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109TH CONGRESS }  
2d Session }

SENATE

{ REPORT  
109-274

ENERGY AND WATER APPROPRIATIONS BILL, 2007

JUNE 29, 2006.—Ordered to be printed

Mr. DOMENICI, from the Committee on Appropriations,  
submitted the following

REPORT

[To accompany H.R. 5427]

The Committee on Appropriations, to which was referred the bill (H.R. 5427) making appropriations for energy and water development for the fiscal year ending September 30, 2007, and for other purposes, reports the same to the Senate with an amendment, and an amendment to the title, and recommends that the bill as amended do pass.

*Amount in new budget (obligational) authority, fiscal year 2007*

Total of bill as reported to the Senate .....	\$31,238,000,000
Amount of 2006 appropriations .....	<sup>1</sup> 37,299,714,000
Amount of 2007 budget estimate .....	29,980,227,000
Amount of House allowance .....	30,526,000,000
Bill as recommended to Senate compared to—	
2006 appropriations .....	– 6,061,714,000
2007 budget estimate .....	+ 1,257,773,000
House allowance .....	+ 712,000,000

<sup>1</sup> Includes Emergency Appropriations of \$6,600,473,000.

## FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

Appropriations, 2006 .....	\$138,600,000
Budget estimate, 2007 .....	130,000,000
House allowance .....	130,000,000
Committee recommendation .....	140,000,000

The Committee recommends an appropriation of \$140,000,000 to continue activities related to the Formerly Utilized Sites Remedial Action Program [FUSRAP] in fiscal year 2005.

The responsibility for the cleanup of contaminated sites under the Formerly Utilized Sites Remedial Action Program was transferred to the Army Corps of Engineers in the fiscal year 1998 Energy and Water Development Appropriations Act, Public Law 105-62.

FUSRAP is not specifically defined by statute. The program was established in 1974 under the broad authority of the Atomic Energy Act and, until fiscal year 1998, funds for the cleanup of contaminated defense sites had been appropriated to the Department of Energy through existing appropriation accounts. In appropriating FUSRAP funds to the Corps of Engineers, the Committee intended to transfer only the responsibility for administration and execution of cleanup activities at eligible sites where remediation had not been completed. It did not intend to transfer ownership of and accountability for real property interests that remain with the Department of Energy.

The Corps of Engineers has extensive experience in the cleanup of hazardous, toxic, and radioactive wastes through its work for the Department of Defense and other Federal agencies. The Committee always intended for the Corps' expertise be used in the same manner for the cleanup of contaminated sites under FUSRAP. The Committee expects the Corps to continue programming and budgeting for FUSRAP as part of the Corps of Engineers—Civil program.

The Committee directs the Corps of Engineers during fiscal year 2007 to complete expeditiously its Site Ownership and Operational History review and continue its Remedial Investigation/Feasibility Study toward the goal of initiating any necessary remediation of the former Sylvania nuclear fuel site at Hicksville, New York, in accordance with CERCLA.

The Committee directs the Corps to continue ongoing cleanup efforts at the Former Linde Air Products, Tonawanda, New York, consistent with current CERCLA cleanup standards.

## GENERAL EXPENSES

Appropriations, 2006 .....	<sup>1</sup> \$152,460,000
Budget estimate, 2007 .....	164,000,000
House allowance .....	142,100,000
Committee recommendation .....	164,000,000

<sup>1</sup>Excludes emergency appropriations of \$1,600,000.

This appropriation finances the expenses of the Office, Chief of Engineers, the Division Offices, and certain research and statistical functions of the Corps of Engineers. The Committee recommendation is \$165,000,000. The Committee understands that the cost of the required financial audit of the Corps of Engineers may exceed \$20,000,000 for fiscal year 2006. Therefore, the Committee encour-