action in the areas of worker safety and health and nuclear safety and is used as an analytical tool to provide trending and analysis of DOE-wide and site noncompliant events.

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009
Corporate Safety Programs	**9,283** [a]	**5,971**	**8,289**

Corporate Safety Programs serve a crosscutting safety function for the Department and its stakeholders in assuring excellence and continuous improvement in environment, safety, and health in the conduct of its missions and activities.

- **Corporate Safety** **5,645** [b] **4,794** **7,101**

  Performance Trending and Analysis funding focuses on solving systemic causes of deficient performance to reduce and prevent events by examining leading, as well as lagging performance indicators. Corporate Safety Indicators have been developed to provide senior management with the status and trends of DOE safety performance to be utilized as an effective tool to focus senior management dialogue and attention on areas of safety, health, security, and environmental priority. The indicators were developed through benchmarking that measures safety performance against "Best in Class" industries, such as DuPont and DOW. Guidance and assistance is provided to improve the timeliness and completeness of accident/injury reporting data as contained in the Computerized Accident and Incident Reporting System (CAIRS). HSS is performing more in-depth analyses of data to include Occurrence Reporting and Processing of Operations Information (ORPS) and qualitative information provided through the line and HSS. This helps DOE utilize the analyses more effectively to drive improvements in areas of identified weaknesses and in response to adverse trends. When poor safety performance is identified, additional oversight and assistance is provided and in some cases, enforcement actions are initiated to drive the implementation of corrective actions and improve overall performance.

  DOE Operating Experience Program is being expanded to include all DOE Federal and Contractor Operating Experience Program Coordinators, to communicate operating experience and lessons learned across the Department more effectively. An Operating Experience Council is made up of DOE Federal and DOE contractor managers and "Best in Class" industries, to ensure efficacy. Funding provides for the analysis of corporate, program, and site-specific safety performance data and metrics. Funding also provides for the development and implementation of improved methods for utilizing safety related data and communication systems (e.g., data mining and display capabilities); utilizing state-of-the-art commercial experience to identify and use leading performance measures to leverage safety performance; and providing for analysis of safety performance tailored to nuclear and worker safety.

  Funding provides for the implementation of DOE P 442.1, Differing Professional Opinions (DPO) on Technical Issues Related to Environment, Safety and Health, to facilitate dialogue and resolution on DPOs related to environment, safety, and health aspects of DOE facilities and activities. This policy provides a process for technical issues to be resolved when there is disagreement with line management. The process requires the employee to identify the issue and its basis and to give that

[a] Includes $4,296,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

[b] Includes $1,846,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

information to the DPO manager within HSS or NNSA. Implementation of the DPO process also includes educating DOE managers and employees on the program. The DPO process is new within the Department and requires the evaluation of programs across the complex. It requires the management, tracking, and closure of DPOs. It also requires the coordination with all other related processes such as Employee Concerns Program, 10 C.F.R. 851 Worker Safety and Health Program enforcement and potential allegations or whistleblower actions.

This activity provides for the enhancement of management systems supporting newly initiated Employee Assistance activities as a result of the Employee Assistance Task Force conducted by DOE in FY 2007 to review and assess incidents that raise issues associated with employee concerns, workforce reliability and violence in the workplace. HSS is developing a plan for the Department to implement recommendations resulting from the task force. HSS will coordinate the scope and schedule of the implementation plan with the Office of Human Capital management. DOE will continue to benchmark, discuss, and compare such issues of workplace/workforce reliability, with the chemical/petrol sector, the military, defense contractors and the National Security Agency and will utilize "best practices" in the enhancements of the Employee Assistance Program. DOE has a large segment of its workforce population working within a secure environment. Issues of workforce reliability, workforce safety, mental and physical problems that impact performance are all pertinent to the well being of the workforce and national security.

The DOE Continuity of Operations (COOP) Program ensures that the Department meets its missions and maintains operational viability in an emergency impacting the National Capital Region. Funding provides for an integrated COOP Implementation Plan that addresses complex-wide health, safety and security; COOP facility health, safety and security; and the devolution of operations out of the National Capital Region as needed. Institutionalization of the COOP implementation planning process is needed to provide the framework for support of the essential health, safety, and security functions required within the context of the DOE COOP Plan. Funding provides for development and maintenance of implementation plans and procedures; training; and conduct of an annual exercise.

The Quality Assurance Program assists in the implementation of DOE Quality Assurance directives to ensure DOE products and services meet expectations and requirements. Funding provides for directives development and maintenance, safety Quality Assurance implementation assessments, technical support, training, and management. Funding provides for an annual assessment and report to the Deputy Secretary on the implementation of the DOE Quality Assurance programs. A Central Registry is maintained to support effective configuration and control of safety-related Software Toolbox Codes.

The DOE Suspect/Counterfeit Items Identification and Investigation Program supports the Department of Justice and other Federal Agency investigations of related fraud. Funding provides for subject matter expert support to the National Training Center and the collection and analysis of data and preparation of the Annual Report of Suspect/Counterfeit Items Activities.

The Filter Test Facility conducts testing of all high efficiency particulate air (HEPA) filters used in DOE safety systems (safety class and safety significant) and habitability systems. This 100 percent testing requirement is based on a commitment to the Defense Nuclear Facilities Safety Board in 2003 due to the nature of the filter usage in DOE facilities in mitigating radioactive exposure to workers, the public, and the environment. DOE-Standard (STD)-3020-2005, Specifications for HEPA Filters Used by DOE Contractors, requires that each filter be tested by both the manufacturer and Filter Test Facility. Approximately 2,600 filters are tested annually. Funding provides for a contractor to continue performing independent inspection and testing of HEPA filters for the Department.

The Accident Investigation Program supports and/or conducts Type A investigations for serious incidents and oversees the conduct of Type B investigations conducted by DOE program elements for less serious incidents. Funding provides for the conduct of Type A investigations; development, review, and publication of accident investigation reports; accident investigation qualification training; verifying completion of approved corrective actions and satisfaction of judgments of need. Funding also provides for maintaining resource databases that include a list of prospective DOE accident investigation board chairpersons, DOE accident investigators, and technical subject matter experts; providing investigative and technical subject matter expertise.

This activity supports implementation of DOE's Corporate Readiness Review Program for Category 1, 2, and 3 nuclear facilities prior to authorizing the startup or restart of those facilities. These reviews are conducted to address inconsistencies and deficiencies in process implementation identified by DOE and the Defense Nuclear Facilities Safety Board. Funding provides for participation in Operational Readiness Reviews/Readiness Assessments, team member/leader training, technical support to line management, and for assistance and guidance for implementing elements of the revised DOE Order 425.1C and the associated Standard 3006-2000. Assistance will continue to be provided to DOE sites to ensure that DOE projects address the design standards required by 10 C.F.R. 830, DOE O 420.1B and associated guides as well as DOE Standard 1189, *Integrating Safety into Design*. Specifically, nuclear safety, nuclear criticality, radiation protection, hazardous material protection, and fire protection will be addressed. Particular attention will be paid to high-level confinement strategies included in the Safety Design Strategy documents. Assistance will also be provided to identify an initial selection of safety class and safety significant controls to protect workers and the public from radiation and chemical hazards associated with facility operations.

The Corporate Safety activity provides funding to the Federal Energy Regulatory Commission (FERC) to provide periodic safety inspections that assure the structural integrity of dams and other water impoundment structures owned by DOE and to ensure compliance with the Federal Guidelines for Dam Safety as part of the National Dam Safety Program.

DOE's Nuclear Safety Enforcement activity implements Congressionally mandated programs, as required by 10 C.F.R. 820, 10 C.F.R. 830, 10 C.F.R. 835, and 10 C.F.R. 708. The goal of this activity is to promote proactive behavior on the part of DOE contractors to adhere to nuclear safety

requirements and regulations and to continuously improve their performance in nuclear safety through the timely self-identification, reporting, and correction of noncompliant conditions. Funding provides for review and analysis of noncompliance reports, preparation and conduct of onsite investigations, development of investigation reports, analysis and decision-making on enforcement actions, and if violations have occurred, development of preliminary notices of violations, notification of violations, enforcement letters, consent orders, compliance orders, and notification to contractors of associated fines or other sanctions. The nuclear safety program reviews over 200 noncompliance reports and issues 5-15 nuclear safety enforcement actions per year. Funding also provides for the development and conduct of Price-Anderson Coordinator Training.

- **Radiological and Environmental Sciences Laboratory** **2,450** [a] **0** **0**

Beginning in FY 2008, these activities will be funded by the Office of Nuclear Energy

- **Analytical Services** **1,188** **1,177** **1,188**

The Analytical Services Program assists DOE operating entities in determining environmental sampling protocols and provides a corporate service to the Department by conducting quality assurance audits of environmental laboratories used by the sites in support of environmental compliance programs. Standardized audits of laboratories used by DOE entities ensures environmental analytical laboratory data reported to DOE sites through contractual agreements is of high quality and reliability, and assures that data is technically and legally defensible to support regulatory compliance and environmental remediation and clean-up projects. Funding also provides for development software toolkits and training support to DOE field element sites for determining the right quantity and quality of environmental field sampling (water, air, soil, vegetation biota, and fauna tissue), as well as systematic planning relative to regulatory compliance and the Department's clean-up mission. Funding provides for the consolidated audit program for waste facilities and environmental laboratories; the accreditation of DOE and vendor environmental laboratories; the development of field sampling data systems in support of the Department's remedial actions and on-going operations. This corporate crosscutting program is conducted to eliminate audit redundancy and ensure consistent quality. Without this program, DOE site operations would have to conduct independent and potentially redundant audits increasing overall costs to the Department of approximately $1M annually. In addition, the failure to ensure that vendor analytical laboratories are meeting quality assurance standards could result in increased liabilities and significant delays in completing key environmental cleanup projects.

Health Programs **45,519** **44,760** **47,559**

Health Programs comprise support to the Department of Labor for the implementation of the Energy Employees Occupational Illness Compensation Program Act to compensate workers adversely affected by DOE operations; domestic health studies including the Former Worker Program (a nationwide

[a] Transferred to the Office of Science as a result of the Office of Health, Safety and Security formation.

(dollars in thousands)

program of medical screening to identify work-related health effects) and studies to investigate and identify work related injury and illness in the DOE worker population; and international health studies to support radiation health effects research in Japan, the Marshall Islands, Russia, and Spain. The benefits of these projects and programs include discovery and documenting health effects outcomes that provide the scientific basis for national and international worker protection policy and standards. These radiation protection standards and practices, in turn, provide levels of protection appropriate for the risk posed to workers by hazards present at DOE sites.

■ **Other Health Programs**	**25,371**	**24,644**	**27,259**
• **Occupational Health**	**16,500**	**16,377**	**17,916**

The Former Worker Medical Surveillance Program provides for the conduct of medical screenings for former employees to identify adverse health conditions as a result of working at DOE facilities as mandated by Congress in the FY 1993 Defense Authorization Act (PL 102-484). External teams of independent health experts are funded to offer medical screening to interested individuals among the 400,000-person former DOE federal and contractor workforce. The program includes a preliminary site assessment to identify groups of at-risk workers and DOE site-specific exposures and medical screening that includes examinations, which check for adverse health outcomes potentially related to occupational exposures such as beryllium, asbestos, silica, lead, cadmium, chromium, and solvents. The program is conducted using 10 cooperative agreements held by consortia of universities, labor unions, and commercial organizations with expertise in administration of medical programs. In FY 2007, 10,000 medical screenings were conducted. The FY 2008 Enacted Appropriation required HSS to increase spending for this activity by $4,000,000 over the budget request, within funds provided.

This activity also provides for support to the Radiation Emergency Accident Center/Training Site (REAC/TS), which provides medical expertise, chelating pharmaceuticals, and training for physicians to be able to respond to radiological accidents anywhere in the United States. REAC/TS also maintains guidelines for DOE facilities regarding actinide contamination injuries.

Title 10 C.F.R., Part 850 *Chronic Beryllium Disease Prevention Program* requires DOE sites to inventory and assess beryllium exposure hazards to determine whether employees are at risk for chronic beryllium disease. Sites that identify employees at risk due to ongoing or past work must implement chronic beryllium disease prevention programs that include reporting health and exposure data to the DOE Beryllium-Associated Worker Registry. These sites are required to submit summary data in semi-annual progress reports. Health data are collected through the operation of medical surveillance programs for current workers at 20 DOE sites. Exposure data are collected through the operation of industrial hygiene programs at 15 sites that had continuing beryllium operations. Funding provides for the continued maintenance of the registry, as required, and supports a data center that collects information from sites, translates it to standard formats, checks for accuracy and completeness, and maintains, analyses and reports data. Funding is also provided for the Beryllium Tissue Repository which is designed to collect and stores tissue samples donated by current and former DOE workers exposed to beryllium. There

are four cooperative agreements with various clinical centers that are scheduled to be funded through this program. Tissues collected by these centers will be transferred to the National Institute of Health so that other investigators may have access to them to further research in this area. In FY 2007 – 2008, efforts were undertaken to develop tissue collection protocols (with approval from various Institutional Review Boards) and a database that will store relevant information.

The Human Reliability Program (HRP) is a safety and security reliability program designed to ensure that individuals who occupy positions affording access to certain materials, nuclear explosive devices, meet the high standards for trustworthiness, dependability, and physical and mental reliability. It is implemented through a system of continuous evaluation that identifies individuals whose judgment and reliability may be impaired that present safety and security concerns. Funding provides for collecting information on job requirements; the selection of medical and psychological tests and evaluations relevant to those requirements; and the development and dissemination of qualification standards to HRP policy and implementing organizations. Funding also provides for an annual workshop regarding research provided by the 14 site designated psychologists on the psychological assessment HRP Rule requirements. A manual of research results is also scheduled to be developed.

The DOE Contractor Employee Assistance Program is mandated by 10 C.F.R, Part 707 and 10 C.F.R., 851, Appendix A, Occupational Medicine/Employee Assistance Program funding provides for the collection, analysis, and development of causes of lost time and disabilities and the medical and psychological interventions available to reduce these losses. Funding also provides for an annual Contractor Employee Assistance Program Workshop to disseminate relevant data to Employee Assistance Program managers to support decisions on development of policies and guidelines.

- **Public Health** **2,098** **1,959** **1,977**

Public Health Studies provides for third-party health studies related to DOE workers and residents of communities neighboring DOE sites across the United States through the Department of Health and Human Services (HHS) as mandated under the Economy Act of 1932, as amended (31 U.S.C. 1535 and 1536); the Atomic Energy Act of 1954, section 31a (42 U.S.C. 2051a) and the Energy Reorganization Act of 1974, section 103(3) (42 U.S.C. 5313(3)). In addition, DOE is required under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) to conduct health assessments at DOE hazardous waste sites that are on or proposed for the National Priorities List. To achieve these objectives and maintain an independent program of health studies, DOE uses the technical and management capabilities of other executive Agencies having facilities, personnel, or other resources that can assist in carrying out such responsibilities. Funding provides for the National Institute for Occupational Safety and Health, the National Center for Environmental Health, and the Agency for Toxic Substances and Disease Registry to conduct studies through three interagency agreements.

(dollars in thousands)

FY 2007	FY 2008	FY 2009

In FY 2007, the National Academy of Sciences completed a review of this program and recommended that DOE and HHS develop a new agreement outlining a partnership between the Agencies to conduct research and public health activities that focus on the examination of human exposures to hazardous substances, health outcomes that may have resulted from DOE operations, including development and production of nuclear weapons and materials and other nuclear energy-related research and development activities.

In FY 2009, the National Institute for Occupational Safety and Health is scheduled to complete a mortality study of Fernald workers and a case control study of multiple myeloma at the Oak Ridge Gaseous Diffusion Plant (K-25). The National Center for Environmental Health is scheduled to conduct a directed environmental dose reconstruction based on the findings of the Los Alamos Historical Document Retrieval Assessment. In addition, the Agency for Toxic Substances and Disease Registry will publish final Public Health Assessments for Los Alamos National Laboratory and Savannah River Site and will conduct public health education activities relating to these sites and the Oak Ridge Reservation, Brookhaven National Laboratory, and Hanford. They will also complete toxicological profiles for materials pertinent to DOE sites. Moreover, the Public Health program provides funding for the retention of records for HHS to access records to conduct studies. Funding is also used to pay the National Archives Records Administration for records storage fees. There is a Secretarial moratorium on the destruction of medical records and exposure data for epidemiologic studies. Specific records prohibited from destruction were identified in a 1991 Secretarial memorandum and was reaffirmed in a December 1998 Secretarial memorandum.

- **Epidemiological Studies** **3,335** **3,028** **3,716**

Epidemiological Studies provides for research on the effects of DOE operations on its employees and includes the Illness and Injury Surveillance Program, the Comprehensive Epidemiologic Data Resource, and the U.S. Transuranium and Uranium Registries.

The Illness and Injury Surveillance Program is the only source of information regarding the health of the current contractor workforce, covering nearly 85,000 workers at 13 sites. Data are collected from the Return to Work clearance requirement (10 C.F.R. 851). The goals of the program are to protect and promote the health of DOE workers, identify those groups at increased risk, and provide a focus for intervention strategies. Funding is used to support on-site data coordinators assistance, data collection, quality assurance, data transmission, and intermittent computer programming activities at each participating site. In addition, funding provides for a data center at which additional data quality assurance activities, data analysis, data file and report preparation, assistance with special health investigations initiated at site request, and related technical support activities are provided. Funding provides for data collection at 13 sites.

The Comprehensive Epidemiologic Data Resource (CEDR) is an electronic database maintained at Lawrence Berkeley National Laboratory that allows access to data from health studies funded by DOE to assess the impact of DOE operations on worker and community health. Funding is

used to facilitate public access through provision of technical support personnel who assist scientific investigators with gaining access to the data, respond to queries about the data, ensure that proper documentation is available for each data set, prepare and load new data sets as they become available, and organize the data sets into a systematic collection to facilitate access. CEDR processes about 130,000 queries per month. Data from studies conducted under public health activities and the Former Worker Program are scheduled to be added to the database in FY 2009.

The U.S. Transuranium and Uranium Registries, operated by Washington State University, is a research program that studies the distribution and biological effects of plutonium and other heavy metals in voluntarily donated post-mortem human tissues. This information is used to improve DOE's ability to estimate internal doses attributable to the intake of long-lived radioactive materials and supports refinement of radiation protection policies.

- **International Health Studies** **3,438** **3,280** **3,650**

The Russian Health Studies Program implements the Joint Coordinating Committee for Radiation Effects Research (JCCRER) agreement between the United States and Russia establishing the legal framework for a collaborative research program between U.S. and Russian scientists to determine the risks associated with working at or living near Russian former nuclear weapons production sites. The agreement was signed in 1994 and renewed, on May 4, 2007, through January 2009. The goals of the program are: 1) to better understand the relationship between health effects and chronic, low-to-medium dose radiation exposure; 2) to determine radiation-induced cancer risks from exposure to gamma, neutron, and alpha radiation; and 3) to improve and validate DOE, U.S., and international radiation protection standards and practices.

To date, all research activities have been focused on the Mayak Production Association (Mayak), the first nuclear weapons production facility in Ozersk, Russia, and in communities surrounding the complex and along the Techa River. DOE supports radiation dose reconstruction studies, epidemiologic studies, molecular and radiobiological studies, and a tissue repository. An external scientific review group of eminent U.S. and Russian scientists evaluates and oversees all scientific work. As of December 31, 2006, researchers published over 140 scientific articles in peer-reviewed journals. Mayak workers were exposed to chronic radiation doses 100 to 1,000-fold higher than U.S. workers, whose lower doses make it very difficult to detect adverse health effects. Studying the Russian nuclear workers and people in surrounding communities helps to better determine the risks associated with employment in the nuclear industry and helps validate U.S. and worldwide radiation protection standards. These results, in turn, are available to standard-setting organizations for evaluating the efficacy of exposure standards. In FY 2009, researchers are scheduled to publish revised dose estimates for an enlarged cohort of 26,000 Mayak workers and a method for computing individual (versus group) past radiation doses for 30,000 members of communities surrounding Mayak.

The Palomares Program provides for the implementation of a jointly sponsored effort of the United States and Spain, under a ten-year Implementing Arrangement signed in 1997, which

superseded the Hall Otero agreement of 1966, to provide medical surveillance of the exposed population and environmental monitoring of the area of plutonium contamination resulting from of a U.S. Air Force aircraft accident over Palomares, Spain. In a subsequent agreement, Project Annex II, signed in FY 2006, DOE opted to participate in co-funding a final radiological survey of the residual contamination at the accident site with the understanding that the current research program would conclude in FY 2009. In FY 2006, Spain submitted the cost estimate of the radiological survey work to be performed over a 3-year period. In FY 2008, the final report on the radiological survey of the residual contamination will be prepared by Spain. The final report and final cost-sharing agreement were the subject of Project Annex III that was signed on September 10, 2007. It should be noted that managing the residual contamination, at the Palomares site, is not a part of this agreement. FY 2009 will be the final year for funding the Palomares Program.

- **Radiation Effects Research Foundation** **13,848** **13,873** **14,000**

The Radiation Effects Research Foundation (RERF), under a bi-national agreement between the United States and Japan, provides for the conduct of epidemiologic studies and medical surveillance of the survivors of the atomic bombings of Hiroshima and Nagasaki. Results from the Life Span Study of the survivors continue to provide the scientific basis for standards setting organizations that establish national and international radiation protection policy. Revisions of epidemiologic data on cancer incidence in relation to radiation dose are based on the recently published reassessment of doses received by the Japanese survivors. In FY 2008, a bi-national senior review panel will present its recommendations on the future research plans of RERF to the government funding agencies. This senior panel review will serve as the primary planning document for DOE's future support of the RERF program.

- **Marshall Islands Program** **6,300** **6,243** **6,300**

The Marshall Islands Program provides for environmental monitoring in support of safe resettlement of four atolls; medical surveillance and cancer care and treatment of 178 people; and environmental monitoring of radiation levels and recommendations for site remediation of the Marshall Islands due to nuclear weapons testing conducted between 1946 and 1958. Medical and environmental monitoring is required by Public Laws 99-239 and 108-188, the Compact of Free Association between the United States and Republic of the Marshall Islands. Currently, the program includes two critical components: 1) provision of annual comprehensive medical screening examinations, cancer diagnosis, treatment, and medical care for radiation-exposed individuals; and 2) provision of environmental field science and radiological monitoring to assist decision-making concerning the resettlement of the displaced Atoll populations. Funding provides for continued whole-body counting and plutonium urinalyses for this population to measure individual exposure to radionuclides, comprehensive annual screening examinations, and medical care for those who contracted cancer. Whole-body counting technologies will continue to be the centerpiece of the DOE's environmental and radiological monitoring program at the Majuro, Eniwetok, and Rongelap Atolls.

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009
Employee Compensation Program	**5,502**	**2,973**	**4,500**

DOE Energy Employees Occupational Illness Compensation Program Act (EEOICPA) activities support the implementation of Parts B and E of the Act by the Department of Labor to provide compensation to persons who have become ill as a result of work at DOE facilities. Part B provides for compensation to workers with beryllium disease, silicosis, or radiation induced cancer; and Part E provides for compensation and medical benefits to DOE contractor and subcontractor employees whose illnesses were caused by exposure to any toxic substance while working at a DOE facility. DOE's support is primarily comprised of conducting record searches necessary for employment verification, documentation of exposures to toxic substances, and providing information on toxic substances used and in use at DOE facilities. DOE assists the Department of Labor, the National Institute for Occupational Safety and Health, and the President's Advisory Board on Radiation and Worker Health by researching and providing copies of all available records and information needed to support claims filed by DOE federal and contractor employees. In FY 2007, DOE responded to almost 18,000 records requests.

