

105TH CONGRESS  
1ST SESSION

# H. R. 1295

To establish a Commission to make recommendations for the reconfiguration, corporatization, privatization, and consolidation of Department of Energy National Energy Laboratories, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 1997

Mr. KLUG (for himself, Mr. MINGE, Mr. TIAHRT, Mr. PETERSON of Minnesota, Mr. SOLOMON, Mr. LOBIONDO, Mr. FOLEY, and Mr. RAMSTAD) introduced the following bill; which was referred to the Committee on Science, and in addition to the Committees on National Security, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a Commission to make recommendations for the reconfiguration, corporatization, privatization, and consolidation of Department of Energy National Energy Laboratories, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Energy Lab-  
5 oratories Reorganization Commission Act of 1997”.

1 **SEC. 2. NATIONAL ENERGY LABORATORIES REORGANIZA-**  
2 **TION COMMISSION.**

3 (a) ESTABLISHMENT.—There is established an inde-  
4 pendent commission to be known as the “National Energy  
5 Laboratories Reorganization Commission”, for the pur-  
6 pose of reorganizing the Department of Energy National  
7 Energy Laboratories, and programs at those laboratories,  
8 through reconfiguration, corporatization, privatization,  
9 and consolidation, while preserving the traditional role the  
10 energy laboratories have contributed to the national de-  
11 fense.

12 (b) DUTIES.—The Commission shall carry out the  
13 duties specified for the Commission in this Act.

14 (c) APPOINTMENT.—

15 (1) IN GENERAL.—The Commission shall be  
16 composed of 7 members appointed by the President,  
17 by and with the advice and consent of the Senate.  
18 The President shall transmit to the Senate the  
19 nominations for appointment to the Commission not  
20 later than 1 month after the date of the enactment  
21 of this Act.

22 (2) CONSULTATION.—In selecting individuals  
23 for nominations for appointments to the Commis-  
24 sion, the President should consult with—

1 (A) the Speaker of the House of Rep-  
2 resentatives concerning the appointment of 2  
3 members; and

4 (B) the Majority Leader of the Senate con-  
5 cerning the appointment of 2 members.

6 (3) CHAIRPERSON.—At the time the President  
7 nominates individuals for appointment to the Com-  
8 mission, the President shall designate one such indi-  
9 vidual who shall serve as Chairperson of the Com-  
10 mission.

11 (d) TERMS.—The term of each member of the Com-  
12 mission shall expire on the termination of the Commission  
13 under subsection (l).

14 (e) MEETINGS.—Each meeting of the Commission,  
15 other than meetings in which classified information is to  
16 be discussed, shall be open to the public.

17 (f) VACANCIES.—A vacancy in the Commission shall  
18 be filled in the same manner as the original appointment.

19 (g) PAY AND TRAVEL EXPENSES.—

20 (1) BASIC PAY.—

21 (A) PAY OF MEMBERS.—Each member,  
22 other than the Chairperson, shall be paid at a  
23 rate equal to the daily equivalent of the mini-  
24 mum annual rate of basic pay payable for level  
25 IV of the Executive Schedule under section

1           5315 of title 5, United States Code, for each  
2           day (including travel time) during which the  
3           member is engaged in the actual performance of  
4           duties vested in the Commission.

5           (B) PAY OF CHAIRPERSON.—The Chair-  
6           person shall be paid for each day referred to in  
7           subparagraph (A) at a rate equal to the daily  
8           equivalent of the minimum annual rate of basic  
9           pay payable for level III of the Executive  
10          Schedule under section 5314 of title 5, United  
11          States Code.

12          (2) TRAVEL EXPENSES.—Members shall receive  
13          travel expenses, including per diem in lieu of subsist-  
14          ence, in accordance with sections 5702 and 5703 of  
15          title 5, United States Code.

