

**House Report 107-681 - ENERGY AND WATER DEVELOPMENT
APPROPRIATIONS BILL, 2003**

**ADDITIONAL VIEWS OF THE HONORABLE DAVID R.
OBEY**

As the fiscal year ends and we begin to look at the priorities we have addressed, those that we have failed to address and those that we are most likely to do anything about for the foreseeable future, we can only conclude that we are in a remarkable situation. Last year there was barely a week that went by that we were not passing yet another tax break. For the most part those tax breaks were tightly focused on a very small group of people who had already enjoyed a spectacular decade even after they paid their taxes. We were told time and time again that we could afford all of these tax cuts and still expect huge back to back surpluses in the years to come.

Now we have deficits and we are told that we can't respond to emergencies even when the lives of thousands, perhaps millions, of Americans may well be on the line.

This bill is a perfect example, In the Supplemental Appropriations Act that we passed in July we included \$235 million for securing nuclear weapons and nuclear materials in facilities operated by the U.S. Department of Energy that the President had not requested. We did it in response to an urgent request from Secretary Abraham and we did it on a broad bi-partisan basis. We did it because of the widespread concern among security experts about the prospect of terrorists getting the materials needed to construct a dirty bomb.

Secretary Abraham said this in a March 2002 letter to OMB:

* * * we are storing vast amounts of materials that remain highly volatile and subject to unthinkable consequences if placed in the wrong hands. These materials permeate the Departmental complex including sites under the programmatic jurisdiction of the National Nuclear Security Administration, the Office of Environmental Management, and the Office of Science * * * Although the initial supplemental and funds appropriated by Congress helped respond to the most urgent near-term security needs, the Department is now unable to meet the next round of critical security mission requirements * * * Failure to support these urgent security requirements is a risk that would be unwise.

The Secretary identified \$380 million of immediate and critical security requirements in his letter, to ensure adequate security of: nuclear weapons, materials, and facilities; environmental management (former nuclear weapons) sites; and the Department's world-class science laboratories.

These included enhanced security for the transportation of nuclear weapons. Many are not aware that our most powerful nuclear warheads are frequently being transported over our nation's Interstate Highways. The man in charge, the Secretary of Energy, says that the security arrangements with respect to those shipments are not adequate. Mitch Daniels, with the great concentration of expertise that he has assembled at OMB, says that the security is fine. The committee staff, on a bipartisan basis looked at this problem and concluded, without any question, that the Secretary was right. We put \$18 million in the Supplemental Act--the full amount the Secretary said was needed.

The Secretary also felt it was necessary to greatly enhance the physical security at nuclear weapons facilities. This is where we store thousands of actual nuclear weapons, thousands of weapons components, and large amounts of plutonium and other materials needed for the construction of a nuclear weapon. Again Mitch Daniels applied his vast expertise in these matters and concluded there was no problem. We reviewed the information and added \$90 million over the budget for enhanced security.

The Secretary also felt that we had a big problem with respect to the Department's former weapons facilities and science laboratories, where we have yet to clear up low level radioactive materials that could be useful in the construction of dirty bombs. There are two choices. One is build more secure, permanent security at these facilities. The other is to clean them up and send all of this material to a centralized and secure facility that has already been designated and is available for such shipments. The Secretary recommended the latter and we gave him \$94 million to go forward--again, over Mitch Daniel's objection. The Department also needs these funds to fully implement and sustain the heightened security posture of these sites that the Secretary mandated in response to the terrorist attacks.

The Appropriations Committees are not the only ones who are dismayed by the remarkable insensitivity of this White House to the need to keep these materials out of the hands of terrorists. The Chief Financial Officer of the Department of Energy who was appointed by President Bush last May wrote in exasperation to several senior-level operatives at OMB to state:

We are disconcerted that OMB refused our security supplemental request. I would have much preferred to have heard this from you personally, and been given an opportunity to discuss, not to mention, appeal your decision.

The \$235 million that we put in the Supplemental to deal with these problems was part of the \$5.1 billion that the President is now refusing to spend. It ought to be put right back in this bill, along with the \$108 million needed to protect our dams and other public facilities operated by the U.S. Army Corps of Engineers.

Denying the agencies funded in this bill the money required to insure that terrorists do not gain control of the most deadly weapons in the history of the world is mindless. This money is not provided within the regular allocation and the House majority leadership has made it clear that they will not allow the committee to provide these funds as an emergency. I think the leadership owes the full House the opportunity to make those choices. I will oppose any rule that does not allow the House to vote on this question and I challenge the Speaker to explain why he would prevent Members from the opportunity of voting on a matter of such grave importance to their constituents.

DAVE OBEY.

