

President Bush Takes Issue with UXO Response Plan in Defense Spending Bill

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President Bush signed the Defense spending bill authorizing over \$530 billion in spending for FY07 but not with several caveats. One of those caveats included the objection to the Section 313 requiring a response plan for the remediation of UXO, discarded military munitions (DMM), and munitions constituents (MC). In a two-page response, the White House documented the administration's disagreements and reservations with Section 313 and about a dozen other provisions that lawmakers put in the bill. In the response letter, President Bush reminded lawmakers of his constitutional authority to withhold information from disclosure, which "could impair the security of the nation". His response was undoubtedly provoked by terrorist and homeland security concerns as other provisions objected to include topics on North Korea and nuclear weapons, and Section 1402 requiring the Department of Defense (DoD) to submit quarterly reports on their response to IED threats.

There has been a great deal of uncertainty in DoD since 9-11 in how to balance the need for tighter national security and the need to share information with the public and stakeholders regarding UXO. Often times the Government will over react as in the case when the U.S. Army Corps of Engineers (USACE) restricted access to the Formerly Used Defense Sites (FUDS) Project Information Retrieval System (PIRS) website several years ago. PIRS was an informational website that contained links to documents such as Archive Search Reports (ASRs) and other reports for FUDS containing UXO. It's unclear at this point what the impact of the President's decision will be to the schedule or budget of the on-going Military Munitions Response Program (MMRP). A significant amount of UXO related information is already in the public domain including documents on-line and at open record sources such as the National Archives. It's no secret that millions of acres are contaminated with UXO including thousands of acres outside of control of DoD. Removing the requirement for a remediation plan for MMRP, in our opinion, will only set back the already long and expensive UXO clean up process.

It was good to see that the other UXO related requirements we reported to in September UXO E-Newsletter including the underwater munitions disposal site program requirements (Section 314) were not get rejected by the President. It seems as though the President does not believe there is a threat of terrorists obtaining munitions including chemical warfare materiel (CWM) filled munitions from the numerous underwater munitions dumpsites.

Download Sections 313, 314, and 1402 of the FY07 Defense Spending Bill from UXOInfo.com.

[Section 313](#) Response plan for remediation of unexploded ordnance, discarded military munitions, and munitions constituents.

[Section 314](#) Research on Effects of Ocean Disposal of Munitions.

[Section 1402](#) Quarterly reports on Department of Defense response to threat posed by improvised

explosive devices.