



Department of Energy

Washington, DC 20585

March 14, 2022

MEMORANDUM FOR DISTRIBUTION

FROM: WILLIAM I. WHITE 
SENIOR ADVISOR FOR ENVIRONMENTAL MANAGEMENT

SUBJECT: Guidance on the Dissemination of Budget Information to
External Stakeholders for the Office of Environmental
Management's Fiscal Year 2024 Budget Request

The purpose of this memorandum is to transmit guidance for the formal, routine, and structured involvement of the public, including but not limited to federal and state regulators, Tribal Governments, local government officials, community groups, and Environmental Management (EM) Site-Specific Advisory Board (SSAB) members (herein collectively referred to as "stakeholders") in the EM budget request process. This year's guidance has been updated to clarify critical elements of the budget process and confirm restrictions on embargoed content that cannot be shared with stakeholders considering constraints posed by Office of Budget and Management (OMB) Circular A-11.

Prior to release (which would include the sharing of any non-public records outside of the Department), all stakeholder briefing materials concerning the three-year budget window require review and concurrence from the Department of Energy (DOE) Headquarters (HQ) and OMB. As such, sites need to factor this requirement into their schedules to allow adequate time for both internal and external reviews. At a minimum, sites should build a two-week review period that proceeds planned stakeholder briefings. Budget briefings that will be delivered to federal and state regulators, Tribal Governments, state elected officials, and/or community groups will be shared with EM's Office of External Affairs (EM-5.31). For meetings scheduled with the EM SSABs, briefing materials will be shared with the Office of Intergovernmental and Stakeholder Programs (EM-4.32) and the Office of External Affairs (EM-5.31). The EM Office of Budget and Planning (EM-5.11) will coordinate OMB review and concurrence upon receipt of budget briefing materials from the requisite EM-HQ office.

It is recognized that each site has unique cleanup commitments that inform how the recommendations of this guidance will be fulfilled. Sites are expected to involve stakeholders in the budget planning process in a manner that is consistent with the requirements of their cleanup commitments. This guidance does not supersede those provisions. For National Priority List sites, stakeholder briefing materials should reference the joint priorities developed in consultation with the Environmental Protection Agency (EPA) and the applicable state as specified by their Federal Facility Agreements (FFAs). If existing requirements meet the intent of this guidance, no additional actions are necessary. If significant departures from this guidance are anticipated, sites should

reach out to EM-5.11 at the earliest feasible time to facilitate planning, coordination, and concurrences. EM will re-evaluate this guidance and amend as appropriate on an annual basis.

Additional Guidance for Engaging Local Government Officials on Fiscal Year (FY) 2024 Budget

Officials from the affected units of local government at each site should be engaged at the early stages of the budget development process to create a budget that meets cleanup needs. Local governments for each EM site may be found in Appendix A.

Field sites should brief local governments during the following budget stages: (i) following the release of budget requests, (ii) following the receipt of an appropriation, and (iii) during the budget development process. Note that DOE budget presentations given to SSABs or local Citizen Advisory Boards do not substitute for direct engagement with local governments.

To strengthen local government engagement for the FY 2024 budget and beyond, the following activities are recommended:

- Field sites should meet annually in spring/early summer with local governments to discuss budget and priorities planning. This timeframe would allow DOE to (i) provide an update on how the current FY budget is being spent, (ii) discuss the outlook for the FY beginning in October, and (iii) gain local government insight that may potentially influence DOE's request to OMB for the following FY.
- Field sites should provide read-ahead materials including priority projects that would be funded each FY. Materials could also include information on longer-term projects that are still several years away, but that remain relevant for local governments.
- Field sites, where applicable, should include budget process discussion in monthly meetings between site managers and city managers. Alternatively, field sites could host a monthly meeting about budget and priorities planning with local governments.

The Budget Planning Process – Site Priorities

The budget planning process covers a three-year window and includes activities for the budget Formulation Year (FY 2024) and two prior FYs (FY 2023 and FY 2022). Sites should begin their FY 2024 budget planning discussions with stakeholders at the start of the calendar year (no later than March). Initial stakeholder discussions should focus on FY 2024 with the goal of developing/updating a site-specific list of priority activities irrespective of funding levels. To confirm, **all stakeholder discussions should be confined to prioritized activities. Sites must refrain from referencing funding levels associated with those activities in discussions with stakeholders.**

Table 1 below summarizes permissible discussion items and materials embargoed from

stakeholder meetings.

Table 1: Permissible and Embargoed Materials for Stakeholder Briefings

Permissible Discussion Items	Embargoed Materials
<ol style="list-style-type: none"> 1. FY 2024 priority activities & regulatory compliance milestones 2. For NPL sites, joint priorities developed with EPA & site regulators per FFAs 3. FY 2021 enacted funding levels (Analytical Building Block (ABB) level) per the Energy and Water Development Consolidated Appropriations Act (2021) 4. FY 2022 funding levels as printed in the FY 2022 Congressional Budget justification 5. Work scope tied to existing contracts 6. Risk reduction estimates tied to priority activities 7. Sequence of cleanup activities to achieve planned end-state 8. Schedules for current regulatory compliance milestones and near- and longer-term plans to meet them 9. Life-cycle cleanup profiles (absent funding estimates) 10. FY 2021 carryover amounts and actual versus planned performance metrics (within 30 days of actual appropriations) 	<ol style="list-style-type: none"> 1. Comprehensive life-cycle profiles (inclusive of funding estimates) 2. 10-year alternative investments 3. Five-year investment profiles 4. FY 2024 target funding levels 5. FY 2023 funding level (until release of Congressional Justifications – anticipated spring of 2022) 6. Actual funding targets, previous targets, and over target levels 7. Sites’ budget requests to DOE HQ 8. Specific tradeoffs made during the budget build

In advance of stakeholder briefings, sites should update, as necessary, their **life-cycle profiles** (cost, scope, and schedule) using reasonable out-year funding projections while remaining consistent with existing programmatic priorities, agreements, and regulations. Life-cycle profiles provide context for developing sites’ FY 2024 budget during the budget formulation process. Activities prioritized in the FY 2024 budget request should be consistent with the site’s longer-range goals and objectives as outlined in these profiles.

Concurrent with confirming FY 2024 cleanup priorities, sites should work with stakeholders (during the month of February) to discuss plans for achieving near- and longer-term milestones and end-state objectives in light of their updated life-cycle profiles. As noted in Table 1, **all stakeholder discussions should be confined to life-cycle cleanup profiles (e.g. end states and planning activities). Sites are not permitted to share funding levels** associated with the activities that comprise life-cycle projections.

Guidance for Engaging on FY (FY) 2022 (Formulation Year Minus 2FYs)

The Federal Government is currently operating under a continuing resolution through March 11, 2022, while appropriators continue negotiations and subsequent floor action on a FY 2022 spending bill. Pending the passage of a FY 2022 enacted appropriation, field sites are limited to discussing FY 2022 priorities as justified in the FY 2022 Congressional justification. Field sites cannot discuss previous target or over target levels or discuss specific tradeoffs or other decisions made during the budget build. This information is EMBARGOED indefinitely, per OMB Circular A-11, as it is internal and deliberative. Discussion of these details violates the Administration's privilege for private budget deliberations.

Within 30 days of receipt of an FY 2022 enacted appropriation (including amounts received under a continuing resolution), field sites should begin scheduling briefings with stakeholders on potential site impacts. Appropriations briefings should include a synopsis of the previous year's performance (FY 2021) and include information such as carryover amounts and actual versus planned performance metrics. As noted above, planned stakeholder briefings that cover the FY 2022 appropriation require review and concurrence from DOE-HQ and OMB prior to release. Accordingly, sites should build a two-week review period that proceeds planned stakeholder briefings into their schedules.

Guidance for Discussing FY 2023 (Formulation Year Minus 1FY)

In a normal year, preparation for Congressional budget hearings begins in February. Currently, the FY 2023 Congressional Budget justification will likely be delayed until the spring of 2022, while Congressional leaders continue to deliberate on FY 2022 floor actions. Given OMB rules on embargoed budget information (OMB Circular A-11), any discussions with stakeholders on FY 2023, must be limited to planning levels at the site level, using the FY 2021 enacted level or the FY 2022 Congressional Justification as the reference point. **In other words, no FY 2023 funding levels are permitted to be officially released prior to clearance of the FY 2023 Congressional**

Justifications. If the FY 2023 Budget-in-Brief is released prior to the detailed FY 2023 Congressional Justification, sites may utilize the Top Line funding levels communicated within the Budget-in-Brief document only (pending release of the detailed budget justifications). Once the FY 2023 Congressional Justification is officially released, sites may begin using it as a reference point in stakeholder discussions (for FY 2024).

Upon release of the FY 2023 Congressional Justification, initial communication regarding budget roll out will be overseen by EM-HQ. After the FY 2023 rollout, field sites can openly discuss the President's request, including metrics and milestones, consistent with approved talking points and budget language. Sites can discuss ABB level details for items in the request level, including work scope and priorities.