Total, Subprogram Health and Safety	**68,152** [a]	**60,457**	**68,348**

[a] Includes $5,505,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

Explanation of Funding Changes

	FY 2009 vs. FY 2008 ($000)
Health and Safety Policy, Standards and Guidance	
The increase in this activity is for the INPO Liaison program, the Federal Technical Capability Panel (FTCP) and Nuclear Safety and Radiation Protection. The INPO is a DOE-wide program, and it was expected that funding for this program would be provided by the various line managers. This increase restores funding to HSS to be the only DOE funding source for INPO. Increased funding for the FTCP is for an additional 6 site accreditations planned for FY 2009. The increase for Nuclear Safety and Radiation Protection accounts for additional work to update requirements and guidance documents and support their cost-effective implementation by program and field offices.	+1,100
Total, Health and Safety Policy, Standards and Guidance	**+1,100**
DOE-Wide Environment, Safety and Health Programs	
The overall increase is for Worker Safety and Health Program Enforcement activities due to implementing the requirements of 10 C.F.R. 851.	+147
Total, DOE-Wide Environment, Safety and Health Programs	**+147**
Corporate Safety Programs	
■ **Corporate Safety** The overall increase is for enhancing Performance Trending and Analysis activities that focus on solving systemic causes of deficient performance to reduce and prevent unwanted events by examining leading as well as lagging performance indicators. Corporate Safety Indicators have been developed to provide senior management with the status and trends of DOE safety performance to focus senior management dialogue and attention on areas of safety, health, and environmental priority. These indicators will also be used to develop and present DOE-wide safety goals to the Secretary for incorporation into contractor and Federal operations.	+2,307
■ **Analytical Services** No significant change.	+11
Total, Corporate Safety Programs	**+2,318**
Health Programs	
■ **Other Health Programs**	
• **Occupational Health** Increase provides for a total of 10,000 medical screenings of former employees to identify adverse health conditions as a result of working at DOE facilities as mandated by Congress in the FY 1993 Defense Authorization Act (PL 102-484); and for the conduct of additional research and studies regarding exposure to beryllium including the implementation of tissue collection activities.	+1,539
• **Public Health** No significant change.	+18

	FY 2009 vs. FY 2008 ($000)
• **Epidemiological Studies** Increase in the Illness and Injury Surveillance Program will allow for further development and implementation of health surveillance programs, and development and implementation of effective pandemic response initiatives.	+688
• **International Health Studies** Increase for the Palomares (Spain) program will allow for the completion of radiological survey work initiated in FY 2008 and for preparation of the final report of results. This will be the completion of the Palomares activities.	+370
Total, Other Health Programs	+2,615
■ **Radiation Effects Research Foundation** No significant change.	+127
■ **Marshall Islands Program** No significant change.	+57
Total, Health Programs	**+2,799**
Employee Compensation Program Increase will ensure the DOE Energy Employees Occupational Illness Compensation Program Act (EEOICPA) activity can respond to requests for records necessary to verify employment, document exposures to toxic substances, and provide information on toxic substances used and in use at DOE facilities.	+1,527
Total, Employee Compensation Program	**+1,527**
Total Funding Change, Subprogram Health and Safety	**+7,891**

Security

Funding Schedule by Activity

(dollars in thousands)

	FY 2007 [a]	FY 2008 [b]	FY 2009
Security			
Nuclear Safeguards and Security	196,546	228,374	243,717
Security Investigations	40,531	37,493	35,206
Total, Subprogram Security	237,077	265,867	278,923

Description

The mission of the Security subprogram is to provide support to Federal staff for security policy development, interpretation, and guidance; the development and conduct of security and safety training; overseeing the development, application, and deployment of new security technologies throughout DOE; and development and management of the Department's classification, declassification, and controlled information program. In addition, this subprogram provides for specialized security support related to security issues and incidents tracking; nuclear materials accountability; foreign visits and assignments; and foreign ownership and control programs. The Security subprogram also provides operational support to DOE Headquarters by managing the physical protection and security of DOE facilities and information in the National Capital Area. In addition, the Security Investigations activity manages funding for security background investigations associated with providing access authorization to DOE Federal and contract personnel who, in the performance of their official duties, require access to classified information or certain quantities of special nuclear material. Background investigations are required by Section 145 of the Atomic Energy Act of 1954, as amended, and Executive Order 12968. The investigations are performed and access authorizations granted based on Title 10, Code of Federal Regulations, Part 710, *Criteria and Procedures for Determining Eligibility for Access to Classified Matter or Special Nuclear Material*.

The Program Goals of Health, Safety and Security will be accomplished not only through the efforts of the direct (GPRA Unit) programs but with additional efforts from subprograms, which support the GPRA Units in carrying out their mission. The Security subprogram performs the following functions in support of the overall mission of Health, Safety and Security.

[a] Includes $1,492,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

[b] Reflects Congressional direction to increase funding of the Former Worker Program within budget, and FY 2008 Consolidated Appropriations Act Rescission.

Detailed Justification

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Nuclear Safeguards and Security	**196,546** [a]	**228,374**	**243,717**

Nuclear Safeguards and Security activities provide support to Federal staff for security policy development, interpretation, and guidance; the development and conduct of security and safety training; overseeing the development, application, and deployment of new security technologies throughout DOE; and development and management of the Department's classification, declassification, and controlled information program as well as specialized security support related to security issues and incidents tracking; nuclear materials accountability; foreign visits and assignments; and foreign ownership, control or influence programs. Nuclear Safeguards and Security also provides operational support to DOE Headquarters by managing the physical protection and security of DOE facilities and information in the National Capital Area.

■ **Operational Support**	**167,528** [b]	**202,507**	**217,743**
• **Specialized Security Activities**	**105,807**	**149,450**	**162,926**

Funding is provided to identify and communicate information necessary to ensure adequate protection of the Department's national security assets by providing relevant, timely, objective and unbiased analysis of data from multiple sources. This activity coordinates, directs, and performs highly specialized activities to protect DOE assets through the analysis of information using a highly specialized workforce.

• **Safety and Security Training**	**18,756**	**14,622**	**16,656**

Funding is provided to develop and maintain the proficiency and competency of DOE safety and security personnel through standardized training, education, and professional development services; and to conduct workforce analyses and career development programs required for the protection of the environment, safety, and health of the public, Departmental workforce, critical assets and national security. The DOE National Training Center (NTC), in Albuquerque, NM, designated as the DOE Center of Excellence for safety and security training, is the primary resource for performing these functions.

Course curriculum development and presentation of training represent the largest portion of the funding base. Funding supports the development and delivery of security and safety training programs. Security training activities consists of specialized training in protective force operations that include specialized weapons firing courses, vulnerability assessments, nuclear materials control and accountability, personnel security, information security, and security survey techniques and methodologies. NTC courses qualify security personnel to perform safeguards and security functions throughout the DOE. Safety training activities primarily focus

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[b] Includes $1,492,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

on the development and delivery of training to safety personnel assuming safety duties in a nuclear operational environment. Training is provided to the DOE community utilizing facilities located at the NTC campus as well as facilities throughout the DOE complex, e.g., Los Alamos National Laboratory, or via the NTC's distance-learning capabilities. NTC also deploys mobile safety and security training teams to DOE field sites to maximize cost savings while maintaining the integrity of training.

In addition to course development, funding supports the operation and maintenance of NTC facilities. NTC facilities are spread across four distinct areas permitted to DOE by the U.S. Air Force and the U.S. Forest Service and consist of classroom and administrative offices, weapons firing ranges, and the newly constructed Integrated Safety and Security Training and Evaluation Complex. Additionally, space no longer used by the Air Force and Sandia National Laboratories, is used for storage of sensitive items (e.g., weapons and ammunition). Operation and maintenance funding also provides for utility and telecommunications services for Federal and contractor personnel for the management of support programs necessary to provide for a safe, secure, and environmentally sound operation that conforms with the requirements of Departmental Directives, the Occupational Safety and Health Administration, the Environmental Protection Agency, and state and local laws and regulations.

Funding provides for the DOE Professional Development Program for safety and security professionals. The Professional Development Program sets forth a career track that guides and records the educational and experience progress of an employed safety or security professional. Based on models set forth by other federal agencies, the program targets those critical Human Capital loss projections to ensure that the vital safety and security functions within the Department are implemented by a skilled workforce without interruption given the pending personnel losses attributed to anticipated personnel attrition rates.

- **Security Operational Support** **15,426** [a] **13,720** **12,652**

Information used throughout the DOE complex regarding security issues related to policy is maintained in the Safeguards and Security Information Management System (SSIMS), a centralized classified browser-based database that serves as the master repository of current and historical DOE security deficiencies, from both internal and external sources, and associated corrective actions. This system allows for the trending and analysis of security concerns in order to identify systemic security issues and areas that may require additional oversight, or indicators of continuing or future security concerns within DOE. The database also maintains facility security ratings, a listing of facility security officers for more than 2,000 cleared DOE facilities, classified mailing addresses for over 500 facilities authorized to receive classified information, and classified contracts, inspections, and surveys to include initial and quarterly updates to corrective action plans. The system also provides a central repository for deviations from security requirements as well as information regarding incidents of security concern (e.g., unauthorized disclosures of classified information, accidental discharges of weapons and missing special nuclear material).

[a] Includes $1,323,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

Funding supports operations and maintenance of SIMMS and upgrades to secure communication hardware. Funding supports the continued use and expansion of trending and analysis reports for use by various Departmental entities. Funding also provides for field assistance activities associated with augmentation of SSIMS to support field security incident management initiatives. Funding provides for improvements to SSIMS and for custom reports and analysis from this system requested by field and program offices.

Security activities provides for risk management, vulnerability assessment, and security system performance evaluations, verifications, and validations for identification and clarification of threats to Departmental assets; and development of innovative concepts to mitigate emerging threats at the field site level. This program provides security input through the various phases of design review and line item construction projects and technical support to the Departmental elements regarding design, construction, and the physical and technical review of Sensitive Compartmented Information Facilities and provides for the development, evaluation, review, and the consistent application of Design Basis Threat Policy implementation. Further, this activity also ensures consistency in curriculum development for vulnerability assessment training and the application of manual and computer-based vulnerability assessment tools utilized in the implementation of safeguards and security protection strategies.

Funding supports the continued refinement and implementation of the DOE standard vulnerability assessment process allowing the Department to accurately and equitably evaluate the security protection posture at the site level and across the DOE complex, and develop and test necessary enhancements to security systems. On-site field assistance provides for the development and review of Site Safeguards and Security Plans and the associated vulnerability assessments at the Department's most critical facilities. On-site field assistance also provides for independent, technical experts to ensure comprehensive, equitable, and cost-effective security protection program evaluation and testing. This program supports protective forces adversary engagement modeling, force-on-force exercise expert adversary teams, facility security system and program characterization, threat clarification and identification, physical security system reviews, and security survey support. Funding provides for on-site vulnerability assessment field assistance activities; upgrades to modeling and simulation tools to reflect new, unforeseen protective force or adversary capabilities, weapons tactics and technology; and support for Joint Tactical Simulation (JTS)/Joint Conflict and Tactical Simulation (JCATS) use and site-specific customization at field locations in support of the safeguards and security protection strategies and measures.

Security Policy Analysis funding provides subject matter and technical expertise in a wide variety of security disciplines to assist in the analysis of security policies in the context of National level drivers, and the development of security requirements and performance measures related to security program planning and management (e.g., Site Safeguards and Security Plans, facility clearances, and surveys and self assessments); information security; physical protection systems; protective force operations; personnel security; and nuclear material control and accountability. Funding also provides for the conduct and management of quality panels consisting of subject matter experts from field locations who provide feedback for keeping

security policies current and effective. Other security-related support provides for expert advice and assistance in the development of requirements for physical security systems; explosive detection systems, and integrated alarm management and control systems. This funding also provides for activities necessary to physically add and/or update DOE security-related policies.

Human Reliability Program (HRP) funding provides for technical expertise support to ensure that individuals who occupy positions with access to special nuclear materials, nuclear explosive devices, or related facilities and information meet the highest standards of reliability and physical and mental suitability. Funding provides for the development and distribution of new HRP products such as training and awareness materials to meet new requirements or to enhance existing program elements that are required to satisfy the provisions of 10 C.F.R. 712; and for research on medical, legal, and safety topics in support of guidance development and amendment of requirements. HRP products are utilized by program enrollees, medical staff, certifying officials, and supervisors. Support is also provided to the Personnel Security Program, particularly in the area of interface with the HRP and in the development of training and awareness materials.

The DOE Security Awareness Special Interest Group (SASIG) is a long-standing professional organization of DOE and contractor safeguards and security awareness coordinators. This group provides a mechanism for sharing awareness methods and products, solving problems, and disseminating security-related information to satisfy Presidential and other regulatory requirements. Funding provides security awareness coordinators the tools and information needed to communicate information to employees regarding threats to security and the individual's role within the security program as protection levels and strategies change or are increased. The President's electronic government initiative concepts are incorporated into this activity by utilizing electronic information systems for the delivery of required security briefings and other security information. Funding provides for monthly teleconferences, an annual workshop, and a group website.

The DOE Foreign Ownership, Control, or Influence (FOCI) program is legislatively mandated under 48 C.F.R. Parts 904.7003, 952.204-2, 970.0404, 904.404, and 952.204-73, as well as required under Executive Order 12829, National Industrial Security Program, and implemented via the National Industrial Security Program Operating Manual. Funding supports the three part electronic FOCI (e-FOCI) web based system that supports the FOCI program to determine whether potential or existing contractors of the Department are owned, controlled, or influenced by a foreign entity and, as a result, exhibit the potential for undue risk to national security. This e-government initiative, chosen for the DOE Innovative Department of Energy E-Government Applications Program (IDEA) by the DOE Management Council in 2002, reduces the time necessary for submission, analysis and determination of information prior to award of contracts by 70 percent by converting the inefficient paper based FOCI operation to a fully electronic process. It also provides the ability to tailor solutions for classified contracts necessary for local operational needs and missions. Funding also supports the operation and maintenance of the e-FOCI Submission Site for contractors, the e-FOCI Processing Site for Federal FOCI field managers, and the Analytical Tools Module for DOE Headquarters FOCI managers. Over 1,000

DOE and NNSA contractors currently use the system, as well as 31 DOE and NNSA federal and contractor sites to submit, analyze, and render determinations on FOCI applications. Funding also supports system administration and operation, cyber security, user training and assistance and program management.

The DOE Foreign Visits and Assignments Program (FV&A) is required by Presidential Decision Directive–61, Energy Department Counterintelligence, and by DOE Order 142.3, Unclassified Foreign Visits and Assignments Program. The FV&A program manages the security aspects of DOE interactions with foreign nationals visiting or assigned to DOE sites or granted access to DOE information or technologies and includes a system used to provide accountability for, and to report to internal DOE management and external authorities on, the presence of foreign nationals at all DOE facilities. Funding supports the operation and upgrade of the Foreign Access Central Tracking System (FACTS). This database speeds the processing of visitor requests, and allows the large volume of requests to be managed by fewer personnel. Funding also provides for the performance of annual assessments and updating of policies for unclassified foreign visits and assignments and classified visits involving foreign nationals, and for response to mandates from the Department of Homeland Security related to foreign visitor security and visa requirements.

The Nuclear Materials Management and Safeguards System (NMMSS) contains records of nuclear materials (source nuclear material, special nuclear materials and other nuclear material) supplied and controlled under U. S. law and related international agreements including U.S. nuclear materials production programs and U.S. private nuclear industrial activities. NMMSS serves national security and program management interests in the utilization of nuclear resources. In addition, the system also serves international interests in the programs for the peaceful application of nuclear energy and in the non-proliferation of nuclear weapons. The purpose of NMMSS is to provide quality nuclear data in a timely manner to support U.S. government requirements. Nuclear material management and safeguards data from more than 700 U.S. Government and commercial nuclear facilities is tracked on a “by site” basis and supports the detection, assessment, and reporting of loss, diversion, or theft of nuclear materials. NMMSS supports implementation of the Department's Design Basis Threat Policy in the identification of attractive targets for adversary attack, thereby assisting in the prioritization, development, and deployment of protection for the most critical assets. Accounting for nuclear materials is required by DOE Order 470.4, Safeguards and Security Program through DOE Manual 470.4-6, Nuclear Material Control and Accountability (formerly, DOE Order 470 and DOE Manual 474.1-1A and -1B). Funding provides for maintenance and operation of the system and one users meeting. In FY 2008, NMMSS operations will be physically moved from Atlanta, GA. to Washington, D.C. in order to consolidate these activities under the DOE Headquarters physical security infrastructure.

This activity provides funding for the development and maintenance of the Local Area Nuclear Materials Accountability Software (LANMAS). LANMAS is a tool designed specifically to provide DOE sites with a standardized application for tracking nuclear material by item and location. The software application can be used on both stand-alone and local area network

computer systems. LANMAS supports accurate and timely on-site nuclear material inventory information and is used, in combination with other site security elements, to account for, detect, assess, and report the potential theft or diversion of nuclear materials. LANMAS also has the potential to be integrated with site processing operations aligned with the Department's enterprise architecture to improve efficiencies and reduce costs associated with safeguarding and managing nuclear materials. Information managed by this software is used to account for day-to-day activities at the site level, perform corporate-level quality assurance activities regarding material transactions, and provide timely information regarding the location of material throughout the DOE complex for use in emergency response management. LANMAS demonstrates a cost savings for DOE by minimizing duplication of software development. Funding provides for one proposed upgrade to LANMAS; support to sites when software deficiencies are identified, and one users meeting.

Security activities provides for the Radiological Source Registry and Tracking (RSRT) database, the primary tool for inventorying radioactive sealed source materials throughout the Department. The RSRT database supports nonproliferation programs and assists in the mitigation of the threat of "dirty" bombs by providing the Department with an inventory tool to meet international guidance for registering and inventorying high-risk sealed sources, and assists in the analysis for the determination of potential radiological sabotage targets. Information in the RSRT database can be used to monitor the location and use of sealed sources; detect and act on discrepancies in inventory; assist in vulnerability analyses and emergency response activities, and thus provide greater security and management for high-risk radioactive sealed sources. The RSRT database will be used by DOE to report to the National Source Tracking System once the Nuclear Regulatory Commission promulgates final rules and establishes an operational system as prescribed in the Energy Policy Act of 2005.

- **Headquarters Security Operations** **27,539** [a] **24,715** **25,509**

Headquarters Security Operations comprise a security protective force and operation of the countermeasures, alarms, and access control equipment and systems designed to provide protection of DOE Headquarters' facilities and assets.

Funding provides for a security protective force engaged in the physical protection of DOE Headquarters classified information and facilities in the National Capital Area. Physical protection and access control is provided 24 hours a day, 365 days a year at the Forrestal and Germantown Buildings, and satellite facilities in Washington, D.C., and Germantown, MD, respectively.

Security Alarms and Access Control Systems (SAACS) funding provides for the operation and maintenance of equipment and technology including security screening equipment, vehicle inspection scanning devices, low-light closed circuit TV monitoring, and nuclear, biological and chemical detection devices; turnstiles; and other access control equipment used at DOE Headquarters facilities in the National Capital Area. Funding supports various maintenance and

[a] Includes $169,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

upgrade contracts to ensure that the system operates in compliance with DOE security policy and operational requirements. Funding provides for the operation and maintenance of the SAACS system.

This activity includes funding for the Technical Surveillance Countermeasures Program (TSCM). TSCM, required under Presidential Decision Directive - 61, Energy Department Counterintelligence, provides for technical surveys, inspections, in-conference monitors, and pre-construction consultation services as well as technical threat analysis for DOE Headquarters and DOE contractor facilities in the greater Washington, D.C., area for the purpose of detection and denial of hostile intelligence collection operations bent on penetrating Headquarters' sensitive installations to steal technology or sensitive or classified information. Funding also provides for the acquisition, maintenance, and upgrade of unique countermeasures equipment.

Headquarters Security Operations also provides funding for security briefings to DOE Federal and contractor employees, other personnel granted DOE access authorizations, and non-DOE personnel granted unescorted access to Departmental security areas for DOE Headquarters facilities in the National Capital Area as required under Executive Order 12829, National Industrial Security Program, and implemented via the National Industrial Security Program Operating Manual and DOE Manual 470.4-1, Safeguards and Security Program Planning and Management. The Order requires initial briefings for all DOE employees, comprehensive, refresher, and termination briefings for all personnel granted DOE access authorizations, and appropriate awareness briefings for non-DOE personnel granted access to DOE security areas. Funding provides for the development and distribution of security awareness materials (e.g., brochures, posters, and books) and computerized briefing presentations.

- **Security Technology Development and Systems Deployment** **15,840** **14,796** **14,796**

The Security Technology Development and Systems Deployment activity provides a corporate, cost effective approach for performance testing and information dissemination of technology-based solutions to known security vulnerabilities throughout the DOE complex. The technologies provide an alternative to costly increases in manpower needed to implement threat policies, and provides affordable solutions to counter threats for which no current defensive capability exists. The activity identifies and evaluates commercial and military technologies to ensure system performance is commensurate with operational security requirements before such technologies are purchased and deployed to protect critical national security assets. Funding also provides for the modification of existing technologies, development of new technologies, and deployment of technologies to meet security requirements in the most cost effective manner possible.

Funding is used to addresses the broad spectrum of the Department's security mission to include physical security systems, protective force technologies and tactics, nuclear materials control, as well as nuclear, chemical, and biological defenses. The focus of this activity is to enhance security while minimizing escalating costs due to increasing or changing threats throughout all departmental programs. Critical safety and performance data obtained through the deployment, testing, and operational evaluation of a suite of integrated technologies at pilot sites will be archived and

disseminated to all sites. Selected technologies will provide solutions to validated requirements identified through site assistance visits, comprehensive inspections, or other site-specific assessments conducted by HSS or the host site. The primary security capability areas to be addressed include: 1) early adversary detection through exterior sensors and airborne platforms with sensor payloads capable of scanning several kilometers beyond the fence line, and embedded sensors at the target location to instantaneously alarm to unauthorized tampering or movement of materials; 2) support of a highly effective tactical response force through advanced weaponry, distributed situational awareness capabilities, all-weather target acquisition optics, non-pyrotechnic breaching kits, and improved survivability for response forces through the deployment of armored fighting positions, vehicles and command centers; 3) denial and neutralization capabilities at the target to include robotic weapons, incapacitating technologies, or combinations thereof; 4) the integration of site-wide security technology components and systems into a unified tactical operations center for greatly enhanced command, control, communications and intelligence information, and 5) the identification, deployment and evaluation of a rotary wing aircraft detection, targeting and engagement system.

Funding also supports efforts to protect DOE facilities, assets, and personnel from terrorist use of weapons of mass destruction (nuclear, biological, chemical, and bulk explosives) in order to gain access to nuclear materials or disrupt DOE capabilities critical to national security. This multifaceted initiative has sub-elements to address lethal chemical and explosives protection analysis at multiple nuclear facilities; site-specific deployment and placement of chemical agent detectors throughout the complex; deployment of lethal response capabilities impervious to weapons of mass destruction effects within special nuclear material storage locations; and technical support for implementation of nuclear, biological, and chemical protection technologies at critical security nodes such as central alarm stations and protective force response locations.

Included within this overall activity is funding for activities associated with the successful deployment and transition of security technologies into Departmental operational facilities. Funding provides for the resolution of administrative, safety, and legal issues, in a timely manner to avoid significant delays in fielding effective security technological solutions.

Funding provides for the Performance Testing and Analysis Center (PTAC) to provide field and headquarters programs with expertise in protective force operations, adversary “black hatting” and planning, protective force tactical training and deployment assessments, and “re-cell” activities designed to identify potential weaknesses in safeguards and security and provide cost-effective solutions. PTAC provides a centralized function which greatly magnifies the benefit derived to all Departmental elements by eliminating redundant capabilities and providing for gained expertise to be shared with other elements. This activity provides the DOE and NNSA sites critical resources to assess programs and operations via performance based criteria and develop and test cost-effective alternatives in response to changing threats and operational parameters.

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009

- **Classification, Declassification and Controlled Information** **13,178** **11,071** **11,178**

The Classification, Declassification and Controlled Information activity ensures the Department meets its statutory responsibility to implement the U.S. Government-wide program to classify and declassify nuclear weapons-related technology (i.e., Restricted Data and Formerly Restricted Data) and to implement the requirements in Executive Order, as amended, to classify other information that is critical to the national security (i.e., National Security Information). This program also identifies information that is controlled under statute to protect national security (i.e., Unclassified Controlled Nuclear Information), and other governmental, commercial, and private interests (i.e., Official Use Only information).

