104TH CONGRESS, 1st Session } HOUSE OF REPRESENTATIVES { REPORT 104–199

ENVIRONMENTAL RESEARCH, DEVELOPMENT AND DEMONSTRATION AUTHORIZATION ACT OF 1995

JULY 21, 1995—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WALKER, from the Committee on Science, submitted the following

REPORT

together with

THE TRANSCRIPT FROM THE LEGISLATIVE MARKUPS OF THE SUBCOMMITTEE ON ENERGY AND ENVIRONMENT AND THE COMMITTEE ON SCIENCE

and

DISSENTING VIEWS

[To accompany H.R. 1814]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science, to whom was referred the bill (H.R. 1814) to authorize appropriations for environmental research, development, and demonstration activities of the Environmental Protection Agency for fiscal year 1996, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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I. AMENDMENT

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Environmental Research, Development, and Demonstration Authorization Act of 1995".

SEC. 2. DEFINITIONS.

For the purposes of this Act, the term—

(1) "Administrator", means the Administrator of the Environmental Protection Agency;

(2) "Agency" means the Environmental Protection Agency; and

(3) "Assistant Administrator" means the Assistant Administrator for Research and Development of the Agency.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Administrator $490,000,000 for fiscal year 1996 for the Office of Research and Development for environmental research, development, and demonstration activities, including program management and support, in the areas specified in subsection (b), of which—

(1) $321,694,800 shall be for Research and Development; and

(2) $109,263,400 shall be for Program and Research Operations.

(b) SPECIFIC PROGRAMS AND ACTIVITIES.—Of the amount authorized in subsection (a), there are authorized to be appropriated the following:

(1) For air related research, $93,915,200, of which—

(A) $67,111,400 shall be for Research and Development; and

(B) $26,803,800 shall be for Program and Research Operations.

(2) For global change research, $2,385,700, of which—

(A) $2,125,400 shall be for Research and Development; and

(B) $260,300 shall be for Program and Research Operations.

(3) For water quality related research, $21,243,100, of which—
(A) $9,453,100 shall be for Research and Development; and
(B) $11,790,000 shall be for Program and Research Operations.
(4) For drinking water related research, $20,652,400, of which—
(A) $10,376,500 shall be for Research and Development; and
(B) $10,275,900 shall be for Program and Research Operations.
(5) For toxic chemical related research, $11,053,900, of which—
(A) $5,028,600 shall be for Research and Development; and
(B) $6,025,300 shall be for Program and Research Operations.
(6) For lab and field expenses, $73,031,600, all of which shall be for Research and Development.
(7) For headquarters expenses of the Office of Research and Development, $9,254,800, all of which shall be for Research and Development.
(8) For multimedia related research expenses, $158,656,800, of which—
(A) $122,142,900 shall be for Research and Development;
(B) $31,513,900 shall be for Program and Research Operations; and
(C) $5,000,000 shall be for graduate student fellowships.
(9) For program management expenses, $6,399,300, all of which shall be for Program and Research Operations.
(10) For pesticide related research, $13,345,200, of which—
(A) $7,192,800 shall be for Research and Development; and
(B) $6,152,400 shall be for Program and Research Operations.
(11) For oil pollution related research, $2,076,900.
(12) For research related to leaking underground storage tanks, $769,400.
(13) For research related to cleanup of contaminated sites, $56,195,500.
(14) For research related to hazardous waste $21,020,200, of which—
(A) $10,977,700 shall be for Research and Development; and
(B) $10,042,500 shall be for Program and Research Operations.

(c) LIMITATIONS.—(1) No funds are authorized to be appropriated by this Act for—
(A) the Environmental Technology Initiative;
(B) the Climate Change Action Plan; or
(C) indoor air pollution research.

(2) No funds are authorized to be appropriated for any fiscal year after fiscal year 1996 for carrying out the programs and activities for which funds are authorized by this Act, unless such funds are specifically authorized to be appropriated by Act of Congress with respect to such fiscal year.

(3) Notwithstanding any other provision of law, no funds are authorized to be appropriated for fiscal year 1996 for carrying out the programs and activities for which funds are authorized by this Act unless such sums are specifically authorized to be appropriated by this Act.

SEC. 4. SCIENTIFIC RESEARCH REVIEW.

(a) IN GENERAL.—The Administrator shall assign to the Assistant Administrator the duties of—
(1) developing a strategic plan for scientific and technical activities throughout the Agency;
(2) integrating that strategic plan into ongoing Agency planning activities; and
(3) reviewing all Agency research to ensure the research—
(A) is of high quality; and
(B) does not duplicate any other research being conducted by the Agency.

(b) REPORT.—The Assistant Administrator shall transmit annually to the Administrator and to the Committee on Science of the House of Representatives and the Committee on Environment and Public Works of the Senate a report detailing—
(1) all Agency research the Assistant Administrator finds is not of sufficiently high quality; and
(2) all Agency research the Assistant Administrator finds duplicates other Agency research.

SEC. 5. PROHIBITION OF LOBBYING ACTIVITIES.

None of the funds authorized by this Act shall be available for any activity whose purpose is to influence legislation pending before the Congress.

SEC. 6. ELIGIBILITY FOR AWARDS.

(a) IN GENERAL.—The Administrator shall exclude from consideration for awards of financial assistance made by the Office of Research and Development after fiscal year 1995 any person who received funds, other than those described in subsection (b), appropriated for a fiscal year after fiscal year 1995, from any Federal funding source for a project that was not subjected to a competitive, merit-based award proc-

ess. Any exclusion from consideration pursuant to this section shall be effective for a period of 5 years after the person receives such Federal funds.

(b) EXCEPTION.—Subsection (a) shall not apply to awards to persons who are members of a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

SEC. 7. GRADUATE STUDENT FELLOWSHIPS.

In carrying out the graduate student fellowship program for which funds are authorized to be appropriated by this Act, the Administrator shall ensure that any fellowship award to a student selected after the date of the enactment of this Act is used only to support research that would further missions of the Office of Research and Development in fields in which there exists or is projected to exist a shortage in the number of scientists.

II. PURPOSES OF THE BILL

The purposes of the bill are to:

(1) Authorize appropriations for fiscal year 1996 for environmental research, development and demonstration activities of the Environmental Protection Agency (EPA);

(2) Provide program direction of EPA's research program;

(3) Eliminate low priority Office of Research and Development (ORD) programs;

(4) Streamline ORD functions and reduce infrastructure costs; and

(5) Enhance the role of the Assistant Administrator for ORD.

III. BACKGROUND AND NEED FOR THE LEGISLATION

ORD is responsible for EPA's in-house and extramural research programs. ORD accounts for about 8.5 percent of the Administration's Fiscal Year 1996 request for EPA.

As shown in the following table, the EPA $7.4 billion request includes $629,376,600 for ORD. The Fiscal Year 1996 request for ORD represents and increase of $83,833,800—or 15.4 percent—over the fiscal year 1995 estimate of $545,542,800 over its Fiscal Year 1995 funding level.

EPA RESEARCH AND DEVELOPMENT PROGRAMS (ORD) BY MEDIA

[In millions of dollars]

	Fiscal year 1996 request	Change from fiscal year 1995
Air	$106.7	+$2.5
Water quality	21.2	−1.7
Drinking water	21.7	−0.5
Pesticides	13.6	−0.2
Toxics	15.5	−2.7
Hazardous waste	22.8	−3.9
Multimedia	357.2	+96.5
Superfund	59.8	−7.3
LUST	0.8	0.0
Oil spill	2.1	+0.3
Management and support	8.0	+0.8
Total	629.4	[1] +83.8

[1] 15.4 percent change.

Within the broad category of multimedia research, the Administration proposes to increase funding for the Environmental Technology Initiative (ETI) in ORD to $80,000,000. In 1994, EPA was designated the lead agency for the ETI, whose intent is to expand

the development and use of innovative environmental technology through Federal/State and private sector partnerships.

ORD operates 12 research laboratories and 4 assessment offices. These assets are currently being reorganized to fall under the management of three national laboratories (National Health and Environmental Effects Research Laboratory (NHEERL) in Triangle Park, NC; the National Exposure Research Laboratory (NERL) in Triangle Park, NC; and the National Risk Management Laboratory (NRML) in Cincinnati, OH) and two national centers in Washington, DC (National Center for Environmental Research Quality Assurance (NCERQA) and the National Center for Environmental Assessment (NCEA)). The reorganization will not lead to the closing of field laboratories or assessment offices, but is intended to improve the quality and quantity of the laboratories' work by moving research management out of EPA headquarters and into the new national laboratories and centers.

ORD is also expanding its use of extramural scientists by increasing dramatically its grants program to allow scientists outside ORD's laboratories to compete for $85,000,000 of environmental research grants funding. This funding represents an increase of $43,000,000 (over 50 percent) from Fiscal Year 1995. ORD has also requested doubling its graduate student fellowship program, increasing funding to $10,000,000. Collectively, these increases have been termed the Science To Achieve Results (STAR) program.

The Administration's proposed 15.4 percent funding increase for ORD does not increase funding for ORD's core missions. As a percentage of ORD's budget, spending on ETI and environmental fellowships is increased in the Administration's budget request while all other research declines.

The Administration's Fiscal Year 1996 request also increases the percentage of each individual research account dedicated to overhead or "infrastructure." For example, infrastructure spending accounts for 53 percent of the total toxic substances research appropriation for Fiscal Year 1995. In Fiscal Year 1996, the Administration recommends increasing that percentage to almost 65 percent. Similarly, infrastructure accounts for 49 percent of the dollars appropriated for drinking water research in Fiscal Year 1995. That percentage jumps to 52 percent in the Administration's request.

This legislation is needed for two reasons.

First, the programs of the ORD are currently unauthorized. The last authorization for ORD, the Environmental Research, Development and Demonstration Act of 1981 (P.L. 96–569), expired on September 30, 1981.

Second, the American public gave this Congress a mandate to produce a balanced budget by the year 2002. Carrying out this mandate requires substantial reductions to current funding levels.

Accordingly, the Committee examined closely each of the programs, projects, and activities proposed by the Environmental Protection Agency's ORD in its fiscal year 1996 budget request and applied rigorously, as appropriate, the following six criteria in prioritizing its funding recommendations:

1. Federal R&D should be focused on long-term, non-commercial research and development, with potential for great sci-

entific discovery, leaving economic feasibility and commercialization to the marketplace.

2. Federal funding of R&D on specific processes and technologies should not be carried out beyond demonstration of technical feasibility, requiring significant additional investment for production.

3. Revolutionary new ideas and pioneering capabilities that make possible the "impossible" (that which has never been done before) should be pursued.

4. The Federal government should avoid funding research in areas that are receiving, or should be reasonably expected to obtain funding from the private sector, such as evolutionary advances or incremental improvements.

5. Government-owned laboratories should confine their in-house research to areas in which their technical expertise and facilities have no peer and should contract out other research to industry, private research foundations, and universities.

6. All R&D programs should be relevant and tightly focused to the agency's stated mission; those that are not should be terminated. All research programs should disseminate the results of the programs to potential users.

The Committee believes that this authorization bill, H.R. 1814—the Environmental Research, Development, and Demonstration Authorization Act of 1995—meets the Committee's responsibility to set priorities and reflects a strong commitment to both good fundamental science that is vital to the Nation's future and a balanced budget. H.R. 1814 authorizes all ORD programs within the limits set by H. Con. Res. 67, the Concurrent Resolution on the Budget, refocuses ORD resources on its core missions and improves oversight of science within the Agency.

IV. Summary of Hearing

On February 13 and 16, 1995, the Subcommittee on Energy and Environment held hearings on the Fiscal Year 1996 budget for EPA's ORD. The following witnesses testified before the subcommittee: Dr. A. Alan Moghissi, Associate Vice President of Environmental Health and Safety at Temple University, Philadelphia, Pennsylvania; Dr. Robert J. Huggett, Assistant Administrator for Research and Development, U.S. EPA, Washington, DC; and Dr. Roger O. McClellan, President, Chemical Industry Institute of Toxicology, Research Triangle Park, NC and Member of the Executive Committee, Science Advisory Board, U.S. EPA.

Dr. A. Alan Moghissi testified that EPA program offices have consistently been displeased with the work of EPA's ORD, claiming that much of its work is not relevant to the regulatory mission of the program offices. The scientific community has also complained that ORD's work is often time of low quality and seldom publishable in peer-reviewed journals.

Dr. Moghissi specifically recommended that ORD should supply EPA with necessary scientific information to ensure EPA regulation relies on "best available science" in all its decisions. ORD researchers should be encouraged to publish the results of their research activities in peer-reviewed scientific journals. In the absence of such peer-review, EPA will base its regulations on "gray lit-

erature'' (information prepared by government agencies, advocacy groups, and others that has not been subjected to an independent peer-review) that is of questionable quality.

Dr. Huggett testified in support of the EPA ORD's Fiscal Year 1996 budget request. He explained that ORD is making dramatic changes in the way it operates. ORD's chief objective is to provide EPA with the sound scientific data it requires to promulgate appropriate regulations, and ORD proposes to achieve this objective by redirecting its research monies in two ways.

First, said Dr. Huggett, ORD proposes to increase the proportion of its budget dedicated to long-term research. He explained that although it has long been known that long-term research is vital to understanding complex environmental interactions, in the past research to meet immediate needs received most of ORD's support. ORD now intends to evenly divide its research dollars between short- and long-term research.

Second, testified Dr. Huggett, ORD intends to improve its science by increasing its use of existing academic institutions through an expanded peer-review program for investigator initiated grants. This program will be funded by redirecting monies currently being used for outside contractors and replacing them with grants to academics. This new emphasis is part of the STAR initiative.

Dr. Huggett also discussed ORD's laboratory reorganization plan which will establish three national laboratories and two national centers to coordinate the activities of ORD's twelve laboratories.

Dr. Huggett concluded by outlining ORD's intent to triple—from 100 to 300—the number of environmental fellowships it funds over the next two years. This new emphasis is also part of the STAR program.

Dr. McClellan testified about the importance of good science in the promulgation of EPA regulations. He pointed out that approximately $150 billion is spent every year complying with environmental regulations. Therefore, he explained any marginal improvement in the science used as a basis for these regulations can yield significant economic returns.

Dr. McClellan went on to state that EPA as a whole should redirect more of its resources to research and development. He spoke in favor of the STAR initiative and singled out the need for additional research on ozone and airborne particulate matter. Dr. McClellan indicated that currently EPA does not have the scientific data necessary to set sound standards for airborne levels of particulate matter under 10 microns (PM_{10}). Congressman Salmon expressed concern about the enforcement of PM_{10} standards in the desert regions of Arizona. Dr. McClellan agreed that such concerns were legitimate and stated that it may be scientifically unsound to attempt to translate data taken from heavily industrialized areas to desert regions. Dr. Huggett went on to note that more research needs to be done on the subject immediately since EPA is under a court order to produce a standard by 1997. In a written response to a question from Subcommittee Chairman Rohrabacher, Dr. McClellan recommended reducing funding from ORD's climate and global warning research and the (ETI) in order to increase funding for research on air quality.

Dr. McClellan also emphasized the need for better research management within ORD. He noted that ORD's research management has been termed "dysfunctional" by the Science Advisory Board, and complemented Dr. Huggett for beginning to move ORD in the right direction.

V. Summary of Authorizations and Major Provisions in Bill

In February, 1995, the President transmitted to Congress a request of $629,376,600 for ORD for Fiscal Year 1996, an increase of $83,833,800—or 15.4 percent—over the fiscal year 1995 estimate of $545,542,800.

The Committee recommends an authorization level of $490,000,000 for fiscal year 1996, a decrease of $139,376,600—or 22.1 percent—from the request level, and a decrease of $55,542,800—or 10.2 percent—from the fiscal year 1995 estimate. The Committee's recommendation is consistent with the amounts established in the House-passed Concurrent Resolution on the Budget for Fiscal Year 1995 (H. Con. Res. 67), as well as the conference report on the Resolution.

The following table provides a summary of the amounts requested (using the President's February, 1995, request) and that would be authorized for appropriation in the bill (in the column labeled "FY 1996 Mark"). Also included are current year estimates (in the column labeled "FY 1995 Adjusted") as well as comparisons of the Committee recommendation with both current year estimates and the 1996 request.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT SUMMARY

[In thousands of dollars]

	Fiscal year—			Mark composed with (+ or −) fiscal year—	
	1995 Adjusted	1996 Request	1996 Mark	1996 Mark	1995 Adjusted
EPA OFFICE OF RESEARCH AND DEVELOPMENT (ORD)					
Air research	104,194.9	106,710.1	96,300.9	−7,894.0	−10,409.2
Water quality research	22,902.3	21,243.1	21,243.1	−1,659.2	0
Drinking water research	22,174.5	21,665.8	20,652.4	−1,522.1	−1,013.4
Pesticides research	13,823.4	13,598.2	13,345.2	−478.2	−253.0
Toxic substances research	18,208.7	15,490.4	11,053.9	−7,154.8	−4,436.5
Hazardous waste research	26,748.3	22,815.9	21.020.2	−5,728.1	−1,795.7
Multimedia research and development	260,679.3	357,232.5	240,943.2	−19,736.1	−116,289.3
Mission and policy management—R&D	7,225.6	7,985.2	6,399.3	−826.3	−1,585.9
Superfund research and development	67,049.5	59,784.7	56,195.5	−10,854.0	−3,589.2
Leaking underground storage tanks (LUST) research	769.2	773.8	769.4	+0.2	−4.4
Oil spill response research	1,767.1	2,076.9	2,076.9	+309.8	0
Total, EPA ORD	545,542.8	629,376.6	490,000.0	−55,542.8	−139,376.6

The major provisions of the bill are the following:

Authorizes appropriations for ORD for Fiscal Year 1996;

Directs authorizations for general and specific research conducted by ORD and sunsets all programs authorized by the Act after Fiscal Year 1996;

Assigns scientific research review responsibilities to the Assistant Administrator of the EPA for ORD and requires the As-

sistant Administrator to report to the Administrator of the EPA, the House Committee on Science and the Senate Committee on Environment and Public Works annually to detail all agency research which is not of high quality or is duplicated by other Agency research;

Prohibits the expenditure of authorized funds for the purpose of influencing legislation pending before Congress;

Requires a competitive merit based award process for financial assistance provided by the ORD with exceptions for awards to persons who are members of a class specified by law for which assistance is awarded according to a formula provided by law; and

Requires the EPA Administrator to ensure that any fellowship award to a student selected after the date of enactment is used only to support research in fields in which there exists, or is projected to exist, a shortage in the number of scientists.

VI. SECTION-BY-SECTION ANALYSIS

SECTION 1. SHORT TITLE

Cites the Act as the "Environmental Research, Development, and Demonstration Authorization Act of 1995".

SECTION 2. DEFINITIONS

Section 2 defines: (1) "Administrator" as the Administrator of the EPA; (2) "Agency" as the EPA; and, (3) "Assistant Administrator" as the Assistant Administrator for Research and Development of the Agency.

SECTION 3. AUTHORIZATION APPROPRIATIONS

Subsection 3(a) authorizes $490,000,000 for the ORD for Fiscal Year 1996. With the exception of funding for research on oil spills, leaking underground storage tanks, and contaminated sites; this sum is divided between the Research and Development and Program and Research Operation appropriations accounts.

Subsection 3(b) apportions the authorized total for ORD among the following 14 research accounts: (1) air related research; (2) global change research; (3) water quality related research; (4) drinking water related research; (5) toxic chemical related research; (6) lab and field expenses; (7) headquarters expenses of the ORD; (8) multimedia related research; (9) program management expenses; (10) pesticide related research; (11) oil pollution related research; (12) leaking underground storage tanks; (13) cleanup of contaminated sites research; and (14) hazardous waste related research.

Subsection 3(c)(1) provides that no funds are authorized to be appropriated by this Act for (A) the Environmental Technology Initiative; (b) the Climate Change Action Plan; or (C) indoor air pollution research. Subsection 3(c)(2) specifies that no funds are authorized to carry out the programs and activities authorized by the Act after Fiscal Year 1996 unless they are specifically authorized by a future act of Congress; and Subsection 3(c)(3) specifies that this Act is the only authorization for all programs and activities authorized by this Act.

SECTION 4. SCIENTIFIC RESEARCH REVIEW

Subsection 4(a) requires the Administrator to assign to the Assistant Administrator for Research and Development the duties of (1) developing a strategic plan for scientific and technical activities throughout the Agency; (2) integrating that strategic plan into ongoing Agency planning activities; and (3) reviewing all Agency research to ensure the research is (A) of high quality, and (B) not duplicative of any other research being conducted by the Agency.

Subsection 4(b) requires the Assistant Administrator to submit an annual report to the Administrator of EPA and to Congress detailing (1) all Agency research the Assistant Administrator finds is not of sufficiently high quality; and (2) all Agency research the Assistant Administrator finds duplicates other Agency research.

SECTION 5. PROHIBITION ON LOBBYING ACTIVITIES

Section 5 states that none of the funds authorized by this Act shall be available for an activity whose purpose is to influence legislation pending before the Congress.

SECTION 6. ELIGIBILITY FOR AWARDS

Subsection 6(a) requires the Secretary to exclude from consideration for awards for financial assistance made by the Department after fiscal year 1995 any person who received funds, other than those described in subsection 6(b), appropriated for a fiscal year after fiscal year 1995, from any Federal funding source for a project that was not subjected to a competitive, merit-based award process. Any consideration pursuant to this section shall be effective for a period of five years after the person receives such Federal funds.

Subsection 6(b) states that subsection 6(a) shall not apply to persons who are members of a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

SECTION 7. GRADUATE STUDENT FELLOWSHIPS

Section 7 directs the Administrator of the EPA to ensure that any fellowship awarded to a student selected after the enactment date is used only to support research that would further the missions of the ORD and is in a field in which there exists, or is projected to exist, a shortage of scientists.

VII. COMMITTEE VIEWS

The bill is consistent with the funding levels set by H. Con. Res. 67, the Concurrent Resolution on the Budget. In order to balance the Federal budget by the year 2002, significant reductions to EPA's budget, including ORD's programs, are necessary. The Committee therefore supports reducing ORD overhead costs and the elimination of low priority ORD programs which do not support ORD's principal mission of providing adequate science to promulgate environmental regulations. The Committee supports ongoing efforts by the Assistant Administrator for ORD to improve the quality of science used by EPA. The Committee believes increasing

extramural grants funding for research should contribute to these improvements.

AGENCY BUDGET JUSTIFICATIONS

The Committee is concerned that the Agency's budget justification documents are not providing sufficient detail. Program justifications consistently fail to place activities in the context of how they help achieve program goals and objectives, and how they relate to other Agency program objectives and activities. Consequently, much information must be gleaned through additional program briefings and followup questions. The additional work could be reduced significantly if the Agency devoted more attention to the information provided in the initial budget submission. The Committee expects the Agency to remedy this situation in its fiscal year 1997 budget request.

SECTION 3—AUTHORIZATION OF APPROPRIATIONS

The Committee recommends an authorization level of $490,000,000 for fiscal year 1996, a decreased of $139,376,600—or 22.1 percent—from the request level, and a decrease of $55,542,800—or 10.2 percent—from the fiscal year 1995 estimate. The Committee's recommendation is consistent with the amounts established in the House-passed Concurrent Resolution on the Budget for Fiscal Year 1995 (H. Con. Res. 67), as well as the conference report on the Resolution.

The Committee supports funding for ORD's scientific research. The reductions taken from ORD's Fiscal Year 1996 request, fall in large part on the office's infrastructure. The Committee feels that ORD should be able to maintain the same ratio of research funding to infrastructure funding as it maintained in Fiscal Year 1995. Since the Administration has recommended, and the Committee has adopted decreases in funding for research in water quality, drinking water, toxics, hazardous waste and contaminated site cleanup, corresponding decreases should be taken in ORD's infrastructure funding.

The Committee recommends the following specific changes to the Fiscal Year 1996 request for the programs and activities of EPA's ORD:

Air Research: −$10,409,200

+$9,673,600 for increased Air Quality Research, including +$22,159,700 for research on issues such as PM_{10} and ozone transport; −$5,238,400 from Indoor Air, which is under the jurisdiction of the Occupational Safety and Health Administration (OSHA), not EPA; −$2,277,500 from Infrastructure to maintain the Fiscal Year 1995 level; and −$1,437,700 from Cross Program for which no budget justification was provided.

−20,082,800 from Global Change Research, including −$15,224,500 from global change research, and −$4,858,300 from Infrastructure to reflect lower level of effort.

Water Quality Research: $0

−$1,178,700 from Infrastructure to reflect lower level of effort from Fiscal Year 1995; and +$1,178,700 for Ecosystem Research.

Drinking Water Research: −$1,013,400

−$1,013,400 from Infrastructure to reflect lower level of effort from Fiscal Year 1995.

Pesticides Research: −$253,400

−$253,400 from Cross Program for which no budget justification was provided.

Toxic Substances Research: −$4,436,500

−$4,025,900 from Infrastructure to reflect lower level of effort, and −$410,600 for Cross Program for which no budget justification was provided.

Hazardous Waste Research: −$1,795,700

−$1,073,900 from Infrastructure to reflect lower level of effort, and −$721,800 from Cross Program for which no budget justification was provided.

Multimedia Research and Development: −$116,289,300

−$86,200,900 from Innovative Technologies, including elimination of the Environmental Technology Initiative (−$80,000,000) and Climate Change Action Plan projects (−$6,200,000).

−$6,704,200 from Environmental Education to fund at $5,000,000.

−$21,385,600 from Multimedia Research Infrastructure (−$14,803,200), Headquarters Infrastructure (−$1,582,400), and Lab and Field Expenses (−$5,000,000) to reflect lower level of effort.

Mission and Policy Management—R&D: −$1,585,900

−$1,585,900 from Infrastructure to reflect lower level of effort.

Superfund Research and Development: −$3,589,200

−$88,000 from Cross Program for which no budget justification was provided; and −$2,898,500 from Infrastructure and −$602,700 from Management and Support to reflect lower levels of effort.

Leaking Underground Storage Tanks (LUST) Research: −$4,400

−$4,400 from Infrastructure to reflect lower level of effort.

Air related research

The Committee has increased criteria air pollution research funding by $25,739,300. This increase is intended to allow EPA to improve the level of science used to support its promulgation of air quality regulations. Specifically, the Committee notes that significant gaps appear to exist in the science behind implementation of the current national air quality standard for ozone and particulate matter.

The Committee encourages EPA to conduct a study of the transportation of ozone and ozone precursors on a national scale. The Committee believes such a study should be conducted in association with the National Academy of Sciences and technical representatives from states potentially affected by long-range ozone

transport. The Committee also believes that the study should be coordinated with EPA's on-going efforts and implementation of Phase II of EPA's ozone attainment demonstration program. The Committee encourages EPA to develop reports and recommendations to Congress regarding an effective strategy to achieve national attainment of the ozone standard by March 31, 1997.

The Committee supports ongoing research efforts to understand ambient ozone levels and patterns, as well as the contributors to individual sources of ozone precursors to those ambient ozone concentrations of regulatory concern. In order to ensure EPA is basing its ambient ozone standards on scientific criteria, studies such as the North American Research Strategy for Tropospheric Ozone (NARSTO) and the Southern Oxidants Study (SOS) should be completed before final control strategies for attainment of the current ambient ozone standards are finalized.

For particulate matter, the Committee notes that EPA is facing a 1997 deadline for promulgation of ambient standards. The Committee is concerned that the current level of scientific knowledge on the health impacts of PM_{10} is insufficient to support a standard which is likely to have significant costs to the economy. The Committee encourages ORD to increase its research efforts in this area.

The Committee supports terminating EPA's indoor air research program. ORD's primary mission is to conduct the research required to support EPA promulgation of scientifically sound regulation. The Committee notes that EPA has attempted to impose strict regulations on radon in drinking water in part to reduce the ambient levels of radon in private residences. The Committee further notes that EPA does not have, and should not have, the statutory authority to regulate indoor air. Currently, the Occupational Safety and Health Administration (OSHA) regulates indoor air in the workplace. Indoor air in private homes is not regulated.

The Committee supports Congress' historic reluctance to expand EPA's authority to include the regulation of indoor air. During the 102nd Congress, the last time the Committee considered a measure to increase EPA's authority over indoor air quality, the full Committee effectively killed H.R. 1066, The Indoor Air Quality Act of 1991, by voting unanimously to recommit the measure to Subcommittee. The Committee believes the research money currently proposed for indoor air could be better spent in support of science which underpins existing or future Agency rulemaking activities.

Global change research

The Committee directs EPA to terminate ORD's global climate change research. The Committee believes that EPA's research on global climate change is of a lower priority than that sponsored by other agencies within the Federal government. The Committee notes that much of ORD's research assesses the social and economic impact of global warming rather than exploring whether the phenomena actually exists.

The Committee notes that in EPA's documentation of its accomplishments from Fiscal Year 1994, the lead accomplishment listed for its global warming research program is the modeling of the possible future locations of commercial and recreational fishery stocks

in a post-warming environment. The Committee believes that research of this nature is not a priority of ORD.

Lab and field expenses

The Committee is concerned that the current ORD laboratory streamlining effort appears to simply shift personnel and expenses from headquarters to the field. While the Committee recognizes that some movement of personnel from headquarters to the field may be warranted and may indeed help improve operations, simply shifting personnel has significant up-front costs and no back-end savings. Until ORD can provide assurances that its streamlining efforts will result in reductions in bureaucratic layers, staff, and associated expenses, the Committee will not support increased funding for streamlining purposes. The Committee has not included the $5,000,000 requested by the Administration for reorganization in this Act.

Multimedia research

The Committee is concerned with the apparent shift from funding category specific research to funding multimedia research. Although most research topics incorporate some cross media components, if the current trend continues, all ORD funding will come directly from the Multimedia Research account.

The Committee recommends termination of ETI, an ill-defined Administration initiative. The program appears to be either an attempt at environmental industrial policy or an overpriced effort to reform EPA's regulatory policies to eliminate barriers to "green" technologies. While the Committee supports the latter in concept, it notes that such an effort should not require the expenditure of $80,000,000. Further, many of the current barriers to improved environmental technologies are legislative. Such barriers will have to be removed by Congress.

As for industrial policy, the Committee rejects the premise that ORD should expend its scarce resources on subsidizing the commercialization of environmental technology.

The Committee supports funding environmental fellowships at $5,000,000 for Fiscal Year 1996. The fellowships must support research directly related to ORD's mission. The Committee believes that environmental education, while important, is not ORD's mission. The Committee's support of continued funding for ORD's fellowship program is conditioned on ORD demonstrating a direct link between ORD research and research conducted through the fellowship program.

Limitations on appropriations

The Committee does not support funding ETI, ORD activities associated with Climate Change Action Plan, or indoor air research.

The Committee intends this Act to be the sole authorization for all ORD programs. None of ORD's programs are authorized after September 30, 1996.