16          (h) DIRECTOR.—

17               (1) IN GENERAL.—The Commission shall ap-  
18          point a Director who—

19                       (A) has not served as a civilian employee  
20                       of the Department of Energy during the 2-year  
21                       period preceding the date of such appointment;

22                       (B) has not been an employee of an energy  
23                       laboratory during the 5-year period preceding  
24                       the date of such appointment; and

1 (C) has not been an employee of a contrac-  
2 tor operating an energy laboratory during the  
3 5-year period preceding the date of such ap-  
4 pointment.

5 (2) PAY.—The Director shall be paid at the  
6 rate of basic pay payable for level IV of the Execu-  
7 tive Schedule under section 5315 of title 5, United  
8 States Code.

9 (i) STAFF.—

10 (1) APPOINTMENT BY DIRECTOR.—Subject to  
11 paragraphs (2) and (3), the Director, with the ap-  
12 proval of the Commission, may appoint and fix the  
13 pay of additional personnel.

14 (2) APPLICABILITY OF CERTAIN CIVIL SERVICE  
15 LAWS.—The Director may make such appointments  
16 without regard to the provisions of title 5, United  
17 States Code, governing appointments in the competi-  
18 tive service, and any personnel so appointed may be  
19 paid without regard to the provisions of chapter 51  
20 and subchapter III of chapter 53 of that title relat-  
21 ing to classification and General Schedule pay rates,  
22 except that an individual so appointed may not re-  
23 ceive pay in excess of the annual rate of basic pay  
24 payable for level IV of the Executive Schedule under  
25 section 5315 of title 5, United States Code.

1           (3) LIMITATIONS.—Not more than one-third of  
2 the personnel employed by or detailed to the Com-  
3 mission shall be individuals employed by the Depart-  
4 ment of Energy on the day before the date of the  
5 enactment of this Act. No employee of an energy  
6 laboratory, or of a contractor who operates an en-  
7 ergy laboratory, may be detailed to the Commission.

8           (4) SUPPORT FROM OTHER AGENCIES.—Upon  
9 request of the Director, the head of a Federal agen-  
10 cy may detail any of the personnel of that agency to  
11 the Commission to assist the Commission in carry-  
12 ing out its duties under this Act.

13           (5) SUPPORT FROM COMPTROLLER GENERAL.—  
14 The Comptroller General of the United States shall  
15 provide assistance, including the detailing of employ-  
16 ees, to the Commission in accordance with an agree-  
17 ment entered into with the Commission.

18           (j) OTHER AUTHORITY.—

19           (1) TEMPORARY AND INTERMITTENT SERV-  
20 ICES.—The Commission may procure by contract, to  
21 the extent funds are available, the temporary or  
22 intermittent services of experts or consultants pursu-  
23 ant to section 3109 of title 5, United States Code.

24           (2) AUTHORITY TO LEASE SPACE AND ACQUIRE  
25 CERTAIN PROPERTY.—The Commission may lease

1 space and acquire personal property to the extent  
2 funds are available. To the extent practicable, the  
3 Commission shall use suitable real property available  
4 under the most recent inventory of real property as-  
5 sets published by the Resolution Trust Corporation  
6 under section 21A(b)(11)(F) of the Federal Home  
7 Loan Bank Act (12 U.S.C. 1441a(b)(12)(F)).

8 (k) FUNDING.—There are authorized to be appro-  
9 priated to the Commission such funds as are necessary  
10 to carry out its duties under this Act. Such funds shall  
11 remain available until expended.

12 (l) TERMINATION.—The Commission shall terminate  
13 not later than 2 years after the date of the enactment of  
14 this Act.