Funding is used to assist the Federal staff in the development and issuance of U.S. Government and Department-wide policy and technical guidance to ensure that classified nuclear weapons-related information and other information assets critical to national security and to other governmental, commercial, or private interests are identified for proper protection. Funding provides limited specialized technical expertise support to consider the national security implications of classification and declassification decisions for very complex nuclear proliferation issues and maintain existing classification guides. Funding also provides for the conduct of training and certification of DOE and other agency personnel in classification and information control programs and related areas to fulfill requirements identified in DOE regulations, orders, manuals and agreements with other agencies in accordance with public law.

Funding provides for the review of documents in response to litigation or other requests, to ensure that classified and controlled information is identified and protected from unauthorized release to the public. Further, as resources permit, DOE reviews other agency documents referred under Section 3.3 of Executive Order 12958, as amended, and DOE permanent record collections that have become 25 years old, and performs quality control reviews of other agency document collections slated for public release.

Funding also provides for the final review of classified DOE documents and documents containing DOE equities from all U.S. Government Departments and Agencies, including DOE, requested under the Freedom of Information Act (FOIA) to ensure that DOE classified and controlled information is identified and protected from unauthorized release to the public. Other U.S. Departments and Agencies do not have the requisite expertise in DOE classified programs to perform their own classification reviews of DOE equities in order to remain in compliance with FOIA. Furthermore, other U.S. Departments and Agencies are prohibited from conducting such reviews under 10 C.F.R. Part 1045.

Security Investigations **40,531** **37,493** **35,206**

Security Investigations activities manage funding for background investigations associated with providing access authorizations to DOE Federal and contract personnel who, in the performance of their official duties, require access to classified information or certain quantities of special nuclear material. Background investigations are required by Section 145 of the Atomic Energy Act of 1954, as amended,

and Executive Order 12968. The investigations are performed and access authorizations granted based on Title 10, C.F.R. Part 710, Criteria and Procedures for Determining Eligibility for Access to Classified Matter or Special Nuclear Material.

This activity provides for the centralized management of access authorizations (clearances) that allow employees and contractors access to classified information and special nuclear material. Background investigations are performed in accordance with DOE Order 470.4, Safeguards and Security Program, and DOE Manual 470.4-5, Personnel Security, both dated August 26, 2005, by either the Federal Bureau of Investigation or the Office of Personnel Management, as required by law or Departmental regulations. The management of access authorization data is performed in a cost-effective, efficient, manner via the use of electronic databases and Internet-capable tools that comprise the electronic DOE Integrated Security System+ (eDISS+). These electronic tools support and track the adjudication process from the beginning to the disposition of the access authorization request.

In FY 2009, HSS will continue to fund the Department's personnel security investigations performed by the Office of Personnel Management (OPM) and the Federal Bureau of Investigation (FBI) for access authorizations (security clearances). HSS will allocate funding to each processing DOE personnel security office based on projected costs. If actual requirements exceed the HSS allocation in any given fiscal year, the landlord/program offices will be responsible for providing the additional funds. Under this approach, each program office must make a determination of the need for additional funding for the budget submission. Additionally, all funds related to personnel security investigations will be tracked for use in the annual preparation of the safeguards and security crosscut which is sent to Congress as part of the DOE Congressional Budget process.

- **Federal Bureau of Investigation (FBI)** **978** **1,287** **1,287**

  The FBI conducts background investigations for DOE Federal personnel for positions of high degree of importance or sensitivity dictated by the National Defense Authorization Act, DOE M 470.4-5, *Personnel Security*, and DOE Order 470.4, *Safeguards and Security Program*. Funding provides for initial background investigations, periodic reinvestigations, and reimbursement for fingerprint and name checks.

- **Office of Personnel Management** **33,374** **32,900** **29,083**

  OPM conducts the majority of background investigations for DOE Federal personnel and contractors. Funding provides for initial Single Scope Background Investigations, periodic reinvestigations, and initial and reinvestigation National Agency Checks.

- **Access Authorization Information Management** **3,336** **3,306** **4,836**

  Access Authorization Information Management activities funding provides for the management of all aspects of access authorization data. The process of investigating, granting, and subsequent management and tracking of access authorizations requires the maintenance of large amounts of data for long periods of time, both for personnel who are granted access authorizations and for those who are not. The primary system for performing this function is the electronic DOE Integrated Security System + (eDISS+), which consists of a series of interrelated electronic databases and associated

client applications and web pages that automate the processing and tracking of access authorization requests and integrate the access control process. This system greatly reduces the amount of time spent on managing and preserving the integrity of the data as the information flows between physical locations and organizations and allows DOE security personnel to receive, process, review, and submit access authorization information to the Office of Personnel Management.

The primary database of eDISS+ is the Personnel Security Database (PSDB), which centralizes all clearance, clearance adjudication, and access authorization information contained in eDISS+ systems. eDISS+ also includes the Central Personnel Clearance Index database that maintains the status of access authorizations at the site and national level. The Visitor Access Database and Classified Visitor Control System contain data in centralized databases for nationwide access by DOE personnel and contractors concerning access authorizations and inter-site visits for use in providing access to facilities and information. eDISS+ supports the President's Management Agenda in the electronic Government initiative, but does not duplicate the e-Clearance authorization initiative managed by Office of Personnel Management. Funding provides for the continued operation and maintenance of the system.

Funding also provides for the DOE-wide deployment of the Personnel Security Case Management System, as well as the integration of this system with DOE field site human resources, financial management, and access control systems. One of the major goals of this system is to reduce overall personnel security program costs by eliminating redundant systems at DOE field sites and by integrating directly with other databases to reduce clearance processing time. This funding allows for critical resources that will be needed to develop links to systems listed above and to implement the Case Management System throughout the DOE Complex and also provides resources needed to modernize system infrastructure and to comply with new security requirements such as Homeland Security Presidential Directive (HSPD)-12.

This activity also provides support for performing case reviews and evaluations, preparation of decision packages and preparation of other correspondence by the Office of Departmental Personnel Security, stood-up in FY 2008. Professional level support is also provided to Headquarters Clearances adjudications (case reviews and analysis, conducting interviews, and preparing correspondence), administrative level support, and other support such as court reporting and consulting physicians on an as needed basis. The new office was formed as a result of a special review conducted of the Department's management of personnel security in late FY 2007.

■ **Accelerated Access Authorization Program**	**2,843**	**0**	**0**

Program discontinued in FY 2008.

Total, Subprogram Security	**237,077** [a]	**265,867**	**278,923**

[a] Includes $1,492,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

Explanation of Funding Changes

	FY 2009 vs. FY 2008 ($000)
Nuclear Safeguards and Security	
■ **Operational Support**	
• **Specialized Security Activities**	
This activity is being increased to meet special security needs.	+13,476
• **Security and Safety Training**	
Increase will allow the National Training Center to respond to increased program requests for best-in-class training and professional development programs to meet increased safety and security expectations; support cost effective implementation of the Design Basis Threat by providing training on new security technology and tactics throughout the Department; and continue the deployment of Personal Security Training Programs to meet Secretarial initiatives.	+2,034
• **Security Operational Support**	
The decrease reflects the cost savings and efficiency of operations resulting from moving the Nuclear Materials Management and Safeguards System (NMMSS) from Atlanta, GA, to Washington, D.C. in FY 2008.	-1,068
• **Headquarters Security Operations**	
Increase is required for the Protective Force contract to meet expected cost increases as well as to provide for additional skills required within the Technical Surveillance Countermeasures (TSCM) program. The increase is offset by reductions to operation and maintenance of the Security Alarm and Access Control Systems and a further reduction of the purchase of TSCM equipment.	+794
Total, Operational Support	+15,236
■ **Classification, Declassification and Controlled Information**	
No significant change.	+107
Total, Nuclear Safeguards and Security	**+15,343**
Security Investigations	
■ **Office of Personnel Management**	
Funding reflects a decrease in the number of investigations (Single Scope Background Investigations, periodic reinvestigations, and initial and reinvestigation National Agency Checks) in this budget request. If actual requirements exceed the HSS allocation in any given fiscal year, the landlord/program offices will be responsible for providing the additional funds to HSS and responsible DOE personnel security office.	-3,817
■ **Access Authorization Information Management**	
Funding level is increased to provide for implementation of the Case Management System throughout the DOE Complex, continued implementation of HSPD-12 security requirements, and operations of the Office of Departmental Personnel Security.	+1,530
Total, Security Investigations	**-2,287**
Total Funding Change, Subprogram Security	**+13,056**

Program Direction

Funding Profile by Category

(dollars in thousands/whole FTEs)

	FY 2007 [a]	FY 2008 [b]	FY 2009 [c]
National Training Center			
Salaries and Benefits	1,519	1,569	1,624
Travel	60	61	63
Other Related Expenses	25	27	29
Total, National Training Center	1,604	1,657	1,716
Full Time Equivalents	11	11	11
Headquarters			
Salaries and Benefits	77,364	63,203	58,881
Travel	2,711	3,171	3,092
Support Services	18,778	16,748	20,004
Other Related Expenses	16,430	14,358	15,904
Total, Headquarters	115,283	97,480	97,881
Full Time Equivalents	532	426	387
Total Program Direction			
Salaries and Benefits	78,883	64,772	60,505
Travel	2,771	3,232	3,155
Support Services	18,778	16,748	20,004
Other Related Expenses	16,455	14,385	15,933
Total, Program Direction	116,887	99,137	99,597
Total, Full Time Equivalents	543 [d]	437	398

Mission

Program Direction provides the Federal staffing, support services, and other resources and associated costs required to provide overall direction and execution of the Office of Health, Safety and Security (HSS) mission.

[a] Includes $17,758,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.
[b] Reflects the FY 2008 Consolidated Appropriations Act Rescission.
[c] Includes +$1,150,000 for the transfer of non-safety related Quality Assurance activity from the Office of Management.
[d] Includes 109 FTE transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

Detailed Justification

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Salaries and Benefits	**78,883** [a]	**64,772**	**60,505**

Funding provides for salaries and benefits for 398 Federal full-time equivalents (FTEs) with the technical expertise needed to carry out the HSS mission of providing corporate-level leadership and strategic vision to coordinate and integrate health, safety and security policy development and technical assistance; analysis; corporate safety and security programs; education and training; quality assurance programs; complex-wide independent oversight; safety and security enforcement, executive protection, and provide effective cross-organizational leadership in resolving Defense Nuclear Facilities Safety Board-related technical and management issues necessary to ensure worker and public health and safety. Salaries and benefits estimates are based on Government-wide economic assumptions. Funding for full-time permanent employees includes salaries and other personnel benefits, such as cash incentive awards, lump sum payments, Senior Executive Service and other performance awards, and worker's compensation, and provides for the skills and expertise required to carry out the HSS mission.

Travel	**2,771** [b]	**3,232**	**3,155**

Travel includes all costs of transportation, subsistence, and incidental travel expenses incurred by HSS Federal employees in accordance with Federal Travel Regulations. HSS travel is necessary to manage health, safety, and security programs and conduct independent oversight activities for the Department. Extensive travel is also required for HSS personnel to perform executive protection activities for the Secretary, and other dignitaries as assigned.

Support Services	**18,778** [c]	**16,748**	**20,004**

HSS has analyzed its use of support services and has established specific criteria for its efficient use. While HSS has some unique expertise, technical contractual support services continue to be a practical and cost-effective method for supporting the Federal staff, as needed. The evolving need for world-class expertise in a multitude of disciplines can best be met through the use of contractors who can rapidly respond to the continually changing skill mix required to perform health, safety, and security and independent oversight activities across the DOE complex. Contractor support provides a practical and cost-effective method of providing a surge pool of personnel with technical expertise in a wide range of safety and security disciplines. Support services are utilized as follows.

■ **Headquarters Security Support**	**5,637**[d]	**3,002**	**3,002**

Headquarters Security activities utilize highly specialized technical and analytical expertise and management support personnel. In support of the overall DOE security mission of protecting the U.S. nuclear deterrence capabilities from a spectrum of diverse threats, this activity develops and promulgates clear and consistent security strategies and policy governing the protection of national

[a] Includes $14,646,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

[b] Includes $197,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

[c] Includes $107,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

[d] Includes $107,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

security and critical assets entrusted to the Department. Mission areas include: 1) nuclear safeguards and security, which includes the National Training Center, nuclear materials accountability, information security, Headquarters security, specialized security support, foreign visits and assignments, security policy, and classification / declassification; 2) security investigations; and 3) program-specific staffing resources to support the protection of Headquarters assets.

Funding also provides for contracted subject matter expert support in the areas of personnel, physical and information security and security policy management. Personnel security support provides for highly skilled computer experts involved in the Headquarters Personnel Security Program and the complex-wide Administrative Review Program. Technical experts are also provided to support the Classified Matter Protection and Control program, security awareness and physical security surveys. Security policy support provides for highly skilled experts involved in the implementation of the elite force initiative, revision of both the protective force and physical security manuals; and revision of 10 C.F.R. 1046 and 1047 to address physical fitness, arrest authority, and deadly force issues.

Funding provides for subject matter expert support for the Incident Reporting and Management Team (IR&MT) which receives, processes, analyzes (including classification reviews), for every reportable incident under DOE Order 471.4. The IR&MT provides routine reports and issue papers for senior DOE management including the Secretary.

- **Independent Oversight Activities** **12,575** **13,096** **16,352**

Independent Oversight activities of security, cyber security, emergency management, and environment, safety, and health programs throughout the Department directly relate to DOE national security strategic and general goals. Independent oversight appraisals are conducted to verify that the Department's security interests are protected, that the Department can effectively respond to emergencies, and that site workers, the public, and the environment are protected from hazardous operations and materials. These appraisals provide accurate, comprehensive information and analysis regarding the effectiveness, vulnerabilities, and trends of the Department's security; cyber security; emergency management; environment, safety, and health programs; and other functions of interest to the Secretary, the Deputy Secretary, the Under Secretary, the Administrator of the National Nuclear Security Administration, Congressional committees, and other stakeholders, such as the Defense Nuclear Facilities Safety Board.

As required by DOE Order 470.2B, Independent Oversight and Performance Assurance Program, dated October 21, 2002, the independent appraisal function is performed by personnel organizationally independent of the DOE offices that develop and implement policies and programs, and therefore, can objectively observe and report on these policies and programs as they relate to Departmental operations. These appraisals complement but do not replace DOE line management's responsibility for implementing security and safety program oversight and self-assessments, as required by integrated safeguards and security management and integrated safety management systems implemented throughout the Department. The appraisal processes utilized are governed by documented, formal protocols addressing all phases of appraisal activities. These processes are also conducive to changing conditions and the needs of the Department.

Additionally, HSS continues to be actively involved in the development of Department-level directives that establish overarching principles for oversight and that identify DOE oversight activities that involve assessing Federal and contractor performance. These directives are closely linked to the Department's response to Defense Nuclear Facilities Safety Board Recommendation 2004-1, Oversight of Complex High-Hazard Nuclear Operations.

Funding provides for appraisal personnel to observe operations and conduct performance tests to validate the effectiveness of safety and security programs and policies. Reports are developed documenting the assessment activities conducted and the results of those assessments including findings and opportunities for improvement. Unclassified appraisal reports and classified appraisal report titles are maintained on the HSS web site to share the information throughout the Department. Classified reports are maintained in a document control center and are available to authorized personnel upon request. The final products of the appraisal process are corrective action plans, as required. The corrective action plans are developed by the programs under review and are reviewed and commented on by HSS staff to ensure proposed corrective actions adequately address findings and other issues; and promote the protection of security interests, workers, the public, and the environment. Events and activities that have an impact on security and safety are proactively evaluated and evaluation methods and procedures are continuously revised and refined to better evaluate the principal elements of the independent oversight program.

- **Security Appraisals** **6,033** **6,625** **7,475**

  Security appraisals are conducted at DOE (including National Nuclear Security Administration) sites to ensure the implementation of effective controls to protect special nuclear material, classified matter, or other security interests. The scope of the appraisals include: security systems; control and accountability of special nuclear material, classified matter protection and control; classification and information control, personnel security; protective forces, and protection program management. Performance tests are conducted using weapons simulation systems to perform realistic tactical security engagements between a specially trained composite adversary force and the inspected site protection force to assess overall security performance effectiveness (e.g., force-on-force exercises). These reviews have directly contributed to significant reductions in the recurrence of security issues, and effectively support the maintenance of a safe, secure, and reliable weapons stockpile. As a direct result of the experiences and expertise developed, tools and information (e.g., handbooks, videotapes, and lessons learned) have been shared with numerous organizations within the Department.

  Current safeguards and security independent oversight activities have been shaped by events over the recent past regarding use and management of controlled removable electronic media, revision to the Design Basis Threat Policy, personnel security issues, and advancement of DOE Secretarial initiatives. The effect of these events will be reflected in security independent oversight activities. Funding provides for the continued conduct of evaluations and testing of sites with significant holdings of special nuclear materials, nuclear weapons, and sensitive information facilities at the current increased frequency. The FY 2009 inspection schedule reflects the conduct of 5 force-on-force performance tests at key DOE sites and semi-annual training for the Composite Adversarial Team that acts as the opposing force during force-on-

(dollars in thousands)

FY 2007	FY 2008	FY 2009

force exercises. Additionally, special reviews and analyses are scheduled to be conducted to assess other security topics of interest. Insights on DOE security program strengths and weaknesses gained as a result of independent oversight activities will be published in various reports for distribution to security and senior Departmental management.

- **Cyber Security Appraisals** **1,242** **1,671** **2,977**

  Cyber security evaluations provide assurance that the confidentiality, integrity, and availability of DOE classified and unclassified information systems are protected through multi-faceted evaluations of cyber security program performance, including regular announced inspections, unannounced testing, and other special reviews. Internal and external network penetration testing is conducted in support of inspection activities in order to fully understand a site's cyber security protection posture. Penetration testing focuses on identifying network vulnerabilities that could be exploited, evaluating the effectiveness of firewalls, evaluating intrusion detection and system monitoring capabilities, and evaluating other aspects of network security. Cyber security assessments require the maintenance of a state-of-the-art cyber security testing network for external testing and a suite of deployable cyber security testing equipment for internal testing of DOE site networks. Cyber security independent oversight activities also include programmatic reviews to evaluate management processes that support an effective cyber security program. These reviews assess the direction and sustainability of the program as well as to identify any underlying causes for weaknesses that are discovered during penetration testing.

  Current cyber security independent oversight activities have been shaped by focusing on compliance with Federal Information Security Management Act requirements, advancement of DOE cyber security initiatives, events at DOE and other U.S. government agencies in which personally identifiable information has been lost or compromised, and protection of DOE information systems against ever-increasing threats. The effect of these events will be reflected in cyber security independent oversight activities over the next several fiscal years. HSS is responsible for conducting the annual independent evaluation of the classified information systems security programs, as required by the Federal Information Security Management Act, for both DOE and the DOE Office of Intelligence and Counterintelligence. HSS also provides critical input to the DOE Office of Inspector General for the annual evaluation of the DOE unclassified information systems security program. There are a number of Federal Information Security Management Act focus areas, such as certification and accreditation, which continue to influence the scope of cyber security inspections. Enhanced testing of DOE classified networks has also been increased to support the annual assessment of national security systems. Finally, funding will provide for the continued focus on protection of DOE information systems across the breadth of the Department to ensure that the confidentiality, integrity, and availability of important systems are appropriately protected. This includes cyber security assessments of critical infrastructure, national security, science, environmental protection, and other Departmental sites.

- **Emergency Management Appraisals** **800** **800** **900**

  Emergency management appraisals of critical operations are conducted at DOE Headquarters and DOE field sites having significant amounts of special nuclear material or other hazardous

materials and/or operations. These appraisals evaluate the effectiveness of the emergency management programs, including the high-importance elements of emergency planning hazards assessments, protective actions, emergency response, emergency public information, and feedback and improvement processes, by reviewing program mechanisms, conducting limited scope performance tests, and schedule permitting, evaluating full-participation exercises at the inspected sites. Additionally, reviews of crosscutting emergency management topics of increased concern in the heightened terrorist threat environment are performed. Appraisal results have significantly contributed to improvements in emergency management readiness and response at individual sites, within program and field offices, and across the DOE complex.

Independent oversight of Departmental emergency management program activities has been expanded to include a broader spectrum of reviews in consideration of the post 9/11 threat environment and the implications of the revised Design Basis Threat Policy. At the site implementation level, emergency management reviews are conducted jointly with security force-on-force evaluations to test integrated incident command in response to malevolent acts, including response to the release of hazardous materials. Joint reviews of site environment, safety, and health programs are also conducted to ensure they effectively support emergency response. Cross-cutting special reviews will be expanded to evaluate capabilities required to meet the new directives for the National Response Plan and the National Incident Management System. In partnership with line program management, lessons learned site visits will be conducted to share knowledge of effective program implementation practices, and to share independent oversight feedback to the Emergency Operations Training Academy to foster corporate-wide improvement.

- **Environment, Safety and Health Appraisals 4,000 3,500 4,500**

  Environment, safety, and health (ES&H) program inspections focus on Integrated Safety Management implementation; ES&H performance; and relevant ES&H topics such as radiation protection, nuclear facility safety, industrial hygiene, and industrial safety. Environment, Safety and Health program inspections also focus on management systems such as line management oversight, self-assessments, lessons learned, and corrective action management. Independent oversight also includes ES&H performance during all phases of major projects, such as construction, recovery, and stabilization of hazardous materials, decommissioning, and environmental restoration. Environmental portions of inspections provide independent evaluations of a wide variety of environmental protection and restoration activities, including the effectiveness of environmental programs in accordance with Executive Orders. Reviews are conducted of selected areas of current interest (i.e., focus areas), such as compliance with the implementation of environmental management systems, implementation of contractor assurance systems, corrective action management, workplace monitoring for non-radiological hazards, and procurement of nuclear safety system components. Also, reviews are conducted of selected nuclear facility essential engineered safety systems to ensure that they can perform their safety function in protecting the workers, public and environment from the associated hazards.. As a result, these evaluations provide a significant benefit to the Department by improving safety and promoting adherence to applicable Federal and State regulations and DOE and industry standards in such areas as worker safety and health, nuclear facility management and operations, and

environmental protection.

ES&H program inspections have evolved over the past several years to focus on persistent implementation problems within DOE. This process has proven to be an effective diagnostic tool to quickly and efficiently identify weaknesses in Integrated Safety Management, and provide a means to ensure timely and effective corrective actions are implemented. HSS currently performs six ES&H evaluations each year, focusing on high hazard nuclear, and non-nuclear radiological and industrial facilities. The goal is to perform periodic evaluations at each of these facilities, with evaluation of lower hazard facilities as events dictate. Sites with recurring weaknesses, high rates of accidents and injuries, or other special considerations may be reviewed more frequently or subject to follow-up oversight. In addition to the ES&H program inspections, funding provides for the conduct of focused reviews of special topic areas, such as nuclear safety system procurement, workplace monitoring, chronic beryllium disease prevention programs, and environmental management systems. These reviews may be conducted separately or incorporated into ES&H program inspections. Results from ES&H evaluations and focused reviews will be summarized annually in a report on the status of Integrated Safety Management. In addition, special investigations maybe conducted to address as directed by the Secretary in important areas such as worker safety and health.

- **Special Reviews** **500** **500** **500**

  Special reviews and studies are performed of policies, programs, and their implementation in the field to identify program corrections. These special reviews are often conducted in addition to regularly scheduled appraisal activities at the request of the Secretary and other senior Departmental managers to examine issues derived from current events; e.g., the recent Departmental stand-down of all operations involving accountable classified removable electronic media; and implementation of the revised Design Basis Threat Policy. In addition, special review activities include reviews of issues not normally covered by ongoing independent oversight functions (i.e., security, cyber security, emergency management, and ES&H), such as the review of personnel clearance, issues and the limited scope small business review. Finally, special reviews of crosscutting subjects, such as protective force, lock and key control, internet connectivity, chemical and biological agent use, and hoisting and rigging programs, are developed from site-specific investigations to provide DOE senior management an overview of programs and associated issues across the entire Department.

  The results of these special reviews and studies have been of particular interest to senior DOE managers and Congress, and their evaluation and analysis have resulted in substantial improvements to programs throughout DOE e.g., Personnel Security Special Study.

- **Defense Nuclear Facilities Safety Board Liaison Activities** **566** **650** **650**

  Defense Nuclear Facilities Safety Board (DNFSB) Liaison activities facilitate the Department's compliance with Congressional mandates for the Department to: 1) respond to DNFSB safety recommendations and resolve agreed-upon safety issues; 2) provide requested reports on nuclear safety issues; 3) fully cooperate with the DNFSB; and 4) provide ready access to such facilities,

personnel, and information as the DNFSB considers necessary to carry out its responsibilities. This includes technical evaluation and analysis of DNFSB safety and management issues providing direction, advice, and support to line managers on addressing and resolving DNFSB issues, monitoring Department-wide performance in addressing and resolving DNFSB issues, and taking action to ensure the adequacy of DOE-wide performance.

Additional activities include preparing the statutorily required Annual Report to Congress on DNFSB activities; maintaining and improving the Department's Safety Issues Management Systems for DNFSB-related issues, commitments, and actions; providing monthly and quarterly analysis reports to senior DOE officials on the status of existing commitments to identify those that require additional management attention or action; and maintaining a website that serves as the Department's central repository of official DNFSB communications, making this information available to the public and to Department and contractor personnel complex-wide.

Funding also provides for program management of the Department's Facility Representative Program. This program includes approximately 200 DOE Facility Representatives who provide operational oversight at hazardous facilities. Activities also include leading and participating in reviews of DOE site office Facility Representative programs, updating program guidance and requirements, reporting on performance, and hosting an annual lessons learned workshop.

Other Related Expenses	**16,455** [a]	**14,385**	**15,933**

Other related expenses provides support required for Federal and contractor staff to accomplish the HSS mission. Support includes training for Federal employees, the acquisition of security equipment, Secretarial mandated information technology support, Department of Energy Common Operating Environment (DOE-COE) fees, and Working Capital Fund (WCF) services. Specific security equipment purchases for HSS include protective gear, weapons, and communication devices.

Training funds provide for obtaining and/or maintaining the technical competence of HSS Federal employees. This important area of human capital management assures that Federal personnel are fully capable of performing current and future missions of the Department.

The Department's DOE-COE initiative combines information technology services that were previously managed separately. The initiative is designed to be a one-stop-shopping for all common information technology system and service that brings security, service, efficiency, and scale to these projects. The information technology investments support the Federal and contractor staff at Headquarters by providing hardware, software, hotline, and other desktop computer maintenance. Information technology hardware, connectivity, and support costs are based on a seat count and level of service.

Maintenance of information technology systems exclusive to HSS is funded within this activity. The Classified Local Area Network is part of the consolidated infrastructure initiative. It includes a Secret Restricted Data network that supports HSS Headquarters users. The Secret Internet Protocol Router

[a] Includes $2,808,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009

Network is also part of the consolidated infrastructure initiative. It provides access to the Department of Defense classified network to effect coordination between the Departments.

WCF fees are based on guideline estimates issued by the WCF Manager. The WCF was established in FY 1997 to allocate the cost of common administrative services to the recipient organizations; it covers building occupancy and alterations, computer and telephone infrastructure and usage, mail service, copying, printing and graphics, procurement closeouts, supplies, online learning, computer network support, and payroll processing.

Total Program Direction	**116,887** [a]	**99,137**	**99,597**

[a] Includes $17,758,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

Explanation of Funding Changes

	FY 2009 vs. FY 2008 ($000)
Salaries and Benefits	
HSS is reducing the FTE target level from 437 in FY 2008 to 398 in FY 2009. As HSS was formed, a reevaluation of Federal staff skills was performed to identify the needed skills for the new office mission and functions. Unfilled positions have been reduced in order to provide flexibility in obtaining highly skilled expertise, e.g. occupational medicine, nuclear safety and cyber security, on an as-needed basis. The overall reduction is offset by and increase in funding from the Office of Management for 6 FTEs associated with the non-safety related Quality Assurance function transferred to HSS in FY 2008.	
Total, Salaries and Benefits	**-4,267**
Travel	
Overall decrease is a result of the changes in FTE levels, slightly offset by an increase of funding from the Office of Management for 6 FTEs associated with the non-safety related Quality Assurance function transferred to HSS in FY 2008.	
Total, Travel	**-77**
Support Services	
Support Services funding is increased within the Independent Oversight program to conduct special reviews as directed by the Secretary and additional cyber security performance testing. The increase also accounts for additional root cause analysis and tracking of trends within environment, safety and health evaluation activities.	
Total, Support Services	**+3,256**
Other Related Expenses	
Increase is a result of additional funding for the Working Capital Fund and the transfer of funding from the Office of Management for 6 FTEs associated with the non-safety related Quality Assurance function transferred to HSS in FY 2008.	
Total, Other Related Expenses	**+1,548**
Total Funding Change, Program Direction	**+460**

Support Services by Category

(dollars in thousands)

	FY 2007 [a]	FY 2008	FY 2009
Technical Support			
Headquarters Security Support	3,994	2,052	2,052
Independent Oversight Activities	12,575	13,096	16,352
Defense Nuclear Facilities Safety Board Liaison Activities	566	650	650
Total, Technical Support	17,135	15,798	19,054
Management Support			
Headquarters Security Support	1,643	950	950
Total, Management Support	1,643	950	950
Total, Support Services	18,778	16,748	20,004

Other Related Expenses by Category

(dollars in thousands)

	FY 2007 [b]	FY 2008	FY 2009
Other Related Expenses			
Tuition/Training of Federal Staff	471	325	300
Other Services Procured	6,457	4,811	5,280
Working Capital Fund	9,527	9,249	10,353
Total, Other Related Expenses	16,455	14,385	15,933

[a] Includes $107,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

[b] Includes $2,808,000 transferred to other DOE organizations as a result of the Office of Health, Safety and Security formation.

Other Defense Activities
Office of Legacy Management

Overview

Appropriation Summary by Program[a]

(dollars in thousands)

	FY 2007 Current Appropriation	FY 2008 Original Appropriation	FY 2008 Adjustments	FY 2008 Current Appropriation	FY 2009 Request
Other Defense Activities					
Legacy Management	30,935	156,379	-1,418	154,961	185,981
Total, Other Defense Activities	30,935	156,379	-1,418	154,961	185,981
Energy Supply and Conservation					
Legacy Management	33,187	0	0	0	0
Total, Energy Supply and Conservation	33,187	0	0	0	0
Legacy Management					
Legacy Management	0	34,183	-311	33,872	0
Total, Legacy Management	0	34,183	-311	33,872	0
Total, Other Defense Activities and Energy Supply and Conservation	64,122	190,562	-1,729	188,833	185,981

Preface

The Department of Energy's Legacy Management program is the final element of site remediation and closure after active remediation is complete – fulfilling the Department's commitments to ensure protection of human health and the environment and ensure all contractual obligations for former contractor employees are met. Within the Other Defense Activities appropriation, the activities under the Legacy Management program will provide the means to achieving these objectives.

In the past, Legacy Management (LM) was funded by the Other Defense Activities (ODA) Appropriation and, through FY 2007, by the Energy Supply and Conservation (ES&C) Appropriation. However, in the FY 2008 appropriation, a new appropriation account of "Legacy Management" was created and replaced the portion that had previously been within ES&C. FY 2009 funding is being requested only under the Other Defense Activities appropriation. This shift is because, after completing remediation, the distinction between ODA and ES&C sites becomes negligible and, after transferring the closure sites in FY 2008, the portion of the budget that would have been within the Legacy Management (formerly Energy Supply and Conservation) appropriation had decreased to less than 20 percent of the total budget request.

[a] Includes a rescission of $1,729,000 in accordance with P.L. 110-161, the FY 2008 Consolidated Appropriations Act.

In FY 2009, LM continues its efforts to reduce risk to human health and the environment at its contaminated sites, manage its pension and benefit responsibilities for former contractor personnel, maintain the records, and manage DOE property at closed sites. By conducting these functions, LM provides a sustainable solution to liabilities associated with the Department's closed sites and allows other DOE programs to concentrate on further risk reduction and site closure.

Within the Other Defense Activities appropriation, LM has one program: Legacy Management.

Mission

The mission of the LM program is to manage the Department's post-closure responsibilities – including long-term surveillance and maintenance, pension and benefit continuity for former contractor retirees, and archives management – and ensure the future protection of human health and the environment. This Office has control and custody for legacy lands, structures, and facilities and is responsible for maintaining them at levels suitable for their long-term use.

Benefits

The greatest benefit of the LM program is to serve as a visible demonstration of the Department's resolve to honor its responsibilities to the former contractor work force and the communities near its remediated facilities.

The LM program provides benefits to the Department following mission change or site closure. For sites where cleanup is completed, Legacy Management activities ensure that the remediation measures implemented during closure are protecting human health and the environment, that labor responsibilities for the contractor workforce are being satisfied, and that other Departmental legacy responsibilities are met. By managing the real and personal property assets that remain after cleanup and closure, Legacy Management helps the Department reduce the magnitude of its physical resource management, the costs associated with such management, and actively promotes the beneficial reuse of those mission excess properties.

Strategic Themes and Goals and GPRA Unit Program Goals

The Department's Strategic Plan identifies five Strategic Themes (one each for nuclear, energy, science, management, and environmental aspects of the mission) plus 16 Strategic Goals that tie to the Strategic Themes. The Other Defense Activities appropriation supports the following goal:

Strategic Theme 4, Environmental Responsibility: Protecting the environment by providing a responsible resolution to the environmental legacy of nuclear weapons production.

Strategic Goal 4.2, Managing the Legacy: Manage the Department's post-closure environmental responsibilities and ensure the future protection of human health and the environment.

The programs funded within the Other Defense Activities Appropriation have one GPRA Unit Program Goal that contributes to the Strategic Goals in the "goal cascade". This goal is:

GPRA Unit Program Goal 4.2.55.00: Legacy Management – By 2015, the Office of Legacy Management will be responsible for: the cost effective management of land, structures, facilities and/or records for over 120 sites; employee benefits for the Department's former contractor work force at seven sites; and the disposal of real property at five sites.

Contribution to Strategic Goals

Within the Program Goal for the Legacy Management program, there are four subgoals that contribute to the strategic goals.

Legacy Management contributes to Strategic Goal 4.2 as follows:

- Protect human health and the environment through effective and efficient long-term surveillance and maintenance – Activities associated with this subgoal contribute to the general goal by managing the long-term surveillance and maintenance at sites where remediation has been essentially completed, allowing the Environmental Management program to concentrate its efforts on continuing to accelerate cleanup and site closure resulting in reduced risks to human health and the environment and reduced landlord costs.
- Preserve, protect, and make accessible legacy records and information – These activities assist the other activities by providing a central records management capability. This work directly supports the administration of the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) and is responsive to Freedom of Information Act (FOIA) and Privacy Act (PA) requests. This enables more efficient operation of the other activities and is needed to defend the Department against future liability claims.
- Support an effective and efficient workforce structured to accomplish Departmental missions and ensure contractor worker pension and medical benefits – The Legacy Management program manages the Department's labor relations and labor standards activities and oversees certain contractor pension and benefit programs to meet the Department's contractual commitments. By managing these activities, the Legacy Management program enables the Department to focus on further risk reduction by remediating other sites.
- Manage legacy land and assets, emphasizing protective real and personal property reuse and disposition – These activities promote more efficient management of remediated resources. This allows more resources to be focused on further risk reduction.

Funding by Strategic and GPRA Unit Program Goal

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Strategic Goal 4.2, Managing the Legacy			
GPRA Unit Program Goal 4.2.55.00, Legacy Management	52,920	177,932	174,397
Subtotal, Strategic Goal 4.2	52,920	177,932	174,397
All Other			
Program Direction	11,202	10,901	11,584
Total, Strategic Goal 4.2	64,122	188,833	185,981

Annual Performance Results and Targets[a]

FY 2004	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
Strategic Goal 4.2 Managing the Legacy					
Legacy Management Program/Legacy Management					
Supported local community transition activities that created or retained 30,500 to 31,000 private sector jobs by the end of FY 2004	Ensure continued effectiveness of cleanup remedies through surveillance and maintenance activities at Pinellas and Maxey Flats in accordance with legal agreements	Ensure continued effectiveness of cleanup remedies through surveillance and maintenance activities at five sites in accordance with legal agreements	Maintain the protectiveness of installed environmental remedies through inspections and other actions at 100 percent of sites within LM's responsibility	Maintain the protectiveness of installed environmental remedies through inspections and other actions at 100 percent of sites within LM's responsibility	Maintain the protectiveness of installed environmental remedies through inspections and other actions at 100 percent of sites within LM's responsibility
	No comparable measures in FY 2005. A baseline of program direction divided by the total appropriation (excluding Congressionally Directed Activities) is 20.6 percent	Reduce the ratio of program direction to the appropriation by 1 percent from the FY 2005 baseline			
			Reduce the cost of performing long-term surveillance and maintenance activities by 2 percent while meeting all regulatory requirements. Base is previous year's costs less inflation rate, costs for new sites, and one-time actions.	Reduce the cost of performing long-term surveillance and monitoring activities while meeting all regulatory requirements to protect human health and the environment. Reduction is measured in percent from the life-cycle baseline. Goal is a 2 percent reduction below the baseline for that year.	Reduce the cost of performing long-term surveillance and monitoring activities while meeting all regulatory requirements to protect human health and the environment. Reduction is measured in percent from the life-cycle baseline. Goal is a 2 percent reduction below the baseline for that year.

[a] Annual effectiveness and efficiency performance targets will not be reported in the Department's annual Performance and Accountability Report (PAR).

Means and Strategies

The Legacy Management Program will use various means and strategies to achieve its GPRA Unit Program goal. However, various external factors may impact the ability to achieve the goal. The program also performs collaborative activities to help meet its goal.

The Department will implement the following means:

- Long-term surveillance and maintenance will be performed in accordance with the regulatory decisions for each site. Activities range from maintaining records to routine inspections and maintenance at sites where remediation measures are substantially completed and the operations and maintenance of remedial action systems.

- Adequate staffing will be maintained to oversee the program. A large portion of the surveillance and maintenance, archives and information management, and payment of the contractor pensions and benefits will be performed by contractors.

The Department will implement the following strategies:

- The Office of Legacy Management will only accept responsibility for a site after all active remedies are in place and operating.

- Estimates of the Employee Retirement Income Security Act (ERISA) minimum contributions to the pension plans for all sites except Rocky Flats will use the intermediate estimate of an independent actuary.

- Pension estimates for Rocky Flats, because of its magnitude and potentially significant impacts of an underestimate, will use the conservative level for FY 2009. The intermediate level will be used for outyear targets due to the contractor's use of a more conservative investment portfolio.

- Cost estimates for all other contractor post-retirement benefits (medical, Medicare Part B, and life insurance) will use the intermediate estimate of an independent actuary.

- The actuarial estimates will be performed annually in order to consider changes in the circumstances that affect pension contribution, medical, and life insurance costs.

The following external factor could affect LM's ability to achieve its strategic goal:

- Significant changes in remedy performance could cause a site to be returned to EM for further remediation.

In conducting the program's surveillance and maintenance functions, LM performs the following collaborative activity:

- Evaluation of remedy performance, as determined by surveillance and maintenance activities, is coordinated with regulators, local communities, and other stakeholders.

Validation and Verification

To validate and verify program performance, LM employs various internal and external reviews and audits. The Department is operating a performance tracking system to measure performance. The Office of the Chief Financial Officer has developed action plans for the primary functions. Quarterly updates for site inspections are reported using an automated system.

For payments of medical benefits or other activities not tracked by the automated system, the Office of Legacy Management will obtain quarterly updates to judge progress of those activities.

Information requests have established processing times. The number of requests and the processing times are recorded and, as necessary, reported.

The observed results of surveillance and maintenance activities are documented in annual inspection and compliance reports and retained as long as specified in Federal requirements for records retention.
To validate and verify program performance, LM will conduct various internal and external reviews and audits. LM's programmatic activities are subject to continuing reviews by the Congress, the General Accountability Office, the Department's Inspector General, the U.S. Environmental Protection Agency, U.S. Nuclear Regulatory Commission, state environmental and health agencies, and the Department's Office of Engineering and Construction Management. Additionally, LM Headquarters senior management staff conduct quarterly, in-depth reviews of cost, schedule, and scope to ensure projects are on-track and within budget.

Program Assessment Rating Tool (PART)

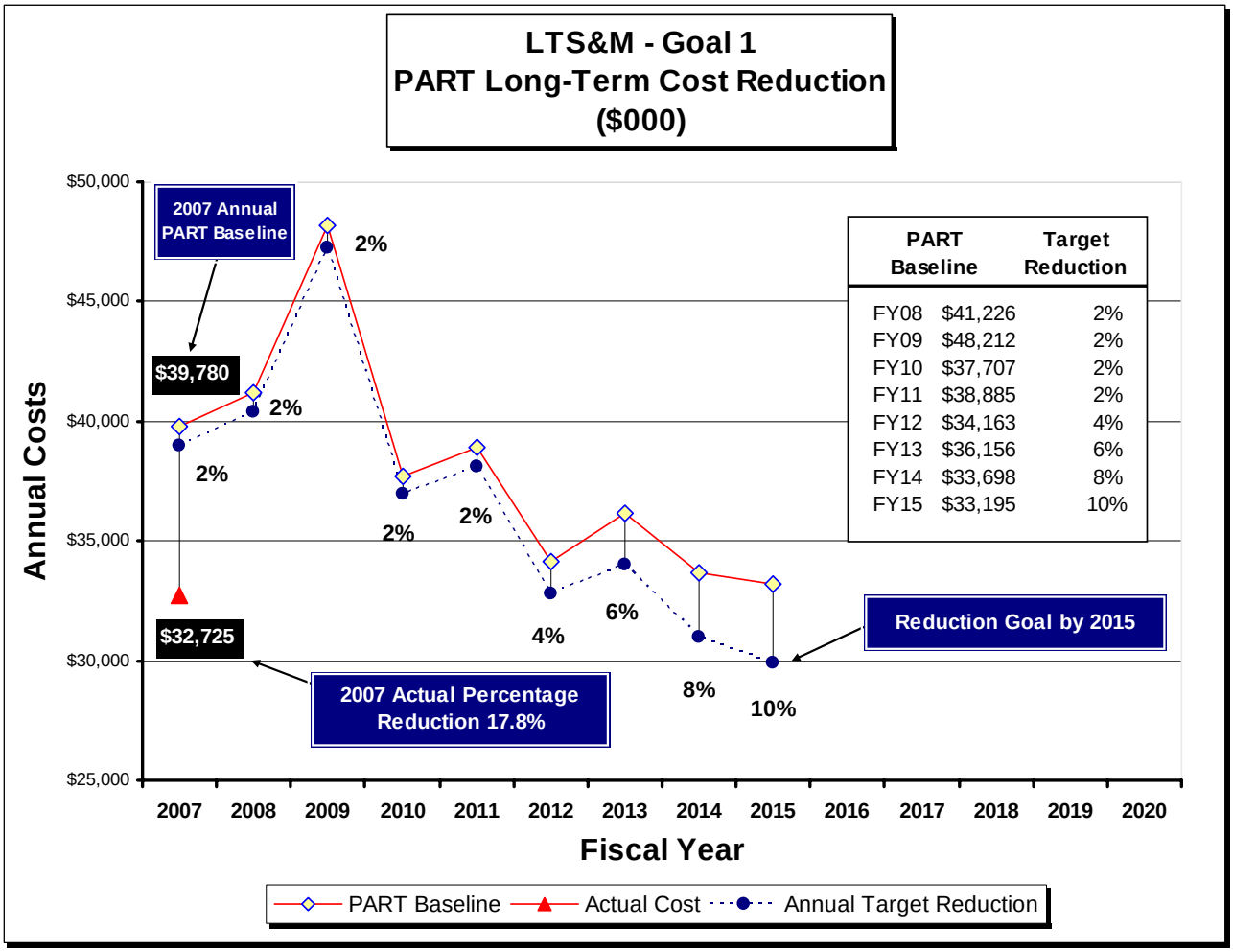
The Department implemented a tool to evaluate selected programs. PART was developed by the Office of Management and Budget (OMB) to provide a standardized way to assess the effectiveness of the Federal Government's portfolio of programs. The structured framework of the PART provides a means through which programs can assess their activities differently than through traditional reviews.

The current focus is to establish outcome- and output-oriented goals, the successful completion of which will lead to benefits to the public, such as increased national security and energy security, and improved environmental conditions. DOE has incorporated feedback from OMB into the FY 2009 Budget Request, and the Department will take the necessary steps to continue to improve performance.

In the PART review, LM received an overall score of Moderately Effective. LM had high scores in Program Purpose & Design, Strategic Planning, and Program Management (100, 88, and 100, respectively). These high scores can be attributed to the program having a clear purpose and being generally well managed. LM's lowest ranking was in the area of Program Results & Accountability (67) which was expected to score lower than the others because the Office of Legacy Management is still relatively new and significant changes to its program are still occurring.

The PART summary also included a discussion of ways to improve, including connecting actions to the performance of program goals and obtaining independent evaluations of the program's effectiveness. Currently LM is increasing its budget and performance integration by aligning its budget with its four program goals and working to develop additional effectiveness and efficiency performance measures.

While fulfilling its commitments, Legacy Management is also striving to manage its activities in a more efficient manner. An efficiency measure identified in the Program Assessment Rating Tool (PART) for the long-term surveillance and maintenance activity was to reduce costs as measured against the FY 2006 baseline. The following figure depicts the baseline and target as well as the FY 2007 results.



Facilities Maintenance and Repair

The Department's Facilities Maintenance and Repair activities are tied to its programmatic missions, goals, and objectives. Facilities Maintenance and Repair activities funded by this budget are displayed below.

Direct-Funded Maintenance and Repair

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Legacy Management			
Legacy Management			
Long-Term Surveillance and Maintenance			
CERCLA Sites	909	2,154	2,374
Non-CERCLA Sites	1,252	1,804	799
Total, Long-Term Surveillance and Maintenance	2,161	3,958	3,173
Total, Legacy Management	2,161	3,958	3,173
Total, Direct-Funded Maintenance and Repair	2,161	3,958	3,173

Other Defense Activities
Office of Legacy Management

Funding by Site by Program

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Fernald Site	0	21,786	18,740
Grand Junction Office	17,452	23,974	33,408
Morgantown Office	4,156	6,711	9,170
Paducah Gaseous Diffusion Plant	4,079	3,403	2,436
Pinellas Plant	14,336	7,757	8,174
Portsmouth Gaseous Diffusion Plant	12,239	10,210	7,307
Rocky Flats Site	0	101,065	90,271
Washington Headquarters	11,860	13,927	16,475
Total, Other Defense Activities	64,122	188,833	185,981

Major Changes or Shifts by Site

Fernald Site

- The decrease in Fernald Site funding reflects a reduction in pension costs. The reduction is due to a number of plan participants choosing to receive a lump sum settlement.

Grand Junction Office

- The Nevada Offsites were transferred to Legacy Management in FY 2008 and are administered from the Grand Junction Office. During FY 2009, scheduled well replacement will cause a significant increase in funding for just one year.

Morgantown Office

- The Morgantown Office is the primary location of archives and information management efforts. During FY 2009, that office will be consolidating records in preparation to move them to a Records Storage Facility which is scheduled to open in FY 2010.

Portsmouth Gaseous Diffusion Plant

- In FY 2009, the funding decrease can be attributed to the use of carryover funds to provide a portion of the funding needed for contractor retirees medical benefits.

Rocky Flats Site

- In FY 2009, the funding decrease can be attributed to the use of approximately $11 M carryover – appropriated in FY 2006 for the National Stewardship Contractor – to fund part of the contractor retiree pension and benefit costs.