With that said, sites **cannot** discuss previous target or over target levels or discuss specific tradeoffs or other decisions made during the budget build. This information is

EMBARGOED indefinitely, per OMB Circular A-11, as it is internal and deliberative. Discussion of these details violates the Administration's privilege for private budget deliberations.

Within 30 days after the submission of the President's budget request to Congress, field sites should provide a briefing to their stakeholders outlining planned accomplishments at the President's request level for FY 2023, as well as an assessment of impacts related to activities that will not be performed. **Sites should coordinate all** planned external communications with the Office of External Affairs (EM-5.31). For meetings scheduled with the EM SSABs, stakeholder briefings should be shared with the Office of Intergovernmental and Stakeholder Programs (EM-4.32) and the Office of External Affairs (EM-5.31) for DOE-HQ concurrence. EM-5.11 will coordinate OMB concurrence upon receipt of budget briefings from the requisite EM-HQ office.

Guidance for Engaging on FY 2024 Budget (Formulation Year)

While EM has made great progress integrating planning and budget activities, constraints posed by OMB Circular A-11 mean comprehensive lifecycle profiles (inclusive of funding levels), 10-year alternative investment scenarios, and five-year investment profiles are embargoed from public release.

For stakeholder discussions on FY 2024 and out-years, sites should focus on planning activities at the site level – using the FY 2021 enacted level as the appropriate reference, pending release of the FY 2023 Congressional Justification to Congress. No FY 2023 funding levels should be released prior to clearance of the FY 2023 Congressional Justifications (Spring 2022). Once the FY 2023 Congressional Justification is officially released, sites may use it as a reference for planning purposes. Noting the delay, **sites should engage with their stakeholders now and not wait for transmittal of formal EM FY 2024 budget guidance to initiate these discussions.**

For internal EM use (i.e. development of Integrated Priority Lists (IPL)), sites should use the final out-year planning profile provided to you with the FY 2024 budget guidance (planned for issuance in Spring 2022).

Upon issuance of official EM budget/planning guidance, field sites should:

- Formally provide stakeholders with information on budget formulation such as EM's annual budget guidance. Due to OMB's embargo policy, **FY 2024 target funding levels, including Program Direction targets, cannot be provided to anyone outside of site Federal personnel.**
- Schedule a briefing with the stakeholders to discuss **planned accomplishments** for the FY 2024 work scope, cleanup priorities, schedules/ milestones, and compliance projections at approved site baseline levels.
- As noted above, all stakeholder briefings require review and concurrence from DOE-HQ and OMB prior to release. In advance of stakeholder meetings, coordinate briefing materials with EM-5.31. For briefings

scheduled with the EM SSAB, coordinate briefing materials with EM-4.32. EM-5.11 will coordinate OMB concurrence upon receipt of budget briefings from the requisite EM-HQ office.

- Create an opportunity for their stakeholders to provide input on the sites' prioritized activities for FY 2024 by establishing an agreed-upon timeframe to allow for stakeholder involvement in the proposed budget submission.
- Advise stakeholders that multiple profiles may be created to achieve the best scope of work; however, only one "Official Profile" will be submitted which prioritizes each IPL element to reflect an optimal/balanced budget request.
- Submit the stakeholders' recommendations along with sites' own recommended course of action to headquarters with the submittal of the IPL. These recommendations should be sent by email to the respective Site Liaison and to EM-5.31. Recommendations from the EM SSAB should be shared with EM-4.32 and EM-5.11.
- Provide the stakeholders with a copy of the site's recommendation without reference to target funding levels.

To be clear, **all stakeholder discussions should be confined to prioritized activities, not to funding levels** associated with those activities.

NOTE: The sites' budget requests to DOE headquarters become EMBARGOED to anyone outside of EM Federal employees. The sites' requests, recommendations, and changes remain EMBARGOED indefinitely. Sites can discuss FY 2023 funding levels only after EM delivers that budget to Congress next year.

If you have questions, please contact Mr. Steve Trischman, Director, Office of Budget and Planning, at (301) 903-7478, or Ms. Joceline Nahigian, Director, Office of Intergovernmental and Stakeholder Programs, at (202) 586-9642, or Mr. Stephen Clutter, Director, Office of External Affairs, at (808) 391-9654.