15 **SEC. 3. PROCEDURE FOR MAKING RECOMMENDATIONS**  
16 **FOR LABORATORY REORGANIZATION.**

17 (a) SELECTION CRITERIA.—In making recommenda-  
18 tions for the reconfiguration, corporatization, privatiza-  
19 tion, and consolidation of energy laboratories and termi-  
20 nation of programs at such laboratories under this Act,  
21 the Commission shall—

22 (1) give strong consideration to the rec-  
23 ommendations for reorganization and corporatization  
24 expressed in the Galvin Report;

1           (2) eliminate duplication of effort by energy  
2 laboratories and reduce overhead costs as a propor-  
3 tion of program benefits distributed through an en-  
4 ergy laboratory;

5           (3) define appropriate missions for each energy  
6 laboratory, and ensure that the activities of each  
7 such laboratory are focused on its mission or mis-  
8 sions;

9           (4) seek to achieve cost savings for the overall  
10 budget for such laboratories;

11          (5) consider the program costs and program  
12 distributions on a State and county basis, including  
13 real and personal property costs associated with  
14 each energy laboratory considered;

15          (6) consider the number of participants in pro-  
16 grams conducted through an energy laboratory and  
17 staff resources involved;

18          (7) estimate the cost savings and increased  
19 costs that would accrue through the reconfiguration,  
20 corporatization, privatization, or consolidation of en-  
21 ergy laboratories;

22          (8) consider the potential of each energy labora-  
23 tory to generate revenues or to offset costs;

24          (9) consider the transfer of energy laboratories  
25 to other Federal agencies; and

1           (10) consider the privatization of the energy  
2           laboratories as an alternative to closure or reconfig-  
3           uration.

4           (b) EQUAL CONSIDERATION OF LABORATORIES.—In  
5           considering energy laboratories for reconfiguration,  
6           corporatization, privatization, and consolidation, the Com-  
7           mission shall consider all such laboratories equally without  
8           regard to whether a laboratory has been previously consid-  
9           ered or proposed for reconfiguration, corporatization, pri-  
10          vatization, or consolidation.

11          (c) AVAILABILITY OF INFORMATION.—The Secretary  
12          shall make available to the Commission all information re-  
13          quested by the Commission.

14          (d) INDEPENDENT AUDIT.—(1) Within 30 days after  
15          the date of the enactment of this Act, the Director of the  
16          Office of Management and Budget shall issue a request  
17          for proposals for the performance of an audit under para-  
18          graph (3).

19          (2) Within 60 days after the date of the enactment  
20          of this Act, proposals shall be due in response to the re-  
21          quest under paragraph (1).

22          (3) Within 90 days after the date of the enactment  
23          of this Act, the Director of the Office of Management and  
24          Budget shall enter into a contract with an independent  
25          financial consulting firm for an audit of the energy labora-

1 tories and their programs, facilities, and assets. Such  
2 audit shall assess the commercial potential of the energy  
3 laboratories and their programs and make recommenda-  
4 tions on how the Government could best realize such po-  
5 tential. The audit shall be completed and transmitted to  
6 the Commission and the congressional energy committees  
7 within 6 months after the contract is entered into under  
8 this subsection.

9 (e) REVIEW AND RECOMMENDATIONS BY THE COM-  
10 MISSION.—

11 (1) PUBLIC COMMENT.—The Commission shall  
12 provide an opportunity for public comment on the  
13 recommendations in the Galvin Report for a 30-day  
14 period.

15 (2) INITIAL REPORT.—Not later than 1 year  
16 after the date of the enactment of this Act, the  
17 Commission shall publish in the Federal Register an  
18 initial report containing the Commission’s findings  
19 and conclusions based on a review and analysis of—

20 (A) the recommendations made in the  
21 Galvin Report;

22 (B) the audit conducted pursuant to sub-  
23 section (d); and

24 (C) the comments received under para-  
25 graph (1),

1 together with the Commission's recommendations for  
2 reconfiguration, corporatization, privatization, and  
3 consolidation of energy laboratories. In conducting  
4 such review and analysis, the Commission shall con-  
5 sider all energy laboratories.