Summary recommendations

Details of the Committee's recommendations of the following table.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT SUMMARY

[In thousands of dollars]

	Fiscal year—			Mark compared with (+ or −) fiscal year—	
	1995 adjusted	1996 request	1996 mark	1995 adjusted	1996 request
AIR RESEARCH					
Air Quality Research:					
Global change research	266.2	0	0	−266.2	0
Stratospheric ozone depletion	879.2	0	0	−879.2	0
Air toxics	6,009.6	9,852.1	6,319.6	+310.0	−3,532.5
Criteria air pollutants	31,405.8	34,985.4	57,145.1	+25,739.3	+22,159.7
Pollutants from motor vehicles	5,182.3	3,646.7	3,646.7	−1,535.6	0
Indoor air pollution	6,773.8	5,238.4	0	−6,773.8	−5,238.4
Infrastructure	26,803.8	29,081.3	26,803.8	0	−2,277.5
Cross program	1,427.7	1,437.7	0	−1,427.7	−1,437.7
Total, air quality research	78,748.4	84,241.6	93,915.2	+15,166.8	+9,673.6
Acid Deposition:					
Acid Deposition	1,477.5	0	0	−1,477.5	0
Infrastructure	586.8	0	0	−586.8	0
Total, acid deposition	2,064.3	0	0	−2,064.3	0
Global Change Research:					
Global change research	16,562.5	15,224.5	0	−16,562.5	−15,224.5
Stratospheric ozone depletion	1,668.5	2,125.4	2,125.4	+456.9	0
Infrastructure	5,151.2	5,118.6	260.3	−4,890.9	−4,858.3
Total global change research	23,382.2	22,468.5	2,385.7	−20,996.5	−20,082.8
Total, air research	104,194.9	106,710.1	96,300.9	−7,894.0	−10,409.2
WATER QUALITY RESEARCH					
Ecosystem protection	8,604.3	8,010.2	9,188.9	+584.6	+1,178.7
Wastewater and sludge	1,368.8	0	0	−1,368.8	0
Infrastructure	12,664.5	12,968.7	11,790.0	−874.5	−1,178.7
Cross program	264.7	264.2	264.2	−0.5	0
Total, water quality research	22,902.3	21,243.1	21,243.1	−1,659.2	0
DRINKING WATER RESEARCH					
Ecosystem protection	453.5	0	0	−453.5	0
Drinking water pollutants and disinfection	8,463.1	8,384.8	8,384.8	−78.3	0
Groundwater	2,059.7	1,991.7	1,991.7	−68.0	0
Infrastructure	10,869.9	11,289.3	10,275.9	−594.0	−1,013.4
Cross program	328.3	0	0	−328.3	0
Total, drinking water research	22,174.5	21,665.8	20,652.4	−1,522.1	−1,013.4
PESTICIDES RESEARCH					
Ecosystems protection	1,290.9	0	0	−1,290.9	0
Environmental releases of biotechnology products	1,157.7	1,576.1	1,157.7	+418.4	0
Human exposure	3,058.2	5,094.8	5,094.8	+2,036.6	0
Health effects	810.1	436.3	436.3	−373.8	0
Environmental review of toxic chemicals	445.1	85.6	85.6	−359.5	0
Infrastructure	6,808.2	6,152.4	6,152.4	−655.8	0
Cross program	253.2	253.0	0	−253.2	−253.0
Total, pesticides research	13,823.4	13,598.2	13,345.2	−478.2	−253.0

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT SUMMARY—Continued

[In thousands of dollars]

	Fiscal year—			Mark compared with (+ or −) fiscal year—	
	1995 adjusted	1996 request	1996 mark	1995 adjusted	1996 request
TOXIC SUBSTANCES RESEARCH					
Ecosystems protection	525.9	0	0	−525.9	0
Environmental releases of biotechnology products	2,967.7	974.4	974.4	−1,993.3	0
Wastewater and sludge	56.9	0	0	−56.9	0
Human exposure	1,138.8	1,135.0	1,135.0	−3.8	0
Health effects	1,713.7	1,599.0	1,599.0	−114.7	0
Health risk assessment methods	253.0	207.2	207.2	−45.8	0
Environmental review of toxic chemicals	738.3	512.7	512.7	−225.6	0
Lead and other heavy metals	702.1	600.3	600.3	−101.8	0
Infrastructure	9,701.2	10,051.2	6,025.3	−3,675.9	−4,025.9
Cross program	411.1	410.6	0	−411.1	−410.6
Total, toxic substances research	18,208.7	15,490.4	11,053.9	−7,154.8	−4,436.5
HAZARDOUS WASTE RESEARCH					
Groundwater	5,903.3	5,822.0	5,822.0	−81.3	0
Waste management	3,346.8	1,430.8	1,430.8	−1,916.0	0
Surface cleanup	447.6	446.3	446.3	−1.3	0
Bioremediation	1,178.0	682.0	682.0	−496.0	0
Pollution prevention	1,513.1	1,529.0	1,529.0	+15.9	0
National and international technology transfer	680.9	678.8	678.8	−2.1	0
Environmental review of toxic chemicals	97.3	0	0	−97.3	0
Exploratory grants and centers	390.0	388.8	388.8	−1.2	0
Infrastructure	12,470.2	11,116.4	10,042.5	−2,427.7	−1,073.9
Cross program	721.1	721.8	0	−721.1	−721.8
Total, hazardous waste research	26,748.3	22,815.9	21,020.2	−5,728.1	−1,795.7
MULTIMEDIA RESEARCH AND DEVELOPMENT					
Multimedia research:					
Ecosystems protection	47,042.2	47,351.7	47,351.7	+309.5	0
Criteria air pollutants	697.7	0	0	−697.7	0
Pollutants from motor vehicles	300.0	0	0	−300.0	0
Indoor air pollution	159.0	0	0	−159.0	0
Human exposure	11,296.0	6,765.4	6,765.4	−4,530.6	0
Health effects	1,359.8	6,307.4	6,307.4	+4,947.6	0
Health risk assessment methods	4,271.9	8,910.2	8,910.2	+4,638.3	0
Pollution prevention	4,855.7	4,803.7	4,803.7	−52.0	0
Innovative technologies	47,151.8	92,883.2	6,683.2	−40,468.6	−86,200.0
Environmental education	8,566.7	11,704.2	5,000.0	−3,556.7	−6,704.2
National and international technology transfer	2,179.9	1,123.1	1,123.1	−1,056.8	0
Lead and other heavy metals	1,963.3	1,706.8	1,706.8	−256.5	0
Exploratory grants and centers	29,406.5	25,760.2	25,760.2	−3,646.3	0
Infrastructure	33,697.6	46,317.1	31,513.9	−2,183.7	−14,803.2
Cross program	12,731.2	14,730.7	12,731.2	0	−1,999.5
Total, multimedia research	205,679.3	268,363.7	158,656.8	−47,022.5	−109,706.9
Headquarters infrastructure	5,389.1	10,837.2	9,254.8	+3,865.7	−1,582.4
Lab and field expenses	49,610.9	78,031.6	73,031.6	+23,420.7	−5,000.0
Total, multimedia research and development	260,679.3	357,232.5	240,943.2	−19,736.1	−116,289.3

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT SUMMARY—Continued

[In thousands of dollars]

	Fiscal year—			Mark compared with (+ or −) fiscal year—	
	1995 adjusted	1996 request	1996 mark	1995 adjusted	1996 request
MISSION AND POLICY MANAGEMENT—R&D					
Mission and Policy Management—R&D	7,225.6	7,985.2	6,399.3	−826.3	−1,585.9
SUPERFUND RESEARCH AND DEVELOPMENT					
Hazardous substance research:					
Ecosystems protection	421.9	1,770.0	1,770.0	+1,348.1	0
Groundwater	2,873.5	3,538.6	3,538.6	+665.1	0
Surface cleanup	28,361.7	22,889.2	22,889.2	−5,472.5	0
Bioremediation	4,549.7	5,334.1	5,334.1	+784.4	0
Health risk assessment	1,899.3	1,884.9	1,884.9	−14.4	0
Innovative technologies	1,109.5	958.2	958.2	−151.3	0
National and international technology transfer	347.5	350.7	350.7	+3.2	0
Exploratory grants and centers	14,264.1	8,460.9	8,460.9	−5,803.2	0
Infrastructure	11,992.3	12,949.5	10,051.0	−1,941.3	−2,898.5
Cross program	87.1	88.0	0	−87.1	−88.0
Total, hazardous substances research	65,906.6	58,224.1	55,237.6	−10,669.0	−2,986.5
Management and support	1,142.9	1,560.6	957.9	−185.0	−602.7
Total, Superfund research and development	67,049.5	59,784.7	56,195.5	−10,854.0	−3,589.2
LEAKING UNDERGROUND STORAGE TANKS (LUST) RESEARCH					
Groundwater	593.8	589.5	589.5	−4.3	0
Innovative technologies	7.6	12.1	12.1	+4.5	0
Infrastructure	167.8	172.2	167.8	0	−4.4
Total, LUST research	769.2	773.8	769.4	+0.2	−4.4
OIL SPILL RESPONSE RESEARCH					
Oil spill response research	1,767.1	2,076.9	2,076.9	+309.8	0
Total, EPA ORD	545,542.8	629,376.6	490,000.0	−55,542.8	−139,376.6

SECTION 4—SCIENTIFIC RESEARCH REVIEW

The Committee is concerned about the quality of research used by EPA in its regulatory rulemaking. The Committee supports efforts to ensure the quality of research within the Agency by centralizing the responsibility for the quality of all Agency research with the Assistant Administrator for ORD.

SECTION 5—PROHIBITION OF LOBBYING ACTIVITIES

The Committee opposes the use of any ORD funds for lobbying.

SECTION 6—ELIGIBILITY FOR AWARDS

The Committee supports only Federal research grants awarded through a competitive merit-based process.

VIII. Committee Actions

SUBCOMMITTEE MARKUP

On June 8, 1995, the Subcommittee on Energy and Environment convened to mark up Subcommittee Print, the Environmental Research, Development, and Demonstration Authorization Act of 1995. The purpose of the markup was to authorize appropriations for environmental research, development and demonstration activities of the Environmental Protection Agency for Fiscal Year 1996. No amendments to the measure were offered and the Subcommittee Print was adopted by voice vote and ordered reported to the Full Committee for consideration.

With a quorum present, Mr. Hayes moved that a clean bill be prepared by the Chairman for introduction in the House and further consideration by the Committee. The motion was approved by voice vote. Subsequently, Mr. Rohrabacher (for himself and Mr. Hayes) introduced H.R. 1814, the Environmental Research, Development and Demonstration Authorization Act of 1995, on June 13, 1995.

FULL COMMITTEE MARKUP

On June 21, 1995, the Science Committee convened to mark up H.R. 1814, the Environmental Research Development, Demonstration Authorization Act of 1995. The purpose of the markup was to authorize appropriations for environmental research, development and demonstration activities of the EPA for Fiscal Year 1996.

Of the seven amendments submitted, two were adopted, four were defeated and one was not offered.

Amendment 1.—Mr. Walker offered an en bloc amendment to eliminate all references to the term "agency action" in the bill and to clarify that indoor air research is not authorized under the bill. The amendment ensures that no funds are authorized for the ORD unless they are specifically authorized in this Act. It also prohibits the use of ORD funds for lobbying and includes an anti-earmarking provision. Mr. Walker's en bloc amendment was adopted by a rollcall vote of 27 ayes to 11 noes.

Amendment 1a.—Mr. Brown offered an amendment to the anti-lobbying provision of Mr. Walker's en bloc amendment, which narrowed the scope of the language in the Walker en bloc amendment to only cover the use of Federal funds for salaries and expenses. The amendment was defeated by a rollcall vote of 18 ayes to 26 noes.

Amendment 2.—Mr. Brown offered an amendment in the nature of a substitute to authorize $545,637,700 for Fiscal Year 1996—$55,637,700 above the total authorized in H.R. 1814, including the funding of programs such as ETI, global climate change research, and indoor air. The amendment was defeated by a rollcall vote of 15 ayes to 25 noes.

Amendment 3.—Mr. Boehlert offered an en bloc amendment to restore $5,000,000 to fund the EPA graduate fellowship program at the Fiscal Year 1995 level, and to specifically limit the fellowships to students conducting research in support of ORD's mission. The amendment was adopted by a voice vote.

Amendment 4.—Ms. Lofgren offered an en bloc amendment to strike the restriction on ETI and to provide $40,000,000 million for that program. The amendment was defeated by a rollcall vote of 16 ayes to 26 nays.

Amendment 5.—Mr. Olver offered an amendment to provide an alternative authorization. Mr. Olver's amendment stated that if the concurrent budget resolution approved by the House of Representatives and the Senate on the budget for fiscal year 1996 is based on an assumption of a tax cut of less than $350,000,000,000, then the total amount authorized by the Act shall be increased by the amount equal to $55,637,000, multiplied by the fraction whose numerator is $350,000,000,000 minus the amount of the tax cut reflected in the concurrent resolution and whose denominator is $350,000,000,000, to be allocated to each program in subsection 3(b) in proportion to the authorizations set out in that subsection. The amendment was defeated by a rollcall vote of 11 ayes to 13 noes.

Amendment 6.—Mr. Traficant submitted an amendment to encourage the purchase of American goods. Mr. Traficant did not offer the amendment.

With a quorum present, Mr. Brown moved that the Committee report the Bill, as amended, and that the staff prepare the legislative report and make technical and conforming amendments and Members have three days to file minority dissenting or additional views. The motion was adopted by voice vote.

Mr. Ehlers moved that the Committee authorize the Chairman to offer such motions as may be necessary in the House to go to conference with the Senate on H.R. 1814 or a similar Senate measure. The motion was adopted by voice vote.

Mr. Walker asked and received unanimous consent that the Committee adopt, as part of the legislative report on H.R. 1814, the summary chart.

IX. Committee Cost Estimate

Clause 2(l)(3)(B) of rule XI of the House of Representatives requires each committee report that accompanies a measure providing new budget authority, new spending authority, or new credit authority or changing revenue or tax expenditure to contain a cost estimate, as required by section 308(a)(1) of the Congressional Budget Act of 1974, as amended, and, when practicable with respect to estimates of new budget authority, a comparison of the total estimated funding relevant program (or programs) to the appropriate levels under current law.

Clause 7(a) of rule XIII requires each committee report accompanying each bill or joint resolution of a public character to contain the committee's cost estimates, which include, where practicable, a comparison of the total estimated funding level for the relevant program (or programs) with the appropriate levels under current law.

The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office, pursuant to section 403 of the Congressional Budget Act of 1974.

X. Congressional Budget Office Analysis and Cost Estimates

Clause 2(l)(3)(C) of rule XI requires each committee report to include a cost estimate prepared by the Director of the Congressional Budget Office, pursuant to section 403 of the Congressional Budget Act of 1974 if the cost estimate is timely submitted. The following is the Congressional Budget Office cost estimate:

U.S. Congress,
Congressional Budget Office,
Washington, DC, June 23, 1995.

Hon. Robert S. Walker,
Chairman, Committee on Science,
House of Representatives, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1814, the Environmental Research, Development, and Demonstration Authorization Act of 1995.

Enacting H.R. 1814 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

June E. O'Neill, *Director.*

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 1814.
2. Bill title: Environmental Research, Development, and Demonstration Authorization Act of 1995.
3. Bill status: As ordered reported by the House Committee on Science on June 20, 1995.
4. Bill purpose: H.R. 1814 would authorize the appropriation of $490 million in 1996 for the Environmental Protection Agency's Office of Research and Development to conduct environmental research, development, and demonstration activities.
5. Estimated cost to the Federal Government: Assuming appropriation of the amount authorized by this bill, H.R. 1814 would cost $490 million over the 1996–2000 period.

[By fiscal year, in millions of dollars]

	1996	1997	1998	1999	2000
Authorization level	490	0	0	0	0
Estimated outlays	227	201	62	0	0

The costs of this bill fall within budget function 3000.

6. Comparison with spending under current law: In 1995, about $545 million was appropriated for the activities of EPA's Office of Research and Development.
7. Pay-as-you-go considerations: None.
8. Estimated cost to State and local governments: None.
9. Estimate comparison: None.
10. Previous CBO estimate: None.
11. Estimate prepared by: Kim Cawley.

12. Estimate approved by: Robert A. Sunshine for Paul N. Van de Water, Assistant Director for Budget Analysis.

XI. Effect of Legislation on Inflation

Clause 2(l)(4) of rule XI requires each committee report on a bill or joint resolution of a public character to include an analytical statement describing what impact enactment of the measure would have on prices and costs in the operation of the national economy. The Committee has determined that H.R. 1814 has no inflationary impact on the national economy.

XII. Oversight Findings and Recommendations

Clause 2(l)(3)(A) of rule XI requires each committee report to contain oversight findings and recommendations required pursuant to clause 2(b)(1) of rule X. The Committee has no oversight findings.

XIII. Oversight Findings and Recommendations by the Committee on Government Reform and Oversight

Clause 2(l)(3)(D) of rule XI requires each committee report to contain a summary of the oversight findings and recommendations made by the Government Reform and Oversight Committee pursuant to clause 4(c)(2) of rule X, whenever such findings have been timely submitted. The Committee on Science has received no such findings or recommendations from the Committee on Government Reform and Oversight.

XIV. Change in Existing Law Made by the Bill, As Reported

If enacted, this bill would make no changes to existing law.

XV. Administration Position

U.S. Environmental Protection Agency,
Washington, DC, June 16, 1995.

Hon. Robert S. Walker,
Chairman, Committee on Science,
House of Representatives, Washington, DC.

Dear Mr. Chairman: I am responding to your letter of June 15, 1995, and offering my thoughts on the Environmental Research, Development and Demonstration Authorization Act of 1995 being considered by the Subcommittee on Energy and Environment. This bill, as drafted, would have a significant adverse impact on the U.S. Environmental Protection Agency's (EPA) science and technology programs.

I believe, and I am sure you agree, that a strong EPA environmental science and technology program is critical to ensuring that the Agency's decisions are made with the very best available scientific information. We therefore ask your support in maintaining the resources for our research and development program at the level of the President's FY96 Budget. The Administration maintains its strong support for an effective environmental research program to provide a sound scientific basis for efforts to protect human health and the environment.

In the past two years, EPA has thoroughly reinvented its science program. This includes expanding our partnerships with the academic community, reorganizing and strengthening the research in our EPA laboratories, working with the private sector to introduce more innovative and cost-effective solutions to environmental problems, and instituting more effective peer review.

The legislation currently being considered would authorize appropriations for EPA's research and development budget some 23 percent below the 1996 President's Budget. In addition, by decreasing the ORD salary account by a similar percentage (and significantly below the 1995 level), this legislation will force us to reduce substantially the number of scientists in our laboratories, may force us to close laboratories, and will have a significant adverse impact on ORD's ability to provide the quality science that is so important for EPA decisions. If enacted, this reduction would be extremely detrimental for programs critical to public health and environmental protection in the United States. With the current emphasis on conducting risk assessment and cost-benefit analysis and reducing uncertainty, this should be a time for maintaining a strong research and science program—and not a time for significant budget reductions. We are also concerned that the bill is too prescriptive, defining very specific areas of science to emphasize and de-emphasize, and thus distorts our appraisal of the most important areas for research, assessment and science integration. Our appraisal is based on the magnitude and uncertainty of the risk, as well as on legislative mandates.

In particular, the bill would eliminate:

EPA's efforts to fix our policy framework by removing barriers, creating incentives, and injecting flexibility that will allow industry to adopt better, lower cost, innovative solutions to the nation's health and environmental problems;

much of the funding for global climate change, thus preventing us from understanding and assessing the impacts of changes which will occur should the current predictions by the scientific community prove accurate. Without these results, informed decisionmaking to reduce or avoid change will not be possible; and

the graduate fellowship program in environmental science that is so important for preparing the next generation of scientists who will work in this area at the state and local level, and who will provide the scientific leadership for industry and government in the next century.

In addition, it appears in documents accompanying the bill that the Committee is considering eliminating the most consequential laboratory research in the Federal government on indoor air pollution, which affects millions of people in this country.

Our base of excellent science is vital for finding common sense, cost-effective solutions to the complex environmental problems faced by this country. Reducing the authorized level below the President's FY96 budget request would seriously weaken the scientific underpinnings of environmental decisionmaking and potentially increase the cost of environmental compliance. Therefore, we

strongly support the resources for our research and development program at the level of the President's FY96 Budget.

Sincerely,

CAROL M. BROWNER.

Enclosure.

IMPACTS ON THE OFFICE OF RESEARCH AND DEVELOPMENT BUDGET

The U.S. Environmental Protection Agency is responsible for ensuring the quality of the nation's air, land, and water resources. The effectiveness of environmental protection programs established by more than a dozen major laws depends directly on the quality of the science and technology supporting these programs. Although Congress has called for a strong scientific basis for regulatory decisions and the House recently passed a bill on risk and cost-benefit analysis that Members argued would improve the scientific foundation for regulatory decisions, the Committee has proposed to slash EPA's research and development budget and eliminate or severely reduce important agency programs.

The Clinton Administration is committed to basing regulatory decisions on sound scientific data and has taken many steps over the past two years to strengthen the basis for the decisions that protect the health of every American and the quality of our environment.

The House Science Committee has proposed a research and development budget of $490 million for FY 1962, 23 percent below the President's request of $629 million. The Committee is proposing to:

Eliminate EPA's indoor air research program, an effort to understand and reduce the health risks associated with radon, carbon monoxide, organic compounds, and biocontaminants. This would halt research on identifying and controlling indoor contaminants that affect millions of Americans at home and work and cost the Nation tens of billions of dollars.

Eliminate the Environment Technology Initiative (ETI), a program designed to: remove federal and state policy and regulatory barriers that inhibit the incorporation of "better, cleaner, cheaper" technologies in environmental permits, compliance activities and voluntary clean-ups; build state and local government capacity to pursue innovative technological solutions to their environmental problems; and "get the word out" about the best of U.S. technologies that are available to lower the costs of protecting public health and environmental quality at home and abroad.

Drastically cut (by 90 percent) the global climate change research which is key to addressing the uncertainties around climate change and its potential impacts on agriculture, human health and other areas affected by change in our global environment. This research effort grew substantially and was strongly sup-

ported in the Reagan and Bush Administrations. Without this research on impacts, policy makers will be unable to make informed decisions about the benefits and costs of proposed actions to mitigate the potential impacts of climate change.

Drastically cut EPA's research staff, by close to 25 percent, thereby crippling the Agency's ability to provide the science needed to reduce the uncertainties of risk assessment and provide critical scientific information needed to make sound decisions.

Eliminate EPA's competitive graduate fellowship program, a major tool for developing the next generation of environmental scientists and engineers and advancing the Nation's investment in education.

XVI. COMMITTEE CORRESPONDENCE

COMMITTEE ON COMMERCE,
Washington, DC, July 19, 1995.

Hon. ROBERT S. WALKER,
Chairman, Committee on Science,
Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On June 20, 1995, the Committee on Science ordered reported H.R. 1814, a bill to authorize appropriations for environmental research, development, and demonstration activities of the Environmental Protection Agency for fiscal year 1996, and for other purposes.

It is the position of the Commerce Committee that several provisions of H.R. 1814 fall within the jurisdiction of the Committee. As you know, a number of statutes within the jurisdiction of the Commerce Committee authorize research and development activities. Under Rule X of the Rules of the House, the Commerce Committee has jurisdiction over public health and biomedical research and development, primarily through the Public Health Service Act.

However, in view of your desire to move H.R. 1814 to the Floor expeditiously, and in view of your agreement to offer the amendments that we have jointly agreed to, I will agree not to seek a sequential referral of H.R. 1814. My agreement is based on an understanding that this waiver will be without prejudice to the Commerce Committee's jurisdictional claims over H.R. 1814 and similar bills that may be offered in the future and that the Commerce Committee's jurisdiction will be protected through the appointment of conferees should H.R. 1814 go to conference.

I appreciate your cooperation in this matter and would further appreciate your including this letter as a part of the Science Committee's report on H.R. 1814 and as part of the record during consideration of this bill by the House.

Sincerely,

THOMAS J. BLILEY, Jr., *Chairman.*

COMMITTEE ON COMMERCE,
Washington, DC, July 19, 1995.

Hon. THOMAS J. BLILEY, Jr.,
Chairman, Committee on Commerce,
Rayburn House Office Building, Washington, DC.

DEAR TOM: Thank you for your letter of July 19, 1995, regarding H.R. 1814, a bill to authorize appropriations for environmental research, development, and demonstration activities of the Environmental Protection Agency (EPA) for Fiscal Year 1996, and for other purposes.

I appreciate your offer not to request sequential referral on the bill. As you are aware, during the last Congress H.R. 1994, a measure similar to H.R. 1814 which was reported by the Science Committee and passed by the House of Representatives, was not sequentially referred to any Committee.

I acknowledge that the Commerce Committee could be successful in asserting a right to a sequential referral over H.R. 1814. I agree that your decision not to request a sequential referral on H.R. 1814 in no way prejudices your jurisdictional claims to the bill. I also agree to protect any valid jurisdictional claim your Committee may have through the appointment of conferees should H.R. 1814 go to conference. You also have my assurances that the attached language worked out between our staffs will be included in the manager's amendment when H.R. 1814 is taken up on the House Floor.

Thank you again for your assistance in expediting the consideration of this important authorization measure.

Cordially,

ROBERT S. WALKER,
Chairman.

Attachment.

AMENDMENT TO H.R. 1814

On page 6, line 14 inset "research" after the word "technical".

XVII. Dissenting Views

The Committee's decision to report H.R. 1814 represents the first step in dismantling the scientific infrastructure that supports our understanding of the environment. At a time when the demand to reform environmental policy by the use of "better science" and risk-assessment has reached a near crescendo, the Committee has ironically cut the very programs intended to bring better science to bear on environmental problems. Under H.R. 1814, EPA's research programs will be cut $55 million—ten percent below last year's level.

Like many budget cuts created to meet the arbitrary budget-balancing deadlines adopted by the majority, these short-term savings will certainly be wiped out by greater costs in the long run. Environmental research is an investment that pays off in reducing unnecessary regulations and reducing the costs of delay and litigation in setting environmental rules. For example, EPA's Office of Research and Development is responsible for developing new and better risk assessment methods, exposure models, and toxicity data. But with these cuts, EPA's ability to carry out its expanded risk-assessment requirements under the regulatory reform legislation presently being considered by Congress will surely be compromised.

The majority attempts to justify the magnitude of the cuts by claiming that they were required by the House-passed budget resolution. That claim, of course, is patently false. There is nothing in the House or Committee rules that in any way makes the budget resolution binding on an authorization committee. In any event, it is hard to understand how the budget resolution could be considered to bind authorization committees. The House budget resolution itself contains only totals by budget functions; the authorization committees deal instead with programs that are within the overall budget function. For example, while the House budget resolution reduces the natural resources and environment budget function, it contains nothing about how the programs within that budget function should fare. EPA's Office of Research and Development (ORD) represents only 2.5% of the natural resources and environment budget function, and only about 7.5% of all of EPA's spending. Surely, it would have been within the power of the authorizing and appropriations committees to protect the science base for environmental protection while decreasing other programs to meet the overall budget function total.

The majority apparently relies on language in the legislative report accompanying the Budget Resolution which suggests termination of the Environmental Technology Program. But as the report itself acknowledges, such report language is not binding on the authorization and appropriation committees which are expected to exercise their independent judgements. Otherwise, of course, the

Budget Committee would be usurping the role of the authorization committees.

In addition, attaching the Science Committee's action to the House Budget Resolution is like trying to anchor in quicksand. The House budget resolution assumed massive tax cuts; the Senate budget resolution did not. Obviously, the final budget resolution will differ substantially from the assumptions in the House budget resolution, ensuring that any authorization based on the House budget resolution will in fact be irrelevant.

We offered a substitute amendment which would have resulted in a hard freeze for EPA's research activities—a cut of $84 million below the President's FY96 budget request. In the context of the Committee's total authorizations, our proposed EPA research budget was consistent with the Conservative Coalition budget which also assumes balancing the budget within seven years, but without massive tax cuts. We believed that ORD's budget should be held at FY95 levels because of the importance of science in ensuring rational and cost-effective environmental regulations. The needed reductions in the natural resource and environmental budget should come from lower-priority areas.

We also have concerns about specific cuts mandated by H.R. 1814. First, H.R. 1814 cuts particularly hard at EPA's internal research program. It would require EPA's Office of Research and Development to lay off 250 scientists, about 14% of EPA's internal research workforce. (ORD has hardly been a government growth sector; it has 500 fewer scientists than it did 15 years ago.) Reducing the number of internal scientists is in total contradiction to recent GAO reports which recommended that it would be cheaper and more productive for EPA to bring some of the research functions which had been carried out by external R&D contractors back into the agency to be carried out by career scientists.

H.R. 1814 would seek to micromanage EPA's research activities in many other ways. For example, H.R. 1814 completely terminates funding for global change research, indoor air quality research, and the Environmental Technology Initiative (ETI). These cuts are particularly ironic because they support EPA's efforts to promote environmental quality through non-regulatory means.

To take one example, the indoor air quality research program supports a voluntary program with the building industry which gives the industry information it needs to avoid indoor air quality problems. EPA works with private standard-setting bodies to develop ventilation standards and works with industry to develop and test building products which reduce potentially toxic emissions. Since comparative risk studies have consistently created indoor air quality as one of the most serious environmental risks, EPA's R&D program to support voluntary industry efforts represents one of the most cost-effective investments in environmental health imaginable. (Contrary to claims made by Chairman Walker at the markup, EPA has never sought to regulate indoor air in private homes.) Nevertheless, H.R. 1814 reflects the decision that the best policy is to leave consumers, homeowners, and builders without the scientific information they need to make informed decisions. In so doing, H.R. 1814 reverses the Committee's decade-old, bipartisan policy of supporting EPA research on indoor air quality, as set out

in Title IV of the Superfund Amendments and Reauthorization Act of 1986.

Similarly, H.R. 1814 terminates EPA's research program in global climate change. While EPA plays a relatively small role in the federal Global Change Research Program, it is a leader on research relating to potential ecosystem effects caused by possible global warming. Such research is critical if Congress is to make informed cost-benefit decisions about controlling possible carbon dioxide emissions. Yet again, H.R. 1814 prefers a policy of blissful ignorance over knowledge.

In addition, H.R. 1814 terminates ORD's funding for the Environmental Technology Initiative, another non-regulatory program which seeks to use market mechanisms, innovative technologies, and broad partnerships to tackle some of our toughest environmental problems. While opponents have claimed that ETI is "corporate welfare" that subsidizes technology development which the private sector ought to fund by itself, in reality less than 7 percent of the FY96 ETI proposal deals at all with technology development. But even when we addressed this alleged problem head-on, by an amendment offered by Ms. Lofgren which would have precluded EPA from funding private sector technology development, the majority still rejected the program.

Unfortunately, the Committee has reported a bill that attempts to micromanage EPA's research program by substituting political ideology for sound priorities. This comes despite the fact that Congress has been repeatedly criticized for its overly intrusive supervision of EPA activities, resulting in an inflexible, inefficient, and largely crisis-driven regulatory system. The first recommendation in a recent study of EPA by the National Academy of Public Administration is: "EPA needs a well-defined, coherent statutory mission and the flexibility to carry it out . . . At present, EPA is hobbled by overly prescriptive statutes that pull the agency in too many directions and permit managers too little discretion to make wise decisions. Congress should stop micromanaging EPA."

For the reason stated above, we dissent from the Committee's recommendations.

GEORGE E. BROWN, Jr.,
BUD CRAMER.
ALCEE L. HASTINGS.
MIKE WARD.
JANE HARMAN.
EDDIE BERNICE JOHNSON.
LLOYD DOGGETT.
ZOE LOFGREN.
PAUL MCHALE.
JOHN W. OLVER.
KAREN MCCARTHY.

XVIII. PROCEEDINGS OF SUBCOMMITTEE MARKUP OF SUBCOMMITTEE PRINT

SUBCOMMITTEE MARKUP—H.R. 1814, THE ENVIRONMENTAL RESEARCH, DEVELOPMENT AND DEMONSTRATION AUTHORIZATION ACT OF 1995

THURSDAY, JUNE 8, 1995

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
SUBCOMMITTEE ON ENERGY AND ENVIRONMENT,
Washington, D.C.

Mr. ROHRABACHER. The hearing will come to order. We are now—we will move on to consider the Committee print of the Environmental Research, Development and Demonstration Authorization Act of 1995, which was prepared by legal counsel and previously distributed to the Members.

[The Committee print follows.]

[SUBCOMMITTEE PRINT]

JUNE 5, 1995

104TH CONGRESS
1ST SESSION

H. R. _____

IN THE HOUSE OF REPRESENTATIVES

Mr. ROHRABACHER introduced the following bill; which was referred to the Committee on _____

A BILL

To authorize appropriations for environmental research, development, and demonstration activities of the Environmental Protection Agency for fiscal year 1996, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Environmental Research, Development, and Demonstration Authorization Act of 1995".

1 **SEC. 2. DEFINITIONS.**

2 For the purposes of this Act, the term—

3 (1) "Administrator" means the Administrator

4 of the Environmental Protection Agency;

5 (2) "Agency" means the Environmental Protec-

6 tion Agency;

7 (3) "Agency action" means any Agency—

8 (A) proposed or final major rule;

9 (B) proposed or final cleanup plan for a

10 facility or guidelines for the issuance of any

11 such plan;

12 (C) report to Congress;

13 (D) regulatory action placing a substance

14 on any official list of carcinogens or toxic or

15 hazardous substances or placing a new health

16 effects value on such list, including the Inte-

17 grated Risk Information System Database; or

18 (E) written guidance, including protocols

19 of general applicability, establishing policy re-

20 garding risk assessment or risk characteriza-

21 tion; and

22 (4) "Assistant Administrator" means the As-

23 sistant Administrator for Research and Development

24 of the Agency.

1 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There are authorized to be appro-
3 priated to the Administrator $490,000,000 for fiscal year
4 1996 for the Office of Research and Development for envi-
5 ronmental research, development, and demonstration ac-
6 tivities, including program management and support, in
7 the areas specified in subsection (b), of which—

8 (1) $321,694,800 shall be for Research and De-
9 velopment; and

10 (2) $109,263,400 shall be for Program and Re-
11 search Operations.

12 (b) SPECIFIC PROGRAMS AND ACTIVITIES.—Of the
13 amount authorized in subsection (a), there are authorized
14 to be appropriated the following:

15 (1) For air related research, $98,915,200, of
16 which—

17 (A) $72,111,400 shall be for Research and
18 Development; and

19 (B) $26,803,800 shall be for Program and
20 Research Operations.

21 (2) For global change research, $2,385,700, of
22 which—

23 (A) $2,125,400 shall be for Research and
24 Development; and

25 (B) $260,300 shall be for Program and
26 Research Operations.

1 (3) For water quality related research,
2 $21,243,100, of which—
3 (A) $9,453,100 shall be for Research and
4 Development; and
5 (B) $11,790,000 shall be for Program and
6 Research Operations.
7 (4) For drinking water related research,
8 $20,652,400, of which—
9 (A) $10,376,500 shall be for Research and
10 Development; and
11 (B) $10,275,900 shall be for Program and
12 Research Operations.
13 (5) For toxic chemical related research,
14 $11,053,900, of which—
15 (A) $5,028,600 shall be for Research and
16 Development; and
17 (B) $6,025,300 shall be for Program and
18 Research Operations.
19 (6) For lab and field expenses, $73,031,600, all
20 of which shall be for Research and Development.
21 (7) For headquarters expenses of the Office of
22 Research and Development, $9,254,800, all of which
23 shall be for Research and Development.
24 (8) For multimedia related research expenses,
25 $153,656,800, of which—

1 (A) $122,142,900 shall be for Research
2 and Development; and
3 (B) $31,513,900 shall be for Program and
4 Research Operations.
5 (9) For program management expenses,
6 $6,399,300, all of which shall be for Program and
7 Research Operations.
8 (10) For pesticide related research,
9 $13,345,200, of which—
10 (A) $7,192,800 shall be for Research and
11 Development; and
12 (B) $6,152,400 shall be for Program and
13 Research Operations.
14 (11) For oil pollution related research,
15 $2,076,900.
16 (12) For research related to leaking under-
17 ground storage tanks, $769,400.
18 (13) For research related to cleanup of con-
19 taminated sites, $56,195,500.
20 (14) For research related to hazardous waste,
21 $21,020,200, of which—
22 (A) $10,977,700 shall be for Research and
23 Development; and
24 (B) $10,042,500 shall be for Program and
25 Research Operations.

1 (c) LIMITATIONS.—(1) No funds are authorized to be
2 appropriated by this Act for—
3 (A) the Environmental Technology Initiative;
4 (B) the Climate Change Action Plan; or
5 (C) environmental education, including grad-
6 uate student fellowships.
7 (2) No funds are authorized to be appropriated for
8 any fiscal year after fiscal year 1996 for carrying out the
9 programs and activities for which funds are authorized by
10 this Act.
11 SEC. 4. SCIENTIFIC RESEARCH REVIEW.
12 (a) IN GENERAL.—The Administrator shall assign to
13 the Assistant Administrator the duties of—
14 (1) developing a strategic plan for scientific and
15 technical activities throughout the Agency;
16 (2) integrating that strategic plan into ongoing
17 Agency planning activities; and
18 (3) reviewing all Agency research to ensure the
19 research—
20 (A) is of high quality;
21 (B) does not duplicate any other research
22 being conducted by the Agency; and
23 (C) is adequate to support any Agency ac-
24 tion based on that research.

1 (b) REPORT.—The Assistant Administrator shall
2 transmit annually to the Administrator and to the Com-
3 mittee on Science of the House of Representatives and the
4 Committee on Environment and Public Works of the Sen-
5 ate a report detailing—
6 (1) all Agency research the Assistant Adminis-
7 trator finds is not of sufficiently high quality;
8 (2) all Agency research the Assistant Adminis-
9 trator finds duplicates other Agency research; and
10 (3) any Agency action the Assistant Adminis-
11 trator finds is not supported by adequate scientific
12 data.

SECTION-BY-SECTION
THE ENVIRONMENTAL PROTECTION AGENCY
RESEARCH AND DEVELOPMENT AUTHORIZATION ACT

Section 1. Short Title

Cites the Act as the "Environmental Research, Development, and Demonstration Authorization Act of 1995."

Section 2. Definitions

Contains definitions of terms used in the Act.

Section 3. Authorization of Appropriations

(a) Authorizes $490,000,000 for the Office of Research and Development (ORD) for fiscal year 1996 of which--

(1) $321,694,800 is authorized to be appropriated for Research and Development; and

(2) $109,263,400 is authorized to be appropriated for Program and Research Operations.

[Line items (1) and (2) do not include monies for oil spill, superfund or LUST and therefor do not add up to (a) $490,000,000]

(b) Divides the total in subsection (a) among the ORD research accounts as follows:

(1) $98,915,200 for air related research of which--

(A) $72,111,400 is authorized to be appropriated for Research and Development; and

(B) $26,803,800 is authorized to be appropriated for Program and Research Operations.

(2) $2,385,700 for global change research of which--

(A) $2,125,400 is authorized to be appropriated for Research and Development; and

(B) $260,300 is authorized to be appropriated for Program and Research Operations.

(3) $21,243,100 for water quality related research of which--

(A) $9,453,100 is authorized to be appropriated for Research and Development; and

(B) $11,790,000 is authorized to be appropriated for Program and Research Operations.

(4) $20,652,400 for drinking water related research of which--

(A) $10,376,500 is authorized to be appropriated for Research and Development; and

(B) $10,275,900 is authorized to be appropriated for Program and Research Operations.

(5) $11,053,900 for toxic chemical related research of which--

(A) $5,028,600 is authorized to be appropriated for Research and Development; and

(B) $6,025,300 is authorized to be appropriated for Program and Research Operations.

(6) $73,031,600 for lab and field expenses all of which is authorized to be appropriated for Research and Development.

(7) $9,254,800 for headquarters expenses of the Office of Research and Development all of which is authorized to be appropriated for Research and Development.

(8) $153,656,800 for multimedia related research expenses of which--

(A) $122,142,900 is authorized to be appropriated for Research and Development; and

(B) $31,513,900 is authorized to be appropriated for Program and Research Operations.

(9) $6,399,300 for program management expenses all of which is authorized to be appropriated for Program and Research Operations.

(10) $13,345,200 for pesticide related research of which--

(A) $7,192,800 is authorized to be appropriated for Research and Development; and

(B) $6,152,400 is authorized to be appropriated for Program and Research Operations.

(11) $2,076,900 for oil pollution related research.

(12) $769,400 for research related to leaking underground storage tanks.

(13) $56,195,500 for research related to cleanup of contaminated sites.

(14) For research related to hazardous waste, $21,020,200, of which--

(A) $10,977,700 is authorized to be appropriated for Research and Development; and

(B) $10,042,500 is authorized to be appropriated for Program and Research Operations.

(c) (1) Specifically does not authorize the following programs:
(A) the Environmental Technology Initiative
(B) the Climate Change Action Plan, or
(C) environmental education, including graduate student fellowships.

(2) Sunsets all programs authorized by the Act after fiscal year 1996.

Section 4. Scientific Research Review

(a) The Assistant Administrator for ORD shall be assigned the duties of (1) developing a strategic plan for scientific and technical activities throughout the Agency; (2) integrating that strategic plan into ongoing Agency planning activities; and (3) reviewing all Agency research to ensure the research (A) is of high quality, (B) is not duplicative of any other research being conducted by the Agency, and (C) is adequate to support any Agency action based on that research.

(b) Requires the Assistant Administrator to submit an annual report to the Administrator of EPA and to Congress detailing (1) all Agency research the Assistant Administrator finds is not of sufficiently high quality; (2) all Agency research the Assistant Administrator finds duplicates other Agency research; and (3) any Agency action the Assistant Administrator finds is not supported by adequate scientific data.

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT

COMMITTEE ON SCIENCE

CHAIRMAN ROHRABACHER

JUNE 8, 1994

CHAIRMAN'S MARK

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT SUMMARY

(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
EPA OFFICE OF RESEARCH AND DEVELOPMENT (ORD)					
Air Research	104,194.9	106,710.1	101,300.9	-2,894.0	-5,409.2
Water Quality Research	22,902.3	21,243.1	21,243.1	-1,659.2	0
Drinking Water Research	22,174.5	21,665.6	20,652.4	-1,522.1	-1,013.4
Pesticides Research	13,823.4	13,598.2	13,345.2	-478.2	-253.0
Toxic Substances Research	18,208.7	15,490.4	11,053.9	-7,154.8	-4,436.5
Hazardous Waste Research	26,748.3	22,815.9	21,020.2	-5,728.1	-1,795.7
Multimedia Research and Development	260,679.3	357,232.5	235,943.2	-24,736.1	-121,289.3
Mission and Policy Management—R&D	7,225.6	7,985.2	6,399.3	-826.3	-1,585.9
Superfund Research and Development	67,049.5	59,784.7	56,195.5	-10,854.0	-3,589.2
Leaking Underground Storage Tanks (LUST) Research	769.2	773.6	769.4	+0.2	-4.4
Oil Spill Response Research	1,767.1	2,076.9	2,076.9	+309.8	0
TOTAL, EPA ORD	545,542.8	629,376.6	490,000.0	-55,542.8	-139,376.6

NET SAVINGS TO FY 1996 REQUEST: $139,376,600

Eliminating/Streamlining Bureaucracy: $40,905,800

Reducing/Eliminating Corporate and Special Interest Subsidies: $80,000,000

Reducing/Eliminating Low-Priority Programs: $18,470,800

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
AIR RESEARCH (Page 1 of 2)					
Air Quality Research					
Global Change Research	266.2	0	0	-266.2	0
Stratospheric Ozone Depletion	879.2	0	0	-879.2	0
Air Toxics	6,009.6	9,852.1	6,319.6	+310.0	-3,532.5
Criteria Air Pollutants	31,405.8	34,985.4	62,145.1	+30,739.3	+27,159.7
Pollutants from Motor Vehicles	5,182.3	3,646.7	3,646.7	-1,535.6	0
Indoor Air Pollution	6,773.8	5,238.4	0	-6,773.8	-5238.4
Infrastructure	26,803.8	29,081.3	26,803.8	0	-2,277.5
Cross Program	1,427.7	1,437.7	0	-1,427.7	-1,437.7
Total, Air Quality Research	78,748.4	84,241.6	98,915.2	+20,166.8	+14,673.6
Acid Deposition					
Acid Deposition	1,477.5	0	0	-1,477.5	0
Infrastructure	586.8	0	0	-586.8	0
Total, Acid Deposition	2,064.3	0	0	-2,064.3	0
Global Change Research					
Global Change Research	16,562.5	15,224.5	0	-16,562.5	-15,224.5
Stratospheric Ozone Depletion	1,668.5	2,125.4	2,125.4	+456.9	0
Infrastructure	5,151.2	5,118.6	260.3	-4,890.9	-4,858.3
Total, Global Change Research	23,382.2	22,468.5	2,385.7	-20,996.5	-20,082.8
Total, Air Research	104,194.9	106,710.1	101,300.9	-2,894.0	-5,409.2

AIR RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Air Research: -$5,409,200 to FY 1996 request

- +$14,673.6 for increased Air Quality Research, including +$27,159,700 for research on issues such as PM_{10} and ozone transport, -$5,238,400 for Indoor Air which is under OSHA, not EPA, jurisdiction, and -$2,277,500 for Infrastructure to maintain at FY 1995 level, and -$1,437,700 for Cross Program for which no budget justification was provided.

AIR RESEARCH (Page 2 of 2)

AIR RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$20,082,800 for Global Change Research, including -$15,224,500 for global change research, and -$4,858,300 for infrastructure to reflect lower level of effort.

(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
WATER QUALITY RESEARCH (Page 1 of 1)					
Ecosystem Protection	8,604.3	8,010.2	9,188.9	+584.6	+1,178.7
Wastewater and Sludge	1,368.8	0	0	-1,368.8	0
Infrastructure	12,664.5	12,968.7	11,790.0	-874.5	-1,178.7
Cross Program	264.7	264.2	264.2	-0.5	0
Total, Water Quality Research	22,902.3	21,243.1	21,243.1	-1,659.2	0

WATER QUALITY RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Water Quality Research: Same as FY 1996 request

- -$1,178,700 for infrastructure to reflect lower level of effort, savings have been redesignated for research.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT

(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
DRINKING WATER RESEARCH (Page 1 of 1)					
Ecosystem Protection	453.5	0	0	-453.5	0
Drinking Water Pollutants and Disinfection	8,463.1	8,384.8	8,384.8	-78.3	0
Groundwater	2,059.7	1,991.7	1,991.7	-68.0	0
Infrastructure	10,869.9	11,289.3	10,275.9	-594.0	-1,013.4
Cross Program	328.3	0	0	-328.3	0
Total, Drinking Water Research	22,174.5	21,665.8	20,652.4	-1,522.1	-1,013.4

DRINKING WATER RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Drinking Water Research: -$1,013,400 to FY 1996 request

- -$1,013,400 for Infrastructure to reflect lower level of effort.

(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
PESTICIDES RESEARCH (Page 1 of 1)					
Ecosystems Protection	1,290.9	0	0	-1,290.9	0
Environmental Releases of Biotechnology Products	1,157.7	1,576.1	1,157.7	+418.4	0
Human Exposure	3,058.2	5,094.8	5,094.8	+2,036.6	0
Health Effects	810.1	436.3	436.3	-373.8	0
Environmental Review of Toxic Chemicals	445.1	85.6	85.6	-359.5	0
Infrastructure	6,808.2	6,152.4	6,152.4	-655.8	0
Cross Program	253.2	253.0	0	-253.2	-253.0
Total, Pesticides Research	13,823.4	13,598.2	13,345.2	-478.2	-253.0

PESTICIDES RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Pesticides Research: -$253,000 to FY 1996 request

- -$253,000 for Cross Program for which no budget justification was provided.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
TOXIC SUBSTANCES RESEARCH (Page 1 of 1)					
Ecosystems Protection	525.9	0	0	-525.9	0
Environmental Releases of Biotechnology Products	2,967.7	974.4	974.4	-1,993.3	0
Wastewater and Sludge	56.9	0	0	-56.9	0
Human Exposure	1,138.8	1,135.0	1,135.0	-3.8	0
Health Effects	1,713.7	1,599.0	1599.0	-114.7	0
Health Risk Assessment Methods	253.0	207.2	207.2	-45.8	0
Environmental Review of Toxic Chemicals	738.3	512.7	512.7	-225.6	0
Lead and Other Heavy Metals	702.1	600.3	600.3	-101.8	0
Infrastructure	9,701.2	10,051.2	6,025.3	-3,675.9	-4,025.9
Cross Program	411.1	410.6	0	-411.1	-410.6
Total, Toxic Substances Research	18,208.7	15,490.4	11,053.9	-7,154.8	-4,436.5

TOXIC SUBSTANCES RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Toxic Substances Research: -$4,436,500 to FY 1996 request

- -$4,025,900 for Infrastructure to reflect lower level of effort, and -$410,600 for Cross Program for which no budget justification was provided.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
HAZARDOUS WASTE RESEARCH (Page 1 of 1)					
Groundwater	5,903.3	5,822.0	5,822.0	-81.3	0
Waste Management	3,346.8	1,430.8	1,430.8	-1,916.0	0
Surface Cleanup	447.6	446.3	446.3	-1.3	0
Bioremediation	1,178.0	682.0	682.0	-496.0	0
Pollution Prevention	1,513.1	1,529.0	1,529.0	+15.9	0
National and International Technology Transfer	680.9	678.8	678.8	-2.1	0
Environmental Review of Toxic Chemicals	97.3	0	0	-97.3	0
Exploratory Grants & Centers	390.0	388.8	388.8	-1.2	0
Infrastructure	12,470.2	11,116.4	10,042.5	-2,427.7	-1,073.9
Cross Program	721.1	721.8	0	-721.1	-721.8
Total, Hazardous Waste Research	26,748.3	22,815.9	21,020.2	-5,728.1	-1,795.7

HAZARDOUS WASTE RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Hazardous Waste Research: -$1,795,700 to FY 1996 request

- -$1,073,900 for Infrastructure to reflect lower level of effort, and -$721,000 for Cross Program for which no budget justification was provided.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
MULTIMEDIA RESEARCH AND DEVELOPMENT (Page 1 of 2)					
Multimedia Research					
Ecosystems Protection	47,042.2	47,351.7	47,351.7	+309.5	0
Criteria Air Pollutants	697.7	0	0	-697.7	0
Pollutants from Motor Vehicles	300.0	0	0	-300.0	0
Indoor Air Pollution	159.0	0	0	-159.0	0
Human Exposure	11,296.0	6,765.4	6,765.4	-4,530.6	0
Health Effects	1,359.6	6,307.4	6,307.4	+4,947.6	0
Health Risk Assessment Methods	4,271.9	8,910.2	8,910.2	+4,638.3	0
Pollution Prevention	4,855.7	4,803.7	4,803.7	-52.0	0
Innovative Technologies	47,151.8	92,883.2	6,683.2	-40,468.6	-86,200.0
Environmental Education	8,566.7	11,704.2	0	-8,566.7	-11,704.2
National and International Technology Transfer	2,179.9	1,123.1	1,123.1	-1,056.8	0
Lead and Other Heavy Metals	1,963.3	1,706.8	1,706.8	-256.5	0
Exploratory Grants and Centers	29,406.5	25,760.2	25,760.2	-3,646.3	0
Infrastructure	33,697.6	46,317.1	31,513.9	-2,183.7	-14,803.2
Cross Program	12,731.2	14,730.7	12,731.2	0	-1,999.5
Total, Multimedia Research	205,679.3	268,363.7	153,656.8	-52,022.5	-114,706.9
Headquarters Infrastructure	5,389.1	10,837.2	9,254.8	+3,865.7	-1,582.4
Lab and Field Expenses	49,610.9	78,031.6	73,031.6	+23,420.7	-5,000.0
Total, Multimedia Research and Development	260,679.3	357,232.5	235,943.2	-24,736.1	-121,289.3

MULTIMEDIA RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

Multimedia Research and Development: -$121,289,300 to FY 1996 request

- -$86,200,900 for Innovative Technologies, including elimination of the Environmental Technology Initiative (-$80,000,000) and Climate Change Action Plan projects ($-6,200,000).
- -$11,704,200 for Environmental Education eliminate the program.

MULTIMEDIA RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$21,385,600 for Multimedia Research Infrastructure (-$14,803,200), Headquarters Infrastructure (-$1,582,400), and Lab and Field Expenses (-$5,000,000) to reflect lower level of effort.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
MISSION AND POLICY MANAGEMENT—R&D (Page 1 of 1)					
Mission and Policy Management—R&D	7,225.6	7,985.2	6,399.3	-826.3	-1,585.9

MISSION AND POLICY MANAGEMENT—R&D FY 1996 BUDGET MARKS' ASSUMPTIONS

Mission and Policy Management—R&D: -$1,585,900 to FY 1996 request

- -$1,585,900 for infrastructure to reflect lower level of effort.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
SUPERFUND RESEARCH AND DEVELOPMENT (Page 1 of 1)					
Hazardous Substances Research:					
Ecosystems Protection	421.9	1,770.0	1,770.0	+1,348.1	0
Groundwater	2,873.5	3,538.6	3,538.6	+665.1	0
Surface Cleanup	28,361.7	22,889.2	22,889.2	-5,472.5	0
Bioremediation	4,549.7	5,334.1	5,334.1	+784.4	0
Health Risk Assessment	1,899.3	1,884.9	1,884.9	-14.4	0
Innovative Technologies	1,109.5	958.2	958.2	-151.3	0
National and International Technology Transfer	347.5	350.7	350.7	+3.2	0
Exploratory Grants and Centers	14,264.1	8,460.9	8,460.9	-5,803.2	0
Infrastructure	11,992.3	12,949.5	10,051.0	-1,941.3	-2,898.5
Cross Program	87.1	88.0	0	-87.1	-88.0
Total, Hazardous Substances Research	65,906.6	58,324.1	55,237.6	-10,669.0	-2,986.5
Management and Support	1,142.9	1,560.6	957.9	-185.0	-602.7
Total, Superfund Research and Development	67,049.5	59,784.7	56,195.5	-10,854.0	-3,589.2

SUPERFUND RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

Superfund Research and Development: -$3,589,200 to FY 1996 request

- -$88,000 for Cross Program for which no budget justification was provided, and -$2,898,500 for Infrastructure and -$602,700 for Management and Support to reflect lower levels of effort.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
LEAKING UNDERGROUND STORAGE TANKS (LUST) RESEARCH (Page 1 of 1)					
Groundwater	593.8	589.5	589.5	-4.3	0
Innovative Technologies	7.8	12.1	12.1	+4.5	0
Infrastructure	167.6	172.2	167.8	0	-4.4
Total, LUST Research	768.2	773.8	768.4	+0.2	-4.4

LEAKING UNDERGROUND STORAGE TANKS (LUST) RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Leaking Underground Storage Tanks (LUST) Research: -$4,400 to FY 1996 request

- -$4,400 for infrastructure to reflect lower level of effort.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

				Mark Compared With (+ or -)	
	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	FY 1995 Adjusted	FY 1996 Request
OIL SPILL RESPONSE RESEARCH (Page 1 of 1)					
Oil Spill Response Research	1,767.1	2,076.9	2,076.9	+309.8	0

OIL SPILL RESPONSE RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Oil Spill Response Research: $0 change to FY 1996 request

Mr. ROHRABACHER. There are no amendments—are there any amendments?

[No response.]

Mr. ROHRABACHER. Hearing none, we will—the Chair moves the bill as amended. All those in favor will say aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All opposed will say no.

[No response.]

Mr. ROHRABACHER. The ayes appear to have it.

Mr. HAYES. What happened to my part? Was my part cut from the script?

Mr. ROHRABACHER. No, no. That was just——

[Laughter.]

Mr. ROHRABACHER. No, we've got something else. You are next.

Mr. HAYES. Okay.

[Laughter.]

Mr. HAYES. It wasn't that much of a part, to begin with.

Mr. ROHRABACHER. Hold on. We've got it here for you. There it is.

Mr. HAYES. Mr. Chairman, I move that a clean bill be prepared by the Chairman for introduction in the House for further consideration by the Committee.

Mr. ROHRABACHER. All those in favor, say aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All opposed will say no.

[No response.]

Mr. ROHRABACHER. The ayes have it. The motion is agreed to. And, the bill is reported.

Without objection, the motion to reconsider is laid upon the table.

[Whereupon, the Subcommittee markup on the Environmental Research, Development and Demonstration Authorization Act of 1995 is concluded at 4:32 p.m., this same date.]

XIX. PROCEEDINGS OF COMMITTEE MARKUP OF H.R. 1814

FULL COMMITTEE MARKUP—H.R. 1814, THE ENVIRONMENTAL RESEARCH, DEVELOPMENT AND DEMONSTRATION AUTHORIZATION ACT OF 1995

TUESDAY, JUNE 20, 1995

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
Washington, D.C.

The Committee met, pursuant to call, at 9:28 a.m., in Room 2318, Rayburn House Office Building, Hon. Robert S. Walker [Chairman of the Committee] presiding.

The CHAIRMAN. As per previous notice to the Committee, the Committee is now in session.

By previous agreement with the Ranking Democratic Member, George Brown, the Committee stands in recess until 1:00 p.m.

[Whereupon, at 9:33 a.m., the Committee recessed, to reconvene at 1:00 p.m., the same day.]

The CHAIRMAN. I declare the recess ended and the Committee back in session. Pursuant to the Notice, the Committee on Science is meeting today to consider the following measures:

H.R. 1814, the Environmental Research, Development, and Demonstration Authorization Act of 1995;

H.R. 1816, the Department of Energy Civilian Research and Development Act of 1995;

H.R. 1815, the National Oceanic and Atmospheric Administration Authorization Act of 1995;

H.R. 1175, the Marine Resources Revitalization Act of 1995; and

H.R. 1601, the International Space Station Authorization Act of 1995.

I ask unanimous consent for the authority to recess.

Is there objection?

Mr. BROWN. Mr. Chairman, reserving the right to object.

The CHAIRMAN. The gentleman from California reserves the right to object.

Mr. BROWN. And I do not intend to object. I merely want to make this point.

I will not object to any of the requests of the Chairman to recess for the purpose of voting to a time certain or something of that sort, but I am concerned about the possibility, which I hope would never occur, that the Chairman might choose to declare a recess, if he's granted unlimited authority for the purpose of, for example, compensating for the absence of his Members who are not here to vote, say, when a vote is called.

And while I don't think the Chairman would do that, it would not be fair for him to be able to do that unless the minority were able to do that.

So if you'll confine your recess requests to the situations that I've described, I will have no problems with it.

The CHAIRMAN. Well, I thank the gentleman for his explanation. The problem for the Chairman is that I don't know what contingencies could arise in two days' worth of meetings here, and it seems to me that we do have to be aware that a broad recess authority does give us the opportunity then to act in a variety of ways, depending upon what contingencies arise.

And so I am seeking to have a broad recess authority granted to the Chairman here so that we can in fact proceed in an orderly manner.

Mr. BROWN. Well, I've expressed my own feelings, Mr. Chairman, and they are in no way intended to handicap you. I would prefer that you ask on a case-by-case basis, and I would not raise any objections.

If you feel that you have to have the broader authority, perhaps you could get it by a vote. It has to be by unanimous consent?

The CHAIRMAN. Well we can in fact have, I mean under the rules we can in fact have someone move the matter; and that is certainly—that is certainly a potential for us to go ahead with a motion.

It was the intention of the Chairman to try to move things along today so that——

Mr. BROWN. Let me put it this way.

Would the Chairman give me his assurances that he will not use his authority to call a recess in order to kill time so that his Members may come in a situation where otherwise we would have used quorums but the Chair doesn't like quorums, but he likes recesses to allow his Members to come in?

Now that's circumventing the purpose.

Now if you will give me your assurances that you will not seek to circumvent the purpose of not having quorums by recesses, then I will not raise any objection.

The CHAIRMAN. Well, we can move the matter.

I would simply say to the gentleman that again, you know, I don't know what the contingencies are that may arise in the next couple of days.

And the question is whether or not we have Members who have to be on the Floor for business, and there are several reasons why Members might not be in the room at a particular time, and, you know, I don't particularly want to have a situation where we simply game the system, either, and we can in fact——

Mr. BROWN. Mr. Chairman, I've been assured that you do have the right to do this by vote. You understand my concerns.

The CHAIRMAN. Sure.

Mr. BROWN. I will withdraw my reservation at this point.

The CHAIRMAN. I thank the gentleman very much.

Before we begin today, I'd like to take note of the extraordinary job the Subcommittee Chairmen and Chairwomen have done to make possible the marking up of eight bills here today and Thursday. They've risen to the challenge of trying to operate under the concept of a balanced budget, a very tough schedule and burden of leadership by setting priorities and policies within the reality of the limited resources that we have. And I certainly commend them for that.

Jim Sensenbrenner, Dana Rohrabacher, Connie Morella and Steve Schiff certainly have my respect and my gratitude for the work that was done in their individual subcommittees and continues here today.

Many said they couldn't, they wouldn't, and they shouldn't. They just went ahead and they did the job, and I certainly appreciate what they've done.

This is the case where there were promises made and indeed, from the subcommittees, those promises were kept and I thank them very, very much.

Are there any Members seeking recognition for an opening statement with regard to the overall markup session?

[No response.]

The CHAIRMAN. If there are none——

Mr. BROWN. Mr. Chairman, may I ask unanimous consent to insert a general statement in the record at this point, and then I have a brief statement for the EPA.

[The prepared statement of Mr. Brown follows:]

OPENING STATEMENT OF GEORGE E. BROWN, JR.

Thank you, Mr. Chairman. I have a brief statement on the bill before us, H.R. 1814. It was my earnest hope that—with all the recent talk of the need for "good science"

in our federal environmental establishment—there would be little disagreement on the need to adequately fund EPA research and development activities.

Although EPA's Office of Research and Development is a small program within the agency, it does play a vital role in furnishing the sound science base for EPA decisions. ORD programs span all of the environmental media and include research activities in air and water quality, waste disposal, pesticides, and remediation of contaminated sites, to name a few.

The role of ORD is easily overlooked in an Agency as large and visible as EPA, but without the sound scientific and risk data provided by this office our environmental regulators will be left in the dark and may well blunder into erroneous decisions.

I recognize that Mr. Rohrabacher's bill is a serious attempt to grapple with these needs while attempting to comply with a restrictive budgetary constraint imposed from above. However, I also have real concerns a bout the reductions in his bill and about the overall direction in which it would lead the Agency.

In my opinion, Administrator Browner and Assistant Administrator Huggett are to be praised for their leadership in moving EPA towards greater flexibility, increasing partnerships with the industrial and academic communities, and greater reliance on a sound, world-class science base. H.R. 1814 would represent a retreat from these goals—which every Member here should rightly support—and for that reason I will reluctantly oppose the bill.

I do plan to offer my own amendment in the nature of a substitute to H.R. 1814. This substitute will sustain ORD funding at its current, FY95 level, which is over $80 million below the Agency's FY96 request. My proposal will be consistent with the goal of an eventual balanced budget *and* with the need for top-notch research in environmental science.

Thank you, Mr. Chairman, and I yield back any remaining time.

The CHAIRMAN. So ordered without objection, and the gentleman is recognized.

The gentleman wants to make a statement on the EPA bill? Okay.

We will now consider H.R. 1814, the Environmental Research, Development, and Demonstration Authorization Act of 1995.

I'd like to begin by thanking the Chairman of the Energy and Environment Subcommittee, Dana Rohrabacher, for all his hard work in putting together H.R. 1814, the Environmental Research, Development, and Demonstration Authorization Act of 1995, which preserves the Environmental Protection Agency's Office of Research and Development's core mission requirements while remaining within the budget allocations for the subcommittee.

1814's authorization falls within the limits set by the Budget Resolution passed by the House earlier this year.

By meeting the exact same spending limits which restrict the appropriators, this bill meets the test of relevance and will set spending priorities for the House of Representatives for the Office of Research and Development in fiscal year 1996.

H.R. 1814 authorizes the Office of Research and Development for that year. The total authorization is $490 million. This total is $56 million below fiscal year 1995, $139 million below the President's request for 1996.

This particular bill refocuses ORD on its primary mission to provide the scientific underpinnings for sound regulatory policy within EPA.

The bill accomplishes this goal by reducing ORD overhead and infrastructure costs, holding them level as a percentage of research funding, and eliminating total low priority programs, such as the Environmental Technology Initiative, Global Warming and Indoor Air Research, and the Environmental Fellowship Programs, which do not support ORD scientific research.

The bill funds all other research at either the President's request for 1996 or the fiscal year 1995 level. The bill even provides a substantial increase for research on air pollution, an area of science which has been lagging well behind the burdensome and extremely expensive regulations which are being mandated by the provisions of the Clean Air Act.

This is a good bill. It meets the budgetary targets outlined in the House Budget Resolution without adversely impacting ORD's scientific core mission.

I congratulate the bill's authors, Subcommittee Chairman Rohrabacher and ranking Member Jimmy Hayes, for their fine work, and encourage all my colleagues to support the bill.

Mr. OLVER. Mr. Chairman?

Mr. BROWN. Mr. Chairman?

The CHAIRMAN. And I recognize the gentleman from California.

Mr. BROWN. Thank you very much, Mr. Chairman.

I have a brief statement.

It was my earnest hope that with all the recent talk of the need for good science in our Federal environmental establishment, there would be little disagreement on the need to adequately fund EPA research and development activities.

Although EPA's Office of Research and Development is a small office within the agency, it does play a vital role in furnishing the sound science base for EPA decisions.

ORD programs span all of the environmental media and include research activities in air and water quality, waste disposal, pesticide, and remediation of contaminated sites, to name a few.

The role of ORD is easily overlooked in an agency as large and visible as EPA but without the sound scientific and risk data provided by this office, our environmental regulators will be left in the dark and may well blunder into erroneous decisions.

I recognize that Mr. Rohrabacher's bill is a serious attempt to grapple with these needs while attempting to comply with a restrictive budgetary constraint.

However, I also have real concerns about the reductions in his bill and about the overall direction in which it would lead the agency.

In my opinion, Administrator Brown and her deputies are to be praised for their leadership in moving EPA toward greater flexibility, increasing partnerships with industrial and academic communities, and a greater reliance on a sound world class science base.

H.R. 1814 would represent a retreat from these goals, which every Member here should rightly support.

And for that reason, I will oppose the bill.

I do plan to offer my own amendment in the nature of a substitute. This would sustain ORD's funding at its current Fiscal Year 1995 level which is over $80 million below the Agency's 1996 request.

My proposal will be consistent with the goal of an eventual balanced budget, and with the need for top notch research in environmental science.

And I thank you, Mr. Chairman, and yield back the balance of my time.

The CHAIRMAN. Thank you, Mr. Brown.

Any other opening statements that Members might have, we would ask for them to be submitted and they will be included in the record at this point.

[The prepared statement of Mr. Walker follows:]

OPENING STATEMENT
OF THE HONORABLE ROBERT S. WALKER

MARKUP OF H.R. 1814,

THE ENVIRONMENTAL RESEARCH, DEVELOPMENT,
AND DEMONSTRATION AUTHORIZATION ACT OF 1995

June 20, 1995

I would like to begin by thanking the Chairman of the Energy and Environment Subcommittee, Dana Rohrabacher for all his hard work in putting together H.R. 1814, the Environmental Research, Development, and Demonstration Authorization Act of 1995 which preserves the Environmental Protection Agency's Office of Research and Devlopment's (ORD) core mission requirements while remaining within the budget allocations for the Subcommittee.

H.R. 1814's authorization falls within the limits set by the Budget Resolution passed by the House earlier this year. By meeting the same exacting spending limits which restrict the Appropriators, H.R. 1814 meets the test of relevance and will set the spending priorities of the House of Representatives for ORD in Fiscal Year (FY) 1996.

H.R. 1814 authorizes ORD for FY 1996. The total authorization for ORD is $490 million. This total is $56 million below FY 1995 and $139 million below the President's request for FY 1996.

H.R. 1814 refocuses ORD on its primary mission to provide the scientific underpinnings for sound regulatory policy within EPA. The bill accomplishes this goal by reducing ORD overhead and infrastructure costs, holding them level as a percentage of research funding, and eliminating low priority programs such as the Environmental Technology Initiative, global warming and indoor air research, and environmental fellowship programs which do not support ORD scientific research.

The bill funds all other research at either the President's request for 1996 or the FY 1995 level. The bill even provides a substantial increase for research on air pollution, an area of science which is lagging well behind the burdensome and extremely expensive regulations which are being mandated by the provisions of the Clean Air Act.

H.R. 1814 is a good bill. It meets the budgetary targets outlined in the House Budget Resolution without adversely impacting ORD's core scientific mission. I congratulate the bill's authors, Subcommittee Chairman Rohrabacher and Ranking Member Jimmy Hayes for their fine work, and encourage all my colleagues to support the bill.

The CHAIRMAN. I would ask unanimous consent that the bill be considered as read and open for amendment at any point.

I ask the Members——

Mr. BROWN. May I reserve the right to object, just for a clarification?

I want to clarify that it is the Chairman's intention to deal first with the amendments on the roster and any amendments thereto, and that Members will still have the right to offer amendments to any section of the bill, even if they do not appear on the roster.

The CHAIRMAN. The gentleman is correct.

I was just going to ask that the Members proceed with the amendments in the order of the roster, but certainly Members are given the right to offer amendments in the process.

Mr. BROWN. With that clarification, I withdraw my reservation.

The CHAIRMAN. I would ask, as we proceed with amendments then, I'd ask unanimous consent that the text of the bill, as amended by the Walker en bloc amendment when that is offered, be considered as original text for the purposes of amendment.

[The bill follows:]

104TH CONGRESS
1ST SESSION

H. R. 1814

To authorize appropriations for environmental research, development, and demonstration activities of the Environmental Protection Agency for fiscal year 1996, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 1995

Mr. ROHRABACHER (for himself and Mr. HAYES) introduced the following bill; which was referred to the Committee on Science

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A BILL

To authorize appropriations for environmental research, development, and demonstration activities of the Environmental Protection Agency for fiscal year 1996, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Environmental Research, Development, and Demonstration Authorization Act of 1995".

SEC. 2. DEFINITIONS.

For the purposes of this Act, the term—

1 (1) "Administrator" means the Administrator
2 of the Environmental Protection Agency;
3 (2) "Agency" means the Environmental Protec-
4 tion Agency;
5 (3) "Agency action" means any Agency—
6 (A) proposed or final major rule;
7 (B) proposed or final cleanup plan for a
8 facility or guidelines for the issuance of any
9 such plan;
10 (C) report to Congress;
11 (D) regulatory action placing a substance
12 on any official list of carcinogens or toxic or
13 hazardous substances or placing a new health
14 effects value on such list, including the Inte-
15 grated Risk Information System Database; or
16 (E) written guidance, including protocols
17 of general applicability, establishing policy re-
18 garding risk assessment or risk characteriza-
19 tion; and
20 (4) "Assistant Administrator" means the As-
21 sistant Administrator for Research and Development
22 of the Agency.
23 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**
24 (a) IN GENERAL.—There are authorized to be appro-
25 priated to the Administrator $490,000,000 for fiscal year

1 1996 for the Office of Research and Development for envi-
2 ronmental research, development, and demonstration ac-
3 tivities, including program management and support, in
4 the areas specified in subsection (b), of which—
5 (1) $321,694,800 shall be for Research and De-
6 velopment; and
7 (2) $109,263,400 shall be for Program and Re-
8 search Operations.
9 (b) SPECIFIC PROGRAMS AND ACTIVITIES.—Of the
10 amount authorized in subsection (a), there are authorized
11 to be appropriated the following:
12 (1) For air related research, $98,915,200, of
13 which—
14 (A) $72,111,400 shall be for Research and
15 Development; and
16 (B) $26,803,800 shall be for Program and
17 Research Operations.
18 (2) For global change research, $2,385,700, of
19 which—
20 (A) $2,125,400 shall be for Research and
21 Development; and
22 (B) $260,300 shall be for Program and
23 Research Operations.
24 (3) For water quality related research,
25 $21,243,100, of which—

1 (A) $9,453,100 shall be for Research and
2 Development; and
3 (B) $11,790,000 shall be for Program and
4 Research Operations.
5 (4) For drinking water related research,
6 $20,652,400, of which—
7 (A) $10,376,500 shall be for Research and
8 Development; and
9 (B) $10,275,900 shall be for Program and
10 Research Operations.
11 (5) For toxic chemical related research,
12 $11,053,900, of which—
13 (A) $5,028,600 shall be for Research and
14 Development; and
15 (B) $6,025,300 shall be for Program and
16 Research Operations.
17 (6) For lab and field expenses, $73,031,600, all
18 of which shall be for Research and Development.
19 (7) For headquarters expenses of the Office of
20 Research and Development, $9,254,800, all of which
21 shall be for Research and Development.
22 (8) For multimedia related research expenses,
23 $153,656,800, of which—
24 (A) $122,142,900 shall be for Research
25 and Development; and

1 (B) $31,513,900 shall be for Program and
2 Research Operations.
3 (9) For program management expenses,
4 $6,399,300, all of which shall be for Program and
5 Research Operations.
6 (10) For pesticide related research,
7 $13,345,200, of which—
8 (A) $7,192,800 shall be for Research and
9 Development; and
10 (B) $6,152,400 shall be for Program and
11 Research Operations.
12 (11) For oil pollution related research,
13 $2,076,900.
14 (12) For research related to leaking under-
15 ground storage tanks, $769,400.
16 (13) For research related to cleanup of con-
17 taminated sites, $56,195,500.
18 (14) For research related to hazardous waste,
19 $21,020,200, of which—
20 (A) $10,977,700 shall be for Research and
21 Development; and
22 (B) $10,042,500 shall be for Program and
23 Research Operations.
24 (c) LIMITATIONS.—(1) No funds are authorized to be
25 appropriated by this Act for—

1 (A) the Environmental Technology Initiative;

2 (B) the Climate Change Action Plan; or

3 (C) environmental education, including grad-

4 uate student fellowships.

5 (2) No funds are authorized to be appropriated for

6 any fiscal year after fiscal year 1996 for carrying out the

7 programs and activities for which funds are authorized by

8 this Act.

9 **SEC. 4. SCIENTIFIC RESEARCH REVIEW.**

10 (a) IN GENERAL.—The Administrator shall assign to

11 the Assistant Administrator the duties of—

12 (1) developing a strategic plan for scientific and

13 technical activities throughout the Agency;

14 (2) integrating that strategic plan into ongoing

15 Agency planning activities; and

16 (3) reviewing all Agency research to ensure the

17 research—

18 (A) is of high quality;

19 (B) does not duplicate any other research

20 being conducted by the Agency; and

21 (C) is adequate to support any Agency ac-

22 tion based on that research.

23 (b) REPORT.—The Assistant Administrator shall

24 transmit annually to the Administrator and to the Com-

25 mittee on Science of the House of Representatives and the

1 Committee on Environment and Public Works of the Sen-
2 ate a report detailing—
3 (1) all Agency research the Assistant Adminis-
4 trator finds is not of sufficiently high quality;
5 (2) all Agency research the Assistant Adminis-
6 trator finds duplicates other Agency research; and
7 (3) any Agency action the Assistant Adminis-
8 trator finds is not supported by adequate scientific
9 data.

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COMMITTEE ON SCIENCE
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

June 14, 1995

MEMORANDUM

TO: The Honorable Robert S. Walker, Chairman

FROM: The Honorable Dana Rohrabacher, Chairman
Subcommittee on Energy and Environment

SUBJECT: Subcommittee report on Subcommittee Print, (as introduced, H.R. 1814) The Environmental Research, Development, and Demonstration Authorization Act of 1995

The Subcommittee on Energy and Environment has completed consideration of Subcommittee Print, the Environmental Research, Development, and Demonstration Authorization Act of 1995. On Thursday, June 8, 1995, the Subcommittee ordered the Subcommittee Print reported to the Full Committee for further consideration by voice vote. A copy of the Subcommittee Print, as reported, and a section-by-section analysis of that bill are attached for your review. No changes were made to the Subcommittee Print before it was reported to the Full Committee.

On June 13, 1995, following subcommittee consideration, the Subcommittee Print (H.R. 1814, the Environmental Research, Development and Demonstration Authorization Act of 1995) was introduced by Subcommittee Chairman Dana Rohrabacher. H.R. 1814 was referred solely to the Committee on Science.

The Subcommittee on Energy and Environment held hearings on the EPA Fiscal Year 1996 budget request on February 13 and 16, 1995, to obtain the views of the Administration and outside witnesses on programs under the Science Committee's jurisdiction. The witnesses expressed strong support for improving EPA research and reducing overhead.

The Subcommittee met for consideration of the Subcommittee Print on June 8, 1995. There were no amendments to the measure. The Subcommittee Print was adopted by voice vote and ordered reported to the Full Committee for consideration.

SECTION-BY-SECTION
H.R. 1814
THE ENVIRONMENTAL PROTECTION AGENCY RESEARCH AND DEVELOPMENT AUTHORIZATION ACT OF 1995

Section 1. Short Title

Cites the Act as the "Environmental Research, Development, and Demonstration Authorization Act of 1995."

Section 2. Definitions

Contains definitions of terms used in the Act.

Section 3. Authorization of Appropriations

(a) Authorizes $490,000,000 for the Office of Research and Development (ORD) for fiscal year 1996 of which--

(1) $321,694,800 is authorized to be appropriated for Research and Development; and

(2) $109,263,400 is authorized to be appropriated for Program and Research Operations.

[Line items (1) and (2) do not include monies for oil spill, superfund or LUST and therefor do not add up to (a) $490,000,000]

(b) Divides the total in subsection (a) among the ORD research accounts as follows:

(1) $98,915,200 for air related research of which--

(A) $72,111,400 is authorized to be appropriated for Research and Development; and

(B) $26,803,800 is authorized to be appropriated for Program and Research Operations.

(2) $2,385,700 for global change research of which--

(A) $2,125,400 is authorized to be appropriated for Research and Development; and

(B) $260,300 is authorized to be appropriated for Program and Research Operations.

(3) $21,243,100 for water quality related research of which--

(A) $9,453,100 is authorized to be appropriated for Research and Development; and

(B) $11,790,000 is authorized to be appropriated for Program and Research Operations.

(4) $20,652,400 for drinking water related research of which--

(A) $10,376,500 is authorized to be appropriated for Research and Development; and

(B) $10,275,900 is authorized to be appropriated for Program and Research Operations.

(5) $11,053,900 for toxic chemical related research of which--

(A) $5,028,600 is authorized to be appropriated for Research and Development; and

(B) $6,025,300 is authorized to be appropriated for Program and Research Operations.

(6) $73,031,600 for lab and field expenses all of which is authorized to be appropriated for Research and Development.

(7) $9,254,800 for headquarters expenses of the Office of Research and Development all of which is authorized to be appropriated for Research and Development.

(8) $153,656,800 for multimedia related research expenses of which--

(A) $122,142,900 is authorized to be appropriated for Research and Development; and

(B) $31,513,900 is authorized to be appropriated for Program and Research Operations.

(9) $6,399,300 for program management expenses all of which is authorized to be appropriated for Program and Research Operations.

(10) $13,345,200 for pesticide related research of which--

(A) $7,192,800 is authorized to be appropriated for Research and Development; and

(B) $6,152,400 is authorized to be appropriated for Program and Research Operations.

(11) $2,076,900 for oil pollution related research.

(12) $769,400 for research related to leaking underground storage tanks.

(13) $56,195,500 for research related to cleanup of contaminated sites.

(14) For research related to hazardous waste, $21,020,200, of which--

(A) $10,977,700 is authorized to be appropriated for Research and Development; and

(B) $10,042,500 is authorized to be appropriated for Program and Research Operations.

(c) (1) Specifically does not authorize the following programs:
(A) the Environmental Technology Initiative
(B) the Climate Change Action Plan, or
(C) environmental education, including graduate student fellowships.

(2) Sunsets all programs authorized by the Act after fiscal year 1996.

Section 4. Scientific Research Review

(a) The Assistant Administrator for ORD shall be assigned the duties of (1) developing a strategic plan for scientific and technical activities throughout the Agency; (2) integrating that strategic plan into ongoing Agency planning activities; and (3) reviewing all Agency research to ensure the research (A) is of high quality, (B) is not duplicative of any other research being conducted by the Agency, and (C) is adequate to support any Agency action based on that research.

(b) Requires the Assistant Administrator to submit an annual report to the Administrator of EPA and to Congress detailing (1) all Agency research the Assistant Administrator finds is not of sufficiently high quality; (2) all Agency research the Assistant Administrator finds duplicates other Agency research; and (3) any Agency action the Assistant Administrator finds is not supported by adequate scientific data.

SUBCOMMITTEE PRINT: ENVIRONMENTAL RESEARCH, DEVELOPMENT AND DEMONSTRATION AUTHORIZATION ACT OF 1995 (H.R. 1814) AS ADOPTED BY THE SUBCOMMITTEE ON ENERGY AND ENVIRONMENT

COMMITTEE ON SCIENCE

U.S. HOUSE OF REPRESENTATIVES

HON. ROBERT S. WALKER, CHAIRMAN

JUNE 20, 1995

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT SUMMARY
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
EPA OFFICE OF RESEARCH AND DEVELOPMENT (ORD)					
Air Research	104,194.9	106,710.1	101,300.9	-2,894.0	-5,409.2
Water Quality Research	22,902.3	21,243.1	21,243.1	-1,659.2	0
Drinking Water Research	22,174.5	21,665.8	20,652.4	-1,522.1	-1,013.4
Pesticides Research	13,823.4	13,598.2	13,345.2	-478.2	-253.0
Toxic Substances Research	18,208.7	15,490.4	11,053.9	-7,154.8	-4,436.5
Hazardous Waste Research	26,748.3	22,815.9	21,020.2	-5,728.1	-1,795.7
Multimedia Research and Development	260,679.3	357,232.5	235,943.2	-24,736.1	-121,289.3
Mission and Policy Management—R&D	7,225.6	7,965.2	6,399.3	-826.3	-1,565.9
Superfund Research and Development	67,049.5	59,784.7	56,195.5	-10,854.0	-3,589.2
Leaking Underground Storage Tanks (LUST) Research	769.2	773.8	769.4	+0.2	-4.4
Oil Spill Response Research	1,767.1	2,076.9	2,076.9	+309.8	0
TOTAL, EPA ORD	545,542.8	629,376.6	490,000.0	-55,542.8	-139,376.6

NET SAVINGS TO FY 1996 REQUEST: $139,376,600

Eliminating/Streamlining Bureaucracy: $40,905,800

Reducing/Eliminating Corporate and Special Interest Subsidies: $80,000,000

Reducing/Eliminating Low-Priority Programs: $18,470,800

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
AIR RESEARCH (Page 1 of 2)					
Air Quality Research					
Global Change Research	266.2	0	0	-266.2	0
Stratospheric Ozone Depletion	879.2	0	0	-879.2	0
Air Toxics	6,009.6	9,852.1	6,319.6	+310.0	-3,532.5
Criteria Air Pollutants	31,405.8	34,985.4	62,145.1	+30,739.3	+27,159.7
Pollutants from Motor Vehicles	5,182.3	3,646.7	3,646.7	-1,535.6	0
Indoor Air Pollution	6,773.8	5,238.4	0	-6,773.8	-5238.4
Infrastructure	26,803.8	29,081.3	26,803.8	0	-2,277.5
Cross Program	1,427.7	1,437.7	0	-1,427.7	-1,437.7
Total, Air Quality Research	78,748.4	84,241.6	98,915.2	+20,166.8	+14,673.6
Acid Deposition					
Acid Deposition	1,477.5	0	0	-1,477.5	0
Infrastructure	586.8	0	0	-586.8	0
Total, Acid Deposition	2,064.3	0	0	-2,064.3	0
Global Change Research					
Global Change Research	16,562.5	15,224.5	0	-16,562.5	-15,224.5
Stratospheric Ozone Depletion	1,668.5	2,125.4	2,125.4	+456.9	0
Infrastructure	5,151.2	5,118.6	260.3	-4,890.9	-4,858.3
Total, Global Change Research	23,382.2	22,468.5	2,385.7	-20,996.5	-20,082.8
Total, Air Research	104,194.9	106,710.1	101,300.9	-2,894.0	-5,409.2

AIR RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Air Research: -$5,409,200 to FY 1996 request

- +$14,673.6 for increased Air Quality Research, including +$27,159,700 for research on issues such as PM_{10} and ozone transport, -$5,238,400 for Indoor Air which is under OSHA, not EPA, jurisdiction, and -$2,277,500 for Infrastructure to maintain at FY 1995 level, and -$1,437,700 for Cross Program for which no budget justification was provided.

AIR RESEARCH (Page 2 of 2)

AIR RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$20,082,800 for Global Change Research, including -$15,224,500 for global change research, and -$4,858,300 for infrastructure to reflect lower level of effort.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
WATER QUALITY RESEARCH (Page 1 of 1)					
Ecosystem Protection	8,604.3	8,010.2	9,188.9	+584.6	+1,178.7
Wastewater and Sludge	1,368.8	0	0	-1,368.8	0
Infrastructure	12,664.5	12,968.7	11,790.0	-874.5	-1,178.7
Cross Program	264.7	264.2	264.2	-0.5	0
Total, Water Quality Research	22,902.3	21,243.1	21,243.1	-1,659.2	0

WATER QUALITY RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Water Quality Research: Same as FY 1996 request

- -$1,178,700 for Infrastructure to reflect lower level of effort, savings have been redesignated for research.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
DRINKING WATER RESEARCH (Page 1 of 1)					
Ecosystem Protection	453.5	0	0	-453.5	0
Drinking Water Pollutants and Disinfection	8,463.1	8,384.8	8,384.8	-78.3	0
Groundwater	2,059.7	1,991.7	1,991.7	-68.0	0
Infrastructure	10,869.9	11,289.3	10,275.9	-594.0	-1,013.4
Cross Program	328.3	0	0	-328.3	0
Total, Drinking Water Research	22,174.5	21,665.8	20,652.4	-1,522.1	-1,013.4

DRINKING WATER RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Drinking Water Research: -$1,013,400 to FY 1996 request

- -$1,013,400 for infrastructure to reflect lower level of effort.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
PESTICIDES RESEARCH (Page 1 of 1)					
Ecosystems Protection	1,290.9	0	0	-1,290.9	0
Environmental Releases of Biotechnology Products	1,157.7	1,576.1	1,157.7	+418.4	0
Human Exposure	3,058.2	5,094.8	5,094.8	+2,036.6	0
Health Effects	810.1	436.3	436.3	-373.8	0
Environmental Review of Toxic Chemicals	445.1	85.6	85.6	-359.5	0
Infrastructure	6,808.2	6,152.4	6,152.4	-655.8	0
Cross Program	253.2	253.0	0	-253.2	-253.0
Total, Pesticides Research	13,823.4	13,598.2	13,345.2	-478.2	-253.0

PESTICIDES RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Pesticides Research: -$253,000 to FY 1996 request

- -$253,000 for Cross Program for which no budget justification was provided.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
TOXIC SUBSTANCES RESEARCH (Page 1 of 1)					
Ecosystems Protection	525.9	0	0	-525.9	0
Environmental Releases of Biotechnology Products	2,967.7	974.4	974.4	-1,993.3	0
Wastewater and Sludge	56.9	0	0	-56.9	0
Human Exposure	1,138.8	1,135.0	1,135.0	-3.8	0
Health Effects	1,713.7	1,599.0	1599.0	-114.7	0
Health Risk Assessment Methods	253.0	207.2	207.2	-45.8	0
Environmental Review of Toxic Chemicals	738.3	512.7	512.7	-225.6	0
Lead and Other Heavy Metals	702.1	600.3	600.3	-101.8	0
Infrastructure	9,701.2	10,051.2	6,025.3	-3,675.9	-4,025.9
Cross Program	411.1	410.6	0	-411.1	-410.6
Total, Toxic Substances Research	18,208.7	15,490.4	11,053.9	-7,154.8	-4,436.5

TOXIC SUBSTANCES RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Toxic Substances Research: -$4,436,500 to FY 1996 request

- -$4,025,900 for infrastructure to reflect lower level of effort, and -$410,600 for Cross Program for which no budget justification was provided.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
HAZARDOUS WASTE RESEARCH (Page 1 of 1)					
Groundwater	5,903.3	5,822.0	5,822.0	-81.3	0
Waste Management	3,346.8	1,430.8	1,430.8	-1,916.0	0
Surface Cleanup	447.6	446.3	446.3	-1.3	0
Bioremediation	1,178.0	682.0	682.0	-496.0	0
Pollution Prevention	1,513.1	1,529.0	1,529.0	+15.9	0
National and International Technology Transfer	680.9	678.8	678.8	-2.1	0
Environmental Review of Toxic Chemicals	97.3	0	0	-97.3	0
Exploratory Grants & Centers	390.0	388.8	388.8	-1.2	0
Infrastructure	12,470.2	11,116.4	10,042.5	-2,427.7	-1,073.9
Cross Program	721.1	721.8	0	-721.1	-721.8
Total, Hazardous Waste Research	26,748.3	22,815.9	21,020.2	-5,728.1	-1,795.7

HAZARDOUS WASTE RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Hazardous Waste Research: -$1,795,700 to FY 1996 request

- -$1,073,900 for Infrastructure to reflect lower level of effort, and -$721,800 for Cross Program for which no budget justification was provided.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
MULTIMEDIA RESEARCH AND DEVELOPMENT (Page 1 of 2)					
Multimedia Research					
Ecosystems Protection	47,042.2	47,351.7	47,351.7	+309.5	0
Criteria Air Pollutants	697.7	0	0	-697.7	0
Pollutants from Motor Vehicles	300.0	0	0	-300.0	0
Indoor Air Pollution	159.0	0	0	-159.0	0
Human Exposure	11,296.0	6,765.4	6,765.4	-4,530.6	0
Health Effects	1,359.8	6,307.4	6,307.4	+4,947.6	0
Health Risk Assessment Methods	4,271.9	8,910.2	8,910.2	+4,638.3	0
Pollution Prevention	4,855.7	4,803.7	4,803.7	-52.0	0
Innovative Technologies	47,151.8	92,883.2	6,683.2	-40,468.6	-86,200.0
Environmental Education	8,566.7	11,704.2	0	-8,566.7	-11,704.2
National and International Technology Transfer	2,179.9	1,123.1	1,123.1	-1,056.8	0
Lead and Other Heavy Metals	1,963.3	1,706.8	1,706.8	-256.5	0
Exploratory Grants and Centers	29,406.5	25,760.2	25,760.2	-3,646.3	0
Infrastructure	33,697.6	46,317.1	31,513.9	-2,183.7	-14,803.2
Cross Program	12,731.2	14,730.7	12,731.2	0	-1,999.5
Total, Multimedia Research	205,679.3	268,303.7	153,656.8	-52,022.5	-114,706.9
Headquarters Infrastructure	5,389.1	10,837.2	9,254.8	+3,865.7	-1,582.4
Lab and Field Expenses	49,610.9	78,031.6	73,031.6	+23,420.7	-5,000.0
Total, Multimedia Research and Development	260,679.3	357,232.5	235,943.2	-24,736.1	-121,289.3

MULTIMEDIA RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

Multimedia Research and Development: -$121,289,300 to FY 1996 request

- -$86,200,900 for Innovative Technologies, including elimination of the Environmental Technology Initiative (-$80,000,000) and Climate Change Action Plan projects ($-6,200,000).
- -$11,704,200 for Environmental Education eliminate the program.

MULTIMEDIA RESEARCH AND DEVELOPMENT (Page 2 of 2)

MULTIMEDIA RESEARCH AND DEVELOPMENT FY 1998 BUDGET MARKS' ASSUMPTIONS

- -$21,385,600 for Multimedia Research Infrastructure (-$14,803,200), Headquarters Infrastructure (-$1,582,400), and Lab and Field Expenses (-$5,000,000) to reflect lower level of effort.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

				Mark Compared With (+ or -)	
	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	FY 1995 Adjusted	FY 1996 Request
MISSION AND POLICY MANAGEMENT—R&D (Page 1 of 1)					
Mission and Policy Management—R&D	7,225.6	7,985.2	6,399.3	-826.3	-1,585.9

MISSION AND POLICY MANAGEMENT—R&D FY 1996 BUDGET MARKS' ASSUMPTIONS

Mission and Policy Management—R&D: -$1,585,900 to FY 1996 request

- -$1,585,900 for infrastructure to reflect lower level of effort.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
SUPERFUND RESEARCH AND DEVELOPMENT (Page 1 of 1)					
Hazardous Substances Research:					
Ecosystems Protection	421.9	1,770.0	1,770.0	+1,348.1	0
Groundwater	2,873.5	3,538.6	3,538.6	+665.1	0
Surface Cleanup	28,361.7	22,889.2	22,889.2	-5,472.5	0
Bioremediation	4,549.7	5,334.1	5,334.1	+784.4	0
Health Risk Assessment	1,899.3	1,884.9	1,884.9	-14.4	0
Innovative Technologies	1,109.5	958.2	958.2	-151.3	0
National and International Technology Transfer	347.5	350.7	350.7	+3.2	0
Exploratory Grants and Centers	14,264.1	8,460.9	8,460.9	-5,803.2	0
Infrastructure	11,992.3	12,949.5	10,051.0	-1,941.3	-2,898.5
Cross Program	87.1	88.0	0	-87.1	-88.0
Total, Hazardous Substances Research	65,906.6	58,224.1	55,237.6	-10,669.0	-2,986.5
Management and Support	1,142.9	1,560.6	957.9	-185.0	-602.7
Total, Superfund Research and Development	67,049.5	59,784.7	56,195.5	-10,854.0	-3,589.2

SUPERFUND RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

Superfund Research and Development: -$3,589,200 to FY 1996 request

- -$88,000 for Cross Program for which no budget justification was provided, and -$2,898,500 for Infrastructure and -$602,700 for Management and Support to reflect lower levels of effort.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
LEAKING UNDERGROUND STORAGE TANKS (LUST) RESEARCH (Page 1 of 1)					
Groundwater	593.8	589.5	589.5	-4.3	0
Innovative Technologies	7.6	12.1	12.1	+4.5	0
Infrastructure	167.8	172.2	167.8	0	-4.4
Total, LUST Research	769.2	773.8	769.4	+0.2	-4.4

LEAKING UNDERGROUND STORAGE TANKS (LUST) RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Leaking Underground Storage Tanks (LUST) Research: -$4,400 to FY 1996 request

- -$4,400 for infrastructure to reflect lower level of effort.

ENVIRONMENTAL PROTECTION AGENCY (EPA) OFFICE OF RESEARCH AND DEVELOPMENT
(DOLLARS IN THOUSANDS)

				Mark Compared With (+ or -)	
	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	FY 1995 Adjusted	FY 1996 Request
OIL SPILL RESPONSE RESEARCH (Page 1 of 1)					
Oil Spill Response Research	1,767.1	2,076.9	2,076.9	+309.8	0

OIL SPILL RESPONSE RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Oil Spill Response Research: $0 change to FY 1996 request

COMMITTEE ON SCIENCE
FULL COMMITTEE MARKUP: JUNE 20, 1995

AMENDMENT ROSTER

H.R. 1814, the Environmental Research, Development, and Demonstration Authorization Act of 1995

No.	Sponsor	Description	Results
1.	Mr. Walker	En bloc amendment	
2.	Mr. Brown	Amendment in the Nature of a Substitute	
3.	Mr. Boehlert	En bloc amendment	
4.	?	En bloc amendment Adds a new Sec. 5--Environmental Technology Initiative.	
5.	Mr. Olver	Adds a new Sec. 5--Contingent Authorization	
6.	Mr. Traficant	Buy American Amendment	

AMENDMENT TO H.R. 1814

OFFERED BY MR. WALKER

Page 2, line 4, insert "and" after the semicolon.

Page 2, lines 5 through 19, strike paragraph (3).

Page 2, line 20, strike "(4)" and insert "(3)".

Page 6, line 2, strike "or".

Page 6, line 4, strike the period and insert "; or".

Page 6, after line 4, insert the following new subparagraph:

1 (D) indoor air pollution research.

Page 6, line 8, insert before the period the following: ", unless such funds are specifically authorized to be appropriated by Act of Congress with respect to such fiscal year".

Page 6, after line 8, insert the following new paragraph:

2 (3) Notwithstanding any other provision of law, no
3 funds are authorized to be appropriated for fiscal year
4 1996 for carrying out the programs and activities for
5 which funds are authorized by this Act unless such sums
6 are specifically authorized to be appropriated by this Act.

Page 6, line 18, insert "and" after the semicolon.

Page 6, line 20, strike "; and" and insert a period.

Page 6, lines 21 and 22, strike subparagraph (C).

Page 7, line 4, insert "and" after the semicolon.

Page 7, line 6, strike "; and" and insert a period.

Page 7, lines 7 through 9, strike paragraph (3).

Page 7, after line 9, add the following new sections:

1 **SEC. 5. PROHIBITION OF LOBBYING ACTIVITIES.**

2 None of the funds authorized by this Act shall be
3 available for any activity whose purpose is to influence leg-
4 islation pending before the Congress.

5 **SEC. 6. ELIGIBILITY FOR AWARDS.**

6 (a) IN GENERAL.—The Administrator shall exclude
7 from consideration for awards of financial assistance made
8 by the Office of Research and Development after fiscal
9 year 1995 any person who received funds, other than those
10 described in subsection (b), appropriated for a fiscal year
11 after fiscal year 1995, from any Federal funding source
12 for a project that was not subjected to a competitive,
13 merit-based award process. Any exclusion from consider-
14 ation pursuant to this section shall be effective for a period
15 of 5 years after the person receives such Federal funds.

16 (b) EXCEPTION.—Subsection (a) shall not apply to
17 awards to persons who are members of a class specified

1 by law for which assistance is awarded to members of the

2 class according to a formula provided by law.

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1814

OFFERED BY MR. BROWN

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Environmental Re-
3 search, Development, and Demonstration Authorization
4 Act of 1995".

5 **SEC. 2. DEFINITIONS.**

6 For the purposes of this Act, the term—
7 (1) "Administrator" means the Administrator
8 of the Environmental Protection Agency;
9 (2) "Agency" means the Environmental Protec-
10 tion Agency; and
11 (3) "Assistant Administrator" means the As-
12 sistant Administrator for Research and Development
13 of the Agency.

14 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

15 (a) IN GENERAL.—There are authorized to be appro-
16 priated to the Administrator $545,637,700 for fiscal year
17 1996 for the Office of Research and Development for envi-
18 ronmental research, development, and demonstration ac-

1 tivities, including program management and support, in
2 the areas specified in subsection (b).
3 (b) SPECIFIC PROGRAMS AND ACTIVITIES.—Of the
4 amount authorized in subsection (a), there are authorized
5 to be appropriated the following:
6 (1) For air related research, $103,508,800.
7 (2) For water quality related research,
8 $20,605,800.
9 (3) For drinking water related research,
10 $21,015,800.
11 (4) For pesticide related research, $13,190,300.
12 (5) For toxic chemical related research,
13 $15,025,700.
14 (6) For research related to hazardous waste,
15 $22,131,400.
16 (7) For multimedia related research expenses,
17 $282,425,700.
18 (8) For program management expenses,
19 $7,225,600.
20 (9) For research related to cleanup of contami-
21 nated sites, $57,991,000.
22 (10) For research related to leaking under-
23 ground storage tanks, $750,600.
24 (11) For oil pollution related research,
25 $1,767,100.

1 (c) LIMITATION.—No funds are authorized to be ap-
2 propriated for any fiscal year after fiscal year 1996 for
3 carrying out the programs and activities for which funds
4 are authorized by this Act.

5 SEC. 4. SCIENTIFIC RESEARCH REVIEW.

6 (a) IN GENERAL.—The Administrator shall assign to
7 the Assistant Administrator the duties of—

8 (1) developing a strategic plan for scientific and
9 technical activities throughout the Agency;

10 (2) integrating that strategic plan into ongoing
11 Agency planning activities; and

12 (3) reviewing all Agency research to ensure the
13 research—

14 (A) is of high quality; and

15 (B) does not duplicate any other research
16 being conducted by the Agency.

17 (b) REPORT.—The Assistant Administrator shall
18 transmit annually to the Administrator and to the Com-
19 mittee on Science of the House of Representatives and the
20 Committee on Environment and Public Works of the Sen-
21 ate a report detailing—

22 (1) all Agency research the Assistant Adminis-
23 trator finds is not of sufficiently high quality; and

24 (2) all Agency research the Assistant Adminis-
25 trator finds duplicates other Agency research.

1 SEC. 5. ENVIRONMENTAL TECHNOLOGY INITIATIVE.

2 (a) AVAILABILITY OF FUNDS.—Of the amount au-
3 thorized to be appropriated in section 3(b)(7) for multi-
4 media related research expenses, $40,000,000 is available
5 for the Environmental Technology Initiative.

6 (b) LIMITATIONS.—

7 (1) EVALUATION PROCESS.—The Administrator
8 may select projects for funding under the Environ-
9 mental Technology Initiative only through a com-
10 petitive, merit-based evaluation process.

11 (2) ELIGIBILITY.—The projects eligible for
12 funding under the Environmental Technology Initia-
13 tive are only the following:

14 (A) Projects to provide technical perform-
15 ance verification of environmental technologies
16 and involving, to the extent appropriate, part-
17 nerships among Federal, State, local, and tribal
18 agencies and private-sector entities.

19 (B) Projects to facilitate the demonstration
20 of environmental technologies at appropriate
21 Federal or other sites.

22 (C) Projects to enhance the capacity of
23 Federal, State, local, and tribal agencies to pro-
24 mote the adoption of environmental technologies
25 through regulatory reforms, technical assist-
26 ance, improved dissemination of information

1 (domestically and internationally), modifications
2 to environmental permitting processes, and
3 modifications to enforcement processes.
4 (3) SPECIFIC ENVIRONMENTAL TECH-
5 NOLOGIES.—The Administrator may not provide di-
6 rect financial assistance under the Environmental
7 Technology Initiative to a private-sector entity for
8 the purpose of developing and commercializing a
9 specific environmental technology.

AMENDMENT TO H.R. 1814

OFFERED BY MR. BOEHLERT

Page 3, line 12, strike "$98,915,200" and insert "$93,915,200".

Page 3, line 14, strike "$72,111,400" and insert "$67,111,400".

Page 4, line 23, strike "$153,656,800" and insert "$158,656,800".

Page 4, line 25, strike "and".

Page 5, line 2, strike the period and insert "; and".

Page 5, after line 2, insert the following new subparagraph:

1 (C) $5,000,000 shall be for graduate stu-
2 dent fellowships.

Page 6, line 1, insert "or" after the semicolon.

Page 6, line 2, strike "; or" and insert a period.

Page 6, lines 3 and 4, strike subparagraph (C).

Page 7, after line 9, insert the following new section:

3 **SEC. 5. GRADUATE STUDENT FELLOWSHIPS.**

4 In carrying out the graduate student fellowship pro-
5 gram for which funds are authorized to be appropriated

1 by this Act, the Administrator shall ensure that any fel-
2 lowship award to a student selected after the date of the
3 enactment of this Act is used only to support research that
4 would further missions of the Office of Research and De-
5 velopment in fields in which there exists or is projected
6 to exist a shortage in the number of scientists.

AMENDMENT TO H.R. 1814

OFFERED BY _____

Page 4, line 23, strike "$153,656,800" and insert "$193,656,800".

Page 6, strike line 1.

Page 6, line 2, strike "(B)" and insert "(A)".

Page 6, line 3, strike "(C)" and insert "(B)".

Page 7, after line 9, add the following new section:

1 SEC. 5. ENVIRONMENTAL TECHNOLOGY INITIATIVE.

2 (a) AVAILABILITY OF FUNDS.—Of the amount au-
3 thorized to be appropriated in section 3(b)(8) for multi-
4 media related research expenses, $40,000,000 is available
5 for the Environmental Technology Initiative.

6 (b) LIMITATIONS.—

7 (1) EVALUATION PROCESS.—The Administrator
8 may select projects for funding under the Environ-
9 mental Technology Initiative only through a com-
10 petitive, merit-based evaluation process.

11 (2) ELIGIBILITY.—The projects eligible for
12 funding under the Environmental Technology Initia-
13 tive are only the following:

14 (A) Projects to provide technical perform-
15 ance verification of environmental technologies

1 and involving, to the extent appropriate, part-
2 nerships among Federal, State, local, and tribal
3 agencies and private-sector entities.
4 (B) Projects to facilitate the demonstration
5 of environmental technologies at appropriate
6 Federal or other sites.
7 (C) Projects to enhance the capacity of
8 Federal, State, local, and tribal agencies to pro-
9 mote the adoption of environmental technologies
10 through regulatory reforms, technical assist-
11 ance, improved dissemination of information
12 (domestically and internationally), modifications
13 to environmental permitting processes, and
14 modifications to enforcement processes.
15 (3) SPECIFIC ENVIRONMENTAL TECH-
16 NOLOGIES.—The Administrator may not provide di-
17 rect financial assistance under the Environmental
18 Technology Initiative to a private-sector entity for
19 the purpose of developing and commercializing a
20 specific environmental technology.

AMENDMENT TO H.R. 1814

OFFERED BY MR. OLVER

Page 7, after line 9, insert the following new section:

1 **SEC. 5. CONTINGENT AUTHORIZATION.**

2 (a) In General. -- Notwithstanding any other provision of this
3 Act, if the concurrent resolution approved by the House of
4 Representatives and the Senate on the budget for fiscal year 1996 is
5 based on an assumption of a tax cut of less than $350,000,000,000, an
6 amount equal to $55,637,000 multiplied by the fraction whose
7 numerator is $350,000,000,000 minus the amount of the tax cut
8 reflected in the concurrent resolution and whose denominator is
9 $350,000,000,000 is authorized to be appropriated for fiscal year 1996
10 for the Office of Research and Development for environmental
11 research, development and demonstration activities, to be allocated to
12 each program in section 3(b) in proportion to the authorizations set out
13 in section 3(b).

AMENDMENT TO H.R. 1814

OFFERED BY MR. TRAFICANT

Page 7, after line 9, insert the following new section:

1 SEC. 5. BUY AMERICAN.

2 (a) COMPLIANCE WITH BUY AMERICAN ACT.—No
3 funds appropriated pursuant to this Act may be expended
4 by an entity unless the entity agrees that in expending
5 the assistance the entity will comply with sections 2
6 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-
7 10c, popularly known as the "Buy American Act").

8 (b) SENSE OF CONGRESS.—In the case of any equip-
9 ment or products that may be authorized to be purchased
10 with financial assistance provided under this Act, it is the
11 sense of Congress that entities receiving such assistance
12 should, in expending the assistance, purchase only Amer-
13 ican-made equipment and products.

The CHAIRMAN. All right. At this juncture, I would offer the first amendment which is an en bloc amendment.

[The amendment follows:]

AMENDMENT TO H.R. 1814

OFFERED BY MR. WALKER

Page 2, line 4, insert "and" after the semicolon.

Page 2, lines 5 through 19, strike paragraph (3).

Page 2, line 20, strike "(4)" and insert "(3)".

Page 6, line 2, strike "or".

Page 6, line 4, strike the period and insert "; or".

Page 6, after line 4, insert the following new subparagraph:

1 (D) indoor air pollution research.

Page 6, line 8, insert before the period the following: ", unless such funds are specifically authorized to be appropriated by Act of Congress with respect to such fiscal year".

Page 6, after line 8, insert the following new paragraph:

2 (3) Notwithstanding any other provision of law, no
3 funds are authorized to be appropriated for fiscal year
4 1996 for carrying out the programs and activities for
5 which funds are authorized by this Act unless such sums
6 are specifically authorized to be appropriated by this Act.

Page 6, line 18, insert "and" after the semicolon.

Page 6, line 20, strike "; and" and insert a period.

Page 6, lines 21 and 22, strike subparagraph (C).

Page 7, line 4, insert "and" after the semicolon.

Page 7, line 6, strike "; and" and insert a period.

Page 7, lines 7 through 9, strike paragraph (3).

Page 7, after line 9, add the following new sections:

1 **SEC. 5. PROHIBITION OF LOBBYING ACTIVITIES.**

2 None of the funds authorized by this Act shall be
3 available for any activity whose purpose is to influence leg-
4 islation pending before the Congress.

5 **SEC. 6. ELIGIBILITY FOR AWARDS.**

6 (a) IN GENERAL.—The Administrator shall exclude
7 from consideration for awards of financial assistance made
8 by the Office of Research and Development after fiscal
9 year 1995 any person who received funds, other than those
10 described in subsection (b), appropriated for a fiscal year
11 after fiscal year 1995, from any Federal funding source
12 for a project that was not subjected to a competitive,
13 merit-based award process. Any exclusion from consider-
14 ation pursuant to this section shall be effective for a period
15 of 5 years after the person receives such Federal funds.

16 (b) EXCEPTION.—Subsection (a) shall not apply to
17 awards to persons who are members of a class specified

1 by law for which assistance is awarded to members of the
2 class according to a formula provided by law.

The CHAIRMAN. My amendment makes several minor changes to H.R. 1814 to eliminate jurisdictional concerns raised by the Commerce Committee. Specifically, it eliminates all references to the term "agency action" throughout the bill.

The amendment further clarifies, as indicated on the charts accompanying the bill, that indoor research should not be funded.

OSHA, not EPA, is charged with regulating indoor air quality in the work place. And other attempts by the agency to regulate indoor air in private residences have been repeatedly rejected by the Congress.

The amendment further clarifies that no funds are authorized for the Office of Research and Development unless they are authorized in this Act.

The amendment also adds language prohibiting the use of ORD funds for lobbying and also has in it an anti-earmarking provision.

These are all things that we think strengthen the bill as it comes out of subcommittee. This has been discussed with the subcommittee chairman.

We are in agreement on these amendments, and would ask the Committee's favorable consideration.

Are there additional members who wish to be heard on the en bloc amendment?

Mr. BROWN. Mr. Chairman?

The CHAIRMAN. The gentleman from California.

Mr. BROWN. If it's appropriate, I have a minor amendment to the en bloc amendments which I hope the Chair will not object to. And it is not in the packet, and I ask that the Clerks will distribute it.

The CHAIRMAN. Would the Clerk distribute the amendment, please.

[The amendment follows:]

AMENDMENT TO WALKER EN BLOC AMENDMENT TO H.R. 1814 OFFERED BY MR. BROWN

Page 2, strike line 1 through line 4 and insert in lieu thereof the following:

1 **SEC. 5. PROHIBITION OF LOBBYING ACTIVITIES**

2 None of the funds authorized by this Act shall be used to pay
3 the salaries or expenses of any grant or contract recipient, or agent
4 acting for such recipient, relating to any activity designed to influence
5 legislation pending before the Congress.

The CHAIRMAN. The gentleman is recognized for the purposes of explaining his amendment.

Mr. BROWN. Mr. Chairman, I am in agreement with the Chairman's intent in the first few lines of his bill—of his substitute, Section 5. Prohibition of Lobbying Activities.

However, I think that the language has been drafted with undue breadth which would cause us problems when it comes to actually enforcing or carrying out the intent of it and might actually pose Constitutional questions with regard to violation of the First Amendment.

My amendment therefore is more narrowly drafted to state merely that the funds authorized shall—

"None of the funds authorized . . . shall be used to pay the salaries or expenses of any grant or contract recipient, or agent acting for such recipient, relating to any activity designed to influence legislation pending before the Congress."

I think you will concur that we're aiming at the same purpose here, that is, to minimize lobbying. But you may feel that it's necessary to throw a broad net. I think that our language is much better.

If Members want to go further, we ought to use language which can give people some reasonable certainty as to what type of activities are prohibited and the amendment which I am offering is identical to an amendment offered by the Chairman of the Basic Research Committee on the NSF bill last week, and it's been regularly included as a rider on several appropriations bills.

It has been interpreted by the Comptroller General and the Department of Justice, and thus provides reasonably clear guidance.

The CHAIRMAN. I thank the gentleman for his explanation.

I had hoped with the amendment language that is in the en bloc amendment, to go further than simply the salaries and expenses.

In my view, that narrows it to the point that it allows a very large loophole.

Under the amendment that the gentleman from California has offered, a group receiving Federal funds can still use those funds to lobby except in the very narrow case when those funds are used to pay salaries.

Unless a group is wholly Federal funded or there is specific salary provision in the legislation which passes the Congress, one can always agree that the funds appropriated were for purposes other than salaries, and so the lobbying activity continues.

I don't believe there's a Constitutional argument where we're talking about, as the amendment in the en bloc package does, the use of Federal moneys. We certainly have the Constitutional power to restrict the use of the moneys that we are authorizing and appropriating.

My provision is basically a restatement of the current law which prohibits the use of Federal funds to lobby and I believe should be in a broader context, not a narrow one.

Are there any other Members that wish to be heard on this issue?

[No response.]

The CHAIRMAN. If not, the Chair will put the question on the amendment to the amendment by the gentleman from California.

Those in favor will say aye.
[Chorus of ayes.]
The CHAIRMAN. Those opposed will say no.
[Chorus of nays.]
The CHAIRMAN. In the opinion of the Chair, the noes have it.
Mr. BROWN. Mr. Chairman, I'd like to request a roll call vote.
The CHAIRMAN. The gentleman from California requests a roll call vote.
The Clerk will call the roll.
Ms. SCHWARTZ. Mr. Walker?
Mr. WALKER. No.
Ms. SCHWARTZ. Mr. Walker votes no.
Mr. Sensenbrenner?
[No response.]
Ms. SCHWARTZ. Mr. Boehlert?
Mr. BOEHLERT. No.
Ms. SCHWARTZ. Mr. Boehlert votes no.
Mr. Fawell?
Mr. FAWELL. No.
Ms. SCHWARTZ. Mr. Fawell votes no.
Mrs. Morella?
Mrs. MORELLA. No.
Ms. SCHWARTZ. Mrs. Morella votes no.
Mr. Weldon of Pennsylvania?
Mr. CURT WELDON. No.
Ms. SCHWARTZ. Mr. Weldon votes no.
Mr. Rohrabacher?
Mr. ROHRABACHER. No.
Ms. SCHWARTZ. Mr. Rohrabacher votes no.
Mr. Schiff?
Mr. SCHIFF. No.
Ms. SCHWARTZ. Mr. Schiff votes no.
Mr. Barton?
Mr. BARTON. No.
Ms. SCHWARTZ. Mr. Barton votes no.
Mr. Calvert?
Mr. CALVERT. No.
Ms. SCHWARTZ. Mr. Calvert votes no.
Mr. Baker?
Mr. BAKER. No.
Ms. SCHWARTZ. Mr. Baker votes no.
Mr. Bartlett?
Mr. BARTLETT. No.
Ms. SCHWARTZ. Mr. Bartlett votes no.
Mr. Ehlers?
Mr. EHLERS. No.
Ms. SCHWARTZ. Mr. Ehlers votes no.
Mr. Wamp?
Mr. WAMP. No.
Ms. SCHWARTZ. Mr. Wamp votes no.
Mr. Weldon of Florida?
Mr. DAVE WELDON. No.
Ms. SCHWARTZ. Mr. Weldon votes no.
Mr. Graham?

[No response.]
Ms. SCHWARTZ. Mr. Salmon?
Mr. SALMON. No.
Ms. SCHWARTZ. Mr. Salmon votes no.
Mr. Davis?
Mr. DAVIS. No.
Ms. SCHWARTZ. Mr. Davis votes no.
Mr. Stockman?
Mr. STOCKMAN. No.
Ms. SCHWARTZ. Mr. Stockman votes no.
Mr. Gutknecht?
Mr. GUTKNECHT. No.
Ms. SCHWARTZ. Mr. Gutknecht votes no.
Mrs. Seastrand?
Mrs. SEASTRAND. No.
Ms. SCHWARTZ. Mrs. Seastrand votes no.
Mr. Tiahrt?
Mr. TIAHRT. No.
Ms. SCHWARTZ. Mr. Tiahrt votes no.
Mr. Largent?
Mr. LARGENT. No.
Ms. SCHWARTZ. Mr. Largent votes no.
Mr. Hilleary?
Mr. HILLEARY. No.
Ms. SCHWARTZ. Mr. Hilleary votes no.
Mrs. Cubin?
[No response.]
Ms. SCHWARTZ. Mr. Foley?
Mr. FOLEY. No.
Ms. SCHWARTZ. Mr. Foley votes no.
Mrs. Myrick?
Ms. MYRICK. No.
Ms. SCHWARTZ. Mrs. Myrick votes no.
Mr. Brown?
Mr. BROWN. Aye.
Ms. SCHWARTZ. Mr. Brown votes yes.
Mr. Hall?
Mr. HALL. Aye.
Ms. SCHWARTZ. Mr. Hall votes yes.
Mr. Traficant?
[No response.]
Ms. SCHWARTZ. Mr. Hayes?
[No response.]
Mr. HAYES. Pass.
Ms. SCHWARTZ. Mr. Tanner?
Mr. TANNER. Yes.
Ms. SCHWARTZ. Mr. Tanner votes yes.
Mr. Geren?
Mr. GEREN. Yes.
Ms. SCHWARTZ. Mr. Geren votes yes.
Mr. Roemer?
Mr. ROEMER. Aye.
Ms. SCHWARTZ. Mr. Roemer votes yes.
Mr. Cramer?

Mr. CRAMER. Yes.
Ms. SCHWARTZ. Mr. Cramer votes yes.
Mr. Barcia?
Mr. BARCIA. Yes.
Ms. SCHWARTZ. Mr. Barcia votes yes.
Mr. McHale?
Mr. MCHALE. Yes.
Ms. SCHWARTZ. Mr. McHale votes yes.
Ms. Harman?
Ms. HARMAN. Yes.
Ms. SCHWARTZ. Ms. Harman votes yes.
Ms. Johnson?
Ms. JOHNSON. Yes.
Ms. SCHWARTZ. Ms. Johnson votes yes.
Mr. Minge?
[No response.]
Ms. SCHWARTZ. Mr. Olver?
Mr. OLVER. Yes.
Ms. SCHWARTZ. Mr. Olver votes yes.
Mr. Hastings?
[No response.]
Ms. SCHWARTZ. Ms. Rivers?
Ms. RIVERS. Aye.
Ms. SCHWARTZ. Ms. Rivers votes yes.
Ms. McCarthy?
Ms. MCCARTHY. Yes.
Ms. SCHWARTZ. Ms. McCarthy votes yes.
Mr. Ward?
Mr. WARD. Aye.
Ms. SCHWARTZ. Mr. Ward votes yes.
Ms. Lofgren?
[No response.]
Ms. SCHWARTZ. Mr. Doggett?
Mr. DOGGETT. Aye.
Ms. SCHWARTZ. Mr. Doggett votes yes.
Mr. Doyle?
Mr. DOYLE. Aye.
Ms. SCHWARTZ. Mr. Doyle votes yes.
Ms. Jackson Lee?
Ms. JACKSON LEE. Aye.
Ms. SCHWARTZ. Ms. Jackson Lee votes yes.
Mr. Luther?
Mr. LUTHER. No.
Ms. SCHWARTZ. Mr. Luther votes no.
Mr. SENSENBRENNER. Mr. Chairman?
The CHAIRMAN. Mr. Sensenbrenner?
Mr. SENSENBRENNER. How am I recorded?
The CHAIRMAN. How is Mr. Sensenbrenner recorded?
Ms. SCHWARTZ. Mr. Sensenbrenner is not recorded.
Mr. SENSENBRENNER. No.
Mr. GRAHAM. Mr. Chairman, how am I recorded?
The CHAIRMAN. How is Mr. Graham recorded?
Ms. SCHWARTZ. Mr. Graham is not recorded.
Mr. GRAHAM. No.

Mr. HAYES. Mr. Chairman, how am I recorded?

The CHAIRMAN. Mr. Hayes, how is he recorded?

Ms. SCHWARTZ. Mr. Hayes is not recorded.

Mr. HAYES. Okay, can you wait a moment while I flip?

[Laughter.]

Mr. HAYES. No, I'm going to vote yes.

The CHAIRMAN. Mr. Hayes votes a reluctant yes.

Ms. SCHWARTZ. Mr. Hayes votes yes.

[Pause.]

The CHAIRMAN. Are there any other Members seeking to vote?

[No response.]

The CHAIRMAN. If not, the Clerk will report.

[Pause.]

Mr. TIAHRT. Mr. Chairman, how am I recorded?

The CHAIRMAN. If the Clerk has not yet reported, how is Mr. Tiahrt recorded?

Ms. SCHWARTZ. Mr. Tiahrt is recorded as voting no.

The CHAIRMAN. I thought he just came in. Okay, that's fine.

Ms. SCHWARTZ. Mr. Chairman, the rollcall vote, yes—18, no—25.

[The Clerk reported the tally incorrectly; the correct tally is: yes—18; no—26.

Mr. BARCIA. Mr. Chairman, how am I recorded?

The CHAIRMAN. The Clerk has now reported on it. We will try to take Members right up until the time that that report is done, but the Clerk reports 18 ayes, 25 noes, so the amendment of the gentleman from California is not agreed to.

Are there any other amendments to the en bloc amendment?

Mr. OLVER. Mr. Chairman?

The CHAIRMAN. If not, the vote——

Mr. OLVER. Mr. Chairman?

The CHAIRMAN. The gentleman from Massachusetts.

Mr. OLVER. Thank you, Mr. Chairman.

I don't have an amendment, but I would like to, I would like to discuss the en bloc amendment for a moment, if I may?

The CHAIRMAN. Mr. Olver.

Mr. OLVER. Thank you, Mr. Chairman.

Mr. Chairman, as I understand it, and I would be glad to yield to the Chairman at any point where a clarification seems appropriate, but as I understand it, there has been—as I understand it, there has been a conflict on the question of where indoor pollution is handled, whether the authorizations for the abatement of indoor pollution occurs under OSHA or under EPA.

Is that the base information from which the en bloc amendment comes?

The CHAIRMAN. For purposes of the work place, that's true.

Mr. OLVER. For purposes of the work place, the gist of the en bloc amendment is to concede jurisdiction in purposes of the work place to OSHA and take EPA out of that. Is that correct?

The CHAIRMAN. The gentleman's correct.

Mr. OLVER. And then in private circumstances, in private housing and things like that, which are not work place relations, then the purpose of the en bloc amendment is to take EPA completely out of the consideration of what might be indoor pollution in individual locations, non-work place locations?

The CHAIRMAN. The non-work place is based upon the fact that there has been a consistent rejection by the Congress of allowing EPA to invade private homes for purposes of this research.

Mr. OLVER. The end result of this then is to leave no authorization for consideration of non-work place air pollution, indoor air pollution, to leave no authorization left for any consideration of that. Is that correct?

The CHAIRMAN. Well, what we are doing is making certain that when you do indoor air pollution studies that they are going to be done by OSHA, and we are saying that's where it should be done.

In all honesty, the studies are not, are not going to be that different, and so in terms of the science that is required to be developed here, the decision here would be to go with the situation in law that suggests that OSHA is the place to do that research.

Mr. OLVER. But OSHA's purposes are in the work place?

The CHAIRMAN. That's correct.

Mr. OLVER. And if we're talking about non-work place locations, do I understand the purpose of this is to place OSHA in the position of being in control of non-work place indoor pollution as well as work place indoor pollution?

The CHAIRMAN. EPA, EPA has attempted, at times, to regulate indoor air in private residences. Those attempts to do that kind of regulation have consistently been rejected by the Congress. This would in fact say that we agree with past actions of the Congress that were aimed at preventing EPA from regulating private residences.

Mr. OLVER. Well, Mr. Chairman, my recollection is in the debate on the Risk Assessment Bill and in the record of the hearings on the Risk Assessment Bill that in fact indoor air pollution was cited by more than one of the scientific proponents of that legislation as an area which was receiving too little funding compared with the risks that are involved.

And while I can't recollect precisely whether that was all related to work place indoor air pollution, it seems to me rather—I guess I'm wondering why would we, as a science committee, get ourselves out of the—place the OSHA as an agency in control of all indoor air pollution considerations when really those which are not related to the work place ought to more properly be in our area it would seem?

That would be my—and I guess again I would ask the Chairman for a bit of the rationale for why we should do this for non-work place locations where it seems to me they are properly into the consideration of EPA if they are ever to be considered. And this en bloc amendment essentially concedes that field totally to OSHA.

The CHAIRMAN. The Chairman has attempted to make an explanation—obviously without much success—that the issue here with regard to private residences is one where Congress has consistently decided that we do not want to regulate what people do in their private homes, and so therefore we are developing language to tell EPA to stay out of people's private homes.

With regard to the work place issues, we are suggesting that that ought to be coordinated through OSHA.

The gentleman is right on that.

The gentleman may have a disagreement with the fact that we are telling EPA to stay out of private homes. That is specifically a policy decision that is being done within this particular bill.

Mr. OLVER. Well, Mr. Chairman, in the case of your characterization that EPA should stay out of private homes, I think there is—people should not be told what to do within their private homes and I agree totally with the Chairman on that.

On the other hand, I think that people would like to know—for instance in the case of radon, which is a typical issue of potential indoor air pollution which may be natural, obviously, but it isn't a matter of what they do in their private homes, but what it is that might be possible to do to be done that would protect them from a very serious health hazard that could occur within the private homes.

It has nothing to do with what they do and nothing to do with encroachment on their private rights, but rather of protecting people from the possibility of serious health hazards that could come from an issue like radon.

Ms. RIVERS. Mr. Olver, would you yield for a question?

Mr. OLVER. Of course I will yield to the gentlewoman from Michigan.

Ms. RIVERS. Thank you. And I will address this to the Chairman.

Because in listening to this, I recognize that there are many private homes in the United States that are not necessarily owned by the people who live in them. Those are renters who have no choice in making changes in the structure or whatever and may or may not be aware of whatever dangers are associated with how the home is put together and the accouterments that is in there.

How would this affect renters, or where would you see renters being protected around issues like indoor air pollution?

Who would have the jurisdiction there?

The CHAIRMAN. Well it seems to me that we ought to understand what we're doing here. EPA's work is supposed to be done pursuant to regulations to be issued by EPA. ORD's research and development is not just a panoply of environmental research. It's supposed to be done pursuant to regulation.

The fact is that Congress has rejected the idea that we want EPA regulating private homes.

And so therefore, what we're saying is that that is something that we don't want them to pursue.

Ms. RIVERS. I understand that.

But my question was. For renters in my scenario and for interested homeowners in Mr. Olver's scenario, who will actually do the research that will allow those individuals to understand which dangers may be within the environment in which they live, their home?

The CHAIRMAN. Well there's lots of research being done, both public and private sector research on the whole issue of air pollution and indoor air pollution, and my understanding is that there would be a lot of data that would be available to people.

The question here is. What should be the role of the Office of Research and Development at EPA? And we are making a specific policy statement here that they ought not be moving us toward the EPA regulating what goes on in private homes.

Ms. RIVERS. Thank you, Mr. Chairman, and thank you, Mr. Olver.

Mr. BROWN. Mr. Chairman?

The CHAIRMAN. The gentleman from California.

Mr. BROWN. I move to strike the last word, Mr. Chairman.

The CHAIRMAN. The gentleman's recognized.

Mr. BROWN. Mr. Chairman, I've almost given up trying to break the very admirable discipline on the Republican side but I do want the record to reflect the factual situation as I understand it, which may be somewhat different from the way others understand it.

But the fact is we are voting on funds for EPA's research office. This office doesn't do any regulation. And so we're not talking about regulating indoor air pollution at this point.

As a matter of fact, the law already includes a requirement that the EPA carry out research on indoor air quality and it's contained in Title 4 of the SuperFund Amendments and Reauthorization Act of 1986.

So the authority already exists for them to do the research. This Committee gave it to them. This particular bill that we're considering does not deal with regulation. The research is not contingent upon there being any proposal to do regulation, and I think Mr. Walker and I may have a slight difference of understanding on this point.

So the question before us really is:

Do we continue with a mandate to do research on this, which can be used to educate the public or for voluntary activities or for any other number of other things, other than regulation, or do we not?

And basically that's the question.

Mr. OLVER. Would the gentleman yield for a question?

Mr. BROWN. I'd be happy to yield.

Mr. OLVER. I would ask then, if I understand the import of what the Ranking Member is saying, what we are doing here is essentially precluding research on issues like indoor air pollution, on items like radon and others that might come up, even though there is no authorization, nor does this amendment—there isn't presently no authorization for regulation in those areas under the present law?

If that's the correct understanding, then I think we're doing something rather dangerous. I think we're doing something which could seriously reduce our capacity for the research to be done that would lead to an understanding of what kinds of things might be in individual homes and radon's a perfectly good case. There may be another case like the development of housing on what were old nuclear slag dumps or things like that that people really ought, that we, as Members of Congress, ought to be trying to help people to understand those kinds of risks.

Mr. BROWN. Well, if I understand the gentleman's question correctly, I think he's correct in his assertion.

What I think this bill before us does is actually to reverse an action the Congress has previously taken to authorize research on indoor air pollution—not regulation but research—in order to protect the future of American families who might live in polluted homes.

Now I'm not sure that I, myself, want to start regulating at this point. What I do want to start, when I want to consider it, I want a full research base on which to make that kind of a decision.

Mr. OLVER. I thank the gentleman. That really clarifies it for me.

The CHAIRMAN. The time of the gentleman has expired.

Ms. Johnson?

Ms. JOHNSON. Mr. Chairman, I agree with you that we should not be regulating private homes, but I'm wondering whether or not it is this type of research that caused the flow of that information that caused people to start putting in not only smoke alarms but the carbon monoxide alarm systems as a result of just having the information, and understanding what might be a remedy, and going out and purchasing these systems and placing them at a rather nominal cost in their homes.

Is this the type of research?

Mr. Chairman, you've known, as long as you've known me probably, that I'm a strong supporter of research because I think information saves lives and saves dollars as an investment.

I wonder——

The CHAIRMAN. This is not research into fire protection, and it is also——

Ms. JOHNSON. No, I don't mean——

The CHAIRMAN [continuing].—Not, since we've had radon raised, it's also not research into radon. There's a special $12.5 million program that's not in the jurisdiction of this Committee, but there is a $12.5 million program that specifically deals with the radon issue. So radon is not the issue here.

And smoke inhalation is not the issue here. That is, those kinds of programs are through other programs.

Ms. JOHNSON. But is it this kind of research that leads to this kind of information?

The CHAIRMAN. No. The problem that we're dealing with here is the fact that what this agency is supposed to be doing is research pursuant to their regulatory authority.

And so one has to assume that when you move in this direction, what you are also doing is assuring that the agency is going to move to regulate in these areas. That's what ORD is supposed to do.

We are authorizing then a research pursuant to regulations. It anticipates regulation. That's the reason why we thought we shouldn't do it, given Congress' past performance in this area.

Ms. JOHNSON. Thank you, Mr. Chairman.

The CHAIRMAN. The Chair would like to move this, move the en bloc amendments to a vote prior to Members leaving to go to the floor.

The Chair will put the question.

Those in favor of the en bloc amendment will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. In the opinion of the Chair, the ayes have it.

Mr. OLVER. Mr. Chairman, I would ask for a roll call vote on this matter.

The CHAIRMAN. Is there a chance we can go with a division?

Mr. OLVER. No, I would like a roll call vote.

The CHAIRMAN. Okay, you want a roll call vote.

The Chair would make the statement, since it appears as though we're going to have some discussion here, it is the intention of the Chair to do this bill, as well as the Energy Bill and the NOAA bill before we finish our work today.

So I just hope Members will keep in mind that it is our intention, despite obligations later on this evening, to complete action on a number of pieces of legislation today.

The Clerk will call the roll.

Ms. SCHWARTZ. Mr. Walker?

Mr. WALKER. Aye.

Ms. SCHWARTZ. Mr. Walker votes yes.

Mr. Sensenbrenner?

[No response.]

Ms. SCHWARTZ. Mr. Boehlert?

[No response.]

Ms. SCHWARTZ. Mr. Fawell?

Mr. FAWELL. Aye.

Ms. SCHWARTZ. Mr. Fawell votes yes.

Mrs. Morella?

Mrs. MORELLA. Aye.

Ms. SCHWARTZ. Mrs. Morella votes yes.

Mr. Weldon of Pennsylvania?

Mr. CURT WELDON. Aye.

Ms. SCHWARTZ. Mr. Weldon votes yes.

Mr. Rohrabacher?

Mr. ROHRABACHER. Yes.

Ms. SCHWARTZ. Mr. Rohrabacher votes yes.

Mr. Schiff?

Mr. SCHIFF. Aye.

Ms. SCHWARTZ. Mr. Schiff votes yes.

Mr. Barton?

Mr. BARTON. Yes.

Ms. SCHWARTZ. Mr. Barton votes yes.

Mr. Calvert?

Mr. CALVERT. Aye.

Ms. SCHWARTZ. Mr. Calvert votes yes.

Mr. Baker?

[No response.]

Ms. SCHWARTZ. Mr. Bartlett?

Mr. BARTLETT. Yes.

Ms. SCHWARTZ. Mr. Bartlett votes yes.

Mr. Ehlers?

Mr. EHLERS. Yes.

Ms. SCHWARTZ. Mr. Ehlers votes yes.

Mr. Wamp?

Mr. WAMP. Yes.

Ms. SCHWARTZ. Mr. Wamp votes yes.

Mr. Weldon of Florida?

Mr. DAVE WELDON. Yes.

Ms. SCHWARTZ. Mr. Weldon votes yes.

Mr. Graham?

[No response.]

Ms. SCHWARTZ. Mr. Salmon?
Mr. SALMON. Aye.
Ms. SCHWARTZ. Mr. Salmon votes yes.
Mr. Davis?
Mr. DAVIS. Aye.
Ms. SCHWARTZ. Mr. Davis votes yes.
Mr. Stockman?
Mr. STOCKMAN. Aye.
Ms. SCHWARTZ. Mr. Stockman votes yes.
Mr. Gutknecht?
Mr. GUTKNECHT. Yes.
Ms. SCHWARTZ. Mr. Gutknecht votes yes.
Mrs. Seastrand?
[No response.]
Ms. SCHWARTZ. Mr. Tiahrt?
Mr. TIAHRT. Yes.
Ms. SCHWARTZ. Mr. Tiahrt votes yes.
Mr. Largent?
Mr. LARGENT. Yes.
Ms. SCHWARTZ. Mr. Largent votes yes.
Mr. Hilleary?
Mr. HILLEARY. Aye.
Ms. SCHWARTZ. Mr. Hilleary votes yes.
Mrs. Cubin?
[No response.]
Ms. SCHWARTZ. Mr. Foley?
Mr. FOLEY. Yes.
Ms. SCHWARTZ. Mr. Foley votes yes.
Mrs. Myrick?
Mrs. MYRICK. Yes.
Ms. SCHWARTZ. Mrs. Myrick votes yes.
Mr. Brown?
[No response.]
Ms. SCHWARTZ. Mr. Hall?
Mr. HALL. Yes.
Ms. SCHWARTZ. Mr. Hall votes yes.
Mr. Traficant?
[No response.]
Ms. SCHWARTZ. Mr. Hayes?
[No response.]
Ms. SCHWARTZ. Mr. Tanner?
Mr. TANNER. No.
Ms. SCHWARTZ. Mr. Tanner votes no.
Mr. Geren?
Mr. GEREN. No.
Ms. SCHWARTZ. Mr. Geren votes no.
Mr. Roemer?
Mr. ROEMER. No.
Ms. SCHWARTZ. Mr. Roemer votes no.
Mr. Cramer?
Mr. CRAMER. Yes.
Ms. SCHWARTZ. Mr. Cramer votes yes.
Mr. Barcia?
Mr. BARCIA. Yes.

Ms. SCHWARTZ. Mr. Barcia votes yes.
Mr. McHale?
Mr. MCHALE. No.
Ms. SCHWARTZ. Mr. McHale votes no.
Ms. Harman?
Ms. HARMAN. Yes.
Ms. SCHWARTZ. Ms. Harman votes yes.
Ms. Johnson?
Ms. JOHNSON. No.
Ms. SCHWARTZ. Ms. Johnson votes no.
Mr. Minge?
[No response.]
Ms. SCHWARTZ. Mr. Olver?
Mr. OLVER. No.
Ms. SCHWARTZ. Mr. Olver votes no.
Mr. Hastings?
[No response.]
Ms. SCHWARTZ. Ms. Rivers?
Ms. RIVERS. No.
Ms. SCHWARTZ. Ms. Rivers votes no.
Ms. McCarthy?
Ms. MCCARTHY. No.
Ms. SCHWARTZ. Ms. McCarthy votes no.
Mr. Ward?
Mr. WARD. No.
Ms. SCHWARTZ. Mr. Ward votes no.
Ms. Lofgren?
[No response.]
Ms. SCHWARTZ. Mr. Doggett?
Mr. DOGGETT. No.
Ms. SCHWARTZ. Mr. Doggett votes no.
Mr. Doyle?
Mr. DOYLE. Yes.
Ms. SCHWARTZ. Mr. Doyle votes yes.
Ms. Jackson Lee?
[No response.]
Ms. SCHWARTZ. Mr. Luther?
Mr. LUTHER. No.
Ms. SCHWARTZ. Mr. Luther votes no.

The CHAIRMAN. Are there additional Members wishing to be recorded?

Mr. Baker?
Mr. BAKER. Aye.
The CHAIRMAN. Mr. Baker votes aye.
Are there additional Members wishing to be recorded?
[No response.]
The CHAIRMAN. If not, the Clerk will report.
[Pause.]
Ms. SCHWARTZ. Mr. Chairman, the roll call vote, yes 27, no 11.

The CHAIRMAN. The en bloc amendments, which will be considered as original text for purposes of amendment, are adopted.

At this point, the Chair will recess, and we will come back immediately following this vote on the floor.

[Recess.]

The CHAIRMAN. The next amendment on the roster is the amendment in the nature of a substitute by Mr. Brown of California.

[The amendment follows:]

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1814

OFFERED BY MR. BROWN

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Environmental Re-
3 search, Development, and Demonstration Authorization
4 Act of 1995".

5 **SEC. 2. DEFINITIONS.**

6 For the purposes of this Act, the term—

7 (1) "Administrator" means the Administrator
8 of the Environmental Protection Agency;

9 (2) "Agency" means the Environmental Protec-
10 tion Agency; and

11 (3) "Assistant Administrator" means the As-
12 sistant Administrator for Research and Development
13 of the Agency.

14 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

15 (a) IN GENERAL.—There are authorized to be appro-
16 priated to the Administrator $545,637,700 for fiscal year
17 1996 for the Office of Research and Development for envi-
18 ronmental research, development, and demonstration ac-

1 tivities, including program management and support, in
2 the areas specified in subsection (b).
3 (b) SPECIFIC PROGRAMS AND ACTIVITIES.—Of the
4 amount authorized in subsection (a), there are authorized
5 to be appropriated the following:
6 (1) For air related research, $103,508,800.
7 (2) For water quality related research,
8 $20,605,800.
9 (3) For drinking water related research,
10 $21,015,800.
11 (4) For pesticide related research, $13,190,300.
12 (5) For toxic chemical related research,
13 $15,025,700.
14 (6) For research related to hazardous waste,
15 $22,131,400.
16 (7) For multimedia related research expenses,
17 $282,425,700.
18 (8) For program management expenses,
19 $7,225,600.
20 (9) For research related to cleanup of contami-
21 nated sites, $57,991,000.
22 (10) For research related to leaking under-
23 ground storage tanks, $750,600.
24 (11) For oil pollution related research,
25 $1,767,100.

1 (c) LIMITATION.—No funds are authorized to be ap-
2 propriated for any fiscal year after fiscal year 1996 for
3 carrying out the programs and activities for which funds
4 are authorized by this Act.

5 **SEC. 4. SCIENTIFIC RESEARCH REVIEW.**

6 (a) IN GENERAL.—The Administrator shall assign to
7 the Assistant Administrator the duties of—
8 (1) developing a strategic plan for scientific and
9 technical activities throughout the Agency;
10 (2) integrating that strategic plan into ongoing
11 Agency planning activities; and
12 (3) reviewing all Agency research to ensure the
13 research—
14 (A) is of high quality; and
15 (B) does not duplicate any other research
16 being conducted by the Agency.
17 (b) REPORT.—The Assistant Administrator shall
18 transmit annually to the Administrator and to the Com-
19 mittee on Science of the House of Representatives and the
20 Committee on Environment and Public Works of the Sen-
21 ate a report detailing—
22 (1) all Agency research the Assistant Adminis-
23 trator finds is not of sufficiently high quality; and
24 (2) all Agency research the Assistant Adminis-
25 trator finds duplicates other Agency research.

1 SEC. 5. ENVIRONMENTAL TECHNOLOGY INITIATIVE.

2 (a) AVAILABILITY OF FUNDS.—Of the amount au-
3 thorized to be appropriated in section 3(b)(7) for multi-
4 media related research expenses, $40,000,000 is available
5 for the Environmental Technology Initiative.

6 (b) LIMITATIONS.—

7 (1) EVALUATION PROCESS.—The Administrator
8 may select projects for funding under the Environ-
9 mental Technology Initiative only through a com-
10 petitive, merit-based evaluation process.

11 (2) ELIGIBILITY.—The projects eligible for
12 funding under the Environmental Technology Initia-
13 tive are only the following:

14 (A) Projects to provide technical perform-
15 ance verification of environmental technologies
16 and involving, to the extent appropriate, part-
17 nerships among Federal, State, local, and tribal
18 agencies and private-sector entities.

19 (B) Projects to facilitate the demonstration
20 of environmental technologies at appropriate
21 Federal or other sites.

22 (C) Projects to enhance the capacity of
23 Federal, State, local, and tribal agencies to pro-
24 mote the adoption of environmental technologies
25 through regulatory reforms, technical assist-
26 ance, improved dissemination of information

1 (domestically and internationally), modifications
2 to environmental permitting processes, and
3 modifications to enforcement processes.
4 (3) SPECIFIC ENVIRONMENTAL TECH-
5 NOLOGIES.—The Administrator may not provide di-
6 rect financial assistance under the Environmental
7 Technology Initiative to a private-sector entity for
8 the purpose of developing and commercializing a
9 specific environmental technology.

Mr. BROWN. And the Chair recognizes Mr. Brown.

The CHAIRMAN. And the gentleman is recognized.

Mr. BROWN. Thank you, Mr. Chairman.

Mr. Chairman, before I briefly describe the substitute which I'm going to offer, may I ask unanimous consent that the record reflect that I had not rushed out of the room before the last roll call, I would have voted no on your en bloc amendments, which would not change the results.

The CHAIRMAN. The gentleman's statement will appear.

Mr. BROWN. Mr. Chairman, I have an amendment in the nature of a substitute to H.R. 1814. My amendment would achieve two important objectives.

First, it would maintain overall funding for the EPA Office of Research and Development at its current Fiscal Year 1995 level. In other words, it's a hard freeze. It provides no increase, inflationary or otherwise. And this is in contrast to the underlying bill which would cut EPA's research budget by ten percent from last year's level and 22 percent from the President's budget request.

Second, my substitute would provide EPA with appropriate discretion to carry out critical environmental research programs, I might note parenthetically of the sort which the adoption of your amendments just precluded them from doing insofar as it involves indoor air pollution.

H.R. 1814 contains several micromanaging provisions that will force EPA to contract out its research, fire up to 250 employees, and totally eliminate certain important research programs, such as the environmental technology initiative, global change research, the indoor air, which I've already mentioned, and the environmental graduate fellowships program.

Let me begin with a word of background about the Office of Research and Development.

This office has two chief responsibilities. First, it must provide the sound science base for EPA's regulatory decisions and risk assessment.

Second, it must undertake a vigorous program of fundamental research that seeks to look over the horizon, anticipating and deflating future environmental crises.

In contrast to many governmental programs, the budget of ORD has not increased over the past 15 years. In fact, when adjusted for inflation, the budget of the office is below where it was in 1980 despite the continued growth in environmental problems.

ORD currently has 1800 full time staff, compared to 2300 in 1980. However, over the last decade and a half, the Congress and three presidents have dramatically increased EPA's statutory responsibilities through revisions of the Clean Air Act, Clean Water Act, and other laws.

Combined, these trends tend inevitably to erode the effectiveness of ORD and in part at least to create the widespread criticism that it does not act in an adequate and rational way obviously because it has suffered such erosion.

I know that the distinguished Chairman of the Committee, Mr. Walker, shares many of my views about the importance of environmental research.

He's spoken very eloquently here and on the Floor on the importance of good science to the environmental decision-making process. He's argued that when the best science is applied, the total compliance costs will decrease since we will find the regulations that concern themselves with are not to be insignificant risk, and he's correct in this.

For my part, I tend to agree with Mr. Walker that the better our science base, the more rational and efficient our environmental regulations will be.

Let me say, as I've already indicated, that my substitute provides a hard freeze at $545 million and it maintains this level in the face of inflation and a significant bookkeeping change which will in fact result in a $31.6 million reduction.

This provides for a very balanced research portfolio and beyond that, the amendment freezes spending for certain management and other functions.

I know that some Members regard the environmental technology program as corporate welfare, but the fact is that only seven percent of those funds go to support direct technological research. The bulk of it goes to support regulatory reform efforts and performance verifications and demonstrations.

In summary, my amendment is a tough but responsible budget for EPA R&D, and I urge that the Members act favorably on it.

And I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back the balance of his time.

I appreciate the gentleman's remarks and his kind words about the direction that environmental research ought to take us in terms of regulation, and my position on that.

One of the main problems with the substitute that has been presented is that it authorizes $545.6 million, or $55.6 million above the level currently in H.R. 1814. 1814 of course was prepared with the House Budget Resolution in mind, and is an attempt to select appropriate priorities.

As the gentleman states, one of the major differences between the bill that we have before us and the substitute is in the area of the environmental technology initiative, which the gentleman's substitute would fund at $46.5 million above H.R. 1814.

In other words, most of the increase that the gentleman proposes is in this one area, the environmental technology initiative.

In our view, we ought to protect a lot of the research work that is going on in the EPA to the exclusion of some programs that do not have as high a priority.

It should be remembered that the environmental technology initiative has gone through a number of reincarnations in an attempt to carry out what the President first outlined in his State of the Union speech in 1993, and at that time, he said it was specifically designed to develop and market the new green technologies.

While that is a very worthwhile objective for American corporate entities to pursue, and because we have been leading the world in environmental areas, it is certainly an area where we ought to try to take a technological lead, it is not necessarily the highest priority for ORD to be pursuing.

And so we have decided that in our need to prioritize, this is an arena where we don't need to spend the kind of money that is in the gentleman's substitute.

This, once again, comes down to a question of discipline. Whether or not we are going to have discipline enough to do that which the House budget required.

I'm aware that the minority is attempting to put their packages in light of the balanced budget initiative but the fact is their balanced budget initiative did not pass the House of Representatives nor is it reflected in the President's most recent budget announcements.

And so what we're attempting to do is live within the constraints that the House has already developed.

In my view, to move on this substitute would in fact abandon that discipline, and I think would render what we do here somewhat irrelevant to the on-going process.

And so I do oppose the gentleman's substitute and I would recognize the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, I join you in opposing this amendment. And I would just like to note that this reflects a strategy and also a modus operandi that we've been experiencing when trying to come to grips with our challenge of having a balanced budget.

The fact is that we are confronting an amendment that would increase spending by about $55 million. Now I made it very clear in the subcommittee, when this bill went through subcommittee, that anyone had the option to move forward and reprioritize where that our spending would be.

And I simply said that if you are going to, if you believe that a certain area, like ORD, should have priority, and you want to increase spending in that area, you must accompany that with a decrease in spending in some other area to be responsible and to show that we actually are not forgetting about the goal, the overall goal of a balanced budget.

And of course this amendment has no offset decrease in another part of the budget. It is simply a $55 million increase in spending.

Furthermore, the justification that this is somehow part of another budget plan that would balance the budget is, as we will hear in many such amendments to come today, totally fallacious. I mean, the fact is that we are talking about people who are proposing more spending.

So if we have a situation where someone says, well this is consistent with some other plan to balance the budget, how can there be the other plan that will balance the budget if all we're ever talking about is more and more spending.

Eventually you might expect to get some amendment from the other side that actually wanted to cut spending from some place.

But, no, that's not what we see. And I think to be responsible, we've got to say that yes, let's pay attention to anyone from the other side of the aisle who has an offset that they'd like to show us but until you show us some offsets, how can we take your, you know, your proposal seriously?

Thank you very much.

I oppose the amendment.

The CHAIRMAN. I thank the gentleman from California.

Are there other Members who wish to be recognized?

Mr. OLVER. Mr. Chairman?

The CHAIRMAN. The gentleman from Massachusetts.

Mr. OLVER. Thank you, Mr. Chairman.

In response to the chairman of the subcommittee, who has just spoken, this is not more and more spending. It is specifically not more and more spending. It is in fact a proposal for a freeze at exactly the level that is the spending level of the fiscal year that we are presently in.

The $545 million proposal just is incorrectly characterized as more spending.

At the, just to use one example, the proposal that we have before us completely zeros out climate change research. Now if there's anything more important ultimately that climate change research, since climate change research has to do with what happens to species' habitats and one of those species happens to be human beings, and certainly has to do with a whole series of crop species and the kinds of habitats that might be available there, it's really fairly critical that we not preclude the kind of research that would be beneficial in those areas.

Now it's not entirely certain that the scientific community knows where we're going with global climate change but that is the function of research, not to know exactly where it is that you are going to end up in a program. You may only have an idea or a premise as to where, what's going on, and the research in fact is supposed to tell you.

And the one thing that the scientific community is almost unanimous on is that global change is a serious threat that merits at least intensive research at understanding what its impacts would be upon human beings directly or indirectly through its effects upon other species, life species on this planet.

And so I think that the idea of zeroing out global climate change research in this process, completely zeroing it out, is really a very serious problem, and I certainly am going to support the amendment offered by the ranking Member in this area.

The CHAIRMAN. The gentleman from Florida.

Mr. DAVE WELDON. Mr. Chairman, I move to strike the last word.

I yield to the subcommittee chairman, Mr. Rohrabacher.

Mr. ROHRABACHER. Mr. Chairman, just to have a little bit of exchange here, yes, that's right, we are talking about a freeze, which means that if what we are talking about is freezing the status quo, we are talking about freezing America into a $200 to $300 billion deficit.

The reason why cuts have to be made and we have to change the status quo, is because our country is going bankrupt. We cannot freeze the status quo. We cannot change the status quo in an acceptable manner unless we actually find ways of cutting spending. Otherwise, we stay the way we are and on the path that we are, which is what the voters voted on to try to say, hey, we think this budget deficit is out of control. We've got to do something, because we know that after a certain number of years, it's going to have, it's going to cause major harm to future generations.

So in fact, this, it is a $55 million increase over what we believe is necessary to balance the Federal budget. And we can't just go back to a freeze situation, because the current status quo is unacceptable.

In terms of climate change research, this is not the only, we're, you know, we're not talking about the only place that climate change research takes place, in this bill. I mean, this is not the only place in the Federal Government that climate change research takes place.

So we are affecting some climate change research and just to let you know, and I think that a very critical look at climate change research would say that perhaps that some of the premises that the climate change research is operating on are very questionable.

And we've seen scientists come before our Committees that disagree and end up basically not presenting the case that this is the best use of the taxpayers' dollars.

So that's why we made the decisions we did, but primarily, and again when I say we're talking about spending more money, give us an offset that will lead us to a balanced budget. That's what we're looking for. We're not looking for an offset that will keep us on the status quo and keep us on the road to economic oblivion.

Mr. DAVE WELDON. I yield back the balance of my time, Mr. Chairman.

The CHAIRMAN. The gentleman from Florida yields back the balance of his time.

The gentleman from Tennessee.

Mr. TANNER. Thank you, Mr. Chairman.

I would only ask that the previous speaker could help us with allowing, getting his Rules Committee to allow us to offer the lock box amendment on the Floor.

Nonetheless, I would yield my time to the ranking Member.

Mr. BROWN. Thank the gentleman for yielding.

We, as has been indicated, are sort of going through a little continuous reenactment of a scenario here in which the majority are contending that we're busting the budget and that we're acting irresponsibly.

On our side, we are admittedly following a strategy of presenting alternative numbers to the majority which we contend are in accordance with a path to balance the budget, which admittedly the House did not adopt.

But these are the scenarios that we're playing out here. Now basically I want us to be realistic in terms of what we're doing, and to understand the facts.

There's nothing in the House passed Budget Resolution that deals with the environmental Office of Research and Development. That is at a level of detail which is not contained in the resolution.

There may be some guidance contained in the report language but that has no standard in point of law.

We had an interesting experience in connection with the budget reflected in a book that was written two or three years ago called "The Cardinals of Capitol Hill," which I urge some of those of you who are not familiar with the appropriations process to read.

And this reflects a conversation between Senator Johnson and Senator Wirth in the Senate about the budget.

Senator Johnson's on both budget and appropriation.

And Wirth says, why is there a budget committee?

Johnson explains that the group's recommendations were merely advisory.

And a flabbergasted Wirth inquired, it makes absolutely no difference what we do?

Absolutely no difference, said Johnson, who was also a Member of appropriations.

To make his point even more clear, Johnson declared, appropriators don't even know what we do.

Now, not only do they not know what they do with regard to the items which are contained in the Budget Resolution, they pay even less attention to the non-binding language which is contained in the report.

Now for this side, the majority to continuously claim that they are acting in accordance with the Budget Resolution and appropriators will pay no attention to us unless we meet exactly the figures which Mr. Walker handed down is in the realm of fantasy, and that is indicated somewhat by the action already taken by the Energy and Water Subcommittee and the Interior Subcommittee in appropriations.

Energy and Water deviated substantially although not in a massive way from the numbers that Mr. Walker had offered to us.

Interior, which just finished today, is $365 million higher than Mr. Walker's figures.

And I think that pretty much says what Senator Johnson said, that the appropriators pay no attention to what Mr. Walker says the Budget Committee wants us to do.

Now if you need any more evidence, it will be forthcoming, let me assure you. [Laughter.]

And I therefore urge that we quit engaging in this kind of senseless and non-factual rhetoric and get down to the realities of what authorizes are supposed to do in their best judgment about policies which are good for this country.

Now, Mr. Walker has a two-pronged argument and Mr. Rohrabacher, too. They first put up the veil of what the Budget Committee wants, which is a pretty thin veil, and then they include in that a lot of philosophical policy which they're deeply wedded to, such as not supporting climate change because it's the product of some fuzzy-brained scientists to don't know what they're talking about.

Not to engage in support environmental technology for similar reasons and because they think that's corporate welfare.

Or not to address indoor air pollution research because that might lead to regulation which we would oppose anyway.

And with that, I strongly urge that you support my alternative which is free from all these sins. [Laughter.]

The CHAIRMAN. The gentleman's time has expired.

Ms. RIVERS. Thank you, Mr. Chairman.

I just wanted to comment relative to the subcommittee chair's arguments about balancing the budget, that everyone likes to posit these changes as if it is a choice between spending today and not spending tomorrow, when in fact a lot of these programs that are

being proposed to be cut may indeed save us from having to spend a substantial amount of money in the future.

And that we have no guarantee that by eliminating research into the green technologies we are going to in fact be able to continue to not spend money when in fact we know that the cost of cleaning up a problem is invariably much, much greater than the cost of preventing a problem, and we know that intervention in health matters, as opposed to prevention is incredibly cost effective.

And so I am very concerned.

When I looked through this list of environmental technology initiative programs that are being proposed for cuts, and I see significant research in areas, certainly from my area of the country where the automobile industry is a major economic force, these are important issues for the health and environmental protection of the Great Lakes Basin and into the midwest.

These are not issues that we can simply say, by saying no today, we will have no costs in the future and we're balancing the budget. We may well be making the decision to see the budget grow out of control as we have to intervene in situations that are created because we didn't develop the technology when we had the chance.

Thank you.

The CHAIRMAN. Are there are additional Members which wish to be recognized on the substitute?

[No response.]

The CHAIRMAN. If not, all those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. And those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. In the opinion of the Chair, the noes have it.

Mr. BROWN. Roll call, Mr. Chairman.

The CHAIRMAN. The gentleman from California requests a roll call.

The Clerk will call the roll.

The CLERK. Mr. Walker?

Mr. WALKER. No.

Ms. SCHWARTZ. Mr. Walker votes no.

Mr. Sensenbrenner?

Mr. SENSENBRENNER. No.

Ms. SCHWARTZ. Mr. Sensenbrenner votes no.

Mr. Boehlert?

Mr. BOEHLERT. No.

Ms. SCHWARTZ. Mr. Boehlert votes no.

Mr. Fawell?

Mr. FAWELL. No.

Ms. SCHWARTZ. Mr. Fawell votes no.

Mrs. Morella?

[No response.]

Ms. SCHWARTZ. Mr. Weldon of Pennsylvania?

[No response.]

Ms. SCHWARTZ. Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. SCHWARTZ. Mr. Rohrabacher votes no.

Mr. Schiff?

[No response.]

Ms. SCHWARTZ. Mr. Barton?
[No response.]
Ms. SCHWARTZ. Mr. Calvert?
Mr. CALVERT. No.
Ms. SCHWARTZ. Mr. Calvert votes no.
Mr. Baker?
Mr. BAKER. No.
Ms. SCHWARTZ. Mr. Baker votes no.
Mr. Bartlett?
Mr. BARTLETT. No.
Ms. SCHWARTZ. Mr. Bartlett votes no.
Mr. Ehlers?
Mr. EHLERS. No.
Ms. SCHWARTZ. Mr. Ehlers votes no.
Mr. Wamp?
Mr. WAMP. No.
Ms. SCHWARTZ. Mr. Wamp votes no.
Mr. Weldon of Florida?
Mr. DAVE WELDON. No.
Ms. SCHWARTZ. Mr. Weldon votes no.
Mr. Graham?
[No response.]
Ms. SCHWARTZ. Mr. Salmon?
Mr. SALMON. No.
Ms. SCHWARTZ. Mr. Salmon votes no.
Mr. Davis?
Mr. DAVIS. No.
Ms. SCHWARTZ. Mr. Davis votes no.
Mr. Stockman?
Mr. STOCKMAN. No.
Ms. SCHWARTZ. Mr. Stockman votes no.
Mr. Gutknecht?
Mr. GUTKNECHT. No.
Ms. SCHWARTZ. Mr. Gutknecht votes no.
Mrs. Seastrand?
[No response.]
Ms. SCHWARTZ. Mr. Tiahrt?
Mr. TIAHRT. No.
Ms. SCHWARTZ. Mr. Tiahrt votes no.
Mr. Largent?
Mr. LARGENT. No.
Ms. SCHWARTZ. Mr. Largent votes no.
Mr. Hilleary?
Mr. HILLEARY. No.
Ms. SCHWARTZ. Mr. Hilleary votes no.
Mrs. Cubin?
Mrs. CUBIN. No.
Ms. SCHWARTZ. Mrs. Cubin votes no.
Mr. Foley?
Mr. FOLEY. No.
Ms. SCHWARTZ. Mr. Foley votes no.
Mrs. Myrick?
Mrs. MYRICK. No.
Ms. SCHWARTZ. Mrs. Myrick votes no.

Mr. Brown?
Mr. BROWN. Yes.
Ms. SCHWARTZ. Mr. Brown votes yes.
Mr. Hall?
Mr. HALL. Yes.
Ms. SCHWARTZ. Mr. Hall votes yes.
Mr. Traficant?
[No response.]
Ms. SCHWARTZ. Mr. Hayes?
[No response.]
Ms. SCHWARTZ. Mr. Tanner?
Mr. TANNER. Yes.
Ms. SCHWARTZ. Mr. Tanner votes yes.
Mr. Geren?
Mr. GEREN. No.
Ms. SCHWARTZ. Mr. Geren votes no.
Mr. Roemer?
Mr. ROEMER. Yes.
Ms. SCHWARTZ. Mr. Roemer votes yes.
Mr. Cramer?
Mr. CRAMER. Yes.
Ms. SCHWARTZ. Mr. Cramer votes yes.
Mr. Barcia?
Mr. BARCIA. Yes.
Ms. SCHWARTZ. Mr. Barcia votes yes.
Mr. McHale?
Mr. MCHALE. Yes.
Ms. SCHWARTZ. Mr. McHale votes yes.
Ms. Harman?
Ms. HARMAN. Yes.
Ms. SCHWARTZ. Ms. Harman votes yes.
Ms. Johnson?
Ms. JOHNSON. Yes.
Ms. SCHWARTZ. Ms. Johnson votes yes.
Mr. Minge?
[No response.]
Ms. SCHWARTZ. Mr. Olver?
Mr. OLVER. Yes.
Ms. SCHWARTZ. Mr. Olver votes yes.
Mr. Hastings?
Mr. HASTINGS. Aye.
Ms. SCHWARTZ. Mr. Hastings votes yes.
Ms. Rivers?
Ms. RIVERS. Yes.
Ms. SCHWARTZ. Ms. Rivers votes yes.
Ms. McCarthy?
Ms. MCCARTHY. Yes.
Ms. SCHWARTZ. Ms. McCarthy votes yes.
Mr. Ward?
Mr. WARD. Yes.
Ms. SCHWARTZ. Mr. Ward votes yes.
Ms. Lofgren?
[No response.]
Ms. SCHWARTZ. Mr. Doggett?

Mr. DOGGETT. Aye.
Ms. SCHWARTZ. Mr. Doggett votes yes.
Mr. Doyle?
Mr. DOYLE. No.
Ms. SCHWARTZ. Mr. Doyle votes no.
Ms. Jackson Lee?
[No response.]
Ms. SCHWARTZ. Mr. Luther?
Mr. LUTHER. No.
Ms. SCHWARTZ. Mr. Luther votes no.
Mrs. MORELLA. May I ask how Morella is recorded?
The CHAIRMAN. How is Mrs. Morella recorded?
Ms. SCHWARTZ. Mrs. Morella is not recorded.
Mrs. MORELLA. Morella votes no.
The CHAIRMAN. The Clerk will report.
[Pause.]
Ms. SCHWARTZ. Mr. Chairman, the roll call vote, yes 15, no 25.
The CHAIRMAN. And the substitute is defeated.
The next amendment on the list is Mr. Boehlert's en bloc amendment.
Mr. BOEHLERT. Thank you, Mr. Chairman.
I believe it's in our packet. I'll be brief.
[The amendment follows:]

AMENDMENT TO H.R. 1814

OFFERED BY MR. BOEHLERT

Page 3, line 12, strike "$98,915,200" and insert "$93,915,200".

Page 3, line 14, strike "$72,111,400" and insert "$67,111,400".

Page 4, line 23, strike "$153,656,800" and insert "$158,656,800".

Page 4, line 25, strike "and".

Page 5, line 2, strike the period and insert "; and".

Page 5, after line 2, insert the following new subparagraph:

1 (C) $5,000,000 shall be for graduate stu-
2 dent fellowships.

Page 6, line 1, insert "or" after the semicolon.

Page 6, line 2, strike "; or" and insert a period.

Page 6, lines 3 and 4, strike subparagraph (C).

Page 7, after line 9, insert the following new section:

3 **SEC. 5. GRADUATE STUDENT FELLOWSHIPS.**

4 In carrying out the graduate student fellowship pro-
5 gram for which funds are authorized to be appropriated

1 by this Act, the Administrator shall ensure that any fel-
2 lowship award to a student selected after the date of the
3 enactment of this Act is used only to support research that
4 would further missions of the Office of Research and De-
5 velopment in fields in which there exists or is projected
6 to exist a shortage in the number of scientists.

Mr. BOEHLERT. The amendment has been agreed to, as I understand it, both by you and by the ranking Member, Mr. Brown, and it would restore funding for the EPA graduate fellowship program which is beginning this year, and will restore that funding without increasing the total authorization in this bill.

The fellowship program is part of EPA's effort to improve the quality of its science and to engage in more extramural research, two goals I think we all support.

A review of the program by the National Academy of Sciences applauded the EPA for establishing the program, pointing to the need for more and better trained scientists in fields related to environmental concerns.

However, the review also recommended that the program be more targeted toward areas of study where shortages of scientific personnel either already exist or are projected.

This amendment would implement that recommendation.

The amendment would continue funding the fellowship program at its current level, $5 million, rather than the $10 million requested by the Administration. This is a new program and an experiment, albeit one based on long-standing models at NSF and NIH. And I think we ought to let the program prove itself before increasing its budget.

And, as I mentioned, the amendment specifically limits the fellowships to students conducting research related to EPA's research mission in subfields where shortages exist or are projected.

Such a targeted program can only improve the quality of environmental science in this country.

I urge the adoption of the amendment and I want to thank you and Mr. Brown for your approach to it.

The CHAIRMAN. Before commenting on the amendment myself, let me yield to the gentleman from New Mexico, Mr. Schiff.

Mr. SCHIFF. Mr. Chairman, I want to say that I missed the last roll call vote on Mr. Brown's substitute due to a vote I was casting in the Judiciary Committee and not being able to run a little bit faster.

Had I been present, I would have voted no, and ask unanimous consent that that appear at the appropriate place in the record. I yield back.

The CHAIRMAN. The gentleman's statement will be recorded.

The gentleman needs to bring down his times.

Ms. LOFGREN. Mr. Chairman? Mr. Chairman?

The CHAIRMAN. The gentlewoman——

Ms. LOFGREN. If I could also be recognized, I was in the same roll call vote in the Judiciary Committee and missed this roll call vote. Had I been present, I would have voted aye.

The CHAIRMAN. The gentlelady's statement will be recorded.

Mr. ROHRABACHER. Mr. Chairman, let the record show that I told the Judiciary Committee to take a flying leap and was here and voted no. [Laughter.]

Mr. HAYES. Mr. Chairman, please have the record note that, not wanting to offend Mr. Brown, I ducked the last vote. [Laughter.]

The CHAIRMAN. The gentleman's statement will be recorded.

Mrs. SEASTRAND. Mr. Chairman——

The CHAIRMAN. The gentlelady from California.

Mrs. SEASTRAND. Just to also have recorded, I was in a subcommittee on public buildings in a roll call, and I would have voted no.

The CHAIRMAN. I thank the gentlelady. Her statement will be recorded.

Let me now comment on the Boehlert amendment. The Boehlert amendment does refund the EPA fellowship program. It is fiscally sound offsetting the increase with a cut to the air research, though it leaves a substantial amount of money in the Air Research Account, still $9.7 million above the President's request.

The amendment also ensures that the fellowship program is refocused to support ORD research. It was this lack of a specific tie-in which was the reason why the money was eliminated in the first place.

Mr. Boehlert has corrected that in his amendment and I am supportive of that amendment.

Mr. BROWN. Mr. Chairman?

The CHAIRMAN. The gentleman from California.

Mr. BROWN. Mr. Chairman, may I add my support to this?

Despite the fact that it offsets the cost of the program by a reduction in air pollution research, which is extremely important in Southern California, I'm still willing to support this very worthwhile program.

The CHAIRMAN. I thank the gentleman from California.

The gentleman from California, Mr. Rohrabacher.

Mr. ROHRABACHER. Mr. Chairman, I'd like to ask Mr. Boehlert the following question.

Mr. Boehlert, does your amendment preclude fellowships in soft or social sciences in order to prevent scientific research funding from being used to fund graduate students in political or social sciences?

Mr. BOEHLERT. May I answer the question with a question?

Is that a loaded question?

Mr. ROHRABACHER. Yes, it is.

Mr. BOEHLERT. Are you revealing some predetermined bias against the social sciences?

Mr. ROHRABACHER. Especially when programs are supposed to be aimed at the hard sciences, I certainly am.

Mr. BOEHLERT. Well, but let me respond by, you know, what's wrong with knowing more about the economics of regulation, the impact that regulations have had in previous cases and the methodology for conducting risk assessment?

That's something that's near and dear to your heart so I was just trying to appeal to the distinguished chairman of the subcommittee by dealing with such a sensitive subject.

Mr. ROHRABACHER. As you know, when we have focused our efforts on directing money towards hard scientific research rather than focusing our money on extraneous issues that might be better handled in other parts of the Federal budget, perhaps in the education department or something like that, if you want to educate people in terms of how government works.

But if, I would take it that your answer is that your amendment does not preclude——

Mr. BOEHLERT. You take it correctly. We're all different. You like surfing, I like baseball. [Laughter.]

Mr. ROHRABACHER. Would you be willing to modify your amendment to ensure that the money is used for hard science rather than for soft sciences and social sciences?

Mr. BOEHLERT. Only if I'm convinced I have to do so to get the necessary votes to get it passed. [Laughter.]

Mr. ROHRABACHER. Well, I can't tell you that.

Mr. BOEHLERT. No, look, I appreciate what you're saying.

Mr. ROHRABACHER. I would yield to my friend, Mr. Boehlert.

Mr. BOEHLERT. I appreciate what you're saying, but we have a different view of the social sciences. I don't just view them as something that's fun and games. I think it's serious business, and I would like to include, have this as being a comprehensive program and retain the social sciences if that would not cause you too much heartburn.

Mr. ROHRABACHER. That would not be my preference. My preference is in the, hard science, which is what we have actually gone through this entire budget and we have found a lot of money that has been added on to what people believe, and the public is being presented titles and categories that make it sound like money here coming through our Committee is being spent in science.

And to the degree that it is not being spent on hard science, but instead for example, in many of the programs, we found in the environmental area in particular, we found money being spent for promotion, and that's basically what we're talking about here when you say learning the political process and how these decisions are made.

We are responsible for making sure that the hard sciences and the scientific research that our country depends on is funded.

Some of these other things might be nice but they are extraneous to the central purpose that we are challenged to do. So it doesn't cause me heartburn, it just seems to me that we've got to set priorities and the priorities should be spending money for those areas that we have been challenged to make sure that the money is being spent wisely on, and that is outside social scientists, political scientists are outside of our charge.

Mr. BOEHLERT. Well, you know, if I may respond, I would say that two people can look at the same picture and get sort of a different interpretation.

I have a high regard for the National Academy of Sciences as does the gentleman, I know. And the Academy has indicated that social science is a legitimate part of environmental research.

Keep in mind, we're talking about stipends, fellowships for PhD candidates. We're not talking about some promotional efforts.

So I would prefer, once again, that the gentleman yield just a millimeter in this instance and let us go forward with this, and I think you'll be rewarded by a feeling that what you did was well done.

Mrs. CUBIN. Mr. Chairman?

Mr. BOEHLERT. I yield back the balance of my time.

The CHAIRMAN. The gentlelady from Wyoming.

Mrs. CUBIN. Thank you, Mr. Chairman.

I for one cannot support this amendment as long as it isn't just for the hard sciences.

As a chemist, I realize the shortage of physical scientists, if you will, in the marketplace and in academia. So I don't know of any place where there's a shortage of upper degreed people, should I say, in political science and social work.

But in the physical sciences, there's a shortage almost everywhere. So the only way I could possibly support this would be if it is just for the physical science sciences.

Mr. ROHRABACHER. Would the gentlelady yield?

Mrs. CUBIN. Certainly.

Mr. ROHRABACHER. Let me just note, and every cent that we spend on a PhD getting a basically a political science or some sort of sociology degree takes away from the money that is available for our young people to get their advanced degrees in exactly the hard sciences which is the purpose of the program or at least is what the public would think would be the purpose of the program.

So again we're talking about setting priorities and making sure that the money is being spent, and I would yield back.

Mr. BOEHLERT. Would the gentlelady yield?

Mrs. CUBIN. Yes. Just let me make, go a little further on that point.

When I was in school, and I think it's the same way today, we would have to go into Chemistry and Physics, for example, the emphasis that I took, we'd have to go four days a week to class and two days a week to labs, and our labs were three hours each, but they only counted one hour credit.

And so already there's not an incentive for people to go into the physical sciences and the physical sciences are where we really need to encourage folks to go in spite of the way the courses are set up. They still only get one hour credit for a three hour lab twice a week.

So I think we need to encourage people to go into the physical sciences.

And now I'd certainly yield.

Mr. BOEHLERT. Thank you so much for the contribution, and I agree where the emphasis should be placed. It's just that as a Member of the new majority, the party of the big tent, I don't want to be exclusionary, I want to be all inclusive.

I would suggest that this is going to be a judgment call on EPA's part and the overwhelming majority of the fellowships will be awarded in areas that both you and my distinguished colleague from California would warmly embrace.

And with that, since we've got a vote, I call the question, Mr. Chairman.

The CHAIRMAN. The gentleman calls the question on his amendment.

Those in favor of the amendment of the gentleman from New York will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. In the opinion of the Chair, the ayes have it.

The ayes have it, the amendment is agreed.

The Committee stands in recess to go vote and we'll come back immediately thereafter.

[Recess.]

The CHAIRMAN. The Committee will come to order.

The next amendment on the roster is the amendment of Ms. Lofgren of California.

Ms. LOFGREN. Thank you, Mr. Chairman.

I'd ask unanimous consent that an amended amendment be distributed by the Clerk that corrects a clerical error on pages two and five of the original amendment, and also ask unanimous consent that the amendment be considered as read.

The CHAIRMAN. Just so the Chair understands, the gentlelady is substituting the amendment now being distributed by the Clerk for the amendment which is in the packet?

[The amendment follows:]

defeated

AMENDMENT TO H.R. 1814

OFFERED BY LOFGREN

Page 2, line 25, strike "$490,000,000" and insert "$530,000,
Page 3, line 5, strike "$321,694,800" and insert "$361,694,800".
Page 4, line 23, strike "$153,656,800" and insert "$193,656,800".

Page 6, strike line 1.

Page 6, line 2, strike "(B)" and insert "(A)".

Page 6, line 3, strike "(C)" and insert "(B)".

Page 7, after line 9, add the following new section:

1 SEC. 5. ENVIRONMENTAL TECHNOLOGY INITIATIVE.

2 (a) AVAILABILITY OF FUNDS.—Of the amount au-
3 thorized to be appropriated in section 3(b)(8) for multi-
4 media related research expenses, $40,000,000 is available
5 for the Environmental Technology Initiative.

6 (b) LIMITATIONS.—

7 (1) EVALUATION PROCESS.—The Administrator
8 may select projects for funding under the Environ-
9 mental Technology Initiative only through a com-
10 petitive, merit-based evaluation process.

11 (2) ELIGIBILITY.—The projects eligible for
12 funding under the Environmental Technology Initia-
13 tive are only the following:

14 (A) Projects to provide technical perform-
15 ance verification of environmental technologies

1 and involving, to the extent appropriate, part-
2 nerships among Federal, State, local, and tribal
3 agencies and private-sector entities.
4 (B) Projects to facilitate the demonstration
5 of environmental technologies at appropriate
6 Federal or other sites.
7 (C) Projects to enhance the capacity of
8 Federal, State, local, and tribal agencies to pro-
9 mote the adoption of environmental technologies
10 through regulatory reforms, technical assist-
11 ance, improved dissemination of information
12 (domestically and internationally), modifications
13 to environmental permitting processes, and
14 modifications to enforcement processes.
15 (3) SPECIFIC ENVIRONMENTAL TECH-
16 NOLOGIES.—The Administrator may not provide di-
17 rect financial assistance under the Environmental
18 Technology Initiative to a private-sector entity for
19 the purpose of developing and commercializing a
20 specific environmental technology.

Ms. LOFGREN. Yes. It corrects a clerical error on line 25, page two of the bill, and line 5, page three of the bill, having to do with numbers that was just not put in there through oversight, sir.

The CHAIRMAN. The gentlelady is recognized.

Ms. LOFGREN. Thank you.

My amendment would strike the restriction on the environmental technology initiative in the Committee bill and would provide an additional $40 million for that program.

If we adopt this amendment, it would still leave the budget for the EPA Office of Research and Development $15 million below its current level and $100 million below the President's request.

It would maintain funding for the environmental technology initiative with a hard freeze at the current year's level.

As a number of Members, including the chairman of the subcommittee, seem to regard the environmental technology initiative as a corporate welfare program—and I do not agree—ETI has been targeted for elimination without Committee hearings to learn or explore its purpose, what the program does, or does not do. And there have been comments offered that ETI gives checks to firms to commercialize their technology if it's got the word "environment" in it.

This statement made by the Subcommittee Chair was the only justification that I'm aware of for eliminating ETI, and I think it misstates the program's true goals and activities.

The purpose of the program is not to provide government support for commercialization. In the fiscal year 1996 budget, only seven percent of the funds go to support technological research of any kind.

The majority of the funds, almost all the funds go to support regulatory permitting and enforcement reforms and technological verification and demonstration grants.

The environmental technologies are good business in this country. A million Americans and 50,000 U.S. firms are currently active in this area, but the market forces alone aren't enough to bring us the full benefits of environmental technology.

For example, I think many of us have complained that environmental permitting processes are very inflexible so that sometimes we end up using technology that is more costly, it's less effective and it's old-fashioned.

And ETI is part of the way out of that syndrome.

As an example of what ETI is already doing, we're providing funds in Massachusetts to bring together permit writers and technology developers to ensure that environmental permits promote, rather than prohibit, the use of the latest environmental technologies. And I think everyone wins by this effort.

The permitted facility saves money; the technology developer gets business; and the public gets better protection.

U.S. environmental technology firms also suffer from the failure of this country to develop any comprehensive system for verification of performance of environmental technologies, and I think that performance verification is a crucial step for new environmental technology to gain acceptance from both regulators and private customers.

The failure of our country to develop a verification system hurts firms both at home and in international export markets, and I'll give you an example.

In California, my home, we have the beginnings of a verification system but it's not clear that Oregon would recognize California's efforts.

Part of ETI's work is to bring states together through reciprocity agreements and ultimately to develop a complete national verification network.

And although EPA would coordinate the network, it's not a new Federal bureaucracy that would be created; the states and private labs and others would do the actual testing.

I don't believe that ETI is corporate welfare, and with my amendment, it could never be accused of being one because this amendment requires that all ETI agreements must be merit-based, competitively selected and it specifically states no funds are to be provided to a private sector entity for the purpose of developing and commercializing a specific environmental technology.

Further, it specifies the categories of projects that are eligible for funding and these projects are environmental technology verification and demonstration and for regulatory reform, dissemination of information and related efforts.

These types of efforts I understand have enjoyed wide bipartisan support in the past and they deserve similar support now and in the future, and I hope the Committee will adopt this amendment.

And I yield back whatever remains of my time, Mr. Chairman.

The CHAIRMAN. The gentlelady yields back the balance of her time.

This is another case where the proposal would in fact take us above the cap that was assigned to that particular subcommittee. In this case, it's a $40 million increase.

The question here is whether or not, first of all, we want to break outside of the caps. And I listened carefully to the argument made a little while ago by the gentleman from California and I understand the point.

The only thing is that the stage has changed somewhat since the comments made by the gentleman from Colorado and the gentleman from Louisiana were pertinent in that the appropriators are in fact working with us at the present time because the change in the rules that relates to the authorizers being permitted to bring points of order against spending on the Senate floor or on the House floor.

And the question then becomes whether or not we are going to be a relevant enough part of the process in order to have the appropriators stick with our sense of priorities.

And in my view, we have had a good deal of cooperation along those lines.

Where the appropriators, and the gentleman from California pointed out that some of the appropriators have gone somewhat above our ceilings, we're attempting to adjust for that.

I mean, this is on-going negotiation and the gentleman will see when we get to later bills, he said we'll hear more about this later. Well you will from us too. Because in accordance to what was de-

veloped at the subcommittee level, it is our intention to come back in and build back in some of that funding into later appropriations.

In this particular case, we don't see that that's going to happen with the ETI program and so this is $40 million that raises some question.

And we have not done these things arbitrarily. In the case of the ETI program, for instance, I have a letter from a gentleman who serves on the Science Advisory Board for the EPA who makes a specific point that he's not convinced that the ETI program is something that will yield the same kind of return on Federal investment that could be realized by other more higher priority programs within EPA.

Now we realize that what we're doing here is saying that there are some things that might be nice to do if you had all the money in the world, but we can't afford to do all of it. This is one of the programs that we've decided that we cannot do.

Now, again, I understand the gentlelady's language says that it cannot go for any kind of commercialization.

I would simply point out that then what she has done is she has moved completely away from the vision of the President when he originally put out the program.

The President stated what he wanted to do was strategically invest EPA funds in development and commercialization of promising new technologies, accelerate the diffusion of innovative technologies at home and abroad.

So with the language that she has put forward, she has now moved us even away from the core of what the people who originally designed this program said it was supposed to do.

And I think that that raises question about the very nature of the program.

I would also make the point that insofar as it is meant to streamline regulation, that's something that some of us in the Congress are perfectly willing to do for free. We don't have to spend $40 million to get to the business of streamlining regulation. We think we can get there doing work of making the regulatory process work better without spending $40 million for R&D.

Are there additional Members who wish to comment on this amendment?

The gentleman from California?

Mr. BROWN. Mr. Chairman, I want to commend the gentlelady for offering this amendment. It was a part of the broader substitute which I had offered and which failed, and I appreciate her being willing to offer what I consider to be a very high priority part of the program which would be cut or eliminated by the provisions of this bill.

It's unfortunate that the gentlelady's efforts to accommodate the views of the majority by precluding the use of this program for activities leading to commercialization are being criticized as much as the original draft was.

It appears that this puts EPA into a no-win situation where they seek to carry out the President's announced program, which you've described, and they are criticized for that.

They attempt to eliminate that portion of it, and to proceed on the basis of funding research which basically does not lead to com-

mercialization but provides an underpinning for private industry to proceed on their own to develop some of these things, and the gentlelady's amendment is criticized for that as well.

That is extremely unfortunate. But what we hope to do with these amendments, and what this amendment illustrates perfectly is where the position that the majority takes precludes us from moving forward with more cost efficient, socially acceptable beneficial ways to mitigate environmental damage in fashions that we haven't been able to do before.

This means that we have to rely more on regulation, and then as the regulatory process is emasculated, this will lead to a greater public hue and cry about the continued degradation of the environment.

This is something that I've been fighting now for more than 30 years in the Congress and I regret very much that we seem to be moving backward at this point.

And again I commend the gentlelady for trying to help us move forward again.

The CHAIRMAN. Are there additional people?

Mr. ROHRABACHER. Mr. Chairman?

The CHAIRMAN. The gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, just to note again, in the Subcommittee, we provided a forum for anyone who wanted to participate in the process of setting priorities.

All anyone on either side of the aisle had to do, and several people availed themselves of this and actually there were several amendments that were passed, reestablishing the priorities with bipartisan support. And some of these amendments would not have passed except for people on both sides of the aisle supported them.

Which just said, if you want to spend more money, please tell us, put forward an amendment, but at the same time, include what you want to decrease spending on.

And, again, here we have a situation where an amendment's being offered where we're just talking about spending more money than we then is part of the plan to balance the budget.

And I would just say one last little anecdote.

In my area, there is a company that during the late 1970s, struggled to come into existence, and what it does is it produces an environmentally clean or an environmentally friendly cleaning fluid, as compared to some of our more traditional cleaning fluids.

You know, fish can live in this stuff and it can still clean up all the goo on your engine, et cetera, et cetera.

Well, the fact is, these people couldn't go into business during the late seventies when the inflation rate went up and when our economy was going screwy, but during the 1980s, when the interest rates began to go down, the people who set up this business were able to incorporate, and they have developed an incredible new, environmentally friendly cleaning fluid.

The fact is, if we can get our economy straight, we're going to have environmentally safe technologies because the American people are insisting upon it. It's part of the consumer demand of our country, and God bless the people for that consciousness, and God bless the environmental movement to the degree they've helped establish that consciousness in our country.

But in order to maximize the benefits of environmental technology, we have to make sure our fundamentals of our economy are sound and that's why we have to adhere to a plan for a balanced budget over a number of years.

Now if people want to keep the environmental this technology initiative, that's fine, let's see an offset and talk about priorities, but if they don't do that, these types of measures should be defeated because they're not responsible.

Thank you very much.

Ms. LOFGREN. Mr. Chairman, just very briefly, I realize that different people can see this different ways, but it seems to me, and what I've heard from the business community, is that they need to know to what end are they working, and what is the standard to be met.

And more than actual subsidies in this area, and I've heard from some companies recently, they need to know, they need verification and they need the standards to which they will be held in order to unleash their market forces and their creativity and their research talent.

That's why this amendment precludes funding for actual research but does do something about setting the stage within which companies would, would work towards.

And that's my intent, it's really to enhance the marketability of this technology.

I understand the Chairman of the subcommittee disagrees, but I just wanted and I appreciate this opportunity to——

Mr. ROHRABACHER. Would my colleague yield for a question?

Ms. LOFGREN. Certainly.

Mr. ROHRABACHER. Maybe I don't have a disagreement with that. But why is it that there's no accompanying offset when we're all trying to balance the budget?

I mean, here we are struggling to balance the budget. Why weren't you able to come up with something that you have as a lower priority so that when you're saying that we should have $40 million more in this budget for this issue, that you could say someplace else in the budget, let's cut this out?

Ms. LOFGREN. Well, I believe that this is less than what the President has asked for by a substantial margin. It's substantially less than is currently being spent.

Mr. BROWN. Would the gentlelady yield to me briefly?

Ms. LOFGREN. Certainly, Mr. Brown.

Mr. BROWN. Mr. Rohrabacher, you raised a question which really doesn't fit the realities of the situation.

I pointed out earlier that the appropriators have already appropriated in subcommittee about $300 million than you've authorized in your subcommittee.

Now if there's anything that will make an authorizing subcommittee futile, it's your effort to constrain the appropriators who refuse to be constrained.

Now I gather from Mr. Walker's remarks that he's preparing to loosen the leash that he's placed upon you at some later date when he makes the decision to do so.

So the answer to your question is, when you decide to become relevant to what the appropriators have already done, and when

Mr. Walker loosens the leash, the $40 million question will disappear.

Ms. LOFGREN. I call the question, Mr. Chairman.

The CHAIRMAN. The gentlelady?

Ms. LOFGREN. I just wanted to call the question.

The CHAIRMAN. Oh. Before you do that, consultation with my staff, and I want to make certain that you get done what you want to do, is that the amendment, in its present form, would still not accomplish what you need to do.

That you need to, on page four, line 24, strike 122, 142, 90 and replace that with 162, 142, 900.

Do you wish to make that modification?

I mean, we can try to accept that modification by unanimous consent so that we make certain that you do what it is you want to do.

I'm not for what you want to do, but I want to make certain that your amendment is correct anyway.

[Pause.]

Ms. LOFGREN. Thank you, Mr. Chairman, and I will accept your guidance on that and appreciate your help.

The CHAIRMAN. Okay, by unanimous consent, without objection, we will make that modification to make certain the amendment gets accomplished what the gentlelady wishes to do, adds $40 million for the purposes of the environmental technology initiative.

Those in favor of the gentlelady's amendment will signify by saying aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. In the opinion of the Chair, the noes have it.

The noes have it, the amendment is——

Ms. LOFGREN. Roll call vote, Mr. Chairman?

The CHAIRMAN. Did the gentlelady ask for a roll call?

Okay. I appreciate that. We will call the roll. If some of these things could be resolved by division votes at some point, it would help move the process along so that some of us might get to the White House picnic at some point, but we will call the roll.

The Clerk will call the roll.

Ms. SCHWARTZ. Mr. Walker?

Mr. WALKER. No.

Ms. SCHWARTZ. Mr. Walker votes no.

Mr. Sensenbrenner?

[No response.]

Ms. SCHWARTZ. Mr. Boehlert?

Mr. BOEHLERT. No.

Ms. SCHWARTZ. Mr. Boehlert votes no.

Mr. Fawell?

Mr. FAWELL. No.

Ms. SCHWARTZ. Mr. Fawell votes no.

Mrs. Morella?

Mrs. MORELLA. No.

Ms. SCHWARTZ. Mrs. Morella votes no.

Mr. Weldon of Pennsylvania?

Mr. CURT WELDON. Pass.

Ms. SCHWARTZ. Mr. Weldon votes pass, thank you.
Mr. Rohrabacher?
Mr. ROHRABACHER. No.
Ms. SCHWARTZ. Mr. Rohrabacher votes no.
Mr. Schiff?
[No response.]
Ms. SCHWARTZ. Mr. Barton?
[No response.]
Ms. SCHWARTZ. Mr. Calvert?
Mr. CALVERT. No.
Ms. SCHWARTZ. Mr. Calvert votes no.
Mr. Baker?
[No response.]
Ms. SCHWARTZ. Mr. Bartlett?
Mr. BARTLETT. No.
Ms. SCHWARTZ. Mr. Bartlett votes no.
Mr. Ehlers?
Mr. EHLERS. No.
Ms. SCHWARTZ. Mr. Ehlers votes no.
Mr. Wamp?
Mr. WAMP. No.
Ms. SCHWARTZ. Mr. Wamp votes no.
Mr. Weldon of Florida?
Mr. DAVE WELDON. No.
Ms. SCHWARTZ. Mr. Weldon votes no.
Mr. Graham?
Mr. GRAHAM. No.
Ms. SCHWARTZ. Mr. Graham votes no.
Mr. Salmon?
Mr. SALMON. No.
Ms. SCHWARTZ. Mr. Salmon votes no.
Mr. Davis?
Mr. DAVIS. No.
Ms. SCHWARTZ. Mr. Davis votes no.
Mr. Stockman?
Mr. STOCKMAN. No.
Ms. SCHWARTZ. Mr. Stockman votes no.
Mr. Gutknecht?
Mr. GUTKNECHT. No.
Ms. SCHWARTZ. Mr. Gutknecht votes no.
Mrs. Seastrand?
Mrs. SEASTRAND. No.
Ms. SCHWARTZ. Mrs. Seastrand votes no.
Mr. Tiahrt?
Mr. TIAHRT. No.
Ms. SCHWARTZ. Mr. Tiahrt votes no.
Mr. Largent?
Mr. LARGENT. No.
Ms. SCHWARTZ. Mr. Largent votes no.
Mr. Hilleary?
Mr. HILLEARY. No.
Ms. SCHWARTZ. Mr. Hilleary votes no.
Mrs. Cubin?
Mrs. CUBIN. No.

Ms. SCHWARTZ. Mrs. Cubin votes no.
Mr. Foley?
Mr. FOLEY. No.
Ms. SCHWARTZ. Mr. Foley votes no.
Mrs. Myrick?
Ms. MYRICK. No.
Ms. SCHWARTZ. Mrs. Myrick votes no.
Mr. Brown?
Mr. BROWN. Yes.
Ms. SCHWARTZ. Mr. Brown votes yes.
Mr. Hall?
Mr. HALL. Aye.
Ms. SCHWARTZ. Mr. Hall votes yes.
Mr. Traficant?
[No response.]
Ms. SCHWARTZ. Mr. Hayes?
[No response.]
Ms. SCHWARTZ. Mr. Tanner?
Mr. TANNER. Yes.
Ms. SCHWARTZ. Mr. Tanner votes yes.
Mr. Geren?
Mr. GEREN. Yes.
Ms. SCHWARTZ. Mr. Geren votes yes.
Mr. Roemer?
Mr. ROEMER. Yes.
Ms. SCHWARTZ. Mr. Roemer votes yes.
Mr. Cramer?
Mr. CRAMER. Yes.
Ms. SCHWARTZ. Mr. Cramer votes yes.
Mr. Barcia?
Mr. BARCIA. Yes.
Ms. SCHWARTZ. Mr. Barcia votes yes.
Mr. McHale?
Mr. MCHALE. Yes.
Ms. SCHWARTZ. Mr. McHale votes yes.
Ms. Harman?
Ms. HARMAN. Yes.
Ms. SCHWARTZ. Ms. Harman votes yes.
Ms. Johnson?
[No response.]
Ms. SCHWARTZ. Mr. Minge?
[No response.]
Ms. SCHWARTZ. Mr. Olver?
Mr. OLVER. Yes.
Ms. SCHWARTZ. Mr. Olver votes yes.
Mr. Hastings?
Mr. HASTINGS. Yes.
Ms. SCHWARTZ. Mr. Hastings votes yes.
Ms. Rivers?
[No response.]
Ms. SCHWARTZ. Ms. McCarthy?
Ms. MCCARTHY. Yes.
Ms. SCHWARTZ. Ms. McCarthy votes yes.
Mr. Ward?

Mr. WARD. Yes.
Ms. SCHWARTZ. Mr. Ward votes yes.
Ms. Lofgren?
Ms. LOFGREN. Yes.
Ms. SCHWARTZ. Ms. Lofgren votes yes.
Mr. Doggett?
Mr. DOGGETT. Yes.
Ms. SCHWARTZ. Mr. Doggett votes yes.
Mr. Doyle?
Mr. DOYLE. No.
Ms. SCHWARTZ. Mr. Doyle votes no.
Ms. Jackson Lee?
[No response.]
Ms. SCHWARTZ. Mr. Luther?
Mr. LUTHER. No.
Ms. SCHWARTZ. Mr. Luther votes no.
The CHAIRMAN. Mr. Baker is recorded as no.
How is Ms. Rivers recorded?
Ms. SCHWARTZ. Ms. Rivers is not recorded.
Ms. RIVERS. I vote aye.
Mr. SENSENBRENNER. Mr. Chairman, am I recorded?
Ms. SCHWARTZ. Yes, Mr Sensenbrenner, you are.
The CHAIRMAN. The Clerk will report.
[Pause.]
Ms. SCHWARTZ. Mr. Chairman, the roll call vote is yes 16, no 26.
The CHAIRMAN. The amendment is not agreed to.
The next amendment on the roster is Mr. Olver's.
[The amendment follows:]

AMENDMENT TO H.R. 1814

OFFERED BY MR. OLVER

Page 7, after line 9, insert the following new section:

1 **SEC. 5. CONTINGENT AUTHORIZATION.**

2 (a) In General. -- Notwithstanding any other provision of this
3 Act, if the concurrent resolution approved by the House of
4 Representatives and the Senate on the budget for fiscal year 1996 is
5 based on an assumption of a tax cut of less than $350,000,000,000, an
6 amount equal to $55,637,000 multiplied by the fraction whose
7 numerator is $350,000,000,000 minus the amount of the tax cut
8 reflected in the concurrent resolution and whose denominator is
9 $350,000,000,000 is authorized to be appropriated for fiscal year 1996
10 for the Office of Research and Development for environmental
11 research, development and demonstration activities, to be allocated to
12 each program in section 3(b) in proportion to the authorizations set out
13 in section 3(b).

Mr. OLVER. Thank you.

The CHAIRMAN. The amendment's in the package.

Mr. OLVER. Okay.

Mr. Chairman, the amendment that I have that I've offered here, I'm sorry that the Chairman of the subcommittee, Energy and Environment Subcommittee is not here at the moment, because in fact it has the special additional benefit that it does meet what he has so eloquently spoken about as the standard that he would like to see amendments consider and that is that they be offset in some manner, not perhaps in the way that he has spoken in the last few amendments, but in this instance, this is a contingency amendment, which would suggest that if, in the final Budget Resolution that is agreed to by the two branches of the Congress, the number involved for tax cut is less than the number $350 billion of tax cut over the seven-year period, that is the premise under which the House passed its resolution and is, I understand, the premise under which the caps, however manufactured those caps may be, but the premise, in any case, under which the caps were created for what our authorization totals may be, this contingency amendment allows that if the $350 billion tax cut amount is reduced, that then the authorizations may be increased in the areas that the bill is authorizing expenditures by an offsetting amount in proportion to the amount of the reduction in the tax cut as a premise in the final resolution.

So that if one takes the amendment that had been offered by the ranking Member, which was for a $545 million amount here in this bill, that then if the tax cut amount is less than $350 billion, that an amount of that $55 million difference would be added as a contingency in the authorizations under my amendment to allow the authorizations to go upward without having to come back to the Committee.

And really to this Committee, it seems to me that that's important because the possibility that we are likely to have an authorization bill and that that would pass both branches and there'd be a full authorization, and then we have the opportunity under a new Budget Resolution, agreed Budget Resolution then to come back to the Committee and create a second authorization bill which goes the whole route of authorization on this side, authorization on the Senate side, to a final authorization bill for EPA Research and Development, it seems to me that that is about as likely as the mountain going to Mohammed so to speak.

That within that process, appropriations surely will have moved ahead before we could get on with the, to any consideration of a second authorization bill. And if appropriations cares at all what we say, then the contingent authorization makes sense.

And if appropriations doesn't care, then the contingent authorization is simply going to be ignored, as anything else we do, by appropriations and we will have not done any harm to the research and development programs of the EPA under those circumstances.

So I would hope that the Committee would consider this kind of a contingency authorization increase, contingent in that very specific way related to what might be the change in the Budget Resolution in regard to the total tax cut, would be an appropriate way, which is offset by that tax cut change, for which would meet, it

seems to me, the kinds of concerns that the chair of the subcommittee has had and so eloquently spoken to earlier in these discussions.

So I hope the amendment would be adopted.

The CHAIRMAN. I thank the gentleman.

The Committee will stand in recess.

[Recess.]

The CHAIRMAN. The Committee will come to order.

Mr. OLVER. Mr. Chairman? Mr. Chairman?

The CHAIRMAN. The gentleman from Massachusetts.

Mr. OLVER. Point of parliamentary inquiry, if I may, Mr. Chairman. Mr. Chairman, you earlier had indicated that points of order lie at the Chairman's—at the Chairman's discretion for an amendment to an appropriations bill or for an appropriations bill that goes beyond the Budget Committee's authorization essentially, and therefore, may go beyond our caps.

Does that apply, Mr. Chairman, to only the House Budget Resolution, or does that apply to the final Congressional Budget Resolution that is agreed upon by the Senate and the House?

The CHAIRMAN. Well, it would be, it's operative under House rules, it's part of the House rules. In fact, those points of order lie for any Member, not just the Chairman.

Mr. OLVER. But does it apply under the House rule to the final Budget Resolution, or only to some interim Budget Resolution?

The CHAIRMAN. It applies, no, it applies to the process under the House Budget Resolution as well. And the fact is that the full resolution will apply to conference reports.

The gentlelady from Texas wished to be recognized.

Ms. JACKSON LEE. Thank you very much, Mr. Chairman. I simply wanted to bring to the Chairman's attention and the Committee's attention that I am in two markups at one time, or at least simultaneously, and would like to, Mr. Chairman, indicate how I would have voted on the Walker amendment that I understand that I missed because I was in the Judiciary Committee on another roll call vote, the Brown amendment and the Boehlert amendment, for the record, and have it so noted in the record, please.

I would have voted, for the Walker amendment my vote would have been no.

Mr. Brown's amendment, vote would have been aye.

Mr. Boehlert's amendment, vote would have been aye.

Thank you, Mr. Chairman.

The CHAIRMAN. The gentlelady's votes will be recorded.

Ms. JACKSON LEE. Excuse me, Mr. Chairman, and the Lofgren amendment, my vote would have been aye.

The CHAIRMAN. The gentlelady's statement will be noted.

Ms. JOHNSON. Mr. Chairman, due to an incident that I was unable to avoid, I missed the Lofgren vote, amendment vote, and if I had been here, my vote would have been aye.

Thank you. I'd like the record to reflect that.

The CHAIRMAN. The gentlelady's statement will be noted.

When the Committee went into recess, we were, Mr. Olver had described his amendment. That's pending business before the Committee.

The Olver amendment would increase spending for ORD based upon the size of the tax cut coming out of the Budget Resolution tax cut. The two issues are not linked since even a smaller tax cut might not lead to an increase in spending on discretionary programs.

If the additional sums become available to the House appropriators after the conclusion of the Budget Resolution conference, as with all bills before us today and Thursday, we are going to be able to adjust numbers at that point.

I don't think that we ought to be bound by some sort of formula that suggests that particular moneys ought to go particular places. Rather, we ought to be able to make priority decisions that would reflect the will of the subcommittees and the Full Committee.

The Olver amendment, however, assumes a correlation that may not be valid. It is that reduction in tax cut will yield additional discretionary spending.

What if the money ends up instead being used for deficit reduction?

Under the Olver amendment, we would increase the authorization anyway, and thereby get ourselves completely out of sync with reality.

We end up then spending money we don't have, turning our responsibility and power over to the appropriators to make some of these decisions.

I would also suggest that the amendment is based upon the premise that somehow tax cuts are bad and spending money is good.

From our standpoint, that is a different kind of philosophy. We believe that giving the American people some amount of money back as a part of the process of reducing the overall size of government is in fact a good thing, and that spending ought to be cut in order to accommodate that.

That may be just a difference in philosophies here, but there's a difference in philosophies that becomes very real when you have a proposal for us in the form of the Olver amendment.

Are there additional Members that wish to be recognized on the Olver amendment?

Mr. BROWN. Mr. Chairman?

The CHAIRMAN. The gentleman from California?

Mr. BROWN. Mr. Chairman, I would just comment that this is, in large part, the same amendment as Mr. Doyle had offered earlier in another subcommittee and in which the margin was very, very close, one or two votes, as I recall.

It is an effort to bring some flexibility into our authorizing process, based upon the realities of what the final budget figures will be.

I note that you have indicated that the Committee would have the flexibility and should have the flexibility to make changes in our authorization in the event that the final budget figures are different.

You have not yet clearly indicated to me, and I presume to other Members of the Committee, how this would happen, say, if the final Budget Resolution is approved on the 30th of September, how we would make changes in the authorizing legislation that prob-

ably had already been passed and maybe even sent to the President.

If you could explain to me how not acting in support of an amendment like this gives us some additional flexibility, it might affect my thinking, but in the absence of a persuasive explanation, I would urge us to take advantage of the opportunities this amendment offered by Mr. Olver offers to give us a modicum of flexibility as the process moves forward.

The CHAIRMAN. Would the gentleman yield?

We are attempting of course to provide that kind of flexibility, as the gentleman has noted earlier in his remarks. There has been some flexibility with moneys freed up in the appropriations process is in large part by money being transferred out of accounts that were not assumed by the Budget Committee into science accounts.

It's our intention, when we get to that bill, to have a substitute that would in fact reflect those higher numbers. As the process rolls forward, we would intend to continue that process.

Our bills are not likely to come to the Floor in the immediate future, even after they've moved out of this Committee. We think they will be helpful in guidance of the Appropriations Committee and we've already had some very important impact on what the Appropriations Committee has decided.

But we're going to remain extremely flexible and free up the moneys and have those moneys, insofar as possible, reflect the priorities of this Committee as we move forward.

And so we are operating under 602[b]s. It started with the budget as a premise. It is obvious that this is a process which is changing, and we're going to reflect that.

The problem with the Olver kind of approach, and that which was offered by Mr. Doyle, I realize they were offered in very good faith, is that they bind us to a formula that I don't think necessary reflect it, and is a far less flexible procedure than finding room to make these decisions within the context of the on-going process.

And so we are going to remain extremely flexible and we are going to be very willing to adjust things as the process allows those adjustments to be made.

Mr. BROWN. Would the Chair permit me to respond briefly?

The CHAIRMAN. Sure.

Mr. BROWN. I, in large part, agree with much of what the Chairman's trying to accomplish, certainly to enhance the influence of the authorizing committee to give us a little bit more discipline.

I do not agree with the processes that he's used, and I even find fault with his efforts to characterize what he's doing as a 602[b] process because the 602[b] language in the Budget Act has reference to a specific situation which is not the situation that we have in the Authorizing Committee.

Furthermore, the Chair indicates that in his flexibility, he's going to make some changes, which I commend him for because that recognizes reality. The appropriators also make changes, as the circumstances change, as the Chair well knows, and goes through several iterations of the 602[b] process in the Appropriations Committee and these follow a certain prescribed course in which funds that become excess because they weren't appropriated in one 602[b] ac-

count are then redivided amongst the other accounts and you move forward with these new figures several times during the cycle.

Now you have not indicated how you intend to accomplish this.

It is my impression that you do it by fiat, and that is not something that I would look favorably upon. I trust you will at least get the full support of all the Members on your side when you do this. And if you do, that's a step forward.

I would like it even more if we got a little consideration on this side.

The CHAIRMAN. I thank the gentleman.

We are not operating by fiat in any way, shape or forum here. We are trying to operate a process which is wholly inclusive and I think we've done pretty good teamwork on our side on most of these bills, and we will continue to have that teamwork and we would like to include the minority in that particular accommodation.

And we'll be happy to do so if the minority would decide to support us on some of the directions which we're going. But ultimately, we have to have votes to pass these measures out and so far, we haven't had that kind of indication of accommodation on these things.

But I would be happy to do it on a bipartisan basis if in fact that leads us to some kind of a mutual consensus here.

Mr. OLVER. Mr. Chairman, would the Chairman yield?

The CHAIRMAN. The gentleman from California I think still has the time.

Mr. BROWN. I'd be glad to yield to the gentleman.

The CHAIRMAN. His time has expired.

Well, then the Chairman will take the time and I'll yield to the gentleman.

Mr. OLVER. Since it is my amendment, I'd like to respond slightly here as well.

The Budget Resolution that was adopted does have, as one of its major premises, a tax implication, a large tax reduction. The coalition budget, which was also a balanced budget amendment, did not have a tax implication. And essentially, I think there is no question here of tax cuts being bad, as you have suggested here, that there's an implication in this budget, but merely that a contingency be built in here in case, so that there might be an increase in research and development here in the EPA budget that is inversely proportional to the reduction in the reduction, if it does occur, and only for that purpose in the resolution that is finally adopted.

The CHAIRMAN. Because we're going to have a vote here, I would reclaim my time, and thank the gentleman for his explanation. He had previously taken his five minutes for an explanation.

I would like to get to a vote on this amendment before we move to have to go back to the floor.

The vote is on the Olver amendment.

Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. In the opinion of the Chair, the noes have it.

The noes have it.

Mr. OLVER. Roll call, please.

The CHAIRMAN. The gentleman from Massachusetts requests a roll call vote.

The Clerk will call the roll.

Ms. SCHWARTZ. Mr. Walker?

Mr. WALKER. No.

Ms. SCHWARTZ. Mr. Walker votes no.

Mr. Sensenbrenner?

[No response.]

Ms. SCHWARTZ. Mr. Boehlert?

Mr. BOEHLERT. No.

Ms. SCHWARTZ. Mr. Boehlert votes no.

Mr. Fawell?

Mr. FAWELL. No.

Ms. SCHWARTZ. Mr. Fawell votes no.

Mrs. Morella?

Mrs. MORELLA. No.

Ms. SCHWARTZ. Mrs. Morella votes no.

Mr. Weldon of Pennsylvania?

Mr. CURT WELDON. No.

Ms. SCHWARTZ. Mr. Weldon votes no.

Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. SCHWARTZ. Mr. Rohrabacher votes no.

Mr. Schiff?

[No response.]

Ms. SCHWARTZ. Mr. Barton?

[No response.]

Ms. SCHWARTZ. Mr. Calvert?

Mr. CALVERT. No.

Ms. SCHWARTZ. Mr. Calvert votes no.

Mr. Baker?

[No response.]

Ms. SCHWARTZ. Mr. Bartlett?

Mr. BARTLETT. No.

Ms. SCHWARTZ. Mr. Bartlett votes no.

Mr. Ehlers?

Mr. EHLERS. No.

Ms. SCHWARTZ. Mr. Ehlers votes no.

Mr. Wamp?

Mr. WAMP. No.

Ms. SCHWARTZ. Mr. Wamp votes no.

Mr. Weldon of Florida?

Mr. DAVE WELDON. No.

Ms. SCHWARTZ. Mr. Weldon votes no.

Mr. Graham?

[No response.]

Ms. SCHWARTZ. Mr. Salmon?

Mr. SALMON. No.

Ms. SCHWARTZ. Mr. Salmon votes no.

Mr. Davis?

Mr. DAVIS. No.

Ms. SCHWARTZ. Mr. Davis votes no.

Mr. Stockman?

Mr. STOCKMAN. No.
Ms. SCHWARTZ. Mr. Stockman votes no.
Mr. Gutknecht?
Mr. GUTKNECHT. No.
Ms. SCHWARTZ. Mr. Gutknecht votes no.
Mrs. Seastrand?
Mrs. SEASTRAND. No.
Ms. SCHWARTZ. Mrs. Seastrand votes no.
Mr. Tiahrt?
Mr. TIAHRT. No.
Ms. SCHWARTZ. Mr. Tiahrt votes no.
Mr. Largent?
Mr. LARGENT. No.
Ms. SCHWARTZ. Mr. Largent votes no.
Mr. Hilleary?
[No response.]
Ms. SCHWARTZ. Mrs. Cubin?
Mrs. CUBIN. No.
Ms. SCHWARTZ. Mrs. Cubin votes no.
Mr. Foley?
[No response.]
Ms. SCHWARTZ. Mrs. Myrick?
Mrs. MYRICK. No.
Ms. SCHWARTZ. Mrs. Myrick votes no.
Mr. Brown?
Mr. BROWN. Aye.
Ms. SCHWARTZ. Mr. Brown votes yes.
Mr. Hall?
[No response.]
Ms. SCHWARTZ. Mr. Traficant?
[No response.]
Ms. SCHWARTZ. Mr. Hayes?
Mr. HAYES. Yes.
Ms. SCHWARTZ. Mr. Hayes votes yes.
Mr. Tanner?
Mr. TANNER. Yes.
Ms. SCHWARTZ. Mr. Tanner votes yes.
Mr. Geren?
[No response.]
Ms. SCHWARTZ. Mr. Roemer?
Mr. ROEMER. Yes.
Ms. SCHWARTZ. Mr. Roemer votes yes.
Mr. Cramer?
Mr. CRAMER. Yes.
Ms. SCHWARTZ. Mr. Cramer votes yes.
Mr. Barcia?
Mr. BARCIA. Yes.
Ms. SCHWARTZ. Mr. Barcia votes yes.
Mr. McHale?
Mr. MCHALE. Yes.
Ms. SCHWARTZ. Mr. McHale votes yes.
Ms. Harman?
[No response.]
Ms. SCHWARTZ. Ms. Johnson?

Ms. JOHNSON. Yes.
Ms. SCHWARTZ. Ms. Johnson votes yes.
Mr. Minge?
[No response.]
Ms. SCHWARTZ. Mr. Olver?
Mr. OLVER. Yes.
Ms. SCHWARTZ. Mr. Olver votes yes.
Mr. Hastings?
Mr. HASTINGS. Yes.
Ms. SCHWARTZ. Mr. Hastings votes yes.
Ms. Rivers?
Ms. RIVERS. Yes.
Ms. SCHWARTZ. Ms. Rivers votes yes.
Ms. McCarthy?
Ms. MCCARTHY. Yes.
Ms. SCHWARTZ. Ms. McCarthy votes yes.
Mr. Ward?
Mr. WARD. Yes.
Ms. SCHWARTZ. Mr. Ward votes yes.
Ms. Lofgren?
[No response.]
Ms. SCHWARTZ. Mr. Doggett?
Mr. DOGGETT. Yes.
Ms. SCHWARTZ. Mr. Doggett votes yes.
Mr. Doyle?
Mr. DOYLE. Yes.
Ms. SCHWARTZ. Mr. Doyle votes yes.
Ms. Jackson Lee?
[No response.]
Ms. SCHWARTZ. Mr. Luther?
Mr. LUTHER. Yes.
Ms. SCHWARTZ. Mr. Luther votes yes.
Mr. MINGE. How is Mr. Minge reported?
Ms. SCHWARTZ. Mr. Minge is not reported.
Mr. MINGE. He votes yes.
Mr. GRAHAM. How is Mr. Graham recorded?
Ms. SCHWARTZ. Mr. Graham is not recorded.
Mr. Graham is recorded no.
Mr. FOLEY. How is Mr. Foley recorded?
Ms. SCHWARTZ. Mr. Foley is not recorded.
Mr. GEREN. How is Mr. Geren reported?
Ms. SCHWARTZ. Mr. Geren is not reported.
Mr. HALL. How is Mr. Hall recorded?
Ms. SCHWARTZ. Mr. Hall is not recorded.
Mr. HALL. I vote yes.
The CHAIRMAN. Did you get Geren?
Ms. SCHWARTZ. Yes, sir.
The CHAIRMAN. Anybody else?
The Clerk will report.
Ms. SCHWARTZ. Mr. Chairman, yes 19, no 22.
The CHAIRMAN. The amendment is not agreed to.
Are there any further amendments?
[No response.]

The CHAIRMAN. Hearing none, the question is on the bill, H.R. 1814, the Environmental Research, Development, and Demonstration Authorization Act of 1995, as amended.

All those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. In the opinion of the Chair, the ayes have it.

The gentleman from California?

Mr. BROWN. Mr. Chairman, first let me make a minor correction for the record. I voted aye when I meant to vote no a while ago.

On the other hand, I'm going to move that the Committee report the bill H.R. 1814, as amended. Furthermore, I move to instruct the staff to prepare the legislative report, to make technical and conforming amendments, and that the Chairman take all necessary steps to bring the bill before the House for consideration.

The CHAIRMAN. The Committee has heard the motion.

Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[No response.]

The CHAIRMAN. The ayes have it, the motion is agreed to.

Mr. BROWN. Mr. Chairman, I request three calendar days in which to file supplemental minority dissenting or additional views.

The CHAIRMAN. Without objection, the motion to reconsider is laid upon the table.

I recognize Mr. Ehlers for a motion.

Mr. EHLERS. Mr. Chairman, I move, pursuant to Clause 1, Rule 20 of the Rules of the House of Representatives, that the Committee authorize the Chairman to offer such motions as may be necessary in the House to go to conference with the Senate on the Bill H.R. 1814 or a similar Senate bill.

The CHAIRMAN. You've heard the motion.

Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed, no.

[No response.]

The CHAIRMAN. The ayes have it.

I ask unanimous consent that the Committee adopt, as part of the legislative report on H.R. 1814, the summary chart which the Members have before them.

Is there objection?

[No response.]

The CHAIRMAN. If there's no objection, it is agreed to.

This concludes our markup on the measure H.R. 1814.

[Additional material follows:]

COMMITTEE ON SCIENCE
FULL COMMITTEE MARKUP: JUNE 20, 1995

AMENDMENT ROSTER

H.R. 1814, the Environmental Research, Development, and Demonstration Authorization Act of 1995

--Motion to report the bill, as amended: Adopted by Voice Vote

No.	Sponsor	Description	Results
1.	Mr. Walker	En bloc amendment	Adopted by a roll call vote: Y-27; N-11
1.(a)	Mr. Brown	Amendment to the Walker En bloc Amendment	Defeated by a roll call vote: Y-18; N-26
2.	Mr. Brown	Amendment in the Nature of a Substitute	Defeated by a roll call vote: Y-15; N-25
3.	Mr. Boehlert	En bloc amendment	Adopted by voice vote
4.	Ms. Lofgren	En bloc amendment Adds a new Sec. 5--Environmental Technology Initiative	--Unanimous consent to correct line reference, adopted by voice vote --Defeated by a roll call vote: Y-16; N-26
5.	Mr. Olver	Adds a new Sec. 5--Contingent Authorization	Defeated by a roll call vote: Y-19; N-22
6.	Mr. Traficant	Buy American Amendment	Not offered

AMENDMENT TO H.R. 1814
OFFERED BY MR. WALKER

Page 2, line 4, insert "and" after the semicolon.

Page 2, lines 5 through 19, strike paragraph (3).

Page 2, line 20, strike "(4)" and insert "(3)".

Page 6, line 2, strike "or".

Page 6, line 4, strike the period and insert "; or".

Page 6, after line 4, insert the following new subparagraph:

1 (D) indoor air pollution research.

Page 6, line 8, insert before the period the following: ", unless such funds are specifically authorized to be appropriated by Act of Congress with respect to such fiscal year".

Page 6, after line 8, insert the following new paragraph:

2 (3) Notwithstanding any other provision of law, no
3 funds are authorized to be appropriated for fiscal year
4 1996 for carrying out the programs and activities for
5 which funds are authorized by this Act unless such sums
6 are specifically authorized to be appropriated by this Act.

Page 6, line 18, insert "and" after the semicolon.

Page 6, line 20, strike "; and" and insert a period.

Page 6, lines 21 and 22, strike subparagraph (C).

Page 7, line 4, insert "and" after the semicolon.

Page 7, line 6, strike "; and" and insert a period.

Page 7, lines 7 through 9, strike paragraph (3).

Page 7, after line 9, add the following new sections:

1 **SEC. 5. PROHIBITION OF LOBBYING ACTIVITIES.**

2 None of the funds authorized by this Act shall be
3 available for any activity whose purpose is to influence leg-
4 islation pending before the Congress.

5 **SEC. 6. ELIGIBILITY FOR AWARDS.**

6 (a) IN GENERAL.—The Administrator shall exclude
7 from consideration for awards of financial assistance made
8 by the Office of Research and Development after fiscal
9 year 1995 any person who received funds, other than those
10 described in subsection (b), appropriated for a fiscal year
11 after fiscal year 1995, from any Federal funding source
12 for a project that was not subjected to a competitive,
13 merit-based award process. Any exclusion from consider-
14 ation pursuant to this section shall be effective for a period
15 of 5 years after the person receives such Federal funds.

16 (b) EXCEPTION.—Subsection (a) shall not apply to
17 awards to persons who are members of a class specified

1 by law for which assistance is awarded to members of the
2 class according to a formula provided by law.

COMMITTEE ON SCIENCE - 104TH CONGRESS ••••••••••••••••••••••••• ROLL CALL

SUBJECT: HR 1814: Walker en bloc amend. #1

Rm.	Phone	Name	Present	Absent	Yes	No	Not Voting
2369	52411	Mr. Walker, R-PA			1		
2332	55101	Mr. Sensenbrenner, R-WI					—
2246	53665	Mr. Boehlert, R-NY					—
2159	53515	Mr. Fawell, R-IL			2		
106	55341	Mrs. Morella, R-MD			3		
2452	52011	Mr. Curt Weldon, R-PA			4		
2338	52415	Mr. Rohrabacher, R-CA			5		
2404	56316	Mr. Schiff, R-NM			6		
2264	52002	Mr. Barton, R-TX			7		
1034	51986	Mr. Calvert, R-CA			8		
1724	51880	Mr. Baker, R-CA			8		
322	52721	Mr. Bartlett, R-MD			9		
1717	53831	Mr. Ehlers, R-MI			10		
423	53271	Mr. Wamp, R-TN			11		
216	53671	Mr. Dave Weldon, R-FL			12		
1429	55301	Mr. Graham, R-SC					—
115	52635	Mr. Salmon, R-AZ			13		
415	51492	Mr. Davis, R-VA			14		
417	56565	Mr. Stockman, R-TX			15		
425	52472	Mr. Gutknecht, R-MN			16		
1216	53601	Mrs. Seastrand, R-CA					—
1319	56216	Mr. Tiahrt, R-KS			17		
410	52211	Mr. Largent, R-OK			18		
114	56831	Mr. Hilleary, R-TN			19		
1114	52311	Mrs. Cubin, R-WY					—
506	55792	Mr. Foley, R-FL			20		
509	51976	Mrs. Myrick, R-NC			21		
2300	56161	Mr. Brown, D-CA					—
2236	56673	Mr. Hall, D-TX			22		
2446	55261	Mr. Traficant, D-OH					—
2432	52031	Mr. Hayes, D-LA					—
1127	54714	Mr. Tanner, D-TN				1	
2448	55071	Mr. Geren, D-TX				2	
407	53915	Mr. Roemer, D-IN				3	
236	54801	Mr. Cramer, D-AL			23		
1410	58171	Mr. Barcia, D-MI			24		
217	56411	Mr. McHale, D-PA				4	
325	58220	Ms. Harman, D-CA			25		
1123	58885	Ms. Johnson, D-TX				5	
1415	52331	Mr. Minge, D-MN					—
1027	55335	Mr. Olver, D-MA				6	
1039	51313	Mr. Hastings, D-FL					—
1116	56261	Ms. Rivers, D-MI				7	
1232	54535	Ms. McCarthy, D-MO				8	
1032	55401	Mr. Ward, D-KY				9	
118	53072	Ms. Lofgren, D-CA					—
126	54865	Mr. Doggett, D-TX				10	
1218	52135	Mr. Doyle, D-PA			26		
1520	53816	Ms. Jackson Lee, D-TX					—
1419	52271	Mr. Luther, D-MN				11	
		TOTAL			27	11	

Attest: B Schwartz (Clerk)

AMENDMENT TO WALKER EN BLOC AMENDMENT TO H.R. 1814 OFFERED BY MR. BROWN

Page 2, strike line 1 through line 4 and insert in lieu thereof the following:

SEC. 5. PROHIBITION OF LOBBYING ACTIVITIES

None of the funds authorized by this Act shall be used to pay the salaries or expenses of any grant or contract recipient, or agent acting for such recipient, relating to any activity designed to influence legislation pending before the Congress.

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL

SUBJECT: HR 1814: Brown amend. to Walker en bloc (1a

Rm.	Phone	Name	Present	Absent	Yes	No	Not Voting
2369	52411	Mr. Walker, R-PA				1	
2332	55101	Mr. Sensenbrenner, R-WI				(X)	
2246	53665	Mr. Boehlert, R-NY				2	
2159	53515	Mr. Fawell, R-IL				3	
106	55341	Mrs. Morella, R-MD				4	
2452	52011	Mr. Curt Weldon, R-PA					—
2338	52415	Mr. Rohrabacher, R-CA				5	
2404	56316	Mr. Schiff, R-NM				6	
2264	52002	Mr. Barton, R-TX				7	
1034	51986	Mr. Calvert, R-CA				8	
1724	51880	Mr. Baker, R-CA				9	
322	52721	Mr. Bartlett, R-MD				10	
1717	53831	Mr. Ehlers, R-MI				11	
423	53271	Mr. Wamp, R-TN				12	
216	53671	Mr. Dave Weldon, R-FL				13	
1429	55301	Mr. Graham, R-SC				(X)	
115	52635	Mr. Salmon, R-AZ				14	
415	51492	Mr. Davis, R-VA				15	
417	56565	Mr. Stockman, R-TX				16	
425	52472	Mr. Gutknecht, R-MN				17	
1216	53601	Mrs. Seastrand, R-CA				18	
1319	56216	Mr. Tiahrt, R-KS				19	
410	52211	Mr. Largent, R-OK				20	
114	56831	Mr. Hilleary, R-TN				21	
1114	52311	Mrs. Cubin, R-WY					—
506	55792	Mr. Foley, R-FL				22	
509	51976	Mrs. Myrick, R-NC				23	
2300	56161	Mr. Brown, D-CA			1		
2236	56673	Mr. Hall, D-TX			2		
2446	55261	Mr. Traficant, D-OH					—
2432	52031	Mr. Hayes, D-LA			(X)		
1127	54714	Mr. Tanner, D-TN			3		
2448	55071	Mr. Geren, D-TX			4		
407	53915	Mr. Roemer, D-IN			5		
236	54801	Mr. Cramer, D-AL			6		
1410	58171	Mr. Barcia, D-MI			7		
217	56411	Mr. McHale, D-PA			8		
325	58220	Ms. Harman, D-CA			9		
1123	58885	Ms. Johnson, D-TX			10		
1415	52331	Mr. Minge, D-MN					—
1027	55335	Mr. Olver, D-MA			11		
1039	51313	Mr. Hastings, D-FL					—
1116	56261	Ms. Rivers, D-MI			12		
1232	54535	Ms. McCarthy, D-MO			13		
1032	55401	Mr. Ward, D-KY			14		
118	53072	Ms. Lofgren, D-CA					—
126	54865	Mr. Doggett, D-TX			15		
1218	52135	Mr. Doyle, D-PA			16		
1520	53816	Ms. Jackson Lee, D-TX			17		
1419	52271	Mr. Luther, D-MN				25	
		TOTAL			18	26	

Attest: [signature] (Clerk)

AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1814

OFFERED BY MR. BROWN

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "Environmental Re-
3 search, Development, and Demonstration Authorization
4 Act of 1995".

5 SEC. 2. DEFINITIONS.

6 For the purposes of this Act, the term—

7 (1) "Administrator" means the Administrator
8 of the Environmental Protection Agency;

9 (2) "Agency" means the Environmental Protec-
10 tion Agency; and

11 (3) "Assistant Administrator" means the As-
12 sistant Administrator for Research and Development
13 of the Agency.

14 SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

15 (a) IN GENERAL.—There are authorized to be appro-
16 priated to the Administrator $545,637,700 for fiscal year
17 1996 for the Office of Research and Development for envi-
18 ronmental research, development, and demonstration ac-

1 tivities, including program management and support, in
2 the areas specified in subsection (b).
3 (b) SPECIFIC PROGRAMS AND ACTIVITIES.—Of the
4 amount authorized in subsection (a), there are authorized
5 to be appropriated the following:
6 (1) For air related research, $103,508,800.
7 (2) For water quality related research,
8 $20,605,800.
9 (3) For drinking water related research,
10 $21,015,800.
11 (4) For pesticide related research, $13,190,300.
12 (5) For toxic chemical related research,
13 $15,025,700.
14 (6) For research related to hazardous waste,
15 $22,131,400.
16 (7) For multimedia related research expenses,
17 $282,425,700.
18 (8) For program management expenses,
19 $7,225,600.
20 (9) For research related to cleanup of contami-
21 nated sites, $57,991,000.
22 (10) For research related to leaking under-
23 ground storage tanks, $750,600.
24 (11) For oil pollution related research,
25 $1,767,100.

1 (c) LIMITATION.—No funds are authorized to be ap-
2 propriated for any fiscal year after fiscal year 1996 for
3 carrying out the programs and activities for which funds
4 are authorized by this Act.

5 SEC. 4. SCIENTIFIC RESEARCH REVIEW.

6 (a) IN GENERAL.—The Administrator shall assign to
7 the Assistant Administrator the duties of—

8 (1) developing a strategic plan for scientific and
9 technical activities throughout the Agency;

10 (2) integrating that strategic plan into ongoing
11 Agency planning activities; and

12 (3) reviewing all Agency research to ensure the
13 research—

14 (A) is of high quality; and

15 (B) does not duplicate any other research
16 being conducted by the Agency.

17 (b) REPORT.—The Assistant Administrator shall
18 transmit annually to the Administrator and to the Com-
19 mittee on Science of the House of Representatives and the
20 Committee on Environment and Public Works of the Sen-
21 ate a report detailing—

22 (1) all Agency research the Assistant Adminis-
23 trator finds is not of sufficiently high quality; and

24 (2) all Agency research the Assistant Adminis-
25 trator finds duplicates other Agency research.

1 **SEC. 5. ENVIRONMENTAL TECHNOLOGY INITIATIVE.**

2 (a) AVAILABILITY OF FUNDS.—Of the amount au-
3 thorized to be appropriated in section 3(b)(7) for multi-
4 media related research expenses, $40,000,000 is available
5 for the Environmental Technology Initiative.

6 (b) LIMITATIONS.—

7 (1) EVALUATION PROCESS.—The Administrator
8 may select projects for funding under the Environ-
9 mental Technology Initiative only through a com-
10 petitive, merit-based evaluation process.

11 (2) ELIGIBILITY.—The projects eligible for
12 funding under the Environmental Technology Initia-
13 tive are only the following:

14 (A) Projects to provide technical perform-
15 ance verification of environmental technologies
16 and involving, to the extent appropriate, part-
17 nerships among Federal, State, local, and tribal
18 agencies and private-sector entities.

19 (B) Projects to facilitate the demonstration
20 of environmental technologies at appropriate
21 Federal or other sites.

22 (C) Projects to enhance the capacity of
23 Federal, State, local, and tribal agencies to pro-
24 mote the adoption of environmental technologies
25 through regulatory reforms, technical assist-
26 ance, improved dissemination of information

1 (domestically and internationally), modifications
2 to environmental permitting processes, and
3 modifications to enforcement processes.
4 (3) SPECIFIC ENVIRONMENTAL TECH-
5 NOLOGIES.—The Administrator may not provide di-
6 rect financial assistance under the Environmental
7 Technology Initiative to a private-sector entity for
8 the purpose of developing and commercializing a
9 specific environmental technology.

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL

SUBJECT: HR1814: Brown amend. in nature of Sub.

Rm.	Phone	Name	Present	Absent	Yes	No	Not Voting
2369	52411	Mr. Walker, R-PA				1	
2332	55101	Mr. Sensenbrenner, R-WI				2	
2246	53665	Mr. Boehlert, R-NY				3	
2159	53515	Mr. Fawell, R-IL				4	
106	55341	Mrs. Morella, R-MD				(X)	
2452	52011	Mr. Curt Weldon, R-PA					—
2338	52415	Mr. Rohrabacher, R-CA				5	
2404	56316	Mr. Schiff, R-NM					—
2264	52002	Mr. Barton, R-TX					—
1034	51986	Mr. Calvert, R-CA				6	
1724	51880	Mr. Baker, R-CA				7	
322	52721	Mr. Bartlett, R-MD				8	
1717	53831	Mr. Ehlers, R-MI				9	
423	53271	Mr. Wamp, R-TN				10	
216	53671	Mr. Dave Weldon, R-FL				11	
1429	55301	Mr. Graham, R-SC					—
115	52635	Mr. Salmon, R-AZ				12	
415	51492	Mr. Davis, R-VA				13	
417	56565	Mr. Stockman, R-TX				14	
425	52472	Mr. Gutknecht, R-MN				15	
1216	53601	Mrs. Seastrand, R-CA					—
1319	56216	Mr. Tiahrt, R-KS				16	
410	52211	Mr. Largent, R-OK				17	
114	56831	Mr. Hilleary, R-TN				18	
1114	52311	Mrs. Cubin, R-WY				19	
506	55792	Mr. Foley, R-FL				20	
509	51976	Mrs. Myrick, R-NC				21	
2300	56161	Mr. Brown, D-CA			1		—
2236	56673	Mr. Hall, D-TX			2		
2446	55261	Mr. Traficant, D-OH					—
2432	52031	Mr. Hayes, D-LA					—
1127	54714	Mr. Tanner, D-TN			3		
2448	55071	Mr. Geren, D-TX				22	
407	53915	Mr. Roemer, D-IN			4		
236	54801	Mr. Cramer, D-AL			5		
1410	58171	Mr. Barcia, D-MI			6		
217	56411	Mr. McHale, D-PA			7		
325	58220	Ms. Harman, D-CA			8		
1123	58885	Ms. Johnson, D-TX			9		
1415	52331	Mr. Minge, D-MN					—
1027	55335	Mr. Olver, D-MA			10		
1039	51313	Mr. Hastings, D-FL			11		
1116	56261	Ms. Rivers, D-MI			12		
1232	54535	Ms. McCarthy, D-MO			13		
1032	55401	Mr. Ward, D-KY			14		
118	53072	Ms. Lofgren, D-CA					—
126	54865	Mr. Doggett, D-TX			15		
1218	52135	Mr. Doyle, D-PA				23	
1520	53816	Ms. Jackson Lee, D-TX					—
1419	52271	Mr. Luther, D-MN				24	
		TOTAL			15	25	

Attest: [signature] (Clerk)

AMENDMENT TO H.R. 1814

OFFERED BY MR. BOEHLERT

Page 3, line 12, strike "$98,915,200" and insert "$93,915,200".

Page 3, line 14, strike "$72,111,400" and insert "$67,111,400".

Page 4, line 23, strike "$153,656,800" and insert "$158,656,800".

Page 4, line 25, strike "and".

Page 5, line 2, strike the period and insert "; and".

Page 5, after line 2, insert the following new subparagraph:

1 (C) $5,000,000 shall be for graduate stu-
2 dent fellowships.

Page 6, line 1, insert "or" after the semicolon.

Page 6, line 2, strike "; or" and insert a period.

Page 6, lines 3 and 4, strike subparagraph (C).

Page 7, after line 9, insert the following new section:

3 **SEC. 5. GRADUATE STUDENT FELLOWSHIPS.**

4 In carrying out the graduate student fellowship pro-
5 gram for which funds are authorized to be appropriated

1 by this Act, the Administrator shall ensure that any fel-
2 lowship award to a student selected after the date of the
3 enactment of this Act is used only to support research that
4 would further missions of the Office of Research and De-
5 velopment in fields in which there exists or is projected
6 to exist a shortage in the number of scientists.

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AMENDMENT TO H.R. 1814

OFFERED BY LOFGREN

Page 2, line 25, strike "$490,000,000" and insert "$530,000,
Page 3, line 5, strike "$321,694,800" and insert "$361,694,800".
Page 4, line ~~33~~ 24, strike "$153,656,800", and insert "$193,656,800".

Page 6, strike line 1.

Page 6, line 2, strike "(B)" and insert "(A)".

Page 6, line 3, strike "(C)" and insert "(B)".

Page 7, after line 9, add the following new section:

1 SEC. 5. ENVIRONMENTAL TECHNOLOGY INITIATIVE.

2 (a) AVAILABILITY OF FUNDS.—Of the amount au-
3 thorized to be appropriated in section 3(b)(8) for multi-
4 media related research expenses, $40,000,000 is available
5 for the Environmental Technology Initiative.

6 (b) LIMITATIONS.—

7 (1) EVALUATION PROCESS.—The Administrator
8 may select projects for funding under the Environ-
9 mental Technology Initiative only through a com-
10 petitive, merit-based evaluation process.

11 (2) ELIGIBILITY.—The projects eligible for
12 funding under the Environmental Technology Initia-
13 tive are only the following:

14 (A) Projects to provide technical perform-
15 ance verification of environmental technologies

1 and involving, to the extent appropriate, part-
2 nerships among Federal, State, local, and tribal
3 agencies and private-sector entities.
4 (B) Projects to facilitate the demonstration
5 of environmental technologies at appropriate
6 Federal or other sites.
7 (C) Projects to enhance the capacity of
8 Federal, State, local, and tribal agencies to pro-
9 mote the adoption of environmental technologies
10 through regulatory reforms, technical assist-
11 ance, improved dissemination of information
12 (domestically and internationally), modifications
13 to environmental permitting processes, and
14 modifications to enforcement processes.
15 (3) SPECIFIC ENVIRONMENTAL TECH-
16 NOLOGIES.—The Administrator may not provide di-
17 rect financial assistance under the Environmental
18 Technology Initiative to a private-sector entity for
19 the purpose of developing and commercializing a
20 specific environmental technology.

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL

SUBJECT: HR1814; Amend by Ms. Lofgren #4

Rm.	Phone	Name	Present	Absent	Yes	No	Not Voting
2369	52411	Mr. Walker, R-PA				1	
2332	55101	Mr. Sensenbrenner, R-WI				2	
2246	53665	Mr. Boehlert, R-NY				3	
2159	53515	Mr. Fawell, R-IL				4	
106	55341	Mrs. Morella, R-MD				5	
2452	52011	Mr. Curt Weldon, R-PA					—
2338	52415	Mr. Rohrabacher, R-CA				6	
2404	56316	Mr. Schiff, R-NM					—
2264	52002	Mr. Barton, R-TX					—
1034	51986	Mr. Calvert, R-CA				7	
1724	51880	Mr. Baker, R-CA				8	
322	52721	Mr. Bartlett, R-MD				9	
1717	53831	Mr. Ehlers, R-MI				10	
423	53271	Mr. Wamp, R-TN				11	
216	53671	Mr. Dave Weldon, R-FL				12	
1429	55301	Mr. Graham, R-SC				13	
115	52635	Mr. Salmon, R-AZ				14	
415	51492	Mr. Davis, R-VA				15	
417	56565	Mr. Stockman, R-TX				16	
425	52472	Mr. Gutknecht, R-MN				17	
1216	53601	Mrs. Seastrand, R-CA				18	
1319	56216	Mr. Tiahrt, R-KS				19	
410	52211	Mr. Largent, R-OK				20	
114	56831	Mr. Hilleary, R-TN				21	
1114	52311	Mrs. Cubin, R-WY				22	
506	55792	Mr. Foley, R-FL				23	
509	51976	Mrs. Myrick, R-NC					
2300	56161	Mr. Brown, D-CA			1		
2235	55673	Mr. Hall, D-TX			2		
2446	55261	Mr. Traficant, D-OH					—
2432	52031	Mr. Hayes, D-LA					—
1127	54714	Mr. Tanner, D-TN			3		
2448	55071	Mr. Geren, D-TX			4		
407	53915	Mr. Roemer, D-IN			5		
236	54801	Mr. Cramer, D-AL			6		
1410	58171	Mr. Barcia, D-MI			7		
217	56411	Mr. McHale, D-PA			8		
325	58220	Ms. Harman, D-CA			9		
1123	58885	Ms. Johnson, D-TX					—
1415	52331	Mr. Minge, D-MN					—
1027	55335	Mr. Olver, D-MA			10		
1039	51313	Mr. Hastings, D-FL			11		
1116	56261	Ms. Rivers, D-MI			12		
1232	54535	Ms. McCarthy, D-MO			13		
1032	55401	Mr. Ward, D-KY			14		
118	53072	Ms. Lofgren, D-CA			15		
126	54865	Mr. Doggett, D-TX			16		
1218	52135	Mr. Doyle, D-PA				24	
1520	53816	Ms. Jackson Lee, D-TX					—
1419	52271	Mr. Luther, D-MN				25	
		TOTAL			16	26	

Attest: B Schwartz (Clerk)

AMENDMENT TO H.R. 1814

OFFERED BY MR. OLVER

Page 7, after line 9, insert the following new section:

1 SEC. 5. CONTINGENT AUTHORIZATION.

2 (a) In General. -- Notwithstanding any other provision of this
3 Act, if the concurrent resolution approved by the House of
4 Representatives and the Senate on the budget for fiscal year 1996 is
5 based on an assumption of a tax cut of less than $350,000,000,000, an
6 amount equal to $55,637,000 multiplied by the fraction whose
7 numerator is $350,000,000,000 minus the amount of the tax cut
8 reflected in the concurrent resolution and whose denominator is
9 $350,000,000,000 is authorized to be appropriated for fiscal year 1996
10 for the Office of Research and Development for environmental
11 research, development and demonstration activities, to be allocated to
12 each program in section 3(b) in proportion to the authorizations set out
13 in section 3(b).

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL

SUBJECT: HR 1814: Amend. by Mr. Olver #5

Rm.	Phone	Name	Present	Absent	Yes	No	Not Voting
2369	52411	Mr. Walker, R-PA				1	
2332	55101	Mr. Sensenbrenner, R-WI					—
2246	53665	Mr. Bochlert, R-NY				2	
2159	53515	Mr. Fawell, R-IL				3	
106	55341	Mrs. Morella, R-MD				4	
2452	52011	Mr. Curt Weldon, R-PA				5	
2338	52415	Mr. Rohrabacher, R-CA				6	
2404	56316	Mr. Schiff, R-NM					—
2264	52002	Mr. Barton, R-TX					—
1034	51986	Mr. Calvert, R-CA				7	
1724	51880	Mr. Baker, R-CA					—
322	52721	Mr. Bartlett, R-MD				8	
1717	53831	Mr. Ehlers, R-MI				9	
423	53271	Mr. Wamp, R-TN				10	
216	53671	Mr. Dave Weldon, R-FL				11	
1429	55301	Mr. Graham, R-SC				X	
115	52635	Mr. Salmon, R-AZ				12	
415	51492	Mr. Davis, R-VA				13	
417	56565	Mr. Stockman, R-TX				14	
425	52472	Mr. Gutknecht, R-MN				15	
1216	53601	Mrs. Seastrand, R-CA				16	
1319	56216	Mr. Tiahrt, R-KS				17	
410	52211	Mr. Largent, R-OK				18	
114	56831	Mr. Hilleary, R-TN					—
1114	52311	Mrs. Cubin, R-WY				19	
506	55792	Mr. Foley, R-FL				X	—
509	51976	Mrs. Myrick, R-NC				20	
2300	56161	Mr. Brown, D-CA			1		
2236	56673	Mr. Hall, D-TX			X		
2446	55261	Mr. Traficant, D-OH					—
2432	52031	Mr. Hayes, D-LA			2		
1127	54714	Mr. Tanner, D-TN			3		
2448	55071	Mr. Geren, D-TX			X		
407	53915	Mr. Roemer, D-IN			4		
236	54801	Mr. Cramer, D-AL			5		
1410	58171	Mr. Barcia, D-MI			6		
217	56411	Mr. McHale, D-PA			7		
325	58220	Ms. Harman, D-CA					—
1123	58885	Ms. Johnson, D-TX			8		
1415	52331	Mr. Minge, D-MN			X		
1027	55335	Mr. Olver, D-MA			9		
1039	51313	Mr. Hastings, D-FL			10		
1116	56261	Ms. Rivers, D-MI			11		
1252	54535	Ms. McCarthy, D-MO			12		
1032	55401	Mr. Ward, D-KY			13		
118	53072	Ms. Lofgren, D-CA					—
126	54865	Mr. Doggett, D-TX			14		
1218	52135	Mr. Doyle, D-PA			15		
1520	53816	Ms. Jackson Lee, D-TX					—
1419	52271	Mr. Luther, D-MN			16		
		TOTAL			19	22	

Attest: [signature] (Clerk)

AMENDMENT TO H.R. 1814
OFFERED BY MR. TRAFICANT

Page 7, after line 9, insert the following new section:

1 SEC. 5. BUY AMERICAN.

2 (a) COMPLIANCE WITH BUY AMERICAN ACT.—No
3 funds appropriated pursuant to this Act may be expended
4 by an entity unless the entity agrees that in expending
5 the assistance the entity will comply with sections 2
6 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-
7 10c, popularly known as the "Buy American Act").

8 (b) SENSE OF CONGRESS.—In the case of any equip-
9 ment or products that may be authorized to be purchased
10 with financial assistance provided under this Act, it is the
11 sense of Congress that entities receiving such assistance
12 should, in expending the assistance, purchase only Amer-
13 ican-made equipment and products.

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