Attachment

Distribution

Reinhard Knerr, Manager, Carlsbad Field Office
Jack Zimmerman, Director, Environmental Management Consolidated Business Center
Joshua Mengers, Acting Director, Energy Technology Engineering Center
Connie M. Flohr, Manager, Idaho Cleanup Project
Michael A. Mikolanis, Manager for Environmental Management, Los Alamos Field Office
Russell J. McCallister, Director, Moab Federal Project Office
Robert F. Boehlecke, Program Manager for Environmental Management, Nevada
Hugh Davis, Acting Manager, New York Project Support Office
Laura O. Wilkerson, Acting Manager, Oak Ridge Office of Environmental Management
Brian T. Vance, Manager, Office of River Protection
Joel Bradburne, Manager, Portsmouth/Paducah Project Office
Brian T. Vance, Manager, Richland Operations Office
Michael D. Budney, Manager, Savannah River Operations Office
Bryan Bower, Director, West Valley Demonstration Project Office

cc: Laurie Bevins, CBFO
J.R. Stroble, CBFO
David Arvin, EMCBC
Kathy Hall, EMCBC
Schyler Walker, ID
Selena Fox, EMLA
Sheryl Pineda, EMLA
Alan Stokes, OR
Tammy Blaine, OR
Gregory Jones, RL/ORP
Shelley Haynie-Sparks, PPPO
Mark Coronado, RL
Bruce Martin, SR
Zach Todd, SR
Todd Shrader, EM-2
Michael Nartker, EM-2.1 COS
Allison Finelli, EM-2.1 DCOS
Nicole Nelson-Jean, EM-3
John Jones, EM-3
John Mullis, EM-4 (Acting)
Dae Chung, EM-5
Gregory Sosson, EM-3.1
Kurt Gerdes, EM-3.2
Rob Crosby, EM-3.3
Elizabeth Forinash, EM-4.1
Douglas Tonkay, EM-4.2 (Acting)
Kristen Ellis, EM-4.3 (Acting)
Mary Kruger, EM-5.1

Angela Watmore, EM-5.2 (Acting)
Erik Olds, EM-5.3 (Acting)
Joceline Nahigian, EM-4.32
Steve Trischman, EM-5.11
Stephen Clutter, EM-5.31
Mohammad Banaei, EM-5.111
Robin Osik, EM-5.111
Connie Walter, EM-5.111

Appendix A: Affected Units of Local Government around DOE-EM sites

EM Site	Local Governments
Brookhaven National Laboratory	Town of Brookhaven, NY Suffolk County, NY
EMCBC-New York	Town of Niskayuna, NY Schenectady County, NY
Energy Technology Engineering Center Santa Susana	City of Simi Valley, CA City of Chatsworth, CA City of West Hills, CA City of Woodland Hills, CA Ventura County, CA
Hanford Office of River Protection	City of Richland, WA City of Kennewick, WA City of Pasco, WA City of West Richland, WA Benton County, WA Franklin County, WA Port of Benton, WA
Hanford Richland Operations Office	City of Richland, WA City of Kennewick, WA City of Pasco, WA City of West Richland, WA Benton County, WA Franklin County, WA Port of Benton, WA
Idaho	City of Idaho Falls, ID City of Terretton, ID City of Arco, ID City of Blackfoot, ID Jefferson County, ID Bonneville County, ID Clark County, ID Butte County, ID
Lawrence Livermore National Laboratory	City of Livermore, CA Alameda County, CA
Los Alamos National Laboratory	City of Santa Fe, NM City of Española, NM Santa Fe County, NM Rio Arriba County, NM Los Alamos County, NM
Moab	City of Moab, UT Grand County, UT
Nevada National Security Site	Clark County, NV Nye County, NV Esmerelda County, NV Lincoln County, NV City of Caliente, NV
Oak Ridge	City of Oak Ridge, TN Anderson County, TN Roane County, TN
Paducah	City of Paducah, KY

EM Site	Local Governments
	McCracken County, KY
Portsmouth	Scioto Township, OH Seal Township, OH Village of Piketon, OH Jackson County, OH Pike County, OH Ross County, OH Scioto County, OH
Sandia National Laboratories Site	City of Albuquerque, NM (Headquarters) Bernalillo County, NM (Headquarters) City of Livermore, CA (Second principal laboratory)
Savannah River Site	Aiken County, SC City of Aiken, SC City of Barnwell, SC Barnwell County, SC Allendale County, SC City of North Augusta, SC Columbia County, GA Richmond County, GA
Waste Isolation Pilot Plant	City of Carlsbad, NM Eddy County, NM Lea County, NM (?)
West Valley Demonstration Project	Town of Ashford, NY Cattaraugus County, NY