

RAS 10520

RELATED CORRESPONDENCE



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT AGENCY
HEADQUARTERS, UNITED STATES ARMY GARRISON, ROCK ISLAND ARSENAL
1 ROCK ISLAND ARSENAL
ROCK ISLAND, ILLINOIS 61299-5000

REPLY TO
ATTENTION OF:

September 14, 2005

DOCKETED
USNRC

Office of the Garrison Manager

September 27, 2005 (4:09pm)

Dr. Tom McLaughlin
Materials Decommissioning Branch
Division of Waste Management and Environmental Protection
Office of Nuclear Materials Safety and Safeguards
Two White Flint North, 11545 Rockville Pike
Rockville, MD 20852-2738

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

Docket No. 40-8838-MLA-2

Dear Dr. McLaughlin:

As requested in the meeting held September 8, 2005, and in furtherance of the information provided in my letter to you of May 25, 2005, it is the intention of the Department of the Army to seek and secure all funding necessary to complete the actions contemplated in its current application for an alternative schedule to support the restricted decommissioning of the Jefferson Proving Ground (License SUB-1435).

The statement contained in my May 25, 2005 letter that the contemplated actions were subject to funding is to be understood as a reminder that the provisions of the Anti-Deficiency Act (31 USC §1341 et seq.) are applicable. The Anti-Deficiency Act prohibits a federal officer or employee from entering into a contract or agreement which obligates the United States Government to pay funds not yet appropriated. The actions contemplated under the current application extend over some five years. Congressional appropriations for the latter years have not yet been made. For this reason, my May 25, 2005 letter contained the caveat language.

While such language is necessary to comply with statute, it should not be construed as an indication that the Army will not use its best efforts to secure the necessary appropriated funds.

If you have any questions, please contact either Mr. Paul Cloud, US Army Research, Development and Engineering Command (REDECOM), at (410) 436-2381, E-mail address paul.d.cloud@us.army.mil or Mr. John J. Welling, Chief Counsel, US Army Garrison-Rock Island Arsenal, at (309) 782-8433, E-mail address wellingj@ria.army.mil.

Sincerely,

Alan G. Wilson
Garrison Manager

cc:

Paul Cloud

Joyce Kuykendall

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