6 (3) DEVIATION FROM RECOMMENDATIONS.—In  
7 making its recommendations, the Commission may  
8 make changes in any of the recommendations made  
9 in the Galvin Report. The Commission shall explain  
10 and justify in the report any recommendation made  
11 by the Commission that is different from the rec-  
12 ommendations made in the Galvin Report.

13 (4) FINAL REPORT.—After providing a 30-day  
14 period for the public to comment following publica-  
15 tion of the initial report under paragraph (2), and  
16 after full consideration of such public comment, the  
17 Commission shall, within 15 months after the date  
18 of the enactment of this Act, transmit to the Sec-  
19 retary and the congressional energy committees a  
20 final report containing the recommendations of the  
21 Commission.

22 (5) PROVISION OF CERTAIN INFORMATION.—  
23 After transmitting the final report under paragraph  
24 (4), the Commission shall promptly provide, upon re-

1       quest, to any Member of Congress information used  
2       by the Commission in making its recommendations.

3 **SEC. 4. RECONFIGURATION, CORPORATIZATION, PRIVAT-**  
4                   **IZATION, AND CONSOLIDATION OF ENERGY**  
5                   **LABORATORIES.**

6       (a) IN GENERAL.—Subject to subsection (b), the Sec-  
7       retary shall—

8               (1) reconfigure, within 1 year after the date of  
9       the transmittal of the final report under section  
10       3(e)(4), all energy laboratories recommended for re-  
11       configuration by the Commission in such report;

12              (2) provide for and complete the  
13       corporatization, within 1 year after the date of the  
14       transmittal of the final report under section 3(e)(4),  
15       of all energy laboratories recommended for  
16       corporatization by the Commission in such report;

17              (3) provide for and complete the privatization,  
18       within 1 year after the date of the transmittal of the  
19       final report under section 3(e)(4), of all energy lab-  
20       oratories recommended for privatization by the Com-  
21       mission in such report; and

22              (4) provide for and complete the consolidation,  
23       within 1 year after the transmittal of the final re-  
24       port under section 3(e)(4), of all energy laboratories

1 recommended for consolidation by the Commission  
2 in such report.

3 (b) CONGRESSIONAL DISAPPROVAL.—

4 (1) IN GENERAL.—The Secretary may not carry  
5 out any reconfiguration, corporatization, privatiza-  
6 tion, or consolidation of an energy laboratory rec-  
7 ommended by the Commission in the report trans-  
8 mitted pursuant to section 3(e)(4) if a joint resolu-  
9 tion is enacted, in accordance with the provisions of  
10 section 8, disapproving the recommendations of the  
11 Commission before the earlier of—

12 (A) the end of the 45-day period beginning  
13 on the date on which the Commission transmits  
14 the report; or

15 (B) the adjournment of Congress sine die  
16 for the session during which the report is trans-  
17 mitted.

18 (2) LEGISLATIVE DAYS.—For purposes of para-  
19 graph (1) of this subsection and subsections (a) and  
20 (c) of section 8, the days on which either House of  
21 Congress is not in session because of an adjourn-  
22 ment of more than three days to a day certain shall  
23 be excluded in the computation of a period.

1 **SEC. 5. IMPLEMENTATION OF RECONFIGURATION,**  
2 **CORPORATIZATION, PRIVATIZATION, AND**  
3 **CONSOLIDATION ACTIONS.**

4 (a) **IMPLEMENTATION.**—In reconfiguring,  
5 corporatizing, privatizing, or consolidating an energy lab-  
6 oratory under this Act, the Secretary shall—

7 (1) take such actions as may be necessary to re-  
8 configure, corporatize, privatize, or consolidate the  
9 energy laboratory;

10 (2) take such steps as may be necessary to en-  
11 sure the safe keeping of all records stored at the en-  
12 ergy laboratory; and

13 (3) reimburse other Federal agencies for ac-  
14 tions performed at the request of the Secretary with  
15 respect to any such reconfiguration, corporatization,  
16 privatization, or consolidation, and may use for such  
17 purpose funds in the Account or funds appropriated  
18 to the Department of Energy and available for such  
19 purpose.

