104TH CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REPT. 104–236
Part 1

DEPARTMENT OF ENERGY CIVILIAN RESEARCH AND DEVELOPMENT ACT OF 1995

R E P O R T

OF THE

COMMITTEE ON SCIENCE
HOUSE OF REPRESENTATIVES

ON

H.R. 1816

together with

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

and

ADDITIONAL AND DISSENTING VIEWS

AUGUST 4, 1995.—Ordered to be printed

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104TH CONGRESS, 1st Session } HOUSE OF REPRESENTATIVES { REPT. 104–236, Part 1

DEPARTMENT OF ENERGY CIVILIAN RESEARCH AND DEVELOPMENT ACT OF 1995

AUGUST 4, 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

ADDITIONAL AND DISSENTING VIEWS

[To accompany H.R. 1816]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science, to whom was referred the bill (H.R. 1816) to authorize appropriations for civilian research, development, demonstration, and commercial application activities of the Department of Energy 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.

I. AMENDMENTS

The amendment is as follows:

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

91–455

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Energy Civilian Research and Development Act of 1995".

SEC. 2. DEFINITIONS.

For purposes of this Act—

(1) the term "CERN" means the European Organization for Nuclear Research;

(2) the term "Department" means the Department of Energy;

(3) the term "Large Hadron Collider project" means the Large Hadron Collider project at CERN;

(4) the term "major construction project" means a civilian research, development, demonstration, or commercial application project whose construction costs are estimated to exceed $100,000,000 over the life of the project;

(5) the term "Secretary" means the Secretary of Energy;

(6) the term "substantial construction project" means a civilian research, development, demonstration, or commercial application project whose construction costs are estimated to exceed $10,000,000, but not to exceed $100,000,000, over the life of the project; and

(7) the term "substantial equipment acquisition" means the acquisition of civilian research, development, demonstration, or commercial application equipment at a cost estimated to exceed $10,000,000 for the entire acquisition.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) ENERGY SUPPLY RESEARCH AND DEVELOPMENT ACTIVITIES.—There are authorized to be appropriated to the Secretary for fiscal year 1996 for Energy Supply Research and Development operating, capital equipment, and construction the following amounts:

(1) Solar and Renewable Energy, $235,451,000, of which—

(A) $235,331,000 shall be for operating and capital equipment; and

(B) $120,000 shall be for construction of Project GP–C–002, General Plant Projects, National Renewable Energy Laboratory.

(2) Nuclear Energy, $270,448,000, of which—

(A) $267,748,000 shall be for operating and capital equipment, including, subject to section 4(c), $14,000,000 for the AP600 light water reactor;

(B) $1,000,000 shall be for construction of Project GPN–102, General Plant Projects, Argonne National Laboratory-West, Idaho; and

(C) $1,700,000 shall be for completion of construction of Project 95–E–207, Modifications to Reactors, Experimental Breeder Reactor-II, Sodium Processing Facility, Argonne National Laboratory-West, Idaho.

(3) Environment, Safety, and Health, $128,433,000 for operating and capital equipment.

(4) Biological and Environmental Research, $369,645,000, of which—

(A) $313,550,000 shall be for operating and capital equipment;

(B) $3,500,000 shall be for construction of Project GPE–120, General Plant Projects, Various Locations;

(C) $5,700,000 shall be for construction of Project 94–E–339, Human Genome Laboratory, Lawrence Berkeley Laboratory;

(D) $4,295,000 shall be for completion of construction of Project 94–E–338, Structural Biology Facility, Argonne National Laboratory;

(E) $2,600,000 shall be for completion of construction of Project 94–E–337, ALS Structural Biology Support Facilities, Lawrence Berkeley Laboratory; and

(F) $40,000,000 shall be for construction of Project 91–EM–100, Environmental Molecular Sciences Laboratory, Pacific Northwest Laboratory.

(5) Fusion Energy, $254,144,000, of which—

(A) $245,144,000 shall be for operating and capital equipment for Magnetic Fusion Energy;

(B) $4,800,000 shall be for operating and capital equipment for Inertial Fusion Energy;

(C) $1,000,000 shall be for construction of Project GPE–900, General Plant Projects, Various Locations; and

(D) $3,200,000 shall be for construction of Project 96–E–310, Elise Project, Lawrence Berkeley Laboratory.

(6) Basic Energy Sciences, $827,981,000, of which—

(A) $805,412,000 shall be for operating and capital equipment, including $60,000,000 for the Scientific Facilities Initiative;

(B) $4,500,000 shall be for construction of Project GPE–400, General Plant Projects, Various Locations;

(C) $12,883,000 shall be for construction of Project 96–E–305, Accelerator and Reactor Improvements and Modifications;

(D) $3,186,000 shall be for completion of construction of Project 89–R–402, 6–7 Ge V Synchrotron Radiation Source, Argonne National Laboratory; and

(E) $2,000,000 shall be for construction of Project 87–R–405, Combustion Research Facility, Phase II, Sandia National Laboratories-Livermore.

(7) Advisory and Oversight Program Direction, $6,200,000 for operating.

(8) Policy and Management—Energy Research, $2,200,000 for operating.

(9) Multiprogram Energy Laboratories—Facilities Support—

(A) $15,539,000 shall be for operating and capital equipment;

(B) $8,740,000 shall be for construction of Project GPE–801, General Plant Projects, Various Locations;

(C) $2,740,000 shall be for construction of Project 95–E–310, Multiprogram Laboratory Rehabilitation, Phase 1, Pacific Northwest Laboratory;

(D) $1,500,000 shall be for construction of Project 95–E–303, Electrical Safety Rehabilitation, Pacific Northwest Laboratory;

(E) $3,270,000 shall be for completion of construction of Project 95–E–302, Applied Science Center, Phase 1, Brookhaven National Laboratory;

(F) $2,500,000 shall be for construction of Project 95–E–301, Central Heating Plant Rehabilitation, Phase 1, Argonne National Laboratory;

(G) $2,038,000 shall be for construction of Project 94–E–363, Roofing Improvements, Oak Ridge National Laboratory;

(H) $440,000 shall be for completion of construction of Project 94–E–351, Fuel Storage and Transfer Facility Upgrade, Brookhaven National Laboratory;

(I) $800,000 shall be for construction of Project 96–E–332, Building 801 Renovations, Brookhaven National Laboratory;

(J) $2,400,000 shall be for completion of construction of Project 96–E–331, Sanitary Sewer Restoration, Phase I, Lawrence Berkeley Laboratory;

(K) $1,200,000 shall be for construction of Project 96–E–330, Building Electrical Service Upgrade, Phase I, Argonne National Laboratory;

(L) $2,480,000 shall be for construction of Project 95–E–309, Loss Prevention Upgrade-Electrical Substations, Brookhaven National Laboratory;

(M) $1,540,000 shall be for construction of Project 95–E–308, Sanitary System Modifications, Phase II, Brookhaven National Laboratory;

(N) $1,000,000 shall be for construction of Project 95–E–307, Fire Safety Improvements, Phase III, Argonne National Laboratory;

(O) $1,288,000 shall be for completion of construction of Project 93–E–324, Hazardous Materials Safeguards, Phase I, Lawrence Berkely Laboratory;

(P) $1,130,000 shall be for completion of construction of Project 93–E–323, Fire and Safety Systems Upgrade, Phase I, Lawrence Berkeley Laboratory; and

(Q) $2,411,000 shall be for construction of Project 93–E–320, Fire and Safety Improvements, Phase II, Argonne National Laboratory.

Notwithstanding subparagraphs (A) through (Q), the total amount authorized under this paragraph shall not exceed $39,327,000.

(10) Technical Information Management Program, $14,394,000, of which—

(A) $12,894,000 shall be for operating and capital equipment; and

(B) $1,500,000 shall be for construction of Project 95–A–500, Heating, Venting, and Air Conditioning Retrofits, Oak Ridge.

(11) Environmental Management, $644,197,000, of which—

(A) $627,127,000 shall be for operating and capital equipment;

(B) $339,000 shall be for completion of construction of Project 92–E–601, Melton Valley Liquid Low-Level Waste Collection and Transfer System Upgrade, Oak Ridge National Laboratory;

(C) $4,000,000 shall be for construction of Project 88–R–830, Bethel Valley Liquid Low-Level Waste Collection and Transfer System Upgrade, Oak Ridge National Laboratory;

(D) $2,255,000 shall be for construction of Project GPN–103, Oak Ridge Landlord General Plant Projects;

(E) $730,000 shall be for construction of Project GPN–102, Test Reactor Area Landlord General Plant Projects, Idaho National Engineering Laboratory;

(F) $1,900,000 shall be for construction of Project 95–E–201, Test Reactor Area Landlord Fire and Life Safety Improvements, Idaho National Engineering Laboratory;

(G) $2,040,000 shall be for construction of Project GPE–600, General Plant Projects, Waste Management, Non-Defense, Various Locations;

(H) $300,000 shall be for construction of Project 94–E–602, Bethel Valley Federal Facility Agreement Upgrades, Oak Ridge National Laboratory;

(I) $4,048,000 shall be for construction of Project 93–E–900, Dry Cast Storage, Idaho National Engineering Laboratory;

(J) $787,000 shall be for construction of Project 91–E–602, Rehabilitation of Waste Management Building 306, Argonne National Laboratory; and

(K) $671,000 shall be for completion of construction of Project 88–R–812, Hazardous Waste Handling Facility, Lawrence Berkeley Laboratory.

(b) GENERAL SCIENCE AND RESEARCH ACTIVITIES.—There are authorized to be appropriated to the Secretary for fiscal year 1996 for General Science and Research Activities operating, capital equipment, and construction the following amounts:

(1) High Energy Physics, $680,137,000 of which—

(A) $554,191,000 shall be for operating and capital equipment, including $15,000,000 for the Scientific Facilities initiative;

(B) $12,146,000 shall be for construction of Project GPE–103, General Plant Projects, Various Locations;

(C) $9,800,000 shall be for construction of Project 96–G–301, Accelerator Improvements and Modifications, Various Locations;

(D) $52,000,000 shall be for construction of Project 94–G–305, B-Factory, Stanford Linear Accelerator Center, and

(E) $52,000,000 shall be for construction of Project 92–G–302, Fermilab Main Injector, Fermi National Accelerator Center.

(2) Nuclear Physics, $316,873,000 of which—

(A) $239,773,000 shall be for operating and capital equipment, including $25,000,000 for the Scientific Facilities Initiative;

(B) $3,900,000 shall be for construction of Project GPE–300, General Plant Projects, Various Locations;

(C) $3,200,000 shall be for construction of Project 96–G–302, Accelerator Improvements and Modifications, Various Locations; and

(D) $70,000,000 shall be for construction of Project 91–G–300, Relativistic Heavy Ion Collider, Brookhaven National Laboratory.

(3) Program Direction, $9,500,000.

(c) FOSSIL ENERGY RESEARCH AND DEVELOPMENT.—There are authorized to be appropriated to the Secretary for fiscal year 1996 for Fossil Energy Research and Development operating, capital equipment, and construction the following amounts:

(1) Coal, $49,955,000 for operating.

(2) Oil Technology, $43,234,000 for operating, including maintaining programs at the National Institute for Petroleum and Energy Research.

(3) Gas, $59,829,000 for operating.

(4) Program Direction and Management Support, $45,535,000 for operating.

(5) Capital Equipment, $476,000.

(6) Construction of Project GPF–100, General Plant Projects for Energy Technology Centers, $1,994,000.

(7) Cooperative Research and Development, $7,557,000.

(8) Fossil Energy Environmental Restoration, $12,370,000.

(d) ENERGY CONSERVATION RESEARCH AND DEVELOPMENT.—There are authorized to be appropriated to the Secretary for fiscal year 1996 for Energy Conservation Research and Development operating and capital equipment the following amounts:

(1) Buildings Sector, $55,074,000.

(2) Industry Sector, $55,110,000.

(3) Transportation Sector, $112,123,000.

(4) Technical and Financial Assistance (Non-Grants), $7,813,000.

SEC. 4. FUNDING LIMITATIONS.

(a) FISCAL YEAR 1966 APPROPRIATONS.—None of the funds authorized by this Act may be used for the following programs, projects, and activities:

(1) Solar Buildings Technology Research.

(2) Solar International Program.

(3) Solar Technology Transfer.

(4) Solar Program Support.

(5) Hydropower.

(6) Space Power Reactor Systems.

(7) Nuclear Energy Facilities.

(8) Soviet-Designed Reactor Safety.
(9) Russian Replacement Power Initiative.
(10) Civilian Radioactive Waste Research and Development.
(11) Tokamak Physics Experiment.
(12) Advanced Neutron Source.
(13) Energy Research Analysis.
(14) Energy Research Laboratory Tecnonlogy Transfer.
(15) University and Science Education.
(16) Technology Partnerships.
(17) In-House Energy Management.
(18) Direct Liquefaction.
(19) Indirect Liquefaction.
(20) Systems for Coproducts.
(21) High Efficiency-Integated Gasification Combined Cycle.
(22) High Efficiency-Pressurized Fluidized Bed.
(23) Technical and Economic Analysis.
(24) International Program Support.
(25) Coal Technology Export.
(26) Gas Delivery and Storage.
(27) Gas Utilization.
(28) Fuel Cells Climate Change Action Plan.
(29) Fuels Conversion, Natural Gas, and Electricity.
(30) Clean Coal Technology Program.
(31) Buildings Sector Implementation and Deployment.
(32) Industry Sector Municipal Solid Wastes.
(33) Industry Sector Implementation and Deployment.
(34) Alternative Fuels Utilization.
(35) Transportation Sector Implementation and Deployment.
(36) Utility Sector Integrated Resource Planning.
(37) International Market Development.
(38) Inventions and Innovation Program.
(39) Municipal Energy Management.
(40) Information and Communications.
(41) Policy and Management—Energy Conservation.
(42) Gas Turbine-Modular Helium Reactor.

(b) PRIOR FISCAL YEAR OBLIGATION AND EXPENDITURE.—No funds may be available for obligation or expenditure with respect to the following:

(1) University of Nebraska Medical Center Transplant Center.
(2) Oregon Health Sciences University.
(3) Conduct of any rulemaking activities relating to determinations for or prescriptions of new or amended standards with respect to Lighting and Appliance Standards and Building Standards and Guildelines, including the promulgation or issuance of notices of proposed rulemakings, proposed rules, or final rules.

(c) LIGHT WATER REACTOR MATCHING FUNDS.—Funds appropriated for the AP600 light water reactor pursuant to section 3(a)(2)(A) shall be available only to the extent that matching private sector funds are provided for such project, and subject to the condition that such Federal funds shall be repaid to the United States out of royalties on the first commercial sale of such reactor design.

SEC. 5. LIMITATION ON APPROPRIATIONS.

(a) EXCLUSIVE AUTHORIZATION FOR FISCAL YEAR 1996.—Notwithstanding any other provision of law, no sums are authorized to be appropriated for fiscal year 1996 for Energy Supply Research and Development, General Science and Research, Fossil Energy Research and Development, or Energy Conservation Research and Development activities of the Department unless such sums are specifically authorized to be appropriated by this Act.

(b) SUBSEQUENT FISCAL YEARS.—No sums are authorized to be appropriated for any fiscal year after fiscal year 1996 for any civilian research, development, demonstration, or commercial application program, project, or activity of the Department unless such sums are specifically authorized to be appropriated by Act of Congress with respect to such fiscal year.

SEC. 6. MERIT REVIEW REQUIREMENT FOR AWARDS OF FINANCIAL ASSISTANCE.

(a) MERIT REVIEW REQUIREMENT.—The Secretary may not award financial assistance to any person for civilian research, development, demonstration, or commercial application activities, including related facility construction, unless an objective merit review process is used to award the financial assistance.

(b) REQUIREMENT OF SPECIFIC MODIFICATION OF MERIT REVIEW PROVISION.—

(1) IN GENERAL.—A provision of law may not be construed as modifying or superseding subsection (a), or as requiring that financial assistance be awarded by the Secretary in a manner inconsistent with subsection (a), unless such provision of law—

(A) specifically refers to this section;

(B) specifically states that such provision of law modifies or supersedes subsection (a); and

(C) specifically identifies the person to be awarded the financial assistance and states that the financial asssistance to be awarded pursuant to such provision of law is being awarded in a manner inconsistent with subsection (a).

(2) NOTICE AND WAIT REQUIREMENT.—No financial assistance may be awarded pursuant to a provision of law that requires or authorizes the award of the financial assistance in a manner inconsistent with subsection (a) until—

(A) the Secretary submits to the Congress as written notice of the Secretary's intent to award the financial assistance; and

(B) 180 days has elapsed after the date on which the notice is received by the Congress.

(c) DEFINITIONS.—For purposes of this section:

(1) The term "objective merit review process" means a thorough, consistent, and independent examination of requests for financial assistance based on preestablished criteria and scientific and technical merit by persons knowledgeable in the field for which the financial assistance is requested.

(2) The term "financial assistance" means the transfer of funds or property to a recipient or subrecipient to accomplish a public purpose of support or stimulation authorized by Federal law. Such term includes grants, cooperative agreements, and subawards but does not include cooperative research and development agreements as defined in section 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1)), nor any grant that calls upon the National Academy of Sciences, the National Academy of Engineering, the Institute of Medicine, or the National Academy of Public Administration to investigate, examine, or experiment upon any subject of science or art and to report on such matters to Congress or any agency of the Federal Government.

SEC. 7. POLICY ON CAPITAL PROJECTS AND CONSTRUCTION.

(a) REQUIREMENT OF PRIOR AUTHORIZATION.—(1) No funds are authorized to be appropriated to the Secretary for any substantial construction project, substantial equipment acquisition, or major construction project unless a report on such project or acquisition has been provided to Congress in accordance with subsection (b).

(2) The Secretary may not obligate any funds for any substantial construction project, substantial equipment acquisition, or major construction project unless such project or acquisition has been specifically authorized by statute.

(3) This subsection may not be amended or modified except by specific reference to this subsection.

(b) REPORTS TO CONGRESS.—(1) Within 180 days after the date of the enactment of this Act, the Secretary shall submit the Congress a report that identifies all construction projects and acquisitions of the Department described in subsection (a) for which the preliminary design phase is completed but the construction or acquisition is not completed. Such report shall include—

(A) an estimate of the total cost of completion of the construction project or acquisition, itemized by individual activity and by fiscal year, and

(B) an identification of which construction projects or acquisitions have not been specifically authorized by statute.

The Secretary shall annually update and resubmit the report required by the paragraph, as part of the report under section 15 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5914).

(2) The Secretary shall, after completion of the preliminary design phase of a major construction project, submit to the Congress a report containing—

(A) an estimate of the total cost of construction of the facility;

(B) an estimate of the time required to complete construction;

(C) an estimate of the annual operating costs of the facility;

(D) the intended useful operating life of the facility; and

(E) an identification of any existing facilities to be closed as a result of the operation of the facility.

SEC. 8. FURTHER AUTHORIZATION.

Nothing in this Act shall preclude further authorization of appropriations for civilian research, development, demonstration, and commercial application activities of

the Department of Energy for fiscal year 1996: *Provided*, That authorization allocations adopted by the Conference Committee on House Concurrent Resolution 67, and approved by Congress, allow for such further authorizations.

SEC. 9. HIGH ENERGY AND NUCLEAR PHYSICS.

(a) LARGE HADRON COLLIDER PROJECT.—

(1) NEGOTIATIONS.—The Secretary, in consultation with the Director of the National Science Foundation and the Secretary of State, shall enter into negotiations with CERN concerning United States participation in the planning and construction of the Large Hadron Collider project, and shall ensure that any agreement incorporates provisions to protect the United States investment in the project, including provisions for—

(A) fair allocations of costs and benefits among project participants;

(B) a limitation on the amount of United States contribution to project construction and an estimate of the United States contribution to subsequent operating costs;

(C) a cost and schedule control system for the total project;

(D) a preliminary statement of costs and the schedule for all component design, testing, and fabrication, including technical goals and milestones, and a final statement of such costs and schedule within 1 year after the date on which the parties enter into the agreement;

(E) a preliminary statement of costs and the schedule for total project construction and operation, including technical goals and milestones, and a final statement of such costs and schedule within 1 year the date on which the parties enter into the agreement;

(F) reconsideration of the extent of United States participation if technical or operational milestones described in subparagraphs (D) and (E) are not met, or if the project falls significantly behind schedule;

(G) conditions of access for United States and other scientists to the facility; and

(H) a process for addressing international coordination and cost sharing on high energy physics projects beyond the Large Hadron Collidor.

(2) OTHER INTERNATIONAL NEGOTIATIONS.—Nothing in this Act shall be construed to preclude the President from entering into negotiations with respect to international science agreements.

(b) REPORT TO CONGRESS.—Before January 1, 1996, the Secretary, in consultation with the Director of the National Science Foundation and with the high energy and nuclear physics communities, shall prepare and transmit to the Congress a strategic plan for the high energy and nuclear physics activities of the Department, assuming a combined budget of $950,000,000 for all activities authorized under section 3(b) for fiscal year 1997, and assuming a combined budget of $900,000,000 for all activities authorized under section 3(b) for each of the fiscal years 1998, 1999, and 2000. The report shall include—

(1) a list of research opportunities to be pursued, including both ongoing and proposed activities;

(2) an analysis of the relevance of each research facility to the research opportunities listed under paragraph (1);

(3) a statement of the optimal balance among facility operations, construction, and research support and the optimal balance between university and laboratory research programs;

(4) schedules for the continuation, consolidation, or termination of each research program, and continuation, upgrade, transfer, or closure of each research facility, and

(5) a statement by project of efforts to coordinate research projects with the international community to maximize the use of limited resources and avoid unproductive duplication of efforts.

SEC. 10. 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. 11. ELIGIBILITY FOR AWARDS.

(a) IN GENERAL.—The Secretary shall exclude from consideration for awards of financial assistance made by the Department 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 process. Any exclusion from consideration pursuant to this section shall be effective for a period 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. 12. TERMINATION COSTS.

Unobligated funds previously appropriated for the Clean Coal Technology program may be used to pay costs associated with the termination of Energy Supply Research and Development, General Science and Research, Fossil Energy Research and Development, and Energy Conservation Research and Development programs, projects, and activities of the Department.

II. PURPOSE OF THE BILL

The purpose of the bill is to authorize appropriations for fiscal year 1996 for civilian research, development, demonstration and commercial application activities of the Department of Energy, and for other purposes.

III. BACKGROUND AND NEED FOR THE LEGISLATION

In 1992 Congress passed the Energy Policy Act of 1992, P.L. 102–486, which authorized numerous Department of Energy civilian energy research, development, demonstration and commercial application programs. In most cases, however, specific sums were authorized only for fiscal years 1993 and 1994—the exceptions being the following for those programs under the Committee's jurisdiction:

Federal Energy Management Program—Section 152 authorizes such sums as may be necessary indefinitely after fiscal year 1995.

Codes and Standards—Section 101 authorizes such sums as may be necessary for State assistance indefinitely after fiscal year 1995.

Alternative Fueled and Electric Vehicles—

Sections 302(a)(8), 303(f) and 304(f) authorize such sums as may be necessary through 1998 for demonstrations and studies, Federal fleet purchases, and fueling, respectively, of light duty alternative fueled and electric vehicles.

Section 409(e) authorizes $10,000,000 for each of fiscal years 1994 through 1998 for State and local incentives programs.

Section 514 authorizes $10,000,000 in each of fiscal years 1993 through 1997, and such sums as may be necessary for fiscal years 1998 through 2000 for alternative fuel providers who are required to purchase alternative fueled or electric vehicles.

Section 616 authorizes a total of $50,000,000 for fiscal years 1994 through 2003 for commercial demonstrations of electric vehicles.

Section 626 authorizes a total of $40,000,000 for fiscal years 1994 through 1998 for an Electric Vehicle Infrastructure and Support Systems Development Program.

Section 2021(e)(2) authorizes $80,000,000 in fiscal year 1996, $90,000,000 in fiscal year 1997, and $100,000,000 in fiscal year 1998 for Electric Vehicle R&D.

Solar International Program—Section 1203(c) authorizes renewable energy export technology training at $6,000,000 in fiscal year 1996.

Renewable Energy and Environmental Technology Transfer—Sections 1211(m) and 1608(m) each authorize $100,000,000 for each of fiscal years 1993 through 1998 for programs to encourage the export of renewable energy technologies and environmental technologies, respectively.

Coal R&D—Section 1313 authorizes sums as may be necessary through fiscal year 1997.

Electric and Magnetic Field (EMF) Research—Section 2118(j)(1), subject to the provisions of Section 2118(f)(3), authorizes a total of $65,000,000 for fiscal years 1993 through 1997 for a research and public information dissemination program. (Section 2118(f)(3) prohibits the obligation of funds in any fiscal year unless the Secretary has received at least 50 percent of the total program funding from non-Federal sources to offset at least 50 percent of the appropriations made for such fiscal year, which effectively limits the total appropriations to $32,500,000.)

Nuclear Energy—Section 2123(b)(4)(C) authorizes the first-of-a-kind engineering program a total of $100,000,000 for fiscal years 1993 through 1997.

This circumstance—namely the lack of specific authorizations for the bulk of the Department of Energy civilian programs under the Committee's jurisdiction—in and of itself dictates a compelling need for a comprehensive authorization bill unless the Committee on Science is willing to cede both its jurisdiction and responsibilities to the Committee on Appropriations.

A second circumstance that dictates the need for a comprehensive civilian energy authorization bill is the mandate given to this Congress by the American public 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 Department of Energy in its fiscal year 1996 budget request and applied rigorously 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 scientific 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, the Department of Energy Civilian Research and Development 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.

IV. HEARINGS

The Subcommittee on Energy and Environment held hearings dedicated to the fiscal year 1996 Department of Energy budget authorization request on February 14 and 15, 1995. In addition, Department of Energy programs, projects, activities and laboratories were addressed in testimony received at Subcommittee hearings on February 13 and February 21, 1995, and at the Subcommittee on Basic Research and Subcommittee on Energy and Environment "Joint Subcommittee Hearing on Alternative Futures for the Department of Energy National Laboratories 'The Galvin Report' and National Laboratories Need Clearer Missions and Better Management, a GAO Report to the Secretary of Energy" held on March 9, 1995. Testimony was also received for the record.

Department of Energy officials who testified included: (1) Secretary of Energy Hazel R. O'Leary; (2) Honorable Christine A. Ervin, Assistant Secretary for Energy Efficiency and Renewable Energy; (3) Honorable Patricia Fry Godley, Assistant Secretary for Fossil Energy; (4) Dr. Tara J. O'Toole, Assistant Secretary for Environment, Safety and Health; (5) RADM Richard J. Guimond, Principal Deputy Assistant Secretary for Environmental Management; (6) Mr. Ray A. Hunter, Acting Deputy Director, Office of Nuclear Energy; and (7) Dr. Martha A. Krebs, Director, Office of Energy Research.

The following also provided testimony: (1) Mr. Thomas A. Schatz, President Citizens Against Government Waste; (2) Ms. Jill Lancelot, Director of Congressional Affairs, National Taxpayers Union; (3) Dr. William Happer, Professor of Physics, Princeton University; (4) Mr. Victor S. Rezendes, Director, Energy and Science Issues, Resources, Community, and Economic Development Division, U.S. General Accounting Office; (5) Mr. Myron Gottlieb, Vice President, Natural Gas Supply Technology Development, Gas Research Institute; (6) Mr. Linden S. Blue, Vice Chairman, General Atomics; (7) Dr. Amos E. Holt, Senior Vice President, Engineering, American Society of Mechanical Engineers; (8) Mr. Michael L. Marvin, Director, Governmental and Public Affairs, American Wind Energy Association; (9) Clean Coal Technology Coalition; (10) James E. Quinn, Projects Manager, GE Nuclear Energy; (11) Kurt E. Yeager, Senior Vice President, Electric Power Research Institute; (12) Dr. John Peoples, Jr., Director, Fermi National Accelerator Laboratory; (13) Dr. Nicholas P. Samios, Director, Director, Brookhaven National Laboratory; (14) Dr. Alvin W. Trivelpiece, Director, Oak Ridge National Laboratory; (15) Dr. Alan Schriesheim, Director, Argonne

National Laboratory; (16) Dr. Charles V. Shank, Director, Lawrence Berkeley Laboratory; (17) Dr. Robin Roy, Project Director, Office of Technology Assessment; (18) Dr. David E. Baldwin, Associate Director for Energy, Lawrence Livermore National Laboratory; (19) Mr. Scott Sklar, Executive Director, Solar Energy Industries Association; (20) Mr. Howard Geller, Executive Director, American Council for an Energy-Efficient Economy; (21) Mr. Robert Galvin, Chairman of the Executive Committee, Motorola Inc.; (22) Dr. Siegfried S. Hecker, Director, Los Alamos National Laboratory; (23) Dr. Albert Narath, Director, Sandia National Laboratories; (24) Dr. C. Bruce Tarter, Director, Lawrence Livermore National Laboratory; (25) Dr. W. John Denson, Director, Idaho National Engineering Laboratory; (26) Dr. Charles F. Gay, Director, National Renewable Energy Laboratory; (27) Dr. William J. Madia, Director, Pacific Northwest Laboratory; and (28) Dr. Burton Richter, Director, Stanford Linear Accelerator Center.

V. Summary of Authorizations in Bill

In February, 1995, the President transmitted to Congress a request of $5,688,027,000 for Department of Energy civilian research and development programs for fiscal year 1996, an increase of $341,734,000, or 6.4 percent, over the fiscal year 1995 estimate of $5,346,293,000.

Also included in the President's fiscal year 1996 budget request was the proposal to realign and downsize the Department of Energy "to reflect changing world conditions and changing demands on the Nation's science and technology infrastructure." The Administration estimates that the proposal will save more than $14.1 billion in outlays over the five-year period encompassing fiscal years 1996 through 2000—some $8.4 billion in program savings and $5.7 billion from asset sales.

In May, 1995, the Secretary of Energy announced a strategic realignment and downsizing initiative that is estimated to contribute more than $1.7 billion of the $14.1 billion in savings. The initiative includes an overall reduction of 27 percent in Departmental staff, including 34 percent at Headquarters and 21 percent in field offices.

Subsequently, on June 2, 1995, the Secretary provided Mr. Rohrabacher, Chairman of the Subcommittee on Energy and Environment, with information concerning a proposed fiscal year 1996 budget amendment reducing the Department's request by a total of $207,556,000. The Secretary indicated in her June 2 communication that the President would soon present a formal amendment to the budget that would reflect these adjustments. To date, however, the formal amendment has not been received. Because of the lack of detail in the Secretary's June 2 communication, as well as the limited time available, the Committee made little use of the proposed budget amendment in the consideration of its recommendations for authorization of appropriations for fiscal year 1996.

The Committee recommends an overall authorization level of $4,250,000,000 for fiscal year 1996, a decrease of $1,438,027,000—or 25.3 percent—from the request level, and a decrease of $1,096,293,000—or 20.5 percent—from the fiscal year 1995 estimate. The Committee's recommendation is largely 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's strong commitment to basic research is evidenced by the recommendations for the Basic Energy Sciences program and for General Science and Research Activities, which includes funding for High Energy and Nuclear Physics. The Committee's recommendations for these programs for fiscal year 1996 total $1,834,491,000, including a total of $100,000,000 for the Administration's Scientific Facilities Initiative to enhance the utilization of the Department's fundamental science and user facilities. This represents an increase of $5,542,000 over the budget request, and an increase of $116,520,000—or 6.8 percent—above the current year estimate of $1,717,971,000.

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.

DEPARTMENT OF ENERGY SUMMARY

[Fiscal years, dollars in thousands]

	1995 adjusted	1996 request	1996 mark	Mark compared with (+ or −)	
				1995 adjusted	1996 request
ENERGY SUPPLY RESEARCH AND DEVELOPMENT ACTIVITIES					
Solar Energy and Renewable Energy Programs:					
Solar Energy:					
Solar Buildings Technology Research	4,610	4,657	0	−4,610	−4,657
Photovoltaic Energy Systems	87,527	88,129	65,129	−22,398	−23,000
Solar Thermal Energy Systems	31,458	33,943	27,742	−3,716	−6,201
Biofuels Energy Systems	59,643	80,380	46,637	−13,006	−33,743
Wind Energy Systems	47,139	49,820	10,389	−36,750	−39,431
Solar International Program	9,087	29,154	0	−9,087	−29,154
Solar Technology Transfer	22,406	17,758	0	−22,406	−17,758
Solar Program Support	12,199	7,345	0	−12,199	−7,345
Resource Assessment	3,950	4,665	2,000	−1,950	−2,665
National Renewable Energy Laboratory	5,963	6,000	500	−5,463	−5,500
Program Direction	8,200	9,460	5,500	−2,700	−3,960
Subtotal, Solar Energy	292,182	331,311	157,897	−134,285	−173,414
Review of Uncosted Balances	0	−4,888	−4,888	−4,888	0
Total, Solar Energy	292,182	326,423	153,009	−139,173	−173,414
Geothermal Energy	37,807	36,972	20,345	−17,462	−16,627
Hydrogen Research and Development	9,616	7,334	25,000	+15,384	+17,666
Hydropower	4,846	980	0	−4,846	−980
Electric Energy Systems and Storage	44,376	46,942	34,297	−10,079	−12,645

DEPARTMENT OF ENERGY SUMMARY—Continued

[Fiscal years, dollars in thousands]

	1995 adjusted	1996 request	1996 mark	Mark compared with (+ or −)	
				1995 adjusted	1996 request
Policy and Management—Energy Efficiency and Renewable Energy	4,817	4,746	2,800	−2,017	−1,946
Total, Solar and Renewable Energy Programs	393,644	423,397	235,451	−158,193	−187,946
Nuclear Energy Programs:					
Nuclear Energy R&D:					
Light Water Reactors	64,329	49,740	63,740	−589	+14,000
Advanced Reactor R&D	19,948	0	0	−19,948	0
Space Power Reactor Systems	1,224	0	0	−1,224	0
Advanced Radioisotope Power Systems	59,894	49,237	48,512	−11,382	−725
Facilities, Operating Expenses	7,027	0	0	−7,027	0
Nuclear Technology R&D	0	37,300	35,810	+35,810	−1,490
Program Direction	12,500	13,000	8,000	−4,500	−5,000
Policy and Management-Nuclear Energy	11,900	10,200	5,000	−6,900	−5,200
Test Reactor Area (TRA) Hot Cells	1,430	1,400	1,400	−30	0
Oak Ridge Landlord [1]	14,252	18,685	0	−14,252	−18,685
Test Reactor Area Landlord [1]	3,959	4,000	0	−3,959	−4,000
Advanced Test Reactor (ATR) Fusion Irradiations	2,683	2,303	2,303	−380	0
University Nuclear Science and Reactor Support	0	6,130	6,130	+6,130	0
Subtotal, Nuclear Energy Research and Development	199,146	191,995	170,895	−28,251	−21,100
Termination Costs	69,705	81,700	74,250	+4,545	−7,450
Isotope Support, Operating Expenses	19,493	25,358	25,303	+5,810	−55
Soviet-Designed Reactor Safety, Operating Expenses	0	78,764	0	0	−78,764
Russian Replacement Power Initiatives, Operating Expenses	0	5,000	0	0	−5,000
Total, Nuclear Energy Programs	288,344	382,817	270,448	−17,896	−112,369
Civilian Radioactive Waste Research and Development	692	699	0	−692	−699
Environment, Safety and Health	143,920	166,759	128,433	−15,487	−38,326
Energy Research Programs:					
Biological and Environmental Research	436,641	431,664	369,645	−66,996	−62,019
Fusion Energy	368,421	366,045	254,144	−114,277	−111,901
Basic Energy Sciences	733,940	811,419	827,981	+94,041	+16,562
Advanced Neutron Source	20,764	0	0	−20,764	0
Energy Research Analysis	3,407	3,463	0	−3,407	−3,463

DEPARTMENT OF ENERGY SUMMARY—Continued

[Fiscal years, dollars in thousands]

	1995 adjusted	1996 request	1996 mark	Mark compared with (+ or −)	
				1995 adjusted	1996 request
Energy Research Laboratory Technology Transfer	56,900	58,776	0	−56,900	−58,776
Advisory and Oversight Program Direction	12,450	9,780	6,200	−6,250	−3,580
Policy and Management—Energy Research	2,200	2,200	2,200	0	0
Multiprogram Energy Laboratories—Facilities Support	43,034	51,016	39,327	−3,707	−11,689
Total, Energy Research Programs	1,677,757	1,734,363	1,499,497	−178,260	−234,866
Energy Support Activities:					
University and Science Education	69,572	55,418	0	−69,572	−55,418
Technical Information Management Program	16,124	17,450	14,394	−1,730	−3,056
Technology Partnerships	0	3,153	0	0	−3,153
In-House Energy Management	30,729	28,789	0	−30,729	−28,789
Total, Energy Support Activities	116,425	104,810	14,394	−102,031	−90,416
Environmental Management (Non-Defense):					
Corrective Activities	26,700	5,404	4,339	−22,361	−1,065
Environmental Restoration	388,597	417,758	373,400	−15,197	−44,358
Waste Management	243,016	206,145	207,358	−35,658	+1,213
Nuclear Materials and Facility Stabilization	73,336	83,683	73,100	−236	−10,583
General Reduction	0	0	−14,000	−14,000	−14,000
Environmental Management (Non-Defense)	731,649	712,990	644,197	−87,452	−68,793
Total, Energy Supply Research and Development	3,352,431	3,525,835	2,792,420	−560,017	−733,415
GENERAL SCIENCE AND RESEARCH ACTIVITIES					
High Energy Physics	642,129	685,552	680,137	+38,008	−5,415
Nuclear Physics	331,502	321,078	316,873	−14,629	−4,205
Program Direction	10,400	10,900	9,500	−900	−1,400
Total, General Science and Research	984,031	1,017,530	1,006,510	+22,479	−11,020
FOSSIL ENERGY RESEARCH AND DEVELOPMENT					
Coal	154,393	114,881	49,955	−104,438	−64,926
Oil Technology	81,708	86,773	43,234	−38,474	−43,539
Gas	116,273	145,845	59,829	−56,444	−86,016
Program Direction and Management Support	72,263	69,897	45,535	−26,728	−24,362
Plant and Capital Equipment	5,010	4,005	2,470	−2,540	−1,535
Cooperative R&D	9,082	0	7,557	−1,525	+7,557
Fossil Energy Environmental Restoration	16,431	18,919	12,370	−4,061	−6,549

DEPARTMENT OF ENERGY SUMMARY—Continued

[Fiscal years, dollars in thousands]

	1995 adjusted	1996 request	1996 mark	Mark compared with (+ or −)	
				1995 adjusted	1996 request
Fuels Conversion, Natural Gas, and Electricity	3,007	2,687	0	−3,007	−2,687
Total, Fossil Energy Research and Development	458,167	443,007	220,950	−237,217	−222,057
Clean coal technology	37,121	44,981	0	−37,121	−44,981
ENERGY CONSERVATION RESEARCH AND DEVELOPMENT					
Buildings Sector	115,636	154,802	55,074	−60,562	−99,728
Industry Sector	135,193	172,867	55,110	−80,083	−117,757
Transportation Sector	206,257	262,308	112,123	−94,134	−150,185
Utility Sector	8,756	9,930	0	−8,756	−9,930
Technical and Financial Assistance (Non-Grants)	40,359	45,435	7,813	−32,546	−37,622
Policy and Management—Energy Conservation	8,342	11,332	0	−8,342	−11,332
Total, Energy Conservation Research and Development	514,543	656,674	230,120	−284,423	−426,554
Total, Department of Energy	5,346,293	5,688,027	4,250,000	−1,096,293	−1,438,027

[1] Management and Funding transferred to the Office of Environmental Management.

VI. Section-by-Section Analysis

SECTION 1. SHORT TITLE

Cites the Act as the "Department of Energy Civilian Research and Development Act of 1995."

SECTION 2. DEFINITIONS

Section 2 contains definitions of terms used in the Act, and defines (1) "CERN" as the European Organization for Nuclear Research; (2) "Department" as the "Department of Energy"; (3) "Large Hadron Collider project" as the Large Hadron Collider project at CERN; (4) "major construction project" as a civilian research, development, demonstration, or commercial application project whose construction costs are estimated to exceed $100,000,000 over the life of the project; (5) "Secretary" as the Secretary of Energy; (6) "substantial construction project" as a civilian research, development, demonstration, or commercial application project whose construction costs are estimated to exceed $10,000,000, but not to exceed $100,000,000 over the life of the project; and (7) "substantial equipment acquisition" as the acquisition of civilian research, development, demonstration, or commercial application project at a cost estimated to exceed $10,000,000 for the entire acquisition.

SECTION 3. AUTHORIZATION OF APPROPRIATIONS

Section 3 authorizes a total of $4,250,000,000 for fiscal year 1996 for Department of Energy civilian energy research, development, demonstration, and commercial application programs.

Subsection 3(a) authorizes a total of $2,792,420,000 for Energy Supply Research and Development Activities for fiscal year 1996, for the following: (1) $235,451,000 for Solar and Renewable Energy; (2) $270,448,000 for Nuclear Energy (including, subject to subsection 4(c), $14,000,000 for the AP600 light water reactor); (3) $128,433,000 for Environment, Safety and Health; (4) $369,645,000 for Biological and Environmental Research; (5) $254,144,000 for Fusion Energy (including $245,144,000 for Magnetic Fusion Energy operating and capital equipment and $8,000,000 for Inertial Fusion Energy); (6) $827,981,000 for Basic Energy Sciences (including $60,000,000 for the Administration's Scientific Facilities Initiative); (7) $6,200,000 for Advisory and Oversight Program Direction; (8) $2,200,000 for Policy and Management—Energy Research; (9) $39,327,000 for Multiprogram Energy Laboratories—Facilities Support; (10) $14,394,000 for Technical Information Management Program; and (11) $644,197,000 for Environmental Management (Non-Defense).

Subsection 3(b) authorizes a total of $1,006,510,000 for General Science and Research Activities for fiscal year 1996, as follows: (1) $680,137,000 for High Energy Physics (including $15,000,000 for the Administration's Scientific Facilities Initiative); (2) $316,873,000 for Nuclear Physics (including $25,000,000 for the Administration's Scientific Facilities Initiative); and (3) $9,500,000 for Program Direction.

Subsection 3(c) authorizes a total of $220,950,000 for Fossil Energy Research and Development for fiscal year 1996, including: (1) $49,955,000 for Coal; (2) $43,234,000 for Oil Technology, including maintaining programs at the National Institute for Petroleum and Energy Research; (3) $59,829,000 for Gas; (4) $45,535,000 for Program Direction and Management Support; (5) $476,000 for Capital Equipment; (6) $1,994,000 for General Plant Projects; (7) $7,557,000 for Cooperative Research and Development, and (8) $12,370,000 for Fossil Energy Environmental Restoration.

Subsection 3(d) authorizes a total of $230,120,000 for Energy Conservation Research and Development for fiscal year 1996, including: (1) $55,074,000 for Buildings Sector; (2) $55,110,000 for Industry Sector; (3) $112,123,000 for Transportation Sector; and (4) $7,813,000 for Technical and Financial Assistance (Non-Grants).

Section 3 authorizes operating and capital equipment as one amount for each program (except in the case of Fossil Energy Research and Development) in order to allow the Department flexibility in the use of funds; line-item construction projects are authorized separately.

SECTION 4. FUNDING LIMITATIONS

Subsection 4(a) prohibits the use of the funds authorized by the Act for 42 specific programs, projects, and activities: (1) Solar Buildings Technology Research; (2) Solar International Program; (3) Solar Technology Transfer; (4) Solar Program Support; (5) Hy-

dropower; (6) Space Power Reactor Systems; (7) Nuclear Energy Facilities; (8) Soviet-Designed Reactor Safety; (9) Russian Replacement Power Initiative; (10) Civilian Radioactive Waste Research and Development; (11) Tokamak Physics Experiment; (12) Advanced Neutron Source; (13) Energy Research Analysis; (14) Energy Research Laboratory Technology Transfer; (15) University and Science Education; (16) Technology Partnerships; (17) In-House Energy Management; (18) Direct Liquefaction; (19) Indirect Liquefaction; (20) Systems for Coproducts; (21) High Efficiency-Integrated Gasification Combined Cycle; (22) High Efficiency-Pressurized Fluidized Bed; (23) Technical and Economic Analysis; (24) International Program Support; (25) Coal Technology Export; (26) Gas Delivery and Storage; (27) Gas Utilization; (28) Fuels Cells Climate Change Action Plan; (29) Fuels Conversion, Natural Gas, and Electricity; (30) Clean Coal Technology Program; (31) Buildings Sector Implementation and Deployment; (32) Industry Sector Municipal Solid Wastes; (33) Industry Sector Implementation and Deployment; (34) Alternative Fuels Utilization; (35) Transportation Sector Implementation and Deployment; (36) Utility Sector Integrated Resource Planning; (37) International Market Development; (38) Inventions and Innovation Program; (39) Municipal Energy Management; (40) Information and Communications; (41) Policy and Management—Energy Conservation; and (42) Gas Turbine-Modular Helium Reactor.

Subsection 4(b) provides that no funds may be available for obligation or expenditure for two academic earmarks contained in the 1995 Energy and Water Development Appropriations Act Conference Report (House Report 103–672): (1) the University of Nebraska Medical Center Transplant Center and (2) the Oregon Health Sciences University. Also, Subsection 4(c)(3) prohibits the use of funds for the conduct of any rulemaking activities relating to determinations for or prescriptions of new or amended standards with respect to Lighting and Appliance Standards and Building Standards and Guidelines, including the promulgation or issuance of notices of proposed rulemakings, proposed rules, or final rules.

Subsection 4(c) provides that funds appropriated for the AP600 light water reactor shall be available only to the extent that matching private sector funds are provided for such project, and subject to the condition that such Federal funds shall be repaid to the United States out of royalties on the first commercial sale of such reactor design.

SECTION 5. LIMITATION ON APPROPRIATIONS

Subsection 5(a) provides that, notwithstanding any other provision of law, no sums are authorized to be appropriated for fiscal year 1996 for Energy Supply Research and Development, General Science and Research, Fossil Energy Research and Development, or Energy Conservation Research and Development activities of the Department unless such sums are specifically authorized to be appropriated by this Act.

Subsection 5(b) provides that no sums are authorized to be appropriated for any fiscal year after fiscal year 1996 for any civilian research, development, demonstration, or commercial application program, project, or activity of the Department of Energy unless

such sums are specifically authorized to be appropriated by an Act of Congress with respect to such fiscal year.

SECTION 6. MERIT REVIEW REQUIREMENT OF AWARDS FOR FINANCIAL ASSISTANCE

Subsection 6(a) prohibits the Secretary of Energy from awarding financial assistance to any person for civilian research, development, demonstration, or commercial application activities, including related facility construction, unless an objective merit review process is used to award the financial assistance. Financial assistance is specifically defined as "the transfer of funds or property to a recipient or subrecipient to accomplish a public purpose of support or stimulation authorized by Federal law," and specifically states that cooperative research and development agreements as defined in Subsection 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1)) are not subject to the provisions of this section, nor are grants that call upon the National Academy of Sciences, the National Academy of Engineering, the Institute of Medicine, or the National Academy of Public Administration to report to Congress or to any agency of the Federal Government.

Subsection 6(b) provides that no provision of law may modify or supersede the preceding requirement unless that law specifically refers to the subsection 6(a) prohibition, states that the subsection 6(a) prohibition is modified or superseded, and identifies the person making the award. Finally, the Secretary must notify Congress 180 days prior to making an award inconsistent with the prohibition of subsection 12(a).

SECTION 7. POLICY ON CAPITAL PROJECTS AND CONSTRUCTION

Subsection 7(a) prohibits the appropriation of funds to the Secretary of Energy and the obligation of funds by the Secretary for civilian research, development, demonstration, or commercial application construction projects and equipment acquisitions that have not been specifically authorized by statute.

Subsection 7(b) requires the Secretary: (1) to submit to Congress within 180 days after enactment of this Act, a report that identifies and provides specific financial estimates for construction projects and acquisitions for which the preliminary design phase is completed but the construction or acquisition is not yet completed, and (2) to submit to Congress after completion of the preliminary design phase of a major construction project a report with specific financial estimates.

SECTION 8. FURTHER AUTHORIZATIONS

Section 8 states that nothing in this Act shall preclude further authorization of appropriations for civilian research, development, demonstration, and commercial application activities of the Department of Energy for fiscal year 1996; provided, that authorization allocations adopted by the Conference Committee on House Concurrent Resolution 67, and approved by Congress, allow for such further authorizations.

SECTION 9. HIGH ENERGY AND NUCLEAR PHYSICS

Subsection 9(a)(1) directs the Secretary of Energy, in consultation with the Director of the National Science Foundation (NSF) and the Secretary of State, to enter into negotiations with CERN concerning U.S. participation in the planning and construction of the Large Hadron Collider (LHC) at CERN and to ensure that any agreement includes provisions to protect the U.S. investment in the project, including provisions for (A) the fair allocation of costs and benefits among project participants; (B) a limitation on the amount of the U.S. contribution to project construction and an estimate of the U.S. contribution to subsequent operating costs; (C) a cost and schedule control system for the entire project; (D) a preliminary statement of costs and the schedule for all component design, testing, and fabrication, including technical goals and milestones, and a final statement of such costs and schedule within one year after the date on which the parties enter into the agreement; (E) a preliminary statement of costs and the schedule for total project construction and operation, including technical goals and milestones, and a final statement of such costs and schedule within one year after the date on which the parties enter into the agreement; (F) reconsideration of the extent of U.S. participation if technical or operational milestones described in (D) and (E) are not met, or if the project falls significantly behind schedule; (G) conditions of access for U.S. and other scientists to the facility; and (H) a process for addressing international coordination and cost sharing on high energy projects beyond the LHC.

Subsection 9(a)(2) specifies that nothing in this Act shall be construed to preclude the President from entering into negotiations with respect to international science agreements.

Subsection 9(b) directs the Secretary of Energy, in consultation with the Director of NSF, to prepare and transmit to Congress, before January 1, 1996, a strategic plan for the high energy and nuclear physics activities of the Department, assuming a combined budget of $950,000,000 for all such activities for fiscal year 1997, and assuming a combined budget for all such activities of $900,000,000 for each of fiscal years 1998, 1999, and 2000. The report shall include (1) a list of research opportunities to be pursued, including both ongoing and proposed activities; (2) an analysis of the relevance of each research facility to the research opportunities listed under (1); (3) a statement of the optimal balance among facility operations, construction, and research support and the optimal balance between university and laboratory research programs; (4) schedules for the continuation, consolidation, or termination of each research program, and continuation, upgrade, transfer, or closure of each research facility; and (5) a statement by project of efforts to coordinate research projects with the international community to maximize the use of limited resources and avoid duplication of efforts.

SECTION 10. PROHIBITION OF LOBBYING ACTIVITIES

Section 10 states that none of the funds authorized by this Act shall be available for any activity whose purpose is to influence legislation pending before the Congress.

SECTION 11. ELIGIBILITY FOR AWARDS

Subsection 11(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 11(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 11(b) states that Subsection 11(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 12. TERMINATION COSTS

Section 12 allows the use of unobligated funds previously appropriated for the Clean Coal Technology Program to pay costs associated with the termination of Energy Supply Research and Development, General Science and Research, Fossil Energy Research and Development, and Energy Conservation Research and Development programs, projects, and activities of the Department.

VII. COMMITTEE VIEWS

As noted earlier, the Committee's funding recommendations for fiscal year 1996 are well below current year levels. However, recent reviews of the Department of Energy indicate that considerable efficiencies can be achieved with little or no loss to the Department's productive activities.

The Secretary of Energy Advisory Board's (SEAB's) Task Force on Alternative Futures for the Department of Energy National Laboratories (the Galvin Task Force) report of February, 1995, criticized the Department's management of its laboratories, which expend some $6,000,000,000 annually. The Galvin Task Force estimated that there was room for improvement of between 20 and 50 percent in the effectiveness of the laboratories themselves, on top of significant staff and overhead economies in the Department.

In addition, the SEAB Task Force on Strategic Energy Research and Development (the Yergin Task Force) report of June, 1995, stated that the Task Force believed "significant reductions in energy R&D costs can be achieved—without reducing the commitment to research—through streamlining administration, eliminating unnecessary bureaucracy and red tape, and reducing the burdensome and duplicative compliance regulations and procedures." The Yergin Task Force recommended "that DOE establish 15 percent of total energy R&D costs as an appropriate target for reductions in administrative, compliance, and other overhead costs associated with energy R&D programs."

And finally, the Administration's own plan for the Department to achieve more than $14.1 billion in savings over the next five years is an acknowledgment of the Department's inefficiencies.

The Committee expects the Department to take reductions in those areas that have been identified as targets for improvement

by the Galvin and Yergin Task Forces, as well as by the General Accounting Office in numerous reports.

Merger of operating and capital equipment accounts

The Committee recommends merging operating and capital equipment funding in order that the Department may more efficiently allocate resources as needed without the necessity of submitting to a laborious, time-consuming and costly reprogramming process in order to shift monies between these two accounts.

The Committee also endorses the approach recommended by the House Committees on Appropriations and National Security that would merge general plant projects and accelerator improvement projects with a cost less than $2,000,000 with operating and capital equipment funding into an operation and maintenance account. Such an approach would give the Department even greater flexibility.

The Committee also concurs with the directive of the Committees on Appropriations and National Security that the Department, in implementing this change, continue to reflect the capital equipment, general plant projects and accelerator improvement projects in the financial and accounting reports, as well as in the annual budget justifications.

SECTION 3—AUTHORIZATION OF APPROPRIATIONS

Funds recommended in Section 3 provide for Department of Energy programs in fiscal year 1996 relating to: (a) Energy Supply Research and Development Activities; (b) General Science and Research Activities; (c) Fossil Energy Research and Development; and (d) Energy Conservation Research and Development. The Committee recommendations total $4,250,000,000, a decrease of $1,438,027,000 from the fiscal year 1996 request of $5,688,027,000, and a decrease of $1,096,293,000 from the fiscal year 1995 estimate of $5,346,293,000.

Energy supply research and development activities

The authorization of appropriations recommended in fiscal year 1996 for Energy Supply Research and Development activities address the Department of Energy's fiscal year 1996 budget requests for Solar and Renewable Energy programs; Nuclear Energy programs; Environment, Safety and Health; Energy Research programs, including the Biological and Environmental Research program, Fusion Energy program, Basic Energy Sciences program, Advanced Neutron Source, Energy Research Analysis, Energy Research Laboratory Technology Transfer, Advisory and Oversight Program Direction, and Policy and Analysis—Energy Research; and Energy Support Activities, including University and Science Education, Technical Information Management Program, Technology Partnerships, and In-House Energy Management; and Environmental Management (Non-Defense). The Committee recommendations for Energy Supply Research and Development Activities in fiscal year 1996 total $2,792,420,000, a decrease of $733,415,000 from the fiscal year request of $3,525,835,000, and a decrease of $560,017,000 from the fiscal year 1995 estimate of $3,352,431,000.

Solar and renewable energy programs

The Committee recommendation for Solar and Renewable Energy Programs in fiscal year 1996 is $235,451,000, a decrease of $187,946,000 from the fiscal year 1996 budget request of $423,397,000.

Solar Energy.—The Committee's recommended funding for fiscal year 1996 is $153,009,000, a decrease of $173,414,000 from the fiscal year 1996 budget request of $326,423,000. The recommended funding level includes the use of $4,888,000 in uncosted balances as requested by the Department, and reflects the redirection of budget priorities for energy research and development programs from commercial applications—and accompanying corporate and special-interest subsidies—to basic research. Accordingly, funds are not provided for the Solar Buildings Technology Research, Solar International, Solar Technology Transfer, and Solar Program Support programs, and bill language (subsections 4(a)(1), 4(a)(2), 4(a)(3), and 4(a)(4), respectively) that provides that none of the funds authorized by this Act may be used for these programs. The Committee recommendations for Photovoltaic Energy Systems, Solar Thermal Energy Systems, Biofuels Energy Systems, Wind Energy Systems, Resource Assessment, National Energy Renewable Energy Laboratory, and Program Direction are as follows:

Photovoltaic Energy Systems.—The Committee recommendation is $65,129,000, a decrease of $23,000,000 from the budget request of $88,129,000, to provide an increase of $11,000,000 to Fundamental Research to continue cooperating in photovoltaic-related research projects with the Basic Energy Sciences Program. Reductions include $14,000,000 for the Collector Research and Systems Development systems evaluation and deployment activity, $18,000,000 for market mobilization efforts, and $2,000,000 for design services. This will provide $65,129,000 to fund Fundamental Research ($18,741,000) at an $11,000,000 increase above the request, and to fund Advanced Materials and Devices ($24,812,000), the Photovoltaic Manufacturing Project ($17,606,000), and capital equipment ($3,970,000) at the request level.

Solar Thermal Energy Systems.—The Committee recommendation is $27,742,000, a decrease of $6,201,000 from the budget request of $33,943,000, to reduce funding for Commercial Applications by $3,371,000, except for testing of Phase II 25 kWe dish/engine systems ($10,619,000), full-scale testing of Solar Two plant ($2,100,000) and continuation of Phase II of heliostat contracts for low-cost solar collectors ($3,100,000); and to reduce funding for Solar Industrial Applications by $2,830,000 by eliminating $800,000 in funding for solar equipment demonstrations and international marketing, $800,000 in funding for other Federal demonstration agency projects, and $1,230,000 in funding for State and utility demonstration projects.

Biofuels Energy Systems.—The Committee recommendation is $46,637,000, a decrease of $33,743,000 from the budget request of $80,380,000, to delete all funding to subsidize: (1) existing thermochemical biomass plants (−$2,000,000); (2) new biomass thermochemical conversion facilities (−$20,000,000);

(3) new biomass gasifiers/electric generation systems (−$9,226,000); (4) municipal solid waste bioprocessing projects (−$3,077,000); (5) special-interest involvement in the evaluation of proposals and projects (−$1,000,000); (6) deployment of commercial biochemical conversion plants (−$2,500,000); and (7) the Regional Biomass Program (−$3,940,000). The Committee recommendation provides $16,060,000 for Biochemical Conversion scientific research and technology development, an increase of $8,000,000 above the request.

Wind Energy Systems.—The Committee recommendation is $10,389,000, a decrease of $39,431,000 from the budget request of $49,820,000, to fund Applied Research at the request level ($8,900,000), and to delete $39,431,000 in funding for the Utility and Industry Programs, which subsidize utilities and other special interests.

Resource Assessment.—The Committee recommendation is $2,000,000, a decrease of $2,265,000 from the budget request of $4,665,000,

National Renewable Energy Laboratory.—The Committee recommendation is $500,000, a decrease of $5,500,000 from the budget request of $6,000,000, to delete funding of $5,500,000 for Project 96–E–100, Field Test Laboratory Building, due to the reduced level of effort.

Program Direction.—The Committee recommendation is $5,500,000, a decrease of $3,960,000 from the budget request of $9,460,000, due to reduced level of effort.

Geothermal.—The Committee recommendation is $20,345,000, a decrease of $16,627,000 from the budget request of $36,972,000, to delete funding for corporate and special-interest subsidies for international marketing (−$1,000,000), Kalina Cycle (−$8,080,000), "market mobilization programs" (−$7,000,000), and capital equipment (−$397,000); and to reduce Program Direction to reflect reduced level of effort (−$150,000).

Hydrogen Research and Development.—The Committee has increased funding for Hydrogen Research and Development to $25,000,000, an increase of $17,666,000 over the budget request of $7,334,000, consistent with the level authorized for fiscal year 1996 in H.R. 655, the Hydrogen Future Act of 1995, which passed the House on May 2, 1995.

Hydropower.—The Committee recommends termination of this program due to severe budget constraints.

Electric Energy Systems and Storage.—The Committee recommendation for Electric Energy Systems and Storage is $34,297,000, a decrease of $12,645,000 from the budget request of $46,942,000, including decreases of: (1) $6,153,000 for Reliability Research to terminate work that represents a subsidy to utilities; (2) $6,442,000 for Systems and Materials Research to maintain fiscal year 1995 level of effort; and (3) $50,000 for Program Direction for reduced level of effort.

The fiscal year 1996 requested level of $9,942,000 is provided for electric and magnetic field (EMF) research, bringing the total amount authorized under Subsection 2118(j)(1) of P.L. 102-486 to $40,613,000, only $7,880,000 of which has been matched by non-Federal sources to date as required by Subsection 2118(f)(3) of P.L.

102-486. Pursuant to existing law, the Secretary may only obligate that portion of the $9,942,000 appropriated for which the Secretary has received a 50-percent offset from non-Federal sources. The remaining matching requirement for fiscal years 1993 through 1995 must be brought into compliance as well.

Policy and Management—Energy Efficiency and Renewable Energy.—The Committee recommendation is $2,800,000, a decrease of $1,946,000 from the budget request of $4,746,000, due to the reduced level of effort.

Nuclear Energy Programs

The Committee recommendation for Nuclear Energy programs is $270,448,000, a decrease of $112,369,000 from the budget request of $382,817,000, and endorses the Department's fiscal year 1996 requests for (1) Advanced Test Reactor Fusion Irradiations ($2,303,000); (2) University Nuclear Science and Reactor Support ($6,130,000); (3) Test Reactor Area Hot Cells ($1,400,000); and (4) termination of funding for the Gas Turbine-Modular Helium Reactor in Advanced Reactor R&D, Space Power Reactor Systems, and Facilities programs. Bill language is included in Subsections 4(a)(42), 4(a)(6), and 4(a)(7) that provides that none of the funds authorized by this Act may be used for the Gas Turbine-Modular Helium Reactor, Space Power Systems, and Facilities programs, respectively.

The Committee recommendation also assumes the transfer of the management and funding of Oak Ridge Landlord and Test Reactor Landlord functions to the Environmental Management (Non-Defense) program, and, consequently no funds for these functions are recommended within the Nuclear Energy Programs account.

Light Water Reactors.—The recommendation provides $63,740,000 for Light Water Reactors, an increase of $14,000,000 over the request level of $49,740,000, and includes: (1) $30,400,000 for design certification and $26,840,000 for first-of-a-kind engineering activities for Advanced Light Water Reactors; and (2) $6,500,000 for Current and Advanced Safety and Licensing Support. Bill language (Subsection 4(c)) provides that funds appropriated for the AP600 light water reactor shall be available only to the extent that matching private sector funds are provided for such project, and subject to the condition that such Federal funds shall be repaid to the United States out of royalties on the first commercial sale of such reactor design. The Committee recommendation assumes that fiscal year 1996 will be the last year of funding for the design certification program.

Advanced Radioisotope Power Systems.—The recommendation provides $48,512,000 for Advanced Radioisotope Power Systems, a decrease of $725,000 from the request level of $49,237,000.

Nuclear Technology R&D.—The recommendation provides $35,819,000 for Nuclear Technology R&D, a decrease of $1,490,000 from the request level of $37,300,000, to eliminate funding for undefined management studies, evaluations, and other support activities. The National Research Council's Committee on Electrometallurgical Techniques for DOE Spent Fuel Treatment is undertaking an assessment of Argonne National Laboratory's proposed electrometallurgical processing techniques as a potential ap-

proach for treating DOE spent nuclear fuel. In February, 1995, the National Research Council's Committee provided a preliminary assessment report that supports the continuation of research and development activities through fiscal year 1996. Funding beyond fiscal year 1996 is contingent on the results of that assessment.

Program Direction and Policy and Management—Nuclear Energy.—The recommendation provides $8,000,000 for Program Direction—a decrease of $5,000,000 from the request of $13,000,000—and $5,000,000 for Policy and Management—Nuclear Energy—a decrease of $5,200,000 from the request of $10,200,000—to reflect the downsizing of the Nuclear Energy Programs.

Isotope Support.—The Committee recommendation is $25,303,000, a reduction of $55,000 from the budget request of $25,358,000. The Committee notes that the House Committee on Appropriations has recommended the transfer funding for Test Reactor Hot Cells from Nuclear Energy Research and Development to Isotope Support "[i]n order to consolidate related isotope production activities" and endorses this transfer. The Committee also shares the House Appropriations Committee's concern about the level of administrative oversight supporting the Isotopes Support program.

Termination Costs.—The Committee recommendation is $74,250,000, a reduction of $7,450,000, from the request of $81,700,000, and includes none of the requested $7,250,000 for termination of the Gas Turbine-Modular Helium Reactor.

Soviet-Designed Reactor Safety and Russian Replacement Power Initiatives.—The Committee recommendation does not include funding requested for two new initiatives: (1) $78,764,000 requested for Soviet-Designed Reactor Safety; and (2) $5,000,000 requested for Russian Replacement Power Initiatives. Funding for the Soviet-Designed Reactor Safety program has been funded by the U.S. Agency for International Development (AID), and AID should continue funding any required work for this program in fiscal year 1996. The Russian Replacement Power Initiatives is also a program whose primary purpose derives from foreign policy considerations, and funding should be provided through the Department of State directly or AID. Bill language is included in Subsections 4(a)(8) and 4(a)(9) that provides that none of the funds authorized by this Act may be used for Soviet-Designed Reactor Safety or Russian Replacement Power Initiatives, respectively.

Civilian waste research and development

The Committee's recommendation does not provide any fiscal year 1996 funding for the Civilian Waste Research and Development Program. This program funds the monitoring of casks at the Idaho National Engineering Laboratory containing fuel for dry storage demonstration projects and participation in a DOE/industry/utility research, development, and demonstration project to develop a dry spent fuel transfer system and a transport/storage system as an alternative method of providing additional spent fuel storage at nuclear power plant sites. The Program is recommended for termination because it represents an inappropriate subsidy to the private sector. Bill language is included in Subsection 4(a)(10) that provides that none of the funds authorized by this Act may be used for the Program.

Environment, safety and health

The Committee recommends $128,433,000 for Environment, Safety and Health, a reduction of $38,326,000 from the budget request of $166,759,000, to fund Environment at the fiscal year 1996 request level ($7,200,000) and reductions of (1) $4,404,000 for Worker Health and Safety; (2) $17,600,000 for Health Studies; (3) $1,575,000 for Oversight; and (4) $2,000,000 for Business Performance Systems to maintain the fiscal year 1995 level of effort. In addition, the recommendation reduces (1) Program Direction by $9,067,000 to reflect the lower level of overall funding, and the elimination of excessive oversight and contractor support; and (2) Nuclear Safety Policy by $3,680,000 to eliminate excessive oversight and reporting requirements.

Energy Research Programs

Energy Research programs include the Biological and Environmental Research program, Fusion Energy program, Basic Energy Sciences program, Advanced Neutron Source, Energy Research Analysis, Energy Research Laboratory Technology Transfer, Advisory and Oversight Program Direction, Policy and Analysis—Energy Research, and Multiprogram Energy Laboratories—Facilities Support. The Committee recommendation of $1,499,497,000 for Energy Research programs from the request, a decrease of $234,866,000 from the request of $1,734,363,000, endorses the Department's request to terminate funding for the Advanced Neutron Source and the request for Policy and Management—Energy Research ($2,200,000). Bill language is included in Subsection 4(a)(12) that provides that none of the funds authorized by this Act may be used for the Advanced Neutron Source.

Biological and Environmental Research.—The Committee recommendation of $369,645,000 is $62,019,000 less than the budget request of $431,664,000.

The Committee recommendations include decreases for a number of activities that have limited relevance to DOE missions, including (1) $500,000 for Measurement Science for development of new technology for study of ocean environments; (2) $600,000 in Atmospheric Science for initiation of field experiments in the Pacific Ocean region; (3) $7,155,000 in Marine Transport for Ocean Margins Program; (4) $5,320,000 in Ecosystem Functioning and Response for research on the potential ecological consequences of human-induced climate change; (5) $1,500,000 for Carbon Dioxide Research Core Program for FACE (Free-Air Carbon Dioxide Enrichment) experiments in forest ecosystems with USDA; (6) $4,469,000 for Oceans Research for World Ocean Circulation Experiment; (7) $1,000,000 for Unmanned Aerospace Vehicles; (8) $3,319,000 for Global Change Integrated Assessment; and (9) $11,000,000 for the National Institute for Global Environmental Change (NIGEC).

Other decreases include (1) $10,857,000 for Computer Hardware, Advanced Mathematics and Model Physics (CHAMMP) to eliminate a duplicative and redundant program that is developing more climate system models; (2) $600,000 for Program Direction to reflect the reduced level of effort; (3) $4,749,000 for global climate change capital equipment; (3) $950,000 for Project GPE–120, General

Plant Projects to maintain the fiscal year 1995 level of effort; and (4) $10,000,000 for Project 91–EM–100, Environmental Molecular Sciences Laboratory, Pacific Northwest Laboratory, to maintain the fiscal year 1995 level of effort.

Fusion Energy.—The Committee recommendation for the Fusion Energy Program is $254,144,000, a decrease of $111,901,000 from the request level of $366,045,000, and includes $246,144,000 for Magnetic Fusion Energy and $8,000,000 for Inertial Fusion Energy (an increase of $1,000,000 to the request for operating expenses).

For well over four decades, researchers have been working to tap the essentially infinite power of fusion, the fundamental energy source of the universe, and have spent some $9 billion in this quest. The program has made great progress, as evidenced by the results achieved by the Tokamak Fusion Test Reactor (TFTR) at Princeton Plasma Physics Laboratory. The program has also established an interesting model for international collaboration through the International Thermonuclear Experimental Reactor (ITER) process.

However, with the program's near-total focus on the tokamak concept, it will require decades of further development and the expenditure of an additional tens of billions of dollars, with no promise that the end product will achieve the levels of economic viability, public acceptance, and regulatory simplicity required of a practical power system. Given the mandate to balance the budget, the Committee is not able to provide funding to support the direction of the fusion program as requested by the Department, which includes funding both the ITER and the Tokamak Physics Experiment (TPX). Budget realities dictate that the Department must develop a revised program strategy for fusion energy at a much reduced level.

The Committee recommendation strongly supports the ITER "process", and directs that, within available funds, the Department continue U.S. participation in the Engineering Design Activities phase of ITER, to which the U.S. is committed through fiscal year 1998 under existing international agreements.

The Committee recommendation also supports, to the maximum extent practicable, the maintenance of ITER-relevant experiments on existing devices, including experiments on (1) confinement, pressure limits, power and particle control, and current drive carried out on the DIII-D tokamak, the most productive of the current Department of Energy fusion research facilities supporting ITER; and (2) power and particle control with an ITER-like configuration, radio-frequency wave heating, and confinement in a high-field, high-density plasma on the Alcator-C Mod tokamak. The Committee notes that the DIII-D tokamak facility has the capability to test most of the scientific concepts and related technology that have the potential to lead to smaller, more efficient and higher performance future magnetic fusion energy systems, and that with the planned upgrade of the facility, many of the tokamak improvements planned for the proposed TPX could be tested in the DIII-D tokamak.

The Committee recommendation also supports continued research on alternate (i.e., non-conventional tokamak magnetic fusion devices) concepts at the current level, and does not include any

funding—operating, capital equipment, or construction—for the TPX. Bill language is included in subsection 4(a)(11) that provides that none of the funds authorized by this Act may be used for the Tokamak Physics Experiment.

The President's Council on Science and Technology (PCAST) is reviewing the program, and the White House Office of Science and Technology Policy has made available a draft of the executive summary of a report prepared by a PCAST panel. The Committee acknowledges receipt of the PCAST panel draft executive summary, but notes that the draft report has not been approved by PCAST, and that the estimated funding level for the budget-constrained program proposed by the panel is not likely to be achieved for the foreseeable future. With funding provided in fiscal year 1996, the Committee also expects the Department to propose a fusion program that supports advancement of key research areas and exploration of alternate concepts at a much smaller scale in laboratories and universities. This program should be developed in consultation with the fusion community and Congress, but with the understanding that future funding levels are unlikely to increase and could well decrease below the fiscal year 1996 recommendation.

The Committee strongly supports the inertial fusion energy (IFE) program and recommends $8,000,000, an increase of $1,000,000 over the budget request. As noted in the Department's budget request documentation:

> The strategic plan for the development of inertial fusion as an energy source requires specific underpinning technical information before development details can be implemented. First, the amount and nature of energy required to initiate thermonuclear burn of laboratory targets should be determined. An important part of this information is how much gain, or energy multiplication, can be obtained from laboratory inertial fusion. This ignition and gain information is expected to come from the target physics program and the National Ignition Facility carried out under Defense Programs within DOE. Second, a high intensity energy source (driver) that has high efficiency and can be reliably pulsed several times per second must be developed in order to use laboratory ignition in energy applications. A heavy ion accelerator has been consistently identified as the best candidate driver. The inertial fusion energy program will conduct the physics tests of the heavy ion beam concept. When thermonuclear burn of laboratory targets is established and an energy-specific driver has been developed, then a detailed development approach for inertial fusion energy can be implemented. The growth and evolution of this IFE activity into a full development program is also predicated on success in the inertial fusion confinement effort that is being pursued by the Department's Office of Defense Programs.

If and when the inertial fusion energy program grows and evolves into a full development program, the Committee expects the Department to make the best use of existing facilities, includ-

ing the National Ignition Facility, to the maximum extent practicable.

Basic Energy Sciences.—The Committee's recommendation for Basic Energy Sciences is $827,981,000, an increase of $16,562,000 from the budget request of $811,419,000, and includes the Department's request of $60,000,000 for the Administration's Scientific Facilities Initiative to enhance the utilization of the Department's fundamental science and user facilities.

The Committee's recommendation includes decreases of (1) $800,000 in operating expenses from Geosciences Research for continued participation in the Continental Scientific Drilling Program; (2) $900,000 in operating expenses from Energy Biosciences for continued participation in the Plant Science Program; (3) $1,618,000 in operating expenses from Advanced Mathematical Sciences for the Supercomputer Computations Research Institute; (4) $100,000 in operating expenses from Program Direction to maintain the fiscal year 1995 level; (5) $775,000 in capital equipment for High Performance Computing and Communications to maintain the fiscal year 1995 level; (6) $2,481,000 for non-facility capital equipment associated with research in the Materials Sciences, Chemical Sciences, Engineering and Geosciences, Advanced Energy Projects, and Energy Biosciences subprograms to maintain the fiscal year 1995 level; (7) and $436,000 for other low-priority capital equipment.

The Committee's recommendation includes an increase of $1,000,000 to Advanced Energy Projects to fund peer-reviewed research on the potential energy applications of sonoluminescence. Sonoluminescence is an effect in which highly- concentrated sound waves in liquids generate very short bursts of light from bubbles in the liquid. These bursts occur with very high regularity in time, and in the process energy densities can increase by as much as 12 orders of magnitude, producing extraordinarily high temperatures. While sonoluminescence is not yet understood, calculations have suggested the possibility of its use in inertial confinement fusion applications. The Department has funded work in this area at a low level for nearly a decade, and increased funding is required to understand and exploit the phenomenon.

The Committee recommends termination of the University and Science Education program, and has included bill language (Subsection 4(a)(15)) that provides that none of the funds authorized by this Act may be used for the University and Science Education program. To ease this funding transition during fiscal year 1996, the Committee recommendation includes one-time funding of $24,486,000 for an Education Transition line item within the Basic Energy Sciences program distributed among the various Department laboratories and facilities, including $700,000 to fund the Einstein Fellows selected for fiscal year 1996. The funding recommendation of $23,786,000 for Department laboratories is to be distributed consistent with pages 604, 605, and 611 of Volume 2 of the Department's fiscal year 1996 budget request documents (DOE/CR-0030, Volume 2 of 5), as follows: $400,000 for Ames Laboratory; $4,292,000 for Argonne National Laboratory (East); $2,092,000 for Brookhaven National Laboratory; $1,211,000 for Fermi National Accelerator Laboratory; $174,000 for Idaho National Engineering

Laboratory; $2,600,000 for Lawrence Berkeley Laboratory; $1,000,000 for Lawrence Livermore National Laboratory; $1,208,000 for Los Alamos National Laboratory; $5,500,000 for Oak Ridge Institute for Science and Education; $1,500,000 for Oak Ridge National Laboratory; $1,200,000 for Pacific Northwest Laboratory; $289,000 for Princeton Plasma Physics Laboratory; $100,000 for Savannah River Ecology Laboratory; $70,000 for Savannah River Technology Center; and $2,150,000 for Sandia National Laboratories.

The Committee recommendation also includes $7,000,000 to continue the Department's Experimental Program to Stimulate Competitive Research (EPSCoR) program at the fiscal year 1995 level.

The Committee has included the budget request of $8,000,000 for research and development and conceptual design activities for a spallation neutron source. The preferred alternative site for the spallation would be Oak Ridge National Laboratory to maximize the use of neutron source design expertise already developed through the preparation of the Advanced Neutron Source conceptual design, and to take advantage of the Laboratory's expertise in operating particle accelerators and conducting neutron scattering research. The spallation source research and development effort will make use of the best capabilities in the Department's laboratories, including the Defense Programs' Accelerator Production of Tritium (APT) project at Los Alamos National Laboratory and the expertise at Argonne and Brookhaven National Laboratories.

Energy Research Analysis.—The Committee recommendation does not include funding for Energy Research Analysis, and bill language (subsection 4(a)(13)) provides that none of the funds authorized by this Act may be used for Energy Research Analysis. It is the Committee's view that work funded by this account is duplicative of the Advisory and Oversight Program Direction and Program Direction accounts of individual Office of Energy Research Programs.

Energy Research Laboratory Technology Transfer.—The Committee recommendation also does not include funding for Energy Research Laboratory Technology Transfer, and bill language (Subsection 4(a)(14)) that provides that none of the funds authorized by this Act may be used for Energy Research Laboratory Technology Transfer. Technology transfer activities in energy research should be funded only to the extent that they directly support ongoing energy research programs and can compete for direct program funding. Therefore, the Committee's recommendation is also consistent with P.L. 99–502, the Federal Technology Transfer Act of 1986, which requires CRADAs to be "consistent with the mission of the laboratories," and the recommendation of the Secretary of Energy Advisory Board's Task Force on Alternative Futures for the Department of Energy National Laboratories (Galvin Task Force) that "[d]evelopment of technologies for which private sector companies are the major beneficiary is not an appropriate mission for the national laboratories."

Advisory and Oversight Program Direction.—The Committee recommendation for Advisory and Oversight Program Direction is $6,200,000, a decrease of $3,580,000 from the request of $9,780,000, to terminate activities that are redundant with other

environmental, safety and health Departmental oversight activities, and due to the termination of the Energy Research Laboratory Technology Transfer activities.

Multiprogram Energy Laboratories—Facilities Support.—The Committee recommendation for Multiprogram Energy Laboratories—Facilities Support is $39,327,000, a decrease of $11,689,000 from the request of $51,016,000, to maintain program at the fiscal year 1994 level of effort.

Energy support activities

Energy Support activities include University and Science Education, Technical Information Management Program, Technology Partnerships, and In-House Energy Management. The Committee recommendation of $14,394,000 for Energy Support programs, a decrease of $90,416,000 from the request of $104,810,000, includes termination of all of these programs except for the Technical Information Management Program.

University and Science Education.—The Committee recommends termination of the University and Science Education program, and bill language (subsection 4(a)(15)) provides that none of the funds authorized by this Act may be used for the program. The Committee recognizes that certain educational activities, such as graduate fellowships, research appointments and intern programs, are a direct byproduct of the line programs and are, therefore, included in the budget request of those programs. These educational activities are an integral part of these programs and should be continued.

Other activities funded by the program, however, such as generic precollege education, teacher and university faculty training, science literacy, scientific and technical manpower development, university instrumentation support and fellowship programs (such as the Albert Einstein Distinguished Educator Fellowship) are duplicating efforts of the National Science Foundation. Therefore, the Secretary of Energy is directed to enter into an agreement with the Director of the National Science Foundation that will make available the Department's facilities for Foundation support of any these generic activities, on a reimbursable basis, that are consistent with the Foundation's mission. As noted above, to ease this funding transition during fiscal year 1996, the Committee recommendation includes one-time funding of $24,486,000 for an Education Transition line item within the Basic Energy Sciences program distributed among the various Department laboratories and facilities, and including $700,000 to fund the Einstein Fellows selected for fiscal year 1996. The funding recommendation of $23,786,000 for Department laboratories is to be distributed consistent with pages 604, 605, and 611 of Volume 2 of the Department's fiscal year 1996 budget request documents (DOE/CR–0030, Volume 2 of 5), as follows: $400,000 for Ames Laboratory; $4,292,000 for Argonne National Laboratory (East); $2,092,000 for Brookhaven National Laboratory; $1,211,000 for Fermi National Accelerator Laboratory; $174,000 for Idaho National Engineering Laboratory; $2,600,000 for Lawrence Berkeley Laboratory; $1,000,000 for Lawrence Livermore National Laboratory; $1,208,000 for Los Alamos National Laboratory; $5,500,000 for Oak Ridge Institute for Science and Education; $1,500,000 for Oak Ridge National Laboratory;

$1,200,000 for Pacific Northwest Laboratory; $289,000 for Princeton Plasma Physics Laboratory; $100,000 for Savannah River Ecology Laboratory; $70,000 for Savannah River Technology Center; and $2,150,000 for Sandia National Laboratories.

Technology Partnerships.—The Committee rejects the Technology Partnerships new start due to the reform of technology transfer activities throughout the Department consistent with current statutory limitations, and bill language (subsection 4(a)(16)) provides that none of the funds authorized by this Act may be used for the program.

Technical Information Management Program.—The Committee recommendation for the Technical Information Management Program is $14,394,000, a decrease of $3,056,000 from the request of $17,450,000.

In-House Energy Management.—The Committee recommends termination of the In-House Energy Management, which has been in existence over twenty years, and bill language (subsection 4(a)(17)) provides that none of the funds authorized by this Act may be used for the program. The Committee recognizes the success of the Department's efforts to incorporate energy efficiency measures into the operations of its facilities. However, energy efficiency is now an integral part of the common-sense operating philosophy of the Department's facilities, and there is no longer a need for a separate funding source.

Environmental management (non-defense)

The Committee recommendation of $644,197,000 for Environmental Management (Non-Defense) is a decrease of $68,793,000 from the budget request of $712,990,000, and includes reductions of (1) $1,065,000 for Corrective Activities; (2) $44,358,000 for Environmental Restoration; (3) $10,583,000 for Nuclear Materials and Facilities Stabilization operating expenses; and (4) a $14,000,000 for general reduction for operating and capital equipment.

The Committee recommends an increase of $1,213,000 for Waste Management (Non-Defense), including $14,252,000 for Oak Ridge Landlord to transfer management and funding from the Office of Nuclear Energy ($10,016,000 for operating, $1,981,000 for capital equipment, and $2,255,000 for Project GPN–103, General Plant Projects); and $4,000,000 for Test Reactor Area (TRA) Landlord, Idaho National Engineering Laboratory to transfer management and funding from the Office of Nuclear Energy ($1,085,000 for operating, $285,000 for capital equipment, and $730,000 for Project GPN–102, General Plant Projects and $1,900,000 for Project 95–E–201, TRA Fire and Safety Improvements).

Because of the close similarity between Corrective Activities and Waste Management (Non-Defense) programs, the Committee's recommendation combines Corrective Activities operating expenses with Waste Management (Non-Defense). In addition, beginning on fiscal year 1997, all new Corrective Activities' construction projects should be included in the Waste Management (Non-Defense) program.

Funding adjustments

The Department proposed to use $79,300,000 of prior year balances to offset current year funding requirements and a $50,000,000 undistributed general reduction to be achieved by implementing savings recommended by the Galvin Task Force. The Committee recommendation endorses the use of prior year balances, but not the undistributed general reduction. Specific program reductions have been taken which will reflect savings from implementing recommendations of the Galvin Task Force.

Energy supply research and development activities summary recommendations

Details of the Committee's recommendations are in the following tables.

ENERGY SUPPLY RESEARCH AND DEVELOPMENT ACTIVITIES

[In thousands of dollars]

	Fiscal year—				
				Mark compared with (+/-)	
	1995 adjusted	1996 request	1996 mark	1995 adjusted	1996 request
SOLAR AND RENEWABLE ENERGY PROGRAMS					
Solar Energy—Solar Buildings Technology Research:					
Operating Expenses	4,505	4,471	0	−4,505	−4,471
Capital Equipment	105	186	0	−105	−186
Total, Solar Buildings Technology Research	4,610	4,657	0	−4,610	−4,657
Photovoltaic Energy Systems:					
Operating Expenses	86,527	84,159	61,159	−25,368	−23,000
Capital Equipment	1,000	3,970	3,970	+2,970	0
Total, Photovoltaic Energy Systems	87,527	88,129	65,129	−22,398	−23,000
Solar Thermal Energy Systems:					
Operating Expenses	30,758	33,248	27,047	−3,711	−6,201
Capital Equipment	700	695	695	−5	0
Total, Solar Thermal Energy Systems	31,458	33,943	27,742	−3,716	−6,201
Biofuels Energy Systems:					
Operating Expenses	56,734	78,296	44,553	−12,181	−33,743
Capital Equipment	2,909	2,084	2,084	−825	0
Total, Biofuels Energy Systems	59,643	80,380	46,637	−13,006	−33,743
Wind Energy Systems:					
Operating Expenses	46,139	48,331	8,900	−37,239	−39,431
Capital Equipment	1,000	1,489	1,489	+489	0
Total, Wind Energy Systems	47,139	49,820	10,389	−36,750	−39,431
Solar International Program, Operating Expenses	9,087	29,154	0	−9,087	−29,154
Solar Technology Transfer, Operating Expenses	22,406	17,758	0	−22,406	−17,758
Solar Program Support, Operating Expenses	12,199	7,345	0	−12,199	−7,345
Resource Assessment:					
Operating Expenses	3,558	4,268	2,000	−1,558	−2,268
Capital Equipment	392	397	0	−392	−397
Total, Resource Assessment	3,950	4,665	2,000	−1,950	−2,665

ENERGY SUPPLY RESEARCH AND DEVELOPMENT ACTIVITIES—Continued

[In thousands of dollars]

	Fiscal year—				
				Mark compared with (+/-)	
	1995 adjusted	1996 request	1996 mark	1995 adjusted	1996 request
National Renewable Energy Laboratory: Capital Equipment	1,548	380	380	−1,168	0
Construction:					
GP–C–002, General Plant Projects	1,665	120	120	−1,545	0
96–E–100, Field Test Laboratory Building (FTLB) Renovation and Expansion	0	5,500	0	0	−5,500
95–E–103, South Table Mountain Site Infrastructure	2,750	0	0	−2,750	0
Total, Construction	4,415	5,620	500	−4,295	−5,500
Total, National Renewable Energy Laboratory	5,963	6,000	500	−5,463	−5,500
Program Direction, Operating Expenses	8,200	9,460	5,500	−2,700	−3,960
Subtotal, Solar Energy	292,182	331,311	157,897	−134,285	−173,414
Review of Uncosted Balances	0	−4,888	−4,888	−4,888	0
Total, Solar Energy	292,182	326,423	153,009	−139,173	−173,414
Geothermal Energy:—Operating Expenses:					
Geothermal Technology Development	35,921	36,130	20,050	−15,871	−16,080
Program Direction	1,000	1,000	850	−150	−150
Total, Operating Expenses	36,921	37,130	20,900	−16,021	−16,230
Capital Equipment	886	397	0	−886	−397
Review of Uncosted Balances	0	−555	−555	−555	0
Total, Geothermal Energy	37,807	36,972	20,345	−17,462	−16,627
Hydrogen Research and Development, Operating Expenses	9,616	7,334	25,000	+15,384	+17,666
Hydropower—Operating Expenses:					
Hydropower Development	4,756	904	0	−4,846	−904
Program Direction	90	90	0	−90	−90
Review of Uncosted Balances	0	−14	0	0	+14
Total, Hydropower	4,846	980	0	−4,846	−980
ELECTRIC ENERGY SYSTEMS AND STORAGE					
Operating Expenses Electric Energy Systems:					
Electric Field Effects	13,462	9,924	9,924	−3,538	0
Reliability Research	5,962	6,153	0	−5,962	−6,153
Systems and Materials Research	18,270	24,712	18,270	0	−6,442
Program Direction	850	850	800	−50	−50
Review of Uncosted Balances	0	−615	−615	−615	0
Total, Electric Energy Systems	38,544	41,024	28,379	−10,165	−12,645
Energy Storage Systems:					
Battery Storage	5,482	5,656	5,656	+174	0
Program Direction	350	350	350	0	0
Review of Uncosted Balances	0	−88	−88	−88	0
Total, Electric Energy Systems	5,832	5,918	5,918	+86	0
Total, Electric Energy Systems and Storage	44,376	47,942	34,297	−10,079	−12,645
Policy and Management—Energy Efficiency and Renewable Energy	4,817	4,746	2,800	−2,017	−1,946

ENERGY SUPPLY RESEARCH AND DEVELOPMENT ACTIVITIES—Continued

[In thousands of dollars]

	Fiscal year—				
				Mark compared with (+/-)	
	1995 adjusted	1996 request	1996 mark	1995 adjusted	1996 request
Total, Solar and Renewable Energy Programs	393,644	423,397	235,451	−158,193	−187,946
NUCLEAR ENERGY PROGRAMS					
Nuclear Energy R&D:					
Light Water Reactors, Operating Expenses	64,329	49,740	63,740	−589	+14,000
Advanced Reactor R&D, Operating Expenses	19,948	0	0	−19,948	0
Space Power Reactor Systems, Operating Expenses	1,224	0	0	−1,224	0
Advanced Radioisotope Power Systems					
Operating Expenses	58,040	48,337	47,612	−10,428	−725
Capital Equipment	1,854	900	900	−954	0
Total, Advanced Radioisotope Power Systems	59,894	49,237	48,512	−11,382	−725
Facilities, Operating Expenses	7,027	0	0	−7,027	0
Nuclear Technology R&D, Operating Expenses	0	37,300	35,810	+35,810	−1,490
Program Direction, Operating Expenses	12,500	13,000	8,000	−4,500	−5,000
Policy and Management—Nuclear Energy, Operating Expenses	11,900	10,200	5,000	−6,900	−5,200
Test Reactor Area (TRA) Hot Cells:.					
Operating Expenses	1,230	1,200	1,200	−30	0
Capital Equipment	200	200	200	0	0
Total, TRA Hot Cells	1,430	1,400	1,400	−30	0
Oak Ridge Landlord: [1]					
Operating Expenses	10,016	12,449	0	−10,016	−12,449
Capital Equipment	1,981	2,981	0	−1,981	−2,981
Construction, GPN–103, General Plant Projects	2,255	3,255	0	−2,255	−3,255
Total, Oak Ridge Landlord [1]	14,252	18,685	0	−14,252	−18,685
TRA Landlord, Idaho National Engineering Laboratory: [1]					
Operating Expenses	1,487	1,085	0	−1,487	−1,085
Capital Equipment	0	285	0	0	−285
Construction:					
GPN–102, General Plant Projects	750	730	0	−750	−730
95–E–201, TRA Fire and Safety Improvements	1,722	1,900	0	−1,722	−1,900
Total, Construction	2,472	2,630	0	−2,472	−2,630
Total, TRA Landlord [1]	3,959	4,000	0	−3,959	−4,000
Advanced Test Reactor (ATR) Fusion Irradiations, Operating Expenses	2,683	2,303	2,303	−380	0
University Nuclear Science and Reactor Support, Operating Expenses	0	6,130	6,130	+6,130	0
Total, Nuclear Energy Research and Development	199,146	191,995	170,895	−28,251	−21,100
Termination Costs:					
Operating Expenses	63,000	76,000	68,550	+5,550	−7,450
Capital Equipment	1,000	3,000	3,000	+2,000	0
Construction:					
GPN–102, General Plant Projects, Argonne National Laboratory (ANL)—West, Idaho	2,194	1,000	1,000	−1,194	0

ENERGY SUPPLY RESEARCH AND DEVELOPMENT ACTIVITIES—Continued

[In thousands of dollars]

	Fiscal year—				
				Mark compared with (+/-)	
	1995 adjusted	1996 request	1996 mark	1995 adjusted	1996 request
95–E–207, Modifications to Reactors, Experimental Breeder Reactor—II (EBR–II) Sodium Processing Facility, ANL-West, Idaho	1,500	1,700	1,700	+200	0
92–E–200, Modifications to Reactors, EBR–II Fuel Handling Major Maintenance, ANL—West, Idaho	2,011	0	0	−2,011	0
Total, Construction	5,705	2,700	2,700	−3,005	0
Total, Termination Costs	69,705	81,700	74,250	+4,545	−7,450
Isotope Support, Operating Expenses	19,493	25,358	25,303	+5,810	−55
Soviet-Designed Reactor Safety, Operating Expenses	0	78,764	0	0	-78,764
Russian Replacement Power Initiatives, Operating Expenses	0	5,000	0	0	−5,000
Total, Nuclear Energy Programs	288,344	382,817	270,448	−17,896	−112,369
CIVILIAN RADIOACTIVE WASTE RESEARCH AND DEVELOPMENT					
Operating Expenses:					
Spent Fuel Storage R&D	582	589	0	−582	−589
Program Direction	110	110	0	−110	−110
Total, Civilian Radioactive Waste Research and Development	692	699	0	−692	−699
ENVIRONMENT, SAFETY AND HEALTH					
Environment Research and Development:					
Environment	14,190	7,200	7,200	−6,990	0
Worker Health and Safety	25,011	29,415	25,011	0	−4,404
Health Studies	43,472	61,072	43,472	0	−17,600
Oversight	11,750	13,325	11,750	0	−1,575
Planning and Administration Operating Expenses:					
Business Performance Systems	3,000	5,000	3,000	0	−2,000
Program Direction	27,817	32,067	23,000	−4,817	−9,067
Total, Operating Expenses	30,817	37,067	26,000	−4,817	−11,067
Capital Equipment	1,500	1,500	1,500	0	0
Total, Planning and Administration	32,317	38,567	27,500	−4,817	−11,067
Total, Environmental Research and Development	126,740	149,579	114,933	−11,807	−34,646
Nuclear Safety Policy	17,180	17,180	13,500	−3,680	−3,680
Total, Environment, Safety and Health	143,920	166,759	128,433	−15,487	−38,326
ENERGY RESEARCH PROGRAMS					
Biological and Environmental Research—Operating Expenses:					
Analytical Technology	8,706	8,880	8,380	−326	−500
Environmental Research	44,400	50,100	37,025	−7,375	−13,075
Health Effects	36,921	33,092	33,092	−3,829	0
General Life Sciences	108,894	113,647	113,647	+4,753	0
Medical Applications	48,132	38,900	38,900	−9,232	0
Carbon Dioxide Research	86,848	88,400	56,255	−30,593	−32,145

ENERGY SUPPLY RESEARCH AND DEVELOPMENT ACTIVITIES—Continued

[In thousands of dollars]

	Fiscal year—				
				Mark compared with (+/-)	
	1995 adjusted	1996 request	1996 mark	1995 adjusted	1996 request
Program Direction	7,500	7,600	7,000	−500	600
Total, Operating Expenses	341,401	340,619	294,299	−47,102	−46,320
Capital Equipment	24,540	24,000	19,251	−5,289	−4,749
Construction:					
GPE-120, General Plant Projects, Various Locations	3,500	4,450	3,500	0	−950
94-E-339, Human Genome Laboratory, Lawrence Berkeley Laboratory	15,800	5,700	5,700	−10,100	−0
94-E-338, Structural Biology Facility, Argonne National Laboratory	6,700	4,295	4,295	−2,405	0
94-E-337, ALS Structural Biology Support Facilities, Lawrence Berkeley Laboratory	4,700	2,600	2,600	−2,100	0
91-EM-100, Environmental Molecular Sciences Laboratory, Pacific Northwest Laboratory	40,000	50,000	40,000	0	−10,000
Total, Construction	70,700	67,045	56,095	−14,605	−10,950
Total, Biological and Environmental Research	436,641	431,664	369,645	−66,996	−62,019
FUSION ENERGY					
Magnetic Fusion Energy.—Operating Expenses:					
Confinement Systems	187,857	131,492	.....	.....	.....
Development and Technology	89,026	100,400	.....	.....	.....
Applied Plasma Physics	54,275	48,821	.....	.....	.....
Planning and Projects	7,364	6,053	.....	.....	.....
Program Direction	9,600	9,600	.....	.....	.....
Total, Operating Expenses	348,122	286,766	.....	.....	.....
Capital Equipment	9,599	11,779	.....	.....	.....
Construction:					
GPE–900, General Plant Projects, Various Locations	2,000	1,000	1,000	−1,000	0
94–E–200, Tokamak Physics Experiment, Princeton Plasma Physics Laboratory	0	49,900	0	0	−49,900
Total, Construction	2,000	50,900	1,000	−1,000	−49,900
Total, Magnetic Fusion Energy	359,721	359,045	246,144	−113,577	−112,901
Inertial Fusion Energy:					
Operating Expenses	8,000	3,100	4,100	−3,900	+1,000
Capital Equipment	700	700	700	0	0
Construction:					
Project 96–E–310, Elise Project, Lawrence Berkeley Laboratory	0	3,200	3,200	+3,200	0
Total, Inertial Fusion Energy	8,700	6,900	8,000	−700	+1,000
Total, Fusion Energy	368,421	366,045	254,144	−114,277	−111,901
Basic Energy Sciences.—Operating Expenses:					
Materials Sciences	272,319	348,297	348,297	+75,978	0
Chemical Sciences	159,578	181,565	181,565	+21,987	0
Engineering and Geosciences	35,845	39,953	39,153	+3,308	−800
Advanced Energy Projects	10,811	12,026	13,026	+2,215	+1,000

ENERGY SUPPLY RESEARCH AND DEVELOPMENT ACTIVITIES—Continued

[In thousands of dollars]

	Fiscal year—				
				Mark compared with (+/-)	
	1995 adjusted	1996 request	1996 mark	1995 adjusted	1996 request
Energy Biosciences	27,936	29,534	28,634	+698	−900
Applied Mathematical Sciences	108,116	108,688	107,070	−1,046	−1,618
Program Direction	9,900	10,000	9,900	0	−100
Education Transition	0	0	24,486	+24,486	+24,486
Total, Operating Expenses	624,505	730,063	752,131	+127,626	+22,068
Capital Equipment	39,056	56,973	53,281	+14,225	−3,692
Construction:					
GPE–400, General Plant Projects, Various Locations	4,500	6,314	4,500	0	−1,814
96–E–305, Accelerator and Reactor Improvements and Modifications, Various Locations	0	12,883	12,883	+12,883	0
95–E–305, Accelerator and Reactor Improvements and Modifications, Various Locations	7,500	0	0	−7,500	0
89–R–402, 6–7 GeV Synchrotron Radiation Source, Argonne National Laboratory	58,379	3,186	3,186	−55,193	0
87–R–405, Combustion Research Facility, Phase II, Sandia National Laboratories, Livermore	0	2,000	2,000	+2,000	0
Total, Construction	70,379	24,383	22,569	−47,810	−1,814
Total, Basic Energy Sciences	733,940	811,419	827,981	+94,041	+16,562
Advanced Neutron Source, Operating Expenses	20,764	0	0	−21,000	0
Energy Research Analyses, Operating Expenses	3,407	3,463	0	−3,407	−3,463
Energy Research Laboratory Technology Transfer	56,900	58,776	0	−56,900	−58,776
Advisory and Oversight Program Direction	12,450	9,780	6,200	−6,250	−3,580
Policy and Management—Energy Research	2,200	2,200	2,200	0	0
MULTIPROGRAM ENERGY LABORATORIES (MEL)—FACILITIES SUPPORT					
General Purpose Facilities:					
Operating Expenses	595	595	595	0	0
Capital Equipment	5,787	5,787	5,787	0	0
Construction:					
GPE–801, General Plant Projects, Various Locations	8,450	8,740	8,740	+290	0
95–E–310, Multiprogram Laboratory Rehabilitation, Phase 1, Pacific Northwest Laboratory (PNL)	400	2,740	2,740	+2,340	0
95–E–303, Electrical Safety Rehabilitation, PNL	240	1,500	1,500	+1,260	0
95–E–302, Applied Science Center, Phase 51, Brookhaven National Laboratory (BNL)	600	3,270	3,270	+2,670	0
95–E–301, Central Heating Plant Rehabilitation, Phase 1, Argonne National Laboratory (ANL)	1,307	2,500	2,500	+1,193	0
94–E–363, Roofing Improvements, Oak Ridge National Laboratory (ORNL)	1,525	2,038	2,038	+513	0
94–E–351, Fuel Storage and Transfer Facility Upgrade, BNL	2,479	440	440	−2,039	0
93–E–325, Potable Water System Upgrade I, BNL	1,863	0	0	−1,863	0
93–E–313, Electrical Systems Upgrade, ANL	2,043	0	0	−2,043	0
93–E–324, Safety Compliance Modifications, Building 326, PNL	1,900	0	0	−1,900	0

ENERGY SUPPLY RESEARCH AND DEVELOPMENT ACTIVITIES—Continued

[In thousands of dollars]

	Fiscal year—				
				Mark compared with (+/-)	
	1995 adjusted	1996 request	1996 mark	1995 adjusted	1996 request
92–E–322, East Canyon Electrical Safety Project, Lawrence Berkeley Laboratory (LBL)	1,000	0	0	−1,000	0
Total, Construction	21,807	21,228	21,228	−579	0
Total, MEL—General Purpose Facilities	28,189	27,610	27,610	−579	0
Environment, Safety & Health Support:					
Operating Expenses	6,007	8,157	8,157	+2,150	0
Capital Equipment	500	500	500	0	0
Construction:					
96–E–332, Building 801 Renovations, Brookhaven National Laboratory (BNL)	0	800	800	+800	0
96–E–331, Sanitary Sewer Restoration, Phase I, Lawrence Berkeley Laboratory (LBL)	0	2,400	2,400	+2,400	0
96–E–330, Building Electrical Service Upgrade, Phase I, Argonne National Laboratory (ANL)	0	1,200	1,200	+1,200	0
95–E–309, Loss Prevention Upgrade-Electrical Substation, BNL	600	2,480	2,480	+1,880	0
95–E–308, Sanitary System Modifications, Phase II, BNL	960	1,540	1,540	+580	0
95–E–307, Fire Safety Improvements, Phase III, ANL	210	1,000	1,000	+790	0
93–E–324, Hazardous Materials Safeguards, Phase I, LBL	1,962	1,288	1,288	−674	0
93–E–323, Fire and Safety Systems Upgrade, Phase I, LBL	2,000	1,130	1,130	−870	0
93–E–320, Fire and Safety Improvements, Phase II, ANL	1,500	2,411	2,411	+911	0
93–E–317, Life Safety Code Compliance, Pacific Northwest Laboratory (PNL)	506	0	0	−506	0
93–E–315, Roof Replacement, Phase I, BNL	100	0	0	−100	0
Total, Construction	7,838	14,249	14,249	+6,411	0
Total, MEL—Environment, Safety and Health Support	14,345	22,906	22,906	+8,561	0
Inactive and Surplus Facilities: Operating Expenses	500	500	500	0	0
Subtotal, MEL—Facilities Support	43,034	51,016	51,016	+7,982	0
General Reduction	0	0	−11,689	−11,689	−11,689
Total, MEL—Facilities Support	43,034	51,016	39,327	−3,707	−11,689
Total, Energy Research Programs	1,677,757	1,734,363	1,499,497	−178,260	−234,866

[1] Management and funding transferred to the Office of Environmental Management.

DEPARTMENT OF ENERGY

[Fiscal years; dollars in thousands]

	1995 adjusted	1996 adjusted	1996 mark	Mark compared with (+ or −)	
				1995 adjusted	1996 request
Energy Support Activities					
University and Science Education:					
Operating Expenses:					
Laboratory Cooperative Science Centers	30,315	30,035	0	−30,315	−30,035
University Programs	27,082	17,377	0	−27,082	−17,377
University Reactor Fuel Assistance [1]	3,584	0	0	−3,584	0
University Research Instrumentation	5,647	5,647	0	−5,647	−5,647
Program Direction	2,944	2,359	0	−2,944	−2,359
Total, University and Science Education	69,572	55,418	0	−69,572	−55,418
Technical Information Management Program:					
Operating Expenses	14,535	15,350	12,375	−2,160	−2,975
Capital Equipment	589	600	519	−70	−81
Construction, 95–A–500, Heating, Venting, and Air Conditioning Retrofits, Oak Ridge	1,000	1,500	1,500	+500	0
Total, Technical Information Management Program	16,124	17,450	14,394	−1,730	−3,056
Technology Partnerships, Operating Expenses	0	3,153	0	0	−3,153
In-House Energy Management:					
Operating Expenses	6,029	15,664	0	N6,029	−15,664
Construction, IHE-500, Modifications for Energy Management, Various Locations	24,700	13,125	0	−24,700	−13,125
Total, In-House Energy Management	30,729	28,789	0	−30,729	−28,789
Total, Energy Support Programs	116,425	104,810	14,394	−102,031	−90,416

[1] Management and funding transferred to Office of Nuclear Energy per the Administration's request.

ENERGY SUPPLY RESEARCH AND DEVELOPMENT ACTIVITIES

Fiscal years; dollars in thousands]

	1995 adjusted	1996 request	1996 mark	Mark compared with (+ or -)	
				1995 adjusted	1996 request
ENVIRONMENTAL DEFENSE (NON-DEFENSE)					
Corrective Activities:					
Operating Expenses	600	1,065	0	−600	−1,065
Construction:					
92-E-601, Melton Valley Liquid Low-Level Waste Collection and Transfer System Upgrade	9,100	339	339	−8,761	0

ENERGY SUPPLY RESEARCH AND DEVELOPMENT ACTIVITIES—Continued

Fiscal years; dollars in thousands]

	1995 adjusted	1996 request	1996 mark	Mark compared with (+ or -)	
				1995 adjusted	1996 request
88-R-830, Bethel Valley Liquid Low-Level Waste Collection and Transfer System Upgrade, Oak Ridge National Laboratory	17,000	4,000	4,000	−13,000	0
Total, Construction	26,100	4,339	4,339	−21,761	−1,065
Total, Corrective Activities	26,700	5,404	4,339	−22,361	−1,065
Environmental Restoration, Operating Expenses	388,597	417,758	373,400	−15,197	−44,358
Waste Management (Non-Defense):					
Operating Expenses	208,842	196,469	190,703	−18,139	−5,766
Capital Equipment	1,831	1,658	3,924	+2,093	+2,266
Construction:					
Oak Ridge Landlord Construction, GPN-103, General Plant Projects [1]	0	0	2,255	+2,255	+2,255
TRA Landlord, INEL, GPN–102, General Plant Projects [1]	0	0	730	+730	+730
TRA Landlord, INEL, 95-E-201, TRA Fire and Safety Improvements [1]	0	0	1,900	+1,900	+1,900
GPE-600, General Plant Projects, Waste Management (Non-Defense), Various Locations	2,040	2,212	2,040	0	−172
95–E-601, Radioactive Waste Handling Facility, Princeton Plasma Physics Laboratory	1,937	0	0	−1,937	0
94-E-601, Waste Handling Building, Fermilab	2,500	0	0	−2,500	0
94-E-602, Bethel Valley Federal Facility Agreement Upgrades, Oak Ridge National Laboratory	7,000	300	300	−6,700	0
93-E-632, Laboratory Floor Drain Collection System Upgrades, Brookhaven National Laboratory (BNL)	571	0	0	−571	0
93-E-633, Upgrade Sanitary Sewer System, Oak Ridge National Laboratory	4,000	0	0	−4,000	0
93-E-900, Dry Cast Storage, Idaho National Engineering Laboratory	4,910	4,048	4,048	−862	0
91-E-305, Waste Management Facilities Project, BNL	5,160	0	0	−5,160	0
91-E-600, Rehabilitation of Waste Management Building 306, Argonne National Laboratory (ANL)	0	787	787	+787	0
91-E-602, Hazardous, Radioactive, and Mixed Waste Storage Facility, ANL	3,600	-3,600	0	0	0
88-R-812, Hazardous Waste Handling Facility, Lawrence Berkeley Laboratory	625	671	671	+46	0
Total, Construction	32,343	8,018	12,731	−19,612	+4,713
Total, Waste Management (Non-Defense)	243,016	206,145	207,358	−35,658	+1,213

ENERGY SUPPLY RESEARCH AND DEVELOPMENT ACTIVITIES—Continued

Fiscal years; dollars in thousands]

	1995 adjusted	1996 request	1996 mark	Mark compared with (+ or -)	
				1995 adjusted	1996 request
Nuclear Materials and Facilities Stabilization:					
Operating Expenses	72,986	83,483	72,900	−86	−10,583
Capital Equipment	350	200	200	−150	0
Total, Nuclear Materials and Facilities Stabilization	73,336	83,683	73,100	−236	−10,583
Subtotal, Environmental Management	731,649	712,990	658,197	−73,452	−54,793
General Reduction to Operating and Capital Equipment	0	0	−14,000	−14,000	−14,000
Total, Environmental Management	731,649	712,990	644,197	−87,452	−68,793
Total, Energy Supply Research and Development	3,352,431	3,525,835	2,792,420	−560,017	−733,415

[1] Management and funding transferred from the Office of Nuclear Energy.

General science and research activities

General Science and Research Activities include funding for research concerned with understanding the nature of matter and energy and the fundamental forces and particles of nature. These activities are organized into two interrelated scientific programs, High Energy Physics and Nuclear Physics. While these programs are not directly associated with energy technology in the near or mid-term, they support basic research whose aim is to provide new knowledge that is expected to have long-term scientific and technological impacts on energy development and utilization and on other aspects of our society. The Committee recommendations for General Science and Research Activities in fiscal year 1996 total $1,006,510,000, a decrease of $11,020,000 from the fiscal year 1996 request of $1,017,530,000, and an increase of $22,479,000 from the fiscal year 1995 estimate of $984,031,000.

High Energy Physics.—The Committee recommendation for High Energy Physics is $680,137,000, a decrease of $5,415,000 from the request of $685,552,000, and includes the Department's request of $15,000,000 for the Administration's Scientific Facilities Initiative to enhance the utilization of the Department's fundamental science and user facilities.

Specific reductions included in the Committee's recommendations, consistent with the Department's June 2, 1995, Strategic Realignment Amendment, are $1,116,000 for Physics Research, $2,125,000 for Facility Operations, and $475,000 for High Energy Technology. In addition, the Committee recommends a decrease of $1,699,000 for Project GPE-103, General Plant Projects, Various Locations, to maintain the fiscal year 1995 level of effort.

The Committee's recommendation includes $6,000,000 ($4,800,000 for High Energy Technology Operating and $1,200,000 for capital equipment) for initiation of collaborative activities with the European Organization for Nuclear Research (CERN) on the Large Hadron Collider (LHC) project. Bill language (subsection 9(a)) is also included that directs the Secretary of Energy, in con-

sultation with the Director of the National Science Foundation and the Secretary of State, to enter into negotiations with CERN concerning U.S. participation in the planning of the LHC.

Nuclear Physics.—The Committee recommendation for Nuclear Physics is $316,873,000, a decrease of $4,205,000 from the request of $321,078,000, and includes the Department's request of $25,000,000 for the Administration's Scientific Facilities Initiative to enhance the utilization of the Department's fundamental science and user facilities.

Specific reductions included in the Committee's recommendations, consistent with the Department's June 2, 1995, Strategic Realignment Amendment, are $718,000 for Medium Energy Research, $518,000 for Heavy Ion Nuclear Physics, $184,000 for Low Energy Nuclear Physics, and $125,000 for Nuclear Theory. In addition, the Committee recommends a decrease of $885,000 for Project GPE-300, General Plant Projects, Various Locations, and $1,775,000 for Project 96-301, Accelerator Improvements and Modifications, Various Locations, to maintain the fiscal year 1995 level of effort.

Program Direction.—The Committee recommendation for Program Direction is $9,500,000, a decrease of $1,400,000 from the request of $10,900,000.

The Committee notes that the House-passed budget resolution, H. Con. Res. 67, assumes funding for the Department's General Science and Research Activities of $950,000,000 in fiscal year 1997, and $900,000,000 for each of fiscal years 1998, 1999, and 2000. The Committee expects the Department to submit budget requests in future years that do not exceed these levels. Accordingly, bill language is included (Subsection 9(b)) directing the Secretary of Energy, in consultation with the Director of NSF, to prepare and transmit to Congress, before January 1, 1996, a strategic plan for the high energy and nuclear physics activities of the Department, assuming a combined budget of $950,000,000 for all such activities for fiscal year 1997, and assuming a combined budget for all such activities of $900,000,000 for each of fiscal years 1998, 1999, and 2000. The report shall include (1) a list of research opportunities to be pursued, including both ongoing and proposed activities; (2) an analysis of the relevance of each research facility to the research opportunities listed under (1); (3) a statement of the optimal balance among facility operations, construction, and research support and the optimal balance between university and laboratory research programs; (4) schedules for the continuation, consolidation, or termination of each research program, and continuation, upgrade, transfer, or closure if each research facility; and (5) a statement by project of efforts to coordinate research projects with the international community to maximize the use of limited resources and avoid duplication of efforts.

General science and research activities summary recommendations

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

GENERAL SCIENCE AND RESEARCH ACTIVITIES

(Fiscal years; dollars in thousands)

	1995 adjusted	1996 request	1996 mark	Mark compared with (+ or −)	
				1995 adjusted	1996 request
GENERAL SCIENCE AND RESEARCH ACTIVITIES					
High Energy Physics:					
Operating Expenses:					
Physics Research	139,940	147,155	146,039	+6,099	−1,116
Facility Operations	276,563	280,152	278,027	+1,464	−2,125
High Energy Technology	58,190	67,370	66,895	+8,705	−475
Total, Operating Expenses	474,693	494,677	490,961	+16,268	−3,716
Capital Equipment	57,700	63,230	63,230	+5,530	0
Construction:					
GPE–103, General Plant Projects, Various Locations	12,146	13,845	12,146	0	−1,699
96-G-301, Accelerator and Modifications, Various Locations	0	9,800	9,800	+9,800	0
95–G–301, Accelerator and Modifications, Various Locations	10,590	0	0	−10,590	0
94–G–305, B-Factory, Stanford Linear Accelerator Center	44,000	52,000	52,000	+8,000	0
92–G–302, Fermilab Main Injector, Fermilab	43,000	52,000	52,000	+9,000	0
Total, Construction	109,736	127,645	125,946	+16,210	0
Total, High Energy Physics	642,129	685,552	680,137	+38,008	−5,415
Nuclear Physics:					
Operating Expenses:					
Medium Energy Nuclear Physics	124,982	103,918	103,200	−21,782	−718
Heavy Ion Nuclear Physics	61,174	66,800	66,282	+5,108	−518
Low Energy Nuclear Physics	24,596	27,100	26,916	+2,320	−184
Nuclear Theory	14,650	15,500	15,375	+725	−125
Total, Operating Expenses	225,402	213,318	211,773	−13,629	−1,545
Capital Equipment	28,000	28,000	28,000	0	0
Construction:					
GPE-300, General Plant Projects, Various Locations	3,900	4,785	3,900	0	−885
96-G-301, Accelerator Improvements and Modifications, Various Locations	0	4,975	3,200	+3,200	−1,775
95-G-301, Accelerator Improvements and Modifications, Various Locations	3,200	0	0	−3,200	0

GENERAL SCIENCE AND RESEARCH ACTIVITIES—Continued

(Fiscal years; dollars in thousands)

	1995 adjusted	1996 request	1996 mark	Mark compared with (+ or −)	
				1995 adjusted	1996 request
91-G-300, Relativistic Heavy Ion Collider, Brookhaven National Laboratory	70,000	70,000	70,000	0	0
87–R–203, Continuous Electron Beam Accelerator Facility, Newport News, VA	1,000	0	0	−1,000	0
Total, Construction	78,100	79,760	77,100	−1,000	−2,660
Total, Nuclear Physics	331,502	321,078	316,873	−14,629	−4,205
Program Direction, Operating Expenses	10,400	10,900	9,500	−900	−1,400
Total, General Science and Research	984,031	1,017,530	1,006,510	+22,479	−11,020

Fossil energy research and development

The authorization of appropriations recommended in fiscal year 1996 for Fossil Energy Research and Development addresses the Department of Energy's fiscal year 1996 budget requests for Coal, Oil Technology, Gas, Program Direction and Management Support, Plant and Capital Equipment, Cooperative R&D, Fossil Energy Environmental Restoration, and Fuels Conversion, Natural Gas, and Electricity. The Committee recommendations for Fossil Energy Research and Development in fiscal year 1996 total $220,950,000, a decrease of $222,057,000 from the fiscal year 1996 request of $443,007,000, and a decrease of $237,217,000 from the fiscal year 1995 estimate of $458,167,000.

Coal.—The Committee recommendation for Coal is $49,955,000, a decrease of $64,926,000 from the request of $114,881,000. Specific changes to the request include the following:

−$399,000 for Coal Preparation to delete funding to continue in-house activities to assess deeply beneficiated coal-based fuels for integration into advanced power systems being developed and provide project management support (−$350,000); and to delete funding for technical and project management support (−$49,000).

−$5,080,000 for Direct Liquefaction to terminate program.

−$5,836,000 for Indirect Liquefaction to terminate program.

−$7,000 for Advanced Clean Fuels Research Advanced Research and Environmental Technology for technical and program management support.

−$1,700,000 for Advanced Pulverized Coal-Fired Powerplant to provide $3,300,000—and a total of $6,600,000 if 50-percent cost-sharing is obtained.

−$3,857,000 for Indirect Fired Cycle to provide $8,043,000—and a total of $16,086,000, if 50-percent cost-sharing is obtained.

—$24,500,000 for High Efficiency-Integrated Gasification Combined Cycle to terminate program, which subsidizes ongoing Clean Coal Technology Program projects.

—$19,500,000 for High Efficiency-Pressurized Fluidized Bed to terminate program, which subsidizes ongoing Clean Coal Technology Program projects.

—$125,000 for Advanced Clean/Efficient Power Systems Advanced Research and Environmental Technology to delete funding for technical and project management support.

—$31,000 for Coal Utilization Science for technical and program management support.

—$73,000 for Materials and Components for technical and program management support.

—$270,000 for Environmental Activities to delete National Environmental Policy Act and other support to field offices.

—$964,000 for Technical and Economic Analysis to terminate program.

—$1,308,000 for International Program Support to terminate program, which subsidizes corporate and other special interests.

—$1,191,000 for Coal Technology Export to terminate program.

—$5,000 for Instrumentation and Diagnostics for technical and program management support.

—$10,000 for Bioprocessing of Coal for technical and program management support.

—$70,000 for University/National Laboratory Coal Research for technical and program management support.

Bill language provides that none of the funds authorized by this Act may be used for Direct Liquefaction (subsection 4(a)(18)), Indirection Liquefaction (subsection 4(a)(19)), Systems for Coproducts (subsection 4(a)(20)), High Efficiency-Integrated Gasification Combined Cycle (subsection 4(a)(21)), High Efficiency-Pressurized Fluidized Bed (subsection 4(a)(22)), Technical and Economic Analysis (subsection 4(a)(23)), International Program Support (subsection 4(a)(24)), and Coal Technology Export (subsection 4(a)(25)).

Oil Technology.—The Committee recommendation for Oil Technology is $43,234,000, a decrease of $43,539,000 from the request of $86,773,000. Specific changes to the request include the following:

—$19,188,000 for Exploration and Production Supporting Research Resource and Extraction to provide $22,160,000 to fund Extraction at the fiscal year 1996 request ($8,520,000); and to fund (1) Reservoir Characterization ($3,875,000), (2) Multi National Laboratory/Industry Partnership and National Laboratory Supporting R&D ($5,700,000), and (3) Advanced Computational Technology Initiative ($4,065,000) at the fiscal year 1995 level.

—$20,269,000 for Recovery Field Demonstrations to provide $8,100,000 in fiscal year 1996 requested funding for completion of Class 2 projects ($3,100,000) and for continuation of ongoing Class 3 projects ($5,000,000).

– $815,000 for Exploration and Production Environmental Research to fund Risk Assessment and other relevant activities.

– $3,267,000 for Processing Research and Downstream Operations to provide $6,733,000 to maintain the fiscal year 1995 level of funding for Pollution Prevention ($4,433,000), Environmental Compliance ($1,387,000), and Upgrading Technology Development ($913,000).

Bill language (Subsection 3(c)(2)) provides for maintaining programs at the National Institute for Petroleum and Energy Research.

The existence of a multi-State consortium, named the Integrated Petroleum Environmental Consortium (IPEC), has been brought to the Committee's attention. The mission of IPEC is to increase the competitiveness of the domestic petroleum industry through a reduction in the costs of compliance with U.S. environmental regulations, and IPEC has developed a cost-sharing program to accomplish this mission that calls for matching funds from the States and industry. The Committee urges the Consortium to develop funding proposals for consideration by the Department. The Committee expects that such proposals will be subject to the merit review provisions of Section 6 of this Act.

Gas.—The Committee recommendation for Gas is $59,829,000, a decrease of $86,016,000 from the request of $145,845,000. Specific changes to the request include the following:

– $19,915,000 for Resource and Extraction to provide $13,086,000 to fund, at the fiscal year 1995 level, (1) Drilling, Completion, and Stimulation ($4,824,000), (2) Low-Permeability Formations ($4,777,000), and (3) the Advanced Computational Technology Initiative ($3,485,000).

– $3,071,000 to terminate Delivery and Storage.

– $33,670,000 for Advanced Turbine Systems to provide $10,300,000 to fund Technology Development at the fiscal year 1995 level, including maintenance of funding at the fiscal year 1995 for the university consortium.

– $4,934,000 to terminate Utilization.

– $420,000 for Environmental Research/Regulatory Impact Analysis.

– $13,000 for Fuel Cells Advanced Research for technical and program management support.

– $8,000,000 to terminate Fuel Cells Climate Action Plan.

– $15,832,000 for Molten Carbonate Systems to provide $14,235,000 for one contractor.

– $161,000 for Advanced Concepts to provide $15,919,000 for last year of funding for five-year cost-shared cooperative agreement for development of the tubular solid oxide fuel cell.

Bill language provides that none of the funds authorized by this Act may be used for Gas Delivery and Storage (subsection 4(a)(26)), Gas Utilization (subsection 4(a)(27)), and Fuel Cells Climate Change Action Plan (subsection 4(a)(28)).

Program Direction and Management Support.—The Committee recommendation for Program Direction and Management Support is $45,535,000, a decrease of $24,362,000 from the request of $69,897,000, to reflect the lower level of effort.

Plant and Capital Equipment.—The Committee recommendation for Plant and Capital Equipment is $2,470,000, a decrease of $1,535,000 from the request of $4,005,000, to provide $476,000 in centralized funding for capital equipment, and $1,994,000 for General Plant Projects for Fossil Energy R&D activities conducted at the Energy Technology Centers, National Laboratories, and Bartlesville Project Office to maintain the fiscal year 1995 level.

Cooperative R&D.—The Committee recommendation for Cooperative R&D is $7,557,000, an increase of $7,557,000 from the request of $0, to maintain funding of the Western Research Institute and North Dakota Energy and Environmental Research Center at fiscal year 1995 levels ($3,779,000 and 3,778,000, respectively). The Department awarded new five-year Cooperative Agreements to each of these entities in March, 1993, that are scheduled to expire on February 28, 1998, and both have cost-sharing of well over 50 percent with non-Federal entities, as required by the Agreements.

Fossil Energy Environmental Restoration.—The Committee recommendation for Fossil Energy Environmental Restoration is $12,370,000, a decrease of $6,549,000 from the request of $18,919,000, to maintain funding at the fiscal year 1995 level, after subtracting $3,701,000 for one-time Magnetohydrodynamics Closeout and Cleanup Actions, and $360,000 consistent with the June 2, 1995, Department Strategic Realignment Budget Amendment.

Fuels Conversion, Natural Gas, and Electricity.—The Committee recommends termination of this regulatory program. Bill language provides that none of the funds authorized by this Act may be used for Fuels Conversion, Natural Gas, and Electricity (subsection 4(a)(29)).

Funding adjustments

The Department proposes to use $6,499,000 of prior year balances to offset current year funding requirements. The Committee recommendation endorses the use of these prior year balances.

Fossil energy research and development summary recommendations

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

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(Fiscal years; dollars in thousands)

	1995 adjusted	1996 request	1996 mark	Mark Compared With (+ or −)	
				1995 adjusted	1996 request
FOSSIL ENERGY RESEARCH AND DEVELOPMENT					
Coal:					
Advanced Clean Fuels Research:					
Coal Preparation	7,171	4,910	4,511	−2,660	−399
Direct Liquefaction	9,797	5,080	0	−9,797	−5,080
Indirect Liquefaction	12,583	5,836	0	−12,583	−5,836
Advanced Research and Environmental Technology	3,989	746	739	−3,250	−7
Systems for Coproducts	4,981	0	0	−4,981	0

FOSSIL ENERGY RESEARCH AND DEVELOPMENT—Continued

(Fiscal years; dollars in thousands)

	1995 adjusted	1996 request	1996 mark	Mark Compared With (+ or −)	
				1995 adjusted	1996 request
Total, Advanced Clean Fuels Research	38,521	16,572	5,250	−33,271	−11,322
Advanced Clean/Efficient Power Systems:					
Advanced Pulverized Coal-Fired Powerplant	7,466	5,000	3,300	−4,166	−1,700
Indirect Fired Cycle	11,800	11,900	8,043	−3,757	−3,857
High Efficiency-Integrated Gasification Combined Cycle	27,514	24,500	0	−27,514	−24,500
High Efficiency-Pressurized Fluidized Bed	25,226	19,500	0	−25,226	−19,500
Advanced Research and Environmental Technology	18,508	12,484	12,359	−6,149	−125
Total, Advanced Clean/Efficient Power Systems	90,514	73,384	23,702	−66,812	−49,682
Advanced Research and Technology Development (AR&TD):					
Coal Utilization Science	3,134	3,149	3,118	−16	−31
Materials and Components	8,758	7,332	7,259	−1,499	−73
Technology Crosscut:					
Environmental Activities	1,814	2,511	2,241	+427	−270
Technical and Economic Analysis	686	964	0	−686	−964
International Program Support	1,302	1,308	0	−1,302	−1,308
Coal Technology Export	819	1,191	0	−819	−1,191
Instrumentation and Diagnosis	964	500	495	−469	−5
Bioprocessing of Coal	1,928	1,000	990	−938	−10
Total, Technology Crosscut	7,513	7,474	3,726	−3,787	−3,748
University/National Laboratory Coal Research	5,953	6,970	6,900	+947	−70
Total, AR&TD	25,358	24,925	21,003	−4,355	−3,922
Total, Coal	154,393	114,881	49,955	−104,438	−64,926
Oil Technology:					
Exploration and Production Supporting Research	36,093	41,348	22,160	−13,933	−19,188
Recovery Field Demonstrations	33,911	28,369	8,100	−25,811	−20,269
Exploration and Production Environmental Research	4,775	7,056	6,241	+1,466	−815
Processing Research and Downstream Operations	6,929	10,000	8,733	−196	−3,267
Total, Oil Technology	81,708	86,773	43,234	−38,474	−43,539
Gas:					
New Gas Program:					
Resource and Extraction	703	33,001	13,086	−7,617	−19,915
Delivery and Storage	1,066	3,071	0	−1,066	−3,071
Advanced Turbine Systems	37,674	43,970	10,300	−27,374	−33,670

FOSSIL ENERGY RESEARCH AND DEVELOPMENT—Continued

(Fiscal years; dollars in thousands)

	1995 adjusted	1996 request	1996 mark	Mark Compared With (+ or −)	
				1995 adjusted	1996 request
Utilization	4,263	4,934	0	−4,263	−4,934
Environmental Research/ Regulatory Impact Analysis	2,985	5,405	4,985	+2,000	−420
Total, New Gas Program	66,691	90,381	28,371	−38,320	−62,010
Fuel Cells:					
Advanced Research	1,456	1,317	1,304	−152	−13
Climate Change Action Plan	0	8,000	0	0	−8,000
Molten Carbonate Systems	29,983	30,067	14,235	−15,748	−15,832
Advanced Concepts	18,143	16,080	15,919	−2,224	−161
Total, Fuel Cells	49,582	55,464	31,458	−18,124	−24,006
Total, Gas	116,273	145,845	59,829	−56,444	−86,016
Program Direction and Management Support:					
Headquarters Program Direction	12,969	13,621	.....	.....	.....
Energy Technology Center (ETC) Program Direction	59,294	56,276	.....	.....	.....
Total, Program Direction and Management Support	72,263	69,897	45,535	−26,728	−24,362
Plant and Capital Equipment:					
Capital Equipment	776	1,701	476	−300	−1,225
Construction, GP–F100, General Plant Projects for ETCs	4,234	2,304	1,994	−2,240	−310
Total, Plant and Capital Equipment	5,010	4,005	2,470	−2,540	−1,535
Cooperative R&D	9,082	0	7,557	−1,525	+7,557
Fossil Energy Environmental Restoration	16,431	18,919	12,370	−4,061	−6,549
Fuels Conversion, Natural Gas, and Electricity	3,007	2,687	0	−3,007	−2,687
Total, Fossil Energy Research and Development	458,167	443,007	220,950	−237,217	−222,057

Clean Coal Technology Program

The Department's February, 1995, request for the Clean Coal Technology Program was $44,981,000 in new budget authority. The Committee does not recommend the authorization of additional appropriations for the Program, and bill language provides that none of the funds authorized by this Act may be used for the Clean Coal Technology Program (Subsection 4(a)(30)). In addition, Section 12 of the bill allows the use of unobligated funds previously appropriated for the Program to pay costs associated with the termination of Energy Supply Research and Development, General Science and Research, Fossil Energy Research and Development, and Energy Conservation Research and Development programs, projects, and activities of the Department.

Energy Conservation Research and Development

The authorization of appropriations recommended in fiscal year 1996 for Energy Conservation Research and Development address the Department of Energy's fiscal year 1996 budget requests for Buildings Sector, Industry Sector, Transportation Sector, Utility Sector, Technical and Financial Assistance (Non-Grants), and Policy and Management—Energy Conservation. The Committee recommendations for Energy Conservation Research and Development in fiscal year 1996 total $230,120,000, a decrease of $426,554,000 from the fiscal year 1996 request of $656,674,000, and a decrease of $284,423,000 from the fiscal year 1995 estimate of $514,543,000.

Buildings Sector.—The Committee recommendation for Buildings Sector is $55,074,000, a decrease of $99,728,000 from the request of $154,802,000. Specific changes to the request include the following:

– $36,783,000 for Building Systems to maintain National Laboratory funding at the fiscal year 1996 request level of $10,215,000, which includes: (1) $100,000 for Brookhaven National Laboratory; (2) $1,965,000 for Lawrence Berkeley Laboratory; (3) $4,800,000 for National Renewable Energy Laboratory; (4) $1,750,000 for Oak Ridge National Laboratory; and (5) $1,600,000 for Pacific Northwest Laboratory consistent with page 240 of Volume 4 of the Department's fiscal year 1996 budget request documents (DOE/CR–0030, Volume 4 of 5).

– $4,939,000 for Building Envelope to maintain National Laboratory funding at the fiscal year request level of $7,060,000, which includes: (1) $3,600,000 for Lawrence Berkeley Laboratory; (2) $460,000 for National Renewable Energy Laboratory; (3) $2,850,000 for Oak Ridge National Laboratory; and (4) $150,000 for Pacific Northwest Laboratory consistent with page 264 of Volume 4 of the Department's fiscal year 1996 budget request documents (DOE/CR–0030, Volume 4 of 5).

– $13,182,000 for Building Equipment to maintain National Laboratory funding at the fiscal year 1996 request level of $14,360,000, which includes: (1) $880,000 for Brookhaven National Laboratory; (2) $880,000 for Lawrence Berkeley Laboratory; (3) $2,900,000 for National Renewable Energy Laboratory; (4) $8,500,000 for Oak Ridge National Laboratory; and (5) $1,200,000 for Pacific Northwest Laboratory consistent with page 277 of Volume 4 of the Department's fiscal year 1996 budget request documents (DOE/CR–0030, Volume 4 of 5).

– $23,898,000 for Codes and Standards to terminate funding of command-and-control regulatory program, except for continued support for voluntary efficiency rating and efficiency programs for commercial office equipment and luminaries and to assist industry in meeting mandatory labeling requirements for Energy Policy Act covered commercial products ($701,000). Bill language (Subsection 4(c)(3)) prohibits the use of prior-year funds for the conduct of any rulemaking activities relating to determinations for or prescriptions of new or amended standards with respect to Lighting and Appliance Standards and Building Standards and Guidelines, including the promulgation or issuance of notices of proposed rulemakings, proposed rules, or final rules.

−$8,440,000 for Federal Energy Management Program to terminate the Federal Energy Efficiency Fund (−$7,440,000); planning reporting and evaluation (−$500,000), and technical guidance and assistance (−$500,000).

−$6,032,000 for Implementation and Deployment to terminate special-interest subsidy program. Bill language provides that none of the funds authorized by this Act may be used for Buildings Sector Implementation and Deployment (Subsection 4(a)(31)).

−$6,300,000 for Management and Planning to reflect lower level of effort.

−$154,000 for Capital Equipment to provide National Laboratory capital equipment at the fiscal year 1996 request level of $1,770,000), which includes: (1) $450,000 for Lawrence Berkeley Laboratory; (2) $590,000 for National Renewable Energy Laboratory; (3) $450,000 for Oak Ridge National Laboratory; and (4) $280,000 for Pacific Northwest Laboratory consistent with page 326 of Volume 4 of the Department's fiscal year 1996 budget request documents (DOE/CR–0030, Volume 4 of 5).

Industry Sector.—The Committee recommendation for Industry Sector is $55,110,000, a decrease of $117,757,000 from the request of $172,867,000. Specific changes to the request include the following:

−$27,288,000 for Cogeneration to maintain National Laboratory funding at the fiscal year 1996 request level of $7,200,000, which includes: (1) $1,200,000 for Argonne National Laboratory (East); and (2) $6,000,000 for Oak Ridge National Laboratory consistent with page 343 of Volume 4 of the Department's fiscal year 1996 budget request documents (DOE/CR–0030, Volume 4 of 5).

−$5,982,000 for Electric Drives to maintain National Laboratory funding at the fiscal year 1996 request level of $2,900,000, which includes: (1) $400,000 for National Renewable Energy Laboratory; and (2) $2,500,000 for Oak Ridge National Laboratory consistent with page 349 of Volume 4 of the Department's fiscal year 1996 budget request documents (DOE/CR–0030, Volume 4 of 5).

−$2,650,000 for Process Heating and Cooling to maintain National Laboratory funding at the fiscal year 1996 request level of $1,938,000, which includes: (1) $300,000 for Lawrence Livermore National Laboratory; (2) $500,000 for Oak Ridge National Laboratory; and (3) $1,138,000 for Sandia National Laboratories consistent with page 354 of Volume 4 of the Department's fiscal year 1996 budget request documents (DOE/CR-0030, Volume 4 of 5).

−$12,922,000 for Industrial Wastes to maintain National Laboratory funding at the fiscal year 1996 request level of $16,738,000, which includes: (1) $8,161,000 for Argonne National Laboratory (East); (2) $1,660,000 for Los Alamos National Laboratory; (3) $5,172,000 for National Renewable Energy Laboratory; (4) $1,395,000 for Pacific Northwest Laboratory; and (5) $350,000 for Sandia National Laboratories consistent with page 365 of Volume 4 of the Department's fiscal

year 1996 budget request documents (DOE/CR–0030, Volume 4 of 5).

–$2,680,000 for Municipal Solid Wastes to terminate program that subsidizes local interests. Bill language provides that none of the funds authorized by this Act may be used for Industry Sector Municipal Solid Wastes (Subsection 4(a)(32)).

–$13,970,000 for Materials and Metals Processing to maintain National Laboratory funding at the fiscal year 1996 request level of $11,100,000, which includes: (1) $500,000 for Ames Laboratory; (2) $800,000 for Idaho National Engineering Laboratory; (3) $2,000,000 for Los Alamos National Laboratory; (4) $600,000 for National Renewable Energy Laboratory; (5) $5,000,000 for Oak Ridge National Laboratory; (6) $1,000,000 for Pacific Northwest Laboratory; and (7) $1,200,000 for Sandia National Laboratories consistent with page 381 of Volume 4 of the Department's fiscal year 1996 budget request documents (DOE/CR–0030, Volume 4 of 5).

–$17,114,000 for Other Process Efficiency to maintain National Laboratory funding at the fiscal year 1996 request level of $10,643,000, which includes: (1) $200,000 for Ames Laboratory; (2) $2,800,000 for Argonne National Laboratory (East); (3) $1,048,000 for Idaho National Engineering Laboratory; (4) $500,000 for Lawrence Berkeley Laboratory; (5) $450,000 for Los Alamos National Laboratory; (6) $1,750,000 for National Renewable Energy Laboratory; (7) $2,800,000 for Oak Ridge National Laboratory; (8) $845,000 for Pacific Northwest Laboratory; and (9) $250,000 for Sandia National Laboratories consistent with page 395 of Volume 4 of the Department's fiscal year 1996 budget request documents (DOE/CR–0030, Volume 4 of 5).

–$29,722,000 for Implementation and Deployment to terminate special-interest program. Bill language provides that none of the funds authorized by this Act may be used for Industry Sector Implementation and Deployment (Subsection 4(a)(33)).

–$5,000,000 for Management and Planning to reflect lower level of effort.

–$429,000 for Capital Equipment to maintain National Laboratory funding at the fiscal year 1996 request level of $1,591,000, which includes: (1) $885,000 for Argonne National Laboratory (East); (2) $200,000 for National Renewable Energy Laboratory; (3) $400,000 for Oak Ridge National Laboratory; (4) $46,000 for Pacific Northwest Laboratory; and (5) $60,000 for Sandia National Laboratories consistent with page 421 of Volume 4 of the Department's fiscal year 1996 budget request documents (DOE/CR–0030, Volume 4 of 5).

Transportation Sector.—The Committee recommendation for Transportation Sector is $112,123,000, a decrease of $150,187,000 from the request of $262,308,000. Specific changes to the request include the following:

–$55,578,000 for Alternative Fuels Utilization to terminate program that subsidizes the private sector and duplicates Environmental Protection Agency activities. Bill language provides that none of the funds authorized by this Act may be used for Alternative Fuels Utilization (Subsection 4(a)(34)).

—$3,397,000 for Materials Technology to maintain National Laboratory funding at the fiscal year 1996 request level of $35,750,000, which includes: (1) $500,000 for Argonne National Laboratory (East); (2) $200,000 for Idaho National Engineering Laboratory; (3) $150,000 for Lawrence Livermore National Laboratory; (4) $34,200,000 for Oak Ridge National Laboratory; and (5) $200,000 for Pacific Northwest Laboratory consistent with page 448 of Volume 4 of the Department's fiscal year 1996 budget request documents (DOE/CR–0030, Volume 4 of 5). The Committee recommendation also includes $500,000 to maintain High Temperature Materials Laboratory User Facility Fellowship Program, formerly funded by the Transportation Sector Implementation and Deployment line item.

—$16,066,000 for Heat Engines to maintain National Laboratory funding at the fiscal year 1996 request level of $8,000,000, which includes: (1) $1,500,000 for Argonne National Laboratory (East); (2) $1,000,000 for Idaho National Engineering Laboratory; (3) $3,000,000 for Oak Ridge National Laboratory; and (4) $2,500,000 for Sandia National Laboratories consistent with page 464 of Volume 4 of the Department's fiscal year 1996 budget request documents (DOE/CR–0030, Volume 4 of 5).

—$66,220,000 for Electric and Hybrid Propulsion Development to maintain National Laboratory funding at the fiscal year 1996 request level of $63,175,000, which includes: (1) $1,550,000 for Argonne National Laboratory (East); (2) $2,500,000 for Idaho National Engineering Laboratory; (3) $3,000,000 for Lawrence Berkeley Laboratory; (4) $250,000 for Lawrence Livermore National Laboratory; (5) $500,000 for Los Alamos National Laboratory; (6) $55,075,000 for National Renewable Energy Laboratory; and (7) $300,000 for Sandia National Laboratories consistent with page 477 of Volume 4 of the Department's fiscal year 1996 budget request documents (DOE/CR–0030, Volume 4 of 5).

—$3,375,000 for Implementation and Deployment to terminate special-interest program. Bill language provides that none of the funds authorized by this Act may be used for Transportation Sector Implementation and Deployment (Subsection 4(a)(35)).

—$5,200,000 for Management and Planning to reflect lower level of effort.

—$349,000 for Capital Equipment to provide National Laboratory capital equipment at the fiscal year 1996 request level of $1,198,000, which includes: (1) $300,000 for Argonne National Laboratory (East); (2) $200,000 for Idaho National Engineering Laboratory; (3) $150,000 for Lawrence Livermore National Laboratory; (4) $548,000 for Oak Ridge National Laboratory; and (5) $349,000 for Sandia National Laboratories consistent with page 504 of Volume 4 of the Department's fiscal year 1996 budget request documents (DOE/CR–0030, Volume 4 of 5).

Utility Sector.—The Committee recommends termination of Utility Sector, which funds utilities and States to use Integrated Resource Planning, which they are already using. Bill language pro-

vides that none of the funds authorized by this Act may be used for Utility Sector Integrated Resource Planning (Subsection 4(a)(36)).

Technical and Financial Assistance (Non-Grants).—The Committee recommendation for Technical and Financial Assistance (Non-Grants) is $7,813,000, a decrease of $37,622,000 from the request of $45,435,000. Specific changes to the request include the following:

−$5,134,000 for International Market Development to terminate program. Bill language provides that none of the funds authorized by this Act may be used for International Market Development (Subsection 4(a)(37)).

−$8,762,000 for Inventions and Innovations Program to terminate program. Bill language provides that none of the funds authorized by this Act may be used for the Inventions and Innovations Program (Subsection 4(a)(38)).

−$1,843,000 for Municipal Energy Management to terminate program. Bill language provides that none of the funds authorized by this Act may be used for Municipal Energy Management (Subsection 4(a)(39)).

−$1,640,000 for Information and Communications that duplicates other ongoing efforts. Bill language provides that none of the funds authorized by this Act may be used for Information and Communications (Subsection 4(a)(40)).

−$20,243,000 for Management to eliminate Support Offices in 10 cities (Atlanta, Boston, Chicago, Dallas, Denver, Kansas City New York, Philadelphia, San Francisco, and Seattle) that duplicate the functions of Headquarters and the Operations Offices (−$17,962,000), and −$2,281,000 for Headquarters and Operations Offices to reflect lower level of funding for program.

Policy and Management—Energy Conservation.—The Committee recommends termination of Policy and Management—Energy Conservation, to eliminate duplication of other management and planning efforts, and the Department's Office of Policy. Bill language provides that none of the funds authorized by this Act may be used for Policy and Management—Energy Conservation (Subsection 4(a)(41)).

Funding adjustments

The Department proposes to use the following amounts of prior year uncosted balances to offset current year funding requirements: (1) $2,256,000 for Buildings Sector; (2) $2,518,000 for Industry Sector; and (3) $3,825,000 for Transportation Sector. The Committee recommendation endorses the use of these prior year uncosted balances.

Energy conservation research and development summary recommendations

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

ENERGY CONSERVATION RESEARCH AND DEVELOPMENT

[Fiscal years; dollars in thousands]

	Mark compared with (+ or -)	1995 Adjusted	1996 Request	1996 Mark	
				1995 Adjusted	1996 Request
ENERGY CONSERVATION RESEARCH AND DEVELOPMENT					
Buildings Sector:					
Operating Expenses:					
Building Systems	21,502	46,998	10,215	−11,287	−36,783
Building Envelope	9,617	11,999	7,060	−2,557	−4,939
Building Equipment	25,616	27,542	14,360	−11,256	−13,182
Codes and Standards	22,516	24,599	701	−21,815	−23,898
Federal Energy Management Program	23,472	25,408	16,968	−6,504	−8,440
Implementation and Deployment	1,370	6,032	0	−1,370	−6,032
Management and Planning	9,583	10,300	4,000	−5,583	−6,300
Total, Operating Expenses	113,676	152,878	53,304	−60,372	−99,574
Capital Equipment	1,960	1,924	1,770	−190	−154
Total, Buildings Sector	115,636	154,802	55,074	−60,562	−99,728
Industry Sector:					
Operating Expenses:					
Cogeneration	27,809	34,488	7,200	−20,609	−27,288
Electric Drives	5,500	8,882	2,900	−2,600	−5,982
Process Heating and Cooling	7,814	4,588	1,938	−5,876	−2,650
Industrial Wastes	26,209	29,660	16,738	−9,471	−12,922
Municipal Solid Wastes	2,737	2,680	0	−2,737	−2,680
Materials and Metals Processing	22,517	25,070	11,100	−11,417	−13,970
Other Process Efficiency	19,907	27,757	10,643	−9,264	−17,114
Implementation and Deployment	12,995	29,722	0	−12,995	−29,722
Management and Planning	7,130	8,000	3,000	−4,130	−5,000
Total, Operating Expenses	132,618	170,847	53,519	−79,099	−117,328
Capital Equipment	2,575	2,020	1,591	−984	−429
Total, Industry Sector	135,193	172,867	55,110	−80,083	−117,757
Transportation Sector:					
Operating Expenses:					
Alternative Fuels Utilization	52,455	55,578	0	−52,455	−55,578
Materials Technology	33,729	39,147	35,750	+2,021	−3,397
Heat Engine Technologies	18,208	24,066	8,000	−10,208	−16,066
Electric and Hybrid Propulsion Development	89,855	129,395	63,175	−126,680	−66,220
Implementation and Deployment	2,196	3,375	0	−2,196	−3,375
Management and Planning	8,421	9,200	4,000	−4,421	−5,200
Total, Operating Expenses	204,864	260,761	110,925	−93,939	−149,836
Capital Equipment	1,393	1,547	1,198	−195	−349

ENERGY CONSERVATION RESEARCH AND DEVELOPMENT—Continued

[Fiscal years; dollars in thousands]

	Mark compared with (+ or -)	1995 Adjusted	1996 Request	1996 Mark	
				1995 Adjusted	1996 Request
Total, Transportation Sector	206,257	262,308	112,123	−94,134	−150,185
Utility Sector:					
Operating Expenses:					
Integrated Resource Planning	8,756	9,930	0	−8,756	−9,930
District Heating and Cooling	0	0	0	0	0
Total, Utility Sector	8,756	9,930	0	−8,756	−9,930
Technical and Financial Assistance (Non-Grants):					
Operating Expenses:					
International Market Development	2,907	5,134	0	−2,907	−5,134
Inventions and Innovations Program	5,799	8,762	0	−5,799	−8,762
Municipal Energy Management	1,848	1,843	0	−1,848	−1,843
Information and Communications	1,915	1,640	0	−1,915	−1,640
Management	27,890	28,056	7,813	−20,077	−20,243
Total, Technical and Financial Assistance (Non-Grants)	40,359	45,435	7,813	−32,546	−37,622
Policy and Management—Energy Conservation	8,342	11,332	0	−8,342	−11,332
Total, Energy Conservation Research and Development	514,543	656,674	230,120	−284,423	−426,554

SECTION 4—FUNDING LIMITATIONS

Current market forces have demonstrated the ability to achieve the energy savings goals of the Department of Energy's Codes and Standards Program. In some cases, there is also evidence of fundamental scientific and methodological flaws in the formulation of previously proposed rules relating to prescribing standards under this program, as well as significant anticompetitive effects. Consequently, the Committee believes that prescription of new or amended standards is unnecessary and a waste of taxpayers' dollars.

Accordingly, Subsection 4(c)(3) prohibits the use of funds for the conduct of any rulemaking activities relating to determinations for or prescriptions of new or amended standards with respect to Lighting and Appliance Standards and Building Standards and Guidelines program activities areas under the Codes and Standards Program.

Such funding prohibition includes any rulemaking activities related to prescribing such standards, including the preparation, promulgation or issuance of rules to determine whether to propose

new or amend such standards, advanced notices of proposed rules, or final rules. However, the provision does not effect funding for activities related to labeling, test procedures, or enforcement of program activities unrelated to the prescription or rulemaking for amended or new standards. In addition, the provision maintains the current program's existing Federal preemption.

VIII. Committee Actions

Clause 2(l)(2)(B) of rule XI of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each rollcall vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. Following are summaries of the Subcommittee on Energy and Environment and Committee on Science mark up sessions of the Department of Energy Civilian Research and Development Act of 1995, which include the required information.

SUBCOMMITTEE MARKUP

On June 8, 1995, the Subcommittee on Energy and Environment convened to mark up the Department of Energy Civilian Research and Development Act of 1995. Mr. Rohrabacher, Chairman of the Subcommittee, offered a Subcommittee Print to be used in lieu of a bill for markup purposes. The Subcommittee Print was, without objection, considered original text for mark up purposes.

Mr. Minge moved to postpone consideration of the measure until after the conference report on the budget resolution has been approved. The motion was defeated by a rollcall vote of 10 ayes to 13 noes.

Amendment 1.—Mr. Doyle offered an amendment in the nature of a substitute to authorize a total of $4,800,600,000 for Department of Energy Civilian Research and Development programs for fiscal year 1996—an increase of $815,960,000 above the Subcommittee print total of $3,984,640,000. The amendment was defeated by a rollcall vote of 13 ayes to 16 noes.

Mr. Walker made a motion to lay the motion to reconsider the Doyle amendment on the table. The motion was adopted by a rollcall vote of 15 ayes to 13 noes.

Amendment 2.—Mr. Ehlers offered an en bloc amendment to Section 3 to increase funding for Solar and Renewable Energy by $53,967,000 (from $203,641,000 to $257,608,000), by reducing: (1) Coal by $13,209,000 (from $49,955,000 to $36,746,000); (2) Oil Technology by $10,928,000 (from $41,234,000 to $30,306,000); (3) Gas by $14,010,000 (from $57,829,000 to $43,819,000); (4) Program Direction and Management Support by $8,531,000 (from $32,192,000 to $23,661,000); (5) Capital Equipment by $118,000 (from $476,000 to $358,000); (6) Construction by $529,000 (from $1,994,000 to $1,465,000); (7) Cooperative Research and Development by $2,003,000 (from $7,557,000 to $5,554,000); and (8) Fossil Energy Environmental Restoration by $3,279,000 (from $12,370,000 to $9,091,000). The amendment was defeated by a rollcall vote of 6 ayes to 14 noes.

Amendment 3.—Mr. Foley offered an en bloc amendment to Subsections 3(a)(2)(A), 4(a) and 4(b) to decrease Nuclear Energy by $25,000,000 and to strike any authorizing language for the Gas Turbine-Modular Helium Reactor. The amendment was defeated by a rollcall vote of 10 ayes to 13 noes.

Amendment 4.—Mr. Bartlett offered an en bloc amendment to Sections 3 and 4 to increase funding for Nuclear Energy by $14,000,000 (from $220,541,000 to $234,541,000) by providing $14,000,000 million for the AP600 light water reactor. This increase was offset by reducing Environmental Management by $14,000,000 (from $638,323,000 to $624,323,000). The amendment also added a new Subsection 4(d) that provides that funds appropriated for the AP600 light water reactor shall be available only to the extent that matching private sector funds are provided for such project, and subject to the condition that such Federal funds shall be repaid to the United States out of royalties on the first commercial sale of such reactor design. The amendment was adopted by a rollcall vote of 14 ayes to 9 noes.

Amendment 5.—Mr. Ehlers offered an en bloc amendment to Section 3 to reduce funding for Environment, Safety and Health by $38,991,000 (from $127,291,000 to $88,300,000), and to increase funding for Buildings Sector by $38,991,000 (from $40,107,000 to $79,098,000). Mr. Ehlers asked for, and received, unanimous consent to withdraw his amendment.

Amendment 6.—Mr. Largent offered an en bloc amendment to Section 3 to reduce funding for Oil Technology by $2,000,000 (from $41,234,000 to $39,234,000) and Gas by $2,000,000 (from $57,829,000 to $55,829,000), to provide $4,000,000 for the Integrated Petroleum Environmental Consortium, which shall be dedicated solely to environmental technology research and development and scientific risk and cost-benefit analysis for domestic energy resources on a 50-percent cost-share basis. Mr. Largent asked for, and received, unanimous consent to withdraw his amendment.

Amendment 6a.—Mr. Brown offered an amendment to Mr. Largent's amendment that would exempt the $4,000,000 provided to the Integrated Petroleum Environmental Consortium from the Section 6 merit review requirement for awards of financial assistance. Mr. Brown asked for, and received, unanimous consent to withdraw his amendment.

Amendment 7.—Mr. Davis offered an amendment to subsection 3(c)(2), that provides that the $41,234,000 authorized for Oil Technology include maintaining programs at the National Institute for Petroleum and Energy Research. The amendment was adopted by voice vote.

Amendment 8.—Mr. Olver offered an amendment to strike subsection 4(c)(3) that prohibits the use of prior-year funds for the conduct of any rulemaking activities relating to Lighting and Appliance Standards and Building Standards and Guidelines, including the promulgation or issuance of notices of proposed rulemakings, proposed rules, or final rules. The amendment was defeated by a rollcall vote of 13 ayes to 13 noes.

Amendment 9.—Mr. Ehlers offered an en bloc amendment to Section 3 that decreased funding for Environmental Management by $28,308,000 (from $624,323,000 to $596,015,000) and increased

funding for Nuclear Physics by $23,308,000 (from $213,313,000 to $241,318,000). The amendment was defeated by a rollcall vote of 12 ayes to 12 noes.

Amendment 10.—Mr. Davis offered an amendment to add a new Section 8 that states that nothing in this Act shall preclude further authorization of appropriations for civilian research, development, demonstration, and commercial application activities of the Department of Energy for fiscal year 1996; provided, that authorization allocations adopted by the Conference Committee on House Concurrent Resolution 67, and approved by Congress, allow for such further authorizations. The amendment was adopted by voice vote.

Amendment 10a.—Mr. Doyle offered a substitute amendment to Mr. Davis' amendment to provide an alternative authorization. Subsection 8(a) of Mr. Doyle's substitute 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 $758,000,000, 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. Subsection 8(b) of Mr. Doyle's substitute allocated 47 percent of any such increase for Energy Supply Research and Development, 2 percent for General Science and Research, 25 percent for Fossil Energy Research and Development, and 26 percent for Energy Conservation Research and Development. The amendment was defeated by a rollcall vote of 11 ayes to 13 noes.

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. 1816, the Department of Energy Civilian Research and Development Act of 1995, on June 13, 1995.

COMMITTEE MARKUP

On June 20, 21 and 22, 1995, the Science Committee convened to mark up H.R. 1816, the Department of Energy Civilian Research and Development Authorization Act of 1995.

Amendment 1 (June 20, 1995).—Mr. Walker, Chairman of the Committee, offered an Amendment in the Nature of a Substitute to H.R. 1816, that would increase funding by $265,360,000 million for critical energy research and development programs while remaining committed to a balanced budget. The Walker Substitute was, without objection, considered original text for mark up purposes.

Amendment 2 (June 20, 1995).—Mr. Doyle offered an amendment in the nature of a substitute to authorize a total of $4,800,600,000 for Department of Energy Civilian Research and Development programs for fiscal year 1996—an increase of $550,600,000 above the Substitute total of $4,250,000,000—and $4,342,000,000 for each of fiscal years 1997, 1998, 1999, and 2000. The amendment was defeated by a rollcall vote of 18 ayes to 27 noes.

Amendment 3 (June 21, 1995).—Mr. Doggett submitted an en bloc amendment to Subsections 3(a)(2)(A), 4(a) and 4(d) to decrease

Nuclear Energy by $14,000,000 and to strike any authorizing language for the AP600 light water reactor. Mr. Doggett withdrew his amendment.

Amendment 4 (June 21, 1995).—Mr. Foley offered an en bloc amendment to Subsections 3(a)(2)(A), 4(a) and 4(b) to decrease Nuclear Energy by $25,000,000 and to strike any authorizing language for the Gas Turbine-Modular Helium Reactor. The amendment was adopted by a rollcall vote of 23 ayes to 15 noes.

Amendment 5 (June 21, 1995).—Mr. Baker submitted an amendment to Subsection 3(a)(5)(A) that would limit the overall authorization for Magnetic Fusion Energy to not more than $75,173,000 for Development and Technology operating expenses, and not more than $90,059,000 for Confinement Systems operating expenses. Mr. Baker withdrew the amendment.

Amendment 6 (June 21, 1995).—Mr. Davis submitted an en bloc amendment to Subsections 3(a)(11)(A), 3(d)(3), and 4(a) to reduce the amount authorized for Environmental Management by $10,000,000 and to increase the amount authorized for Transportation Sector Energy Conservation Research and Development by $10,000,000, including $10,000,000 for alternative fuels utilization programs. Mr. Davis did not offer the amendment.

Amendment 7 (June 21, 1995).—Mr. Doggett offered an amendment to strike language in Subsection 3(c)(2) authorizing funds to maintain programs at the National Institute for Petroleum and Energy Research (NIPER). The amendment was defeated by a rollcall vote of 17 ayes to 18 noes.

Amendment 8 (June 21, 1995).—Mr. Largent submitted an amendment to Subsection 3(c)(2) inserting language directing the Secretary of Energy to support, consistent with the merit review requirements of Section 6, "a multi-state consortium dedicated to integrated petroleum environmental and energy research to develop objective, cost-benefit analyses, for the appropriate technology required for effective fossil energy production and supply, on a 50 percent cost-share basis." Mr. Largent withdrew his amendment.

Amendment 9 (June 21, 1995).—Mr. Doggett offered an amendment to insert a new paragraph in Subsection 4(a) to prohibit funding for the International Thermonuclear Experimental Reactor (ITER). The amendment was defeated by a rollcall vote of 14 ayes to 26 noes.

Amendment 10a (June 21, 1995).—Mr. Doyle offered an amendment to insert a new Section 8 to provide an alternative authorization. Subsection 8(a) of Mr. Doyle's substitute provided 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 $497,000,000, 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. Subsection 8(b) of Mr. Doyle's amendment allocated (1) the first $100,000,000 of any such increase to solar and renewable energy; (2) the next $100,000,000 to coal, oil, and gas research and development; (3) the next $100,000,000 to building, in-

dustrial, and transportation energy research and development activities; (4) the next $18,000,000 to the Environmental, Health, and Safety program; (5) the next $42,000,000 to Laboratory Technology Transfer and Technology Partnership programs; (6) the next $40,000,000 to fusion energy research and development activities; (7) the next $59,000,000 to the Biological and Environmental Research program; and (8) the remaining $38,000,000 of any such increase to fossil and conservation research and development activities. The amendment was defeated by voice vote.

Amendment 10b (June 21, 1995).—Mr. Doyle submitted an amendment to insert a new Section 8 to provide an alternative authorization. Subsection 8(a) of Mr. Doyle's substitute 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 $758,000,000, 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. Subsection 8(b) of Mr.Doyle's substitute allocated 47 percent of any such increase for Energy Supply Research and Development, 2 percent for General Science and Research, 25 percent for Fossil Energy Research and Development, and 26 percent for Energy Conservation Research and Development. Mr. Doyle withdrew the amendment.

Amendment 11 (June 22, 1995).—Mr. Traficant offered an amendment to insert language creating a new Section 13 to encourage the purchase of American goods. Mr. Traficant asked for, and received, unanimous consent to withdraw his amendment.

Amendment 12 (June 22, 1995).—Mr. Barton offered an amendment to create a new Title II that would establish an Energy Laboratory Facilities Commission "for the purpose of reducing the number of energy laboratories and programs at those laboratories, through reconfiguration, privatization, and closure." Mr. Barton withdrew the amendment.

Amendment 13 (June 21 and June 22, 1995).—Mr. Tanner offered an amendment to Subsections 3(a), 3(c) and 3(d) that would increase the authorization level by a total of $105,000,000, as follows: (1) Solar and Renewable Energy operating and capital equipment by $15,000,000; (2) Coal by $20,000,000; (3) Oil Technology by $15,000,000; (4) Gas by $15,000,000; (5) Buildings Sector Energy Conservation R&D by $10,000,000; (6) Industry Sector Energy Conservation R&D by $10,000,000; and (7) Transportation Sector Energy Conservation R&D by $20,000,000. The amendment was defeated by a rollcall vote of 12 ayes to 21 noes. On June 22, 1995, Mr. Brown's motion to reconsider the vote was agreed to by unanimous consent. The amendment was put to a second vote and defeated by a rollcall vote of 20 ayes to 26 noes.

Amendment 14 (June 22, 1995).—Mr. Olver offered an amendment to strike Subsection 4(c)(3) and insert a new Subsection 4(e) to prohibit the Secretary from issuing final rules relating to Lighting and Application Standards and Building Standards and Guidelines if (1) the Attorney General "has determined that the standards promulgated by such final rule are likely to cause significant

anticompetitive effects; or (2) the Secretary has not performed an analysis showing that the benefits of such standards outweigh the costs thereof, taking into consideration the economic impact on consumers and manufacturers." The amendment was defeated by a division vote of 9 ayes to 27 noes.

Amendment 15 (June 22, 1995).—Mr. Brown offered an amendment to insert language following Subsection 4(c)(3) that states: "Until additional funds are made available for activities described in paragraph (3). States shall not be preempted from establishing Lighting and Appliance Standards and Building Standards and Guidelines." The amendment was defeated by a division vote of 9 ayes to 25 noes.

Amendment 16 (June 22, 1995).—Mr. Roemer offered an amendment to insert a new Title II, the "Department of Energy Laboratories Efficiency Improvement Act", that would reduce the number of individuals employed at Department of Energy laboratories by one-third within 10 years of enactment.

Amendment 16a (June 22, 1995).—Mr. Doyle offered an amendment to the Roemer amendment to insert language into Subsection 204(1) of the Roemer amendment excluding any Naval Nuclear Propulsion Program facility from being defined as a "departmental laboratory". Mr. Doyle's amendment was included in Mr. Roemer's amendment by unanimous consent.

The Roemer amendment, as amended by the Doyle amendment, was defeated by a rollcall vote of 17 ayes to 23 noes.

Amendment 17 (June 22, 1995).—Ms. Lofgren offered an amendment to Subsection 3(a)(5) and 3(a)(5)(A) to increase Magnetic Fusion Energy operating and capital equipment by $25,000,000. The amendment was first defeated by a rollcall vote of 20 ayes to 20 noes. Mr. Luther made a motion to reconsider the vote, which was agreed to by voice vote. The amendment was then put to a second vote and adopted by a rollcall vote of 22 ayes to 19 noes.

Amendment 18 (June 22, 1995).—Mr. Doyle offered an en bloc amendment to reduce Energy Supply Research and Development Activities by $81,010,000 and increase funding for Fossil Energy Research and Development by $81,010,000. The Energy Supply Research and Development Activities reductions were (1) $35,000,000 from Nuclear Energy operating and capital equipment by cutting Nuclear Technology R&D from $35,810,000 to $810,000; (2) $40,000,000 from Biological and Environmental Research by eliminating construction funding for Project 91-EM-100, the Environmental Molecular Sciences Laboratory, Pacific Northwest Laboratory; and (3) $6,010,000 from Multiprogram Energy Laboratories—Facilities Support by eliminating construction funding for Project 95-E-310, Multiprogram Laboratory Rehabilitation, Phase 1, Pacific Northwest Laboratory ($2,740,000) and Project 95-E-302, Applied Science Center, Phase 1, Brookhaven National Laboratory ($3,270,000). The Fossil Energy Research and Development increases were (1) $30,010,000 to Coal; (2) $26,000,000 to oil; and (3) $25,000,000 to gas.

The amendment was adopted by a rollcall vote of 23 ayes to 21 noes. Mr. Largent made a motion to reconsider the vote. The motion to reconsider was agreed to by a rollcall vote of 21 ayes to 17

noes. The amendment was put to a second vote and defeated by a rollcall vote of 18 ayes to 23 noes.

Amendment 18a (June 22, 1995).—Mr. Walker offered an amendment to the Doyle amendment to restore all funding for those areas reduced under the Doyle amendment to the levels in the Walker Substitute, except for Coal R&D which was reduced by $9,533,000, from $49,955,000 to $40,422,000, none of which could be made available to the Pittsburgh Energy Technology Center. Mr. Walker asked for, and received, unanimous consent to withdraw his amendment.

The Doyle amendment was first adopted by a rollcall vote of 23 ayes to 21 noes. Mr. Largent made a motion to reconsider the vote, and the motion was agreed to by a rollcall vote of 21 ayes to 17 noes. The amendment was then put to a second vote and defeated by a rollcall vote of 18 ayes to 23 noes.

The Walker Substitute to H.R. 1816, as amended, was adopted by voice vote. H.R. 1816, as amended by the Walker Substitute, was also adopted by voice vote.

With a quorum present, Mr. Hayes moved that the Committee report the bill, H.R. 1816, as amended, to the House and that staff prepare the legislative report and make technical and conforming changes, and that the Chairman take all necessary steps to bring the bill before the House for consideration. The motion was agreed to by voice vote.

Mr. Brown requested that Members have three days in which to file supplemental, minority, dissenting or additional views. The motion was agreed to by unanimous consent.

Mr. Ehlers moved, pursuant to Clause 1 of Rule XX 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 H.R. 1816 or a similar Senate bill. The motion was agreed to by voice vote.

Mr. Walker asked for unanimous consent that the Committee adopt the summary charts presented to the Members of the Committee as part of the legislative report on H.R. 1816. Mr. Brown objected to the unanimous consent request. Mr. Walker then moved that the Committee adopt the summary charts presented to the Members of the Committee as part of the legislative report on H.R. 1816. The motion was agreed to by a rollcall vote of 21 ayes to 17 noes.)

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 Subsection 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 30, 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. 1816, the Department of Energy Civilian Research and Development Act of 1995.

Enactment of H.R. 1816 would affect direct spending. Therefore, pay-as-you-go procedures would apply to the bill.

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

Sincerely,

James L. Blum
(For June E. O'Neill, *Director*).

Congressional Budget Office Cost Estimate

1. Bill number: H.R. 1816.

2. Bill title: Department of Energy Civilian Research and Development Act of 1995.

Bill status: As ordered reported by the House Committee on Science on June 22, 1995.

4. Bill purpose: H.R. 1816 would authorize fiscal year 1996 appropriations for civilian research and development (R&D) programs within the Department of Energy (DOE), and would make those authorizations subject to certain conditions. First, the bill would prohibit DOE from spending any of the funds authorized for 1996 on 42 programs, most of which received federal funding in 1995. Second, it would disallow appropriations for major capital projects that have not been authorized and require DOE to report annually on current and planned projects. Special criteria and procedures are provided in the bill for U.S. participation in the Large Hadron Collider project with the European Organization for Nuclear Research (CERN). Third, grants and other forms of financial assistance would be awarded under a revised merit review process. Other provisions would establish eligibility criteria for financial awards and matching requirements for a light water reactor project.

This bill also would affect the use of previously appropriated funds. It would authorize DOE to use unobligated balances of the Clean Coal Technology program to pay for costs associated with terminating other civilian energy R&D activities. Another provision would preclude DOE from spending funds provided in prior-year appropriations for two university research centers or for rulemaking proceedings on certain energy conservation issues.

5. Estimated cost to the Federal Government: Assuming appropriation of the amounts authorized by this bill, H.R. 1816 would result in discretionary spending totalling $4.25 billion over the 1996–1999 period and direct spending totalling about $125 million in 1996. The following table summarizes the estimated budgetary impact of enacting H.R. 1816.

[By fiscal year, in millions of dollars]

	1995	1996	1997	1998	1999	2000
SPENDING SUBJECT TO APPROPRIATIONS ACTION						
Spending under current law:						
Budget authority [1]	5,255	0	0	0	0	0
Estimated outlays	5,516	2,701	850	21	0	0
Proposed changes:						
Authorization level	0	4,250	0	0	0	0
Estimated outlays	0	2,157	1,444	637	9	0
Spending under H.R. 1816:						
Authorization level [1]	5,255	4,250	0	0	0	0
Estimated outlays	5,516	4,858	2,294	658	9	0
ADDITIONAL DIRECT SPENDING [2]						
Estimated budget authority	0	0	0	0	0	0
Estimated outlays	0	125	0	0	0	0

[1] The 1995 amount represents funds appropriated for that year.
[2] The bill would shift outlays to 1996 from years after 2000.

The costs of this bill fall within budget functions 250 and 270.

6. Basis of estimate: Spending Subject to Appropriations Action. This estimate assumes that H.R. 1816 would be enacted by the end of fiscal year 1995 and that the full amounts authorized would be appropriated. The tasks outlined in the bill regarding DOE's planning, reporting, and negotiations on U.S. participation in the Large Hadron Collider project are assumed to be funded within the amounts authorized for the General Science and Research account for 1996. Outlays are projected to occur at rates consistent with historical trends, although the bill's reductions in program levels and provisions regarding merit review could slow the pace of obligations in some programs.

CBO expects that the provision disallowing the spending of prior-year appropriations for the research centers and rulemaking proceedings would not have a budgetary effect, because DOE will probably have obligated all of the money provided for these activities prior to the assumed date of enactment of this bill. According to officials at DOE, funds appropriated for the two university centers are scheduled to be fully obligated by August 1995. They also anticipate that all of the funds provided for the rulemaking proceedings will have been obligated by the end of fiscal year 1995.

Direct Spending. CBO estimates that enacting H.R. 1816 would result in direct spending in 1996 for termination costs of the programs that could not be funded out of the appropriations authorized in this bill for 1996. Because section 4 would prohibit using

the money authorized for 1996 to pay for any expenses related to these programs, including termination, we assume that termination costs beyond those covered by existing funds would have to be paid from other sources. Under section 12 of this bill, such costs could be paid using unobligated funds previously appropriated for the Clean Coal Technology (CCT) program. Using balances available to the CCT program to pay for termination expenses would not require an increase in budget authority because CCT funds have already been appropriated. However, because we expect outlays for the CCT program to occur over a long period of time, such payments would have the effect of shifting some outlays into the 1996–2000 period that otherwise would not occur until after the year 2000.

Based on information from DOE, CBO estimates that the incremental cost of terminating the specified programs—that is, the cost beyond amounts that could be paid using existing program funds—is likely to total about $125 million. This estimate includes about $2 million for the cost of reductions-in-force at DOE that would likely result from enacting this bill. According to DOE's preliminary estimates, termination expenses could total as much as $200 million depending on the status of contracts and resources at the time of enactment. For the purposes of this estimate CBO assumes that DOE would be able to pay some of these costs using previously appropriated funds. Hence, we estimate that outlays from CCT funds would increase by $125 million in 1996 as a direct result of enacting this bill. Outlays for the CCT program would be correspondingly lower sometime after the year 2000.

7. Pay-as-you-go considerations: Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1998. CBO estimates that enacting H.R. 1816 would cause direct spending because DOE would have to terminate specific programs and pay the associated termination costs using sources other than those authorized by the bill for R&D activities in 1996. Under this bill, such termination expenses would be paid directly out of unobligated balances previously appropriated for the Clean Coal Technology program, resulting in additional outlays in 1996. The following table shows CBO's estimate of the pay-as-you-go impact of H.R. 1816.

[By fiscal year, in millions of dollars]

	1995	1996	1997	1998
Change in outlays	0	125	0	0
Change in receipts	(1)	(1)	(1)	(1)

[1] Not applicable.

8. Estimated cost to State and local Governments: In recent years, state and local governments have received about $1.2 million annually under DOE's program for Municipal Energy Management, which would be terminated if this bill were enacted.

9. Estimate comparison: None.

10. Previous CBO estimate: None.

11. Estimate prepared by: Kathleen Gramp.

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. 1816 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. Changes in Existing Law Made by the Bill, As Reported

If enacted, this bill would make no change in existing law.

XV. Additional and Dissenting Views

ADDITIONAL VIEWS OF HON. STEVE SCHIFF

HISPANIC OUTREACH

Hispanic Americans are the fastest growing minority population in the United States. Many Spanish speaking Hispanics are living in close proximity to DOE sites which have been contaminated by radioactive and hazardous waste. I believe that it is very important for DOE to ensure access to the major decision making processes involving these sites to individuals living in affected communities. Therefore, I strongly urge the Department to increase outreach and information dissemination efforts to Hispanics in affected communities. The information should be provided in a linguistically appropriate, non technical manner to ensure that individuals are adequately informed.

Hispanic participation in DOE activities should by no means be limited to environmental remediation and waste management. Hispanics can and should benefit from DOE programs and vice versa, but, unfortunately, many Hispanics are simply not aware of the missions and programs at the Department. I encourage the DOE to continue to reach out, educate, and inform Hispanics, in a culturally and linguistically relevant manner, on a variety of topics related to the missions, programs, and activities of the DOE.

Steve Schiff.

DISSENTING VIEWS

As reported by the Committee, H.R. 1816 goes too far in cutting our investment in energy research and development (R&D), imperiling efforts to ensure the Nation's future energy security, to reduce reliance on nonrenewable and foreign energy resources, and to generate and transmit power with more efficiency and less pollution. The critical importance of continued investment in energy R&D was recently confirmed by a comprehensive independent investigation of Department of Energy (DOE) energy R&D programs headed by one of the nation's foremost energy experts, Daniel Yergin. The Yergin report concludes that "the Federal Government [should] continue to provide leadership, focus, and substantial financial support for energy R&D to ensure that the national goals of U.S. energy security, economic strength, environmental quality, and national leadership in science and technology are effectively achieved. Such support is essential to our Nation's future well-being.

Examples of the benefits of energy R&D investments in energy savings abound. For example, DOE R&D has created:

Flourescent lamp electronic ballasts, which have saved consumers $750 million in their energy bills from a $3 million R&D investment;

Advanced energy-efficient windows, which have saved consumers $1.8 billion from a $3 million R&D investment; and

New computerized tools for energy-efficient building design, which have saved $1.9 billion for buildings constructed through 1993.

We agree that cuts need to be made in federal spending; indeed, Mr. Doyle proposed a DOE budget, supported by all but one minority Member, that would have reduced spending on DOE's programs by $500 million below last year's levels—a 10 percent reduction. This proposal was consistent with the Senate-passed budget resolution and the Conservative Coalition budget resolution, which would balance the budget in seven years. (A comparison of the various budgets considered during markup is attached with other background material.)

Yet the majority summarily rejected the Democratic proposal on the grounds that it was not "realistic with the budget." Instead, the Republicans relied on the House-passed budget resolution which envisions a $350 billion tax cut for the wealthiest Americans. To pay for that tax cut, Committee Republicans chose to cut DOE's energy R&D programs another $800 million—slashing funding more than 20 percent in one year. These cuts go far beyond DOE's reasonable fair share of spending reductions and threaten key R&D investments.

For example, H.R. 1816 cuts conservation, fossil, and solar and renewables R&D to the point where the only funds available will be needed simply to pay the costs of ending the programs. We

should be investing taxpayer money to advance our knowledge base and to help promote economic growth through cleaner and cheaper energy. Instead, H.R. 1816 pays for the pink slips that will put scientists and engineers out of work all across the country and in DOE's prestigious national laboratories.

H.R. 1816 cuts the fusion research program so far that our domestic research capabilities may be shut down. H.R. 1816 cuts DOE's global change research program, ensuring that critical and costly environmental policy decisions will be made without the necessary scientific information. H.R. 1816 cuts DOE's energy conservation programs to a level where all means of promoting new technology development are terminated and where the National Renewable Energy Laboratory must close its doors.

The majority defend some of their cuts on the grounds that DOE's R&D programs constituted "corporate welfare" because large and profitable private sector have market incentives to conduct their own research. The real world record, however, shows that private sector energy R&D is rapidly declining, primarily due to risk-adverse investment trends. Further, the majority did not consider the costs to the Nation of not investing in this type of research and development. In any event, the term "corporate welfare" appears to have been applied selectively. For example, H.R. 1816 provides funding for the AP600 light water reactor development program in which the private sector has shown considerable interest. In addition, H.R. 1816 takes a step backward in the fight against earmarking of research monies by specifying that the programs of the National Institute for Petroleum and Energy Research (NIPER) in Bartlesville, OK, be maintained while according no such special status to other research institutions. The Minority asserts that NIPER should have to compete like everyone else.

The majority attempts to justify the magnitude of the cuts by claiming that they were in some way required by the House-passed budget resolution. Without any consultation with the minority, the Chairman imposed stringent budget "caps" on each Subcommittee based not on the House-passed budget resolution but on the language in the legislative report accompanying the resolution. However, nothing in the budget resolution is binding on authorization committees, and the Chairman's imposition of such arbitrary "caps" has no basis in the House or Committee rules or in the practice of other Committees. (See the attached survey of other Committees conducted by minority staff.)

Further, the "suggestions" in the legislative report are nothing more than that; appropriations and authorization committees are expected to exercise their own independent judgment. In any event, the imposition of "caps" makes little sense and serves only to increase the power of the Chairman of the Committee at the expense of its Members. Instead of trying to pick some single magic moment in the year-long budget process on which to anchor arbitrary "caps", the Committee should simply do what authorizing committees are supposed to do: exercise its own expert and independent judgement about the most appropriate funding levels for programs within its jurisdiction. The arbitrary nature of the process was amply illustrated when the Chairman's budget "cap" on the DOE

R&D bill suddenly increased by $267 million on the evening prior to the full Committee markup.

Finally, the legislative report accompanying H.R. 1816 contains tables and detailed instructions for cuts to energy research and development which are not reflected in the language of H.R. 1816 itself. Adopted by the majority with no debate, these tables represent the worst type of congressional micromanagement—one might even say "nanomanagement." We remind the agencies that legislative report language—whether in this report or in reports accompanying appropriations bills—are not legally binding, and we encourage the Department to review these suggestions carefully.

As a post-note to the debate, the Ranking Minority Member of the Committee asked DOE to prepare tables comparing the various DOE R&D budgets presented during the markups. Please see the attached response from DOE. Thank you.

GEORGE E. BROWN, Jr.
JAMES A. TRAFICANT.
JOHN S. TANNER.
TIM ROEMER.
BUD CRAMER.
PAUL MCHALE.
JANE HARMAN
EDDIE BERNICE JOHNSON.
DAVID MINGE.
JOHN W. OLVER.
ALCEE L. HASTINGS.
LYNN N. RIVERS.
KAREN MCCARTHY.
MIKE WARD.
ZOE LOFGREN.
LLOYD DOGGETT.
MICHAEL F. DOYLE.
SHEILA JACKSON LEE.

Department of Energy
Washington, DC 20585

June 29, 1995

The Honorable George E. Brown, Jr.
Ranking Minority Member
Committee on Science
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Brown:

Thank you for your letter of June 27, requesting comparative budget information with regard to H.R. 1816, the Department of Energy Research and Development Authorization Act of 1995. In response to your request, accompanying this letter are the following tables:

- By laboratory, a comparison of the Department's R&D programs as
  - appropriated in FY 1995;
  - expected if the Doyle Substitute to H.R. 1816 were enacted;
  - expected if the Subcommittee bill were enacted; and
  - as expected if the Full Committee bill were enacted into law.
- Comparisons of the four proposals broken down by funding level for all DOE budget accounts within the jurisdiction of the House Committee on Science.
- Comparisons of the impact of the four proposals on Departmental programs relevant to the State of California.

As you recommended, the nonbinding Committee report language was not used to develop these tables.

Please let me know if there is additional information which the Department can provide which will assist in the House consideration of H.R. 1816. I can be reached at 586-4171.

Sincerely,

Joseph F. Vivona
Chief Financial Officer

Enclosures (3)

Printed with soy ink on recycled paper

Impact of Final House Science Committee Action at:

Department of Energy

Comparison between Proposals

(dollars in thousands)

	FY 1995 Adjusted Approp.	Walker Cut %	FY 1996 Mark (Walker)	Rohrabacher Cut %	FY 1996 Mark (Rohr-abacher)	Doyle Cut %	FY 1996 Mark (Doyle)
Solar and Renewables							
Solar Programs	292,182	-48%	153,009	-57%	126,519	-10%	263,000
Geothermal	37,807	-46%	20,345	-54%	17,464	-21%	30,000
Hydrogen	9,616	160%	25,000	160%	25,000	160%	25,000
Other Solar and Renewables	84,768	-56%	37,097	-59%	34,658	-30%	59,400
Total, Solar and Renewables	424,373	-45%	235,451	-52%	203,641	-11%	377,400
Fossil Energy							
Coal	154,393	-68%	49,955	-68%	49,955	-26%	114,900
Oil	81,708	-47%	43,234	-50%	41,234	-0%	81,700
Gas	116,273	-49%	59,829	-50%	57,829	0%	116,300
Program Direction	72,263	-37%	45,535	-55%	32,192	-11%	64,000
Other Fossil	33,530	-33%	22,397	-32%	22,757	-36%	21,400
Total, Fossil Energy	458,167	-52%	220,950	-55%	203,967	-13%	398,300
Energy Efficiency							
Buildings	115,636	-52%	55,074	-65%	40,107	-46%	62,700
Industrial	135,193	-59%	55,110	-62%	51,116	-10%	121,700
Transportation	206,257	-46%	112,123	-48%	106,731	-10%	185,700
Utility	8,756	-100%	—	-100%	—	-100%	—
Other Energy Efficiency	48,701	-84%	7,813	-84%	7,813	-11%	43,400
Total, Energy Efficiency	514,543	-55%	230,120	-60%	205,767	-20%	413,500
Nuclear Energy							
Nuclear Energy R&D	199,146	-14%	170,895	-39%	120,988	-19%	161,000
Other	89,198	12%	99,553	12%	99,553	7%	95,100
Total, Nuclear Energy	288,344	-6%	270,448	-24%	220,541	-11%	256,100
Energy Research							
Biological & Environmental Research	436,641	-15%	369,645	-18%	358,136	-2%	429,500
Fusion	368,421	-31%	254,144	-38%	229,144	-25%	275,000
Basic Energy Sciences	733,940	13%	827,981	4%	765,852	4%	761,000
Laboratory Technology Transfer	56,900	-100%	—	-100%	—	-30%	40,000
University & Science Education	69,572	-100%	—	-100%	—	-71%	20,000
Other	108,379	-34%	71,621	-37%	68,091	-47%	57,100
High Energy Physics	642,129	6%	680,137	5%	674,137	4%	665,000
Nuclear Physics	331,502	-4%	316,873	-12%	290,110	-3%	321,100
Total, Energy Research	2,747,484	-8%	2,520,401	-13%	2,385,470	-7%	2,568,700
ES&H & Civilian Waste R&D	144,612	-11%	128,433	-12%	127,291	-0%	144,600
Environmental Management	731,649	-12%	644,197	-13%	638,323	-12%	642,000
Clean Coal Technology	37,121	-100%	—	-100%	—	-100%	—
Total, Science Jurisdiction	5,346,293	-21%	4,250,000	-25%	3,985,000	-10%	4,800,600

Estimated Impact of Final House Science Committee Action at:

Oak Ridge National Laboratory

Comparison between Proposals
(dollars in thousands)

	FY 1995 Estimated Oblig.	Walker Cut %	FY 1996 Estimate (Walker)*	Rohrabacher Cut %	FY 1996 Est. (Rohr-abacher)*	Doyle Cut %	FY 1996 Estimate (Doyle)*
Solar and Renewables							
Solar Programs	4,630	-48%	2,425	-57%	2,005	-10%	4,168
Geothermal	—	-46%	—	-54%	—	-21%	—
Hydrogen	200	160%	520	160%	520	160%	520
Other Solar and Renewables	13,150	-56%	5,755	-59%	5,376	-30%	9,215
Total, Solar and Renewables	17,980	-52%	8,700	-56%	7,901	-23%	13,903
Fossil Energy							
Coal	6,534	-68%	2,114	-68%	2,114	-26%	4,863
Oil	—	-47%	—	-50%	—	-0%	—
Gas	—	-49%	—	-50%	—	0%	—
Program Direction	—	-37%	—	-55%	—	-11%	—
Other Fossil	—	-33%	—	-32%	—	-36%	—
Total, Fossil Energy	6,534	-68%	2,114	-68%	2,114	-26%	4,863
Energy Efficiency							
Buildings	14,300	-52%	6,811	-65%	4,960	-46%	7,754
Industrial	15,684	-59%	6,393	-62%	5,930	-10%	14,119
Transportation	35,334	-46%	19,208	-48%	18,284	-10%	31,812
Utility	1,000	-100%	—	-100%	—	-100%	—
Other Energy Efficiency	550	-84%	88	-84%	88	-11%	490
Total, Energy Efficiency	66,868	-51%	32,500	-56%	29,262	-19%	54,175
Nuclear Energy							
Nuclear Energy R&D	7,394	-14%	6,345	-39%	4,492	-19%	5,978
Other	4,612	12%	5,147	12%	5,147	7%	4,917
Total, Nuclear Energy	12,006	-4%	11,492	-20%	9,639	-9%	10,895
Energy Research							
Biological & Environmental Research	21,913	-15%	18,551	-18%	17,973	-2%	21,555
Fusion	28,726	-31%	19,816	-38%	17,866	-25%	21,442
Basic Energy Sciences	80,581	13%	90,906	4%	84,085	4%	83,552
Laboratory Technology Transfer	9,664	-100%	—	-100%	—	-30%	6,794
University & Science Education	1,507	-100%	—	-100%	—	-71%	433
Other	35,454	-34%	23,429	-37%	22,275	-47%	18,679
High Energy Physics	290	6%	307	5%	304	4%	300
Nuclear Physics	11,639	-4%	11,125	-12%	10,186	-3%	11,274
Total, Energy Research	189,774	-14%	164,134	-20%	152,689	-14%	164,029
ES&H & Civilian Waste R&D	7,048	-11%	6,259	-12%	6,204	-0%	7,047
Environmental Management	105,904	-12%	93,246	-13%	92,395	-12%	92,928
Clean Coal Technology	—	-100%	—	-100%	—	-100%	—
Total, Science Jurisdiction	406,114	-22%	318,445	-26%	300,204	-14%	347,840

Note: This table assumes that this laboratory is cut in each detail line above by the same percentage as DOE as a whole. The percentages on the total lines are calculated based upon the sum of the cuts in the detail lines. Depending on how the split of work at the lab within any total compares with the split in the DOE as a whole, the percentage cut at the lab on a total line may vary from the overall DOE percentage cut, and from cuts at any other lab.

Estimated Impact of Final House Science Committee Action at:

Argonne National Laboratory (East)

Comparison between Proposals

(dollars in thousands)

	FY 1995 Estimated Oblig.	Walker Cut %	FY 1996 Estimate (Walker)*	Rohrabacher Cut %	FY 1996 Est. (Rohr-abacher)*	Doyle Cut %	FY 1996 Estimate (Doyle)*
Solar and Renewables							
Solar Programs	—	-48%	—	-57%	—	-10%	—
Geothermal	—	-46%	—	-54%	—	-21%	—
Hydrogen	—	160%	—	160%	—	160%	—
Other Solar and Renewables	4,350	-56%	1,904	-59%	1,779	-30%	3,048
Total, Solar and Renewables	4,350	-56%	1,904	-59%	1,779	-30%	3,048
Fossil Energy							
Coal	2,116	-68%	685	-68%	685	-26%	1,575
Oil	1,449	-47%	767	-50%	731	-0%	1,449
Gas	600	-49%	309	-50%	298	0%	600
Program Direction	—	-37%	—	-55%	—	-11%	—
Other Fossil	—	-33%	—	-32%	—	-36%	—
Total, Fossil Energy	4,165	-58%	1,761	-59%	1,714	-13%	3,624
Energy Efficiency							
Buildings	5	-52%	2	-65%	2	-46%	3
Industrial	9,486	-59%	3,867	-62%	3,587	-10%	8,539
Transportation	6,964	-46%	3,786	-48%	3,604	-10%	6,270
Utility	—	-100%	—	-100%	—	-100%	—
Other Energy Efficiency	400	-84%	64	-84%	64	-11%	356
Total, Energy Efficiency	16,855	-54%	7,719	-57%	7,257	-10%	15,168
Nuclear Energy							
Nuclear Energy R&D	30,435	-14%	26,117	-39%	18,490	-19%	24,605
Other	—	12%	—	12%	—	7%	—
Total, Nuclear Energy	30,435	-14%	26,117	-39%	18,490	-19%	24,605
Energy Research							
Biological & Environmental Research	18,440	-15%	15,611	-18%	15,125	-2%	18,138
Fusion	6,992	-31%	4,823	-38%	4,349	-25%	5,219
Basic Energy Sciences	183,382	13%	206,879	4%	191,356	4%	190,143
Laboratory Technology Transfer	8,476	-100%	—	-100%	—	-30%	5,959
University & Science Education	4,742	-100%	—	-100%	—	-71%	1,363
Other	6,595	-34%	4,358	-37%	4,143	-47%	3,475
High Energy Physics	8,550	6%	9,056	5%	8,976	4%	8,855
Nuclear Physics	15,131	-4%	14,463	-12%	13,242	-3%	14,656
Total, Energy Research	252,308	1%	255,190	-6%	237,191	-2%	247,808
ES&H & Civilian Waste R&D	3,212	-11%	2,853	-12%	2,827	-0%	3,212
Environmental Management	25,544	-12%	22,491	-13%	22,286	-12%	22,414
Clean Coal Technology	—	-100%	—	-100%	—	-100%	—
Total, Science Jurisdiction	336,869	-6%	318,035	-13%	291,544	-5%	319,829

* Note: This table assumes that this laboratory is cut in each detail line above by the same percentage as DOE as a whole. The percentages on the total lines are calculated based upon the sum of the cuts in the detail lines. Depending on how the split of work at the lab within any total compares with the split in the DOE as a whole, the percentage cut at the lab on a total line may vary from the overall DOE percentage cut, and from cuts at any other lab.

Estimated Impact of Final House Science Committee Action at:

Sandia National Laboratory

Comparison between Proposals
(dollars in thousands)

	FY 1995 Estimated Oblig.	Walker Cut %	FY 1996 Estimate (Walker)*	Rohrabacher Cut %	FY 1996 Est. (Rohr-abacher)*	Doyle Cut %	FY 1996 Estimate (Doyle)*
Solar and Renewables							
Solar Programs	33,356	-48%	17,468	-57%	14,444	-10%	30,025
Geothermal	7,000	-46%	3,767	-54%	3,233	-21%	5,555
Hydrogen	1,500	160%	3,900	160%	3,900	160%	3,900
Other Solar and Renewables	6,732	-56%	2,946	-59%	2,752	-30%	4,717
Total, Solar and Renewables	48,588	-42%	28,081	-50%	24,329	-9%	44,197
Fossil Energy							
Coal	2,504	-68%	810	-68%	810	-26%	1,863
Oil	7,000	-47%	3,704	-50%	3,533	-0%	6,999
Gas	—	-49%	—	-50%	—	0%	—
Program Direction	—	-37%	—	-55%	—	-11%	—
Other Fossil	—	-33%	—	-32%	—	-36%	—
Total, Fossil Energy	9,504	-53%	4,514	-54%	4,343	-7%	8,862
Energy Efficiency							
Buildings	50	-52%	24	-65%	17	-46%	27
Industrial	2,919	-59%	1,190	-62%	1,104	-10%	2,628
Transportation	2,377	-46%	1,292	-48%	1,230	-10%	2,140
Utility	—	-100%	—	-100%	—	-100%	—
Other Energy Efficiency	—	-84%	—	-84%	—	-11%	—
Total, Energy Efficiency	5,346	-53%	2,506	-56%	2,351	-10%	4,795
Nuclear Energy							
Nuclear Energy R&D	3,220	-14%	2,763	-39%	1,956	-19%	2,603
Other	7,600	12%	8,482	12%	8,482	7%	8,103
Total, Nuclear Energy	10,820	4%	11,245	-4%	10,438	-1%	10,706
Energy Research							
Biological & Environmental Research	1,335	-15%	1,130	-18%	1,095	-2%	1,313
Fusion	8,437	-31%	5,820	-38%	5,247	-25%	6,298
Basic Energy Sciences	22,816	13%	25,739	4%	23,808	4%	23,657
Laboratory Technology Transfer	—	-100%	—	-100%	—	-30%	—
University & Science Education	695	-100%	—	-100%	—	-71%	200
Other	—	-34%	—	-37%	—	-47%	—
High Energy Physics	—	6%	—	5%	—	4%	—
Nuclear Physics	—	-4%	—	-12%	—	-3%	—
Total, Energy Research	33,283	-2%	32,689	-9%	30,150	-5%	31,468
ES&H & Civilian Waste R&D	350	-11%	311	-12%	308	-0%	350
Environmental Management	—	-12%	—	-13%	—	-12%	—
Clean Coal Technology	—	-100%	—	-100%	—	-100%	—
Total, Science Jurisdiction	107,891	-26%	79,346	-33%	71,919	-7%	100,378

* Note: This table assumes that this laboratory is cut in each detail line above by the same percentage as DOE as a whole. The percentages on the total lines are calculated based upon the sum of the cuts in the detail lines. Depending on how the split of work at the lab within any total compares with the split in the DOE as a whole, the percentage cut at the lab on a total line may vary from the overall DOE percentage cut, and from cuts at any other lab.

Estimated Impact of Final House Science Committee Action at:

Lawrence Livermore National Laboratory

Comparison between Proposals

(dollars in thousands)

	FY 1995 Estimated Oblig.	Walker Cut %	FY 1996 Estimate (Walker)*	Rohrabacher Cut %	FY 1996 Est. (Rohr-abacher)*	Doyle Cut %	FY 1996 Estimate (Doyle)*
Solar and Renewables							
Solar Programs	—	-48%	—	-57%	—	-10%	—
Geothermal	—	-46%	—	-54%	—	-21%	—
Hydrogen	1,000	160%	2,600	160%	2,600	160%	2,600
Other Solar and Renewables	—	-56%	—	-59%	—	-30%	—
Total, Solar and Renewables	1,000	160%	2,600	160%	2,600	160%	2,600
Fossil Energy							
Coal	220	-68%	71	-68%	71	-26%	164
Oil	350	-47%	185	-50%	177	-0%	350
Gas	150	-49%	77	-50%	75	0%	150
Program Direction	—	-37%	—	-55%	—	-11%	—
Other Fossil	—	-33%	—	-32%	—	-36%	—
Total, Fossil Energy	720	-54%	333	-55%	323	-8%	664
Energy Efficiency							
Buildings	5	-52%	2	-65%	2	-46%	3
Industrial	335	-59%	137	-62%	127	-10%	302
Transportation	295	-46%	160	-48%	153	-10%	266
Utility	—	-100%	—	-100%	—	-100%	—
Other Energy Efficiency	—	-84%	—	-84%	—	-11%	—
Total, Energy Efficiency	635	-53%	299	-56%	282	-10%	571
Nuclear Energy							
Nuclear Energy R&D	—	-14%	—	-39%	—	-19%	—
Other	—	12%	—	12%	—	7%	—
Total, Nuclear Energy	—	—	—	—	—	—	—
Energy Research							
Biological & Environmental Research	20,616	-15%	17,453	-18%	16,909	-2%	20,279
Fusion	27,400	-31%	18,901	-38%	17,042	-25%	20,452
Basic Energy Sciences	42,531	13%	47,981	4%	44,380	4%	44,099
Laboratory Technology Transfer	—	-100%	—	-100%	—	-30%	—
University & Science Education	1,000	-100%	—	-100%	—	-71%	287
Other	—	-34%	—	-37%	—	-47%	—
High Energy Physics	2,677	6%	2,835	5%	2,810	4%	2,772
Nuclear Physics	724	-4%	692	-12%	634	-3%	701
Total, Energy Research	94,948	-7%	87,862	-14%	81,775	-7%	88,590
ES&H & Civilian Waste R&D	1,130	-11%	1,004	-12%	995	-0%	1,130
Environmental Management	—	-12%	—	-13%	—	-12%	—
Clean Coal Technology	—	-100%	—	-100%	—	-100%	—
Total, Science Jurisdiction	98,433	-6%	92,098	-13%	85,975	-5%	93,555

* Note: This table assumes that this laboratory is cut in each detail line above by the same percentage as DOE as a whole. The percentages on the total lines are calculated based upon the sum of the cuts in the detail lines. Depending on how the split of work at the lab within any total compares with the split in the DOE as a whole, the percentage cut at the lab on a total line may vary from the overall DOE percentage cut, and from cuts at any other lab.

Estimated Impact of Final House Science Committee Action at:

Los Alamos National Laboratory

Comparison between Proposals

(dollars in thousands)

	FY 1995 Estimated Oblig.	Walker Cut %	FY 1996 Estimate (Walker)*	Rohrabacher Cut %	FY 1996 Est. (Rohr-abacher)*	Doyle Cut %	FY 1996 Estimate (Doyle)*
Solar and Renewables							
Solar Programs	100	-48%	52	-57%	43	-10%	90
Geothermal	1,400	-46%	753	-54%	647	-21%	1,111
Hydrogen	350	160%	910	160%	910	160%	910
Other Solar and Renewables	3,900	-56%	1,707	-59%	1,595	-30%	2,733
Total, Solar and Renewables	5,750	-40%	3,422	-44%	3,195	-16%	4,844
Fossil Energy							
Coal	—	-68%	—	-68%	—	-26%	—
Oil	265	-47%	140	-50%	134	-0%	265
Gas	300	-49%	154	-50%	149	0%	300
Program Direction	—	-37%	—	-55%	—	-11%	—
Other Fossil	—	-33%	—	-32%	—	-36%	—
Total, Fossil Energy	565	-48%	294	-50%	283	—	565
Energy Efficiency							
Buildings	5	-52%	2	-65%	2	-46%	3
Industrial	4,246	-59%	1,731	-62%	1,605	-10%	3,822
Transportation	2,800	-46%	1,522	-48%	1,449	-10%	2,521
Utility	—	-100%	—	-100%	—	-100%	—
Other Energy Efficiency	—	-84%	—	-84%	—	-11%	—
Total, Energy Efficiency	7,051	-54%	3,255	-57%	3,056	-10%	6,346
Nuclear Energy							
Nuclear Energy R&D	12,735	-14%	10,928	-39%	7,737	-19%	10,296
Other	1,200	12%	1,339	12%	1,339	7%	1,279
Total, Nuclear Energy	13,935	-12%	12,267	-35%	9,076	-17%	11,575
Energy Research							
Biological & Environmental Research	23,384	-15%	19,796	-18%	19,180	-2%	23,002
Fusion	6,19%	-31%	4,274	-38%	3,854	-25%	4,625
Basic Energy Sciences	22,298	13%	25,155	4%	23,268	4%	23,120
Laboratory Technology Transfer	—	-100%	—	-100%	—	-30%	—
University & Science Education	1,208	-100%	—	-100%	—	-71%	347
Other	—	-34%	—	-37%	—	-47%	—
High Energy Physics	775	6%	821	5%	814	4%	803
Nuclear Physics	39,398	-4%	37,659	-12%	34,479	-3%	38,162
Total, Energy Research	93,259	-6%	87,705	-13%	81,595	-3%	90,059
ES&H & Civilian Waste R&D	2,557	-11%	2,271	-12%	2,251	-0%	2,557
Environmental Management	1,611	-12%	1,418	-13%	1,406	-12%	1,414
Clean Coal Technology	—	-100%	—	-100%	—	-100%	—
Total, Science Jurisdiction	124,728	-11%	110,632	-19%	100,862	-6%	117,360

* Note: This table assumes that this laboratory is cut in each detail line above by the same percentage as DOE as a whole. The percentages on the total lines are calculated based upon the sum of the cuts in the detail lines. Depending on how the split of work at the lab within any total compares with the split in the DOE as a whole, the percentage cut at the lab on a total line may vary from the overall DOE percentage cut, and from cuts at any other lab.

Estimated Impact of Final House Science Committee Action at:

Lawrence Berkeley National Laboratory

Comparison between Proposals
(dollars in thousands)

	FY 1995 Estimated Oblig.	Walker Cut %	FY 1996 Estimate (Walker)*	Rohrabacher Cut %	FY 1996 Est. (Rohr-abacher)*	Doyle Cut %	FY 1996 Estimate (Doyle)*
Solar and Renewables							
Solar Programs	—	-48%	—	-57%	—	-10%	—
Geothermal	—	-46%	—	-54%	—	-21%	—
Hydrogen	—	160%	—	160%	—	160%	—
Other Solar and Renewables	250	-56%	109	-59%	102	-30%	175
Total, Solar and Renewables	250	-56%	109	-59%	102	-30%	175
Fossil Energy							
Coal	560	-68%	181	-68%	181	-26%	417
Oil	650	-47%	344	-50%	328	-0%	650
Gas	551	-49%	284	-50%	274	0%	551
Program Direction	—	-37%	—	-55%	—	-11%	—
Other Fossil	—	-33%	—	-32%	—	-36%	—
Total, Fossil Energy	1,761	-54%	809	-56%	783	-8%	1,618
Energy Efficiency							
Buildings	15,650	-52%	7,454	-65%	5,428	-46%	8,486
Industrial	799	-59%	326	-62%	302	-10%	719
Transportation	2,525	-46%	1,373	-48%	1,307	-10%	2,273
Utility	1,100	-100%	—	-100%	—	-100%	—
Other Energy Efficiency	100	-84%	16	-84%	16	-11%	89
Total, Energy Efficiency	20,174	-55%	9,169	-65%	7,053	-43%	11,567
Nuclear Energy							
Nuclear Energy R&D	—	-14%	—	-39%	—	-19%	—
Other	—	12%	—	12%	—	7%	—
Total, Nuclear Energy	—	—	—	—	—	—	—
Energy Research							
Biological & Environmental Research	44,564	-15%	37,726	-18%	36,552	-2%	43,835
Fusion	6,205	-31%	4,280	-38%	3,859	-25%	4,632
Basic Energy Sciences	56,573	13%	63,822	4%	59,033	4%	58,659
Laboratory Technology Transfer	8,626	-100%	—	-100%	—	-30%	6,064
University & Science Education	2,554	-100%	—	-100%	—	-71%	734
Other	6,043	-34%	3,993	-37%	3,797	-47%	3,184
High Energy Physics	24,538	6%	25,990	5%	25,761	4%	25,412
Nuclear Physics	25,108	-4%	24,000	-12%	21,973	-3%	24,320
Total, Energy Research	174,211	-8%	159,811	-13%	150,975	-4%	166,840
ES&H & Civilian Waste R&D	2,707	-11%	2,404	-12%	2,383	-0%	2,707
Environmental Management	13,902	-12%	12,240	-13%	12,129	-12%	12,199
Clean Coal Technology	—	-100%	—	-100%	—	-100%	—
Total, Science Jurisdiction	213,005	-13%	184,542	-19%	173,425	-8%	195,106

* Note: This table assumes that this laboratory is cut in each detail line above by the same percentage as DOE as a whole. The percentages on the total lines are calculated based upon the sum of the cuts in the detail lines. Depending on how the split of work at the lab within any total compares with the split in the DOE as a whole, the percentage cut at the lab on a total line may vary from the overall DOE percentage cut, and from cuts at any other lab.

Estimated Impact of Final House Science Committee Action at:

Argonne National Laboratory — West

Comparison between Proposals
(dollars in thousands)

	FY 1995 Estimated Oblig.	Walker Cut %	FY 1996 Estimate (Walker)*	Rohrabacher Cut %	FY 1996 Est. (Rohr-abacher)*	Doyle Cut %	FY 1996 Estimate (Doyle)*
Solar and Renewables							
Solar Programs	—	-48%	—	-57%	—	-10%	—
Geothermal	—	-46%	—	-54%	—	-21%	—
Hydrogen	—	160%	—	160%	—	160%	—
Other Solar and Renewables	—	-56%	—	-59%	—	-30%	—
Total, Solar and Renewables	—	—	—	—	—	—	—
Fossil Energy							
Coal	—	-68%	—	-68%	—	-26%	—
Oil	—	-47%	—	-50%	—	-0%	—
Gas	—	-49%	—	-50%	—	0%	—
Program Direction	—	-37%	—	-55%	—	-11%	—
Other Fossil	—	-33%	—	-32%	—	-36%	—
Total, Fossil Energy	—	—	—	—	—	—	—
Energy Efficiency							
Buildings	—	-52%	—	-65%	—	-46%	—
Industrial	—	-59%	—	-62%	—	-10%	—
Transportation	—	-46%	—	-48%	—	-10%	—
Utility	—	-100%	—	-100%	—	-100%	—
Other Energy Efficiency	—	-84%	—	-84%	—	-11%	—
Total, Energy Efficiency	—	—	—	—	—	—	—
Nuclear Energy							
Nuclear Energy R&D	7,527	-14%	6,459	-39%	4,573	-19%	6,085
Other	66,471	12%	74,188	12%	74,188	7%	70,869
Total, Nuclear Energy	73,998	9%	80,647	6%	78,761	4%	76,954
Energy Research							
Biological & Environmental Research	—	-15%	—	-18%	—	-2%	—
Fusion	—	-31%	—	-38%	—	-25%	—
Basic Energy Sciences	—	13%	—	4%	—	4%	—
Laboratory Technology Transfer	—	-100%	—	-100%	—	-30%	—
University & Science Education	—	-100%	—	-100%	—	-71%	—
Other	—	-34%	—	-37%	—	-47%	—
High Energy Physics	—	6%	—	5%	—	4%	—
Nuclear Physics	—	-4%	—	-12%	—	-3%	—
Total, Energy Research	—	—	—	—	—	—	—
ES&H & Civilian Waste R&D	—	-11%	—	-12%	—	-0%	—
Environmental Management	4,463	-12%	3,930	-13%	3,894	-12%	3,916
Clean Coal Technology	—	-100%	—	-100%	—	-100%	—
Total, Science Jurisdiction	78,461	8%	84,577	5%	82,655	3%	80,870

* Note: This table assumes that this laboratory is cut in each detail line above by the same percentage as DOE as a whole. The percentages on the total lines are calculated based upon the sum of the cuts in the detail lines. Depending on how the split of work at the lab within any total compares with the split in the DOE as a whole, the percentage cut at the lab on a total line may vary from the overall DOE percentage cut, and from cuts at any other lab.

Estimated Impact of Final House Science Committee Action at:

Idaho National Engineering Laboratory

Comparison between Proposals

(dollars in thousands)

	FY 1995 Estimated Oblig.	Walker Cut %	FY 1996 Estimate (Walker)*	Rohrabacher Cut %	FY 1996 Est. (Rohr-abacher)*	Doyle Cut %	FY 1996 Estimate (Doyle)*
Solar and Renewables							
Solar Programs	—	-48%	—	-57%	—	-10%	—
Geothermal	4,500	-46%	2,422	-54%	2,079	-21%	3,571
Hydrogen	—	160%	—	160%	—	160%	—
Other Solar and Renewables	450	-56%	197	-59%	184	-30%	315
Total, Solar and Renewables	4,950	-47%	2,619	-54%	2,263	-21%	3,886
Fossil Energy							
Coal	1,040	-68%	336	-68%	336	-26%	774
Oil	327	-47%	173	-50%	165	-0%	327
Gas	320	-49%	165	-50%	159	0%	320
Program Direction	—	-37%	—	-55%	—	-11%	—
Other Fossil	—	-33%	—	-32%	—	-36%	—
Total, Fossil Energy	1,687	-60%	674	-61%	660	-16%	1,421
Energy Efficiency							
Buildings	5	-52%	2	-65%	2	-46%	3
Industrial	3,424	-59%	1,396	-62%	1,295	-10%	3,082
Transportation	3,318	-46%	1,804	-48%	1,717	-10%	2,987
Utility	—	-100%	—	-100%	—	-100%	—
Other Energy Efficiency	—	-84%	—	-84%	—	-11%	—
Total, Energy Efficiency	6,747	-53%	3,202	-55%	3,014	-10%	6,072
Nuclear Energy							
Nuclear Energy R&D	8,040	-14%	6,899	-39%	4,885	-19%	6,500
Other	1,620	12%	1,808	12%	1,808	7%	1,727
Total, Nuclear Energy	9,660	-10%	8,707	-31%	6,693	-15%	8,227
Energy Research							
Biological & Environmental Research	3,110	-15%	2,633	-18%	2,551	-2%	3,059
Fusion	3,180	-31%	2,194	-38%	1,978	-25%	2,374
Basic Energy Sciences	2,816	13%	3,177	4%	2,938	4%	2,920
Laboratory Technology Transfer	745	-100%	—	-100%	—	-30%	524
University & Science Education	3,000	-100%	—	-100%	—	-71%	862
Other	—	-34%	—	-37%	—	-47%	—
High Energy Physics	—	6%	—	5%	—	4%	—
Nuclear Physics	—	-4%	—	-12%	—	-3%	—
Total, Energy Research	12,851	-38%	8,004	-42%	7,467	-24%	9,739
ES&H & Civilian Waste R&D	3,855	-11%	3,424	-12%	3,393	-0%	3,855
Environmental Management	12,953	-12%	11,405	-13%	11,301	-12%	11,366
Clean Coal Technology	—	-100%	—	-100%	—	-100%	—
Total, Science Jurisdiction	52,703	-28%	38,035	-34%	34,791	-15%	44,566

* Note: This table assumes that this laboratory is cut in each detail line above by the same percentage as DOE as a whole. The percentages on the total lines are calculated based upon the sum of the cuts in the detail lines. Depending on how the split of work at the lab within any total compares with the split in the DOE as a whole, the percentage cut at the lab on a total line may vary from the overall DOE percentage cut, and from cuts at any other lab.

Estimated Impact of Final House Science Committee Action at:

Brookhaven National Laboratory

Comparison between Proposals

(dollars in thousands)

	FY 1995 Estimated Oblig.	Walker Cut %	FY 1996 Estimate (Walker)*	Rohrabacher Cut %	FY 1996 Est. (Rohr-abacher)*	Doyle Cut %	FY 1996 Estimate (Doyle)*
Solar and Renewables							
Solar Programs	400	-48%	209	-57%	173	-10%	360
Geothermal	—	-46%	—	-54%	—	-21%	—
Hydrogen	100	160%	260	160%	260	160%	260
Other Solar and Renewables	625	-56%	274	-59%	256	-30%	438
Total, Solar and Renewables	1,125	-34%	743	-39%	689	-6%	1,058
Fossil Energy							
Coal	258	-68%	83	-68%	83	-26%	192
Oil	825	-47%	437	-50%	416	-0%	825
Gas	—	-49%	—	-50%	—	0%	—
Program Direction	—	-37%	—	-55%	—	-11%	—
Other Fossil	—	-33%	—	-32%	—	-36%	—
Total, Fossil Energy	1,083	-52%	520	-54%	499	-6%	1,017
Energy Efficiency							
Buildings	1,285	-52%	612	-65%	446	-46%	697
Industrial	—	-59%	—	-62%	—	-10%	—
Transportation	500	-46%	272	-48%	259	-10%	450
Utility	—	-100%	—	-100%	—	-100%	—
Other Energy Efficiency	—	-84%	—	-84%	—	-11%	—
Total, Energy Efficiency	1,785	-50%	884	-61%	705	-36%	1,147
Nuclear Energy							
Nuclear Energy R&D	150	-14%	129	-39%	91	-19%	121
Other	250	12%	279	12%	279	7%	267
Total, Nuclear Energy	400	2%	408	-8%	370	-3%	388
Energy Research							
Biological & Environmental Research	28,367	-15%	24,015	-18%	23,267	-2%	27,903
Fusion	83	-31%	57	-38%	52	-25%	62
Basic Energy Sciences	73,372	13%	82,773	4%	76,562	4%	76,077
Laboratory Technology Transfer	7,920	-100%	—	-100%	—	-30%	5,568
University & Science Education	2,394	-100%	—	-100%	—	-71%	688
Other	7,837	-34%	5,179	-37%	4,924	-47%	4,129
High Energy Physics	74,335	6%	78,735	5%	78,040	4%	76,983
Nuclear Physics	96,445	-4%	92,189	-12%	84,403	-3%	93,419
Total, Energy Research	290,753	-3%	282,948	-8%	267,248	-2%	284,829
ES&H & Civilian Waste R&D	1,874	-11%	1,664	-12%	1,650	-0%	1,874
Environmental Management	24,602	-12%	21,661	-13%	21,464	-12%	21,588
Clean Coal Technology	—	-100%	—	-100%	—	-100%	—
Total, Science Jurisdiction	321,622	-4%	308,828	-9%	292,625	-3%	311,901

* Note: This table assumes that this laboratory is cut in each detail line above by the same percentage as DOE as a whole. The percentages on the total lines are calculated based upon the sum of the cuts in the detail lines. Depending on how the split of work at the lab within any total compares with the split in the DOE as a whole, the percentage cut at the lab on a total line may vary from the overall DOE percentage cut, and from cuts at any other lab.

Estimated Impact of Final House Science Committee Action at:

Pacific Northwest Laboratory

Comparison between Proposals

(dollars in thousands)

	FY 1995 Estimated Oblig.	Walker Cut %	FY 1996 Estimate (Walker)*	Rohrabacher Cut %	FY 1996 Est. (Rohr-abacher)*	Doyle Cut %	FY 1996 Estimate (Doyle)*
Solar and Renewables							
Solar Programs	300	-48%	157	-57%	130	-10%	270
Geothermal	—	-46%	—	-54%	—	-21%	—
Hydrogen	—	160%	—	160%	—	160%	—
Other Solar and Renewables	950	-56%	416	-59%	388	-30%	666
Total, Solar and Renewables	1,250	-54%	573	-59%	518	-25%	936
Fossil Energy							
Coal	1,075	-68%	348	-68%	348	-26%	800
Oil	—	-47%	—	-50%	—	-0%	—
Gas	398	-49%	205	-50%	198	0%	398
Program Direction	—	-37%	—	-55%	—	-11%	—
Other Fossil	—	-33%	—	-32%	—	-36%	—
Total, Fossil Energy	1,473	-62%	553	-63%	546	-19%	1,198
Energy Efficiency							
Buildings	10,493	-52%	4,998	-65%	3,639	-46%	5,690
Industrial	3,660	-59%	1,492	-62%	1,384	-10%	3,295
Transportation	475	-46%	258	-48%	246	-10%	428
Utility	300	-100%	—	-100%	—	-100%	—
Other Energy Efficiency	375	-84%	60	-84%	60	-11%	334
Total, Energy Efficiency	15,303	-56%	6,808	-65%	5,329	-36%	9,747
Nuclear Energy							
Nuclear Energy R&D	350	-14%	300	-39%	213	-19%	283
Other	—	12%	—	12%	—	7%	—
Total, Nuclear Energy	350	-14%	300	-39%	213	-19%	283
Energy Research							
Biological & Environmental Research	82,712	-15%	70,021	-18%	67,841	-2%	81,359
Fusion	3,230	-31%	2,228	-38%	2,009	-25%	2,411
Basic Energy Sciences	11,949	13%	13,480	4%	12,469	4%	12,390
Laboratory Technology Transfer	7,712	-100%	—	-100%	—	-30%	5,421
University & Science Education	870	-100%	—	-100%	—	-71%	250
Other	3,744	-34%	2,474	-37%	2,352	-47%	1,973
High Energy Physics	45	6%	48	5%	47	4%	47
Nuclear Physics	—	-4%	—	-12%	—	-3%	—
Total, Energy Research	110,262	-20%	88,251	-23%	84,718	-6%	103,851
ES&H & Civilian Waste R&D	17,847	-11%	15,850	-12%	15,709	-0%	17,846
Environmental Management	—	-12%	—	-13%	—	-12%	—
Clean Coal Technology	—	-100%	—	-100%	—	-100%	—
Total, Science Jurisdiction	146,485	-23%	112,335	-27%	107,033	-9%	133,861

* Note: This table assumes that this laboratory is cut in each detail line above by the same percentage as DOE as a whole. The percentages on the total lines are calculated based upon the sum of the cuts in the detail lines. Depending on how the split of work at the lab within any total compares with the split in the DOE as a whole, the percentage cut at the lab on a total line may vary from the overall DOE percentage cut, and from cuts at any other lab.

Estimated Impact of Final House Science Committee Action at:

National Renewable Energy Laboratory

Comparison between Proposals

(dollars in thousands)

	FY 1995 Estimated Oblig.	Walker Cut %	FY 1996 Estimate (Walker)*	Rohrabacher Cut %	FY 1996 Est. (Rohr-abacher)*	Doyle Cut %	FY 1996 Estimate (Doyle)*
Solar and Renewables							
Solar Programs	155,810	-48%	81,594	-57%	67,468	-10%	140,248
Geothermal	580	-46%	312	-54%	268	-21%	460
Hydrogen	2,200	160%	5,720	160%	5,720	160%	5,720
Other Solar and Renewables	750	-56%	328	-59%	307	-30%	526
Total, Solar and Renewables	159,340	-45%	87,954	-54%	73,763	-8%	146,954
Fossil Energy							
Coal	348	-68%	113	-68%	113	-26%	259
Oil	—	-47%	—	-50%	—	-0%	—
Gas	—	-49%	—	-50%	—	0%	—
Program Direction	—	-37%	—	-55%	—	-11%	—
Other Fossil	—	-33%	—	-32%	—	-36%	—
Total, Fossil Energy	348	-68%	113	-68%	113	-26%	259
Energy Efficiency							
Buildings	12,775	-52%	6,084	-65%	4,431	-46%	6,927
Industrial	10,290	-59%	4,195	-62%	3,891	-10%	9,263
Transportation	46,178	-46%	25,103	-48%	23,896	-10%	41,576
Utility	1,300	-100%	—	-100%	—	-100%	—
Other Energy Efficiency	250	-84%	40	-84%	40	-11%	223
Total, Energy Efficiency	70,793	-50%	35,422	-54%	32,258	-18%	57,989
Nuclear Energy							
Nuclear Energy R&D	—	-14%	—	-39%	—	-19%	—
Other	—	12%	—	12%	—	7%	—
Total, Nuclear Energy	—	—	—	—	—	—	—
Energy Research							
Biological & Environmental Research	—	-15%	—	-18%	—	-2%	—
Fusion	—	-31%	—	-38%	—	-25%	—
Basic Energy Sciences	4,603	13%	5,193	4%	4,803	4%	4,773
Laboratory Technology Transfer	—	-100%	—	-100%	—	-30%	—
University & Science Education	150	-100%	—	-100%	—	-71%	43
Other	—	-34%	—	-37%	—	-47%	—
High Energy Physics	—	6%	—	5%	—	4%	—
Nuclear Physics	—	-4%	—	-12%	—	-3%	—
Total, Energy Research	4,753	9%	5,193	1%	4,803	1%	4,816
ES&H & Civilian Waste R&D	—	-11%	—	-12%	—	-0%	—
Environmental Management	—	-12%	—	-13%	—	-12%	—
Clean Coal Technology	—	-100%	—	-100%	—	-100%	—
Total, Science Jurisdiction	235,234	-45%	128,682	-53%	110,937	-11%	210,018

* Note: This table assumes that this laboratory is cut in each detail line above by the same percentage as DOE as a whole. The percentages on the total lines are calculated based upon the sum of the cuts in the detail lines. Depending on how the split of work at the lab within any total compares with the split in the DOE as a whole, the percentage cut at the lab on a total line may vary from the overall DOE percentage cut, and from cuts at any other lab.

Estimated Impact of Final House Science Committee Action in:

California

Comparison between Proposals

(dollars in thousands)

	FY 1995 Estimated Oblig.	Walker Cut %	FY 1996 Estimate (Walker)*	Rohrabacher Cut %	FY 1996 Est. (Rohr-abacher)*	Doyle Cut %	FY 1996 Estimate (Doyle)*
Solar and Renewables							
Solar Programs	—	-48%	—	-57%	—	-10%	—
Geothermal	—	-46%	—	-54%	—	-21%	—
Hydrogen	1,000	160%	2,600	160%	2,600	160%	2,600
Other Solar and Renewables	7,519	-56%	3,291	-59%	3,074	-30%	5,269
Total, Solar and Renewables	8,519	-31%	5,891	-33%	5,674	-8%	7,869
Fossil Energy							
Coal	3,463	-68%	1,120	-68%	1,120	-26%	2,577
Oil	2,670	-47%	1,413	-50%	1,347	-0%	2,670
Gas	852	-49%	438	-50%	424	0%	852
Program Direction	—	-37%	—	-55%	—	-11%	—
Other Fossil	—	-33%	—	-32%	—	-36%	—
Total, Fossil Energy	6,985	-57%	2,971	-59%	2,891	-13%	6,099
Energy Efficiency							
Buildings	16,055	-52%	7,647	-65%	5,568	-46%	8,705
Industrial	11,335	-59%	4,621	-62%	4,286	-10%	10,204
Transportation	2,820	-46%	1,533	-48%	1,459	-10%	2,539
Utility	1,100	-100%	—	-100%	—	-100%	—
Other Energy Efficiency	100	-84%	16	-84%	16	-11%	89
Total, Energy Efficiency	31,410	-56%	13,817	-64%	11,329	-31%	21,537
Nuclear Energy							
Nuclear Energy R&D	41,944	-14%	35,994	-39%	25,482	-19%	33,910
Other	—	12%	—	12%	—	7%	—
Total, Nuclear Energy	41,944	-14%	35,994	-39%	25,482	-19%	33,910
Energy Research							
Biological & Environmental Research	99,723	-15%	84,422	-18%	81,794	-2%	98,092
Fusion	103,371	-31%	71,207	-38%	64,293	-25%	77,159
Basic Energy Sciences	140,825	13%	158,869	4%	146,948	4%	146,017
Laboratory Technology Transfer	9,166	-100%	—	-100%	—	-30%	6,444
University & Science Education	3,674	-100%	—	-100%	—	-71%	1,056
Other	6,887	-34%	4,551	-37%	4,327	-47%	3,628
High Energy Physics	202,950	6%	214,963	5%	213,066	4%	210,179
Nuclear Physics	28,504	-4%	27,246	-12%	24,945	-3%	27,610
Total, Energy Research	595,100	-6%	561,358	-10%	535,373	-4%	570,185
ES&H & Civilian Waste R&D	9,570	-11%	8,499	-12%	8,424	-0%	9,569
Environmental Management	37,139	-12%	32,700	-13%	32,402	-12%	32,588
Clean Coal Technology	—	-100%	—	-100%	—	-100%	—
Total, Science Jurisdiction	730,667	-10%	661,230	-15%	621,575	-7%	681,757

* Note: This table assumes that this state is cut in each detail line above by the same percentage as DOE as a whole. The percentages on the total lines are calculated based upon the sum of the cuts in the detail lines. Depending on how the split of work in the state within any total compares with the split in the DOE as a whole, the percentage cut in the state on a total line may vary from the overall DOE percentage cut, and from cuts in any other state.

XVI. PROCEEDINGS FROM SUBCOMMITTEE MARKUP

SUBCOMMITTEE MARKUP—H.R. 1816, THE DEPARTMENT OF ENERGY CIVILIAN RESEARCH AND DEVELOPMENT ACT OF 1995

THURSDAY, JUNE 8, 1995

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

The Subcommittee met, pursuant to notice, at 9:45 a.m. in Room 2318 of the Rayburn House Office Building, the Honorable Dana Rohrabacher, Chairman of the Subcommittee, presiding.

Chairman ROHRABACHER. Will the Subcommittee come to order, please?

Will members take their seats, please? Will the members take their seats, please?

Good morning. The Subcommittee is meeting today to consider the following measures: The Department of Energy Civilian Research and Development Act of 1995, The National Oceanic and Atmospheric Administration Authorization Act of 1995, The Environmental Research, Development and Demonstration Authorization Act of 1995.

And, with that said, I would like to welcome you all. And, this is my first hearing as a chairman.

And, I am very, very pleased to be here. And, this is the dawning of a new day as far as I'm concerned and many of the other members, because we—this is, for many members, the first authorization meeting we will have as the new Majority in Congress.

The budget authorizations you are presented—these authorizations we are talking about today are for the Department of Energy, NOAA and EPA. And, they represent the commitment made to the American people to a balanced budget within seven years.

That's what this new Majority is all about. That's why we were elected.

We were elected to make the decisions that will bring about a balanced budget. That was the Number One issue of the last election.

We have met this cap and met our responsibility, the cap of 6.2 billion dollars derived from the House Budget Resolution while preserving funding for basic scientific research and the core programs of each agency.

In the Office of Research and Development of EPA, we have preserved funding for research, even adding to the request for air research while obtaining savings from trendy programs such as the Environmental Technology Initiative and a fellowship program that does not require participants to conduct research that meets the agency's needs.

In NOAA, the budget—in the budget, we have preserved funding for weather service modernization, the NOAA satellite program and basic climate change research. At the same time, we have saved money by making some long overdue changes such as eliminating the NOAA core and, with the help of my colleagues across the aisle and especially Mr. Roemer, we have prevented the Weather Service from competing with the private sector to provide specialized weather forecasts.

In the Department of Energy, we have painstakingly worked to preserve funding for basic research. And, this basic research is in the sciences and in each energy program.

In fact, in a budget that is being cut by 25 percent from current year funding, we hold funding for basic research virtually even. Of the 1.36 billion dollars in savings from the current funding levels, over half—that's 55 percent—are coming from corporate subsidies, about one-third from low priority programs that are basically non-mission related, and 11 percent from streamlining the bureaucracy itself.

For the first time, when we are cutting programs, we are also insisting on cutting management of those programs. The responsibility of cutting spending is always more difficult and heartrending than is the opportunity in good times to increase spending.

Today's budget figures reflect prioritization, a commitment to the best use of limited tax dollars and a change in fundamental assumptions on which past spending programs were based. However, when trimming the budget, there is always the possibility that one program that should be eliminated or, at least, be further reduced is instead maintained at an unjustified level of funding while other, more deserving, programs are hit very hard.

That's why I have stressed to members of this Subcommittee that I will entertain amendments to these marks that meet the bottom line. In other words, additions to the authorizing figures will be accompanied, and are accompanied, by offsets.

In reviewing the amendments submitted today, and submitted for today's hearing, I'm happy to note that most did just that. When these amendments are presented, I will explain our reasoning behind the mark, why we put the level of spending where we did, but we will also permit this Committee to decide where that priority should be.

If it's the will of this Subcommittee that there be a change in priorities, no matter how that majority of this Subcommittee is made, that will be the policy that goes through this Subcommittee. And, I will accept that as Chair just so long as we meet our budget caps.

And, I've gone—bent over backwards to try to communicate that to the members of this Subcommittee, both Democrat and Republican, that as long as we were within the budget caps and are heading towards that balanced budget, which is our responsibility, I am open and have been very flexible in working with everyone in permitting them to present their ideas of how the priority should be changed within the bill today. However, I cannot accept the premise of the Doyle substitute which busts the budget by about 800 million dollars. I will have more to say when this measure is placed before the Subcommittee.

But, I must tell you that we are kidding ourselves and our constituents if we can think that we can bust the budget by 800 million dollars and then pretend to be balancing the budget. That, we cannot do.

Today, we will set an example for every authorizing committee to follow. And, if we just add a billion here or two billion there, we can just get by. But, of course, when that's all added up, a balanced budget will be just a dream rather than a reality.

So, if we pass the Doyle substitute, this Subcommittee will have failed in its mission to abide by the House Budget Resolution that a majority of members of this Subcommittee voted for. We will have broken the cap by a wide margin.

So, now I will ask our distinguished—and, thus, I will be opposing the Doyle substitute strenuously. And, I will be asking—I will ask our distinguished ranking Minority member, the gentleman from Louisiana for his opening statement.

Mr. HAYES. Thank you. But, in the interest of time, I do have an opening statement that, with your permission, I will just submit into the record.

And, I notice that both Mr. Walker and Mr. Brown are here. And, I'm sure that they wish to elaborate upon the legislation.

So, for that reason, I will ask your consent, unanimous consent, just to place this within the record. Thank you.

Chairman ROHRABACHER. All right. That will be done without objection.

[The opening statement of Mr. Hayes follows.]

JIMMY HAYES
7th District, Louisiana
WASHINGTON OFFICE:
2437 Rayburn House Office Building
Washington, DC 20515-1807
(202) 225-2031
DISTRICT OFFICES:
109 East Vermilion,
Suite 212
Lafayette, LA 70501
(318) 235-1772
601 Lakeshore Drive
Suite 102
Lake Charles, LA 70601
(318) 433-1512

Congress of the United States
House of Representatives
Washington, DC 20515–1807

COMMITTEE ON
SCIENCE
SUBCOMMITTEE:
RANKING MEMBER
ENERGY AND ENVIRONMENT
COMMITTEE ON
TRANSPORTATION AND INFRASTRUCTURE
SUBCOMMITTEES
WATER RESOURCES AND ENVIRONMENT
AVIATION

June 8, 1995

Opening Statement of Congressman Jimmy Hayes
Ranking Democrat, Subcommittee on Energy and Environment
regarding DOE, NOAA, and EPA Research Markup

First of all, I want to commend Chairman Rohrabacher on his leadership and diligence in bringing the markup vehicles before the Subcommittee today. I was pleased to co-sponsor the FY 1996 authorization legislation for the Department of Energy (DOE), the National Ocean and Atmospheric Administration (NOAA), and the Environmental Protection Agency (EPA) and join the Chairman in his efforts to balance the budget.

As we on this Subcommittee mark up these bills, we will be making tough choices on how much of our limited financial, human, and natural resources will be allocated toward federal research programs. Albert Einstein once said that " science can only ascertain what is, but not what should be, and outside of its domain, value judgments of all kinds are necessary." His perception of the necessity of establishing scientific research priorities in the context of a greater societal policy debate is what this forum is about today. This Subcommittee and later the full Committee on Science must make these judgments about how research fits into the locus of federal budgetary problems.

With a $4.9 trillion debt and a $200 billion deficit this year, we can no longer afford the luxury of spending scarce taxpayer dollars on every federal research project. Mr. Rohrabacher may be familiar with this very apt statement President Reagan made in 1981 when he asserted that "in this present crisis, government is not the solution to the problem. Government is the problem." I firmly agree that the irresponsibility of out-of-control federal spending can not continue and is the reason why federal investments in research and development must take their share of the decreases. Because we must recognize that even meritorious programs will be reduced in this budget climate, we on this Subcommittee have an obligation to make the critical cuts in programs under our jurisdiction. Because if we do not, we are indeed hypocritical and disingenuous to say we advocate reigning in spending and balancing the budget when not keeping our own house in order.

Like many Members, I have parochial and programmatic concerns with respect to several specific provisions, such as the fossil program in DOE, and the National Sea Grant and NMFS research programs in NOAA, and I hope to work

closely with the Chairman and other Members throughout the process to rectify these issues.

These matters, however, take a back seat to my fiscal concerns. I congratulate Members of the Subcommittee for their commitment to getting our own house in order, and in light of this dedication, I would urge that Members on both sides of the aisle, while making prudent and appropriate investments in scientific research and development programs, not to abdicate their responsibilities to balance the budget.

Chairman ROHRABACHER. We have with us the Chairman of the overall Committee, the Science Committee. And, I would ask Chairman Walker if he has any remarks.

And, besides that, we will just have remarks by Mr. Walker and we will see if the former Chairman, Mr. Brown, if he has a few remarks to make as well. And, then we will proceed.

Mr. Walker.

Mr. WALKER. Mr. Chairman, I simply want to take the opportunity to congratulate you for bringing forth a measure that does, in fact, meet the tests of budget relevancy. Living within fiscal restraints is difficult work.

You don't just get there by good wishes. For years, in this body, we've had people talk up and sing the song of balanced budgets, but then when it came to doing the difficult work of actually balancing budgets we could never seem to get there.

We could never seem to get there in our budgets. We could never seem to get there in our appropriations.

And, in fact, the appropriations then were driven by authorizations that were well above any kind of rational appropriation level. And, we solaced ourselves by saying, "Well, appropriations are one thing, but authorizations is where we set the policy and we can live within much larger numbers when we are doing authorizing."

Well, the fact is that what that did was made authorizing committees into irrelevancies. And, the appropriators treated us necessarily as people who had no sense of restraint, had no sense of discipline and were, therefore, irrelevant to the process.

What we have attempted to do this year in this Committee is say that we will live within the same kind of disciplines and the same kinds of restraints that are being imposed by the budget upon the appropriators; thereby assuring that those policies that we develop here have to be regarded as relevant by the Appropriations Committee. And, indeed, that's happening.

The cardinals at the Appropriations Committee are treating the work of this Committee as being serious-minded work, because they see us moving in the direction of exacting from ourselves the same discipline that has been exacted from them. And, so the fact that you, Mr. Chairman, have been willing to come forward with a bill that makes some of those tough decisions, I think, is a tribute to you and the members of the Subcommittee who have worked with you toward producing this document.

I would hope that, as we move through the process, that all members would take that as being the way that we proceed; that we can have differences of opinion about the nature of the policies, but those policies should all add up to imposing upon ourselves the discipline of the budget that has been adopted by the House. To do less will, once again, sink this Committee into the mews of irrelevancy as it applies to the true process that counts; and, that is the actual spending of the money.

And, I think that that would be a shame. So, I realize that there are many people who, when they look at this Bill, have some small piece of it that they regard as being extremely important.

And, I have a feeling that the numbers of people in the room today are a tribute to the fact that there are many items in this Bill that are of vast importance to individual companies and to in-

dividual programs. And, everybody would like to see everything protected.

You can't do that if you are going to make the tough choices that are needed in a period of fiscal restraint. And, I think that the markup today may well prove the metal of this Committee in its willingness to do what is necessary to be a part of a prioritized program within a balanced budget.

I thank you for your work.

Chairman ROHRABACHER. Thank you very much, Chairman Walker.

I would now like to call on the distinguished former Chairman, Chairman Brown, the distinguished former Chairman, to see if he would have anything to add.

Mr. BROWN. Thank you, Mr. Chairman. I do have an opening statement, which I ask unanimous consent to insert in the record—

Chairman ROHRABACHER. Without objection.

Mr. BROWN—and to include a couple of letters with it.

[The opening statement, with attachments, of Mr. Brown follows.]

STATEMENT BY THE
HONORABLE GEORGE E. BROWN, JR.
Markup on DOE, NOAA, and EPA R&D Authorizations
Subcommittee on Energy and Environment
June 8, 1995

Thank you, Mr. Chairman. Let me begin by stating my concern about the unfortunate procedures that are becoming common practice in this Committee. After weeks of Committee inactivity and the very barest of hearing records, the Members now have had three significant authorization bills thrust at them with the most minimal notification, despite my several requests to Chairman Walker over the last three months to make these bills available to all Members for at least ten days before any markup. I recognize that the 10-day standard is not required by the rules, but it was a standard which we easily met in the last Congress. Members returning from the district work session yesterday have had little more

than a day to examine these major bills. I'd like to ask unanimous consent to submit for the record my letters to Chairman Walker.

These bills have major implications for the nation's overall scientific enterprise and will have dramatic impacts in the districts of many members of this Committee. Yet few Members have been given enough time or information to understand those impacts.

The Committee is engaged in a mini-appropriations process where the Subcommittees are working with mock-602b allocations from Mr. Walker. This totally artificial constraint has as its premise sobering assumptions about the future of U.S. investment in R&D.

The Kasich-Walker budget resolution first aired these assumptions, and it levied a one-third cut to agency programs

under this Committee's jurisdiction. In the case of the Department of Energy, the cut was larger, at almost 40 percent. In this one-year bill before us today, we see a cut of 25 percent.

For most of the R&D programs of the Department, this means total elimination; and their termination costs cut even further into what remains for the programs left standing. Every departmental laboratory will feel the biting sting of these actions, and some may close. Universities will not escape the axe, although some may now think they will because of assurances from the Majority that the cuts are aimed at "corporate welfare".

One look at the bill before us will make it clear that the Majority is simply using the term "corporate welfare" as a

smoke screen behind which to hide the cuts to programs the Majority just doesn't like. What isn't mentioned are the programs which are spared that have many corporate beneficiaries, such as Hydrogen and Nuclear R&D. Somehow the search for "corporate welfare" missed these.

Instead, the Kasich-Walker budget and the Rohrabacher bill miss the vital point. Federal support of energy R&D is an investment in the future. This budget declares unconditional and unilateral surrender in our fight for energy security, environmental quality, and economic competitiveness.

At the same time, we cannot defend the status quo; changes must be made and spending cut. Mr. Doyle is going to have an amendment to the DOE authorization bill which makes prudent cuts and puts us firmly on the glide-path to a

balanced budget as shown by the Senate and Conservative Coalition Budget Resolutions. Most importantly, the passage of the Doyle amendment would keep us from sacrificing investments in the future on a tax cut for the wealthiest of Americans. I commend Mr. Doyle for his efforts, and I strongly support the Doyle amendment.

We will also consider the NOAA budget for F.Y. 96 which the Subcommittee is seeking to cut by 13% below F.Y. 95. NOAA has made clear that this could have far reaching consequences for the basic health and safety of the population. I am certain that this Committee would not want to be seen as responsible for denying whole state populations along the Eastern and Gulf coasts vital information on the path of hurricanes or midwest citizens their life saving tornado warnings.

Just as important, we have a responsibility to develop long term climate forecasts that affect vital economic sectors such as transportation, agriculture, insurance, real estate and so on. These climate sensitive sectors comprise nearly 25% of the GNP.

I intend to offer at Full Committee an alternative to the Subcommittee plan for NOAA. This too will be consistent with the Conservative Coalition budget. I feel that we can set our sights on balancing the budget within a decade. More importantly, we can and must do so without sacrificing such vital services to the nation in favor of cutting taxes for the rich.

In light of the inadequate time provided for consideration of the EPA bill, it is my intention to defer much of the debate until the Full Committee. However, I will make

several general points now.

Over the past several months, we've heard more Republican recitations of the value of "good science" in setting environmental policy than we've heard the Pledge of Allegiance.

Yet the Republican authorization bill would cut over 22 percent from the President's FY96 budget request for the very part of EPA that is supposed to produce the "good science." This amounts to a $55 million cut from last year's level which could result in the loss of almost one-sixth of EPA's scientists and engineers in its regional research labs.

EPA's Office of Research and Development has hardly been an example of bureaucracy run rampant. In fact, ORD is smaller today than it was in 1980, with 20% fewer staff

and a smaller real-dollar budget. Yet during that same time, EPA's program responsibilities have grown substantially.

From my initial analysis of this bill, I think we can do better. I hope to work with the Chairman and the Ranking Member of the Subcommittee before the bill comes to full Committee and see if we can make some modifications that could enable me to support this bill.

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON SCIENCE
SUITE 2320 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6301
(202) 225-6371

May 2, 1995

The Honorable Robert S. Walker
Chairman, Committee on Science
U.S. House of Representatives
Washington, D.C. 20515

Dear Bob :

Just about two months ago, I wrote you to ask about your plans and goals for the fiscal year 1996 authorization cycle. We have had a chance to discuss these matters a few times since, and I appreciate your candid assessment of the constraints under which you are operating.

As we enter the budget season in earnest, I am again writing to seek clarification of your plans. I would note that House consideration of the budget resolution appears to be two to four weeks away, and that House consideration of appropriations measures appears to be only about five to six weeks away. In other words, the Floor schedule appears to leave the Science Committee with very little time, after the passage of the Budget Resolution, to provide guidance to the appropriations process. I know you share my concern that this authorizing Committee perform its proper role of setting program priorities.

Given these time constraints, are you planning to utilize both Subcommittee and Full Committee markups for this year's authorization bills? Do you have a schedule in mind for their consideration? And can we get a commitment from you that legislative proposals will be available for Members at least ten days in advance of their consideration in any Subcommittee or Full Committee markup.

Again, recognizing the major changes which the budget process will inflict upon our Committee's jurisdiction, I would appreciate any guidance that you can provide me on these matters.

Sincerely,

GEORGE E. BROWN, JR.
Ranking Democratic Member

U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON SCIENCE
SUITE 2320 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6301
(202) 225-6371

March 3, 1995

The Honorable Robert S. Walker
Chairman, Committee on Science
U.S. House of Representatives
Washington, D.C. 20515

Dear Bob:

In anticipation of Committee action over the next several weeks to develop authorizing legislation for the programs under our jurisdiction, I am writing to seek clarification on three issues -- clarification which I hope will maintain the cooperative environment which we both seek. I believe that the Committee will be best served by identifying at the earliest possible time your overall goals during this authorization cycle and a mutually acceptable process for considering them.

First, I am mindful of your dual responsibilities on the Science and Budget Committees and your unique position in establishing our nation's research and development agenda within an overall budgetary context. I would like to fully understand your perceptions regarding the priority of R&D within the Federal budget and, more specifically, any overall reductions that you believe must be made. In this context, I have been made aware of statements -- which may or may not accurately reflect your position -- that the programs within our jurisdiction will be reduced by $20 - $25 billion over the next five years.

I would like to know if these reductions are, in fact, your goal for the authorization cycle which confronts us. If they are, it would be helpful to understand the context for this goal -- that is, are reductions to be taken from a CBO baseline, FY 95 levels, the President's request, or some other level?

I am also aware that specific goals appear to have been established for the Subcommittees. For example, Chairman Rohrabacher has indicated that the Environment and Energy Subcommittee will seek to trim $1 billion from programs within its jurisdiction in FY 96. Again, the baseline for that goal and its rationale within an overall budgetary context have not been clearly articulated. Personally, I would oppose cutting R&D budgets to comply with a pre-determined target without a full understanding of both the rationale and the impacts of the cuts. As you have often said in the past, arbitrary actions by our Committee to cut the programs under our jurisdiction send a powerful signal that we consider these programs to be a low priority.

The Honorable Robert Walker
March 3, 1995
Page 2

In sum, I would greatly appreciate any clarity you can provide on the overall budgetary goals which you believe should guide the Committee, the rationale for these goals, and how they should be translated into specific Subcommittee actions. I know that this guidance would be extremely valuable for all of our Members.

Second, on a related matter, I would like to fully understand the approach you intend to take toward the development and submission of Views and Estimates for the Budget Committee this year. We agree that policy and program guidance should be developed primarily by the authorizing committees of the House and that we on the Science Committee have a responsibility to identify the real budget needs for the programs within our jurisdiction. I would appreciate your views on the schedule and on the consultative process that you believe we should follow in our submission this year.

Finally, I would like to establish a properly paced, deliberative process that the Committee and its Subcommittees can follow in the coming months in considering authorization bills. I want to avoid any further turmoil of the type generated by the Committee's consideration of H.R. 9. I believe that the Members of the Committee on both sides of the aisle deserve a reasonable opportunity to review complex legislative proposals well in advance of Committee consideration. This makes sense both in order to reach responsible conclusions regarding policy, and also because many of our Members have a direct personal interest in Science Committee programs from a regional standpoint. I am confident that our Members can work in a constructive and cooperative manner if we can establish these understandings early in the process.

Specifically, I would request that the text of legislative proposals be available for Members at least ten days in advance of their consideration in any Subcommittee or Full Committee markup. I am mindful that this is more time than what is required by the rules, but it is a standard which we easily met during the 103rd Congress on all of our authorization bills. I am sure you will agree that it is in our best interests to maintain the bipartisan cooperation that has been the hallmark of this Committee for many years and to provide our Members as much opportunity as possible to work out agreements and compromises on issues of concern well in advance. Further, although I recognize the pressures which you faced to move H.R. 9 out of Committee as quickly as possible, some of the authorization bills which we will be considering are a part of the 100-day schedule, and they should be considered as deliberately and openly as is possible.

I hope you will consider my request in the spirit in which it is made – to establish a more cooperative and bipartisan working relationship. I look forward to discussing these matters with you.

Sincerely,

George

GEORGE E. BROWN, JR.
Ranking Democratic Member

cc: Subcommittee Chairmen
Ranking Democratic Members

Bill	Introduction	Hearing Date	Markup Vehicle	Subcom. Markup Date	Comments
HR 820 National Competitiveness Act	2/4/93: section by section and budget chart	2/3; 2/16-17; 2/23 & 3/2/93	Available 3/22/93 w/ revised section by section	3/25;3/30	Boehlert, Henry, Moorhead, Regula, Ridge orginal cosponsors
HR 1116 Clean Water Act	2/24/93	9/23/93	Available 6/8/94	6/28/94	Morella's bill. Gilchrest original cosponsor
HR 1432 DOE Lab Technology Act	3/23/93	3/30 & 7/29/93 (FC) 5/18;6/10 6/17/93	3/24/94 Meeting w/ Repubs. on April 7 to discuss	4/13/94	
HR 1727 Arson Prevention	4/20/93	4/20/93	Worked out jointly with Repubs.	6/17/93	Boehlert chief cosponsor: also Weldon, Leach, Meyers, Fish, Lazio, Castle.
HR 1757 National Information Infrastructure	4/21/93	4/27/93	Bill as introduced	6/17/93	Boehlert chief cosponsor
HR 1994 Enviro. RD&D Authorization	5/5/93	3/2 & 5/4/93	Bill as introduced	5/20/93	Morella Chief Cosponsor. Greene or Link in all meetings.

HR 2200 NASA Authorization	5/20/93 introduced and held at FC	9 hearings 4/20 to 6/8/93	Bill as introduced	6/9/93 FC markup	Walker, Lewis, Sensenbrenner, Boehlert, Morella, Rohrabacher, Schiff, Barton, Sam Johnson, Calvert, Hoke, Dunn, Bartlett original cosponsors
HR 2800 NASA Management Reorganization	7/29/93 introduced and held at FC	7/28/93	Bill as introduced	8/4/93 FC	Introduced at Administration request with bipartisan support
HR 2811 NOAA Authorization	7/30/93 introduced and held at FC	3/11/93; 6/10/93	Bill as introduced	8/4/93 FC	Most issues worked out in advance of markup.
HR 2820 FAA R&D Authorization	8/2/93 introduced and held at FC	7/29/93	Bill as introduced	8/4/93	Drafted bipartisanly.
HR 3254 NSF Authorization	10/12/93 introduced and held at FC	5/20 & 6/15/93	Bill as introduced	3/23/94 FC	Republicans had subcommittee draft at least two weeks; long enough to produce their own substitute.
HR 3400 Govt Reform	10/28/93	None	Bill as introduced	11/10/93	
HR 3476 National Science and Tech Policy	11/9/93	2/3/94	Bill as introduced	3/15/94	Boehlert one of two original cosponsors

HR 3485 Earthquake Hazards	11/10/93 introduced and held at PC	9/14/93	Bill as introduced	11/10/93	Walker and Boehlert among 5 original cosponsors
HR 3870 Environmental Tech	2/22/94	2/22 & 2/24/94	Substitute cleared in advance with Repubs.	3/2/94	Morella and Boehlert original cosponsors
HR 4008 NOAA Authorization	3/10/94 Sequential to Comm. 7/8/94	7/19/94	Bill as introduced	7/19/94	Weldon, Young (AK), and Saxton original cosponsors
HR 4306 Risk Assessment	4/28/94	7/27 & 11/16/93; 2/3 & 3/9/94	Bill as introduced	5/18/94	Zimmer chief cosponsor; also Morella, Boehlert, and Porter. White paper in March and all drafts given well in advanced. Repubs saw lang. before it went to leg counsel.
HR 4489 NASA Authorization	5/25/94		Bill as introduced	7/12 & 7/20/94	

HR 4908 Hydrogen Fusion and Nuclear Physics	Introduced after markup on 8/5/94, the day report was filed to replace HR 4684 which was introduced on 6/30/94.	6 hearings 1/26 to 7/14/94	Bipartisan substitute for HR 4684.	7/21/94 SC 8/3/94 FC	Walker, Boehlert, and Fawell original cosponsors. Even went to legis. counsel together.
HCon Res 261 Honoring NASA Astronauts	6/24/94	None	Bill as introduced	7/13/94	Sam Johnson, Boehlert, Dunn, Cunningham among 4 original cosponsors

Mr. BROWN. Mr. Chairman, I want to, first, express my own commendation to you and to Chairman Walker for the discipline and rigorous way in which you are operating the Committee and the Subcommittee. I think it's quite conceivable that we can learn from your experience and example more effective ways to manage the Committee's business.

Unfortunately, I have a few minor complaints, which are reflected in my written statement, which I know are not your responsibility but stem from the overall necessity of meeting the 100 day contract provisions and so on. There has been inadequate hearing record on many of the items here.

As you've pointed out, we've had very few hearings. We continue to feel, on our side, that we would benefit from having a slightly larger amount of time to consider this legislation.

And, I respect the fact that we have received the 48 hour minimum time to consider the legislation. But, it has been our practice in the past—and we hope that we could move back toward that—to have, at least, a little bit more time to more carefully construct amendments and to give additional consideration to some of the issues involved here.

And, again, I repeat that this is not your fault. We are all working under exacting time schedules which make it difficult to do that. But, I'm putting up the goal of possibly trying to improve on that.

Now, we do have some fundamental differences. I'm sure you are aware of that.

The effort by the Republican Majority to balance the budget within seven years while providing a 350 billion dollar tax cut to what we would consider the least needy of the American population is putting some serious constraints on what we can do with ongoing programs. The practice that the Chairman of the Full Committee has initiated of assigning what, in effect, are 602[b] allocations to the subcommittees is unprecedented and fails to conform with the actual practice of the Appropriations Committee, which goes through a number of iterations of the 602[b] process during the course of their consideration of legislation.

We will not have that option when we move legislation forward in the authorizing Committee. And, it's an unnecessary and unprecedented and unworkable effort, in my opinion, to set these kinds of strict requirements, although I admit to the need for discipline and discipline across subcommittees in achieving our ultimate goals.

Now, in the case of those of us on the Minority side, as I've already indicated, we do not consider the Majority House-passed budget to be the only guideline for the work of this Committee. You know, as well as I do, that that House-passed budget will not be the final budget.

The final budget will reflect a compromise between the House and the Senate, which did not include the tax cuts which are in the House budget and which did set, therefore, higher levels for programs that we will be authorizing. Most of us on the Democratic side did not vote for the House-passed budget. We voted for the conservative coalition alternative, which follows more nearly the Senate figures.

Now, admittedly, all of these are tentative at the present time. But, I get the impression that we are being presented by the Majority with an ironclad restriction here, which is based upon a fiction. And, I don't necessarily want to subscribe to that fiction, as it deprives us of our legitimate opportunity to try and develop policy within the authorizing committees.

I make this point just as a sort of a general basis to explain why we don't think we are violating some sacred oath when we suggest modest improvements in some of the programs that are contained in the legislation that is before us today. We think we are exercising legitimate policy discretion in the light of what we anticipate will be the final budgetary outcome, the final enactment of a final budget by the House and Senate both.

And, we exhort you to consider that we are doing this in the best of faith in an effort to continue or develop programs which we think are in the best interest of the American people.

And, having done my best, but probably not too well, to match the splendid oratory which you and the Chairman are so adept at, let me thank you for this opportunity.

Chairman ROHRABACHER. Thank you, former Chairman Brown. I appreciate your constructive criticism.

And, just to offset the fact that we haven't had the amount of time that we would like to have had to look into and have hearings into each and every issue before us today in terms of the spending priorities, we've tried, on the other hand, to make sure that the process is open so that even no matter what someone would like to offer as a restructuring of the priorities within the budget caps that you've got—the Minority has its ability, and the Majority as well has its rights to present that to the Committee and try to obtain a majority vote to reset the priorities within those budget caps.

So, to the degree that we maybe have not come up to the mark in terms of having the time to examine all of the issues with the length and depth that you would have appreciated, we have tried to make sure the process is open so that everyone feels they are participating.

Mr. BROWN. Well, we agree with you on that, Mr. Chairman.

[Opening statement of Mr. Fawell follows.]

HARRIS W. FAWELL
[illegible] DISTRICT, ILLINOIS

ECONOMIC AND
EDUCATIONAL OPPORTUNITIES
[illegible]
CHAIRMAN
EMPLOYER-EMPLOYEE RELATIONS
WORKPLACE PROTECTIONS
OVERSIGHT AND INVESTIGATIONS
SCIENCE
[illegible]
ENERGY AND ENVIRONMENT

Congress of the United States
House of Representatives
Washington, DC 20515–1313

WASHINGTON OFFICE:
2160 RAYBURN HOUSE OFFICE BUILDING
(202) 225-[illegible]

CONGRESSIONAL DISTRICT OFFICE:
110 W. 69TH STREET
SUITE 100
CLARENDON HILLS, IL 60514
(630) 655-[illegible]

OPENING STATEMENT
Hon. Harris W. Fawell
Subcommittee on Energy and the Environment
Mark up on
"The Department of Energy Civilian Research and Development Act of 1995
"The National Oceanic and Atmospheric Administration Authorization Act of 1995"
"The Environmental Research, Development and Demonstration Authorization Act of 1995"

June 8, 1995

Mr. Chairman, Members of the Subcommittee, I am truly pleased to have the opportunity to address the first authorization mark up of the Energy and Environment Subcommittee. As one who has participated in many authorization mark ups under the former Chairwoman Marilyn Lloyd, I look forward to this mark up under the new Chairman Dana Rohrabacher. Having participated as a minority and a majority Member, I am also aware of the great responsibility in crafting legislation to authorize these programs, some of our country's greatest investments in our future. Furthermore, with the commitment our Congress has made to balance the federal budget, the task of determining spending priorities for the Department of Energy programs, the NOAA programs and the EPA programs takes on even greater significance.

I am particularly pleased at the priority the authorization bills, particularly the authorization of the Department of Energy gives to basic research and basic energy sciences. Since my district is the home of one of our nation's greatest resources, Argonne National Laboratory, one of the Department of Energy's multi-program labs, I must admit that the investment our country makes in its research future is of great interest to me. The full funding of the Scientific Facilities Initiative, a $160 million initiative to more fully utilize the user facilities at our nation's labs, re-emphasizes the commitment of our country to scientific research. Likewise, the full funding of the Advanced Photon Source, will provide super-intense x-ray beams for many areas of basic research, industrial research and biological and medical research. Nuclear Technology Research and Development, also affirmed in its importance to federal priority will develop electrometallurgical technology for the treatment of EBR-II spent fuel.

Although in a perfect world all of these investments would be greater – in this time of budget austerity, I am pleased that the Chairman's mark prioritizes basic research and energy sciences. I am sure the debate today will be energetic, I look forward to working with my colleagues as we debate the importance of federal investment in the Department of Energy programs, EPA and NOAA.

Chairman ROHRABACHER. Okay. With that said, I think we will now consider the subcommittee print, the Department of Energy Civilian Research and Development Act of 1995, which was prepared by legal counsel and previously distributed to the members.

I ask for unanimous consent, in the meantime, for authority to recess. Hearing no objection.

Let's see, I ask unanimous consent that the Bill be considered as read and open to amendment by section—if objection occurs. Okay.

So, if there is no objection, I move—it's so ordered and I move that the first reading of the Bill be dispensed with. With no objection, then, we will move forward.

The Clerk will designate Section 1.

[The Department of Energy Bill with Amendment Roster follows.]

H.L.C.

[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 civilian research, development, demonstration, and commercial application activities of the Department of Energy 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 "Department of Energy Civilian Research and Development Act of 1995".

1 SEC. 2. DEFINITIONS.

2 For purposes of this Act—

3 (1) the term "Department" means the Depart-
4 ment of Energy;

5 (2) the term "major construction project"
6 means a civilian research, development, demonstra-
7 tion, or commercial application project whose con-
8 struction costs are estimated to exceed
9 $100,000,000 over the life of the project;

10 (3) the term "Secretary" means the Secretary
11 of Energy;

12 (4) the term "substantial construction project"
13 means a civilian research, development, demonstra-
14 tion, or commercial application project whose con-
15 struction costs are estimated to exceed $10,000,000,
16 but not to exceed $100,000,000, over the life of the
17 project; and

18 (5) the term "substantial equipment acquisi-
19 tion" means the acquisition of civilian research, de-
20 velopment, demonstration, or commercial application
21 equipment at a cost estimated to exceed
22 $10,000,000 for the entire acquisition.

23 SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

24 (a) ENERGY SUPPLY RESEARCH AND DEVELOPMENT
25 ACTIVITIES.—There are authorized to be appropriated to
26 the Secretary for fiscal year 1996 for Energy Supply Re-

1 search and Development operating, capital equipment, and
2 construction the following amounts:
3 (1) Solar and Renewable Energy,
4 $203,641,000, of which—
5 (A) $203,521,000 shall be for operating
6 and capital equipment; and
7 (B) $120,000 shall be for construction of
8 Project GP–C–002, General Plant Projects, Na-
9 tional Renewable Energy Laboratory.
10 (2) Nuclear Energy, $220,541,000, of which—
11 (A) $217,841,000 shall be for operating
12 and capital equipment, including, subject to sec-
13 tion 4(b), $25,000,000 for the Gas Turbine-
14 Modular Helium Reactor;
15 (B) $1,000,000 shall be for construction of
16 Project GPN–102, General Plant Projects, Ar-
17 gonne National Laboratory-West, Idaho; and
18 (C) $1,700,000 shall be for completion of
19 construction of Project 95–E–207, Modifica-
20 tions to Reactors, Experimental Breeder Reac-
21 tor-II, Sodium Processing Facility, Argonne
22 National Laboratory-West, Idaho.
23 (3) Environment, Safety, and Health,
24 $127,291,000 for operating and capital equipment.

1 (4) Biological and Environmental Research,
2 $358,136,000, of which—
3 (A) $302,041,000 shall be for operating
4 and capital equipment;
5 (B) $3,500,000 shall be for construction of
6 Project GPE–120, General Plant Projects, Var-
7 ious Locations;
8 (C) $5,700,000 shall be for construction of
9 Project 94–E–339, Human Genome Labora-
10 tory, Lawrence Berkeley Laboratory;
11 (D) $4,295,000 shall be for completion of
12 construction of Project 94–E–338, Structural
13 Biology Facility, Argonne National Laboratory;
14 (E) $2,600,000 shall be for completion of
15 construction of Project 94–E–337, ALS Struc-
16 tural Biology Support Facilities, Lawrence
17 Berkeley Laboratory; and
18 (F) $40,000,000 shall be for construction
19 of Project 91–EM–100, Environmental Molecu-
20 lar Sciences Laboratory, Pacific Northwest
21 Laboratory.
22 (5) Fusion Energy, $229,144,000, of which—
23 (A) $214,201,000 shall be for operating
24 and capital equipment for Magnetic Fusion En-
25 ergy;

1 (B) $4,800,000 shall be for operating and
2 capital equipment for Inertial Fusion Energy;
3 (C) $5,943,000 shall be for Program Di-
4 rection operating;
5 (D) $1,000,000 shall be for construction of
6 Project GPE–900, General Plant Projects, Var-
7 ious Locations; and
8 (E) $3,200,000 shall be for construction of
9 Project 96–E–310, Elise Project, Lawrence
10 Berkeley Laboratory.
11 (6) Basic Energy Sciences, $765,852,000, of
12 which—
13 (A) $743,283,000 shall be for operating
14 and capital equipment, including $60,000,000
15 for the Scientific Facilities Initiative;
16 (B) $4,500,000 shall be for construction of
17 Project GPE–400, General Plant Projects, Var-
18 ious Locations;
19 (C) $12,883,000 shall be for construction
20 of Project 96–E–305, Accelerator and Reactor
21 Improvements and Modifications;
22 (D) $3,186,000 shall be for completion of
23 construction of Project 89–R–402, 6–7 GeV
24 Synchrotron Radiation Source, Argonne Na-
25 tional Laboratory; and

1 (E) $2,000,000 shall be for construction of
2 Project 87–R–405, Combustion Research Facil-
3 ity, Phase II, Sandia National Laboratories-
4 Livermore.
5 (7) Multiprogram Energy Laboratories—Facili-
6 ties Support—
7 (A) $15,539,000 shall be for operating and
8 capital equipment;
9 (B) $8,740,000 shall be for construction of
10 Project GPE–801, General Plant Projects, Var-
11 ious Locations;
12 (C) $2,740,000 shall be for construction of
13 Project 95–E–310, Multiprogram Laboratory
14 Rehabilitation, Phase 1, Pacific Northwest Lab-
15 oratory;
16 (D) $1,500,000 shall be for construction of
17 Project 95–E–303, Electrical Safety Rehabilita-
18 tion, Pacific Northwest Laboratory;
19 (E) $3,270,000 shall be for completion of
20 construction of Project 95–E–302, Applied
21 Science Center, Phase 1, Brookhaven National
22 Laboratory;
23 (F) $2,500,000 shall be for construction of
24 Project 95–E–301, Central Heating Plant Re-

1 habilitation, Phase 1, Argonne National Lab-
2 oratory;
3 (G) $2,038,000 shall be for construction of
4 Project 94–E–363, Roofing Improvements, Oak
5 Ridge National Laboratory;
6 (H) $440,000 shall be for completion of
7 construction of Project 94–E–351, Fuel Stor-
8 age and Transfer Facility Upgrade, Brookhaven
9 National Laboratory;
10 (I) $800,000 shall be for construction of
11 Project 96–E–332, Building 801 Renovations,
12 Brookhaven National Laboratory;
13 (J) $2,400,000 shall be for completion of
14 construction of Project 96–E–331, Sanitary
15 Sewer Restoration, Phase I, Lawrence Berkeley
16 Laboratory;
17 (K) $1,200,000 shall be for construction of
18 Project 96–E–330, Building Electrical Service
19 Upgrade, Phase I, Argonne National Labora-
20 tory;
21 (L) $2,480,000 shall be for construction of
22 Project 95–E–309, Loss Prevention Upgrade-
23 Electrical Substations, Brookhaven National
24 Laboratory;

1 (M) $1,540,000 shall be for construction
2 of Project 95–E–308, Sanitary System Modi-
3 fications, Phase II, Brookhaven National Lab-
4 oratory;
5 (N) $1,000,000 shall be for construction of
6 Project 95–E–307, Fire Safety Improvements,
7 Phase III, Argonne National Laboratory;
8 (O) $1,288,000 shall be for completion of
9 construction of Project 93–E–324, Hazardous
10 Materials Safeguards, Phase I, Lawrence
11 Berkeley Laboratory;
12 (P) $1,130,000 shall be for completion of
13 construction of Project 93–E–323, Fire and
14 Safety Systems Upgrade, Phase I, Lawrence
15 Berkeley Laboratory; and
16 (Q) $2,411,000 shall be for construction of
17 Project 93–E–320, Fire and Safety Improve-
18 ments, Phase II, Argonne National Laboratory.
19 Notwithstanding subparagraphs (A) through (Q),
20 the total amount authorized under this paragraph
21 shall not exceed $39,327,000.
22 (8) Advisory and Oversight Program Direction,
23 $5,940,000 for operating.
24 (9) Technical Information Management Pro-
25 gram, $14,394,000, of which—

1 (A) $12,894,000 shall be for operating and
2 capital equipment; and
3 (B) $1,500,000 shall be for construction of
4 Project 95-A-500, Heating, Venting, and Air
5 Conditioning Retrofits, Oak Ridge.
6 (10) Environmental Management,
7 $638,323,000, of which—
8 (A) $621,253,000 shall be for operating
9 and capital equipment;
10 (B) $339,000 shall be for completion of
11 construction of Project 92–E–601, Melton Val-
12 ley Liquid Low-Level Waste Collection and
13 Transfer System Upgrade, Oak Ridge National
14 Laboratory;
15 (C) $4,000,000 shall be for construction of
16 Project 88–R–830, Bethel Valley Liquid Low-
17 Level Waste Collection and Transfer System
18 Upgrade, Oak Ridge National Laboratory;
19 (D) $2,255,000 shall be for construction of
20 Project GPN–103, Oak Ridge Landlord Gen-
21 eral Plant Projects;
22 (E) $730,000 shall be for construction of
23 Project GPN–102, Test Reactor Area Landlord
24 General Plant Projects, Idaho National Engi-
25 neering Laboratory;

(F) $1,900,000 shall be for construction of Project 95–E–201, Test Reactor Area Landlord Fire and Life Safety Improvements, Idaho National Engineering Laboratory;

(G) $2,040,000 shall be for construction of Project GPE–600, General Plant Projects, Waste Management, Non-Defense, Various Locations;

(H) $300,000 shall be for construction of Project 94–E–602, Bethel Valley Federal Facility Agreement Upgrades, Oak Ridge National Laboratory;

(I) $4,048,000 shall be for construction of Project 93–E–900, Dry Cast Storage, Idaho National Engineering Laboratory;

(J) $787,000 shall be for construction of Project 91–E–602, Rehabilitation of Waste Management Building 306, Argonne National Laboratory; and

(K) $671,000 shall be for completion of construction of Project 88–R–812, Hazardous Waste Handling Facility, Lawrence Berkeley Laboratory.

(b) GENERAL SCIENCE AND RESEARCH ACTIVITIES.—There are authorized to be appropriated to the

1 Secretary for fiscal year 1996 for General Science and Re-
2 search Activities operating, capital equipment, and con-
3 struction the following amounts:
4 (1) High Energy Physics, $674,137,000, of
5 which—
6 (A) $548,191,000 shall be for operating
7 and capital equipment, including $15,000,000
8 for the Scientific Facilities Initiative;
9 (B) $12,146,000 shall be for construction
10 of Project GPE–103, General Plant Projects,
11 Various Locations;
12 (C) $9,800,000 shall be for construction of
13 Project 96–G–301, Accelerator Improvements
14 and Modifications, Various Locations;
15 (D) $52,000,000 shall be for construction
16 of Project 94–G–305, B-Factory, Stanford Lin-
17 ear Accelerator Center; and
18 (E) $52,000,000 shall be for construction
19 of Project 92–G–302, Fermilab Main Injector,
20 Fermi National Accelerator Center.
21 (2) Nuclear Physics, $290,110,000, of which—
22 (A) $213,010,000 shall be for operating
23 and capital equipment, including $25,000,000
24 for the Scientific Facilities Initiative;

1 (B) $3,900,000 shall be for construction of
2 Project GPE–300, General Plant Projects, Var-
3 ious Locations;
4 (C) $3,200,000 shall be for construction of
5 Project 96–G–302, Accelerator Improvements
6 and Modifications, Various Locations; and
7 (D) $70,000,000 shall be for construction
8 of Project 91–G–300, Relativistic Heavy Ion
9 Collider, Brookhaven National Laboratory.
10 (3) Program Direction, $8,430,000.
11 (c) FOSSIL ENERGY RESEARCH AND DEVELOP-
12 MENT.—There are authorized to be appropriated to the
13 Secretary for fiscal year 1996 for Fossil Energy Research
14 and Development operating, capital equipment, and con-
15 struction the following amounts:
16 (1) Coal, $49,955,000 for operating.
17 (2) Oil Technology, $41,234,000 for operating.
18 (3) Gas, $57,829,000 for operating.
19 (4) Program Direction and Management Sup-
20 port, $32,192,000 for operating.
21 (5) Capital Equipment, $476,000.
22 (6) Construction of Project GPF–100, General
23 Plant Projects for Energy Technology Centers,
24 $1,994,000.

1 (7) Cooperative Research and Development,
2 $7,557,000.
3 (8) Fossil Energy Environmental Restoration,
4 $12,370,000.
5 (d) ENERGY CONSERVATION RESEARCH AND DEVEL-
6 OPMENT.—There are authorized to be appropriated to the
7 Secretary for fiscal year 1996 for Energy Conservation
8 Research and Development operating and capital equip-
9 ment the following amounts:
10 (1) Buildings Sector, $40,107,000.
11 (2) Industry Sector, $51,116,000.
12 (3) Transportation Sector, $106,731,000.
13 (4) Technical and Financial Assistance (Non-
14 Grants), $7,813,000.
15 SEC. 4. FUNDING LIMITATIONS.
16 (a) FISCAL YEAR 1996 APPROPRIATIONS.—None of
17 the funds authorized by this Act may be used for the fol-
18 lowing programs, projects, and activities:
19 (1) Solar Buildings Technology Research.
20 (2) Solar International Program.
21 (3) Solar Technology Transfer.
22 (4) Solar Program Support.
23 (5) Resource Assessment.
24 (6) Hydropower.
25 (7) In-House Energy Management.

1 (8) Policy and Management—Energy Efficiency
2 and Renewable Energy.
3 (9) Light Water Reactors.
4 (10) Space Power Reactor Systems.
5 (11) Nuclear Energy Facilities.
6 (12) Policy and Management—Nuclear Energy.
7 (13) Soviet-Designed Reactor Safety.
8 (14) Russian Replacement Power Initiative.
9 (15) Advanced Neutron Source.
10 (16) Energy Research Analysis.
11 (17) University and Science Education.
12 (18) Energy Research Laboratory Technology
13 Transfer.
14 (19) Technology Partnerships.
15 (20) Policy and Management—Energy Re-
16 search.
17 (21) Direct Liquefaction.
18 (22) Indirect Liquefaction.
19 (23) Systems for Coproducts.
20 (24) Technical and Economic Analysis.
21 (25) International Program Support.
22 (26) Coal Technology Export.
23 (27) Gas Delivery and Storage.
24 (28) Gas Utilization.
25 (29) Fuel Cells Climate Change Action Plan.

1 (30) Fuels Conversion, Natural Gas, and Elec-
2 tricity.
3 (31) Clean Coal Technology Program.
4 (32) Buildings Sector Codes and Standards.
5 (33) Buildings Sector Implementation and De-
6 ployment.
7 (34) Industry Sector Municipal Solid Wastes.
8 (35) Industry Sector Implementation and De-
9 ployment.
10 (36) Alternative Fuels Utilization.
11 (37) Transportation Sector Implementation and
12 Deployment.
13 (38) Utility Sector Integrated Resource Plan-
14 ning.
15 (39) International Market Development.
16 (40) Inventions and Innovation Program.
17 (41) Municipal Energy Management.
18 (42) Information and Communications.
19 (43) Policy and Management—Energy Con-
20 servation.
21 (b) FISCAL YEAR 1996 OBLIGATION AND EXPENDI-
22 TURE.—None of the funds authorized by this Act may be
23 available for obligation for expenditure for the Gas Tur-
24 bine-Modular Helium Reactor, except for termination of
25 such reactor, until the National Academy of Sciences has

1 conducted a detailed review of the economic and technical
2 issues related to such reactor, and has reported to the De-
3 partment, the Committee on Science of the House of Rep-
4 resentatives, and the Committee on Energy and Natural
5 Resources of the Senate that such reactor warrants fund-
6 ing within the civilian nuclear energy budget of the De-
7 partment.

8 (c) PRIOR FISCAL YEAR OBLIGATION AND EXPENDI-
9 TURE.—No funds may be available for obligation or ex-
10 penditure with respect to the following:

11 (1) University of Nebraska Medical Center
12 Transplant Center.

13 (2) Oregon Health Sciences University.

14 (3) Conduct of any rulemaking activities relat-
15 ing to Lighting and Appliance Standards and Build-
16 ing Standards and Guidelines, including the promul-
17 gation or issuance of notices of proposed
18 rulemakings, proposed rules, or final rules.

19 **SEC. 5. LIMITATION ON APPROPRIATIONS.**

20 No sums are authorized to be appropriated for any
21 fiscal year after fiscal year 1995 for any civilian research,
22 development, demonstration, or commercial application
23 program, project, or activity of the Department unless
24 such sums are specifically authorized to be appropriated
25 by Act of Congress with respect to such fiscal year.

1 **SEC. 6. MERIT REVIEW REQUIREMENT FOR AWARDS OF FI-**
2 **NANCIAL ASSISTANCE.**

3 (a) MERIT REVIEW REQUIREMENT.—The Secretary
4 may not award financial assistance to any person for civil-
5 ian research, development, demonstration, or commercial
6 application activities, including related facility construc-
7 tion, unless an objective merit review process is used to
8 award the financial assistance.

9 (b) REQUIREMENT OF SPECIFIC MODIFICATION OF
10 MERIT REVIEW PROVISION.—

11 (1) IN GENERAL.—A provision of law may not
12 be construed as modifying or superseding subsection
13 (a), or as requiring that financial assistance be
14 awarded by the Secretary in a manner inconsistent
15 with subsection (a), unless such provision of law—

16 (A) specifically refers to this section;

17 (B) specifically states that such provision
18 of law modifies or supersedes subsection (a);
19 and

20 (C) specifically identifies the person to be
21 awarded the financial assistance and states that
22 the financial assistance to be awarded pursuant
23 to such provision of law is being awarded in a
24 manner inconsistent with subsection (a).

25 (2) NOTICE AND WAIT REQUIREMENT.—No fi-
26 nancial assistance may be awarded pursuant to a

1 provision of law that requires or authorizes the
2 award of the financial assistance in a manner incon-
3 sistent with subsection (a) until—
4 (A) the Secretary submits to the Congress
5 a written notice of the Secretary's intent to
6 award the financial assistance; and
7 (B) 180 days has elapsed after the date on
8 which the notice is received by the Congress.
9 (c) DEFINITIONS.—For purposes of this section:
10 (1) The term "objective merit review process"
11 means a thorough, consistent, and independent ex-
12 amination of requests for financial assistance based
13 on preestablished criteria and scientific and technical
14 merit by persons knowledgeable in the field for
15 which the financial assistance is requested.
16 (2) The term "financial assistance" means the
17 transfer of funds or property to a recipient or sub-
18 recipient to accomplish a public purpose of support
19 or stimulation authorized by Federal law. Such term
20 includes grants, cooperative agreements, and
21 subawards but does not include cooperative research
22 and development agreements as defined in section
23 12(d)(1) of the Stevenson-Wydler Technology Inno-
24 vation Act of 1980 (15 U.S.C. 3710a(d)(1)), nor
25 any grant that calls upon the National Academy of

1 Sciences, the National Academy of Engineering, the
2 Institute of Medicine, or the National Academy of
3 Public Administration to investigate, examine, or ex-
4 periment upon any subject of science or art and to
5 report on such matters to Congress or any agency
6 of the Federal Government.

7 SEC. 7. POLICY ON CAPITAL PROJECTS AND CONSTRUC-
8 TION.

9 (a) REQUIREMENT OF PRIOR AUTHORIZATION.—(1)
10 No funds are authorized to be appropriated to the Sec-
11 retary for any substantial construction project, substantial
12 equipment acquisition, or major construction project un-
13 less a report on such project or acquisition has been pro-
14 vided to Congress in accordance with subsection (b).

15 (2) The Secretary may not obligate any funds for any
16 substantial construction project, substantial equipment ac-
17 quisition, or major construction project unless such project
18 or acquisition has been specifically authorized by statute.

19 (3) This subsection may not be amended or modified
20 except by specific reference to this subsection.

21 (b) REPORTS TO CONGRESS.—(1) Within 180 days
22 after the date of the enactment of this Act, the Secretary
23 shall submit to the Congress a report that identifies all
24 construction projects and acquisitions of the Department
25 described in subsection (a) for which the preliminary de-

1 sign phase is completed but the construction or acquisition
2 is not completed. Such report shall include—
3 (A) an estimate of the total cost of completion
4 of the construction project or acquisition, itemized
5 by individual activity and by fiscal year; and
6 (B) an identification of which construction
7 projects or acquisitions have not been specifically au-
8 thorized by statute.
9 The Secretary shall annually update and resubmit the re-
10 port required by this paragraph, as part of the report re-
11 quired under section 15 of the Federal Nonnuclear Energy
12 Research and Development Act of 1974 (42 U.S.C. 5914).
13 (2) The Secretary shall, after completion of the pre-
14 liminary design phase of a major construction project,
15 submit to the Congress a report containing—
16 (A) an estimate of the total cost of construction
17 of the facility;
18 (B) an estimate of the time required to com-
19 plete construction;
20 (C) an estimate of the annual operating costs of
21 the facility;
22 (D) the intended useful operating life of the fa-
23 cility; and
24 (E) an identification of any existing facilities to
25 be closed as a result of the operation of the facility.

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT

COMMITTEE OF SCIENCE

U.S. HOUSE OF REPRESENTATIVES

CHAIRMAN ROHRABACHER

JUNE 8, 1995

CHAIRMAN'S MARK

U.S. DEPARTMENT OF ENERGY

FISCAL YEAR 1996 AUTHORIZATION

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DEPARTMENT OF ENERGY 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
Solar Energy and Renewable Energy					
Solar:					
Solar Buildings Technology Research	4,610	4,657	0	-4,610	-4,657
Photovoltaic Energy Systems	87,527	88,129	55,129	-32,398	-33,000
Solar Thermal Energy Systems	31,458	33,943	24,642	-6,816	-9,301
Biofuels Energy Systems	59,643	80,380	32,298	-27,345	-48,082
Wind Energy Systems	47,139	49,820	10,389	-36,750	-39,431
Solar International Program	9,087	29,154	0	-9,087	-29,154
Solar Technology Transfer	22,406	17,758	0	-22,406	-17,758
Solar Program Support	12,199	7,345	0	-12,199	-7,345
Resource Assessment	3,950	4,665	0	-3,950	-4,665
National Renewable Energy Laboratory	5,963	6,000	500	-5,463	-5,500
Program Direction	8,200	9,460	3,561	-4,639	-5,899
Subtotal, Solar Energy	292,182	331,311	126,519	-165,663	-204,792
Geothermal Energy	37,807	37,527	17,464	-20,343	-20,063
Hydropower	4,846	994	0	-4,846	-994
Hydrogen Research and Development	9,616	7,444	25,000	+15,384	+17,556
Electric Energy Systems and Storage	44,376	47,645	34,658	-9,718	-12,987
In-House Energy Management	30,729	28,789	0	-30,729	-28,789
Policy and Management—Energy Efficiency and Renewable Energy	4,817	4,817	0	-4,817	-4,817
Total, Solar and Renewable Energy	424,373	458,527	203,641	-220,732	-254,886
Nuclear Energy					
Nuclear Energy R&D:					
Light Water Reactors	64,329	49,740	0	-64,329	-49,740
Advanced Reactor R&D	19,948	0	25,000	+5,052	+25,000
Space Power Reactor Systems	1,224	0	0	-1,224	0
Advanced Radioisotope Power Systems	59,894	49,237	48,512	-11,382	-725
Facilities, Operating Expenses	7,027	0	0	-7,027	0
Nuclear Technology R&D	0	37,300	35,810	+35,810	-1,490
Program Direction	12,500	13,000	4,136	-8,364	-8,864
Policy and Management-Nuclear Energy	11,900	10,200	0	-11,900	-10,200
Test Reactor Area (TRA) Hot Cells	1,430	1,400	1,400	-30	0

DEPARTMENT OF ENERGY 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
Nuclear Energy (Continued)					
Nuclear Energy R&D (Continued):					
Oak Ridge Landlord[1]	14,252	18,685	0	-14,252	-18,685
Test Reactor Area Landlord[1]	3,959	4,000	0	-3,959	-4,000
Advanced Test Reactor (ATR) Fusion Irradiations[2]	2,683	2,303	0	-2,683	-2,303
University Nuclear Science and Reactor Support	0	6,130	6,130	+6,130	0
Subtotal, Nuclear Energy Research and Development	199,146	191,995	120,988	-78,158	-71,007
Termination Costs	69,705	81,700	74,250	+4,545	-7,450
Isotope Support, Operating Expenses	19,493	25,358	25,303	+5,810	-55
Soviet-Designed Reactor Safety, Operating Expenses	0	78,764	0	0	-78,764
Russian Replacement Power Initiative, Operating Expenses	0	5,000	0	0	-5,000
Total, Nuclear Energy	288,344	382,817	220,541	-67,803	-162,276
Civilian Radioactive Waste Research and Development	692	699	0	-692	-699
Environment, Safety and Health	143,920	166,759	127,291	-16,629	-39,468
Energy Research					
Biological and Environmental Research	436,641	431,664	358,136	-78,505	-73,528
Fusion Energy	368,421	366,045	229,144	-139,277	-136,901
Supporting Research and Technical Analysis:					
Basic Energy Sciences	733,940	811,419	765,852	+31,912	-45,567
Advanced Neutron Source	20,764	0	0	-20,764	0
Energy Research Analysis	3,407	3,463	0	-3,407	-3,463
University and Science Education	89,572	55,418	0	-89,572	-55,418
Multiprogram Energy Laboratories—Facilities Support	43,034	51,016	39,327	-3,707	-11,689
Energy Research Laboratory Technology Transfer	56,900	58,776	0	-56,900	-58,776
Technology Partnerships	0	3,153	0	0	-3,153
Advisory and Oversight Program Direction	12,450	9,780	5,940	-6,510	-3,840
Subtotal, Supporting Research and Technical Analysis	940,067	993,025	811,119	-128,948	-181,906

[1]Management and Funding transferred to the Office of Environmental Management.
[2]Management and Funding transferred to the Office of Fusion Energy.

DEPARTMENT OF ENERGY 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
Policy and Management—Energy Research	2,200	2,200	0	-2,200	-2,200
Total, Energy Research	1,747,329	1,792,934	1,398,399	-348,930	-394,535
Technical Information Management Program	16,124	17,450	14,394	-1,730	-3,056
Environmental Management (Non-Defense)					
Corrective Activities	26,700	5,404	4,863	-21,837	-541
Environmental Restoration	388,597	417,758	357,978	-30,619	-59,780
Waste Management	243,016	206,145	204,694	-38,322	-1,451
Nuclear Materials and Facility Stabilization	73,336	83,683	70,788	-2,548	-12,895
Environmental Management (Non-Defense)	731,649	712,990	638,323	-93,326	-74,667
Total, Energy Supply Research and Development	*3,352,431*	*3,532,176*	*2,602,589*	*-749,842*	*-929,587*
General Science and Research					
High Energy Physics	642,129	685,552	674,137	+32,008	-11,415
Nuclear Physics	331,502	321,078	290,110	-41,392	-30,968
Program Direction	10,400	10,900	8,430	-1,970	-2,470
Total, General Science and Research	*984,031*	*1,017,530*	*972,677*	*-11,354*	*-44,853*
Total, Energy and Water Development Appropriations	*4,336,462*	*4,549,706*	*3,575,266*	*-761,196*	*-974,440*

(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
Fossil Energy					
Coal	154,393	114,881	49,955	-104,438	-64,926
Oil	81,708	86,773	41,234	-40,474	-45,539
Gas	116,273	145,845	57,829	-58,444	-88,016
Program Direction and Management Support	72,263	69,897	32,192	-40,071	-37,705
Plant and Capital Equipment	5,010	4,005	2,470	-2,540	-1,535
Cooperative R&D	9,082	0	7,557	-1,525	+7,557
Fossil Energy Environmental Restoration	18,431	18,919	12,370	-4,061	-6,569
Fuels Conversion, Natural Gas, and Electricity	3,007	2,687	0	-3,007	-2,687
Total, Fossil Energy Research and Development	*458,167*	*443,007*	*203,607*	*-254,560*	*-239,400*
Clean Coal Technology	*37,121*	*44,981*	*0*	*-37,121*	*-44,981*
Energy Conservation Research and Development					
Buildings Sector	115,636	154,802	40,107	-75,529	-114,695
Industry Sector	135,193	172,867	51,116	-84,077	-121,751
Transportation Sector	206,257	262,308	106,731	-99,526	-155,577
Utility Sector	8,756	9,930	0	-8,756	-9,930
Technical and Financial Assistance (Non-Grants)	40,359	45,435	7,813	-32,546	-37,622
Policy and Management—Energy Conservation	8,342	11,332	0	-8,342	-11,332
Total, Energy Conservation Research and Development	*514,543*	*656,674*	*205,767*	*-308,776*	*-450,907*
Total, Interior and Related Agencies Appropriations	*1,009,831*	*1,144,662*	*409,374*	*-600,457*	*-735,288*
Total, Department of Energy	*5,346,293*	*5,694,368*	*3,984,640*	*-1,361,653*	*-1,709,728*

DEPARTMENT OF ENERGY
(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
SOLAR AND RENEWABLE ENERGY (Page 1 of 5)					
Solar Energy					
Solar Buildings Technology Research					
Operating Expenses	4,505	4,471	0	-4,505	-4,471
Capital Equipment	105	186	0	-105	-186
Total, Solar Buildings Technology Research	4,610	4,657	0	-4,610	-4,657
Photovoltaic Energy Systems					
Operating Expenses	86,527	84,159	51,159	-35,368	-33,000
Capital Equipment	1,000	3,970	3,970	+2,970	0
Total, Photovoltaic Energy Systems	87,527	88,129	55,129	-32,398	-33,000
Solar Thermal Energy Systems					
Operating Expenses	30,758	33,248	23,947	-6,811	-9,301
Capital Equipment	700	695	695	-5	0
Total, Solar Thermal Energy Systems	31,458	33,943	24,642	-6,816	-9,301
Biofuels Energy Systems					
Operating Expenses	56,734	78,296	30,214	-26,520	-48,082
Capital Equipment	2,909	2,084	2,084	-825	0
Total, Biofuels Energy Systems	59,643	80,380	32,298	-27,345	-48,082
Wind Energy Systems					
Operating Expenses	46,139	48,331	8,900	-37,239	-39,431
Capital Equipment	1,000	1,489	1,489	+489	0
Total, Wind Energy Systems	47,139	49,820	10,389	-36,750	-39,431
Solar International Program, Operating Expenses	9,087	29,154	0	-9,087	-29,154
Solar Technology Transfer, Operating Expenses	22,406	17,758	0	-22,406	-17,758
Solar Program Support, Operating Expenses	12,199	7,345	0	-12,199	-7,345

DEPARTMENT OF ENERGY
(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
SOLAR AND RENEWABLE ENERGY (Page 2 of 5)					
Solar Energy (Continued)					
Resource Assessment					
Operating Expenses	3,558	4,268	0	-3,558	-4,268
Capital Equipment	392	397	0	-392	-397
Total, Resource Assessment	3,950	4,665	0	-3,950	-4,665
National Renewable Energy Laboratory					
Capital Equipment	1,548	380	380	-1,168	0
Construction:					
GP-C-002, General Plant Projects	1,665	120	120	-1,545	0
96-E-100, Field Test Laboratory Building (FTLB) Renovation and Expansion	0	5,500	0	0	-5,500
95-E-103, South Table Mountain Site Infrastructure	2,750	0	0	-2,750	0
Total, Construction	4,415	5,620	500	-4,295	-5,500
Total, National Renewable Energy Laboratory	5,963	6,000	500	-5,463	-5,500
Program Direction, Operating Expenses	9,200	9,460	3,561	-4,639	-5,899
Total, Solar Energy	*292,182*	*331,311*	*126,519*	*-165,663*	*-204,792*
(Operating Expenses)	(280,113)	(316,490)	(117,781)	(-162,332)	(-198,709)
(Capital Equipment)	(7,654)	(9,201)	(8,618)	(+964)	(-583)
(Construction)	(4,415)	(5,620)	(120)	(-4,295)	(-5,500)
Geothermal Energy					
Operating Expenses	36,921	37,130	17,067	-19,854	-20,063
Capital Equipment	886	397	397	-489	0
Total, Geothermal Energy	37,807	37,527	17,464	-20,343	-20,063
Hydropower, Operating Expenses	4,846	994	0	-4,846	-994
Hydrogen Research and Development, Operating Expenses	9,616	7,444	25,000	+15,384	+17,556

DEPARTMENT OF ENERGY
(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
SOLAR AND RENEWABLE ENERGY (Page 3 of 5)					
Electric Energy Systems and Storage					
Operating Expenses					
Electric Energy Systems					
Electric Field Effects	13,462	9,924	9,924	-3,538	0
Reliability Research	5,962	6,153	0	-5,962	-6,153
Systems and Materials Research	18,270	24,712	18,270	0	-6,442
Program Direction	850	850	832	-218	-218
Total, Electric Energy Systems	38,544	41,639	28,826	-9,718	-12,813
Energy Storage Systems	5,832	6,006	5,832	0	-174
Total, Electric Energy Systems and Storage	44,376	47,645	34,658	-9,718	-12,987
In-House Energy Management					
Operating Expenses	6,029	15,664	0	-6,029	-15,664
Construction, IHE-500, Modifications for Energy Management, Various Locations	24,700	13,125	0	-24,700	-13,125
Total, In-House Energy Management	30,729	28,789	0	-30,729	-28,789
Policy and Management-Energy Efficiency and Renewable Energy	4,817	4,817	0	-4,817	-4,817
Total, Solar and Renewable Energy	*424,373*	*458,527*	*203,641*	*-220,732*	*-254,886*
(Operating Expenses)	(386,718)	(430,184)	(194,506)	(-926,212)	(-235,678)
(Capital Equipment)	(8,540)	(9,598)	(9,015)	(+475)	(-583)
(Construction)	(29,115)	(18,745)	(120)	(-28,995)	(-18,625)

SOLAR AND RENEWABLE ENERGY (Page 4 of 5)

SOLAR AND RENEWABLE ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Operating Expenses: -$235,678,000 to FY 1996 request

- -$4,471,000 for Solar Buildings Technology Research to terminate program.
- -$33,000,000 for Photovoltaic Energy Systems to provide an increase of $1,000,000 to Fundamental Research to continue cooperating in photovoltaic-related research projects with the Basic Energy Sciences Program, and to delete funding for Collector Research and Systems Development systems evaluation and deployment activity (-$14,000,000), market mobilization efforts (-$18,000,000), and design services (-$2,000,000). This will provide $51,158,000 to fund Fundamental Research ($8,741,000) at a $1,000,000 increase above the FY 1996 request, and to fund Advanced Materials and Devices ($24,812,000) and the Photovoltaic Manufacturing Project ($17,606,000) at the FY 1996 request level.
- -$9,301,000 for Solar Thermal Energy Systems to reduce funding for Technology Development (-$1,000,000) activities relating to the Solar Two project; to reduce funding for Commercial Applications (-$5,471,000), except for testing of Phase II 25 kWe dish/engine systems ($10,619,000) and continuation of Phase II of heliostat contracts for low-cost solar collectors ($3,100,000); and to reduce funding for Solar Industrial Applications (-$2,830,000) by eliminating funding for solar equipment demonstrations and international marketing (-$800,000), other Federal demonstration agency projects (-$800,000), and State and utility demonstration projects (-$1,230,000).
- -$48,082,000 for Biofuels Energy Systems to delete all funding to subsidize: (1) existing thermochemical biomass plants (-$2,000,000); (2) new biomass thermochemical conversion facilities (-$20,000,000); (3) new biomass gasifiers/electric generation systems (-$9,226,000); (4) municipal solid waste bioprocessing projects (-$3,077,000); (5) terrestrial crops producers and equipment manufacturers (-$6,339,000); (6) special-interest involvement in the evaluation of proposals and projects (-$1,000,000); (7) deployment of commercial biochemical conversion plants (-$2,500,000) and (8) the special-interest Regional Biomass Program (-$3,940,000).
- -$39,431,000 for Wind Energy Systems to fund Applied Research at FY 1996 request level ($8,900,000), and to delete funding for the Utility and Industry Programs (-$39,431,000), which subsidize utilities and other special interests.
- -$29,154,000 for Solar International Program to terminate corporate and special-interest subsidies.
- -$17,758,000 for Solar Technology Transfer to terminate program, which subsidizes corporate and special interests and duplicates information dissemination activities of program offices.
- -$7,345,000 for Solar Program Support to terminate program, which subsidizes utilities and other special interests. (This program also includes the Renewable Energy Production Incentive ($2,988,000 request in FY 1996).)
- -$4,268,000 for Resource Assessment to terminate program, which subsidizes corporate and special interests and duplicates work of other agencies (e.g., NOAA).

SOLAR AND RENEWABLE ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$5,899,000 for Solar Program Direction for reduced level of effort.
- -$20,063,000 for Geothermal Energy to delete funding for corporate and special-interest subsidies for geyser fields (-$3,447,000), international marketing (-$1,000,000), Kalina Cycle (-$8,080,000), and "market mobilization programs" (-$7,000,000), and to reduce Program Direction to reflect reduced level of effort (-$538,000).
- -$994,000 for Hydropower to terminate special-interest program.
- +$17,556,000 for Hydrogen Research and Development consistent with H.R. 655, which passed the House on May 2, 1995.
- -$12,987,000 for Electric Energy Systems, including -$5,962,000 for Reliability Research to terminate work that represents a subsidy to utilities, -$6,442,000 for Systems and Materials Research to maintain FY 1995 level of effort; and -$218,000 for Program Direction for reduced level of effort.
- -$174,000 for Energy Storage Systems to maintain FY 1995 level of effort.
- -$15,664,000 for In-House Energy Management to terminate redundant program.
- -$4,817,000 for Policy and Management-Energy Efficiency and Renewable Energy to terminate redundant program.

Capital Equipment: -$583,000 to FY 1996 request

- -$186,000 for Solar Buildings Technology Research to terminate program.
- -$397,000 for Resource Assessment to terminate program.

Construction: -$18,625,000 to FY 1996 request

- -$5,500,000 for Project 95-E-100, Field Test Laboratory Building (FTLB), National Renewable Energy Laboratory, due to reduced level of effort.
- -$13,125,000 for Project IHE-500, Modifications for Energy Management, Various Locations, to terminate redundant program.

DEPARTMENT OF ENERGY
(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
NUCLEAR ENERGY (Page 1 of 5)					
Nuclear Energy R&D					
Light Water Reactors, Operating Expenses	64,329	49,740	0	-64,329	-49,740
Advanced Reactor R&D, Operating Expenses	19,948	0	25,000	+5,052	+25,000
Space Power Reactor Systems, Operating Expenses	1,224	0	0	-1,224	0
Advanced Radioisotope Power Systems					
Operating Expenses	58,040	48,337	47,612	-10,428	-725
Capital Equipment	1,854	900	900	-954	0
Total, Advanced Radioisotope Power Systems	59,894	49,237	48,512	-11,382	-725
Facilities, Operating Expenses	7,027	0	0	-7,027	0
Nuclear Technology R&D, Operating Expenses	0	37,300	35,810	+35,810	-1,490
Program Direction, Operating Expenses	12,500	13,000	4,136	-8,364	-8,864
Policy and Management-Nuclear Energy, Operating Expenses	11,900	10,200	0	-11,900	-10,200
Test Reactor Area (TRA) Hot Cells[1]					
Operating Expenses	1,230	1,200	1,200	-30	0
Capital Equipment	200	200	200	0	0
Total, TRA Hot Cells	1,430	1,400	1,400	-30	0
Oak Ridge Landlord*					
Operating Expenses	10,016	12,449	0	-10,016	-12,449
Capital Equipment	1,981	2,981	0	-1,981	-2,981
Construction, GPN-103, General Plant Projects	2,255	3,255	0	-2,255	-3,255
Total, Oak Ridge Landlord*	14,252	18,685	0	-14,252	-18,685

*Management and funding transferred to the Office of Environmental Management.

DEPARTMENT OF ENERGY
(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
NUCLEAR ENERGY (Page 2 of 5)					
Nuclear Energy R&D (Continued):					
TRA Landlord, Idaho National Engineering Laboratory[1]					
Operating Expenses	1,487	1,085	0	-1,487	-1,085
Capital Equipment	0	285	0	0	-285
Construction:					
GPN-102, General Plant Projects	750	730	0	-750	-730
95-E-201, TRA Fire and Safety Improvements	1,722	1,900	0	-1,722	-1,900
Total, Construction	2,472	2,630	0	-2,472	-2,630
Total, TRA Landlord	3,959	4,000	0	-3,959	-4,000
Advanced Test Reactor (ATR) Fusion Irradiations,					
Operating Expenses[2]	2,683	2,303	0	-2,683	-2,303
University Nuclear Science and Reactor Support,					
Operating Expenses	0	6,130	6,130	+6,130	0
Total, Nuclear Energy Research and Development	*199,146*	*191,995*	*120,988*	*-78,158*	*-71,007*
(Operating Expenses)	(190,384)	(181,744)	(120,088)	(-70,296)	(-61,656)
(Capital Equipment)	(4,035)	(4,366)	(900)	(-3,135)	(-3,466)
(Construction)	(4,727)	(5,855)	(0)	(-4,727)	(-5,885)

[1]Management and funding transferred to the Office of Environmental Management.
[2]Management and funding transferred to the Office of Fusion Energy.

DEPARTMENT OF ENERGY
(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
NUCLEAR ENERGY (Page 3 of 5)					
Termination Costs					
Operating Expenses	83,000	76,000	68,550	+5,550	-7,450
Capital Equipment	1,000	3,000	3,000	+2,000	0
Construction:					
GPN-102, General Plant Projects, Argonne National Laboratory (ANL)-West, Idaho	2,194	1,000	1,000	-1,194	0
95-E-207, Modifications to Reactors, Experimental Breeder Reactor-II (EBR-II)Sodium Processing Facility, ANL-West, Idaho	1,500	1,700	1,700	+200	0
92-E-200, Modifications to Reactors, EBR-II Fuel Handling Major Maintenance, ANL-West, Idaho	2,011	0	0	-2,011	0
Total, Construction	5,705	2,700	2,700	-3,005	-7,250
Total, Termination Costs	69,705	81,700	74,250	+4,545	-7,450
Isotope Support, Operating Expenses	19,493	25,358	25,358	+5,865	0
Soviet-Designed Reactor Safety, Operating Expenses	0	78,764	0	0	-78,764
Russian Replacement Power Initiative, Operating Expenses	0	5,000	0	0	-5,000
Total, Nuclear Energy	*288,344*	*382,817*	*220,541*	*-67,803*	*-162,276*
(Operating Expenses)	(272,877)	(366,866)	(212,941)	(-58,936)	(-152,925)
(Capital Equipment)	(5,035)	(7,366)	(3,900)	(-1,135)	(-3,466)
(Construction)	(10,432)	(8,585)	(2,700)	(-7,732)	(-5,885)

NUCLEAR ENERGY (Page 4 of 5)

NUCLEAR ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Operating Expenses: -$152,925,000 to FY 1996 request

- -$49,740,000 for Light Water Reactors to terminate mature program.
- +$25,000,000 to Advanced Reactor R&D for the Gas Turbine-Modular Helium Reactor (GT-MHR) contingent upon a favorable review of the concept by the National Academy of Sciences.
- -$725,000 to Advanced Radioisotope Power Systems for DOE Strategic Realignment Savings Amendment.
- -$1,490,000 for Nuclear Technology R&D to eliminate undefined "Management Studies, Evaluations, and Other Support Activities" (-$1,400,000) and for DOE Strategic Realignment Savings Amendment (-$90,000).
- -$8,864,000 for Program Direction to reflect lower funding levels.
- -$10,200,000 for Policy and Management-Nuclear Energy to eliminate duplication and overlap with Program Direction, and the Department's Office of Policy.
- -$12,449,000 for Oak Ridge Landlord to transfer management and funding to the Office of Environmental Management.
- -$1,085,000 for TRA Landlord, Idaho Nuclear Engineering Laboratory, to transfer management and funding to the Office of Environmental Management.
- -$2,303,000 for Advanced Test Reactor (ATR) Fusion Irradiations to transfer funding to the Office of Fusion Energy.
- -$7,450,000 for Termination Costs to initiate Gas Turbine-Modular Helium Reactor program closeout activities (-$7,250,000), and for DOE Strategic Realignment Savings Amendment (-$200,000).
- -$55,000 for Isotope Support for DOE Strategic Realignment Savings Amendment.
- -$78,764,000 for Soviet-Designed Reactor Safety; funding for this foreign aid program should be provided through U.S. Agency for International Development (AID) as in the past.
- -$5,000,000 for Russian Replacement Power Initiatives; funding for this foreign aid program should be provided through U.S. Agency for International Development (AID) as in the past.

NUCLEAR ENERGY (Page 5 of 5)

NUCLEAR ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Capital Equipment: -$3,266,000 to FY 1996 request

- -$200,000 for Test Reactor Area (TRA) Hot Cells to transfer management and funding to the Isotope Program within the Office of Energy Research.
- -$2,981,000 for Oak Ridge Landlord to transfer management and funding to the Office of Environmental Management.
- -$285,000 for TRA Landlord, Idaho Nuclear Engineering Laboratory, to transfer management and funding to the Office of Environmental Management.

Construction: -$5,885,000 to FY 1996 request

- -$3,255,000 for Oak Ridge Landlord to transfer management and funding to the Office of Environmental Management.
- -$2,630,000 for TRA Landlord, Idaho Nuclear Engineering Laboratory, to transfer management and funding to the Office of Environmental Management.

DEPARTMENT OF ENERGY
(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
CIVILIAN RADIOACTIVE WASTE RESEARCH AND DEVELOPMENT (Page 1 of 1)					
Operating Expenses	692	699	0	-692	-699
Total, Civilian Radioactive Waste Research and Development	*692*	*699*	*0*	*-692*	*-699*

CIVILIAN RADIOACTIVE WASTE RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

Operating Expenses: -$692,000 to FY 1996 request

- -$692,000 for operating expenses to terminate program, which funds the monitoring of casks at the Idaho National Engineering Laboratory containing fuel from dry storage demonstration projects and participation in a DOE/industry/utility research, development, and demonstration project to develop a dry spent fuel transfer system and a transport/storage system as an alternative method of providing additional spent fuel storage at nuclear power plant sites. The program is recommended for termination because it represents an inappropriate subsidy to the private-sector.

DEPARTMENT OF ENERGY
(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
ENVIRONMENT, SAFETY AND HEALTH (Page 1 of 2)					
Environment Research and Development					
Environment	14,190	7,200	7,080	-7,110	-120
Worker Health and Safety	25,011	29,415	24,593	-418	-4,822
Health Studies	43,472	61,072	38,496	-4,976	-22,576
Oversight	11,750	13,325	11,554	-196	-1,771
Planning and Administration					
Operating Expenses:					
Business Performance Systems	3,000	5,000	2,950	-50	-2,050
Program Direction	27,817	32,067	24,225	-3,592	-7,842
Total, Operating Expenses	30,817	37,067	27,175	-3,642	-9,892
Capital Equipment	1,500	1,500	1,500	0	0
Total, Planning and Administration	32,317	38,567	28,675	-3,642	-9,892
Total, Environmental Research and Development	126,740	149,579	110,398	-16,342	-39,181
Nuclear Safety Policy	17,180	17,180	16,893	-287	-287
Total, Environment, Safety and Health	*143,920*	*166,759*	*127,291*	*-16,629*	*-39,468*
(Operating Expenses)	(142,420)	(165,259)	(125,791)	(-16,629)	(-39,468)
(Capital Equipment)	(1,500)	(1,500)	(1,500)	(0)	(0)
(Construction)	(0)	(0)	(0)	(0)	(0)

ENVIRONMENT, SAFETY AND HEALTH (Page 2 of 2)

ENVIRONMENT, SAFETY AND HEALTH FY 1996 BUDGET MARKS' ASSUMPTIONS

Operating Expenses: -$39,468,000 to FY 1996 request

- -$120,000 for Environment for DOE Strategic Realignment Savings Amendment.
- -$4,822,000 for Worker Health and Safety to maintain FY 1995 level of effort (-$4,404,000), and for DOE Strategic Realignment Savings Amendment (-$418,000).
- -$22,576,000 for Health Studies to maintain FY 1995 level of effort ($+17,600,000), less State grants (-$4,322,000), and for DOE Strategic Realignment Savings Amendment (-$854,000).
- -$1,771,000 for Oversight to maintain FY 1995 level of effort (-$1,575,000), and for DOE Strategic Realignment Savings Amendment (-$196,000).
- -$2,050,000 for Business Performance Systems to maintain FY 1995 level of effort (-$2,000,000), and for DOE Strategic Realignment Savings Amendment (-$50,000).
- -$7,842,000 for Program Direction to reflect reduced level of funding.
- -$287,000 for Nuclear Safety Policy for DOE Strategic Realignment Savings Amendment.

DEPARTMENT OF ENERGY
(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
BIOLOGICAL AND ENVIRONMENTAL RESEARCH (Page 1 of 3)					
Operating Expenses:					
Analytical Technology	8,706	8,880	8,393	-413	-587
Environmental Research	44,400	50,100	36,640	-7,760	-13,460
Health Effects	36,921	33,092	32,749	-4,172	-343
General Life Sciences	108,894	113,647	112,468	+3,574	-1,179
Medical Applications	48,132	38,900	38,496	-9,636	-404
Carbon Dioxide Research	86,848	88,400	52,556	-34,292	-35,844
Program Direction	7,500	7,600	6,139	-1,361	-1,461
Total, Operating Expenses	341,401	340,619	287,341	-54,060	-53,278
Capital Equipment	24,540	24,000	14,700	-9,840	-9,300
Construction:					
GPE-120, General Plant Projects, Various Locations	3,500	4,450	3,500	0	-950
94-E-339, Human Genome Laboratory, Lawrence Berkeley Laboratory	15,800	5,700	5,700	-10,100	0
94-E-338, Structural Biology Facility, Argonne National Laboratory	6,700	4,295	4,295	-2,405	0
94-E-337, ALS Structural Biology Support Facilities, Lawrence Berkeley Laboratory	4,700	2,600	2,600	-2,100	0
91-EM-100, Environmental Molecular Sciences Laboratory, Pacific Northwest Laboratory	40,000	50,000	40,000	0	-10,000
Total, Construction	70,700	67,045	56,095	-14,605	-10,950
Total, Biological and Environmental Research	*436,641*	*431,664*	*358,136*	*-78,505*	*-73,528*
(Operating Expenses)	(341,401)	(340,619)	(287,341)	(-54,060)	(-53,278)
(Capital Equipment)	(24,540)	(24,000)	(14,700)	(-9,840)	(-9,300)
(Construction)	(70,700)	(67,045)	(56,095)	(-14,605)	(-10,950)

BIOLOGICAL AND ENVIRONMENTAL RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Analytical Technology: -$587,000 to FY 1996 request

- -$500,000 for Measurement Science for development new technology for study of ocean environments. This work has limited relevance to DOE missions, and for DOE Strategic Realignment Savings Amendment (-$87,000).

Environmental Research: -$13,480,000 to FY 1996 request

- -$600,000 in Atmospheric Science for initiation of field experiments in the Pacific Ocean region. This research has limited relevance to DOE missions.
- -$7,155,000 in Marine Transport for Ocean Margins Program. This research has limited relevance to DOE missions.
- -$5,320,000 in Ecosystem Functioning and Response for research on the potential ecological consequences of human-induced climate change. This research has limited relevance to DOE missions.
- -$385,000 for DOE Strategic Realignment Savings Amendment.

Health Effects: -$343,000 to FY 1996 request

- -$343,000 for DOE Strategic Realignment Savings Amendment.

General Life Sciences: -$1,179,000 to FY 1996 request

- -$1,179,000 for DOE Strategic Realignment Savings Amendment.

Medical Applications: -$404,000 to FY 1996 request

- -$404,000 for DOE Strategic Realignment Savings Amendment.

Carbon Dioxide Research: -$35,844,000 to FY 1996 request

- -$3,148,000 to Core Program (-$1,612,000), Information & Integration (-$134,000), and Atmospheric Radiation Measurement (-$1,402,000) to maintain FY 1995 level.
- -$1,500,000 for Core Program for FACE (Free-Air Carbon Dioxide Enrichment) experiments in a forest ecosystems with USDA. This research has limited relevance to DOE missions.

BIOLOGICAL AND ENVIRONMENTAL RESEARCH (Page 3 of 3)

BIOLOGICAL AND ENVIRONMENTAL RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$10,857,000 for Computer Hardware, Advanced Mathematics and Model Physics to eliminate duplicative program that is developing more climate change models. This research has limited relevance to DOE missions.
- -$4,469,000 for Oceans Research for World Ocean Circulation Experiment. This research has limited relevance to DOE missions.
- -$11,000,000 for National Institute for Global Environmental Change (NIGEC). NIGEC, a global change research program operated for DOE by the University of California through a Cooperative Agreement, was established in 1989 in response to a Congressional earmark directing that such an institute be established at the University of California, Davis. Since then, Congress has earmarked funding for NIGEC in the Biological and Environmental Research budget and has specified the creation of six regional centers (Harvard University, Indiana University, University of Alabama, Tulane University, University of Nebraska, and University of California, Davis). This research has limited relevance to DOE missions.
- -$1,000,000 for Unmanned Aerospace Vehicles. This research has limited relevance to DOE missions.
- -$3,318,000 for Global Change Integrated Assessment. This research has limited relevance to DOE missions.
- -$551,000 for DOE Strategic Realignment Savings Amendment.

Program Direction: -$1,461,000 to FY 1996 request

- -$1,461,000 for Program Direction for reduced level of effort.

Capital Equipment: -$9,300,000 to FY 1996 request

- -$9,300,000 for global climate change capital equipment.

Construction: -$10,950,000 to FY 1996 request

- -$950,000 for Project GPE-120, General Plant Projects, to maintain FY 1995 level of effort.
- -$10,000,000 for Project 91-EM-100, Environmental Molecular Sciences Laboratory, Pacific Northwest Laboratory, to maintain FY 1995 level of effort.

DEPARTMENT OF ENERGY
(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
FUSION ENERGY (Page 1 of 3)					
Magnetic Fusion Energy					
Operating Expenses:					
Confinement Systems	187,857	131,492	75,059	-112,798	-56,433
Development and Technology*	89,026	100,400	90,173	+1,147	-10,227
Applied Plasma Physics	54,275	48,821	35,670	-18,605	-13,151
Planning and Projects	7,364	6,053	4,332	-3,032	-1,721
Total, Operating Expenses	338,522	286,766	205,234	-133,288	-81,532
Capital Equipment	9,599	11,779	8,967	-632	-2,812
Construction:					
GPE-900, General Plant Projects, Various Locations	2,000	1,000	1,000	-1,000	0
94-E-200, Tokamak Physics Experiment, Princeton Plasma Physics Laboratory	0	49,900	0	0	-49,900
Total, Construction	2,000	50,900	1,000	-1,000	-49,900
Total, Magnetic Fusion Energy	*350,121*	*349,445*	*215,201*	*-134,920*	*-134,244*
Inertial Fusion Energy					
Operating Expenses	8,000	3,100	4,100	-3,900	+1,000
Capital Equipment	700	700	700	0	0
Construction:					
Project 96-E-310, Elise Project, Lawrence Berkeley Laboratory	0	3,200	3,200	+3,200	0
Total, Inertial Fusion Energy	*8,700*	*6,900*	*8,000*	*-700*	*+1,000*
Program Direction, Operating Expenses	9,600	9,600	5,943	-3,657	-3,857

*Includes management and funding of Advanced Test Reactor (ATR) Fusion Irradiations transferred from the Office of Nuclear Energy.

DEPARTMENT OF ENERGY
(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
FUSION ENERGY (Page 2 of 3)					
Total, Fusion Energy	*368,421*	*366,045*	*229,144*	*-139,277*	*-136,901*
(Operating Expenses)	(356,122)	(299,466)	(215,277)	(-140,845)	(-84,189)
(Capital Equipment)	(10,299)	(12,479)	(9,667)	(-632)	(-2,812)
(Construction)	(2,000)	(54,100)	(4,200)	(+2,200)	(-49,900)

FUSION ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Magnetic Fusion Energy: -$134,244,000 to FY 1996 Request

Confinement Systems: -$56,433,000 to FY 1996 request

- -$38,000,000 for Tokamak Fusion Test Reactor (TFTR).
- -$5,300,000 for Base Toroidal activity to maintain ITER-Related activities ($45,000,000), and to provide for TFTR isolation and termination costs ($31,000,000).
- -$12,192,000 for Tokamak Physics Experiment (TPX).
- -$941,000 for DOE Strategic Realignment Savings Amendment.

Development and Technology: -$10,227,000 to FY 1996 request

- -$9,097,000 to reduce subprogram to level of effort required to meet U.S. ITER commitment ($82,000,000), to fund other ITER-related activities ($7,000,000), and to fund Advanced Test Reactor (ATR) Fusion Irradiations ($2,303,000) formerly budgeted under the Office of Nuclear Energy.
- -$1,130,000 for DOE Strategic Realignment Savings Amendment.

FUSION ENERGY (Page 3 of 3)

FUSION ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Applied Plasma Physics: -$13,151,000 to FY 1996 request

- -$12,704,000 to reduce subprogram to level of effort required to support ITER-related activities ($7,000,000); to fund alternate concepts at near the FY 1995 level ($7,100,000); and to fund MFE Computing at the FY 1996 request level ($10,000,000).
- -$447,000 for DOE Strategic Realignment Savings Amendment.

Planning and Projects: -$1,721,000 to FY 1996 request

- -$1,667,000 for reduction in Small Business Innovative Research (SBIR) and Small Business Technology Transfer Research (STTR) set-asides due to reduction in funding.
- -$54,000 for DOE Strategic Realignment Savings Amendment.

Program Direction: -$3,657,000 to FY 1996 request

- -$3,657,000 for Program Direction to reflect reduced funding level.

Capital Equipment: -$2,812,000 to FY 1996 request

- -$2,700,000 for Magnetic Fusion Energy Capital Equipment to freeze Confinement Systems Capital Equipment at FY 1995 level, and Applied Plasma Physics and Development and Technology Capital Equipment at the FY 1996 request level.
- -$112,000 for DOE Strategic Realignment Savings Amendment.

Construction: -$49,900,000 to FY 1996 request

- -$49,900,000 for TPX construction.

Inertial Fusion Energy: +$1,000,000 to FY 1996 Request

- +$1,000,000 for operating expenses.

DEPARTMENT OF ENERGY
(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
BASIC ENERGY SCIENCES (Page 1 of 3)					
Operating Expenses:					
Materials Sciences	272,319	348,297	333,564	+61,245	-14,733
Chemical Sciences	159,578	181,565	171,378	+11,800	-10,187
Engineering and Geosciences	35,845	39,953	35,418	-427	-4,535
Advanced Energy Projects	10,811	12,026	11,894	+1,083	-132
Energy Biosciences	27,936	29,534	24,702	-3,234	-4,832
Applied Mathematical Sciences	108,116	108,688	103,226	-4,890	-5,462
Program Direction	9,900	10,000	9,820	-80	-180
Total, Operating Expenses	624,505	730,063	690,002	+65,497	-40,061
Capital Equipment	39,056	56,973	53,281	+14,225	-3,692
Construction:					
GPE-400, General Plant Projects, Various Locations	4,500	6,314	4,500	0	-1,814
96-E-305, Accelerator and Reactor Improvements and Modifications, Various Locations	0	12,883	12,883	+12,883	0
95-E-305, Accelerator and Reactor Improvements and Modifications, Various Locations	7,500	0	0	-7,500	0
89-R-402, 6-7 GeV Synchrotron Radiation Source, Argonne National Laboratory	58,379	3,186	3,186	-55,193	0
87-R-405, Combustion Research Facility, Phase II, Sandia National Laboratories, Livermore	0	2,000	2,000	+2,000	0
Total, Construction	70,379	24,383	22,569	-47,810	-1,814
Total, Basic Energy Sciences	*733,940*	*811,419*	*765,852*	*+31,912*	*-45,567*
(Operating Expenses)	(624,505)	(730,063)	(690,002)	(+65,497)	(-40,061)
(Capital Equipment)	(39,056)	(56,973)	(53,281)	(+14,225)	(-3,692)
(Construction)	(70,379)	(24,383)	(22,569)	(-47,810)	(-1,814)

BASIC ENERGY SCIENCES (Page 2 of 3)

BASIC ENERGY SCIENCES FY 1996 BUDGET MARKS' ASSUMPTIONS

Operating Expenses: -$40,061,000 to FY 1996 request

- -$4,800,000 from Materials Sciences and -$3,200,000 from Chemical Sciences for new initiative on the Partnership for New Generation Vehicles.
- -$6,000,000 for new Sustainable Development initiative (-$2,205,000 from Materials Sciences, -$1,705,000 from Chemical Sciences, -$1,045,000 from Engineering and Geosciences, -$315,000 from Advanced Energy Projects, and -$430,000 from Energy Biosciences).
- -$18,000,000 for new Environmental Technology Partnerships initiative (-$5,000,000 from Materials Sciences, -$3,880,000 from Chemical Sciences, -$2,400,000 from Engineering and Geosciences, -$720,000 from Advanced Energy Projects, -$3,730,000 from Energy Biosciences, and -$3,000,000 from Applied Mathematical Sciences).
- -$800,000 for Geosciences Research for continued participation in the Continental Scientific Drilling Program. This program, coordinated with the National Science Foundation and the U.S. Geological Survey, has limited relevance to DOE's energy mission.
- +$1,000,000 to Advanced Energy Projects to fund peer-reviewed research on the potential energy applications of sonoluminescence. Sonoluminescence is an effect in which highly concentrated sound waves in liquids generate very short bursts of light from bubbles in the liquid. These bursts occur with very high regularity in time, and in the process energy densities can increase by as much as 12 orders of magnitude, producing extraordinarily high temperatures. While sonoluminescence is not yet understood, calculations have suggested the possibility of its use in inertial confinement fusion applications. While DOE has funded work in this area at a low level for nearly a decade, increased funding is required to understand and exploit the phenomenon.
- -$900,000 for Energy Biosciences for continued participation in the joint DOE/NSF/USDA Plant Science Program. This program has limited relevance to DOE's energy mission.
- -$1,618,000 for Advanced Mathematical Sciences for Supercomputer Computations Research Institute at Florida State University. This Center was created and has been supported annually only through Congressional earmarks.
- -$100,000 for Program Direction to maintain at FY 1995 level (-100,000).
- -$5,643,000 for DOE Strategic Realignment Savings Amendment, including Materials Sciences (-$2,728,000), Chemical Sciences (-$1,402,000), Engineering and Geosciences (-$290,000), Advanced Energy Projects (-$202,000), Applied Mathematical Sciences (-$844,000), and Program Direction (-$80,000).

BASIC ENERGY SCIENCES (Page 3 of 3)

BASIC ENERGY SCIENCES FY 1996 BUDGET MARKS' ASSUMPTIONS

Capital Equipment: -$3,692,000 to FY 1996 request

- -$775,000 for High Performance Computing and Communications to maintain FY 1995 level.
- -$2,481,000 for non-facility equipment associated with research in the Materials Sciences, Chemical Sciences, Engineering and Geosciences, Advanced Energy Projects, and Energy Biosciences subprograms to maintain FY 1995 level.
- -$436,000 for DOE Strategic Realignment Savings Amendment.

Construction: -$1,814,000 to FY 1996 request

- -$1,814,000 for Project GPE-400, General Plant Projects, Various Locations, to maintain FY 1995 level.

DEPARTMENT OF ENERGY
(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
ADVANCED NEUTRON SOURCE (Page 1 of 1)					
Operating Expenses	20,764	0	0	-20,764	0
Total, Advanced Neutron Source	*20,764*	*0*	*0*	*-20,764*	*0*

ADVANCED NEUTRON SOURCE FY 1996 BUDGET MARKS' ASSUMPTIONS

Operating Expenses: No change to FY 1996 request

- Endorse Adminstration's proposed termination of the Advanced Neutron Source.

DEPARTMENT OF ENERGY
(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
ENERGY RESEARCH ANALYSES (Page 1 of 1)					
Operating Expenses	3,407	3,463	0	-3,407	-3,463
Total, Energy Research Analyses	*3,407*	*0*	*0*	*-3,407*	*-3,463*

ENERGY RESEARCH ANALYSES FY 1996 BUDGET AUTHORIZATION MARKS' ASSUMPTIONS

Operating Expenses: -$3,463,000 to FY 1996 request

- -$3,463,000 for operating expenses to terminate activities that are duplicative of the Advisory and Oversight Program Direction account and the Program Direction accounts of individual Office of Energy Research programs.

DEPARTMENT OF ENERGY
(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
UNIVERSITY AND SCIENCE EDUCATION (Page 1 of 1)					
Operating Expenses:					
Laboratory Cooperative Science Centers	30,315	30,035	0	-30,315	-30,035
University Programs	27,082	17,377	0	-27,082	-17,377
University Reactor Fuel Assistance*	3,584	0	0	-3,584	0
University Research Instrumentation	5,647	5,647	0	-5,647	-5,647
Program Direction	2,944	2,359	0	-2,944	-2,359
Total, University and Science Education	*69,572*	*55,418*	*0*	*-69,572*	*-55,418*

*Management and funding transferred to Office of Nuclear Energy per the Administration's Request.

UNIVERSITY AND SCIENCE EDUCATION FY 1996 BUDGET AUTHORIZATION MARKS' ASSUMPTIONS

Operating Expenses: -$55,418,000 to FY 1996 request

- -$55,418,000 to terminate program.

Much of the emphasis in the Laboratory Cooperative Science Centers and University Programs is on precollege mathematics and science education activities. The Congressional Budget Office, in its February 1995 report *Reducing the Deficit: Spending and Revenue Options* noted that these "activities have been criticized as ill-focused and unsupervised" and as duplicating efforts in the same area by the National Science Foundation (p.114). The General Accounting Office, in its review of the program, noted that "these projects may be ineffective at increasing student achievement" and that "[t]o compound problems, DOE "did not link budget decisions to project evaluation results" (*Precollege Math and Science and Math Education: Department of Energy's Precollege Program Managed Ineffectively*, U.S. General Accounting Office, GAO/HEHS-94-208, September 1994, p. 3.) Whether successful or not, projects received increased amounts of funding—up to 1,731 percent from fiscal year 1990 to 1992.

The University Research Instrumentation provides competitive grants to universities for scientific equipment costing more than $100,000 and duplicates efforts by the Basic Energy Sciences Program and the National Science Foundation.

DEPARTMENT OF ENERGY
(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
MULTIPROGRAM ENERGY LABORATORIES (MEL)—FACILITIES SUPPORT (Page 1 of 3)					
General Purpose Facilities					
Operating Expenses	595	595	595	0	0
Capital Equipment	5,787	5,787	5,787	0	0
Construction:					
GPE-801, General Plant Projects, Various Locations	8,450	8,740	8,740	+290	0
95-E-310, Multiprogram Laboratory Rehabilitation, Phase 1, Pacific Northwest Laboratory (PNL)	400	2,740	2,740	+2,340	0
95-E-303, Electrical Safety Rehabilitation, PNL	240	1,500	1,500	+1,260	0
95-E-302, Applied Science Center, Phase 30, Brookhaven National Laboratory (BNL)	600	3,270	3,270	+2,670	0
95-E-301, Central Heating Plant Rehabilitation, Phase 1; Argonne National Laboratory (ANL)	1,307	2,500	2,500	+1,193	0
94-E-363, Roofing Improvements, Oak Ridge National Laboratory (ORNL)	1,525	2,038	2,038		
94-E-351, Fuel Storage and Transfer Facility Upgrade, BNL	2,479	440	440	-2,039	
93-E-325, Potable Water System Upgrade I, BNL	1,863	0	0	-1,863	0
93-E-313, Electrical Systems Upgrade, ANL	2,043	0	0	-2,043	0
93-E-324, Safety Compliance Modifications, Building 326, PNL	1,900	0	0	-1,900	
92-E-322, East Canyon Electrical Safety Project, Lawrence Berkeley Laboratory (LBL)	1,000	0	0	-1,000	0
Total, Construction	21,807	21,228	21,228	-579	
Total, MEL—General Purpose Facilities	***28,189***	***27,610***	***27,610***	***-579***	***0***
(Operating Expenses)	(595)	(595)	(595)	(0)	(0)
(Capital Equipment)	(5,787)	(5,787)	(5,787)	(0)	(0)
(Construction)	(21,807)	(21,228)	(21,228)	(-579)	(-290)

DEPARTMENT OF ENERGY
(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
MULTIPROGRAM ENERGY LABORATORIES (MEL)—FACILITIES SUPPORT (Page 2 of 3)					
Environment, Safety & Health Support					
Operating Expenses	6,007	8,157	8,157	+2,150	0
Capital Equipment	500	500	500	0	0
Construction:					
96-E-332, Building 801 Renovations, Brookhaven National Laboratory (BNL)	0	800	800	+800	0
96-E-331, Sanitary Sewer Restoration, Phase I, Lawrence Berkeley Laboratory (LBL)	0	2,400	2,400	+2,400	0
96-E-330, Building Electrical Service Upgrade, Phase I, Argonne National Laboratory (ANL)	0	1,200	1,200	+1,200	0
95-E-309, Loss Prevention Upgrade-Electrical Substation, BNL	600	2,480	2,480	+1,880	
95-E-308, Sanitary System Modifications, Phase II, BNL	960	1,540	1,540	+580	0
95-E-307, Fire Safety Improvements, Phase III, ANL	210	1,000	1,000	+790	0
93-E-324, Hazardous Materials Safeguards, Phase I, LBL	1,962	1,288	1,288	-674	0
93-E-323, Fire and Safety Systems Upgrade, Phase I, LBL	2,000	1,130	1,130	-870	0
93-E-320, Fire and Safety Improvements, Phase II, ANL	1,500	2,411	2,411	+911	0
93-E-317, Life Safety Code Compliance, Pacific Northwest Laboratory (PNL)	506	0	0	-506	0
93-E-315, Roof Replacement, Phase I, BNL	100	0	0	-100	0
Total, Construction	7,838	14,249	14,249	+6,411	0
Total, MEL—Environment, Safety and Health Support	*14,345*	*22,906*	*22,906*	*+8,561*	*0*
(Operating Expenses)	(6,007)	(8,157)	(8,157)	(+2,150)	(0)
(Capital Equipment)	(500)	(500)	(500)	(0)	(0)
(Construction)	(7,838)	(14,249)	(14,249)	(+6,411)	(0)

DEPARTMENT OF ENERGY
(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
MULTIPROGRAM ENERGY LABORATORIES (MEL)—FACILITIES SUPPORT (Page 3 of 3)					
Inactive and Surplus Facilities					
Operating Expenses	500	500	500	-0	0
Subtotal, MEL—FACILITIES SUPPORT	*43,034*	*51,016*	*51,016*	*+7,982*	*0*
(Operating Expenses)	(7,102)	(9,252)	(9,252)	(+2,150)	(0)
(Capital Equipment)	(6,287)	(6,287)	(6,287)	(0)	(0)
(Construction)	(29,645)	(35,477)	(35,477)	(+5,832)	(0)
General Reduction	0	0	-11,689	-11,689	-11,689
Total, MEL—FACILITIES SUPPORT	*43,034*	*51,016*	*39,327*	*-3,707*	*-11,689*

MULTIPROGRAM ENERGY LABORATORIES—FACILITIES SUPPORT FY 1996 BUDGET MARKS' ASSUMPTIONS

General Reduction: -$11,689,000 to FY 1996 Request

- -$11,689,000 to maintain program at FY 1994 level.

DEPARTMENT OF ENERGY
(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
ENERGY RESEARCH LABORATORY TECHNOLOGY TRANSFER (Page 1 of 1)					
Operating Expenses:					
Laboratory Technology Transfer	55,900	58,776	0	-55,900	-58,776
Technology Utilization	1,000	0	0	-1,000	0
Total, Energy Research Laboratory Technology Transfer	*56,900*	*58,776*	*0*	*-56,900*	*-58,776*

ENERGY RESEARCH LABORATORY TECHNOLOGY TRANSFER FY 1996 BUDGET AUTHORIZATION MARKS' ASSUMPTIONS

Operating Expenses: -$58,776,000 to FY 1996 request

- -$58,776,000 for operating expenses to terminate program, consistent with the recommendation of the Secretary of Energy Advisory Board Task Force on Alternative Futures for the Department of Energy National Laboratories (Galvin Task Force) that "(d)evelopment of technologies for which private sector companies are the major beneficiary is not an appropriate mission for the national laboratories."

DEPARTMENT OF ENERGY
(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
TECHNOLOGY PARTNERSHIPS (Page 1 of 1)					
Operating Expenses:					
Technology Partnerships	0	983	0	0	-983
Program Direction	0	2,170	0	0	-2,170
Total, Technology Partnerships	*0*	*3,153*	*0*	*0*	*-3,153*

TECHNOLOGY PARTNERSHIPS FY 1996 BUDGET AUTHORIZATION MARKS' ASSUMPTIONS

Operating Expenses: -$3,153,000 to FY 1996 request

- -$3,153,000 for operating expenses to terminate program, consistent with the recommendation of the Secretary of Energy Advisory Board Task Force on Alternative Futures for the Department of Energy National Laboratories (Galvin Task Force) that "[d]evelopment of technologies for which private sector companies are the major beneficiary is not an appropriate mission for the national laboratories.".

DEPARTMENT OF ENERGY
(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
ADVISORY AND OVERSIGHT PROGRAM DIRECTION (Page 1 of 1)					
Operating Expenses	12,450	9,780	5,940	-6,510	-3,840
Total, Advisory and Oversight Program Direction	*12,450*	*9,780*	*5,940*	*-6,510*	*-3,840*

ADVISORY AND OVERSIGHT PROGRAM DIRECTION FY 1996 BUDGET AUTHORIZATION MARKS' ASSUMPTIONS

Operating Expenses: -$3,820,000 to FY 1996 request

- -$1,120,000 for operating expenses to administer the Laboratory Technology Transfer Program, which has been terminated.
- -$2,700,000 for operating expenses for activities that duplicate the functions of the Office of Environment, Safety and Health.

DEPARTMENT OF ENERGY
(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
POLICY AND MANAGEMENT—ENERGY RESEARCH (Page 1 of 1)					
Operating Expenses	2,200	2,200	0	-2,200	-2,200
Total, Policy and Management—Energy Research	*2,200*	*2,200*	*0*	*-2,200*	*-2,200*

POLICY AND MANAGEMENT—ENERGY RESEARCH FY 1996 BUDGET AUTHORIZATION MARKS' ASSUMPTIONS

Operating Expenses: -$2,200,000 to FY 1996 request

- -$2,200,000 for operating expenses to terminate activities that are duplicative of the Advisory and Oversight Program Direction account, the Program Direction accounts of individual Office of Energy Research programs, and the Department's Office of Policy.

DEPARTMENT OF ENERGY
(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
TECHNICAL INFORMATION MANAGEMENT PROGRAM (Page 1 of 1)					
Operating Expenses	14,535	15,350	12,375	-2,160	-2,975
Capital Equipment	589	600	519	-70	-81
Construction, 95-A-500, Heating, Venting, and Air Conditioning Retrofits, Oak Ridge	1,000	1,500	1,500	+500	0
Total, Technical Information Management Program	*16,124*	*17,450*	*14,394*	*-1,730*	*-3,056*
(Operating Expenses)	(14,535)	(15,350)	(12,335)	(-1,800)	(-2,975)
(Capital Equipment)	(589)	(600)	(519)	(-70)	(-81)
(Construction)	(1,000)	(1,500)	(1,500)	(+500)	(0)

TECHNICAL INFORMATION MANAGEMENT PROGRAM FY 1996 BUDGET AUTHORIZATION MARKS' ASSUMPTIONS

Operating Expenses: -$2,975,000 to FY 1996 request

- -$815,000 to maintain overall FY 1995 level, for DOE Strategic Realignment Savings Amendment (-$2,160,000).

Capital Equipment: -$81,000 to FY 1996 request

- -$11,000 to maintain FY 1995 level, for DOE Strategic Realignment Savings Amendment (-$70,000).

DEPARTMENT OF ENERGY
(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
ENVIRONMENTAL MANAGEMENT (NON-DEFENSE) (Page 1 of 6)					
Corrective Activities					
Operating Expenses	600	1,065	524	-76	-989
Construction:					
92-E-601, Melton Valley Liquid Low-Level Waste Collection and Transfer System Upgrade	9,100	339	339	-8,761	0
88-R-830, Bethel Valley Liquid Low-Level Waste Collection and Transfer System Upgrade, Oak Ridge National Laboratory	17,000	4,000	4,000	-13,000	
Total, Construction	26,100	4,339	4,339	-21,761	-541
Total, Corrective Activities	*26,700*	*5,404*	*4,863*	*-21,837*	*-541*
(Operating Expenses)	(600)	(1,065)	(524)	(0)	(-451)
(Capital Equipment)	(0)	(0)	(0)	(0)	(0)
(Construction)	(26,100)	(4,339)	(4,339)	(-21,761)	(0)
Environmental Restoration					
Operating Expenses:					
Facilities and Sites (Non-Defense)	219,380	244,758	212,360	-7,020	-32,398
Formerly Utilized Sites Remedial Action Project (FUSRAP)	74,100	85,200	71,729	-2,371	-13,471
Uranium Mill Tailings Remedial Action Project (UMTRAP)	88,117	80,000	67,419	-20,698	-12,581
Uranium Mill Tailings Remedial Action Groundwater Project	7,000	7,800	6,470	-530	-1,330
Total, Environmental Restoration	*388,597*	*417,758*	*357,978*	*-30,619*	*-59,780*

DEPARTMENT OF ENERGY
(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
ENVIRONMENTAL MANAGEMENT (NON-DEFENSE) (Page 2 of 5)					
Waste Management (Non-Defense)					
Operating Expenses:					
Program Management	4,242	4,193	2,858	-1,384	-1,335
Facilities Operations and Maintenance	69,360	61,632	61,632	-7,728	0
New Facilities	2,636	2,544	2,544	-92	0
Oak Ridge Landlord*	0	0	10,016	+10,016	+10,016
Test Reactor Area (TRA) Landlord, Idaho National Engineering Laboratory (INEL)*	0	0	1,085	+1,085	+1,085
West Valley Demonstration Project	125,127	122,100	110,330	-14,797	-11,770
National Low-Level Waste	7,477	6,000	6,000	-1,477	0
Total, Operating Expenses	208,842	196,469	194,465	-14,377	-2,044
Capital Equipment:					
General	1,831	1,658	1,658	-173	0
Oak Ridge Landlord*	0	0	1,981	+1,981	+1,981
TRA Landlord, INEL*	0	0	285	+285	+285
Total, Capital Equipment	1,831	1,658	3,924	+2,093	+2,266
Construction:					
Oak Ridge Landlord Construction, GPN-103, General Plant Projects*	0	0	2,255	+2,255	+2,255
TRA Landlord, INEL, GPN-102, General Plant Projects*	0	0	730	+730	+730
TRA Landlord, INEL, 95-E-201, TRA Fire and Safety Improvements*	1,722	1,900	1,900	+178	+1,900
GPE-600, General Plant Projects, Waste Management (Non-Defense), Various Locations	2,040	2,212	2,040	0	-172
95-E-601, Radioactive Waste Handling Facility, Princeton Plasma Physics Laboratory	1,937	0	0	-1,937	0
94-E-601, Waste Handling Building, Fermilab	2,500	0	0	-2,500	0

*Management and funding transferred from the Office of Nuclear Energy

DEPARTMENT OF ENERGY
(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
ENVIRONMENTAL MANAGEMENT (NON-DEFENSE) (Page 3 of 6)					
Construction (Continued):					
94-E-602, Bethel Valley Federal Facility Agreement Upgrades, Oak Ridge National Laboratory	7,000	300	300	-6,700	0
93-E-632, Laboratory Floor Drain Collection System Upgrades, Brookhaven National Laboratory (BNL)	571	0	0	-571	0
93-E-633, Upgrade Sanitary Sewer System, Oak Ridge National Laboratory	4,000	0	0	-4,000	0
93-E-900, Dry Cast Storage, Idaho National Engineering Laboratory	4,910	4,048	4,048	-862	0
91-E-305, Waste Management Facilities Project, BNL	5,160	0	0	-5,160	0
91-E-600, Rehabilitation of Waste Management Building 306, Argonne National Laboratory (ANL)	0	787	787	+787	0
91-E-602, Hazardous, Radioactive, and Mixed Waste Storage Facility, ANL	3,600	0	0		
88-R-812, Hazardous Waste Handling Facility, Lawrence Berkeley Laboratory	625	671	671	+46	0
Total, Construction	32,343	8,018	12,731	-19,612	+4,713
Total, Waste Management (Non-Defense)	***243,016***	***206,145***	***204,694***	***-38,322***	***-1,451***
(Operating Expenses)	(208,842)	(196,469)	(188,039)	(-20,803)	(-8,430)
(Capital Equipment)	(1,831)	(1,658)	(3,924)	(+2,093)	(+2,266)
(Construction)	(32,343)	(8,018)	(12,731)	(-19,612)	(+4,713)

DEPARTMENT OF ENERGY
(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
ENVIRONMENTAL MANAGEMENT (NON-DEFENSE) (Page 4 of 6)					
Nuclear Materials and Facilities Stabilization					
Operating Expenses	72,986	83,483	70,588	-2,398	-12,895
Capital Equipment	350	200	200	-150	0
Total, Nuclear Materials and Facilities Stabilization	*73,336*	*83,683*	*70,788*	*-2,548*	*-12,895*
Total, Environmental Management	*731,649*	*712,990*	*638,323*	*-93,326*	*-74,667*
(Operating Expenses)	(671,025)	(698,775)	(617,129)	(-53,896)	(-81,646)
(Capital Equipment)	(2,181)	(1,858)	(4,124)	(+1,943)	(+2,266)
(Construction)	(58,443)	(12,357)	(17,070)	(-41,373)	(+4,713)

ENVIRONMENTAL MANAGEMENT (NON-DEFENSE)

Corrective Activities: -$541,000 to FY 1996 Request

- -$465,000 for increase to operating expenses to maintain FY 1995 level, and -$76,000 for DOE Strategic Realignment Amendment Savings.

ENVIRONMENTAL MANAGEMENT (NON-DEFENSE)

Environmental Restoration: -$59,780,000 to FY 1996 Request

- -$25,378,000 for Facilities and Sites to maintain FY 1995 level, and -$76,000 for DOE Strategic Realignment Amendment Savings.
- -$11,100,000 for Formerly Utilized Sites Remedial Action Project (FUSRAP) to maintain FY 1995 level, and -$2,371,000 for DOE Strategic Realignment Amendment Savings.
- -$10,352,000 for Uranium Mill Tailings Remedial Action Project (UMTRA) program management to maintain FY 1995 level, and -$2,229,000 for DOE Strategic Realignment Amendment Savings.
- -$1,116,000 for Uranium Mill Tailings Remedial Action Groundwater Project to maintain Program Management (-$553,000) and Contingency (-$573,000) at FY 1995 level, and -$214,000 for DOE Strategic Realignment Amendment Savings.
- -$6,226,000 for DOE Strategic Realignment Amendment Savings.

Waste Management (Non-Defense): -$1,451,000 to FY 1996 Request

- -$1,335,000 for Program Management to reflect reduced level of effort, and -$94,000 for DOE Strategic Realignment Amendment Savings.
- -$2,037,000 for Facilities Operations and Maintenance and for DOE Strategic Realignment Amendment Savings.
- -$84,000 for New Facilities for DOE Strategic Realignment Amendment Savings.
- +$14,252,000 for Oak Ridge Landlord to transfer management and funding from the Office of Nuclear Energy (+$10,016,000 for operating, +$1,981,000 for capital equipment, and +$2,255,000 for Project GPN-103, General Plant Projects) to maintain FY 1995 level, and -$331,000 for DOE Strategic Realignment Amendment Savings.
- +$4,000,000 for Test Reactor Area (TRA) Landlord, Idaho National Engineering Laboratory to transfer management and funding from the Office of Nuclear Energy (+$1,085,000 for operating, +$285,000 for capital equipment, +$730,000 for Project GPN-102, General Plant Projects and +$1,900,000 for Project 95-E-201, TRA Fire and Safety Improvements) to maintain FY 1995 level, and -$36,000 for DOE Strategic Realignment Amendment Savings.
- -$11,770,000 for West Valley Demonstration Project operating expenses for Site Operations (-$2,400,000), Project Support (-$5,900,000) and Low-Level, Hazardous, Transuranic Waste Management (-$3,470,000) to maintain at FY 1995 levels, and -$3,648,000 for DOE Strategic Realignment Amendment Savings.

ENVIRONMENTAL MANAGEMENT (NON-DEFENSE)

- -$198,000 for National Low-Level Waste for DOE Strategic Realignment Amendment Savings.
- -$172,000 for Project GPE-103, General Plant Projects, Various Locations, to maintain FY 1995 level.

Nuclear Materials and Facilities Stabilization: -$12,895,000 to FY 1995 Request

- -$10,497,000 for Nuclear Materials and Facilities operating to maintain FY 1995 level, and -$2,398,000 for DOE Strategic Realignment Amendment Savings.

DEPARTMENT OF ENERGY
(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
GENERAL SCIENCE AND RESEARCH (Page 1 of 4)					
High Energy Physics					
Operating Expenses:					
Physics Research	139,940	147,155	146,039	+6,099	-1,116
Facility Operations	276,563	280,152	278,027	+1,464	-2,125
High Energy Technology	58,190	67,370	62,095	+3,905	-5,275
Total, Operating Expenses	474,693	494,677	486,161	+11,468	-8,516
Capital Equipment	57,700	63,230	62,030	+4,330	-1,200
Construction:					
GPE-103, General Plant Projects, Various Locations	12,146	13,845	12,146	0	-1,699
96-G-301, Accelerator and Modifications, Various Locations	0	9,800	9,800	+9,800	0
95-G-301, Accelerator and Modifications, Various Locations	10,590	0	0	-10,590	0
94-G-305, B-Factory, Stanford Linear Accelerator Center	44,000	52,000	52,000	+8,000	0
92-G-302, Fermilab Main Injector, Fermilab	43,000	52,000	52,000	+9,000	0
Total, Construction	109,736	127,645	125,946	+16,210	0
Total, High Energy Physics	***642,129***	***685,552***	***674,137***	***+32,008***	***-11,415***
(Operating Expenses)	(474,693)	(494,677)	(486,161)	(+11,468)	(-8,516)
(Capital Equipment)	(57,700)	(63,230)	(62,030)	(+4,330)	(-1,200)
(Construction)	(109,736)	(127,645)	(125,946)	(+16,210)	(-1,699)

DEPARTMENT OF ENERGY
(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
GENERAL SCIENCE AND RESEARCH (Page 2 of 4)					
Nuclear Physics					
Operating Expenses:					
Medium Energy Nuclear Physics	124,982	103,918	88,382	-36,600	-15,536
Heavy Ion Nuclear Physics	61,174	66,800	63,727	+2,553	-3,073
Low Energy Nuclear Physics	24,596	27,100	22,601	-1,995	-4,499
Nuclear Theory	14,650	15,500	15,375	+725	-125
Total, Operating Expenses	225,402	213,318	190,085	-35,317	-23,233
Capital Equipment	28,000	28,000	22,925	-5,075	-5,075
Construction:					
GPE-300, General Plant Projects, Various Locations	3,900	4,785	3,900	0	-885
96-G-301, Accelerator Improvements and Modifications, Various Locations	0	4,975	3,200	+3,200	-1,775
95-G-301, Accelerator Improvements and Modifications, Various Locations	3,200	0	0	-3,200	0
91-G-300, Relativistic Heavy Ion Collider, Brookhaven National Laboratory	70,000	70,000	70,000	0	0
87-R-203, Continuous Electron Beam Accelerator Facility, Newport News, VA	1,000	0	0	-1,000	0
Total, Construction	78,100	79,760	77,100	-1,000	-2,660
Total, Nuclear Physics	***331,502***	***321,078***	***290,110***	***-41,392***	***-30,968***
(Operating Expenses)	(225,402)	(213,318)	(190,085)	(-35,317)	(-23,233)
(Capital Equipment)	(28,000)	(28,000)	(22,925)	(-5,075)	(-5,075)
(Construction)	(78,100)	(79,760)	(77,100)	(-1,000)	(-2,660)

DEPARTMENT OF ENERGY
(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
GENERAL SCIENCE AND RESEARCH (Page 3 of 4)					
Program Direction					
Operating Expenses	10,400	10,900	9,000	-1,400	-1,900
Subtotal, Program Direction	10,400	10,900	9,000	-1,400	-1,900
DOE Strategic Realignment Amendment	0	0	-570	-570	-570
Total, Program Direction	*10,400*	*10,900*	*8,430*	*-1,970*	*-2,470*
Total, GENERAL SCIENCE AND RESEARCH	*984,031*	*1,017,530*	*972,677*	*-11,354*	*-44,853*
(Operating Expenses)	(710,495)	(718,895)	(684,676)	(-25,819)	(-34,219)
(Capital Equipment)	(85,700)	(91,230)	(84,955)	(-745)	(-6,275)
(Construction)	(187,836)	(207,405)	(203,046)	(+15,210)	(-4,359)

GENERAL SCIENCE AND RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

High Energy Physics: -$11,415,000 to FY 1996 Request:

- -6,000,000 (-$4,800,000 for High Energy Technology Operating and -1,200,000 for capital equipment) for initiation of collaborative activities with CERN on the Large Hadron Collider (LHC) in the absence of a formal agreement with CERN for significant participation in the LHC project.

G. ,ERAL SCIENCE AND RESEARCH (Page 4 of 4)

GENERAL SCIENCE AND RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$3,716,000 for DOE Strategic Realignment Amendment Savings: -$1,116,000 for Physics Research, -$2,125,000 for Facility Operations, and -$475,000 for High Energy Technology.
- -$1,699,000 for Project GPE-103, General Plant Projects, Various Locations, to maintain FY 1995 level.

Nuclear Physics: -$30,968,000 to FY 1996 request

- -$23,233,000 for operating expenses, including -$14,818,000 for Medium Energy Physics to eliminate funding for the Bates Linear Accelerator; -$2,555,000 for Heavy Ion Nuclear Physics for university accelerator operations at Yale and at Texas A&M, and -$4,315,000 for Low Energy Nuclear Physics for research at university facilities at the Triangle Universities Nuclear Laboratory and at the University of Washington, and -$1,545,000 for DOE Strategic Realignment Amendment Savings: -$718,000 for Medium Energy Research, -$518,000 for Heavy Ion Nuclear Physics, -$184,000 for Low Energy Nuclear Physics, and -$125,000 for Nuclear Theory.
- -$5,075,000 for capital equipment, including -$3,795,000 for the Bates Linear Accelerator Center, and -$1,280,000 for university laboratories and user groups.
- -$2,660,000 for construction, including -$885,00 for Project GPE-300, General Plant Projects, Various Locations, and -$1,775,000 for Project 96-301, Accelerator Improvements and Modifications, Various Locations to maintain FY 1995 level of effort.

Program Direction: -$2,470,000 to FY 1996 request

- -$1,900,000 to return Program Direction costs to the FY 1994 level for 75 FTEs instead of the 89 FTEs proposed, and -$570,000 for DOE Strategic Realignment Amendment Savings.

DEPARTMENT OF ENERGY
(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
FOSSIL ENERGY (Page 1 of 6)					
Coal					
Advanced Clean Fuels Research					
Coal Preparation	7,171	4,910	4,511	-2,660	-399
Direct Liquefaction	9,797	5,080	0	-9,797	-5,080
Indirect Liquefaction	12,583	5,836	0	-12,583	-5,836
Advanced Research and Environmental Technology	3,989	746	739	-3,250	-7
Systems for Coproducts	4,981	0	0	-4,981	0
Total, Advanced Clean Fuels Research	38,521	16,572	5,250	-33,271	-11,322
Advanced Clean/Efficient Power Systems					
Advanced Pulverized Coal-Fired Powerplant	7,466	5,000	3,300	-4,166	-1,700
Indirect Fired Cycle	11,800	11,900	8,043	-3,757	-3,857
High-Efficiency Integrated Gasified Combined Cycle	27,514	24,500	0	-27,514	-24,500
High-Efficiency Pressurized Fluidized Bed	25,226	19,500	0	-25,226	-19,500
Advanced Research and Environmental Technology	18,508	12,484	12,359	-6,149	-125
Total, Advanced Clean/Efficient Power Systems	90,514	73,384	23,702	-66,812	-49,682
Advanced Research and Technology Development (AR&TD)					
Coal Utilization Science	3,134	3,149	3,118	-16	-31
Materials and Components	8,758	7,332	7,259	-1,499	-73
Technology Crosscut					
Environmental Activities	1,814	2,511	2,241	+427	-270
Technical and Economic Analysis	886	964	0	-886	-964
International Program Support	1,302	1,308	0	-1,302	-1,308
Coal Technology Export	819	1,191	0	-819	-1,191
Instrumentation and Diagnosis	964	500	495	-469	-5
Bioprocessing of Coal	1,928	1,000	990	-938	-10
Total, Technology Crosscut	7,513	7,474	3,726	-3,787	-3,748
University/National Laboratory Coal Research	5,953	6,970	6,900	+947	-70
Total, AR&TD	25,358	24,925	21,003	-4,355	-3,922
Total, Coal	*154,393*	*114,881*	*49,955*	*-104,438*	*-64,926*

DEPARTMENT OF ENERGY
(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
FOSSIL ENERGY (Page 2 of 6)					
Oil Technology					
Exploration and Production Supporting Research	36,093	41,348	22,160	-13,933	-19,188
Recovery Field Demonstrations	33,911	28,369	8,100	-25,811	-20,269
Exploration and Production Environmental Research	4,775	7,056	4,241	-534	-2,815
Processing Research and Downstream Operations	6,929	10,000	6,733	-196	-3,267
Total, Oil Technology	*81,708*	*86,773*	*41,234*	*-40,474*	*-45,539*
Gas					
New Gas Program					
Resource and Extraction	20,703	33,001	13,086	-7,617	-19,915
Delivery and Storage	1,086	3,071	0	-1,086	-3,071
Advanced Turbine Systems	37,674	43,970	10,300	-27,374	-33,670
Utilization	4,263	4,934	0	-4,263	-4,934
Environmental Research/Regulatory Impact Analysis	2,985	5,405	2,985	0	-2,420
Total, New Gas Program	66,691	90,381	26,371	-40,320	-64,010
Fuel Cells					
Advanced Research	1,456	1,317	1,304	-152	-13
Climate Change Action Plan	0	8,000	0	0	-8,000
Molten Carbonate Systems	29,983	30,067	14,235	-15,748	-15,832
Advanced Concepts	18,143	16,080	15,919	-2,224	-161
Total, Fuel Cells	49,582	55,464	31,458	-18,124	-24,006
Total, Gas	*116,273*	*145,845*	*57,829*	*-58,444*	*-88,016*
Program Direction and Management Support					
Headquarters Program Direction	12,969	13,621			
Energy Technology Center (ETC) Program Direction	59,294	56,276			
Total, Program Direction and Management Support	*72,263*	*69,897*	*32,192*	*-40,071*	*-37,705*

DEPAR ENT OF ENERGY
(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
FOSSIL ENERGY (Page 3 of 6)					
Plant and Capital Equipment					
Capital Equipment	776	1,701	476	-300	-1,225
Construction, GP-F100, General Plant Projects for ETCs	4,234	2,304	1,994	-2,240	-310
Total, Plant and Capital Equipment	*5,010*	*4,005*	*2,470*	*-2,540*	*-1,535*
Cooperative R&D	*9,082*	*0*	*7,557*	*-1,525*	*+7,557*
Fossil Energy Environmental Restoration	*16,431*	*18,919*	*12,370*	*-4,061*	*-6,569*
Fuels Conversion, Natural Gas, and Electricity	*3,007*	*2,687*	*0*	*-3,007*	*-2,687*
Total, Fossil Energy Research and Development	*458,167*	*443,007*	*203,967*	*-254,560*	*-239,400*
(Operating Expenses)	(453,157)	(439,002)	(201,137)	(-252,020)	(-237,865)
(Capital Equipment)	(776)	(1,701)	(476)	(-300)	(-1,225)
(Construction)	(4,234)	(2,304)	(1,994)	(-2,240)	(-310)

FOSSIL ENERGY (Page 4 of 6)

FOSSIL ENERGY RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

Coal: -$64,926,000 to FY 1996 request

- -$399,000 for Coal Preparation to delete funding to continue in-house activities to assess deeply beneficiated coal-based fuels for integration into advanced power systems being developed and provide project management support (-$350,000); and to delete funding for technical and project management support (-$49,000).
- -$5,080,000 for Direct Liquefaction to terminate program.
- -$5,836,000 for Indirect Liquefaction to terminate program.
- -$7,000 for Advanced Clean Fuels Research Advanced Research and Environmental Technology for technical and program management support.
- -$1,700,000 for Advanced Pulverized Coal-Fired Powerplant to provide $3,300,000—and a total of $6,600,000 if 50-percent cost-sharing is obtained.
- -$3,857,000 for Indirect Fired Cycle to provide $8,043,000—and a total of $16,086,000, if 50-percent cost-sharing is obtained.
- -$24,500,000 for High-Efficiency Integrated Gasified Combined Cycle to terminate program, which subsidizes ongoing Clean Coal Technology Program projects.
- -$19,500,000 for High-Efficiency Pressurized Fluidized Bed (PFB) to terminate program, which subsidizes ongoing Clean Coal Technology Program projects.
- -$125,000 for Advanced Clean/Efficient Power Systems Advanced Research and Environmental Technology to delete funding for technical and project management support (-$125,000).
- -$31,000 for Coal Utilization Science for technical and program management support.
- -$73,000 for Materials and Components for technical and program management support.
- -$270,000 for Environmental Activities to delete NEPA and other support to field offices.
- -$964,000 for Technical and Economic Analysis to terminate program, which subsidizes corporate and other special interests.
- -$1,308,000 for International Program Support to terminate program, which subsidizes corporate and other special interests.

FOSSIL ENERGY (Page 5 of 6)

FOSSIL ENERGY RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$1,191,000 for Coal Technology Export to terminate program.
- -$5,000 for Instrumentation and Diagnostics for technical and program management support.
- -$10,000 for Bioprocessing of Coal for technical and program management support.
- -$70,000 for University/National Laboratory Coal Research for technical and program management support.

Oil: -$45,539,000 to FY 1996 request

- -$19,188,000 for Exploration and Production Supporting Research Resource and Extraction to provide $22,160,000 to fund Extraction at the FY 1996 request ($8,520,000);, and to fund (1) Reservoir Characterization ($3,875,000), (2) Multi National Laboratory/Industry Partnership and National Laboratory Supporting R&D ($5,700,000), and (3) Advanced Computational Technology Initiative ($4,065,000) at the FY 1995 level.
- -$20,269,000 for Recovery Field Demonstrations to provide $8,100,000 in FY 1996 requested funding for completion of Class 2 projects ($3,100,000) and for continuation of ongoing Class 3 projects ($5,000,000).
- -$2,815,000 for Exploration and Production Environmental Research to fund Risk Assessment at FY 1996 request ($4,241,000).
- -$3,267,000 for Processing Research and Downstream Operations to provide $6,733,000 to maintain FY 1995 level of funding for Pollution Prevention ($4,433,000), Environmental Compliance ($1,387,000), and Upgrading Technology Development ($913,000).

Gas: -$88,016,000 to FY 1996 request

- -$19,915,000 for Resource and Extraction to provide $13,086,000 to fund, at the FY 1995 level, (1) Drilling, Completion, and Stimulation ($4,824,000), (2) Low-Permeability Formations ($4,777,000), and (3) the Advanced Computational Technology Initiative ($3,485,000).
- -$3,071,000 to terminate Delivery and Storage, which subsidizes corporate and special interests.
- -$33,670,000 for Advanced Turbine Systems to provide $10,300,000 to fund Technology Development at the FY 1995 level.
- -$4,934,000 to terminate Utilization, which subsidizes corporate and special interests.
- -$2,420,000 for Environmental Research/Regulatory Impact Analysis to fund at the FY 1995 level ($2,985,000).

FOSSIL ENERGY RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$13,000 for Fuel Cells Advanced Research for technical and program management support.
- -$8,000,000 to terminate Fuel Cells Climate Action Plan, which subsidizes corporate and special interests.
- -$15,832,000 for Molten Carbonate Systems to provide $14,235,000 for one contractor.
- -$161,000 for Advanced Concepts to provide $15,919,000 for last year of funding for five-year cost-shared cooperative agreement for development of the tubular solid oxide fuel cell.

Program Direction and Management Support: -$37,705,000 to FY 1996 request

- -$37,705,000 to reflect the lower level of effort.

Plant and Capital Equipment: -$1,535,000 to FY 1996 request

- -$1,535,000 to provide $2,470,000 in centralized funding for capital equipment ($476,000), and for General Plant Projects (1,994,000) in all Fossil Energy R&D activities conducted at the Energy Technology Centers, National Laboratories, and Bartlesville Project Office at the FY 1995 level.

Cooperative R&D: +$7,557,000 to FY 1996 request

- +$7,557,000 to maintain funding of Western Research Institute and North Dakota Energy and Environmental Research Center at FY 1995 levels ($3,779,000 and 3,778,000, respectively).

Fossil Energy Environmental Restoration: -$6,569,000 to FY 1996 request

- -$6,569,000 to maintain funding at FY 1995 level, after subtracting $3,701,000 for one-time Magnetohydrodynamics Closeout and Cleanup Actions, and +$380,000 for DOE Strategic Realignment Budget Amendment Savings.

Fossil Conversion, Natural Gas, and Electricity: -$2,687,000 to FY 1996 request

- -$2,687,000 to terminate regulatory program.

DEPARTMENT OF ENERGY
(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
CLEAN COAL TECHNOLOGY (Page 1 of 1)					
Cooperative Agreements	37,121	26,981	0	-37,121	-26,981
Program Direction	0	18,000	0	0	-18,000
Total, Clean Coal Technology	*37,121*	*44,981*	*0*	*-37,121*	*-44,981*

CLEAN COAL TECHNOLOGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Clean Coal Technology: -$44,981,000 to FY 1996 request

- -$44,981,000 to prevent further appropriations for the Program.

DEPARTMENT OF ENERGY
(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
ENERGY CONSERVATION RESEARCH AND DEVELOPMENT (Page 1 of 5)					
Buildings Sector					
Operating Expenses:					
Building Systems	21,502	46,996	9,446	-12,056	-37,552
Building Envelope	9,617	11,999	6,528	-3,089	-5,471
Building Equipment	25,616	27,542	13,278	-12,338	-14,264
Codes and Standards	22,516	24,599	0	-22,516	-24,599
Federal Energy Management Program	23,472	25,408	6,549	-16,923	-18,859
Implementation and Deployment	1,370	8,032	0	-1,370	-8,032
Management and Planning	9,583	10,300	2,669	-6,914	-7,631
Total, Operating Expenses	113,876	152,878	38,470	-75,206	-114,408
Capital Equipment	1,960	1,924	1,637	-323	-287
Total, Buildings Sector	*115,836*	*154,802*	*40,107*	*-75,529*	*-114,695*
Industry Sector					
Operating Expenses:					
Cogeneration	27,809	34,488	6,736	-21,073	-27,752
Electric Drives	5,500	8,882	2,713	-2,787	-6,169
Process Heating and Cooling	7,814	4,588	1,813	-6,001	-2,775
Industrial Wastes	26,209	29,860	15,859	-10,550	-14,001
Municipal Solid Wastes	2,737	2,680	0	-2,737	-2,680
Materials and Metals Processing	22,517	25,070	10,384	-12,133	-14,686
Other Process Efficiency	19,907	27,757	9,957	-9,950	-17,800
Implementation and Deployment	12,995	29,722	0	-12,995	-29,722
Management and Planning	7,130	8,000	2,366	-4,764	-5,634
Total, Operating Expenses	132,618	170,847	49,628	-82,990	-121,219
Capital Equipment	2,575	2,020	1,488	-1,087	-532
Total, Industry Sector	*135,193*	*172,867*	*51,116*	*-84,077*	*-121,751*

DEPARTMENT OF ENERGY
(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
ENERGY CONSERVATION RESEARCH AND DEVELOPMENT *(Page 2 of 6)*					
Transportation Sector					
Operating Expenses:					
Alternative Fuels Utilization	52,455	55,578	0	-52,455	-55,578
Materials Technology	33,729	39,147	33,732	+3	-5,415
Heat Engine Technologies	18,208	24,066	7,655	-10,553	-16,411
Electric and Hybrid Propulsion Development	89,855	129,395	60,454	-29,401	-68,941
Implementation and Deployment	2,196	3,375	0	-2,196	-3,375
Management and Planning	8,421	9,200	3,744	-4,677	-5,456
Total, Operating Expenses	204,864	260,761	105,585	-99,279	-155,176
Capital Equipment	1,393	1,547	1,146	-247	-401
Total, Transportation Sector	*206,257*	*262,308*	*106,731*	*-99,526*	*-155,577*
Utility Sector					
Operating Expenses:					
Integrated Resource Planning	8,756	9,930	0	-8,756	-9,930
District Heating and Cooling	0	0	0	0	0
Total, Utility Sector	*8,756*	*9,930*	*0*	*-8,756*	*-9,930*
Technical and Financial Assistance (Non-Grants)					
Operating Expenses:					
International Market Development	2,907	5,134	0	-2,907	-5,134
Inventions and Innovations Program	5,799	8,762	0	-5,799	-8,762
Municipal Energy Management	1,848	1,843	0	-1,848	-1,843
Information and Communications	1,915	1,840	0	-1,915	-1,840
Management	27,890	28,056	7,813	-20,077	-20,243
Total, Technical and Financial Assistance (Non-Grants)	*40,359*	*45,435*	*7,813*	*-32,546*	*-37,622*
Policy and Management—EC	*8,342*	*11,332*	*0*	*-8,342*	*-11,332*
Total, Energy Conservation Research and Development	514,543	656,674	205,767	-308,776	-450,907

ENERGY CONSERVATION RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

Buildings Sector: -$114,695,000 to FY 1996 request

- -$37,552,000 for Building Systems to maintain National Laboratory funding at FY 1996 request level ($10,215,000), less DOE Strategic Realignment Budget Amendment Savings (-$769,000). National Laboratories receive a total of $9,446,000, a decrease of $354,000, or 3.6 percent for FY 1995 funding level of $9,800,000.
- -$5,471,000 for Building Envelope to maintain National Laboratory funding at FY 1996 request level ($7,060,000), less DOE Strategic Realignment Budget Amendment Savings (-$532,000). National Laboratories receive a total of $6,528,000, a decrease of $782,000, or 10.7 percent for FY 1995 funding level of $7,310,000.
- -$14,264,000 for Building Equipment to maintain National Laboratory funding at FY 1996 request level ($14,360,000), less DOE Strategic Realignment Budget Amendment Savings (-$1,082,000). National Laboratories receive a total of $13,278,000, a decrease of $2,702,000, or 16.9 percent for FY 1995 funding level of $15,980,000.
- -$24,599,000 for Codes and Standards to terminate program funding of command-and-control regulatory program. Bill language to prevent the funding of any rule-making or the issuance of any proposed or final rule.
- -$18,859,000 for Federal Energy Management Program to terminate Federal Energy Efficiency Fund (-$7,440,000); analyses to provide cash awards to Federal energy managers (-$2,700,000); innovative financing (-$1,969,000); alternative financing (-$1,197,000), audit teams action plans (-$2,188,000); design assistance (-$2,037,000); and user analytical systems (-$796,000); less DOE Strategic Realignment Budget Amendment Savings (-$534,000).
- -$6,032,000 for Implementation and Deployment to terminate program special-interest subsidy program.
- -$7,631,000 for Management and Planning to reflect lower level of effort.
- -$154,000 for Capital Equipment to provide National Laboratory capital equipment at the FY 1996 request level ($1,770,000), less DOE Strategic Realignment Budget Savings Amendment (-$133,000). National Laboratories receive a total of $1,637,000, a decrease of $33,000, or 2.0 percent for FY 1995 funding level of $1,670,000.

Industry Sector: -$121,751,000 to FY 1996 request

- -$27,752,000 for Cogeneration to maintain National Laboratory funding at FY 1996 request level ($7,200,000), less DOE Strategic Realignment Budget Amendment Savings (-$464,000). National Laboratories receive a total of $6,736,000, a decrease of $264,000, or 3.8 percent for FY 1995 funding level of $7,000,000.

ENERGY CONSERVATION RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$6,169,000 for Electric Drives to maintain National Laboratory funding at FY 1996 request level ($2,900,000), less DOE Strategic Realignment Budget Amendment Savings (-$187,000). National Laboratories receive a total of $2,713,000, an increase of $633,000, or 30.4 percent for FY 1995 funding level of $2,080,000.

- -$2,775,000 for Process Heating and Cooling to maintain National Laboratory funding at FY 1996 request level ($1,938,000), less DOE Strategic Realignment Budget Amendment Savings (-$125,000). National Laboratories receive a total of $1,813,000, a decrease of $2,069,000, or 53.3 percent for FY 1995 funding level of $3,882,000.

- -$14,001,000 for Industrial Wastes to maintain National Laboratory funding at FY 1996 request level ($16,738,000), less DOE Strategic Realignment Budget Amendment Savings (-$1,079,000). National Laboratories receive a total of $15,659,000, an increase of $4,886,000, or 45.4 percent for FY 1995 funding level of $10,773,000.

- -$2,680,000 for Municipal Solid Wastes to terminate program that subsidizes local interests.

- -$14,686,000 for Materials and Metals Processing to maintain National Laboratory funding at FY 1996 request level ($11,100,000), less DOE Strategic Realignment Budget Amendment Savings (-$716,000). National Laboratories receive a total of $10,384,000, a decrease of $121,000, or 1.2 percent for FY 1995 funding level of $10,505,000.

- -$17,800,000 for Other Process Efficiency to maintain National Laboratory funding at FY 1996 request level ($10,643,000), less DOE Strategic Realignment Budget Amendment Savings (-$686,000). National Laboratories receive a total of $9,957,000, a decrease of $475,000, or 4.8 percent for FY 1995 funding level of $10,432,000.

- -$29,722,000 for Implementation and Deployment to terminate special-interest program.

- -$5,634,000 for Management and Planning to reflect lower level of effort.

- -$532,000 for Capital Equipment to maintain National Laboratory funding at FY 1996 request level ($1,591,000), less DOE Strategic Realignment Budget Amendment Savings (-$103,000). National Laboratories receive a total of $1,488,000, a decrease of $158,000, or 9.6 percent for FY 1995 funding level of $1,646,000.

Transportation Sector: -$155,677,000 to FY 1996 request

- -$55,578,000 for Alternative Fuels to terminate program that subsidizes private sector and duplicates EPA activities.

- -$5,415,000 for Materials Technology to maintain National Laboratory funding at FY 1996 request level ($35,250,000), less DOE Strategic Realignment Budget Amendment Savings (-$1,518,000). National Laboratories receive a total of $33,732,000, an increase of $2,322,000, or 7.4 percent for FY 1995 funding level of $31,410,000.

L. ..RGY CONSERVATION RESEARCH AND DEVELOPMENT (Page 5 of 6)

ENERGY CONSERVATION RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$16,411,000 for Heat Engines to maintain National Laboratory funding at FY 1996 request level ($8,000,000), less DOE Strategic Realignment Budget Amendment Savings (-$345,000). National Laboratories receive a total of $7,655,000, an increase of $1,146,000, or 17.6 percent for FY 1995 funding level of $6,509,000.
- -$68,941,000 for Electric and Hybrid Propulsion Development to maintain National Laboratory funding at FY 1996 request level ($63,175,000), less DOE Strategic Realignment Budget Amendment Savings (-$2,721,000). National Laboratories receive a total of $60,454,000, an increase of $18,883,000, or 45.4 percent for FY 1995 funding level of $41,571,000.
- -$3,375,000 for Implementation and Deployment to terminate special-interest program.
- -$5,456,000 for Management and Planning to reflect lower level of effort.
- -$401,000 for Capital Equipment to provide National Laboratory capital equipment at the FY 1996 request level ($1,198,000), less DOE Strategic Realignment Budget Savings Amendment (-$52,000). National Laboratories receive a total of $1,146,000, a decrease of $194,000, or 14.5 percent for FY 1995 funding level of $1,340,000.

Utility Sector: -$9,930,000 to FY 1996 request

- -$9,930,000 for Integrated Resource Planning to terminate program that subsidizes utilities and States to do integrated resource planning, which they are already doing.

Policy and Management—Energy Conservation: -$11,332,000 to FY 1996 request

- -$11,332,000 to terminate funding to eliminate duplication with other Management and Planning efforts, and the Department's Office of Policy.

Technical and Financial Assistance (Non-Grants): -$35,873,000 to FY 1996 request

- -$5,134,000 for International Market Development to terminate corporate and special-interest subsidy program.
- -$8,762,000 for Inventions and Innovations Program to terminate special-interest subsidy program.
- -$1,843,000 for Municipal Energy Management to terminate special-interest subsidy program.
- -$1,640,000 for Information and Communications that duplicates other ongoing efforts.

COMMITTEE ON SCIENCE

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT

SUBCOMMITTEE MARKUP - JUNE 8, 1995

AMENDMENT ROSTER

I. H.R. -- The Department of Energy Civilian Research and Development Act of 1995.

No.	Sponsor	Description	Results
1.	Mr. Doyle	An Amendment in the Nature of a Substitute to the Subcommittee Print	
2.	Mr. Ehlers	En bloc amendment to strike and insert	
3.	Mr. Foley	En bloc amendment to strike and insert	
4.	Mr. Bartlett	En bloc amendment to strike and insert	
5.	Mr. Ehlers	En bloc amendment to strike and insert	
6.	Mr. Largent	En bloc amendment to strike and insert	
7.	Mr. Davis	Inserts language to section 3 (c) Fossil Energy Research and Development	
8.	Mr. Olver	Amendment to strike language in the "Funding Limitations" section	

AMENDMENT IN THE NATURE OF A SUBSTITUTE
OFFERED BY MR. DOYLE
TO THE SUBCOMMITTEE PRINT

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

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "Energy Research and
3 Development Act of 1995".

4 SEC. 2. FINDINGS.

5 The Congress finds that—

6 (1) Federal support of research and develop-
7 ment in general, and energy research and develop-
8 ment in particular, has played a key role in the
9 growth of the United States economy since World
10 War II through the production of new knowledge,
11 the development of new technologies and processes,
12 and the demonstration of such new technologies and
13 processes for application to industrial and other
14 uses;

15 (2) Federal support of energy research and de-
16 velopment is especially important because such re-
17 search and development contributes to solutions for

1 national problems in energy security, environmental
2 restoration, and economic competitiveness;
3 (3) the Department of Energy has successfully
4 promoted new technologies and processes to address
5 problems with energy supply, fossil energy, and en-
6 ergy conservation through its various research and
7 development programs;
8 (4) while the Federal budget deficit and pay-
9 ments on the national debt must be addressed
10 through cost-cutting measures, investments in basic
11 research and research and development on key en-
12 ergy issues must be maintained;
13 (5) within the last two years, the Department
14 of Energy has made great strides in managing its
15 programs more efficiently and effectively;
16 (6) significant savings should result from these
17 measures without hampering the Department's core
18 missions; and
19 (7) the Strategic Realignment Initiative and
20 other such efforts of the Department should be con-
21 tinued.
22 **SEC. 3. DEFINITIONS.**
23 For purposes of this Act—
24 (1) the term "Department" means the Depart-
25 ment of Energy; and

1 (2) the term "Secretary" means the Secretary
2 of Energy.

3 SEC. 4. ENERGY CONSERVATION.

4 There are authorized to be appropriated to the Sec-
5 retary for fiscal year 1996 for energy conservation re-
6 search, development, and demonstration—
7 (1) $62,700,000 for energy conservation in
8 buildings;
9 (2) $121,700,000 for energy conservation by in-
10 dustry;
11 (3) $185,700,000 for energy conservation in the
12 transportation sector;
13 (4) no funds for energy conservation by utili-
14 ties;
15 (5) $36,400,000 for technical and financial as-
16 sistance; and
17 (6) $7,000,000 for policy and management ac-
18 tivities.

19 SEC. 5. FOSSIL ENERGY.

20 There are authorized to be appropriated to the Sec-
21 retary for fiscal year 1996 for fossil energy research, de-
22 velopment, and demonstration—
23 (1) $114,900,000 for coal;
24 (2) $81,700,000 for petroleum;
25 (3) $116,300,000 for gas;

1 (4) no funds for the Fossil Energy Cooperative
2 Research and Development Program;
3 (5) $2,000,000 for fuels;
4 (6) $64,000,000 for program direction and
5 management;
6 (7) $3,000,000 for plant and capital improve-
7 ments; and
8 (8) $16,400,000 for environmental restoration.
9 SEC. 6. HIGH ENERGY AND NUCLEAR PHYSICS.
10 (a) AUTHORIZATIONS.—There are authorized to be
11 appropriated to the Secretary for fiscal year 1996 for high
12 energy and nuclear physics activities of the Department—
13 (1) $665,000,000 for high energy physics ac-
14 tivities;
15 (2) $321,100,000 for nuclear physics activities;
16 and
17 (3) $9,000,000 for program direction.
18 (b) REPORT TO CONGRESS.—Before May 1, 1996,
19 the Secretary, after consultation with the high energy and
20 nuclear physics communities, shall prepare and transmit
21 to the Congress a strategic plan for the high energy and
22 nuclear physics activities of the Department, assuming a
23 combined budget of $900,000,000 for all activities author-
24 ized under this section for each of the fiscal years 1997,
25 1998, 1999, and 2000. The report shall include—

1 (1) a list of research opportunities to be pur-
2 sued, including both ongoing and proposed activities;
3 (2) an analysis of the relevance of each research
4 facility to the research opportunities listed under
5 paragraph (1):
6 (3) a statement of the optimal balance among
7 facility operations, construction, and research sup-
8 port and the optimal balance between university and
9 laboratory research programs;
10 (4) schedules for the continuation, consolida-
11 tion, or termination of each research program, and
12 continuation, upgrade, transfer, or closure of each
13 research facility; and
14 (5) a statement by project of efforts to coordi-
15 nate research projects with the international commu-
16 nity to maximize the use of limited resources and
17 avoid unproductive duplication of efforts.
18 SEC. 7. SOLAR AND RENEWABLE ENERGY.
19 There are authorized to be appropriated to the Sec-
20 retary for fiscal year 1996 for solar and renewable energy
21 research, development, and demonstration—
22 (1) $263,000,000 for solar energy;
23 (2) $30,000,000 for geothermal energy;
24 (3) $25,000,000 for hydrogen energy;
25 (4) $500,000 for hydropower;

1 (5) $34,700,000 for electric energy systems;
2 and
3 (6) $5,200,000 for energy storage systems.
4 SEC. 8. NUCLEAR ENERGY.
5 (a) AUTHORIZATIONS.—There are authorized to be
6 appropriated to the Secretary for fiscal year 1996 for nu-
7 clear energy research, development, and demonstration—
8 (1) $161,000,000 for nuclear energy, including
9 $49,740,000 for the Advanced Light Water Reactor
10 program;
11 (2) $69,700,000 for the termination of certain
12 facilities; and
13 (3) $25,400,000 for isotope support.
14 (b) PROHIBITIONS.—None of the funds authorized in
15 this Act for any fiscal year may be used for the Soviet
16 Design Reactor Safety Initiative or the Russian Replace-
17 ment Power Initiative.
18 (c) NATIONAL ACADEMY OF SCIENCES REPORT.—
19 The Secretary shall enter into an agreement with the Na-
20 tional Academy of Sciences for such Academy to conduct
21 a study of the Gas Turbine-Modular Helium Reactor, and
22 report the results of such study to the Congress by Decem-
23 ber 31, 1995. Such study shall consider the technical fea-
24 sibility and economic potential of such reactor design.

1 SEC. 9. CIVILIAN WASTE; ENVIRONMENT, SAFETY, AND
2 HEALTH.
3 There are authorized to be appropriated to the Sec-
4 retary for fiscal year 1996 for research, development, and
5 demonstration—
6 (1) $700,000 for civilian waste; and
7 (2) $143,900,000 for environment, safety, and
8 health.
9 SEC. 10. LONG-TERM INITIATIVES.
10 (a) AUTHORIZATIONS.—There are authorized to be
11 appropriated to the Secretary for fiscal year 1996—
12 (1) $429,500,000 for biological and environ-
13 mental research activities;
14 (2) $275,000,000 for fusion energy research,
15 development, and demonstration, including a fusion
16 research program using the Tokamak Fusion Test
17 Reactor, except that no funds authorized by this Act
18 for fiscal year 1996 or 1997 may be used for con-
19 struction of the Tokamak Physics Experiment; and
20 (3) $761,000,000 for basic energy sciences re-
21 search activities.
22 (b) REPORT TO CONGRESS.—Before May 1, 1996,
23 the Secretary, after consultation with the relevant sci-
24 entific communities, shall prepare and transmit to the
25 Congress a report detailing a strategic plan for the oper-

1 ation of facilities that are provided funds authorized by
2 subsection (a)(3). The report shall include—
3 (1) a list of such facilities, including schedules
4 for continuation, upgrade, transfer, or closure of
5 each facility;
6 (2) a list of proposed facilities to be provided
7 funds authorized by subsection (a)(3), including
8 schedules for the construction and operation of each
9 facility;
10 (3) a list of research opportunities to be pur-
11 sued, including both ongoing and proposed activities,
12 by the research activities authorized by subsection
13 (a)(3); and
14 (4) an analysis of the relevance of each facility
15 listed in paragraphs (1) and (2) to the research op-
16 portunities listed in paragraph (3).
17 **SEC. 11. SUPPORT PROGRAMS FOR ENERGY SUPPLY RE-**
18 **SEARCH AND DEVELOPMENT.**
19 There are authorized to be appropriated to the Sec-
20 retary for fiscal year 1996 for support programs for En-
21 ergy Supply Research and Development—
22 (1) $1,400,000 for Energy Research Analyses;
23 (2) $40,000,000 for Laboratory Technology
24 Transfer;

1 (3) $7,700,000 for advisory and oversight ac-
2 tivities;
3 (4) $25,000,000 for the Multi-Program Energy
4 Laboratory program;
5 (5) $4,000,000 for policy and management of
6 Energy Supply Research and Development;
7 (6) $2,000,000 for policy and management of
8 the energy research programs;
9 (7) $20,000,000 for University and Science
10 Education programs;
11 (8) $10,000,000 for the Technology Informa-
12 tion Management Program;
13 (9) $2,000,000 for the Technology Partnership;
14 (10) $15,000,000 for In-House Energy Man-
15 agement; and
16 (11) $642,000,000 for Civilian Environmental
17 Restoration and Waste Management.
18 SEC. 12. LIMITATION.
19 None of the funds authorized by this Act shall be
20 used at the Idaho National Engineering Laboratory after
21 June 1, 1996, with the exception of funds authorized by
22 sections 9 and 11(11).

3 SEC. [illegible]. SENSE OF CONGRESS.

4 It is the sense of the Congress that $100,000,000
5 previously appropriated for the Clean Coal Technology
6 Program should be returned to the Treasury, and that
7 $220,000,000 of funds previously appropriated for activi-
8 ties for which funds are authorized by this Act, and allo-
9 cated for a specific location by the Congress, should also
10 be returned to the Treasury.

AMENDMENTS TO THE SUBCOMMITTEE PRINT OFFERED BY MR. EHLERS

Page 3, line 4, strike "$203,641,000" and insert in lieu thereof "$257,608,000".

Page 3, line 5, strike "$203,521,000" and insert in lieu thereof "$257,488,000".

Page 12, line 16, strike "$49,955,000" and insert in lieu thereof "$36,746,000".

Page 12, line 17, strike "$41,234,000" and insert in lieu thereof "$30,306,000".

Page 12, line 18, strike "$57,829,000" and insert in lieu thereof "$43,819,000".

Page 12, line 20, strike "$32,192,000" and insert in lieu thereof "$23,661,000".

Page 12, line 21, strike "$476,000" and insert in lieu thereof "$358,000".

Page 12, line 24, strike "$1,994,000" and insert in lieu thereof "$1,465,000".

Page 13, line 2, strike "$7,557,000" and insert in lieu thereof "$5,554,000".

2

Page 13, line 4, strike "$12,370,000" and insert in lieu thereof "$9,091,000".

AMENDMENT TO THE SUBCOMMITTEE PRINT OFFERED BY MR. FOLEY

Page 3, line 10, strike "$220,541,000" and insert in lieu thereof "$195,541,000".

Page 3, line 11, strike "$217,841,000" and insert in lieu thereof "$192,841,000".

Page 3, lines 12 through 14, strike ", including, subject to section 4(b), $25,000,000 for the Gas Turbine-Modular Helium Reactor".

Page 15, after line 20, insert the following new paragraph:

1 (44) Gas Turbine-Modular Helium Reactor.

Page 15, line 21, through page 16, line 7, strike subsection (b).

Page 16, line 8, redesignate subsection (c) as subsection (b).

AMENDMENTS TO THE SUBCOMMITTEE PRINT OFFERED BY MR. BARTLETT OF MARYLAND

Page 3, line 10, strike "$220,541,000" and insert in lieu thereof "$234,541,000".

Page 3, line 14, insert ", and, subject to section 4(d), $14,000,000 for the AP600 light water reactor" after "Modular Helium Reactor".

Page 9, line 7, strike "$638,323,000" and insert in lieu thereof "$624,323,000".

Page 9, line 8, strike "$621,253,000" and insert in lieu thereof "$607,253,000".

Page 14, line 3, strike paragraph (9) and redesignate the subsequent paragraphs accordingly.

Page 16, after line 18, insert the following new subsection:

1 (d) LIGHT WATER REACTOR MATCHING FUNDS.—
2 Funds appropriated for the AP600 light water reactor
3 pursuant to section 3(a)(2)(A) shall be available only to
4 the extent that matching private sector funds are provided
5 for such project, and subject to the condition that such
6 Federal funds shall be repaid to the United States out

1 of royalties on the first commercial sale of such reactor

2 design.

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AMENDMENTS TO THE SUBCOMMITTEE PRINT OFFERED BY MR. EHLERS

Page 3, line 24, strike "$127,291,000" and insert in lieu thereof "$88,300,000".

Page 13, line 10, strike "$40,107,000" and insert in lieu thereof "$79,098,000".

AMENDMENT TO THE SUBCOMMITTEE PRINT OFFERED BY MR. LARGENT

Page 12, line 17, strike "$41,234,000" and insert in lieu thereof "$39,234,000".

Page 12, line 18, strike "$57,829,000" and insert in lieu thereof "$55,829,000".

Page 13, after line 4, insert the following new paragraph:

1 (9) Integrated Petroleum Environmental Con-
2 sortium, $4,000,000, which shall be dedicated solely
3 to environmental technology research and develop-
4 ment and scientific risk and cost-benefit analysis for
5 domestic energy resources on a 50 percent cost
6 share basis.

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AMENDMENT TO THE SUBCOMMITTEE PRINT OFFERED BY MR. DAVIS

Page 12, line 17, insert ", including maintaining programs at the National Institute for Petroleum and Energy Research" after "for operating".

214

AMENDMENT TO THE SUBCOMMITTEE PRINT

OFFERED BY MR. OLVER

Page 16, lines 14 through 18, strike paragraph (3).

Mr. WALKER. Parliamentary inquiry, Mr. Chairman.

Chairman ROHRABACHER. Yes.

Mr. WALKER. Would it—is it not possible to open the Bill for amendment at any point and then utilize the list that has been prepared as the order in which the amendments would come up? It seems to me that that's probably an easier way to proceed than doing it section by section.

Chairman ROHRABACHER. Okay. Without objection, we will proceed in that order.

The CLERK. Section 1. Short Title. This Act may be cited—

Mr. DOYLE. Mr. Chairman—

The CLERK. This Act may be cited as the—

Chairman ROHRABACHER. Who is asking for recognition?

Mr. DOYLE. Mr. Doyle.

Chairman ROHRABACHER. Yes, the gentleman from Pennsylvania.

Mr. DOYLE. Mr. Chairman, I have an amendment in the nature of a substitute.

[The amendment offered by Mr. Doyle follows:]

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. DOYLE TO THE SUBCOMMITTEE PRINT

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Energy Research and
3 Development Act of 1995".

4 **SEC. 2. FINDINGS.**

5 The Congress finds that—

6 (1) Federal support of research and develop-
7 ment in general, and energy research and develop-
8 ment in particular, has played a key role in the
9 growth of the United States economy since World
10 War II through the production of new knowledge,
11 the development of new technologies and processes,
12 and the demonstration of such new technologies and
13 processes for application to industrial and other
14 uses;

15 (2) Federal support of energy research and de-
16 velopment is especially important because such re-
17 search and development contributes to solutions for

1 national problems in energy security, environmental
2 restoration, and economic competitiveness;
3 (3) the Department of Energy has successfully
4 promoted new technologies and processes to address
5 problems with energy supply, fossil energy, and en-
6 ergy conservation through its various research and
7 development programs;
8 (4) while the Federal budget deficit and pay-
9 ments on the national debt must be addressed
10 through cost-cutting measures, investments in basic
11 research and research and development on key en-
12 ergy issues must be maintained;
13 (5) within the last two years, the Department
14 of Energy has made great strides in managing its
15 programs more efficiently and effectively;
16 (6) significant savings should result from these
17 measures without hampering the Department's core
18 missions; and
19 (7) the Strategic Realignment Initiative and
20 other such efforts of the Department should be con-
21 tinued.
22 **SEC. 3. DEFINITIONS.**
23 For purposes of this Act—
24 (1) the term "Department" means the Depart-
25 ment of Energy; and

1 (2) the term "Secretary" means the Secretary
2 of Energy.

3 SEC. 4. ENERGY CONSERVATION.

4 There are authorized to be appropriated to the Sec-
5 retary for fiscal year 1996 for energy conservation re-
6 search, development, and demonstration—

7 (1) $62,700,000 for energy conservation in
8 buildings;

9 (2) $121,700,000 for energy conservation by in-
10 dustry;

11 (3) $185,700,000 for energy conservation in the
12 transportation sector;

13 (4) no funds for energy conservation by utili-
14 ties;

15 (5) $36,400,000 for technical and financial as-
16 sistance; and

17 (6) $7,000,000 for policy and management ac-
18 tivities.

19 SEC. 5. FOSSIL ENERGY.

20 There are authorized to be appropriated to the Sec-
21 retary for fiscal year 1996 for fossil energy research, de-
22 velopment, and demonstration—

23 (1) $114,900,000 for coal;

24 (2) $81,700,000 for petroleum;

25 (3) $116,300,000 for gas;

1 (4) no funds for the Fossil Energy Cooperative
2 Research and Development Program;
3 (5) $2,000,000 for fuels;
4 (6) $64,000,000 for program direction and
5 management;
6 (7) $3,000,000 for plant and capital improve-
7 ments; and
8 (8) $16,400,000 for environmental restoration.
9 SEC. 6. HIGH ENERGY AND NUCLEAR PHYSICS.
10 (a) AUTHORIZATIONS.—There are authorized to be
11 appropriated to the Secretary for fiscal year 1996 for high
12 energy and nuclear physics activities of the Department—
13 (1) $665,000,000 for high energy physics ac-
14 tivities;
15 (2) $321,100,000 for nuclear physics activities;
16 and
17 (3) $9,000,000 for program direction.
18 (b) REPORT TO CONGRESS.—Before May 1, 1996,
19 the Secretary, after consultation with the high energy and
20 nuclear physics communities, shall prepare and transmit
21 to the Congress a strategic plan for the high energy and
22 nuclear physics activities of the Department, assuming a
23 combined budget of $900,000,000 for all activities author-
24 ized under this section for each of the fiscal years 1997,
25 1998, 1999, and 2000. The report shall include—

1 (1) a list of research opportunities to be pur-
2 sued, including both ongoing and proposed activities;
3 (2) an analysis of the relevance of each research
4 facility to the research opportunities listed under
5 paragraph (1):
6 (3) a statement of the optimal balance among
7 facility operations, construction, and research sup-
8 port and the optimal balance between university and
9 laboratory research programs;
10 (4) schedules for the continuation, consolida-
11 tion, or termination of each research program, and
12 continuation, upgrade, transfer, or closure of each
13 research facility; and
14 (5) a statement by project of efforts to coordi-
15 nate research projects with the international commu-
16 nity to maximize the use of limited resources and
17 avoid unproductive duplication of efforts.
18 **SEC. 7. SOLAR AND RENEWABLE ENERGY.**
19 There are authorized to be appropriated to the Sec-
20 retary for fiscal year 1996 for solar and renewable energy
21 research, development, and demonstration—
22 (1) $263,000,000 for solar energy;
23 (2) $30,000,000 for geothermal energy;
24 (3) $25,000,000 for hydrogen energy;
25 (4) $500,000 for hydropower;

1 (5) $34,700,000 for electric energy systems;
2 and
3 (6) $5,200,000 for energy storage systems.
4 **SEC. 8. NUCLEAR ENERGY.**
5 (a) AUTHORIZATIONS.—There are authorized to be
6 appropriated to the Secretary for fiscal year 1996 for nu-
7 clear energy research, development, and demonstration—
8 (1) $161,000,000 for nuclear energy, including
9 $49,740,000 for the Advanced Light Water Reactor
10 program;
11 (2) $69,700,000 for the termination of certain
12 facilities; and
13 (3) $25,400,000 for isotope support.
14 (b) PROHIBITIONS.—None of the funds authorized in
15 this Act for any fiscal year may be used for the Soviet
16 Design Reactor Safety Initiative or the Russian Replace-
17 ment Power Initiative.
18 (c) NATIONAL ACADEMY OF SCIENCES REPORT.—
19 The Secretary shall enter into an agreement with the Na-
20 tional Academy of Sciences for such Academy to conduct
21 a study of the Gas Turbine-Modular Helium Reactor, and
22 report the results of such study to the Congress by Decem-
23 ber 31, 1995. Such study shall consider the technical fea-
24 sibility and economic potential of such reactor design.

1 SEC. 9. CIVILIAN WASTE; ENVIRONMENT, SAFETY, AND
2 HEALTH.

3 There are authorized to be appropriated to the Sec-
4 retary for fiscal year 1996 for research, development, and
5 demonstration—

6 (1) $700,000 for civilian waste; and

7 (2) $143,900,000 for environment, safety, and
8 health.

9 SEC. 10. LONG-TERM INITIATIVES.

10 (a) AUTHORIZATIONS.—There are authorized to be
11 appropriated to the Secretary for fiscal year 1996—

12 (1) $429,500,000 for biological and environ-
13 mental research activities;

14 (2) $275,000,000 for fusion energy research,
15 development, and demonstration, including a fusion
16 research program using the Tokamak Fusion Test
17 Reactor, except that no funds authorized by this Act
18 for fiscal year 1996 or 1997 may be used for con-
19 struction of the Tokamak Physics Experiment; and

20 (3) $761,000,000 for basic energy sciences re-
21 search activities.

22 (b) REPORT TO CONGRESS.—Before May 1, 1996,
23 the Secretary, after consultation with the relevant sci-
24 entific communities, shall prepare and transmit to the
25 Congress a report detailing a strategic plan for the oper-

1 ation of facilities that are provided funds authorized by
2 subsection (a)(3). The report shall include—
3 (1) a list of such facilities, including schedules
4 for continuation, upgrade, transfer, or closure of
5 each facility;
6 (2) a list of proposed facilities to be provided
7 funds authorized by subsection (a)(3), including
8 schedules for the construction and operation of each
9 facility;
10 (3) a list of research opportunities to be pur-
11 sued, including both ongoing and proposed activities,
12 by the research activities authorized by subsection
13 (a)(3); and
14 (4) an analysis of the relevance of each facility
15 listed in paragraphs (1) and (2) to the research op-
16 portunities listed in paragraph (3).

17 **SEC. 11. SUPPORT PROGRAMS FOR ENERGY SUPPLY RE-**
18 **SEARCH AND DEVELOPMENT.**

19 There are authorized to be appropriated to the Sec-
20 retary for fiscal year 1996 for support programs for En-
21 ergy Supply Research and Development—
22 (1) $1,400,000 for Energy Research Analyses;
23 (2) $40,000,000 for Laboratory Technology
24 Transfer;

1 (3) $7,700,000 for advisory and oversight ac-
2 tivities;
3 (4) $25,000,000 for the Multi-Program Energy
4 Laboratory program;
5 (5) $4,000,000 for policy and management of
6 Energy Supply Research and Development;
7 (6) $2,000,000 for policy and management of
8 the energy research programs;
9 (7) $20,000,000 for University and Science
10 Education programs;
11 (8) $10,000,000 for the Technology Informa-
12 tion Management Program;
13 (9) $2,000,000 for the Technology Partnership;
14 (10) $15,000,000 for In-House Energy Man-
15 agement; and
16 (11) $642,000,000 for Civilian Environmental
17 Restoration and Waste Management.
18 **SEC. 12. LIMITATION.**
19 None of the funds authorized by this Act shall be
20 used at the Idaho National Engineering Laboratory after
21 June 1, 1996, with the exception of funds authorized by
22 sections 9 and 11(11).

3 SEC. 13. SENSE OF CONGRESS.

4 It is the sense of the Congress that $100,000,000
5 previously appropriated for the Clean Coal Technology
6 Program should be returned to the Treasury, and that
7 $220,000,000 of funds previously appropriated for activi-
8 ties for which funds are authorized by this Act, and allo-
9 cated for a specific location by the Congress, should also
10 be returned to the Treasury.

Chairman ROHRABACHER. The Clerk will designate the amendment.

The CLERK. Amendment in the nature of a substitute offered by Mr. Doyle to the Subcommittee print. Strike all after the enacting clause and insert in lieu thereof the following. Section 1. Short Title. This Act—

Mr. DOYLE. Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

Chairman ROHRABACHER. Without objection. The gentleman will be recognized for five minutes to offer his amendment and offer his statements there.

Mr. DOYLE. Thank you, Mr. Chairman. Mr. Chairman, the amendment in the nature of a substitute that I offer today embodies a rational approach to achieving real deficit reduction without what, I believe, are excessive cuts in important programs that are contained in the Chairman's mark.

While I commend Chairman Rohrabacher for his efforts to address the deficit and his protection of most areas of basic research, I must disagree with the magnitude of the cuts proposed for R&D in this and other subcommittees. I support a balanced budget amendment. And, I have voted for the balanced budget amendment as well as the Stenholm budget resolution which gets us to a balanced budget by the Year 2002.

While the cuts contained in my substitute may be less than those proposed by the Rohrabacher Bill, they are consistent with a real plan to balance the budget. Not only are the funding levels contained in the Doyle substitute well within the parameters put forward by the Stenholm budget, they are in keeping with the Domenici budget resolution that passed the Senate.

The cuts that we have before us in the Rohrabacher Bill would virtually destroy the federal effort in fossil energy, energy conservation and renewable energy. Do we want to abandon our responsibilities for finding solutions to air pollution and dwindling energy supplies?

Poll after poll has shown that the American public values energy conservation and renewable R&D as the most important step the government can take to lessen our energy security and pollution problems. I believe that the American taxpayer is correct and that the investment in these areas are essential to a clean, stable energy future for the United States.

Now, you have heard, and you will hear, much about corporate welfare at DOE and the need to refocus on basic science. We can, and should, preserve our basic science efforts while staying within the limits of a balanced budget plan.

And, my plan does this by funding one-half of the scientific facilities request and maintaining spending levels in the basic research accounts. However, I take issue with the use of the term "corporate welfare" as it is used within the context of the Rohrabacher Bill.

Corporate welfare is not a policy statement. It's a budget gimmick.

You can tell that by taking a look at the Subcommittee print. While the Bill cuts programs that some members don't like that happen to have industrial participation, such as energy efficiency,

the Subcommittee print also funds programs that have industrial participation.

Take, for instance, the gas turbine modular helium reactor. Beneficiaries of that money include our largest corporations.

Take as another instance the hydrogen program, which also has several corporate beneficiaries. There are numerous examples of this kind of selective corporate welfare throughout this Subcommittee print.

However, this doesn't offend me, because I don't believe that corporate welfare is synonymous with federally supported R&D. The U.S. has thrived on the partnership between universities, corporations and federal laboratories to create new knowledge, develop technologies and demonstrate their use in various applications.

These steps are very important in capturing the full range of benefits that can be achieved from our research and development investment. By arbitrarily cutting off R&D funds for corporations, we are cutting off one leg of this triangle.

Without corporate participation in investment in R&D, new ideas and technologies don't make it to the marketplace with the same level of success. In the meantime, our global competitors are outinvesting us in R&D and reaping the benefits by outpacing us in technological advancement.

The Doyle substitute makes cuts for FY-96 at about one-half the level of those in the Rohrabacher Bill, which follows the Kasich-Walker budget resolution. To reiterate, the authorization levels in the Doyle substitute are derived from the Stenholm budget resolution, which was, in turn, based on a large part on the budget resolution put forward by Senator Domenici.

Nowhere is the difference between the two budgets more stark than in DOE R&D budget. The Kasich-Walker approach, implemented in Rohrabacher, destroys the energy R&D efforts of the federal government, a decision for which we will pay dearly in the future should we choose that option.

My substitute makes real cuts—10 percent from FY-95 which puts us on a path to a balanced budget but preserves our ability to maintain and enhance our nation's energy security.

Finally, during the debate on this substitute, I hope members will look ahead to later this year when we eventually adopt the budget for FY-96 and think about where the funding levels will end up for these accounts. If you believe that the budget resolution adopted by the Senate or the plan put forward by Congressman Stenholm is where we are going to end up, then you should vote for the Doyle substitute because that's where the funding levels for these accounts will end up.

If you vote for the Rohrabacher Bill, you are locking yourself in to what only can be characterized as an extreme level of cuts in these programs that are so vital to our nation's future.

Thank you for your time—for this time, Mr. Chairman.

Chairman ROHRABACHER. Thank you, Mr. Doyle. I will—

Mr. DOYLE. And, Mr. Chairman, I would like to submit my full statement for the record.

Chairman ROHRABACHER. Oh, I thought that was your full statement.

Mr. DOYLE. No. I have a lot more to say on it, but I couldn't do it in five minutes, Mr. Chairman.

Chairman ROHRABACHER. Without objection, your full statement will be submitted for the record.

[The prepared statement of Mr. Doyle follows:]

STATEMENT BY THE HONORABLE MIKE DOYLE ON HIS AMENDMENT IN THE NATURE OF A SUBSTITUTE

Mr. Chairman, the Amendment in the nature of a substitute that I offer today embodies a rational approach to achieving real deficit reduction, without what I believe are excessive cuts in important programs that are contained in the Chairman's mark. While I commend Chairman Rohrbacher for his efforts to address the deficit and his protection of most areas of basic research, I must disagree with the magnitude of the cuts proposed for R&D in this and other subcommittees.

I support a balanced budget, and have voted for the Balanced Budget Amendment as well as the Stenholm Budget Resolution which gets us to a balanced budget by 2002. While the cuts contained in my substitute may be less than those proposed by the Rohrbacher bill, they are consistent with a real plan to balance the budget. Not only are the funding levels contained in the Doyle substitute well within the parameters put forward by the Stenholm Budget, they are in keeping with the Domenici budget resolution that passed the Senate.

Funds spent on research and development by the federal government have returned many times their value by advancing our nation's economic base and improving the overall quality of life for all Americans. This is not political rhetoric, for we cannot take for granted the benefits that result from R&D investment. What we do here today will have an impact on the futu re of the American economy and our ability to compete in the global marketplace. If we cripple our nation's ability to provide the energy needed to fuel our economy, how we will be able to achieve the economic growth that will be required to eliminate the budget deficit?

The cuts that we have before us in the Rohrbacher bill would virtually destroy the federal effort in fossil energy, energy conservation, and renewable energy. Do we want to abandon our responsibility for finding solutions to air pollution and dwindling energy supplies? Poll after poll has shown that the American public values energy conservation and renewable R&D as the most important step the government can take to lessen our energy security and pollution problems. I believe that the American taxpayer is correct, and that investment in these areas are essential to a clean, stable energy future for the U.S.

My substitute takes into account the need for real cuts in these programs, but does so prudently. There has been a good amount of growth in these programs as a result of the Energy Policy Act of 1992, and they are certainly due for a comprehensive review.

Now, you have heard, and will hear much about "corporate welfare" at DOE and the need to refocus on basic science. We can and should preserve our basic science efforts while staying within the limits of a balanced budget plan and my plan does this by funding one-half of the Scientific Facilities Request and maintain spending levels in the basic research accounts.

However, I take issue with the use of the term "corporate welfare" as used within context of the Rohrbacher bill. Corporate Welfare is not a policy statement; it is a budget gimmick. You can tell that by taking a look at the Subcommittee Print. While the bill cuts programs that some members don't like that happen to have industrial participation, such as energy efficiency; the Subcommittee Print also funds programs that have industrial participation. Take, for instance, the Gas Turbine-Modular Helium Reactor.

Beneficiaries of that money include our largest corporations. Take as another instance the Hydrogen program, which also has several corporate beneficiaries. There are numerous examples of this kind of "selective corporate welfare" throughout the Subcommittee Print. However, this doesn't offend me too much, because I do not believe that "corporate welfare" is synonymous with federally-supported R&D.

The U.S. has thrived on the partnership between universities, corporations, and the Federal laboratories to create new knowledge, develop technologies, and demonstrate their use in various applications. These steps are very important in capturing the full range of benefits that can be achieved from our research & development investment.

By arbitrarily cutting off R&D funds for corporations, we are cutting off one leg of this triangle. Without corporate participation and investment in R&D, new ideas and technologies don't make it to the marketplace with the same level of success. In the meantime, our global competitors are out-investing us in R&D and reaping the benefits by outpacing us in technological advancement.

The idea that corporations will make these investments themselves if the federal presence is removed is not realistic. Corporate executives just don't value R&D as much as the American taxpayer values the benefits to their quality of life that are reaped as a result of corporate R&D. That is why it is so important for the federal government to catalyze corporate investment in research and development through cost-sharing and other arrangements.

The Doyle substitute makes cuts for FY 1996 at about one-half the level of those in Rohrbacher Bill, which follows in the Kasich-Walker Budget Resolution. To reiterate, the authorization levels in the Doyle substitute are derived from the Stenholm Budget Resolution, which was in turn based in large part on the budget resolution put forward by Senator Domenici.

Nowhere is the difference between the two budgets more stark than in the DOE R&D Budget. The Kasich-Walker approach, implemented in the Rohrbacher bill, destroys the energy R&D efforts of the federal government - a decision for which we will pay dearly for in the future, should we choose that option. My substitute makes real cuts - 10% from FY 1995 - which puts us on the path to a balanced budget, but preserves our ability to maintain and enhance our nation's energy security.

Finally, during the debate on this substitute, I hope members will look ahead to later this year, when we eventually adopt a budget for FY 1996, and think about where the funding levels will end up for these accounts. If you believe that the budget resolution adopted by the Senate or the plan put forward by Congressman Stenholm is where we are going to end up, then you should vote for the Doyle substitute, because that is where the funding levels for these accounts will end up. If you vote for the Rohrbacher bill, you are locking yourself into what can only be characterized as an extreme level of cuts in these programs that are so vital to our nation's future.

Mr. MINGE. Mr. Chairman.

Chairman ROHRABACHER. Yes.

Mr. MINGE. I would like to be recognized for the purposes of debate.

Chairman ROHRABACHER. Maybe you should wait—

Mr. SCHIFF. Mr. Chairman—

Chairman ROHRABACHER.—Until we have our side of the debate for a moment. You will have your time as well. Thank you.

What we will try to do is put one person on one side of the issue and then the other side of the issue will be recognized. What they normally do in a debate is have juxtaposed positions.

Mr. MINGE. I'm glad to hear that. Thank you.

Mr. ROHRABACHER. Mr. Doyle, thank you very much for your thought-provoking remarks. When we were out on the campaign trail last fall, a majority of the members of this Subcommittee told the people back home that if they were sent to Washington, D.C. they were willing to make tough choices and get this country back on the road to fiscal sanity.

This amendment is a test of the reality behind that rhetoric. And, it will be seen around the United States by the people throughout this country as whether or not we mean business or whether it's business as usual.

It is a siren call to get off the straight and narrow path that we are on to a balanced budget in seven years. And, basically, what we are suggesting is to get back on the path to the profligate ways of the past.

It's—certainly, the ways of the past were easier, the way of making certain that the choices will be made not by ourselves but by somebody else. And, to paraphrase Senator Long, who used to say regarding taxes, he used to say, "Don't cut me. Don't cut thee. Cut that fellow behind the tree."

If we are to show the American people that those days have changed and that Congress is now willing to make the decisions necessary to balance the federal budget within a given period of time, the Doyle substitute must be defeated. This amendment, while it is basically an earnest attempt, is built on figures that are smoke and mirrors.

The gentleman from Pennsylvania, for example, claims that his substitute follows the Senate and conservative coalition budget resolutions. He claims that these resolutions provide more funds for R&D than does the House-passed budget resolution.

Well, let me note this. That both the Senate and Coalition budgets have a total budget authority of 2.9 billion dollars for these areas, which is less than the budget authority that we have, that we are presenting.

So, don't tell me and don't tell the people here that what you are proposing, Mr. Doyle, is in keeping with any budget scenario for a balanced budget when that scenario that you are talking about would give this Committee less spending in this area while your substitute proposes a spending increase of 760 million dollars. Those figures just don't add up.

I mean, even if it's the new math, those figures don't add up. We are talking about a budget plan that will bring us to a balanced budget.

We are talking about whether or not your plan is—it certainly isn't consistent with what the House passed. And, I don't believe it's even consistent with the conservative Coalition and the Senate budget plans, because in the end we are actually spending 760 million dollars more by what you are proposing.

If spending more would balance the budget, then the government would have been running massive surpluses a long time ago. And, that's what you are proposing—that we spend 760 million dollars more.

That—no, what this substitute does is to take one part of the energy function and raise it up by 800 million dollars. And, then basically you are leaving it up to the appropriators to clean up the mess, because what we have done is we have totally broken the budget caps in everybody's budget caps, not just our budget caps but your budget caps.

In almost seven years in this body, I have watched as Congress after Congress has basically slipped around and through and done somersaults and tried to get away from dealing with honest budget figures. In fact, I remember working, you know, very diligently with former Chairman Brown to see that the appropriators don't just have all of the authority and that, in fact, we have a situation where the people in this Committee play an important role.

But, if we pass the Doyle amendment, we are just back to the same old stuff—the budget caps, be damned. If we are going to talk about things we would like to spend money on—and, so—by the way, in all of the hullabaloo over certain programs, you seem to have missed one spending increase in this proposal, just to let you know.

We have—it restores this wonderful policy and management program direction funds that were pruned from the Chairman's mark. So, basically, your proposal also would add to the bureaucracy which we have taken away from.

And, not just research programs. Your money—you are adding money back to the bureaucratic part of the programs.

Basically, you are enabling assistant secretaries to be able to have their own public relations aids, which we have trimmed; to make sure that they have their own congressional liaisons, which we have trimmed; and, all of these things which are basically duplicative of the work that's done in the Secretary of the Department's own office. For the most part, this budget does not increase scientific—I would ask unanimous consent for one additional minute. Okay.

[Laughter.]

Mr. ROHRABACHER. For the most part, this budget does not increase scientific research very much different than what the Chairman's mark does. Instead, it puts back in the mark these—for example, market development and promotional programs, bureaucratic parts of the budget that should be out in the first place.

Some of them may be nice things to do. Some of them are probably wasteful, but maybe we could do it if we had a large budget. But, in times of budget crisis, when we are trying to balance the budget, these are absolutely outrageous to try to put these things back in the budget.

Basically, we are meeting here—and while we are meeting here, somebody is going to announce that they want to eliminate the Department of Energy and scatter it to the winds. Well, if we can't sit and make an honest budget today and instead can't put our country on the road to a balanced budget, there's going to be a lot of people who are going to be taking the extreme position of trying to just eliminate the Department of Energy altogether, because that's the only way to bring the situation under control.

I would suggest—and let me make it very clear—that if the Doyle amendment passes, it is a violation, it is breaking the caps. It is a violation of our agreement to try to balance the budget.

And, I will just say that if the Doyle amendment passes, that's the end of this. That is the end of our discussion today, because the budget caps will have been broken and there is no need for us to go on.

We will have then given all of the power and all of the authority to the appropriators. And, I do not plan to be part of a farce that does that.

So, basically, if the Doyle amendment passes, just remember, that's basically the end of this hearing. We've given up our authority to the appropriators, because we have broken—we have absolutely broken the lids that we were given.

And, with that said, I hope everybody understands that message.

Do we have someone else who wishes to be recognized in the debate?

Mr. MINGE. Mr. Chairman.

Mr. ROHRABACHER. The congressman from Minnesota is recognized for five minutes.

Mr. MINGE. I am very impressed with the efforts that have gone on in the House of Representatives and the Senate to balance the budget. And I applaud everyone who has worked towards that goal.

What I note with some concern is that we have two different budgets that have been approved in the two bodies. And, we are moving towards a Conference Committee to reconcile those differences and propose to each body a conference report.

And, it's my understanding, Mr. Chairman, that we are using the House budget as the touchstone for our debate this morning. And, that certainly is a point of reference for your comments.

Isn't that correct?

Mr. ROHRABACHER. That's correct.

Mr. MINGE. I move that we adjourn our consideration or adjourn this hearing, this markup, and table consideration of these various authorizing bills until after the conference report on the budget has been approved so that we have actual budget figures that we can be working with and debating in this process. Otherwise, what I see happening is that we are going through an exercise which may well be an exercise in futility.

And, we would be much better off if we had those actual budget figures. If we, in fact, come up with figures that are less than what the conference report is, the result will be that we will be selling programs that we may all agree are important short.

And, we would then be faced with a somewhat curious task of coming in and supplementing the figures with additional funds for programs that we feel are particularly deserving. If we wait until

after this conference report has been submitted and approved, then we won't have to go through that exercise.

Therefore, I move that for the purposes of simplicity that we table this until after that has occurred.

Mr. SCHIFF. Mr. Chairman—

Mr. ROHRABACHER. Yes.

Mr. SCHIFF: —Mr. Chairman, I move to table the gentleman's motion to adjourn.

Mr. ROHRABACHER. The motion to table is not debatable. All in favor of the motion to table, say aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All opposed, no.

[A chorus of nays.]

Mr. ROHRABACHER. The ayes have it.

Mr. WALKER. Mr. Chairman—

Mr. ROHRABACHER. With that said, Mr. Walker. I would recognize Mr. Walker for five minutes.

Mr. SCHIFF. Mr. Chairman—

Mr. WALKER. Mr. Schiff, sure.

Mr. ROHRABACHER. I would recognize Mr. Walker for some remarks at this time.

Mr. WALKER. Thank you. First of all, I am pleased that the Subcommittee did not proceed ahead with the motion to adjourn.

I mean, if we are, in fact, going to be more and more irrelevant in the process, that is distinctly a move toward being irrelevant. And, I'm sorry that the Minority has decided that that's the route that we ought to take, of just kind of taking ourselves out of the debate process.

The Appropriations Committee is proceeding ahead, based upon the House-passed figure, understanding that there is likely to be—there are likely to be changes made in the budget conference report. The gentlemen are absolutely right.

There are two different versions. However, those adjustments can certainly be made.

We are going to have an opportunity to make some of those adjustments as we proceed out of this Subcommittee to Full Committee once we get the full force of the budget conference report. But, it is important, it seems to us—it seems to me, for us to be credible in the process of determining appropriations.

And the Appropriations Committee so far has been working very, very well with us. And, I would like to think that we can continue that work.

For us to adjourn here and suggest that we have nothing to say in this process and that we simply don't want to be a part of the policy-making effort will simply turn it over to people outside this Committee to make determinations in these areas. It seems to me that would be a shame.

I was interested, first of all, in the fact that the gentleman has presented his amendment before us as a part of a path to a balanced budget. The problem is, his path is also irrelevant because it didn't win.

And, it seems to me that to follow a path that goes to nowhere simply is not the proper course for us to take if we want to be a part of energy policy.

Now, I was rather fascinated by the remarks that we are somehow not dealing with real issues when we deal with the corporate welfare issue here. It is very interesting to understand how programs have come together and been funded under the programs that are now in place, programs that we think it's time to eliminate. And, obviously the Minority thinks things should stay in place.

Let me give you one example of one where I don't think probably the nation's long-term, scientific interest had been very well served by money being spent at the Department of Energy. The Philadelphia Inquirer recently reported that the taxpayers are kicking in 300 thousand dollars to help the Walt Disney Company figure out a better way to launch three thousand rockets nightly as a part of their fireworks displays at Florida, California and other theme parks.

Now, you know, I'm not so certain that that is of absolute scientific priority for the nation. But, the fact is, that's costing the taxpayers money.

That's one of the things that the Energy Department has prioritized and that the Minority would have us continue to spend money to do. Now, we are doing that for a company that reported a profit of 1.1 billion dollars in 1994.

The head of the company himself collected 10.6 million dollars in pay, including a 9.9 million dollar bonus. Now, the profits of the Disney Company are, in fact, more than the entire operating budget of the lab that is cooperating in this 300 thousand dollar expenditure for better fireworks at Disney World.

Now, I've got to believe that if we are serious about balancing the budget that we may be able to do better than fireworks displays at Disney World. And, yet that's where some what we have done has led us.

You know, we have corporate welfare throughout this budget. The Philadelphia Inquirer also reported that in the technology programs, we've done things like find better ways to peel chili peppers; we have funded a coloring book entitled, "Technology Transfer with Space Pup."

Now, I think that maybe it's a time to decide where our real priorities are. The Rohrabacher budget determines real priorities and gets us away from the corporate welfare accounts.

So, this is really an issue on this amendment. Are you going to continue to fund fireworks displays at Disney World or are we going to get real—balance the budget and do it with real science?

Thank you, Mr. Chairman.

Mr. MINGE. Mr. Chairman, I have a motion, which I understand your rule succeeded. And, it was a motion to table.

Mr. ROHRABACHER. Your motion has been tabled. That's correct.

Mr. MINGE. No. My motion was to table.

Mr. ROHRABACHER. Your motion was to adjourn. And, your motion was tabled by a vote of the Committee.

Mr. MINGE. As I understand it, you cannot table a motion to adjourn. So, I would like to go back and have this—

Mr. ROHRABACHER. The gentleman is correct. Would you like to reintroduce your motion to adjourn?

Mr. MINGE. No. My motion is to table consideration of these bills in the markup until after the budget resolution has been approved by the House and the Senate.

Chairman ROHRABACHER. Is your motion then to table—wait one moment while I consult with my—

[The Chairman and staff are consulting.]

Chairman ROHRABACHER. Well, your motion then is a motion to table?

Mr. MINGE. Yes.

Chairman ROHRABACHER. All right.

Mr. SCHIFF. Mr. Chairman, I make a motion to table this motion, please.

Mr. OLVER. A parliamentary inquiry, Mr. Chairman.

Chairman ROHRABACHER. That would then—a motion to table a motion to table is in order.

Mr. OLVER. I make a motion—a point of parliamentary inquiry.

Chairman ROHRABACHER. State your inquiry. Go right ahead.

Mr. OLVER. The inquiry—I defer to Chairman Brown.

Chairman ROHRABACHER. Mr. Brown?

Mr. BROWN. Mr. Chairman.

Chairman ROHRABACHER. Yes, sir.

Mr. BROWN. I would really like to have a parliamentary analysis of this.

In all of my experience in the Congress, I have never seen a motion to table the motion to table.

Chairman ROHRABACHER. With your vast experience—I know with your vast experience you have seen many maneuvers. Perhaps today you are seeing a new one.

Perhaps it is—it is a legal maneuver.

Mr. BROWN. I would like to have you get the advice of your counsel as to whether that is in accordance with the rules.

Chairman ROHRABACHER. His motion, as stated, was actually a motion to postpone action, and not a motion to table.

Thus, a motion to postpone action, as he defined it, you are permitted to table a motion to postpone.

Mr. BROWN. Mr. Chairman, the gentleman stated that his motion was to table this to a time certain. That is, after the budget was adopted.

Chairman ROHRABACHER. The former Chairman will wait one moment while the new Chairman of the Subcommittee confers with our parliamentary specialist. Thank you.

[The Chairman and staff are consulting.]

Chairman ROHRABACHER. Is the gentleman offering a motion to postpone?

Mr. MINGE. A motion to table.

Chairman ROHRABACHER. A motion to table? You are offering a motion to table the Doyle substitute?

Mr. MINGE. No.

Chairman ROHRABACHER. That is the issue that is before the Committee. You are only permitted to ask for tabling the motion that is currently being considered by the Committee.

Or, you can offer a motion to postpone.

[The Chairman and staff are consulting.]

Mr. MINGE. I withdraw any motion to table the Doyle Amendment. My intention was to table consideration of the underlying legislation that is before the Committee until after the budget resolution.

Chairman ROHRABACHER. Then that is a motion to postpone, and not a motion to table, because you can only motion to table something that is currently before the Committee.

Mr. SCHIFF. Mr. Chairman, in the interest of proceeding, and allowing this matter to be resolved, I would ask unanimous consent to withdraw my motion to table and allow the gentleman to proceed on any motion he wishes to proceed on, and let's have a vote and let's make this decision.

Chairman ROHRABACHER. Thank you very much for the unanimous consent.

What motion would you like to make? And then we will proceed.

Mr. MINGE. I move to postpone.

Chairman ROHRABACHER. Postpone what?

Mr. MINGE. Consideration of this legislation until after the budget resolution has been approved.

Mr. WALKER. So, the motion to postpone the Bill that is now before us.

Chairman ROHRABACHER. We have now before the Committee a motion to postpone the piece of legislation that the Committee is currently examining.

All in favor of that motion please say, aye.

[A chorus of ayes.]

Chairman ROHRABACHER. All opposed say, no.

[A chorus of nays.]

Chairman ROHRABACHER. The no's have it.

Mr. MINGE. Mr. Chairman, I would like to have a recorded vote.

Chairman ROHRABACHER. Would you—we have a call for—

Mr. MINGE. I would like to request a recorded vote.

Chairman ROHRABACHER. We have a request for a recorded vote. Is there a second?

Mr. OLVER. Second.

Mrs. JOHNSON. A parliamentary inquiry, Mr. Chairman.

Chairman ROHRABACHER. A sufficient second. Your inquiry?

Mrs. JOHNSON. Yes. I am trying to understand the motion. Are you taking this motion to mean we are postponing the Doyle substitute, or the whole—

Chairman ROHRABACHER. No. The motion is to postpone consideration of the whole Bill.

Mrs. JOHNSON. Thank you.

Chairman ROHRABACHER. Is there a sufficient second? Do we have a sufficient second? The Clerk will call the role for the recorded vote on the motion to postpone.

A recorded vote is in order and called for. The Clerk will proceed.

CLERK. Mr. Rohrabacher?

Chairman ROHRABACHER. No.

CLERK. Mr. Fawell?

Mr. FAWELL. No.

CLERK. Mr. Weldon?

[No response.]

CLERK. Mr. Bartlett?

Mr. BARTLETT. No.
CLERK. Mr. Wamp?
Mr. WAMP. No.
CLERK. Mr. Graham?
Mr. GRAHAM. No.
CLERK. Mr. Salmon?
Mr. SALMON. No.
CLERK. Mr. Davis?
Mr. DAVIS. No.
CLERK. Mr. Largent?
Mr. LARGENT. No.
CLERK. Mrs. Cubin?
[No response.]
CLERK. Mr. Foley?
Mr. FOLEY. No.
CLERK. Mr. Schiff?
Mr. SCHIFF. No.
CLERK. Mr. Baker?
Mr. BAKER. No.
CLERK. Mr. Ehlers?
Mr. EHLERS. No.
CLERK. Mr. Stockman?
Mr. STOCKMAN. No.
CLERK. Mr. Walker?
Mr. WALKER. No.
CLERK. Mr. Hayes?
Mr. HAYES. Yes.
CLERK. Mr. Minge?
Mr. MINGE. Yes.
CLERK. Mr. Olver?
Mr. OLVER. Yes.
CLERK. Mr. Ward?
Mr. WARD. Yes.
CLERK. Mr. Doyle?
Mr. DOYLE. Yes.
CLERK. Mr. Roemer?
Mr. ROEMER. No.
CLERK. Mr. Cramer?
Mr. CRAMER. No.
CLERK. Mr. Barcia?
Mr. BARCIA. Yes.
CLERK. Mr. McHale?
Mr. MCHALE. No.
CLERK. Mrs. Johnson?
Mrs. JOHNSON. Yes.
CLERK. Ms. Rivers?
Mrs. RIVERS. Yes.
CLERK. Ms. McCarthy?
Ms. MCCARTHY. Yes.
CLERK. Mr. Brown?
Mr. BROWN. Yes.
Chairman ROHRABACHER. The clerk will report.
CLERK. Mr. Chairman, the roll call tally is. Yeas, ten; nays, seventeen.

Chairman ROHRABACHER. The motion is defeated. We will return to consideration of the Doyle Amendment, and the gentleman from New Mexico is recognized.

Mr. SCHIFF. Thank you, Mr. Chairman. Mr. Chairman, I am rising to speak against the Doyle Amendment, and would like to explain my reasons.

I want to begin, however, by complimenting the gentleman and complementing every other member of his party who voted for the coalition or Stenholm balanced budget proposal.

I think that they, in doing so, have recognized the fact that the top economic priority for the government is to get its own fiscal house in order and they have offered a proposal to get to that goal.

I have to say that it is very regrettable that the President of the United States of their party has not endorsed the Stenholm proposal or to the best of my knowledge, any proposal for a balanced budget.

The President continues to stand on a budget which offers a two hundred billion dollar deficit each year for the foreseeable—excuse me, really as far as we can see, with no end.

And I frankly think it is a real lack of Presidential leadership in that situation.

And I think those members who supported the Stenholm substitute have shown real courage in this Congress.

I want to say, however, that I think that Chairman Walker is entirely correct. Authorizers have really been non-players many times in the budget process.

And the reason for that is as authorizers, we are in a way not playing with real money. That goes to the Appropriations Committee.

So, authorizers—and I am not necessarily referring to this Committee—but I am not leaving out this Committee, authorizers have often voted for budgets far beyond what the budget act will actually allow the appropriators to spend.

In fact, we are known for authorizing rather such sums as may be necessary, which is a phrase that means potentially unlimited money.

Well, there is no such thing as unlimited money. And if we vote for an authorization level that is higher than what the budget resolution will actually give to the appropriators, we will make everybody feel good. I mean the Doyle substitute contains some numbers that are better for my district, no offense, Mr. Chairman, than your Chairman's mark is, but I have to say that it is figures that are pie in the sky.

At the present time, they are not going to happen.

The plain fact is the only budget resolution that we have that has passed the House of Representatives, of which we are a member, is the Kasich Resolution.

Having said that, I want to emphasize in the strongest possible terms that one of the biggest disagreements I have with the Kasich Budget Resolution is its treatment of energy and science.

I think some real shortcomings exist there. I do not support, just to begin with, the proposed dissolution of the Department of Energy.

The idea that it should be streamlined and downsized, which Secretary O'Leary is doing, I think is most appropriate, and I support that.

But if no other reason, the nuclear safety insurety program for nuclear weapons ought to remain in the Department of Energy. There is no other department, including the Department of Defense, which either has the expertise to run that program or even desires to run that program.

And I feel that the existing civilian research programs do not have a better agency under which to function.

So, I am extremely sympathetic with Mr. Doyle's goals.

I have to say, however, that I think we should deal with the budget resolution currently in the House.

I hope that in the conference which is about to come up, that the Department of Energy will not be dissolved, and that funding for civilian research will be increased from the House Budget Resolution.

And I hope I can get a commitment from you, Mr. Chairman, and from the Chairman of the full Committee present with us, Chairman Walker, that if the Budget Resolution Conference figures change, and I hope for the better, that when this Bill gets to the full Committee, or even gets to the House floor, that we will be able to readdress the issue with the figures that exist at that time.

But until the figures change, I believe that the figures binding upon us in the House of Representatives are the House adopted figures.

Chairman ROHRABACHER. Will the gentleman yield?

Mr. SCHIFF. I am sorry. But who is seeking yield? I yield to the gentleman.

Mr. DAVIS. I agree with the gentleman from New Mexico, and associate myself with his remarks, and note that I did vote for the Stenholm budget when that lost, ending up voting for Kasich, and I think it does some things to the energy research that I am not comfortable with.

I am going to offer an amendment later, though, that addresses some of your concerns. It is going to read that nothing in this Act will preclude further authorization of appropriations for civilian research development, demonstration and commercial applications provided the authorization allocations adopted by the conference committee and approved by Congress go up.

So, that would address your concern, Mr. Schiff at that point.

I think that needs to be in the Act itself, and I will put that forward at the appropriate time.

I am hopeful that we will get the budget resolution numbers up in this area. At that point, we can address this.

I think that is the appropriate way to go. Otherwise, we are taking ourselves to being irrelevant in this process and just bucking our responsibility to appropriations.

Chairman ROHRABACHER. The gentleman's time has expired. We have unanimous consent from Mr. Weldon.

Mr. WELDON. Mr. Chairman, I ask unanimous consent to report of having voting no had I been here. I had conflicts today which I will try to get back here. Actually, I ask unanimous consent to record this as voting no.

Chairman ROHRABACHER. Without objection. Ms. Johnson is recognized.

Mrs. JOHNSON. Thank you, Mr. Chairman. I agree with much that has been said, and disagree with others.

With Mr. Walker's comments, I agree. I want to say, however, that this really is not Disney World. The Disney World project that he spoke of, the person who was the Disney World employee got a nine point nine million dollar bonus, and is going to get a major tax cut—tax break when we cut the programs that we are cutting.

The fossil energy research and development program, as well as the energy supply research and development programs really does hurt, especially the energy states like Texas, Louisiana, Oklahoma, the entire southwest.

That is not Disney World. That is the future of this nation. And I know there is no such thing as unlimited money, but there is such a thing as sensible cuts for sensible reasons, and I would simply call upon this Committee to try to refrain from just bashing party versus party and President, but look very seriously as to what we are doing to this nation as we cut research and development.

That is the future of this nation. I feel very strongly about research, and especially energy research. I cannot understand how we can sit here and do this, Mr. Chairman, just because we need a tax break.

I do understand that we need to cut spending, but it must be sensible, and for that reason, Mr. Chairman, I would ask all of us to reconsider and look at this Doyle substitute, because it is rearrangement of dollars that is much superior to the Rohrabacher Amendment. Thank you.

Mr. SCHIFF. Will the lady yield for one minute?

Mrs. JOHNSON. I will indeed.

Mr. SCHIFF. I thank the lady for yielding. I want to join the lady in one remark, and perhaps some disagreement with another direction with our Chairman.

I believe that overall, the joint working together between government, national laboratories, and private enterprise is a mutual benefit to both.

I think we have done a lot more than to improve fireworks for Disney Land. I think we have done everything from improved law enforcement in joint research to improve the competitiveness of the United States automobile industry, just to name two, and I further think that there is an exchange of research back to the national laboratories where they gain in knowledge to pursue directly government intended research and maybe that is a subject for another day here more directly.

But I just wanted to join the lady in those remarks. I yield back and thank you.

Mrs. JOHNSON. Thank you very much. Thank you, Mr. Chairman.

Chairman ROHRABACHER. Mr. Ward, from Kentucky.

Mr. WARD. Mr. Speaker, I wish to speak in favor of the Doyle substitute.

I think it is a much more reasonable approach, and I would like to yield to Mr. Doyle to answer a question or two.

Chairman ROHRABACHER. Go right ahead. Mr. Doyle?

Mr. DOYLE. Thank you, Mr. Ward. I would just like to make a couple of comments about some of the remarks that have been made here.

I think we need to keep something in perspective here. Both of these plans, my substitute and the Chairman's mark, both achieve a balanced budget by the year 2002.

I think we need to recognize there is more than one way to balance the Federal budget.

We saw four budget resolutions on the House floor. All four balanced the budget by the year 2002, and all took different ways to get there, but I think when you look at the two main proposals that got the most support, the Stenholm, the conservative coalition budget, and Kasich.

The major difference between those two budgets was the tax cut.

And what we have here today when we look at the Chairman's mark and the Doyle substitute, we are seeing those two differences take place. We are seeing one proposal, the Doyle substitute, that balances the Federal budget and for anybody to sit here and claim that this doesn't balance the budget or stay in line with Stenholm or the Senate Budget Resolution is just not accurate because it does, and secondly, we see in the Chairman's mark an effort to balance the budget and to pay for tax cuts.

And to do that, we are making severe cuts in the energy R&D budget.

What I am saying simply is we can show fiscal responsibility and I think the members are prepared to do that.

We are prepared to balance this Federal budget and to meet our responsibilities towards doing that, and we do so in this substitute.

Another thing that needs to be taken into account. In the Senate Budget Resolution and in the Conservative Coalition Budget Resolution, what is taken into account is the asset sales from the power authorities, and if you look at FY '96, our number says two point nine billion. When you add in the assets sales, which are not in this budget authority, when you add that in, it actually brings that number up to four point eight five.

These numbers aren't pie in the sky. These are real numbers that follow the Stenholm Budget Resolution.

I think what is pie in the sky is to think that this House Budget resolution that was passed with Kasich is going to end up being the final numbers that we see once the budget is passed.

I think the final numbers are going to reflect something closer to the Senate Budget Resolution, and all we are trying to say is don't decimate the energy R&D research in this country just because we need to pay for a tax cut.

Mr. SCHIFF. Would the gentleman yield for one minute?

Mr. DOYLE. Yes, I will. I yield back to Mr. Ward.

Mr. SCHIFF. Would the gentleman yield to me?

Mr. WARD. I will be glad to.

Mr. SCHIFF. Gentlemen, I appreciate that. From both gentlemen.

I compliment Congressman Doyle and the obvious work he has done on his amendment and, in fact, I hope I have already indicated to him in great sympathy with him, since I prefer the Senate Budget Resolution to the House Budget Resolution, and I voted against tax cut.

I thought our first priority is to balance the budget and consider tax cuts later.

That is how I would do it.

Nevertheless, I don't see how we can run ahead of the House of Representatives only in one area.

It is a true statement that the Stenholm Budget is a proposed balanced budget by the Year 2002, but the Stenholm Budget was not adopted by the House of Representatives.

And if we authorize figures according to the Stenholm Budget, then we are adding in spending that doesn't fit other areas of what other House committees are doing.

So, I again respectfully reiterate I hope the figures will change. Change in the direction the gentleman is talking about, but it seems to me until they do, we should stay with those figures that the House of Representatives have adopted.

Mr. DOYLE. Will the gentleman yield?

Mr. SCHIFF. It is the gentleman's time back.

Mr. DOYLE. Yes. I appreciate your remarks. And I agree with a lot of what you said. The thing that strikes me, this bill is not going to be on the floor for months, and I am puzzled why we don't have the ability to wait until the conference report comes out and see what these budget authorizations are going to be.

I don't understand why we have to rush into setting these authorization levels at such drastic cuts when in reality the conference report is going to say something far different than what the House passes.

Mr. SCHIFF. Will the gentleman yield.

Mr. DOYLE. Yes, absolutely.

Mr. SCHIFF. Very briefly to respond. I understand the gentleman's point. The gentleman is raising the important question. If the budget figures are not final yet, why are we proceeding with a subcommittee authorization?

And I believe the answer is that the various appropriation subcommittees are not sitting around playing gin rummy with each other waiting for the Budget Conference Report.

They are already starting to put together figures, and this train is leaving the station. And I think we, as authorizers, want to be on it, and again, I reiterate, and I believe we have a commitment, when and if the figures change, we have more steps in our own authorizing process.

But I think if we wait until everything is done, we might find that that appropriations bill essentially is written already, and we didn't have a hand in it.

I yield back, and thank the gentleman again for yielding.

Mr. WARD. I yield back the balance of my time.

Chairman ROHRABACHER. Thank you very much. The Chairman will take a few moments now, and then—Mr. Ehlers, could you wait one moment. The Chairman would like to make a couple of points.

We have had a motion to postpone today, or to adjourn, and basically we have heard time and again why don't we just wait.

Basically, the Doyle Amendment is, as Mr. Schiff pointed out, an amendment that is basically stating that we will not be part of the process.

The process is moving on, and yes, there were four alternatives before the House.

And one of those alternatives succeeded. We are trying to move forward to balance the budget based on the budget resolution that became the policy of the House of Representatives through a democratic process.

And if we can sit back and say we wish it wasn't so, we wish it wasn't so, we will not become part of the process at all.

The appropriators—if the Doyle Amendment passes, the appropriators may call the policy. That is the bottom line.

Some people who have some disagreements as to what the priorities are in this particular mark, and I have tried to be as open as possible to re-establishing what those priorities are by giving everyone permission to have any amendment under the cap that they want to have, but the fact is that we have to meet that cap or the appropriators will make the decisions and I will tell you their priorities may be totally different than what our priorities are, and then we will have no say at all whatsoever in what those decisions are. Because we would have opted out through the Doyle Amendment not to be part of the process, because immediately we have decided not to have ourselves restricted by the budget caps that were passed by the overall House of Representatives.

Now, the fact is, we cannot opt out and keep faith with our people that we are coming here to make tough decisions.

We all said we are going to come here and make tough decisions. Well, the fact is we have to make those decisions and the decision isn't let the appropriators do it.

And I will tell you this. There is no way that anyone can convince me that it is a better policy to try to head towards a more balanced budget by spending eight hundred million dollars more, which is another affect if your amendment passes, Mr. Doyle.

Mr. DOYLE. No, it won't.

Mr. WALKER. Will the Chairman yield?

Chairman ROHRABACHER. Yes, I will.

Mr. WALKER. I thank the gentleman for yielding. He makes an excellent point, because the fact is that the appropriators at this point are cooperating with us and attempting to do some things together, because they think we are serious about holding the line.

I also make a point that there is a lot of history here, too. We know what happens when you wait weeks and months after the appropriations process is finished to do your authorization bills. Your authorization bills are, in fact, irrelevant to the process.

They, in fact, may guide with some policies for the agencies if, in fact, they get through, but what happens is if you go over to the Senate weeks and months after the appropriations process is finished, the Senate has no desire whatsoever to proceed ahead with your authorization bills, and they die in the Senate.

The only way that we are going to remain relevant to the process is to assure that we stay up with the process, and I realize that the minority wants to operate the way that they operated when they were in the majority.

When they were in the majority, we failed to get authorization bills on many occasions, particularly in the energy area. We haven't had one for years.

Now, you know, I would like to think that given the new system here, that we have some chance of maybe actually making policy, being relevant, doing things that people came on this Committee to do.

I would like to think that is a help. That is the reason why we are proceeding ahead now. