

Calendar No. 480

103^D CONGRESS
2^D SESSION

S. 2210

To authorize appropriations for fiscal year 1995 for defense activities of the Department of Energy, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 20 (legislative day, JUNE 7), 1994

Mr. NUNN, from the Committee on Armed Services, reported the following original bill; which was read twice and placed on the calendar

A BILL

To authorize appropriations for fiscal year 1995 for defense activities of the Department of Energy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Department of Energy
5 National Security Act for Fiscal Year 1995”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

Sec. 3. Congressional defense committees defined.

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

Subtitle A—National Security Programs Authorizations

- Sec. 3101. Weapons activities.
- Sec. 3102. Environmental restoration and waste management.
- Sec. 3103. Nuclear materials support and other defense programs.
- Sec. 3104. Defense nuclear waste disposal.
- Sec. 3105. General reduction in authorization of appropriations.

Subtitle B—Recurring General Provisions

- Sec. 3121. Reprogramming.
- Sec. 3122. Limits on general plant projects.
- Sec. 3123. Limits on construction projects.
- Sec. 3124. Funds transfer authority.
- Sec. 3125. Authority for construction design.
- Sec. 3126. Requirement for completion of conceptual design to precede request for construction funds.
- Sec. 3127. Authority for emergency planning, design, and construction activities.
- Sec. 3128. Funds available for all national security programs of the Department of Energy.
- Sec. 3129. Availability of funds.

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

- Sec. 3131. Stockpile stewardship recruitment and training program.
- Sec. 3132. Defense inertial confinement fusion program.
- Sec. 3133. Payment of penalties.
- Sec. 3134. Water management programs.
- Sec. 3135. Limitation on use of funds for special access programs.
- Sec. 3136. Protection of nuclear weapons facilities workers.
- Sec. 3137. National security programs.
- Sec. 3138. Scholarship and Fellowship Program for Environmental Restoration and Waste Management.
- Sec. 3139. Hazardous materials management and hazardous materials emergency response training program.
- Sec. 3140. Programs for persons who may have been exposed to radiation released from Hanford Nuclear Reservation.
- Sec. 3141. Solar energy activities at Nevada Test Site, Nevada,

Subtitle D—Other Matters

- Sec. 3151. Accounting procedures for Department of Energy funds.
- Sec. 3152. Approval for certain nuclear weapons activities.
- Sec. 3153. Study of feasibility of conducting certain activities at the Nevada Test Site, Nevada.
- Sec. 3154. Tritium production.
- Sec. 3155. Office of Fissile Materials Disposition.
- Sec. 3156. Extension of authority to loan personnel and facilities at Idaho National Engineering Laboratory.

Sec. 3157. Elimination of requirement for five-year plan for defense nuclear facilities.

Sec. 3158. Increase in number of positions for environmental restoration and waste management personnel excepted from civil service laws.

**TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY
BOARD AUTHORIZATION**

Sec. 3201. Authorization.

1 **SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.**

2 For purposes of this Act, the term “congressional de-
3 fense committees” means the Committees on Armed Serv-
4 ices and the Committees on Appropriations of the Senate
5 and House of Representatives.

6 **TITLE XXXI—DEPARTMENT OF**
7 **ENERGY NATIONAL SECURITY**
8 **PROGRAMS**

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

11 **SEC. 3101. WEAPONS ACTIVITIES.**

12 (a) RESEARCH AND DEVELOPMENT.—Subject to sub-
13 section (f), funds are hereby authorized to be appropriated
14 to the Department of Energy for fiscal year 1995 for re-
15 search and development in carrying out weapons activities
16 necessary for national security programs in the amount
17 of \$1,187,818,000, to be allocated as follows:

18 (1) For core research and development,
19 \$795,551,000, to be allocated as follows:

20 (A) For operating expenses, \$649,341,000.

21 (B) For capital equipment, \$69,420,000.

1 (C) For plant projects (including mainte-
2 nance, restoration, planning, construction, ac-
3 quisition, modification of facilities, and the con-
4 tinuation of projects authorized in prior years,
5 and land acquisition related thereto),
6 \$76,790,000, to be allocated as follows:

7 Project GPD-101, general plant
8 projects, various locations, \$8,500,000.

9 Project 95-D-102, Chemical and
10 Metallurgy Research Building upgrades,
11 Los Alamos National Laboratory, New
12 Mexico, \$3,300,000.

13 Project 94-D-102, nuclear weapons
14 research, development, and testing facili-
15 ties revitalization, Phase V, various loca-
16 tions, \$13,000,000.

17 Project 92-D-102, nuclear weapons
18 research, development, and testing facili-
19 ties revitalization, Phase IV, various loca-
20 tions, \$21,810,000.

21 Project 90-D-102, nuclear weapons
22 research, development, and testing facili-
23 ties revitalization, Phase III, various loca-
24 tions, \$7,700,000.

1 Project 88–D–106, nuclear weapons
2 research, development, and testing facili-
3 ties revitalization, Phase II, various loca-
4 tions, \$22,480,000.

5 (2) For inertial fusion, \$176,473,000, to be al-
6 located as follows:

7 (A) For operating expenses, \$166,755,000.

8 (B) For capital equipment, \$9,718,000.

9 (3) For technology transfer, \$215,794,000, to
10 be allocated as follows:

11 (A) For operating expenses, \$209,794,000.

12 (B) For capital equipment, \$6,000,000.

13 (b) TESTING.—Subject to subsection (f), funds are
14 hereby authorized to be appropriated to the Department
15 of Energy for fiscal year 1995 for testing in carrying out
16 weapons activities necessary for national security pro-
17 grams in the amount of \$384,719,000, to be allocated as
18 follows:

19 (1) For testing capabilities and readiness
20 \$374,719,000, to be allocated as follows:

21 (A) For operating expenses, \$338,249,000.

22 (B) For capital equipment, \$15,470,000.

23 (C) For plant projects (including mainte-
24 nance, restoration, planning, construction, ac-
25 quisition, modification of facilities, and the con-

1 continuation of projects authorized in prior years,
2 and land acquisition related thereto),
3 \$21,000,000, to be allocated as follows:

4 Project GPD-101, general plant
5 projects, various locations, \$4,000,000.

6 Project 93-D-102, Nevada support
7 facility, North Las Vegas, Nevada,
8 \$17,000,000.

9 (2) For operating expenses for solar energy de-
10 velopment, \$10,000,000.

11 (c) STOCKPILE SUPPORT.—Subject to subsection (f),
12 funds are hereby authorized to be appropriated to the De-
13 partment of Energy for fiscal year 1995 for stockpile sup-
14 port in carrying out weapons activities necessary for na-
15 tional security programs in the amount of
16 \$1,557,085,000, to be allocated as follows:

17 (1) For operating expenses for stockpile sup-
18 port, \$1,487,085,000.

19 (2) For capital equipment, \$15,880,000.

20 (3) For plant projects (including maintenance,
21 restoration, planning, construction, acquisition,
22 modification of facilities, and the continuation of
23 projects authorized in prior years, and land acquisi-
24 tion related thereto), \$54,120,000, to be allocated as
25 follows:

1 Project GPD-121, general plant projects,
2 various locations, \$1,000,000.

3 Project 95-D-122, sanitary sewer upgrade
4 Oak Ridge Y-12 Plant, Oak Ridge, Tennessee,
5 \$2,200,000.

6 Project 95-D-123, replace transportation
7 safeguards, aviation facility, Albuquerque, New
8 Mexico, \$2,000,000.

9 Project 94-D-124, hydrogen fluoride sup-
10 ply system, Oak Ridge Y-12 Plant, Oak Ridge,
11 Tennessee, \$6,300,000.

12 Project 94-D-125, upgrade life safety,
13 Kansas City Plant, Kansas City, Missouri,
14 \$1,000,000.

15 Project 94-D-127, emergency notification
16 system, Pantex Plant, Amarillo, Texas,
17 \$1,000,000.

18 Project 94-D-128, environmental safety
19 and health analytical laboratory, Pantex Plant,
20 Amarillo, Texas, \$1,000,000.

21 Project 93-D-122, life safety upgrades,
22 Y-12 Plant, Oak Ridge, Tennessee,
23 \$5,000,000.

1 Project 88-D-122, facilities capability as-
2 surance program, various locations,
3 \$19,620,000.

4 Project 88-D-123, security enhancements,
5 Pantex Plant, Amarillo, Texas, \$15,000,000.

6 (d) PROGRAM DIRECTION.—Subject to subsection (f),
7 funds are hereby authorized to be appropriated to the De-
8 partment of Energy for fiscal year 1995 for program di-
9 rection in carrying out weapons activities necessary for na-
10 tional security programs in the amount of \$169,852,000,
11 to be allocated as follows:

12 (1) For operating expenses for weapons pro-
13 gram direction, \$167,498,000.

14 (2) For capital equipment, \$2,354,000.

15 (e) RECONFIGURATION.—Subject to subsection (f),
16 funds are hereby authorized to be appropriated to the De-
17 partment of Energy for fiscal year 1995 for nuclear weap-
18 ons complex reconfiguration in carrying out weapons ac-
19 tivities necessary for national security programs in the
20 amount of \$152,271,000, to be allocated as follows:

21 (1) For operating expenses for reconfiguration,
22 \$94,271,000.

23 (2) For plant projects (including maintenance,
24 restoration, planning, construction, acquisition,
25 modification of facilities, and the continuation of

1 projects authorized in prior years, and land acqui-
2 sition related thereto), \$58,000,000, all of which to be
3 allocated as follows:

4 Project 93-D-123, complex-21, various lo-
5 cations.

6 (f) ADJUSTMENTS.—Subject to section 3105, the
7 total amount authorized to be appropriated pursuant to
8 this section is the sum of the amounts authorized to be
9 appropriated in subsections (a) through (e) reduced by the
10 sum of—

11 (1) \$131,077,000, for use of prior year bal-
12 ances; and

13 (2) \$11,000,000, for savings resulting from
14 procurement reform.

15 **SEC. 3102. ENVIRONMENTAL RESTORATION AND WASTE**
16 **MANAGEMENT.**

17 (a) CORRECTIVE ACTIVITIES.—Subject to subsection
18 (h), funds are hereby authorized to be appropriated to the
19 Department of Energy for fiscal year 1995 for corrective
20 activities in carrying out environmental restoration and
21 waste management activities necessary for national secu-
22 rity programs in the amount of \$1,012,000, all of which
23 to be allocated to a plant project (including maintenance,
24 restoration, planning, construction, acquisition, modifica-
25 tion of facilities, and the continuation of projects author-

1 ized in prior years, and land acquisition related thereto)
2 as follows:

3 Project 92–D–403, tank upgrades project, Law-
4 rence Livermore National Laboratory, California.

5 (b) ENVIRONMENTAL RESTORATION.—(1) Subject to
6 paragraph (2), funds are hereby authorized to be appro-
7 priated to the Department of Energy for fiscal year 1995
8 for environmental restoration for operating expenses in
9 carrying out environmental restoration and waste manage-
10 ment activities necessary for national security programs
11 in the amount of \$1,531,969,000.

12 (2) Subject to subsection (h), the amount authorized
13 to be appropriated pursuant to this subsection is the
14 amount authorized to be appropriated in paragraph (1)
15 reduced by \$133,900,000, as a result of the productivity
16 savings initiative.

17 (c) WASTE MANAGEMENT.—(1) Subject to paragraph
18 (2), funds are hereby authorized to be appropriated to the
19 Department of Energy for fiscal year 1995 for waste man-
20 agement in carrying out environmental restoration and
21 waste management activities necessary for national secu-
22 rity programs in the amount of \$2,913,045,000, to be allo-
23 cated as follows:

24 (A) For operating expenses, \$2,408,029,000.

25 (B) For capital equipment, \$104,790,000.

1 (C) For plant projects (including maintenance,
2 restoration, planning, construction, acquisition,
3 modification of facilities, and the continuation of
4 projects authorized in prior years, and land acquisition
5 related thereto), \$400,226,000, to be allocated
6 as follows:

7 Project GPD-171, general plant projects,
8 various locations, \$23,742,000.

9 Project 95-D-401, radiological support facilities,
10 Richland, Washington, \$1,585,000.

11 Project 95-D-402, install permanent electrical service,
12 Waste Isolation Pilot Plant, New Mexico, \$700,000.

14 Project 95-D-403, hazardous waste storage facility,
15 Mound Plant, Miamisburg, Ohio, \$597,000.

17 Project 95-D-405, industrial landfill V and construction
18 demolition landfill VII, Oak Ridge Y-12 Plant, Oak Ridge,
19 Tennessee, \$1,000,000.

21 Project 95-D-406, road 5-01 reconstruction, area 5,
22 Nevada Test Site, Nevada, \$2,338,000.
23

1 Project 95–D–407, 219-S secondary con-
2 tainment upgrade, Richland, Washington,
3 \$2,000,000.

4 Project 95–D–408, Phase II liquid effluent
5 treatment and disposal, Richland, Washington,
6 \$7,100,000.

7 Project 94–D–400, high explosive
8 wastewater treatment system, Los Alamos Na-
9 tional Laboratory, Los Alamos, New Mexico,
10 \$1,000,000.

11 Project 94–D–402, liquid waste treatment
12 system, Nevada Test Site, Nevada, \$3,292,000.

13 Project 94–D–404, Melton Valley storage
14 tank capacity increase, Oak Ridge National
15 Laboratory, Oak Ridge, Tennessee,
16 \$21,373,000.

17 Project 94–D–406, low-level waste disposal
18 facilities, K–25, Oak Ridge, Tennessee,
19 \$6,000,000.

20 Project 94–D–407, initial tank retrieval
21 systems, Richland, Washington, \$17,700,000.

22 Project 94–D–408, office facilities—200
23 East, Richland, Washington, \$4,000,000.

24 Project 94–D–411, solid waste operation
25 complex, Richland, Washington, \$42,200,000.

1 Project 94-D-416, solvent storage tanks
2 installation, Savannah River, South Carolina,
3 \$1,700,000.

4 Project 94-D-417, intermediate-level and
5 low-activity waste vaults, Savannah River,
6 South Carolina, \$300,000.

7 Project 93-D-174, plant drain waste
8 water treatment upgrades, Y-12 Plant, Oak
9 Ridge, Tennessee, \$1,400,000.

10 Project 93-D-178, building 374 liquid
11 waste treatment facility, Rocky Flats, Golden,
12 Colorado, \$3,300,000.

13 Project 93-D-181, radioactive liquid waste
14 line replacement, Richland, Washington,
15 \$3,300,000.

16 Project 93-D-182, replacement of cross-
17 site transfer system, Richland, Washington,
18 \$18,910,000.

19 Project 93-D-183, multi-tank waste stor-
20 age facility, Richland, Washington,
21 \$95,305,000.

22 Project 93-D-187, high-level waste re-
23 moval from filled waste tanks, Savannah River,
24 Aiken, South Carolina, \$26,525,000.

1 Project 92-D-177, tank 101-AZ waste re-
2 trieval system, Richland, Washington,
3 \$5,000,000.

4 Project 92-D-188, waste management
5 ES&H, and compliance activities, various loca-
6 tions, \$2,846,000.

7 Project 91-D-171, waste receiving and
8 processing facility, module 1, Richland, Wash-
9 ington, \$3,995,000.

10 Project 90-D-172, aging waste transfer
11 line, Richland, Washington, \$3,819,000.

12 Project 90-D-177, RWMC transuranic
13 (TRU) waste characterization and storage facil-
14 ity, Idaho National Engineering Laboratory,
15 Idaho, \$11,747,000.

16 Project 90-D-178, TSA retrieval contain-
17 ment building, Idaho National Engineering
18 Laboratory, Idaho, \$7,594,000.

19 Project 89-D-173, tank farm ventilation
20 upgrade, Richland, Washington, \$800,000.

21 Project 89-D-174, replacement high-level
22 waste evaporator, Savannah River, South Caro-
23 lina, \$18,000,000.

1 Project 89–D–175, hazardous waste/mixed
2 waste disposal facility, Savannah River, South
3 Carolina, \$500,000.

4 Project 86–D–103, decontamination and
5 waste treatment facility, Lawrence Livermore
6 National Laboratory, California, \$9,500,000.

7 Project 83–D–148, nonradioactive hazard-
8 ous waste management, Savannah River, South
9 Carolina, \$6,000,000.

10 Project 81–T–105, defense waste process-
11 ing facility, Savannah River, South Carolina,
12 \$45,058,000.

13 (2) Subject to subsection (h), the total amount au-
14 thorized to be appropriated pursuant to this subsection is
15 the sum of the amounts authorized to be appropriated in
16 paragraph (1) reduced by \$160,800,000, as a result of the
17 productivity savings initiative.

18 (d) TECHNOLOGY DEVELOPMENT.—Subject to sub-
19 section (h), funds are hereby authorized to be appro-
20 priated to the Department of Energy for fiscal year 1995
21 for technology development in carrying out environmental
22 restoration and waste management activities necessary for
23 national security programs in the amount of
24 \$426,409,000, to be allocated as follows:

25 (1) For operating expenses, \$400,974,000.

1 (2) For capital equipment, \$25,435,000.

2 (e) TRANSPORTATION MANAGEMENT.—Subject to
3 subsection (h), funds are hereby authorized to be appro-
4 priated to the Department of Energy for fiscal year 1995
5 for transportation management in carrying out environ-
6 mental restoration and waste management activities nec-
7 essary for national security programs in the amount of
8 \$20,684,000, to be allocated as follows:

9 (1) For operating expenses, \$20,240,000.

10 (2) For capital equipment, \$444,000.

11 (f) PROGRAM DIRECTION.—Subject to subsection (h),
12 funds are hereby authorized to be appropriated to the De-
13 partment of Energy for fiscal year 1995 for program di-
14 rection in carrying out environmental restoration and
15 waste management activities necessary for national secu-
16 rity programs in the amount of \$84,948,000, to be allo-
17 cated as follows:

18 (1) For operating expenses, \$83,748,000.

19 (2) For capital equipment, \$1,200,000.

20 (g) FACILITY TRANSITION AND MANAGEMENT.—(1)
21 Subject to paragraph (2), funds are hereby authorized to
22 be appropriated to the Department of Energy for fiscal
23 year 1995 for facility transition and management in carry-
24 ing out environmental restoration and waste management

1 activities necessary for national security programs in the
2 amount of \$791,857,000, to be allocated as follows:

3 (A) For operating expenses, \$681,550,000.

4 (B) For capital equipment, \$23,947,000.

5 (C) For plant projects (including maintenance,
6 restoration, planning, construction, acquisition,
7 modification of facilities, and the continuation of
8 projects authorized in prior years, and land acquisition
9 related thereto), \$86,360,000, to be allocated as
10 follows:

11 Project GPD-171, general plant projects,
12 various locations, \$20,495,000.

13 Project 95-D-453, primary highway route
14 north of the Wye Barricade, Richland, Wash-
15 ington, \$2,500,000.

16 Project 95-D-454, 324 facility compliance/
17 renovation, Richland, Washington, \$1,500,000.

18 Project 95-D-455, Idaho National Engi-
19 neering Laboratory radio communications up-
20 grade, Idaho National Engineering Laboratory,
21 Idaho, \$1,440,000.

22 Project 95-D-456, security facilities up-
23 grade, Idaho Chemical Processing Plant, Idaho
24 National Engineering Laboratory, Idaho,
25 \$986,000.

1 Project 94-D-122, underground storage
2 tanks, Rocky Flats, Colorado, \$2,500,000.

3 Project 94-D-401, emergency response fa-
4 cility, Idaho National Engineering Laboratory,
5 Idaho, \$5,219,000.

6 Project 94-D-412, 300 area process sewer
7 piping upgrade, Richland, Washington,
8 \$7,800,000.

9 Project 94-D-415, medical facilities, Idaho
10 National Engineering Laboratory, Idaho,
11 \$4,920,000.

12 Project 94-D-451, infrastructure replace-
13 ment, Rocky Flats Plant, Golden, Colorado,
14 \$10,600,000.

15 Project 93-D-172, electrical upgrade,
16 Idaho National Engineering Laboratory, Idaho,
17 \$7,800,000.

18 Project 93-D-184, 325 facility compliance/
19 renovation, Richland, Washington, \$1,000,000.

20 Project 93-D-186, 200 area unsecured
21 core area fabrication shop, Richland, Washing-
22 ton, \$4,000,000.

23 Project 92-D-125, master safeguards and
24 security agreement/materials surveillance task

1 force security upgrades, Rocky Flats Plant,
2 Golden, Colorado, \$2,100,000.

3 Project 92–D–181, INEL fire and life
4 safety improvements, Idaho National Engineer-
5 ing Laboratory, Idaho, \$6,000,000.

6 Project 92–D–182, INEL sewer system
7 upgrade, Idaho National Engineering Labora-
8 tory, Idaho, \$1,900,000.

9 Project 92–D–186, steam system rehabili-
10 tation, Phase II, Richland, Washington,
11 \$5,600,000.

12 (2) Subject to subsection (h), the total amount au-
13 thorized to be appropriated pursuant to this subsection is
14 the sum of the amounts authorized to be appropriated in
15 paragraph (1) reduced by \$5,000,000, as a result of the
16 productivity savings initiative.

17 (h) PRIOR YEAR BALANCES.—Subject to section
18 3105, the total amount authorized to be appropriated pur-
19 suant to this section is the sum of the amounts authorized
20 to be appropriated in subsections (a), (b)(2), (c)(2), (d),
21 (e), (f), and (g)(2) reduced by the sum of—

22 (1) \$240,300,000 for use of prior year bal-
23 ances; and

24 (2) \$17,500,000 for savings resulting from pro-
25 curement reform.

1 **SEC. 3103. NUCLEAR MATERIALS SUPPORT AND OTHER DE-**
2 **FENSE PROGRAMS.**

3 (a) MATERIALS SUPPORT.—Subject to subsection
4 (d), funds are hereby authorized to be appropriated to the
5 Department of Energy for fiscal year 1995 for materials
6 support in carrying out nuclear materials support nec-
7 essary for national security programs in the amount of
8 \$887,225,000, to be allocated as follows:

9 (1) For reactor operations, \$163,634,000.

10 (2) For processing of nuclear materials,
11 \$369,468,000.

12 (3) For support services, \$167,776,000.

13 (4) For capital equipment, \$39,427,000.

14 (5) For plant projects (including maintenance,
15 restoration, planning, construction, acquisition,
16 modification of facilities, and the continuation of
17 projects authorized in prior years, and land acqui-
18 sition related thereto), \$88,950,000, to be allocated as
19 follows:

20 Project GPD-146, general plant projects,
21 various locations, \$21,000,000.

22 Project 95-D-154, health physics site sup-
23 port facility, Savannah River, South Carolina,
24 \$2,000,000.

1 Project 95-D-155, upgrade site road in-
2 frastructure, Savannah River, South Carolina,
3 \$750,000.

4 Project 95-D-156, radio trunking system,
5 Savannah River, South Carolina, \$2,100,000.

6 Project 95-D-157, D-area powerhouse life
7 extension, Savannah River, South Carolina,
8 \$4,000,000.

9 Project 95-D-158, disassembly basin up-
10 grades K, L, and P, Savannah River, South
11 Carolina, \$13,000,000.

12 Project 93-D-147, domestic water system
13 upgrade, Phases I and II, Savannah River,
14 South Carolina, \$11,300,000.

15 Project 93-D-148, replace high-level drain
16 lines, Savannah River, South Carolina,
17 \$2,700,000.

18 Project 93-D-152, environmental modi-
19 fication for production facilities, Savannah
20 River, South Carolina, \$2,900,000.

21 Project 92-D-143, health protection in-
22 strument calibration facility, Savannah River,
23 South Carolina, \$3,000,000.

1 Project 90–D–149, plantwide fire protec-
2 tion, Phases I and II, Savannah River, South
3 Carolina, \$21,000,000.

4 Project 92–D–150, operations support fa-
5 cilities, Savannah River, South Carolina,
6 \$2,000,000.

7 Project 92–D–153, engineering support fa-
8 cility, Savannah River, South Carolina,
9 \$3,200,000.

10 (6) For program direction, \$58,000,000.

11 (b) OTHER DEFENSE PROGRAMS.—Subject to sub-
12 section (d), funds are hereby authorized to be appro-
13 priated to the Department of Energy for fiscal year 1995
14 for other defense programs in carrying out defense pro-
15 grams necessary for national security programs in the
16 amount of \$692,204,000, to be allocated as follows:

17 (1) For verification and control technology,
18 \$358,102,000, to be allocated as follows:

19 (A) For operating expenses, \$342,229,000.

20 (B) For capital equipment, \$15,873,000.

21 (2) For nuclear safeguards and security,
22 \$85,816,000, to be allocated as follows:

23 (A) For operating expenses, \$82,421,000.

24 (B) For capital equipment, \$3,395,000.

25 (3) For security investigations, \$38,827,000.

1 (4) For security evaluations, \$14,780,000.

2 (5) For the Office of Nuclear Safety,
3 \$24,679,000, to be allocated as follows:

4 (A) For operating expenses, \$24,629,000.

5 (B) For capital equipment, \$50,000.

6 (6) For worker and community transition,
7 \$120,000,000.

8 (7) For fissile material control and disposition,
9 \$50,000,000.

10 (c) NAVAL REACTORS.—Subject to subsection (d),
11 funds are hereby authorized to be appropriated to the De-
12 partment of Energy for fiscal year 1995 for naval reactors
13 in carrying out nuclear materials support and other de-
14 fense programs necessary for national security programs
15 in the amount of \$730,651,000, to be allocated as follows:

16 (1) For naval reactors development,
17 \$698,651,000, to be allocated as follows:

18 (A) For operating expenses:

19 (i) For plant development,
20 \$146,700,000.

21 (ii) For reactor development,
22 \$348,951,000.

23 (iii) For reactor operation and evalua-
24 tion, \$136,000,000.

1 (iv) For program direction,
2 \$18,800,000.

3 (B) For capital equipment, \$28,200,000.

4 (C) For plant projects (including maintenance, restoration, planning, construction, acquisition, modification of facilities, and the continuation of projects authorized in prior years, and land acquisition related thereto),
5 \$20,000,000, to be allocated as follows:

10 Project GPN-101, general plant
11 projects, various locations, \$6,200,000.

12 Project 95-D-200, laboratory systems
13 and hot cell upgrades, various locations,
14 \$2,400,000.

15 Project 95-D-201, advanced test re-
16 actor radioactive waste system upgrades,
17 Idaho National Engineering Laboratory,
18 Idaho, \$700,000.

19 Project 93-D-200, engineering serv-
20 ices facilities, Knolls Atomic Power Lab-
21 oratory, Niskayuna, New York,
22 \$7,900,000.

23 Project 92-D-200, laboratories facili-
24 ties upgrades, various locations,
25 \$2,800,000.

1 (2) For enrichment materials, for operating ex-
2 penses, \$32,000,000.

3 (d) ADJUSTMENTS.—Subject to section 3105, the
4 total amount that may be appropriated pursuant to this
5 section is the sum of the amounts authorized to be appro-
6 priated in subsections (a), (b), and (c) reduced by the sum
7 of —

8 (1) \$40,000,000, for recovery of overpayment to
9 the Savannah River Pension Fund;

10 (2) \$6,500,000, for savings resulting from pro-
11 curement reform; and

12 (3) \$369,700,000, for transfer and use of prior
13 year balances for materials support and other de-
14 fense programs.

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

16 Funds are hereby authorized to be appropriated to
17 the Department of Energy for fiscal year 1995 for pay-
18 ment to the Nuclear Waste Fund established in section
19 302(c) of the Nuclear Waste Policy Act of 1982 (42
20 U.S.C. 10222(c)) in the amount of \$129,430,000.

21 **SEC. 3105. GENERAL REDUCTION IN AUTHORIZATION OF**
22 **APPROPRIATIONS.**

23 The total amount authorized to be appropriated pur-
24 suant to sections 3101, 3102, 3103, and 3104 is the sum
25 of the amounts authorized to be appropriated in such sec-

1 tions reduced by \$220,000,000 for use of prior year bal-
2 ances from fiscal year 1994.

3 **Subtitle B—Recurring General** 4 **Provisions**

5 **SEC. 3121. REPROGRAMMING.**

6 (a) NOTICE TO CONGRESS.—(1) Except as otherwise
7 provided in this title—

8 (A) no amount appropriated pursuant to this
9 title may be used for any program in excess of the
10 lesser of—

11 (i) 105 percent of the amount authorized
12 for that program by this title; or

13 (ii) \$10,000,000 more than the amount
14 authorized for that program by this title; and

15 (B) no amount appropriated pursuant to this
16 title may be used for any program which has not
17 been presented to, or requested of, the Congress.

18 (2) An action described in paragraph (1) may not be
19 taken until—

20 (A) the Secretary of Energy has submitted to
21 the congressional defense committees a report con-
22 taining a full and complete statement of the action
23 proposed to be taken and the facts and cir-
24 cumstances relied upon in support of the proposed
25 action; and

1 (B) a period of 30 days has elapsed after the
2 date on which the report is received by the commit-
3 tees.

4 (3) In the computation of the 30-day period under
5 paragraph (2), there shall be excluded any day on which
6 either House of Congress is not in session because of an
7 adjournment of more than 3 calendar days to a day cer-
8 tain.

9 (b) LIMITATION ON AMOUNT OBLIGATED.—In no
10 event may the total amount of funds obligated pursuant
11 to this title exceed the total amount authorized to be ap-
12 propriated by this title.

13 **SEC. 3122. LIMITS ON GENERAL PLANT PROJECTS.**

14 (a) IN GENERAL.—The Secretary of Energy may
15 carry out any construction project under the general plant
16 projects authorized by this title if the total estimated cost
17 of the construction project does not exceed \$2,000,000.

18 (b) REPORT TO CONGRESS.—If, at any time during
19 the construction of any general plant project authorized
20 by this title, the estimated cost of the project is revised
21 because of unforeseen cost variations and the revised cost
22 of the project exceeds \$2,000,000, the Secretary shall im-
23 mediately furnish a complete report to the congressional
24 defense committees explaining the reasons for the cost
25 variation.

1 **SEC. 3123. LIMITS ON CONSTRUCTION PROJECTS.**

2 (a) IN GENERAL.—(1) Except as provided in para-
3 graph (2), construction on a construction project may not
4 be started or additional obligations incurred in connection
5 with the project above the total estimated cost, whenever
6 the current estimated cost of the construction project,
7 which is authorized by section 3101, 3102, or 3103, or
8 which is in support of national security programs of the
9 Department of Energy and was authorized by any pre-
10 vious Act, exceeds by more than 25 percent the higher
11 of—

12 (A) the amount authorized for the project; or

13 (B) the amount of the total estimated cost for
14 the project as shown in the most recent budget jus-
15 tification data submitted to the Congress.

16 (2) An action described in paragraph (1) may be
17 taken if—

18 (A) the Secretary of Energy has submitted to
19 the congressional defense committees a report on the
20 action and the circumstances making such action
21 necessary; and

22 (B) a period of 30 days has elapsed after the
23 date on which the report is received by the commit-
24 tees.

25 (3) In the computation of the 30-day period under
26 paragraph (2), there shall be excluded any day on which

1 either House of Congress is not in session because of an
2 adjournment of more than 3 calendar days to a day cer-
3 tain.

4 (b) EXCEPTION.—Subsection (a) shall not apply to
5 any construction project which has a current estimated
6 cost of less than \$5,000,000.

7 **SEC. 3124. FUNDS TRANSFER AUTHORITY.**

8 The Secretary of Energy may transfer funds appro-
9 priated pursuant to this title to other agencies of the Fed-
10 eral Government for the performance of the work for
11 which the funds were appropriated, and funds so trans-
12 ferred may be merged with the appropriations of the agen-
13 cy to which the funds are transferred.

14 **SEC. 3125. AUTHORITY FOR CONSTRUCTION DESIGN.**

15 (a) IN GENERAL.—(1) Within the amounts author-
16 ized by this title, the Secretary of Energy may carry out
17 advance planning and construction design (including ar-
18 chitectural and engineering services) in connection with
19 any proposed construction project if the total estimated
20 cost for such planning and design does not exceed
21 \$3,000,000.

22 (2) In the case of any project in which the total esti-
23 mated cost for advance planning and design exceeds
24 \$600,000, the Secretary shall notify the congressional de-
25 fense committees in writing of the details of such project

1 at least 30 days before any funds are obligated for design
2 services for such project.

3 (b) SPECIFIC AUTHORITY REQUIRED.—In any case
4 in which the total estimated cost for advance planning and
5 construction design in connection with any construction
6 project exceeds \$3,000,000, funds for such planning and
7 design must be specifically authorized by law.

8 **SEC. 3126. REQUIREMENT FOR COMPLETION OF CONCEPTUAL DESIGN TO PRECEDE REQUEST FOR**
9 **CONSTRUCTION FUNDS.**
10

11 (a) REQUIREMENT.—Before submitting to Congress
12 a request for funds for a construction project that is in
13 support of a national security program of the Department
14 of Energy, the Secretary of Energy shall complete a con-
15 ceptual design for that project.

16 (b) EXCEPTIONS.—The requirement in subsection (a)
17 does not apply to requests for funds—

18 (1) for the costs of preparing a conceptual de-
19 sign for a construction project referred to in that
20 subsection; or

21 (2) for emergency planning, design, and con-
22 struction activities under section 3127.

1 **SEC. 3127. AUTHORITY FOR EMERGENCY PLANNING, DE-**
2 **SIGN, AND CONSTRUCTION ACTIVITIES.**

3 (a) **AUTHORITY.**—The Secretary of Energy may use
4 any funds available to the Department of Energy under
5 sections 3101, 3102, and 3103, including those funds au-
6 thorized to be appropriated for advance planning and con-
7 struction design, to perform planning, design, and con-
8 struction activities for any Department of Energy national
9 security program construction project that, as determined
10 by the Secretary, must proceed expeditiously in order to
11 protect public health and safety, meet the needs of na-
12 tional defense, or protect property.

13 (b) **LIMITATION.**—The Secretary may not exercise
14 the authority under subsection (a) in the case of any con-
15 struction project until the Secretary has submitted to the
16 congressional defense committees a report on the activities
17 that the Secretary intends to carry out under this section
18 and the circumstances making such activities necessary.

19 (c) **SPECIFIC AUTHORITY.**—The requirement of sec-
20 tion 3125(b) does not apply to emergency planning, de-
21 sign, and construction activities conducted under this sec-
22 tion.

23 (d) **REPORT.**—The Secretary of Energy shall prompt-
24 ly report to the congressional defense committees any ex-
25 ercise of authority under this section.

1 **SEC. 3128. FUNDS AVAILABLE FOR ALL NATIONAL SECUR-**
2 **RITY PROGRAMS OF THE DEPARTMENT OF**
3 **ENERGY.**

4 Subject to the provisions of appropriation Acts and
5 section 3121, amounts appropriated pursuant to this title
6 that are made available for management and support ac-
7 tivities and for general plant projects are available for use,
8 when necessary, in connection with all national security
9 programs of the Department of Energy.

10 **SEC. 3129. AVAILABILITY OF FUNDS.**

11 When so specified in an appropriation Act, amounts
12 appropriated for operating expenses, plant projects, and
13 capital equipment may remain available until expended.

14 **Subtitle C—Program Authoriza-**
15 **tions, Restrictions, and Limita-**
16 **tions**

17 **SEC. 3131. STOCKPILE STEWARDSHIP RECRUITMENT AND**
18 **TRAINING PROGRAM.**

19 (a) CONDUCT OF PROGRAM.—(1) As part of the
20 stockpile stewardship program established pursuant to
21 section 3138 of the National Defense Authorization Act
22 for Fiscal Year 1994 (Public Law 103–160; 107 Stat.
23 1946; 42 U.S.C. 2121 note), the Secretary of Energy shall
24 conduct a stockpile stewardship recruitment and training
25 program at the Sandia National Laboratories, the Law-

1 rence Livermore National Laboratory, and the Los Ala-
2 mos National Laboratory.

3 (2) The recruitment and training program shall be
4 conducted in coordination with the Chairman of the Joint
5 Nuclear Weapons Council established by section 179 of
6 title 10, United States Code, and the directors of the lab-
7 oratories referred to in paragraph (1).

8 (b) SUPPORT OF DUAL-USE PROGRAMS.—(1) As
9 part of the recruitment and training program, the direc-
10 tors of the laboratories referred to in subsection (a)(1)
11 may employ undergraduate students, graduate students,
12 and postdoctoral fellows to carry out research sponsored
13 by such laboratories for military or nonmilitary dual-use
14 programs related to nuclear weapons stockpile steward-
15 ship.

16 (2) Of the amounts authorized to be appropriated to
17 the Secretary of Energy pursuant to section 3101(a)(1)
18 for weapons activities for core research and development
19 and allocated by the Secretary for education initiatives,
20 \$4,000,000 shall be available for carrying out paragraph
21 (1). The amount available under this paragraph shall be
22 allocated equally among the laboratories referred to in
23 subsection (a)(1).

24 (c) ESTABLISHMENT OF RETIREE CORPS.—As part
25 of the training and recruitment program, the Secretary,

1 in coordination with the directors of the laboratories re-
2 ferred to in subsection (a)(1), shall establish for the lab-
3 oratories a retiree corps of retired scientists who have ex-
4 pertise in research and development of nuclear weapons.
5 The directors may employ the retired scientists on a part-
6 time basis to provide appropriate assistance on nuclear
7 weapons issues, to contribute relevant information to be
8 archived, and to help to provide training to other sci-
9 entists.

10 (d) REPORT.—(1) Not later than February 1, 1995,
11 the Secretary of Energy shall submit to the congressional
12 defense committees a report on the demographic trends
13 of the personnel of the laboratories referred to in sub-
14 section (a)(1) and on actions taken by the Department
15 of Energy to remedy identified deficiencies in various skill
16 areas.

17 (2) The report shall be prepared in coordination with
18 the Chairman of the Joint Nuclear Weapons Council and
19 the directors of the laboratories. Information included in
20 the report shall be aggregated and compiled into statistical
21 categories.

22 (3) The report shall include the following:

23 (A) An inventory of the weapons-related tasks
24 that the laboratories need to perform to support
25 their nuclear weapons responsibilities.

1 (B) An inventory of the skills necessary to com-
2 plete the weapons-related tasks referred to in sub-
3 paragraph (A).

4 (C) For each laboratory, the number of sci-
5 entists needed in each skill area to perform such
6 tasks.

7 (D) The number of the scientists providing
8 services in each skill area at each laboratory, stated
9 by age.

10 (E) An assessment of which skill areas are
11 understaffed.

12 (F) The number of scientists entering the weap-
13 ons program at each laboratory, and their skill
14 areas.

15 (G) The number of full-time equivalent person-
16 nel with weapon skills, their distribution by skill
17 and, for each such skill, their distribution by age.

18 (H) The number of scientists retiring from the
19 weapons program in the 5- year period ending on
20 the date of the report and the skill areas in which
21 they worked in the year preceding their retirement.

22 (I) Based on the information contained in sub-
23 paragraphs (A) through (H), a projection of the
24 skills areas that will become understaffed in the five
25 years following the date of the report.

1 (J) Alternative actions that may be taken to re-
2 tain and recruit scientists for the weapons programs
3 at the laboratories in order to preserve a sufficient
4 skill base and to fulfill stockpile stewardship respon-
5 sibilities.

6 (K) Any plans of the Secretary to take any of
7 the alternative actions referred to in subparagraph
8 (J).

9 **SEC. 3132. DEFENSE INERTIAL CONFINEMENT FUSION PRO-**
10 **GRAM.**

11 Of the funds authorized to be appropriated by this
12 title to the Department of Energy for fiscal year 1995,
13 \$176,473,000 shall be available for the defense inertial
14 confinement fusion program.

15 **SEC. 3133. PAYMENT OF PENALTIES.**

16 The Secretary of Energy may pay to the Hazardous
17 Substance Superfund established under section 9507 of
18 the Internal Revenue Code of 1986 (26 U.S.C. 9507),
19 from funds appropriated to the Department of Energy for
20 environmental restoration and waste management activi-
21 ties pursuant to section 3102, stipulated civil penalties as-
22 sessed under the Comprehensive Environmental Response,
23 Compensation and Liability Act of 1980 (42 U.S.C. 9601
24 et seq.) in amounts as follows:

1 (1) \$50,000, assessed against the Fernald En-
2 vironmental Management Project, Ohio, under such
3 Act.

4 (2) \$50,000, assessed against the Portsmouth
5 Gaseous Diffusion Plant, Ohio, under such Act.

6 **SEC. 3134. WATER MANAGEMENT PROGRAMS.**

7 From funds authorized to be appropriated pursuant
8 to section 3102 to the Department of Energy for environ-
9 mental restoration and waste management activities, the
10 Secretary of Energy may reimburse the cities of West-
11 minster, Broomfield, Thornton, and Northglenn, in the
12 State of Colorado, \$11,415,000 for the cost of implement-
13 ing water management programs. Reimbursements for the
14 water management programs shall not be considered a
15 major Federal action for purposes of section 102(2) of the
16 National Environmental Policy Act of 1969 (42 U.S.C.
17 4332(2)).

18 **SEC. 3135. LIMITATION ON USE OF FUNDS FOR SPECIAL AC-**
19 **CESS PROGRAMS.**

20 Not more than 20 percent of the funds appropriated
21 or otherwise made available to the Department of Energy
22 for fiscal year 1995 pursuant to this title that are avail-
23 able for limited access programs and special access pro-
24 gram may be obligated for a limited access program or
25 special access program until the Secretary of Energy sub-

1 mits to the congressional defense committees the annual
2 reports required to be submitted in that fiscal year under
3 subsections (a) and (b) of section 93 of the Atomic Energy
4 Act of 1954 (42 U.S.C. 2122a).

5 **SEC. 3136. PROTECTION OF NUCLEAR WEAPONS FACILI-**
6 **TIES WORKERS.**

7 Of the funds authorized to be appropriated by section
8 310(2) for environmental restoration and waste manage-
9 ment activities, \$11,000,000 shall be available to carry out
10 activities authorized under section 3131 of the National
11 Defense Authorization Act for Fiscal Years 1992 and
12 1993 (Public Law 102-190; 105 Stat. 1571; 42 U.S.C.
13 7274d), relating to worker protection at nuclear weapons
14 facilities.

15 **SEC. 3137. NATIONAL SECURITY PROGRAMS.**

16 Notwithstanding any other provision of law, not more
17 than 90 percent of the funds appropriated to the Depart-
18 ment of Energy for national security programs under this
19 title may be obligated for such programs until the Sec-
20 retary of Energy submits to the congressional defense
21 committees the five-year budget plan with respect to fiscal
22 year 1995 required under section 3144 of the National
23 Defense Authorization Act for Fiscal Years 1990 and
24 1991 (Public Law 101-189; 103 Stat. 1681; 42 U.S.C.
25 7271b).

1 **SEC. 3138. SCHOLARSHIP AND FELLOWSHIP PROGRAM FOR**
2 **ENVIRONMENTAL RESTORATION AND WASTE**
3 **MANAGEMENT.**

4 Of the funds authorized to be appropriated to the De-
5 partment of Energy for fiscal year 1995 for environmental
6 restoration and waste management, \$1,000,000 shall be
7 available for the Scholarship and Fellowship Program for
8 Environmental Restoration and Waste Management car-
9 ried out under section 3123 of the National Defense Au-
10 thorization Act for Fiscal Years 1992 and 1993 (Public
11 Law 102-190; 105 Stat. 1572; 42 U.S.C. 7274e).

12 **SEC. 3139. HAZARDOUS MATERIALS MANAGEMENT AND**
13 **HAZARDOUS MATERIALS EMERGENCY RE-**
14 **SPONSE TRAINING PROGRAM.**

15 Of the funds authorized to be appropriated to the De-
16 partment of Energy for fiscal year 1995 under section
17 3102(d), not more than \$14,000,000 shall be available to
18 carry out a hazardous materials management and hazard-
19 ous materials emergency response training program at
20 Hanford Nuclear Reservation, Richland, Washington.

21 **SEC. 3140. PROGRAMS FOR PERSONS WHO MAY HAVE BEEN**
22 **EXPOSED TO RADIATION RELEASED FROM**
23 **HANFORD NUCLEAR RESERVATION.**

24 (a) FUNDING.—Of the funds authorized to be appro-
25 priated to the Department of Energy under section 3101
26 for fiscal year 1995, \$3,295,591 shall be available for ac-

1 tivities relating to the Hanford Health Information Net-
2 work established pursuant to the authority set forth in
3 section 3138 of the National Defense Authorization Act
4 for Fiscal Year 1991 (Public Law 101-510; 104 Stat.
5 1834).

6 (b) LIMITATION ON RELEASE OF CERTAIN PER-
7 SONAL INFORMATION.—(1) Information referred to in
8 paragraph (2) that is collected from an individual pursu-
9 ant to operation of the Hanford Health Information Net-
10 work shall be used only by the Network unless the individ-
11 ual, or a designated legal representative of the individual,
12 authorizes in writing the use of the information for an-
13 other purpose.

14 (2) Paragraph (1) applies to the following informa-
15 tion:

16 (A) The name, address, telephone number, and
17 medical information and records of each individual
18 requesting assistance and information from the Net-
19 work.

20 (B) Such other information or categories of in-
21 formation as the chief officers of the health depart-
22 ments of the States of Washington, Oregon, and
23 Idaho jointly designate as information covered by
24 this subsection.

1 **SEC. 3141. SOLAR ENERGY ACTIVITIES AT NEVADA TEST**
2 **SITE, NEVADA.**

3 Of the funds authorized to be appropriated to the De-
4 partment of Energy under section 3101, \$10,000,000
5 shall be available for development of solar energy at the
6 Nevada Test Site, Nevada.

7 **Subtitle D—Other Matters**

8 **SEC. 3151. ACCOUNTING PROCEDURES FOR DEPARTMENT**
9 **OF ENERGY FUNDS.**

10 (a) IN GENERAL.—The Secretary of Energy shall
11 prescribe procedures to account for the use of funds for
12 the performance of the programs and activities of the De-
13 partment of Energy for which funds are appropriated for
14 national security programs of the Department of Energy.
15 The procedures shall provide for such accounting for fiscal
16 years beginning after fiscal year 1996.

17 (b) COVERED MATTERS.—The Secretary shall pre-
18 scribe procedures under subsection (a)—

19 (1) to account for the funds appropriated to the
20 Department for national security programs and ac-
21 tivities of the Department that are not used for the
22 purpose for which such funds were appropriated;
23 and

24 (2) to provide an accounting for all encumbered
25 funds, unencumbered funds, unobligated funds,

1 costed funds, and uncosted obligations of the De-
2 partment in that fiscal year.

3 **SEC. 3152. APPROVAL FOR CERTAIN NUCLEAR WEAPONS**
4 **ACTIVITIES.**

5 (a) APPROVAL BY JOINT NUCLEAR WEAPONS COUN-
6 CIL.—Subsection (d) of section 179 of title 10, United
7 States Code, is amended—

8 (1) by redesignating paragraphs (8) and (9) as
9 paragraphs (9) and (10), respectively; and

10 (2) by inserting after paragraph (7) the follow-
11 ing new paragraph (8):

12 “(8) Coordinating and approving activities initi-
13 ated or conducted by the Department of Energy for
14 the study, development, and production of nuclear
15 warheads, including concept definition studies, fea-
16 sibility studies, engineering development, hardware
17 component fabrication, warhead production, and
18 warhead retirement.”.

19 (b) TECHNICAL AMENDMENTS.—Subsections (a)(3)
20 and (b) of such section are amended by striking out “ap-
21 pointed” each place it appears and inserting in lieu thereof
22 “designated”.

1 **SEC. 3153. STUDY OF FEASIBILITY OF CONDUCTING CER-**
2 **TAIN ACTIVITIES AT THE NEVADA TEST SITE,**
3 **NEVADA.**

4 Not later than April 1, 1995, the Secretary of Energy
5 shall submit to Congress a report on the feasibility of con-
6 ducting the following activities at the Nevada Test Site,
7 Nevada:

8 (1) The demilitarization of large rocket motors,
9 high energetic explosives and conventional ordnance.

10 (2) Disarmament and demilitarization of con-
11 ventional weapons and components, generally.

12 (3) The conduct of experiments that assist in
13 monitoring compliance with international agreements
14 on the nonproliferation of nuclear weapons.

15 (4) The conduct of programs for the Depart-
16 ment of Energy and the Department of Defense to
17 develop simulator technologies for nuclear weapons
18 design and effects, including advanced hydrodynamic
19 simulators, fusion test facilities, and nuclear weap-
20 ons effects simulators (such as the Decade and Jupi-
21 ter simulators).

22 (5) The conduct of the stockpile stewardship
23 program established pursuant to section 3138 of the
24 National Defense Authorization Act for Fiscal Year
25 1994 (42 U.S.C. 2121 note).

1 (6) Experiments related to the nonproliferation
2 of nuclear weapons, including experiments with re-
3 spect to disablement of such weapons, nuclear
4 forensics, sensors, and verification and monitoring.

5 **SEC. 3154. TRITIUM PRODUCTION.**

6 (a) ASSUMPTION OF RESPONSIBILITY FOR PRODUC-
7 TION.—Notwithstanding any other provision of law, the
8 Defense Nuclear Agency shall, effective October 1, 1995,
9 undertake responsibility for the production of tritium to
10 meet the tritium requirements of the United States after
11 2008.

12 (b) BUDGETARY MATTERS.—(1) The Secretary of
13 Defense shall identify in the defense budget documents
14 submitted to Congress for fiscal year 1996 the amount
15 that the Secretary proposes to make available to the De-
16 fense Nuclear Agency for that fiscal year in order to fund
17 the activities of the agency undertaken pursuant to sub-
18 section (a).

19 (2) The amount included in the budget documents
20 shall be the amount that the Secretary determines nec-
21 essary to ensure that the Defense Nuclear Agency has suf-
22 ficient resources—

23 (A) to identify and study tritium production
24 technologies necessary to meet the tritium require-
25 ments of the United States after 2008;

1 (B) to meet any requirement under Federal law
2 for the preparation of assessments of the affects of
3 the utilization of technologies identified under sub-
4 paragraph (A) on the environment; and

5 (C) to select a tritium production technology to
6 meet the requirements referred to in that subpara-
7 graph.

8 (c) DEFENSE BUDGET DOCUMENTS DEFINED.—For
9 purposes of this section, the defense budget documents for
10 fiscal year 1996 are the documents relating to the budget
11 for the Department of Defense for such fiscal year that
12 the Secretary of Defense submits to Congress in support
13 of the budget for fiscal year 1996 that the President sub-
14 mits to Congress pursuant to section 1105(a) of title 31,
15 United States Code.

16 **SEC. 3155. OFFICE OF FISSILE MATERIALS DISPOSITION.**

17 (a) ESTABLISHMENT.—Title II of the Department of
18 Energy Organization Act (42 U.S.C. 7131 et seq.) is
19 amended by adding at the end the following:

20 “OFFICE OF FISSILE MATERIALS DISPOSITION

21 “SEC. 212. (a) There shall be within the Department
22 an Office of Fissile Materials Disposition.

23 “(b) The Secretary shall designate the head of the
24 Office. The head of the Office shall report to the Under
25 Secretary.

1 “(c) The head of the Office shall be responsible for
2 all activities of the Department relating to the manage-
3 ment, storage, and disposition of fissile materials from
4 weapons and weapons systems that are excess to the na-
5 tional security needs of the United States.”.

6 (b) CONFORMING AMENDMENT.—The table of con-
7 tents in the first section of such Act is amended by insert-
8 ing after the item relating to section 210 the following
9 new items:

“Sec. 211. Office of Minority Economic Impact.

“Sec. 212. Office of Fissile Materials Disposition.”.

10 **SEC. 3156. EXTENSION OF AUTHORITY TO LOAN PERSON-**
11 **NEL AND FACILITIES AT IDAHO NATIONAL**
12 **ENGINEERING LABORATORY.**

13 Section 1434 of the National Defense Authorization
14 Act, Fiscal Year 1989 (Public Law 100–456; 102 Stat.
15 2074), as amended by section 3136 of the National De-
16 fense Authorization Act for Fiscal Year 1993 (Public Law
17 102–484; 106 Stat. 2641), is further amended—

18 (1) in the third sentence of subsection (a)(3),
19 by striking out “fiscal years 1993 and 1994” and in-
20 serting in lieu thereof “fiscal years 1993, 1994,
21 1995, 1996, and 1997”; and

22 (2) in subsection (c), by striking out “Septem-
23 ber 30, 1994, with respect to the Idaho National
24 Engineering Laboratory” and inserting in lieu there-

1 of “September 30, 1997, with respect to the Idaho
2 National Engineering Laboratory”.

3 **SEC. 3157. ELIMINATION OF REQUIREMENT FOR FIVE-YEAR**
4 **PLAN FOR DEFENSE NUCLEAR FACILITIES.**

5 Subsection (a) section 3135 of the National Defense
6 Authorization Act for Fiscal Years 1992 and 1993 (Public
7 Law 102–190; 105 Stat. 1575; 42 U.S.C. 7274g(a)) is
8 amended—

9 (1) in paragraph (1)—

10 (A) by striking out “(A) defense nuclear
11 facilities and (B) all other facilities owned or
12 operated by the Department of Energy” in the
13 first sentence and inserting in lieu thereof “all
14 facilities owned or operated by the Department
15 of Energy except defense nuclear facilities”;
16 and

17 (B) by inserting “such” in the third sen-
18 tence after “restoration at all”;

19 (2) in paragraph (4), by striking out “The plan
20 shall contain the following matter:” and inserting in
21 lieu thereof “The plan shall include, with respect to
22 the Department of Energy facilities required by
23 paragraph (1) to be covered by the plan, the follow-
24 ing matters:”;

25 (3) by striking out paragraph (6); and

1 (4) by redesignating paragraph (7) as para-
2 graph (6).

3 **SEC. 3158. INCREASE IN NUMBER OF POSITIONS FOR ENVI-
4 RONMENTAL RESTORATION AND WASTE MAN-
5 AGEMENT PERSONNEL EXCEPTED FROM
6 CIVIL SERVICE LAWS.**

7 Subsection (d) of section 621 of the Department of
8 Energy Organization Act (42 U.S.C. 7231) is amended
9 to read as follows:

10 “(d)(1) In addition to the number of positions which
11 may be placed above GS-15 under section 5108 of title
12 5, United States Code, under existing law, or under this
13 Act, and to the extent the Secretary considers necessary
14 to the discharge of the Secretary’s functions, the Secretary
15 may appoint personnel as follows:

16 “(A) Not more than 350 scientific, engineering,
17 professional, and administrative personnel who shall
18 perform environmental restoration and waste man-
19 agement functions and safety-related functions at
20 defense nuclear facilities.

21 “(B) Not more than 200 scientific, engineering,
22 professional, and administrative personnel who shall
23 perform such other functions as the Secretary shall
24 designate.

25 “(2) The Secretary may—

1 “(A) appoint personnel under paragraph (1)
2 without regard to the civil service laws; and

3 “(B) fix the compensation of such personnel not
4 in excess of the maximum rate payable for positions
5 the rate of basic pay for which is fixed under section
6 5376 of title 5, United States Code.”.

7 **TITLE XXXII—DEFENSE NU-**
8 **CLEAR FACILITIES SAFETY**
9 **BOARD AUTHORIZATION**

10 **SEC. 3201. AUTHORIZATION.**

11 There are authorized to be appropriated for fiscal
12 year 1995, \$17,933,000 for the operation of the Defense
13 Nuclear Facilities Safety Board under chapter 21 of the
14 Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

S 2210 PCS—2

S 2210 PCS—3

S 2210 PCS—4

S 2210 PCS—5

Calendar No. 480

103^D CONGRESS
2^D SESSION

S. 2210

A BILL

To authorize appropriations for fiscal year 1995 for defense activities of the Department of Energy, and for other purposes.

JUNE 20 (legislative day, JUNE 7), 1994

Read twice and placed on the calendar