20 (b) **MANAGEMENT AND DISPOSAL OF PROPERTY.**—

21 (1) **IN GENERAL.**—The Administrator of Gen-  
22 eral Services shall delegate to the Secretary with re-  
23 spect to excess and surplus real property and facili-  
24 ties located at an energy laboratory reconfigured,  
25 corporatized, privatized, or consolidated under this  
26 Act—

1 (A) the authority of the Secretary to utilize  
2 excess property under section 202 of the Fed-  
3 eral Property and Administrative Services Act  
4 of 1949 (40 U.S.C. 483);

5 (B) the authority of the Secretary to dis-  
6 pose of surplus property under section 203 of  
7 that Act (40 U.S.C. 484);

8 (C) the authority of the Secretary to grant  
9 approvals and make determinations under sec-  
10 tion 13(g) of the Surplus Property Act of 1944  
11 (50 U.S.C. App. 1622(g)); and

12 (D) the authority of the Secretary to deter-  
13 mine the availability of excess or surplus real  
14 property for wildlife conservation purposes in  
15 accordance with the Act of May 19, 1948 (16  
16 U.S.C. 667b).

17 (2) EXERCISE OF AUTHORITY.—

18 (A) IN GENERAL.—Subject to subpara-  
19 graph (C), the Secretary shall exercise the au-  
20 thority delegated to the Secretary pursuant to  
21 paragraph (1) in accordance with—

22 (i) all regulations in effect on the date  
23 of the enactment of this Act governing the  
24 utilization of excess property and the dis-  
25 posal of surplus property under the Fed-

1           eral Property and Administrative Services  
2           Act of 1949; and

3                   (ii) all regulations in effect on the  
4           date of the enactment of this Act govern-  
5           ing the conveyance and disposal of prop-  
6           erty under section 13(g) of the Surplus  
7           Property Act of 1944 (50 U.S.C. App.  
8           1622(g)).

9                   (B) REGULATIONS.—The Secretary, after  
10          consulting with the Administrator of General  
11          Services, may issue regulations that are nec-  
12          essary to carry out the delegation of authority  
13          required by paragraph (1).

14                   (C) LIMITATION.—The authority required  
15          to be delegated by paragraph (1) to the Sec-  
16          retary by the Administrator of General Services  
17          shall not include the authority to prescribe gen-  
18          eral policies and methods for utilizing excess  
19          property and disposing of surplus property.

20                   (e) WAIVER.—The Secretary may reconfigure,  
21          corporatize, privatize, or consolidate energy laboratories  
22          under this Act without regard to any provision of law re-  
23          stricting the use of funds for reconfiguring, corporatizing,  
24          privatizing, or consolidating such energy laboratories in-  
25          cluded in any appropriations or authorization Act.

1 **SEC. 6. ACCOUNT.**

2 (a) **ESTABLISHMENT.**—There is hereby established  
3 on the books of the Treasury an account to be known as  
4 the “National Energy Laboratories Reorganization Ac-  
5 count” which shall be administered by the Secretary as  
6 a single account.

7 (b) **CONTENT OF ACCOUNT.**—There shall be depos-  
8 ited into the Account—

9 (1) funds authorized for and appropriated to  
10 the Account;

11 (2) any funds that the Secretary may, subject  
12 to approval in an appropriation Act, transfer to the  
13 Account from funds appropriated to the Department  
14 of Energy for any purpose, except that such funds  
15 may be transferred only after the date on which the  
16 Secretary transmits written notice of, and justifica-  
17 tion for, such transfer to the congressional energy  
18 committees; and

19 (3) proceeds received from the transfer or dis-  
20 posal of any property at an office reconfigured,  
21 corporatized, privatized, or consolidated under this  
22 Act.

23 (c) **USE OF FUNDS.**—The Secretary may use the  
24 funds in the Account only for the purposes described in  
25 section 5(a).

26 (d) **REPORTS.**—

1           (1) IN GENERAL.—Not later than 60 days after  
2 the end of each fiscal year in which the Secretary  
3 carries out activities under this Act, the Secretary  
4 shall transmit a report to the congressional energy  
5 committees of the amount and nature of the deposits  
6 into, and the expenditures from, the Account during  
7 such fiscal year and of the amount and nature of  
8 other expenditures made pursuant to section 5(a)  
9 during such fiscal year.

10           (2) UNOBLIGATED FUNDS.—Unobligated funds  
11 shall be held in the Account until transferred by law.

12 **SEC. 7. REPORTS ON IMPLEMENTATION.**

13           As part of the budget request for each fiscal year in  
14 which the Secretary is authorized to carry out activities  
15 under this Act, the Secretary shall transmit to the con-  
16 gressional energy committees—

17           (1) a schedule of the reconfiguration,  
18 corporatization, privatization, and consolidation ac-  
19 tions to be carried out under this Act in the fiscal  
20 year for which the request is made and an estimate  
21 of the total expenditures required and cost savings  
22 to be achieved by each such reconfiguration,  
23 corporatization, privatization, or consolidation and of  
24 the time period in which these savings are to be  
25 achieved in each case; and



1 shall be referred to the Committee on National Security  
2 and the Committee on Science of the House of Represent-  
3 atives. A resolution described in subsection (a) introduced  
4 in the Senate shall be referred to the Committee on Armed  
5 Services and the Committee on Energy and Natural Re-  
6 sources of the Senate.

7 (c) DISCHARGE.—If the committee to which a resolu-  
8 tion described in subsection (a) is referred has not re-  
9 ported such resolution (or an identical resolution) by the  
10 end of the 20-day period beginning on the date on which  
11 the Commission transmits the report to the Congress  
12 under section 3(e)(4), such committee shall be, at the end  
13 of such period, discharged from further consideration of  
14 such resolution, and such resolution shall be placed on the  
15 appropriate calendar of the House involved.

16 (d) CONSIDERATION.—

17 (1) IN GENERAL.—On or after the third day  
18 after the date on which the committee to which such  
19 a resolution is referred has reported, or has been  
20 discharged (under subsection (c)) from further con-  
21 sideration of, such a resolution, it is in order (even  
22 though a previous motion to the same effect has  
23 been disagreed to) for any Member of the respective  
24 House to move to proceed to the consideration of the  
25 resolution (but only on the day after the calendar

1 day on which such Member announces to the House  
2 concerned the Member's intention to do so). All  
3 points of order against the resolution (and against  
4 consideration of the resolution) are waived. The mo-  
5 tion is highly privileged in the House of Representa-  
6 tives and is privileged in the Senate and is not de-  
7 batable. The motion is not subject to amendment,  
8 or to a motion to postpone, or to a motion to pro-  
9 ceed to the consideration of other business. A motion  
10 to reconsider the vote by which the motion is agreed  
11 to or disagreed to shall not be in order. If a motion  
12 to proceed to the consideration of the resolution is  
13 agreed to, the respective House shall immediately  
14 proceed to consideration of the joint resolution with-  
15 out intervening motion, order, or other business, and  
16 the resolution shall remain the unfinished business  
17 of the respective House until disposed of.

18 (2) DEBATE.—Debate on the resolution, and on  
19 all debatable motions and appeals in connection  
20 therewith, shall be limited to not more than 2 hours,  
21 which shall be divided equally between those favoring  
22 and those opposing the resolution. An amendment to  
23 the resolution is not in order. A motion further to  
24 limit debate is in order and not debatable. A motion  
25 to postpone, or a motion to proceed to the consider-

1       ation of other business, or a motion to recommit the  
2       resolution is not in order. A motion to reconsider the  
3       vote by which the resolution is agreed to or dis-  
4       agreed to is not in order.

5               (3) QUORUM CALL.—Immediately following the  
6       conclusion of the debate on a resolution described in  
7       subsection (a) and a single quorum call at the con-  
8       clusion of the debate if requested in accordance with  
9       the rules of the appropriate House, the vote on final  
10      passage of the resolution shall occur.

11              (4) APPEALS FROM DECISION OF CHAIR.—Ap-  
12      peals from the decisions of the Chair relating to the  
13      application of the rules of the Senate or the House  
14      of Representatives, as the case may be, to the proce-  
15      dure relating to a resolution described in subsection  
16      (a) shall be decided without debate.

17              (e) CONSIDERATION BY OTHER HOUSE.—

18              (1) IN GENERAL.—If, before the passage by one  
19      House of a resolution of that House described in  
20      subsection (a), that House receives from the other  
21      House a resolution described in subsection (a), then  
22      the following procedures shall apply:

23              (A) The resolution of the other House shall  
24              not be referred to a committee and may not be  
25              considered in the House receiving it except in

1 the case of final passage as provided in sub-  
2 paragraph (B)(ii).

3 (B) With respect to a resolution described  
4 in paragraph (1) of the House receiving the res-  
5 olution—

6 (i) the procedure in that House shall  
7 be the same as if no resolution had been  
8 received from the other House; but

9 (ii) the vote on final passage shall be  
10 on the resolution of the other House.

11 (2) CONSIDERATION AFTER DISPOSITION BY  
12 OTHER HOUSE.—Upon disposition of the resolution  
13 received from the other House, it shall no longer be  
14 in order to consider the resolution that originated in  
15 the receiving House.

16 (f) RULES OF THE SENATE AND HOUSE.—This sec-  
17 tion is enacted by Congress—

18 (1) as an exercise of the rulemaking power of  
19 the Senate and House of Representatives, respec-  
20 tively, and as such it is deemed a part of the rules  
21 of each House, respectively, but applicable only with  
22 respect to the procedure to be followed in that  
23 House in the case of a resolution described in sub-  
24 section (a), and it supersedes other rules only to the  
25 extent that it is inconsistent with such rules; and

1           (2) with full recognition of the constitutional  
2 right of either House to change the rules (so far as  
3 relating to the procedure of that House) at any time,  
4 in the same manner, and to the same extent as in  
5 the case of any other rule of that House.

6 **SEC. 9. DEFINITIONS.**

7 For purposes of this Act:

8           (1) The term “Account” means the National  
9 Energy Laboratories Reorganization Account estab-  
10 lished in section 6(a).

11           (2) The term “Commission” means the Na-  
12 tional Energy Laboratories Reorganization Commis-  
13 sion.

14           (3) The term “congressional energy commit-  
15 tees” means the Committee on Armed Services of  
16 the Senate, the Committee on National Security of  
17 the House of Representatives, the Committee on  
18 Science of the House of Representatives, and the  
19 Committee on Energy and Natural Resources of the  
20 Senate.

21           (4) The term “corporatize” means to transfer  
22 functions to a wholly owned Government corporation  
23 established for the purpose of performing those  
24 functions.

1           (5) The term “energy laboratory” means the  
2           Lawrence Livermore National Laboratory, the Los  
3           Alamos National Laboratory, the Sandia National  
4           Laboratories, the Argonne National Laboratory, the  
5           Brookhaven National Laboratory, the Idaho Na-  
6           tional Engineering Laboratory, the Lawrence Berke-  
7           ley Laboratory, the Oak Ridge National Laboratory,  
8           the Pacific Northwest Laboratory, or the National  
9           Renewable Energy Laboratory.

10           (6) The term “Galvin Report” means the report  
11           of the Task Force on Alternative Futures for the  
12           Department of Energy National Laboratories (com-  
13           monly known as the Galvin Commission).

14           (7) The term “Secretary” means the Secretary  
15           of Energy.

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