Washington Headquarters

- Several activities are centered in Washington Headquarters, including program direction, environmental justice, and reuse and property management. Increases in all of these activities account for a cumulative major shift in funding for this site.

Site Description

Fernald Site
The Fernald Site is located about 18 miles northwest of Cincinnati, OH. In 2009, Legacy Management will conduct long-term surveillance and maintenance activities, manage the records, and oversee the pensions and post retirement benefits for former contractor retirees.

Grand Junction Office
The Grand Junction Office is located in western Colorado. The staff's primary function is oversight of the long-term surveillance and maintenance program. The long-term surveillance and maintenance activities managed from this office include environmental monitoring, long-term treatment of contaminants, maintaining site security, and asset disposition.

The sites administered by this office include the Nevada Offsites. The Nevada Offsites consist of eight sites located in five – primarily western – states. These sites were the locations of subsurface nuclear detonations that were performed off the main Nevada Test Site. Legacy Management performs surveillance and maintenance functions at these sites.

Morgantown Office
The Morgantown Office is located in Morgantown, WV. Program functions include archives and information management activities in support of the missions of the Office of Legacy Management along with various business operations functions.

Paducah Gaseous Diffusion Plant
The Paducah Plant in Paducah, KY, passed to private ownership in 1998. Under agreements with the United States Enrichment Corporation (USEC), the Department retains responsibility for medical and life insurance benefits for part of the former USEC contractor work force.

Pinellas Plant
The Pinellas Site is a former weapons facility located in Pinellas, FL, which is in the Tampa-St. Petersburg metropolitan area. The Legacy Management program oversees pension and benefits payments for the former contractor work force and long-term surveillance and maintenance activities.

Portsmouth Gaseous Diffusion Plant
The Portsmouth Plant in Piketon, OH, passed to private ownership in 1998. Under agreements with the United States Enrichment Corporation (USEC), the Department retains responsibility for medical and life insurance benefits for part of the former USEC contractor work force.

Rocky Flats Site
The Rocky Flats site is located about ten miles north of Golden, CO. The Legacy Management program provides long-term surveillance and maintenance, records maintenance, and contractor retiree pensions and post-closure benefits.

Washington, DC, Headquarters
The Washington, DC, Headquarters Legacy Management office is primarily responsible for management of program direction funding. Additionally, this Office performs program activities including but not limited to reuse and property management, administering the Department's Environmental Justice, and work force/labor relations programs.

Legacy Management

Funding Profile by Subprogram

(dollars in thousands)

	FY 2007 Current Appropriation	FY 2008 Original Appropriation	FY 2008 Adjustments	FY 2008 Current Appropriation	FY 2009 Request
Legacy Management					
Legacy Management	52,920	179,562	-1,630	177,932	174,397
Program Direction	11,202	11,000	-99	10,901	11,584
Total, Legacy Management	64,122	190,562	-1,729	188,833	185,981

Public Law Authorizations:

Public Law 95-91, "Department of Energy Organization Act (1977)
Public Law 103-62, Government Performance and Results Act of 1993
Public Law 106-377, Energy and Water Development Appropriations Act, 2001
Public Law 106-398, National Defense Authorization Act for Fiscal Year 2001
Public Law 107-66, Energy and Water Development Appropriations Act, 2002
Public Law 107-314, Bob Stump National Defense Authorization Act for Fiscal Year 2003
Public Law 108-136, National Defense Authorization Act for Fiscal Year 2004
Public Law 108-375, Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005
Public Law 109-103, Energy and Water Development Appropriations Act, 2006
Public Law 110-5, Revised Continuing Appropriations Resolution, 2007
Public Law 110-161, FY 2008 Consolidated Appropriation Act

Mission

The mission of the Office of Legacy Management is to manage the Department's post-closure responsibilities and ensure the future protection of human health and the environment. This Office has control and custody for legacy land, structures, and facilities and is responsible for maintaining them at levels suitable for their long-term use. The activities that are used to accomplish this mission include: (1) conduct long-term surveillance and maintenance at DOE facilities where remediation measures have been substantially completed; (2) oversee the management of pensions and benefits for former contractor employees; (3) perform storage, retrieval, and management of all records necessary for legacy management activities; (4) administer the Department's Environmental Justice program; and (5) manage the Department's legacy land and assets.

Legacy Management
Funding Schedule by Activity

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Legacy Management			
Long-Term Surveillance and Maintenance	23,170	40,365	48,095
Pension and Benefit Continuity	24,936	127,338	112,241
Archives and Information Management	4,156	6,711	9,170
Environmental Justice	658	665	1,103
Reuse and Property Management	0	2,361	3,788
Congressionally Directed, Rocky Flats Cold War Museum	0	492	0
Total, Legacy Management	52,920	177,932	174,397

Description

The objectives of the Legacy Management subprogram are to conduct long-term surveillance and maintenance at DOE facilities where remediation measures have been substantially completed, oversee the management of pensions and benefits for former contractor employees, perform storage, retrieval, and management of all records necessary for legacy management activities, and administer the environmental justice program. These activities are performed for the purpose of supporting the Department's commitments contained in records of decision, contracts, and other legal agreements.

Detailed Justification

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Long-Term Surveillance and Maintenance	**23,170**	**40,365**	**48,095**

The funding requested for FY 2009 will allow the Office of Legacy Management (LM) to monitor and conduct long-term treatment of 86 sites plus 8 additional sites planned for transfer by the end of FY 2009 in accordance with legal, contractual, and regulatory agreements. Functions include soil, water, and air monitoring, long-term treatment of contaminants, maintenance of contaminant treatment structures, and maintaining security for the sites and other resources associated with the sites.

▪ **Fernald**	**0**	**8,786**	**8,540**

The funding requested for FY 2009 will allow LM to monitor and conduct long-term surveillance activities at the Fernald Site.

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009
▪ **Grand Junction (Nevada Offsites)**	**0**	**3,186**	**15,098**

The Nevada Offsites consist of eight individual sites, mostly located in the Western States. Funding in FY 2009 will allow LM to monitor and conduct normal long-term surveillance and maintenance activities at these sites as well as perform a scheduled replacement of deep groundwater monitoring wells.

▪ **Pinellas**	**6,809**	**3,857**	**1,774**

The funding requested for FY 2009 will allow LM to monitor and conduct long-term surveillance activities at the Pinellas Site.

▪ **Rocky Flats**	**0**	**5,032**	**5,523**

The funding requested for FY 2009 will allow LM to monitor and conduct long-term treatment at the Rocky Flats site, including soil, water, and air monitoring, and maintaining security for the site and other resources associated with the site.

▪ **Other Sites**	**16,361**	**19,504**	**17,160**

There are 75 other sites where the Office of Legacy Management has management responsibility, the majority requiring a modest amount of long-term surveillance and maintenance. Action to prepare for transfer of additional sites is also included in the total. The funding for FY 2009 will allow LM to conduct those activities.

Pension and Benefit Continuity	**24,936**	**127,338**	**112,241**
▪ **Fernald**	**0**	**13,000**	**10,200**

Funding for FY 2009 will provide Employment Retirement Income Security Act (ERISA) required contributions to the pension funds and post-retirement benefits (medical and life insurance) for former contractor retirees from the Fernald facility.

▪ **Grand Junction Office**	**1,091**	**1,284**	**1,150**

The Department is providing retirees from former DOE contractors with medical insurance benefits in accordance with contractual requirements.

▪ **Pinellas**	**7,527**	**3,900**	**5,100**

Funding for FY 2009 will provide required contributions to the pension funds and post-retirement benefits (medical and life insurance) for former contractor retirees from the Pinellas Plant. The funding request for FY 2009 is reduced because LM will use approximately $1.3 million from carryover of appropriations from prior fiscal years.

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009
▪ **Rocky Flats**	**0**	**95,541**	**86,048**

In FY 2009, this funding will allow the Department to make the required ERISA minimum contribution to the pension fund for retired contractor personnel and provide post-retirement benefits of medical, Medicare Part B, and life insurance to contractor retirees. The FY 2009 funding request for pension and benefits at Rocky Flats is reduced because LM will use approximately $10.7 million FY 2006 carryover funds originally appropriated for a National Stewardship Contractor (NSC) to administer pension and benefit distribution. These funds are available because that approach was cancelled and an alternative system is being utilized.

▪ **United States Enrichment Corporation (USEC) Facilities**	**16,318**	**13,613**	**9,743**

At Paducah, the project includes continued funding for activities and expenses associated with post-retirement life insurance and medical benefits applicable to retirees and contractor employees with service at the Paducah Gaseous Diffusion Plant prior to the lease agreement between USEC and DOE in July 1993. This scope was expanded to include retired employees working at the Gaseous Diffusion Plant prior to the date of USEC privatization and as further defined by the Memorandum of Agreement (MOA) between the Office of Management and Budget (OMB) and USEC, dated April 6, 1998.

At Portsmouth, the project includes continued funding for activities and expenses associated with post-retirement life insurance and medical benefits applicable to retirees of the Lockheed Martin Energy Systems and contractor employees with service at the Portsmouth Gaseous Diffusion Plant prior to the lease agreement between USEC and DOE in July 1993. This scope was expanded to include retired employees working at the Gaseous Diffusion Plant to the date of USEC privatization as further defined by the MOA between OMB and USEC, dated April 6, 1998.

The costs for medical benefits have been increasing at a rate greater than the overall inflation rate. However, during FY 2009, the funding need of approximately $16 million for this facility will be partially met with approximately $6.4 million in appropriations carried over from FY 2007. Despite the inflation in medical costs, using carryover funding will reduce the need for new appropriated funds while still meeting the Department's commitments.

This funding does not include benefits to former DOE contractor employees covered by the Uranium Enrichment Decontamination and Decommissioning Fund.

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009
Archives and Information Management (AIM)	**4,156**	**6,711**	**9,170**

This activity provides records management services for LM's active program elements and maintains legacy archives of inherited collections. Elements include administrative, records management policy and procedure setting and development, planning, and oversight processes and actions that guide and govern physical and electronic records management operations of the organization. The archives and information management activity also includes managing records over the standard record life-cycle and developing records retentions schedules in conjunction with NARA requirements. These functions encompass operational records retention, records maintenance and use, records disposition processes and activities to ensure proper documentation of LM's environmental protection, environmental remediation, and hazardous waste disposition related policies and activities. The activity also supports DOE stakeholders processing claims associated with the Energy Employees Occupational Illness Compensation Program Act (EEOICPA), Freedom of Information Act (FOIA), Privacy Act (PA) and other information requests.

In FY 2009, increased funding levels for AIM include costs associated with consolidating archived records into one facility. These costs include transition planning (e.g., performing a complete system inventory, preparation of records for the move to the Records Storage Facility, and procurements needed to facilitate the move). Currently, these records are located within five Federal Records Centers and consist of records for all 86 of LM's current sites as well as eight additional sites coming to LM in FY 2009. With the planned lease of the new records facility, these records will be transferred to a single records storage facility in FY 2010.

This activity also provides LM's information management and technology needs. This involves the coordination of information collection, storage, and dissemination, and destruction as well as managing the policies, guidelines, and standards regarding information management. This funding also allows LM to maintain its information technology infrastructure and provides planning, design, and maintenance of an IT Infrastructure to effectively support automated needs (i.e. platforms, networks, servers, printers, etc.), as well as providing IT security for LM's unclassified computing networks. IT Security involves all processes and activities pertaining to the securing of Federal data and systems through the creation and definition of security policies, procedures and controls covering such services as identification, authentication, and non-repudiation in accordance with Federal Information Processing Standards (FIPS) and the Federal Information Security Management Act.

Additionally, Archives and Information Management includes funds to support the national and intergovernmental stakeholder activities (e.g., technical libraries, public reading rooms, conferences and exhibits, educational outreach development, and website content control and design) and within internal and external organizations that are affected by, or have an interest in, LM national-mission activities.

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009
Environmental Justice	**658**	**665**	**1,103**

Funding allows the Department to manage a program to promote environmental justice as specified by Executive Order 12898, issued on February 11, 1994. This program provides assistance for a variety of activities that include: grants to communities to address environmental issues using expertise from Historically Black Colleges and Universities (HBCUs); an intern program through the United Negro College Fund; a cooperative agreement with the National Conference of Black Mayors to provide assistance on environmental issues; and a Community Capacity Building Program to provide assistance to enable communities around DOE sites to address environmental issues.

Reuse and Property Management	**0**	**2,361**	**3,788**

The Office of Legacy Management manages thousands of acres of land and other assets. This activity is focused upon reuse or transfer of the real and personal property to other agencies or private interests. When land is transferred to a private interest, it allows the land to be reused productively, reduces the Department's "footprint," and resumes payment of local property taxes.

Congressionally Directed Projects			
Rocky Flats Cold War Museum	**0**	**492**	**0**
Total, Legacy Management	**52,920**	**177,932**	**174,397**

Explanation of Funding Changes

	FY 2009 vs. FY 2008 ($000)
Long-Term Surveillance and Maintenance	
▪ **Fernald**	
No significant change	**-246**
▪ **Pinellas**	
The Department has been successful in its "pump and treat" of contaminated wastewater and has been able to reduce the cost of surveillance and maintenance efforts at that site.	**-2,083**
▪ **Grand Junction (Nevada Offsites)**	
The increase reflects a one-year increase of approximately $10 million to perform the scheduled replacement of deep groundwater monitoring wells.	**+11,912**

	FY 2009 vs. FY 2008 ($000)
▪ **Rocky Flats**	
During FY 2009, besides normal surveillance and maintenance operations, the site will begin to drain and breach the dams of retention ponds.	**+491**
▪ **Other Sites**	
The decrease reflects a realignment of activities formerly funded from long-term surveillance and maintenance to other more appropriate functional areas.	**-2,344**
Total, Long-Term Surveillance and Maintenance	**+7,730**
Pension and Benefit Continuity	
▪ **Fernald**	
The decrease reflects a reduction in funding needs for the ERISA minimum contribution to the pension plan.	**-2,800**
▪ **Grand Junction LM Office**	
No significant change	**-134**
▪ **Pinellas**	
The increase reflects a recalculation of the medical benefits for the current population of retirees and the transfer of eligible retirees from NNSA to consolidate pension and benefit costs for all Pinellas retirees within a single office. The recalculation of medical benefits partially offset the increase due to the transfer ($3 M) from NNSA. The funding request for FY 2009 is reduced because LM will use approximately $1.3 million from carryover of appropriations from prior fiscal years.	**+1,200**
▪ **Rocky Flats**	
The decrease reflects the use of approximately $10.7 M in carryover appropriated in FY 2006 a National Stewardship Contractor to administer pension and benefit distribution. These funds are available because that approach was cancelled and an alternative system is being used. These funds will be made available to assist in paying the ERISA-required minimum contribution to the pension plan; reducing the need for new budget authority during FY 2009. Without using the carryover, the request would have increased from FY 08 by more than $1 M due to increased medical costs.	**-9,493**
▪ **USEC Facilities**	
The decrease reflects a reduction caused by the use of carryover in lieu of requesting new budget authority. Without the use of carryover, there would have been an increase of approximately $2.5 M.	**-3,870**
Total, Pension and Benefit Continuity	**-15,097**

	FY 2009 vs. FY 2008 ($000)
Archives and Information Management A portion of the funding increase reflects realignment of activities formerly funded under long-term surveillance and maintenance to archives and information management functions. Also, a portion of the increased funding is being used to prepare records for their relocation from scattered locations to a central storage facility scheduled to open in FY 2010.	**+2,459**
Environmental Justice The increase reflects the start of several new initiatives to further the purposes of that program, including expanding DOE's environmental justice actions in the Southwest and developing an intern program for Native Americans and Hispanics.	**+438**
Reuse and Property Management The increase reflects the realignment of activities formerly funded in long-term surveillance and maintenance to this functional area. Security and other related expenses have increased. In addition, the increase reflects efforts to pursue beneficial reuse on the properties, possibly transferring the properties to private entities that will return them to the local tax base.	**+1,427**
Congressionally Directed Projects Rocky Flats Cold War Museum	**-492**
Total Funding Change, Legacy Management	**-3,535**

Program Direction

Funding Profile by Category

	(dollars in thousands/whole FTEs)		
	FY 2007	FY 2008	FY 2009
Headquarters			
Salaries and Benefits	7,935	7,943	8,320
Travel	594	436	503
Support Services	1,414	1,229	1,309
Other Related Expenses	1,259	1,293	1,452
Total, Headquarters	11,202	10,901	11,584
Full Time Equivalents	58	58	58

Major Outyear Considerations

The Office of Legacy Management has been designated a High-Performing Organization by the Office of Management and Budget. This designation recognizes the efforts that LM has made to provide efficient and effective management of its activities. However, in being so designated, LM is also committing to further efforts. The budget for program direction reflects this designation and commitment.

Mission

Program direction provides the Federal staffing resources and associated costs required to provide overall direction and execution of Office of Legacy Management functions. The staff of the Office of Legacy Management are all Headquarters employees, primarily located in Washington, DC, Grand Junction, Colorado, and Morgantown, West Virginia.

The overall program direction request decreased approximately $2.5 M or almost 20 percent from FY 2006 to FY 2008 at the same time the program scope roughly tripled to more than $180 M. The staffing projections with corresponding changes in their associated salaries and benefits and travel for the Office of Legacy Management reflect the planned decrease in Federal staffing – a significant aspect of the Office of Legacy Management High Performing Organization initiative. Federal staffing is expected to stay at 58 FTEs, a 23 FTE reduction from the FY 2006 total of 81 FTEs.

Detailed Justification

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009
Salaries and Benefits	**7,935**	**7,943**	**8,320**

Staff will work to ensure that the required monitoring actions are performed to protect the environment and the public's health and safety in the vicinity of the sites transferred to Legacy Management from Environmental Management where remediation has been completed. Further, in other program activities, they will: (1) ensure that pension and other post-retirement payments that honor the Department's responsibilities for former contractor personnel are made; (2) oversee actions to achieve approximately 1,000 prime contractor changes per year; (3) streamline the approval of work force restructuring plans; (4) develop and implement policies to integrate contract reform mechanisms;
(5) provide oversight and technical support for upcoming labor negotiations at sixteen sites; and,
(6) perform additional functions, such as maintaining records for FUSRAP considered sites, reviewing Departmental liability for CERCLA claims, and administering the Environmental Justice program within the Department.

Personnel are also responsible for conducting surveillance and maintenance activities for a variety of DOE sites, many situated in remote locations. Although the Office of Legacy Management is a headquarters function, there are sizable staffs stationed in Grand Junction, CO, and Morgantown, WV, with smaller numbers at several other locations. A major portion of the workload for the personnel in Grand Junction involves oversight of the surveillance and maintenance at approximately 86 sites. The personnel at Morgantown perform business operations functions and are the focal point of archives and information management activities.

Travel	**594**	**436**	**503**

Travel will enable staff to conduct necessary surveillance and maintenance functions, oversight, and related activities.

Support Services	**1,414**	**1,229**	**1,309**

Support services will assist in the preparation of both routine and extraordinary analyses and reports and performing other functions not directly associated with a program activity, as needed.

Other Related Expenses	**1,259**	**1,293**	**1,452**

This category consists mainly of the working capital fund/infrastructure costs including space rental, telephones, copiers and printing, computer support, general office supplies, and mailing costs. The working capital fund costs are proportionate to the number of employees. Other expenses are for items not encompassed by the working capital fund, e.g., computer software, E-Government fees, and Corporate Computer Desktop Support.

Total, Program Direction	**11,202**	**10,901**	**11,584**

Explanation of Funding Changes

	FY 2009 vs. FY 2008 ($000)
Salaries and Benefits	
This increase reflects costs of living adjustments for 58 FTEs.	+377
Travel	
No significant change	+67
Support Services	
No significant change	+80
Other Related Expenses	
In FY 2009, the Working Capital Fund added several new business lines which increased the amount of LM's contribution to that fund.	+159
Total Funding Change, Program Direction	**+683**

Support Services by Category

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009
Technical Support			
System Definition	50	50	51
Total, Technical Support	50	50	51
Management Support			
Manpower Systems Analyses	420	278	295
Training and Education	100	99	123
Analyses of DOE Management Processes	200	178	188
Reports and Analyses Management and General Administrative Services	644	624	652
Total, Management Support	1,364	1,179	1,258
Total, Support Services	1,414	1,229	1,309

Other Related Expenses

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009
Other Related Expenses			
Other Services	199	178	186
Supplies and Materials	152	162	168
Working Capital Fund	908	953	1,098
Total, Other Related Expenses	1,259	1,293	1,452

Other Defense Activities
Office of Nuclear Energy

Overview

Appropriation Summary by Program

(dollars in thousands)

	FY 2007 Current Appropriation	FY 2008 Original Appropriation	FY 2008 Adjustments	FY 2008 Current Appropriation	FY 2009 Request
Other Defense Activities					
Appropriation					
Mixed Oxide Fuel Fabrication	0	0[a]	0	0	487,008
Infrastructure					
Idaho Facilities Management	15,923	0[b]	0	0	0
Idaho Sitewide Safeguards and Security	75,949	75,949	-688	75,261	78,811
Total, Infrastructure	91,872	75,949	-688	75,261	78,811
Program Direction	30,844	0[b]	0	0	0
Subtotal, Other Defense Activities Appropriation	122,716	75,949	-688	75,261	565,819
Less Security charge for Reimbursable Work	-3,003	-3,003	0	-3,003	0
Total, Other Defense Activities (NE) Appropriation	119,713	72,946	-688	72,258	565,819
Energy Supply and Conservation					
University Reactor Infrastructure and Education Assistance	16,547	0	0	0	0
Research and Development					
Nuclear Power 2010	80,291	0	0	0	0
Generation IV Nuclear Energy Systems Initiative	35,214	0	0	0	0
Nuclear Hydrogen Initiative	18,855	0	0	0	0
Advanced Fuel Cycle Initiative	166,092	0	0	0	0
Total, Research and Development	300,452	0	0	0	0

[a] In FY 2008, funding for the Mixed Oxide Fuel Fabrication Facility was included within the Fuel Cycle Research and Facilities program under the Nuclear Energy appropriation.
[b] Beginning in FY 2008, all funding for Idaho Facilities Management and Program Direction were requested under Nuclear Energy appropriation.

(dollars in thousands)

	FY 2007 Current Appropriation	FY 2008 Original Appropriation	FY 2008 Adjustments	FY 2008 Current Appropriation	FY 2009 Request
Infrastructure					
Radiological Facilities Management	46,775	0	0	0	0
Idaho Facilities Management	113,723	0	0	0	0
Idaho Sitewide Safeguards and Security	75,919	0	0	0	0
Total, Infrastructure	236,417	0	0	0	0
Program Direction	62,600	0	0	0	0
Transfer from State Department	12,500	0	0	0	0
Subtotal, Energy Supply and Conservation	628,516	0	0	0	0
Funding from Other Defense Activities	-122,634	0	0	0	0
Funding from Naval Reactors	-13,365	0	0	0	0
Total, Energy Supply and Conservation	492,517	0	0	0	0
Nuclear Energy Appropriation					
University Reactor Infrastructure and Education Assistance	0	0	0	0	0
Research and Development					
Nuclear Power 2010	0	135,000	-1,229	133,771	241,600
Generation IV Nuclear Energy Systems Initiative	0	116,000	-1,083	114,917	70,000
Nuclear Hydrogen Initiative	0	10,000	-91	9,909	16,600
Advanced Fuel Cycle Initiative	0	0	0	0	301,500
Total, Research and Development	0	261,000	-2,403	258,597	629,700
Fuel Cycle Research and Facilities					
Advanced Fuel Cycle Initiative	0	181,000	-1,647	179,353	0
Mixed Oxide Fuel Fabrication Facilities	0	281,349	-2,560	278,789	0

(dollars in thousands)

	FY 2007 Current Appropriation	FY 2008 Original Appropriation	FY 2008 Adjustments	FY 2008 Current Appropriation	FY 2009 Request
Total, Fuel Cycle Research and Facilities	0	462,349	-4,207	458,142	0
Infrastructure					
Radiological Facilities Management	0	48,561	-442	48,119	38,700
Idaho Facilities Management	0	117,000	-1,065	115,935	104,700
Idaho Sitewide Safeguards and Security	0	75,949	-688	75,261	0
Total, Infrastructure	0	241,510	-2,195	239,315	143,400
Program Direction	0	81,615	-743	80,872	80,544
Transfer from State Department	0	0	0	0	0
Subtotal, Nuclear Energy Appropriation	0	1,046,474	-9,548	1,036,926	853,644
Funding from Other Defense Activities	-122,634	-75,949	688	-75,261	0
Funding from Naval Reactors	-13,365	0	0	0	0
Total, Nuclear Energy Appropriation	492,517	970,525	-8,860	961,665	853,644
Total, All Appropriations	612,230	1,043,471	-9,548	1,033,923	1,419,463

Preface

The Office of Nuclear Energy (NE) leads the U.S. Government's efforts to develop new nuclear energy generation technologies to meet energy and climate goals, to develop advanced, proliferation-resistant nuclear fuel technologies that maximize energy from nuclear fuel, and to maintain and enhance the national nuclear technology infrastructure. NE helps serve the present and future energy needs of the United States by managing the safe operation and maintenance of the DOE critical nuclear infrastructure that provides nuclear technology goods and services. Beginning in FY 2008, NE funds the Mixed Oxide (MOX) Fuel Fabrication Facility activities, which was previously funded by the National Nuclear Security Administration (NNSA).

NE has nine programs; funds for two of those programs are requested within the Other Defense Activities appropriation in FY 2009: MOX Fuel Fabrication Facility and Idaho Sitewide Safeguards and Security. Prior to FY 2008, NE had two programs that were partially funded within the Other Defense Activities appropriation—Idaho Facilities Management and Program Direction. Beginning in FY 2008,

these programs are funded solely in the Nuclear Energy appropriation. The remaining seven programs are funded within the Nuclear Energy Appropriation.

Mission

NE supports the diverse nuclear energy programs of the United States. NE is responsible for leading the Federal government's investment in nuclear science and technology to support the diversity and security of the United States energy supply, and advance United States (U.S.) energy competitiveness.

NE plans to safeguard the national nuclear infrastructure currently in place to help meet the Nation's energy, environmental, health care, and national security needs. The Idaho Sitewide Safeguards and Security program provides protection of nuclear materials, classified matter, Government property, and other vital assets from unauthorized access, theft, diversion, sabotage, espionage, and other hostile acts that may cause risks to national security, the health and safety of DOE and contractor employees, the public, or the environment.

The purpose of the MFFF is to meet the U.S. agreement with Russia to dispose of 34 metric tons each of weapons-grade plutonium, by converting it to fuel to be used in commercial nuclear reactors. The MFFF program will dispose of surplus weapon-grade plutonium by fabricating it into fuel for use in nuclear reactors. Once irradiated, the plutonium is no longer readily useable for nuclear weapons. The disposal of the material will meet the U.S. commitments made in the Plutonium Management and Disposition Agreement with Russia. Beginning in FY 2008, NE will fund the design, construction, and operation of the MFFF. The MFFF will be built at the Department's Savannah River Site (SRS) near Aiken, South Carolina. In August 2007, the NNSA initiated construction of the facility.

Strategic Themes and Goals and GPRA Unit Program Goals

The Department's Strategic Plan identifies five Strategic Themes (one each for energy security, nuclear security, scientific discovery, environmental responsibility, and management excellence), plus 16 Strategic Goals that tie to the Strategic Themes. Other Defense Activities supports the following goals:

Strategic Theme 1, Energy Security: Promoting America's energy security through reliable, clean, and affordable energy.

Strategic Goal 1.2, Environmental Impacts of Energy: Improve the quality of the environment by reducing greenhouse gas emissions and environmental impacts to land, water, and air from energy production and use.

Strategic Theme 2, Nuclear Security: Ensuring America's nuclear security

Strategic Goal 2.2, Weapons of Mass Destruction: Prevent the acquisition of nuclear and radiological materials for use in weapons of mass destruction and other acts of terrorism.

The programs funded within the Other Defense Activities appropriation have two GPRA Unit Program Goal that contributes to the Strategic Goal in the "goal cascade." These goals are:

GPRA Unit Program Goal 1.2.15.00: Maintain and Enhance National Nuclear Infrastructure - Maintain, enhance, and safeguard the Nation's nuclear infrastructure capability to meet the Nation's energy, medical research, space exploration, and national security needs.

GPRA Unit Program Goal 2.2.43: Fissile Materials Disposition – Eliminate surplus Russian plutonium and surplus U.S. plutonium and highly enriched uranium.

Contribution to Strategic Goal

The Department has the responsibility to maintain and enhance the Nation's nuclear infrastructure currently in place. The Idaho Sitewide Safeguards and Security program supports activities that are required to protect the Department's Idaho complex assets from theft, diversion, sabotage, espionage, unauthorized access, compromise, and other hostile acts which may cause unacceptable adverse impacts on national security, program continuity, the health and safety of employees, the public, or the environment.

The MOX Fuel Fabrication Facility program converts surplus U.S. weapon-grade plutonium into fuel for commercial light-water reactors. After irradiation, the plutonium would no longer be directly usable.

Funding by Strategic and GPRA Unit Program Goal

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Strategic Goal 1.2, Environmental Impacts of Energy			
GPRA Unit Program Goal 1.2.15.00, Maintain and Enhance National Nuclear Infrastructure	91,872	75,261	78,811
Strategic Goal 2.2, Weapons of Mass Destruction			
GPRA Unit Program Goal 2.2.43.00, Fissile Materials Disposition	0	0[a]	487,008
Total, Strategic Goal 2.2 Weapons of Mass Destruction	0	0	487,008
Subtotal, Strategic Goal 1.2 and 2.2 (Other Defense Activities)	91,872	75,261	565,819
All Other			
Program Direction	30,844	0[b]	0
Less Security Charge for Reimbursable Work	-3,003	-3,003	0
Total, All Other	27,841	-3,003	0
Total, Strategic Goal 1.2 and 2.2 (Other Defense Activities)	119,713	72,258	565,819

[a] In FY 2008, funding for the Mixed Oxide Fuel Fabrication Facility was included within the Fuel Cycle Research and Facilities program under the Nuclear Energy appropriation.
[b] Beginning in FY 2008, funding for Program Direction is requested under Nuclear Energy appropriation.

Other Defense Activities
Office of Nuclear Energy

Funding by Site by Program

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Idaho National Laboratory			
Idaho Facilities Management	15,923	0[a]	0
Idaho Sitewide Safeguards and Security	75,949	75,261	78,811
Total, Idaho National Laboratory	91,872	75,261	78,811
Idaho Operations Office			
Program Direction	30,844	0[a]	0
Savannah River Operations Office			
Mixed Oxide Fuel Fabrication Facility	0	0[b]	487,008
Total, Other Defense Activities[c]	122,716	75,261	565,819

Major Changes or Shifts by Site

Savannah River Operations Office

- The FY 2008 Omnibus Bill transfers the Mixed Oxide (MOX) Fuel Fabrication Facility (MFFF) project to the Office of Nuclear Energy (NE). Previously all budgets were included in the Defense Nuclear Nonproliferation, Office of Fissile Materials Disposition.

Site Description

Idaho National Laboratory

Introduction

The Idaho National Laboratory (INL) is an extensive research and engineering complex that has been the center of nuclear energy research since 1949. It occupies 890 square miles in southeastern Idaho along the western edge of the Snake River Plain, 42 miles northwest of Idaho Falls, Idaho. There are nine primary facilities at the INL as well as administrative, engineering, and research laboratories in Idaho Falls, Idaho. NE is the Lead Program Secretarial Office responsible for the Idaho Operations Office.

[a] Beginning in FY 2008, all funding for Idaho Facilities Management and Program Direction were requested under Nuclear Energy appropriation.

[b] In FY 2008, funding for the Mixed Oxide Fuel Fabrication Facility was included within the Fuel Cycle Research and Facilities program under the Nuclear Energy appropriation.

[c] Funding totals exclude reduction for security charge for reimbursable work of $3,003,000 in FY 2007 and FY 2008.

Idaho Sitewide Safeguards and Security

The Idaho Sitewide Safeguards and Security program provides protection of nuclear materials, classified matter, government property, and other vital assets from unauthorized access, theft, diversion, sabotage, espionage, and other hostile acts that may cause risks to national security, the health and safety of DOE and contractor employees, the public or the environment. Program activities include security systems, material control and accountability, information and cyber security, and personnel security. In addition, a protective force is maintained. These activities ensure that the site, personnel, and assets remain safe from potential threats.

Savannah River Operations Office

Introduction

The Savannah River Site (SRS) is an extensive material production and engineering complex that has been a nuclear site since 1951 when construction began supporting the U.S. strategic weapons program. SRS is now a multiprogram operational site covering 310 square mile site near Aiken, South Carolina. Because of its Cold War nuclear legacy, there is a significant level of environmental management cleanup work being performed at the site.

Mixed Oxide Fuel Fabrication Facility

NE will oversee the design, construction, and operation of the MFFF to be built at the Department's SRS.

Infrastructure

Funding Profile by Subprogram

(dollars in thousands)

	FY 2007 Current Appropriation	FY 2008 Original Appropriation	FY 2008 Adjustments	FY 2008 Current Appropriation	FY 2009 Request
Infrastructure					
Idaho Facilities Management	15,923	0[a]	0	0	0
Idaho Sitewide Safeguards and Security	75,949	75,949	-688	75,261	78,811
Total, Infrastructure	91,872	75,949	-688	75,261	78,811

Public Law Authorizations:
P.L 110-5, Revised Continuing Appropriations Resolution, 2007
P.L. 110-161, The Consolidated Appropriations Act, 2008

Mission

The mission of the Infrastructure program within the Other Defense Activities appropriation is to safeguard the national nuclear infrastructure against hostile acts that may cause unacceptable adverse impacts on national security; program continuity; or the health and safety of employees, the public, or the environment.

Beginning in FY 2008, the Idaho Facilities Management program is requested only under the Nuclear Energy appropriation. Prior to FY 2008, the Idaho Facilities Management program was funded in both the Energy Supply and Conservation and the Other Defense Activities appropriations. Funding tables, performance measures, and budget justification address only the Idaho Sitewide Safeguards and Security program.

Strategic and GPRA Unit Program Goals

The Department's Strategic Plan identifies five Strategic Themes (one each for energy security, nuclear security, scientific discovery, environmental responsibility and management excellence), plus 16 Strategic Goals that tie to the Strategic Themes. The Infrastructure program supports the following goals:

[a] Beginning in FY 2008, all funding for Idaho Facilities Management is requested under Energy Supply and Conservation appropriation.

Strategic Theme 1, Energy Security
Strategic Goal 1.2, Environmental Impacts of Energy: Reduce greenhouse gas emissions and other environmental impacts (water use, land use, criteria pollutants) from our energy production and use.

The Infrastructure program has one GPRA Unit Program goal which contributes to Strategic Goals 1.2 in the "goal cascade":

GPRA Unit Program Goal 1.2.15.00: Maintain and Enhance National Nuclear Infrastructure - Maintain, enhance, and safeguard the Nation's nuclear infrastructure capability to meet the Nation's energy, medical research, space exploration, and national security needs.

Contribution to GPRA Unit Program Goal 1.2.15.00 (Maintain and Enhance National Nuclear Infrastructure)

The Department has the responsibility to maintain and enhance the Nation's nuclear infrastructure currently in place. The Idaho Sitewide Safeguards and Security program supports activities that are required to protect the Department's Idaho complex assets from theft, diversion, sabotage, espionage, unauthorized access, compromise, and other hostile acts which may cause unacceptable adverse impacts on national security, program continuity, the health and safety of employees, the public, or the environment.

Funding by Strategic and GPRA Unit Program Goal

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Strategic Goal 1.2, Environmental Impacts of Energy			
GPRA Unit Program Goal 1.2.15.00, Maintain and Enhance National Nuclear Infrastructure			
Idaho Facilities Management	15,923	0[a]	0
Idaho Sitewide Safeguards and Security	75,949	75,261	78,811
Total, Strategic Goal 1.2 (Infrastructure)	91,872	75,261	78,811

[a]Beginning in FY 2008, all funding for Idaho Facilities Management is requested under Energy Supply and Conservation appropriation.

Annual Performance Results and Targets[a]

FY 2004 Results	FY 2005 Results	FY 2006 Results	FY 2007 Targets	FY 2008 Targets	FY 2009 Targets
GPRA Unit Program Goal 1.2.15.00 (Maintain and Enhance National Nuclear Infrastructure)					
Idaho Facilities Management					
Keep cost and schedule milestones for upgrades and construction of key facilities within 10 percent of approved baselines, using the cost-weighted mean percent variance (+/-10 percent) approach. (MET TARGET)	Keep cost and schedule milestones for upgrades and construction of key facilities within 10 percent of approved baselines, using the cost-weighted mean percent variance (+/-10 percent) approach. (MET TARGET)	Keep cost and schedule milestones for upgrades and construction of key facilities within 10 percent of approved baselines, using the cost-weighted mean percent variance (+/-10 percent) approach. (MET TARGET)	Consistent with safe operations, achieve cumulative variance of less than 10 percent from each of the cost and schedule baselines for the Radiological Facilities Management (RFM) and Idaho Facilities Management (IFM) programs at INL. (MET TARGET)		
Idaho Sitewide Safeguards and Security					
Issued the Design Basis Threat Implementation Plan for the Idaho National Engineering and Environmental Laboratory and Argonne National Laboratory-West. (MET TARGET)	Completed FY 2005 actions at the Idaho Site required to implement the May 2003 Design Basis Threat (DBT) as defined in the Program Management Plan that remain consistent with the requirements of the October 2004 DBT. (MET TARGET	Install all physical protective system upgrades for the May 2003 Design Basis Threat (DBT) as outlined in the approved DBT Program Management Plan that remain consistent with the requirements of the 2005 DBT. (MET TARGET)	Complete FY 2007 activities to protect DOE interests from theft, diversion, sabotage, espionage, unauthorized access, compromise and other hostile acts, which may cause unacceptable adverse impacts on national security, program continuity, or the health and safety of employees, the public or the environment at SECON 3 Modified level. (MET TARGET)		

[a] Annual effectiveness and efficiency performance targets will not be reported in the Department's annual Performance and Accountability Report (PAR).

Means and Strategies

The Infrastructure program will use various means and strategies to achieve its GPRA Unit Program goals. However, various external factors may impact the ability to achieve these goals. The program also performs collaborative activities to help meet its goals.

The Department will implement the following means:

- Continue planning activities to implement the 2005 Design Basis Threat (DBT) policy to ensure appropriate protective measures are taken commensurate with risk and consequence.

The Department will implement the following strategies:

- Provide physical protection and maintain operational security systems. Implement personnel identity verification and diskless workstation systems and conduct semi-annual and annual program reviews.

The following external factors could affect NE's ability to achieve its strategic goal:

- Idaho Sitewide Safeguards and Security Key External Factors: Annual review of the Design Basis Threat (DBT) policy, which is based on current intelligence information and threat assessment, could result in significant changes in DBT requirements. This could affect NE's ability to achieve goals on schedule. In addition, significant change in National Security Condition (SECON) level in response to a national security event would require re-prioritization of resources that could impact the DBT implementation schedule. Finally, acquisition and testing of developmental high technology security systems have the potential to minimize future increases in the number of protective forces personnel, however, these systems are currently being tested in a DOE laboratory environment.

Validation and Verification

To validate and verify program performance, NE will conduct various internal and external reviews and audits. NE's programmatic activities are subject to periodic review by the Congress, the Government Accountability Office, the Department's Inspector General, the Nuclear Regulatory Commission, the U.S. Environmental Protection Agency, state environmental and health agencies, the Defense Nuclear Facilities Safety Board, and the Department's Office of Engineering and Construction Management (including DOE Real Property Management Order). In addition, NE provides continual management and oversight of its vital field infrastructure programs. Periodic internal and external program reviews evaluate progress against established plans. These reviews provide an opportunity to verify and validate performance. Monthly, quarterly, semi-annual and annual reviews, consistent with program management plans, are held to ensure technical progress, cost and schedule adherence, and responsiveness to program requirements.

Idaho Facilities Management

Funding Schedule by Activity

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Idaho Facilities Management			
Idaho National Laboratory (INL) Infrastructure			
INL Operations and Infrastructure	15,923	0	0
Total, Idaho Facilities Management	15,923	0[a]	0

Description

The Idaho National laboratory (INL) is a multi-program national laboratory that pursues a wide range of nuclear power research and development and other national energy security activities. The purpose of the Idaho Facilities Management (IFM) Program is to ensure that the infrastructure required to support these efforts is maintained and operated to meet programmatic requirements and in compliance with environment, safety and health rules and regulations.

The IFM Program manages and operates the three main engineering and research campuses at the INL: (1) the Reactor Technology Complex (RTC) at the site, an 890 square mile reservation west of Idaho Falls, (2) the Materials and Fuels Complex (MFC) at the site, and (3) the Research and Education Campus (REC) in Idaho Falls. As INL landlord, the IFM Program also manages and operates the Central Facilities Area (CFA) at the site and various sitewide infrastructure systems and facilities, such as electrical utility distribution.

The REC, CFA and Sitewide Infrastructure systems and facilities come under Sitewide Infrastructure (SW) within the IFM Program. The funding above is for Sitewide Infrastructure only. Beginning in FY 2007, all of the Idaho Facilities Management Program was requested under the Energy Supply and Conservation appropriation. Prior to FY 2007, the Sitewide Infrastructure part of the IFM program was funded in the Other Defense Activities appropriations. However, guidance provided in the Continuing Resolution for the entire FY 2007 reverted appropriations for FY 2007 to FY 2006 appropriations which thus continued funding for SW under an Other Defense Activities appropriation.

The IFM program supports National Energy Policy goals by maintaining and operating INL basic infrastructure that is required to support facilities dedicated to advanced nuclear energy technology research and many other Federal government activities. Additional activities include managing special nuclear materials contained in these facilities and the disposition of DOE legacy waste materials under NE ownership.

NE has developed an INL Ten Year Site Plan (TYSP) that serves as a guide to establishing the annual budget requirements for the IFM Program, provides a mission needs analysis of facilities and infrastructure, and identifies maintenance, revitalization, and recapitalization investments at the site to

[a] Beginning in FY 2008, funding for Idaho Facilities Management was requested under Nuclear Energy appropriation.

support projected missions such as the Advanced Fuel Cycle Initiative, the Generation IV Nuclear Energy Systems Initiative, a range of national security technology programs, and the Idaho Cleanup Project (ICP) under the Office of Environmental Management. The plan meets the requirements of DOE Order 430.1B, *Real Property Asset Management (RPAM).*

Prior to FY 2007, the IFM Program was funded in both the Energy Supply and Conservation and the Other Defense Activities appropriations. In FY 2007, the IFM Program was requested only under the Energy Supply and Conservation appropriation. However, the Congressional Continuing Resolution for the entire FY 2007 restored FY 2006 funding levels and thus continued the Other Defense Activities appropriation through FY 2007. In FY 2008 and beyond, the IFM Program was requested only under the Nuclear Energy appropriation.

Detailed Justification

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
INL Operations and Infrastructure			
▪ **Base Operations**	**15,049**	**0**	**0**
Sitewide Infrastructure Base Operations maintains the REC, the CFA, and the INL common-use facilities, utilities, equipment, and land.			
▪ **Routine Maintenance and Repair**	**874**	**0**	**0**
The IFM routine maintenance and repair program provides the funding necessary to conduct a program of condition assessment, servicing and repair of R&D and support systems and equipment for facilities at REC, the CFA, and the INL common-use facilities, utilities, equipment, and land.			
Total, Idaho Facilities Management	**15,923**	**0**	**0**

Explanation of Funding Changes

	FY 2009 vs. FY 2008 ($000)
Idaho Facilities Management	
Funding requested in Nuclear Energy appropriation for FY 2008 and beyond.	**+0**

Idaho Sitewide Safeguards & Security

Funding Schedule by Activity

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Idaho Sitewide Safeguards and Security			
Idaho Operations Office	75,949	75,261	78,811
Less Security Charge for Reimbursable Work	-3,003	-3,003	0
Total, Idaho Sitewide Safeguards and Security	72,946	72,258	78,811

Description

The mission of the Idaho Sitewide Safeguards and Security (S&S) program is to protect DOE interests from theft, diversion, sabotage, espionage, unauthorized access, compromise, and other hostile acts that may cause unacceptable adverse impacts on our national security; program continuity; or the health and safety of employees, the public, or the environment.

This program is designed to support DOE's Defense Strategic Goal to protect our national security. The Idaho Sitewide Safeguards and Security program provides protection of nuclear materials, classified matter, Government property, and other vital assets from unauthorized access, theft, diversion, sabotage, espionage, and other hostile acts that may cause risks to national security, the health and safety of DOE and contractor employees, the public or the environment.

DOE fully implemented the 2003 Design Basis Threat (DBT) in FY 2006 by completing physical upgrades and reducing Category I facilities at INL to two co-located Category I facilities protected by a single Perimeter Intrusion Detection and Assessment System (PIDAS). Implementation was conducted in accordance with the approved resource-loaded Idaho Site DBT Implementation Plan. DOE will continue activities toward implementation of the 2005 DBT policy requirements at Idaho National Laboratory using a risk-informed approach to physical upgrades.

The FY 2009 budget request continues necessary improvements to cyber security infrastructure to help ensure that the laboratory is available and secure to support mission critical activities.

Detailed Justification

(dollars in thousands)		
FY 2007	FY 2008	FY 2009

Idaho Operations Office

- **Protective Forces** **42,500** **43,776** **44,893**

  Physical Protection Protective Forces provides for security guards or other specialized personnel and equipment, training, and management needed to effectively carry out the protection tasks during normal and security emergency conditions. The size and composition of this force is derived from standards of performance specified by DOE. This funding represents the minimum protective force required to meet DOE expectations for physical protection of special nuclear material.

- **Security Systems** **12,092** **10,968** **10,684**

  Physical Security Protection Systems provides for equipment to protect vital security interests and Government property per the local threat, including performance testing, intrusion detection and assessment, fences, barriers, secure storage, lighting, sensors, entry/access control devices, locks, explosives detection, and vital components and tamper-safe monitoring. These systems and devices are critical to assuring protection with the minimum number of protective force personnel

- **Information Security** **2,226** **2,069** **2,099**

  Information Security ensures that classified and sensitive unclassified matter is adequately protected, including export controls, classified matter protection and control, technical surveillance countermeasures, and operations security.

- **Personnel Security** **2,398** **2,293** **1,938**

  Personnel Security includes clearance program, adjudication, security awareness and education, visit control, Personnel Security Assurance Program, psychological/medical assessments, and administrative review costs. Security Investigations (SI) activities performed by the Federal Bureau of Investigation (FBI) and the Office of Personnel Management (OPM)-associated access authorizations are funded by the Office of Security and are not requested/displayed in NE's budget.

- **Materials Control & Accountability** **4,901** **5,361** **4,330**

  At the INL, Materials Control and Accountability (MC&A) provides for the personnel, equipment, and services required for the protection of special nuclear material by determining and documenting the amounts of nuclear materials in packaged items. The cost of program activities such as MC&A training, proper measurement of materials, and performing a physical inventory are included in the budgets of those programs responsible for processing or storing special nuclear material and nuclear weapons components and parts, and are not included here.

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009
▪ **Program Management**	**2,232**	**2,196**	**2,262**
Program Management includes policy oversight and development and updating of security plans, assessments, and approvals to determine if assets are at risk. Also included are contractor management and administration, planning, and integration of security activities into facility operations.			
▪ **Cyber Security**	**9,600**	**8,598**	**12,605**
Cyber Security ensures that sensitive and classified information that is electronically processed, transmitted, or stored is properly identified and protected. The Cyber Security activity ensures that electronic systems are appropriately marked and protected; automated information and protection systems are tested; Communications Security (COMSEC) and Telecommunications Electronics Material Protected from Emanating Spurious Transmissions (TEMPEST) measures are in place; and an appropriate level of infrastructure reliability and integrity is maintained. The requirements for improved cyber security are increasing rapidly as the threat of unauthorized access to INL's systems escalates. INL is making excellent progress in hardening its cyber systems, however this is an evolving, expanding threat and additional resources will be needed until such time as cyber technology is able to create more permanent barriers to unauthorized access.			
Total, Idaho Sitewide Safeguards and Security	**75,949**	**75,261**	**78,811**

Explanation of Funding Changes

	FY 2009 vs. FY 2008 ($000)
Idaho Sitewide Safeguards and Security	
▪ **Protective Forces**	
The increase from $43,776,000 to $44,893,000 reflects escalation with no FTE increase associated with the contract negotiated with the protective forces.	+1,117
▪ **Security Systems**	
The decrease from $10,968,000 to $10,684,000 is associated with completion of two-factor authentication for physical access.	-284
▪ **Information Security**	
The increase from $2,069,000 to $2,099,000 reflects program escalation.	+30
▪ **Personnel Security**	
The decrease from $2,293,000 to $1,938,000 reflects the completion of activities in FY 2008 to replace current employee badges with ones that meet smart-card technology of two-factor authentication.	-355
▪ **Materials Control & Accountability**	
The decrease $5,361,000 to $4,330,000 reflects completing the purchase of measurement equipment in FY 2008.	-1,031

	FY 2009 vs. FY 2008 ($000)
▪ **Program Management** The increase from $2,196,000 to $2,262,000 reflects updating of security plans, assessments, and approvals to determine if assets are at risk.	+66
▪ **Cyber Security** The increase from $8,598,000 to $12,605,000 reflects the necessary improvements to cyber security infrastructure and classified and unclassified programs to ensure the proper identification and protection of electronically processed, transmitted, and stored information.	+4,007
▪ **Safeguards and Security Charges for Reimbursable Work** Starting in FY 2009, per Program Decision Memorandum NE-09-13, Rev. 1 signed August 16, 2007, all funding associated with safeguards and security charges for reimbursable work will be direct funded by the program offices. There will no longer be an offset in the reimbursable account of the Departmental Administration appropriation. Sufficient funding has been provided within the FY 2009-2013 allocation to fund this additional program office requirement.	+0
Total Funding Change, Idaho Sitewide Safeguards and Security	**+3,550**

Mixed Oxide Fuel Fabrication Facility

Funding Profile by Subprogram

(dollars in thousands)

	FY 2007 Current Appropriation	FY 2008 Original Appropriation	FY 2008 Adjustments	FY 2008 Current Appropriation	FY 2009 Request
Mixed Oxide Fuel Fabrication Facility	0	0[a]	0	0	487,008

Public Law Authorizations:
P.L 110-5, Revised Continuing Appropriations Resolution, 2007
P.L. 110-161, The Consolidated Appropriations Act, 2008

Mission

The mission of the Office of Nuclear Energy's (NE) Mixed Oxide (MOX) Fuel Fabrication Facility (MFFF) program is to produce fuel for nuclear reactors from surplus weapon-grade plutonium.

The MFFF program will dispose of surplus weapon-grade plutonium by fabricating it into fuel for use in nuclear reactors. Once irradiated, the plutonium is no longer readily useable for nuclear weapons. The disposal of the material will meet the United States (U.S.) commitments made in the Plutonium Management and Disposition Agreement with Russia. Beginning in FY 2008, NE will fund the design, construction and operation of the MFFF. The MFFF will be built at the Department's Savannah River Site (SRS) near Aiken, South Carolina. In August 2007, the National Nuclear Security Administration initiated construction of the facility.

In September 2000, the U.S. and Russia signed a Plutonium Management and Disposition Agreement, which commits each country to dispose of 34 metric tons of surplus weapon-grade plutonium (68 metric tons total – enough material for approximately 17,000 nuclear weapons). In 2006, both the U.S. and Russian Governments reaffirmed their commitment to implement the 2000 Agreement for disposing their plutonium as MOX fuel in nuclear reactors. This is a key element of the U.S. Government's nonproliferation strategy to address the potential threat of diversion of materials that can be used in nuclear weapons. In addition to the obvious nonproliferation benefits, proceeding with the U.S. plutonium disposition will help reduce storage costs for nuclear materials, reduce safeguards and security costs, and support the Department's efforts to consolidate nuclear materials within the Department of Energy (DOE) Complex.

Strategic and GPRA Unit Program Goals

The Department's Strategic Plan identifies five Strategic Themes (one each for energy security, nuclear security, scientific discovery, environmental responsibility, and management excellence), plus 16 Strategic Goals that tie to the Strategic Themes. The MFFF program supports the following goals:

Strategic Theme 2, Nuclear Security
Strategic Goal 2.2, Weapons of Mass Destruction: Prevent the acquisition of nuclear and radiological

[a] In FY 2008, funding for the Mixed Oxide Fuel Fabrication Facility was included within the Fuel Cycle Research and Facilities program under the Nuclear Energy appropriation.

materials for use in weapons of mass destruction and other acts of terrorism.

The MFFF program has one GPRA Unit Program goal which contributes to Strategic Goal 2.2 in the "goal cascade":

GPRA Unit Program Goal 2.2.43.00: Fissile Materials Disposition - Eliminate surplus Russian plutonium and surplus U.S. plutonium.

Contribution to GPRA Unit Program Goal 2.2.43.00 (Fissile Materials Disposition)

The MFFF program contributes to Strategic Goal 2.2 by converting surplus U.S. weapon-grade plutonium into fuel for commercial light-water reactors. After irradiation, the plutonium would no longer be directly usable.

Funding by Strategic and GPRA Unit Program Goal

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Strategic Goal 2.2, Weapons of Mass Destruction			
GPRA Unit Program Goal 2.2.43.00, Fissile Materials Disposition			
Mixed Oxide Fuel Fabrication Facility	0	0	487,008
Total, GPRA Unit Program Goal 2.2.43.00, Fissile Materials Disposition	0	0	487,008
Total, Strategic Goals 2.2 (Mixed Oxide Fuel Fabrication Facility)	0	0	487,008

Annual Performance Results and Target

FY 2004 Results	FY 2005 Results	FY 2006 Results	FY 2007 Results	FY 2008 Targets	FY 2009 Targets
GPRA Unit Program Goal 2.2.43 (Fissile Materials Disposition)					
Mixed Oxide Fuel Fabrication Facility					
					Cumulative percentage of the design, construction, and cold start-up activities completed for the MOX Fuel Fabrication Facility (Long-term Output)
					T: 39%

Means and Strategies

The MFFF program will use various means and strategies to achieve its GPRA Unit Program goal. However, various external factors may impact the ability to achieve these goals. The program also performs collaborative activities to help meet its goals.

The Department will implement the following means:

- The MFFF will maintain contracts with industry to construct, license, and operate the facility and contracts with a nuclear utility to use the fuel.

- NE will follow the established principles and procedures of DOE O 413.3, "Program and Project Management for the Acquisition of Capital Assets" for MFFF activities.

The Department will implement the following strategies:

- Partnering with the private sector, national laboratories, universities, and international partners to develop and deploy advanced nuclear technologies to increase the use of nuclear energy in the U.S.

- Leading the international community in pursuit of advanced nuclear technology that will benefit the U.S. with enhanced safety, improved economics, and reduced production of wastes.

- Constructing a U.S. MFFF at the SRS in which to fabricate fuel from surplus U.S. weapon-grade plutonium for use in nuclear reactors.

- Irradiating of the fuel fabricated from the U.S. weapon-grade plutonium after which it will not be readily useable in a nuclear weapon.

- Initiating an external review of the MFFF construction baseline and revise the project plan as appropriate.

These strategies will result in the efficient and effective management of NE programs - thus putting the taxpayer's dollars to more productive use.

The following external factor could affect NE's ability to achieve its strategic goal:

- All U.S. policy could change and therefore affect the ability of the MFFF to dispose of U.S. surplus weapon-grade plutonium or alter the mission of the program.

In carrying out the program's mission, NE performs the following collaborative activity:

- NE will collaborate with National Nuclear Security Administration (NNSA), and their national laboratories, on the overall effort to destroy U.S. surplus weapon-grade plutonium. NNSA is responsible for two other key components of the effort: the Pit Disassembly and Conversion Facility and the Waste Solidification Building.

Validation and Verification

To validate and verify program performance, NE conducts various internal and external reviews and audits. NE's programmatic activities are subject to periodic review by Congress, the Government Accountability Office, the Department's Inspector General, the Nuclear Regulatory Commission (NRC), the U.S. Environmental Protection Agency, state environmental and health agencies, the Defense Nuclear Facilities Safety Board, and the Department's Office of Engineering and Construction Management. Periodic internal and external program reviews evaluate progress against established plans. These reviews provide an opportunity to verify and validate performance. Monthly, quarterly, semi-annual and annual reviews, consistent with program management plans and project baselines, are held to ensure technical progress, cost and schedule adherence, and responsiveness to program requirements.

Program Assessment Rating Tool (PART)

The Department has implemented a tool to evaluate selected programs. PART was developed by OMB to provide a standardized way to assess the effectiveness of the Federal Government's portfolio of programs. The structured framework of the PART provides a means through which programs can assess their activities differently than through traditional reviews. NE's R&D programs have incorporated feedback from OMB into the FY 2009 Budget Request, and have taken the necessary steps to continue to improve performance.

OMB gave the Fissile Materials Disposition (FMD) program scores of 100 percent on the Program Purpose and Design, and Strategic Planning Sections; 88 percent on the Program Management Section; and 50 percent on the Program Results and Accountability Section. Overall, the OMB rated the FMD program 73 percent, the second highest rating of "Moderately Effective." The OMB assessment found that the program demonstrates proper planning and management, but performance results are limited and program cost and schedule performance is mixed. The OMB assessment also found that the FMD program follows agency project management requirements. In response to the OMB findings, the FMD program is validating cost and schedule baseline to measure performance and maintain change control during construction, and completing certification of project control systems by the responsible federal agency to ensure accurate performance measurement.

Funding Schedule by Activity

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Mixed Oxide Fuel Fabrication Facility			
Operations and Maintenance	0	0	19,200
Construction and Other Project Costs	0	0	467,808
Total, Mixed Oxide Fuel Fabrication Facility	0	0[a]	487,008

[a] In FY 2008, funding for the Mixed Oxide Fuel Fabrication Facility was included within the Fuel Cycle Research and Facilities program under the Nuclear Energy appropriation.

Detailed Justification

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009
Operations and Maintenance	**0**	**0**	**19,200**
▪ **MOX Irradiation, Feedstock, and Transportation**	**0**	**0**	**18,750**

MOX Irradiation, Feedstock, and Transportation support activities that are related to the MOX program, but are not part of the line item project.

In FY 2009, the Department will:

- Continue lead fuel assembly transportation and packaging activities.
- Continue to plan and implement modifications to commercial nuclear reactors that will irradiate MOX fuel.
- Procure depleted uranium blend stock for use in MOX fuel fabrication.
- Continue irradiation of MOX fuel lead assemblies; conducting post-irradiation examinations of five lead assembly fuel rods.
- Continue the production of plutonium oxide feedstock at Los Alamos National Laboratory (LANL).

▪ **Feed Material Characterization**	**0**	**0**	**450**

In FY 2009, the Feed Material Characterization program supports the compiling, analyzing, tacking, and reporting data on the physical, chemical, and isotopic properties of alternative feed oxide for the MFFF and metal for the Pit Disassembly and Conversion Facility. Quantities, forms, locations, isotope, and impurities are tracked. This material originates from Rocky Flats, SRS, Hanford, LANL, and Lawrence Livermore National Laboratory (LLNL).

Construction and Other Project Costs	**0**	**0**	**467,808**
▪ **99-D-143, Mixed Oxide Fuel Fabrication Facility (MFFF)**	**0**	**0**	**417,808**

The MFFF will provide the U.S. with the capability to fabricate MOX fuel elements suitable for use in commercial nuclear reactors from plutonium oxide derived from surplus weapon-grade plutonium. The facility will contain the following key functional areas: shipping and receiving, storage, chemical processing oxide blending, pellet manufacturing, fuel rod manufacturing, fuel bundle assembly, fuel bundle storage, and a laboratory. In addition, a number of supporting facilities will be built including an administration building, material receipt warehouse, technical support building, emergency and standby diesel generator buildings, and a chemical reagent building. DOE awarded a contract to a private consortium, Duke Engineering Services, COGEMA, Inc., and Stone & Weber (DCS) in 1999. DCS, through a series of corporate buyouts, is now Shaw AREVA MOX Services. The contract required DCS to design and obtain a NRC license for the MOX facility, which is being built at the SRS. Three options are included in the base contract, which can be awarded separately: 1) construction and cold start-up; 2) hot start-up, operations, and irradiation services; and 3) deactivation.

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009

In FY 2009, the Department will:

- Continue construction activities such as installing additional floors to the MFFF.
- Continue installation of procured equipment.
- Continue installation of mechanical and electrical utilities.
- Continue procurement of processing equipment.

▪ **MOX Other Project Cost Activities**	**0**	**0**	**50,000**

MOX Other Project Cost Activities support project activities, such as, management oversight, design reviews, and facility start-up testing.

In FY 2009, the Department will:

- Continue management oversight and licensing for construction activities, planning for start-up and operation of the MFFF, supporting design and testing of the Aqueous Polishing process contained within the MOX project supporting environmental permitting and monitoring and supporting the NRC review of the operating licensing application for the MFFF.

Total, Mixed Oxide Fuel Fabrication Facility	**0**	**0**	**487,008**

Explanation of Funding Changes

	FY 2009 vs. FY 2008 ($000)
Operations and Maintenance	
▪ **MOX Irradiation, Feedstock, and Transportation**	
The increase from $0 to $18,750,000 supports the continuation of activities to prepare reactors for the use of MOX fuel, prepare feedstock for production of MOX fuel, and material transportation.	+18,750
▪ **Feed Material Characterization**	
The increase from $0 to $450,000 supports the continuation of feed material characterization for the MOX Project.	+450
Total, Operations and Maintenance	+19,200
Construction and Other Project Costs	
▪ **99-D-143, Mixed Oxide Fuel Fabrication Facility (MFFF)**	
The increase from $0 to $417,808,000 supports installation of additional floors in the fabrication facility, installation of procured equipment, mechanical and electrical utilities, and procurement of processing equipment.	+417,808
▪ **MOX Other Project Costs Activities**	
The increase from $0 to $50,000,000 supports management oversight, design reviews, facility start-up test, and review of the operating license application.	+50,000
Total Funding Change, Mixed Oxide Fuel Fabrication Facility	**+487,008**

Capital Operating Expenses and Construction Summary
Construction Projects

(dollars in thousands)

	Total Estimated Cost (TEC)	Prior-Year Appro-priations	FY 2007	FY 2008	FY 2009	Unappro-priated Balance
99-D-143, Mixed Oxide Fuel Fabrication Facility, Savannah River Site	3,938,628	1,167,560	262,500	231,721	417,808	1,859,039
Total, Construction Project			262,500	231,721	417,808	

99-D-143, Mixed Oxide Fuel Fabrication Facility, Savannah River Site, Aiken, South Carolina Project Data Sheet is for Construction

1. Significant Changes

The most recent DOE Order 413.3A approved Critical Decision (CD) is CD-3, Start of Construction on August 1, 2007, consistent with Congressional language on the subject, was approved on April 11, 2007 with a Total Project Cost (TPC) of $4.8 billion.

A Federal Project Director with certification level IV is assigned to this project.

The sale of MOX fuel, at mid - 2007 market uranium prices, is expected to generate approximately $2 billion in revenue to the U.S. Treasury for the 34 metric ton (MT) program.

This Project Data Sheet (PDS) is an update of the FY 2008 PDS. Significant changes include:

- Validation of the Performance Baseline (approved April 11, 2007)

This PDS reflects approvals by the Department of Energy's Acquisition Executive of CD-2 (Performance Baseline) and CD-3 (Start of Construction) on April 11, 2007. Major milestones in the Performance Baseline schedule include completion of construction in 3QFY2014 and CD-4, Start of Operations, in 4QFY2016. These milestones are contingent upon receiving the full budget requests.

- Total Project Cost increase of $115 million. (based on the Performance Baseline approved on April 11, 2007)

  The validated Performance Baseline reflects the impact of a delay in the start of construction until August 1, 2007 as directed by the Revised Continuing Resolution, 2007, Public Law 110-5. This delay resulted in an increase of $115 million to the prior unvalidated TPC provided in the FY 2008 PDS, which is reflected in the validated $4.8 billion TPC. Re-planning of the design and construction schedule, coupled with the approval to begin limited site preparation activities prior to August 1, 2007 reduced the impact of this delay on the project schedule from 11 months to 7 months.

  On September 2007, the Secretary of Energy announced 9 MT of weapon-grade plutonium is surplus to defense needs and is planned to be fabricated into Mixed Oxide (MOX) fuel at the MOX facility. The impact of this recent direction is being evaluated by the Department and will be included in future budget submittals. The Department is also evaluating other missions for the MOX facility including fabrication of start-up fuel for GNEP fast reactors and disposition of additional non-pit plutonium.

The Consolidated Appropriation Act, 2008 contained significant reductions. A total of $217 million was reduced from the budget request and prior year unobligated balances, which will require the project to be rebaselined. The rebaseline effort will be completed in FY 2008.

2. Design, Construction, and D&D Schedule

(fiscal quarter or date)

	CD-0	CD-1 (Design Start)	(Design/PED Complete)	CD-2 (Performance Baseline)	CD-3 (Construction Start)	CD-4 (Start of Hot Operations)	D&D Start	D&D Complete
FY 2000		2QFY1999	4QFY2001		1QFY2002	4QFY2005	N/A	N/A
FY 2001		2QFY1999	3QFY2002		4QFY2002	1QFY2006	N/A	N/A
FY 2002		2QFY1999	4QFY2002		2QFY2003	1QFY2007	N/A	N/A
FY 2003		2QFY1999	4QFY2003		2QFY2004	4QFY2007	N/A	N/A
FY 2004		2QFY1999	1QFY2004		2QFY2004	4QFY2007	N/A	N/A
FY 2005		2QFY1999	3QFY2004		3QFY2005	2QFY2009	N/A	N/A
FY 2006		2QFY1999	1QFY2005		3QFY2005	TBD	N/A	N/A
FY 2007		2QFY1999	4QFY2009		2QFY2007	4QFY2014	N/A	N/A
FY 2008	1QFY1997	2QFY1999	2QFY2011	2QFY2007	2QFY2007	4QFY2013	N/A	N/A
FY 2009	1QFY1997	03/22/1999	2QFY2013[a]	04/11/2007	08/01/2007	4QFY2016	N/A	N/A

CD-0 – Approve Mission Need
CD-1 – Approve Alternative Selection and Cost Range
CD-2 – Approve Performance Baseline
CD-3 – Approve Start of Construction
CD-4 – Approve Start of Operations or Project Closeout
D&D Start – Start of Demolition & Decontamination (D&D) work
D&D Complete – Completion of D&D work

(fiscal quarter or date)

	NRC Construction Authorization	CD 2A/3A	Performance Baseline Validation	CD 2B/3B
FY 2004				
FY 2005	03/30/2005	09/30/2005		
FY 2006			07/07/2006	
FY 2007				04/06/2006
FY 2008				
FY 2009				

CD 2A/3A - Approval to start Site Preparation
CD 2B/3B - Approval to begin long lead procurements (“captured” tanks, steel embeds, reinforcing steel, barrier doors)

[a] Facility and process design will be completed in FY 2010, the equipment design will be completed in FY 2011 and the software design will be completed in FY 2013.

3. Baseline and Validation Status[a]

(dollars in thousands)

	TEC, PED	TEC, Construction	TEC, Total	OPC Except D&D	OPC, D&D	OPC, Total	TPC	
FY 2000			383,186	0	N/A		N/A	
FY 2001			398,186	0	N/A		N/A	
FY 2002			TBD	TBD	N/A		N/A	
FY 2003			TBD	TBD	N/A		N/A	
FY 2004			TBD	TBD	N/A		N/A	
FY 2005			TBD	TBD	N/A		N/A	
FY 2006			TBD	TBD	N/A		N/A	
FY 2007			3,277,984	354,108	N/A		3,632,092	
FY 2008			3,868,628	830,701	N/A		4,699,329	
FY 2009			3,938,628	875,701	N/A	875,701	4,814,329	

4. Project Description, Justification, and Scope

Description and Scope

The U.S. MOX Fuel Fabrication Facility at the Savannah River Site will combine surplus weapon-grade plutonium oxide with depleted uranium oxide to form MOX fuel assemblies that will be used as fuel for U.S. commercial nuclear reactors. Once irradiated and converted into spent fuel, the resulting plutonium can no longer be readily used for nuclear weapons. The nominal design life of the facility is 40 years however, it will take approximately 13 years to complete the 34 MT mission. After completing its mission, the facility may be deactivated, decontaminated, and decommissioned over three to four years.

The MOX facility has been designed with the capacity needed to receive and process 3.5 MT of plutonium oxide per year. The plutonium oxide will come from the Pit Disassembly and Conversion Facility (PDCF) and from other selected inventories of weapon-grade plutonium within the DOE complex. The facility will have the capacity to store sufficient plutonium oxide for two years of operations.

The MOX facility is approximately 441,000 square feet in size and provides all of the material processing and fabrication operations needed to produce MOX fuel. MOX facility operations include: aqueous polishing (AP) to purify the plutonium oxide; blending and milling; pelletizing; sintering; grinding; fabricating fuel rods; bundling fuel assemblies; and storing feed material, pellets, and fuel assemblies. The facility also includes a laboratory and space for use by a monitoring and inspection team. Adjacent to the MOX process areas, 140,000 square feet of structures will be used for secure shipping and receiving, material receipt, utilities, and technical support.

The design of the MOX Fuel Fabrication Facility is based on processes and facilities that have been successfully operating in France for decades, specifically Cogema's MELOX and La Hague facilities. The facility will meet U.S. conventions, codes, standards, and regulatory requirements, and will be licensed by the NRC.

[a] Due to significant funding reductions imposed in The Consolidated Appropriation Act, 2008, this project will be rebaselined. Funding and schedule dates currently shown are based on the previous approved baseline of $4.8M. Once the rebaseline is approved, all funding and schedule dates will be updated.

FY 2008 and FY 2009 Description of Activities

In FY 2008, facility construction will continue with the first floor slab and walls of the AP building being constructed. Also, the first floor 'trapped' tanks will be installed, and fabrication of second floor 'trapped' tanks will continue, as will the design of equipment and software. The construction of the Process Assembly Facility (PAF) and the Administration Building will begin. Procurement awards for process chillers, lodige mixers, scrap box loading and pellet repackaging glovebox components, pellet press and grinder, safety programmable logic controllers, and the test line press will be placed. Also, the design of equipment and software will continue, as well as the facility and process design.

In FY 2009, facility construction will continue with placement of more second floor walls and trapped tanks. The second floor walls in the AP will be completed and the third floor slab placement will begin. Delivery of glovebox shells and associated materials and equipment will begin in FY 2009 to initiate the glovebox assembly process. The construction of the PAF and the Administration Building will be completed. Continue with scheduled procurement awards for more glovebox components, the reagent building, sintering furnace, secure warehouse, long lead HVAC equipment, and process piping. Also, the design of equipment and software will continue, as well as the facility and process design.

The project is being conducted in accordance with the project management requirements in DOE O 413.3A and DOE M 413.3-1, and Program and Project Management for the Acquisition of Capital Assets. All appropriate project management requirements have been met.

5. Financial Schedule[a]

(dollars in thousands)

	Appropriations	Obligations	Costs
Total Estimated Cost (TEC)			
Design			
FY 1999	28,000	9,600	2,545
FY 2000	12,375	30,775	33,512
FY 2001	25,943	25,943	29,938
FY 2002	65,993	65,993	52,513
FY 2003	92,088	92,088	82,022
FY 2004	81,081	81,081	93,457
FY 2005	251,195	251,195	216,801
FY 2006	119,853	119,853	165,618
FY 2007	65,133	65,133	70,963
FY 2008	86,940	86,940	81,111
FY 2009	52,804	52,804	52,804
FY 2010	27,785	27,785	27,785
FY 2011	6,149	6,149	6,149
FY 2012	731	731	852
FY 2013	78	78	78
Total, Design	916,148	916,148	916,148
Construction			
FY 2004	279,193	0	0
FY 2005	113,892	44,100	0
FY 2006	97,947	217,469	15,210
FY 2007	197,367	197,367	106,444
FY 2008	144,781	259,244	144,761
FY 2008 (rescinded PY unobligated balance)	-115,000	0	0
FY 2009	365,004	365,004	267,214
FY 2010	367,889	367,889	380,358
FY 2011	302,573	302,573	460,665
FY 2012	301,207	301,207	515,915
FY 2013	382,724	382,724	517,506
FY 2014	158,325	158,325	186,500
FY 2015	125,611	125,611	111,273
FY 2016	300,967	300,967	187,090
FY 2017	0	0	129,544
Total, Construction	3,022,480	3,022,480	3,022,480
TEC			
FY 1999	28,000	9,600	2,545
FY 2000	12,375	30,775	33,512
FY 2001	25,943	25,943	29,938
FY 2002	65,993	65,993	52,513
FY 2003	92,088	92,088	82,022
FY 2004	360,274	81,081	93,457
FY 2005	365,087	295,295	216,801
FY 2006	217,800	337,322	180,828
FY 2007	262,500	262,500	177,407

[a] Due to significant funding reductions imposed in The Consolidated Appropriation Act, 2008, this project will be rebaselined. Funding and schedule dates currently shown are based on the previous approved baseline of $4.8M. Once the rebaseline is approved, all funding and schedule dates will be updated.

	(dollars in thousands)		
	Appropriations	Obligations	Costs
FY 2008	231,721	346,184	225,872
FY 2008 (rescinded PY unobligated balance)	-115,000	0	0
FY 2009	417,808	417,808	320,018
FY 2010	395,674	395,674	408,143
FY 2011	308,722	308,722	466,814
FY 2012	301,938	301,938	516,767
FY 2013	382,802	382,802	517,584
FY 2014	158,325	158,325	186,500
FY 2015	125,611	125,611	111,273
FY 2016	300,967	300,967	187,090
FY 2017	0	0	129,544
Total, TEC	3,938,628	3,938,628	3,938,628
Other Project Cost (OPC)			
OPC except D&D			
FY 1999	5,000	5,000	4,500
FY 2000	5,000	5,000	4,500
FY 2001	5,000	5,000	5,000
FY 2002	5,000	5,000	5,000
FY 2003	8,000	8,000	5,000
FY 2004	9,292	9,292	11,500
FY 2005	9,357	9,357	3,749
FY 2006	29,200	21,300	7,023
FY 2007	915	7,792	9,278
FY 2008	47,068	47,068	19,575
FY 2009	50,000	50,000	49,326
FY 2010	55,000	55,000	67,008
FY 2011	87,036	87,036	83,965
FY 2012	180,269	180,269	115,840
FY 2013	136,669	136,669	170,798
FY 2014	149,192	149,192	161,652
FY 2015	85,771	85,771	130,015
FY 2016	7,932	8,955	21,972
FY 2017	0	0	0
Total, OPC except D&D	875,701	875,701	875,701
D&D	N/A	N/A	N/A
FY			
Total, D&D	N/A	N/A	N/A
Total Project Cost (TPC)			
FY 1999	33,000	14,600	7,045
FY 2000	17,375	35,775	38,012
FY 2001	30,943	30,943	34,938
FY 2002	70,993	70,993	57,513
FY 2003	100,088	100,088	87,022
FY 2004	369,566	90,373	104,957
FY 2005	374,444	304,652	220,550
FY 2006	247,000	358,622	187,851
FY 2007	263,415	270,292	186,685
FY 2008	278,789	393,252	245,447
FY 2008 (rescinded PY unobligated balance)	-115,000	0	0
FY 2009	467,808	467,808	369,344

(dollars in thousands)

	Appropriations	Obligations	Costs
FY 2010	450,674	450,674	475,151
FY 2011	395,758	395,758	550,779
FY 2012	482,207	482,207	632,607
FY 2013	519,471	519,471	688,382
FY 2014	307,517	307,517	348,152
FY 2015	211,382	211,382	241,288
FY 2016	308,889	308,889	209,062
FY 2017	0	0	129,544
Total, TPC	4,814,329	4,814,329	4,814,329

6. Details of Project Cost Estimate

(dollars in thousands)

	Current Total Estimate	Previous Total Estimate	Original Validated Baseline
Total Estimated Cost (TEC)			
Design (PED)			
Design	916,148	860,191	916,148
Contingency		0	
Total, PED	916,148	860,191	916,148
Construction			
Site Preparation	39,929	47,126	39,929
Equipment (MOX & AP equip.)	251,791	349,513	251,791
Other Construction	2,067,639	1,966,650	2,067,639
Contingency	663,121	645,148	663,121
Total, Construction	3,022,480	3,008,437	3,022,480
Total, TEC	3,938,628	3,868,628	3,938,628
Contingency, TEC	663,121	645,148	663,121
Other Project Cost (OPC)			
OPC except D&D			
Conceptual Planning	37,723	37,723	37,723
Conceptual Design	0	0	0
Start-Up	650,468	657,563	650,468
Contingency	187,510	135,415	187,510
Total, OPC except D&D	875,701	830,701	875,701
D&D			
D&D	0	0	0
Contingency	0	0	0
Total, D&D	0	0	0
Total, OPC	875,701	830,701	875,701
Contingency, OPC	187,510	135,415	187,510
Total, TPC	4,814,329	4,699,329	4,814,329
Total, Contingency	850,631	780,563	850,631

7. Schedule of Project Costs

For schedule of project costs, see Section 5, "Financial Schedule."

8. Related Operations and Maintenance Funding Requirements

Start of Operation or Beneficial Occupancy (fiscal quarter or date)	4QFY2016
Expected Useful Life (number of years)	13
Expected Future Start of D&D of this capital asset (fiscal quarter)	N/A

(Related Funding requirements)

(dollars in thousands)

	Ave. Annual Costs		Life Cycle Costs	
	Current Total Estimate	Previous Total Estimate	Current Total Estimate	Previous Total Estimate
Operations	142,900	137,000	1,857,100	1,809,200
Maintenance	41,500	46,800	539,500	608,900
Total, Operations & Maintenance	184,400	183,800	2,396,600	2,418,100

9. Required D&D Information

Area	Square Feet
Area of new construction	N/A
Area of existing facility(s) being replaced	N/A
Area of additional D&D space to meet the "one-for-one" requirement	N/A

Name(s) and site location(s) of existing facility(s) to be replaced: None. This is a new facility that has no equivalent facility that is being replaced.

10. Acquisition Approach

The procurement strategy for the MOX facility involved awarding a base contract to Duke Cogema Stone & Webster (now Shaw AREVA MOX Services) in March 1999 for design, licensing and irradiation services associated with fuel qualification activities and reactor licensing. Three options, which are included in the base contract, for 1) construction and management oversight; 2) hot start-up, operations and irradiation services; and 3) deactivation can be awarded separately.

Actual physical construction will be conducted through fixed-price subcontracts to the extent practical, with an incentive and award fee contracts for construction management services and glovebox assembly.

Program Direction

Funding Profile by Category

(dollars in thousands/whole FTEs)

	FY 2007	FY 2008	FY 2009
Idaho Operations Office			
Salaries and Benefits	24,492	0	0
Travel	1,115	0	0
Support Services	1,000	0	0
Other Related Expenses	4,237	0	0
Total, Idaho Operations Office	30,844	0[a]	0
Full Time Equivalents	197	0	0
Total Program Direction			
Salaries and Benefits	24,492	0	0
Travel	1,115	0	0
Support Services	1,000	0	0
Other Related Expenses	4,237	0	0
Total, Program Direction	30,844	0	0
Total, Full Time Equivalents	197	0	0

Mission

Program Direction provides the Federal staffing resources and associated costs required to provide overall direction and execution of the Office of Nuclear Energy (NE). NE promotes secure, competitive, and environmentally responsible nuclear technologies to serve the present and future energy needs of the country.

NE is the Lead Program Secretarial Officer (LPSO) of the Idaho site. NE Headquarters and the Idaho Operations Office reorganized in January 2005 to more effectively support the new nuclear energy missions and prepare for the oversight and management of the new contracts for the operation of the Idaho site. This new structure will carry out all programmatic, project, and landlord responsibilities assigned to NE now and in the future, both as LPSO and Contracting Officer for DOE's operations in Idaho, and as responsible PSO for programs, projects, facilities, and operations at other DOE sites.

Prior to FY 2007, the Idaho Operations Office Program Direction account was funded in the Other Defense Activities appropriations. In FY 2007, funding for the Idaho Operation Office was requested under the Energy Supply and Conservation appropriation. However, the Congressional Continuing

[a] Beginning in FY 2008, funding for program direction expenses and Full Time Equivalents for the Idaho Operations Office were requested under Nuclear Energy appropriation.

Resolution for the entire FY 2007 continued the Other Defense Activities appropriation through FY 2007. Beginning in FY 2008 and beyond, funding for Idaho Operations Office is requested under the Office of Nuclear Energy appropriation.

Detailed Justification

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009
Salaries and Benefits	**24,492**	**0**	**0**
The Federal Staff monitors and evaluates LPSO activities at Idaho Operations Office and the INL. The staff includes scientific, engineering, and technical personnel as well as program support personnel in the areas of budget, finance, general administration, procurement, information resource management, policy review and coordination, infrastructure management, construction management, labor relations, personnel and human resources management, and legal support.			
Travel	**1,115**	**0**	**0**
Travel includes funding for transportation of Idaho personnel associated with NE programs, their per diem allowances while in authorized travel status, and other expenses incidental to travel.			
Support Services	**1,000**	**0**	**0**
Support Services includes funding for technical and management support services provided to Idaho Operations Office employees associated with NE programs.			
Other Related Expenses	**4,237**	**0**	**0**
Other Related Expenses includes funding at Idaho for the acquisition of computer hardware and software, telecommunications, mail services, office supplies, subscriptions, vehicle usage, printing, ergonomic furniture, rent and utilities.			
Total, Program Direction	**30,844**	**0**	**0**

Explanation of Funding Changes

	FY 2009 vs. FY 2008 ($000)
Funding requested in Nuclear Energy appropriation for FY 2008 and beyond.	**+0**

Defense Related Administrative Support

Funding Schedule by Activity

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Defense Related Administrative Support	86,999	98,104	108,190

Description

From FY 1999 through 2008, funding has been provided within the Other Defense Activities appropriation to offset funding within the Departmental Administration appropriation. This offset addresses the significant amount of administrative support activities performed within the Departmental Administration appropriation that are of direct benefit to the Department's defense-related programs.

Per direction provided in the FY 2004 Energy Water and Development conference report, the FY 2009 budget request reflects a proportional contribution from Other Defense Activities for Departmental Administration costs. This budget offsets Departmental Administration administrative work that supports the following appropriations: Defense Environmental Cleanup, Defense Nuclear Waste Disposal, and Other Defense Activities. These functions do not duplicate services provided within the Office of the Administrator for the National Nuclear Security Administrative Program.

Benefits

The services provided by the offices within Departmental Administration are performed without distinction between defense and non-defense related activities and benefit all headquarters organizations proportionally. These activities include processing personnel actions, building maintenance and operation, payroll and general accounting services, budgeting and funds execution, procurement, project management, information management, legal services, life-cycle asset management, workforce diversity, minority economic impact, policy, international affairs, Congressional and intergovernmental liaison, public affairs, and management of the Working Capital Fund.

Detailed Justification

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009
Defense Related Administrative Support	86,999	98,104	108,190

The funding request offsets the following expenses within the Departmental Administration Appropriation Account:

- Salaries and benefits include wages, overtime pay, cash incentive awards, lump sum leave payments and other performance awards for about 300 FTEs in areas such as human resources, budget, financial accounting, logistics, national and international energy policy analysis, environmental policy, project management, information management, legal, contract management, property management, congressional and intergovernmental liaison and public and media outreach.

- Support Services finances technical and management support services. The areas of support include information technology support, project control and performance, facilities and infrastructure, strategic planning, independent financial auditing, automated data processing, project management evaluations, delivery of training, operation of the Headquarters technical and law libraries, database maintenance, financial system operations and minimal technical financial support.

- Program Support funding includes a proportionate share of the I-MANAGE system to design and implement new, integrated and user-friendly financial management systems for the Department. These systems will help the Department fulfill its fiduciary responsibilities and meet both internal management and external reporting requirements.

- Program support also supports the Department's cyber security program which provides consistent principles and requirements for Cyber Security that Departmental organizations can implement for the protection of classified and unclassified information, as required by National laws and policies.

Explanation of Funding Changes

	FY 2009 vs. FY 2008 ($000)
Defense Related Administrative Support	
The FY 2004 Energy Water and Development Conference report directed the Department to submit budget requests beginning with fiscal year 2005 that reflected a proportional contribution from Other Defense Activities for Departmental Administration costs. The FY 2009 funding represents 33% of the Departmental Administration appropriation administrative costs.	+10,086
Total Funding Change, Defense Related Administrative Support	**+10,086**

Other Defense Activities
Office of Hearings and Appeals

Overview

Appropriation Summary by Program

(dollars in thousands)

	FY 2007 Current Appropriation	FY 2008 Original Appropriation	FY2008 Adjustments	FY 2008 Current Appropriation	FY 2009 Request
Other Defense Activities					
Hearings and Appeals	4,349	4,607	- 42[a]	4,565	6,603
Total, Other Defense Activities	4,349	4,607	-42	4,565	6,603

Preface

The Office of Hearings and Appeals (OHA) provides legal adjudicatory services for DOE's programs so that disputes may be decided at the agency level in a fair, impartial and efficient manner. Beginning in FY 2009, OHA will also be responsible for the civil rights function, previously included in the Office of Economic Impact and Diversity within the Departmental Administration Appropriation.

Within the Other Defense Activities Appropriation, OHA operates with two legal staffs—the Office of Legal Analysis and the Office of Economic Analysis. Beginning in FY 2009, OHA will operate with a third staff—the Office of Civil Rights.

Mission

OHA's mission is to conduct fair and efficient hearings and to issue decisions of the Department with respect to any adjudicative proceedings which the Secretary may delegate. OHA's jurisdiction includes security clearance hearings, hearings on complaints filed under the DOE Contractor Employee Protection Program, appeals requesting review of any determination reached by any other official within the Department under OHA's jurisdiction, and requests for exceptions from DOE regulations. Beginning in FY 2009, OHA's mission will also include the DOE's civil rights function: the investigation of Equal Employment Opportunity (EEO) and Title VI/Title IX complaints, oversight of DOE financial assistance to ensure that it is not being used in a discriminatory way, and coordination of the employee concerns program activities performed by Federal officials.

Benefits

In its adjudicatory mission for DOE, OHA offers a fair, impartial and customer-friendly process in which firms and individuals may seek review of agency actions. In personnel security cases, OHA's goal is to issue timely, high quality and informed (i.e., based on evidence in the record) decisions to

[a] Reflects a FY 2008 rescission of $42 cited in the *Consolidated Appropriation Act, 2008* (P.L. 110-161).

ensure only trustworthy personnel are allowed access to classified information and special nuclear materials. Thus, OHA directly supports DOE's Strategic Theme No. 2 – Nuclear Security. In whistleblower investigations and hearings involving DOE contractor employees, OHA helps to promote DOE's Strategic Theme Nos. 4 and 5 – Environmental Responsibility and Management Excellence. These proceedings involve safety and other concerns, including those related to the responsible resolution of the environmental legacy of nuclear weapons production. In appeals, OHA reviews determinations reached by other DOE officials under the Secretary's jurisdiction, including initial determinations under the Freedom of Information Act, the Privacy Act, and the payments-equal-to-taxes (PETT) provisions of Nuclear Waste Policy Act of 1982. OHA's appeal cases span all of DOE's Strategic Themes. Finally, in exceptions cases, OHA provides an important, regulatory relief valve where the application of a rule or regulation poses a serious hardship, inequity or unfair distribution of burdens. These cases, which primarily involve the Energy Information Administration reporting requirements and the DOE's appliance efficiency standards, promote DOE's Strategic Theme No. 1 – Energy Security.

Beginning in FY 2009, the functions of the Office of Civil Rights (OCR) will be transferred to OHA. The civil rights function—a law enforcement neutral function—is similar to OHA's existing work. In fact, for years, OHA and OCR have collaborated on various employee-related matters. It made sound business sense to co-locate the functions of the offices as it would result in greater efficiency and enhanced productivity, thus serving DOE's Strategic Theme No. 5 – Management Excellence.

Program Goals

The Department's Strategic Plan identifies five Strategic Themes (one each for nuclear, energy, science, management, and environmental aspects of DOE's mission) plus 16 Strategic Goals that tie to the Strategic Themes. As a support office, OHA supports all of those goals through its adjudication of security clearances, whistleblower complaints, exception requests, and Freedom of Information Act appeals and other petitions. With its new responsibility for the civil rights function, OHA will further support the goal of management excellence.

Annual Performance Results and Targets[a]

FY 2004 Results	FY 2005 Results	FY 2006 Results	FY 2007 Results	FY 2008 Targets	FY 2009 Targets
		Program Goal: Support all DOE Strategic Themes and Goals			
		No more than 20 percent of Freedom of Information Act Appeal cases will be decided after the applicable deadline.	Improve timeliness of security cases by reducing the number of cases over 180 days to 27.	Improve timeliness of security cases by reducing the number of cases over 180 days to 18.	Improve timeliness of security cases by reducing the number of cases over 180 days to 12.
		Exceeded goal. Only 6 percent of Freedom of Information Act Appeal cases decided after the applicable deadline.	Exceeded target. The number of cases over 180 days old was 7.		
		Establish a baseline for a productivity and/or timeliness performance measure for personnel security cases.	Improve efficiency in whistleblower investigations by reducing processing time so that no more than 2 cases are over 180 days old.	Improve efficiency in whistleblower investigations by reducing processing time so that no more than 2 cases are over 170 days old.	Improve efficiency in whistleblower investigations by reducing processing time so that no more than 2 cases are over 160 days old.
		Exceeded goal. Identified consolidation of travel to hearings as a means to achieve efficiencies in the cost and employee time devoted to travel. Calculated a 2005 baseline of 1.23 hearings per trip. Established a new 2006 goal of 1.28 hearings per trip. Exceeded goal with a ratio of 1.44.	Exceeded target. The number of pending whistleblower investigations over 180 days old was zero.		

[a] Annual effectiveness and efficiency performance targets will not be reported in the Department's Annual Performance and Accountability Report (PAR).

Means and Strategies

OHA will use various means and strategies to achieve its goals.

The OHA will continue to implement the following means:

- The OHA will identity opportunities for efficiencies associated with the increased use of electronic filing and records.

The OHA will continue to implement the following strategies:

- A team drawn from a cross-section of OHA will undertake these efforts.

This strategy will result in improved efficiencies in case processing, as well as the ability to continue operations in case of disruption in physical access to offices.

Validation and Verification

To validate and verify performance, the team will file written reports with OHA senior management on a quarterly basis.

Program Direction
Funding Profile by Category

(dollars in thousands/whole FTEs)

	FY 2007	FY 2008	FY 2009
Headquarters			
Salaries and Benefits	3,275	3,427	4,663
Travel	90	75	107
Support Services	100	135	465
Other Related Expenses	884	928	1,368
Total, Headquarters	4,349	4,565	6,603
Total, Full Time Equivalents	25	25	34

Mission

Program Direction provides the Federal staffing resources and associated costs required to provide overall direction and execution of the Office of Hearings and Appeals mission, which supports Departmental strategic themes and goals. OHA will do this through (i) adjudication of security clearances, whistleblower complaints, appliance efficiency and oil industry reporting cases, and information access cases and (ii) the performance of the civil rights function, including the investigation of EEO and Title VI/Title IX complaints, oversight of DOE financial assistance to ensure that it is not being used in a discriminatory way, and coordination of the employee concerns program activities performed by Federal officials to promote the safe and sound management of DOE sites.

Detailed Justification

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Salaries and Benefits	**3,275**	**3,427**	**4,663**

Funding salaries, benefits, cash incentive awards, lump sum leave payments, Senior Executive Service and other performance awards for 34 FTEs. The FY 2009 increase includes the transfer of funds and 9 FTEs associated with the civil rights function.

° OHA adjudicates personnel security clearance cases, thus supporting DOE's Strategic Theme No. 2 – Nuclear Security.

° OHA adjudicates whistleblower cases involving DOE contractor employees, thus supporting the safe and sound management of DOE sites and DOE's Strategic Theme Nos. 4 and 5 – Environmental Responsibility and Management Excellence.

° OHA reviews determinations reached by other DOE officials under the Secretary's jurisdiction in cases which span all of DOE's Strategic Themes.

° OHA provides an important, regulatory relief valve for EIA reporting requirements and energy efficiency regulations, both areas that relate to DOE's Strategic Theme No. 1 – Energy Security.

° OHA will perform the DOE's civil rights function, thus supporting DOE's Strategic Theme No. 5 – Management Excellence.

	(dollars in thousands)		
	FY 2007	FY 2008	FY 2009
Travel	**90**	**75**	**107**
Provides funding for official travel to DOE sites for hearings. The FY 2009 request also provides funding for official travel to DOE sites and federal grant recipients to permit OHA to perform the newly acquired civil rights function.			
Support Services	**100**	**135**	**465**
Funding supports OHA's information management, and Federal Energy Guidelines loose-leaf service. FY 2009 funding also provides (A-76) contractor support for equal employment opportunity and affirmative action services.			
° Contractor IT employee support for case information management system	83	85	90
° Publication of laws, regulations, and decisions	17	50	35
° A-76 contractor support for equal employment opportunity and affirmative action services	0	0	340
Other Related Expenses	**884**	**928**	**1,368**
This category includes funding for the following administrative support. For FY 2009, it includes funding associated with the transfer of the civil rights function to OHA. Funds may also be used for personnel security investigations beginning in FY 2009.			
° Working Capital Fund (rent, utilities, telephone, supplies, postage, building operations, photocopies, telecommunications, printing (e.g., federal register notices)	764	808	1,186
° DOE Common Operating Environment	100	100	145
° Training	20	20	23
° E-Government Initiatives	0	0	2
° Other Related Expenses	0	0	12
Total, Program Direction	**4,349**	**4,565**	**6,603**

Explanation of Funding Changes

	FY 2009 vs. FY 2008 ($000)
Salaries and Benefits	
Increase in salaries and benefits are due to general pay increases, promotions, and within-grade increases and newly acquired civil rights function.	+1,236
Travel	
Funding supports travel to DOE sites to conduct hearings, as well as travel to DOE sites and financial assistance recipients associated with the newly acquired civil rights function. The increase reflects expected increases in charges for airlines and the newly acquired civil rights function.	+32
Support Services	
Overall increase attributable to the following:	
° Contractor IT employee support	+5
° Publication costs	-15
° Contractor support (A-76) for equal employment opportunity and affirmative services associated with newly acquired civil rights function	+340
Other Related Expenses	
Increase in first three categories largely attributable to newly acquired civil rights function:	
° Working Capital Fund	+378
° DOE Common Operating Environment	+45
° Training	+3
° E-Government Initiatives	+2
° Other Related Expenses	+12
Total Funding Change, Program Direction	**+2,038**

Support Services by Category

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Technical Support			
Computer contract support	83	85	90
Federal Energy Guidelines	17	50	35
Total, Technical Support	100	135	125
Management support	0	0	340
Total, Support Services	100	135	465

Other Related Expenses by Category

(dollars in thousands)

	FY 2007	FY 2008	FY 2009
Other Related Expenses			
Working Capital Fund	764	808	1,186
Purchases from Gov. Accounts (DOE Common Operating Environment)	100	100	145
Training	20	20	23
E-Government Initiatives	0	0	2
Other Related Expenses	0	0	12
Total, Other Related Expenses	884	928	1,368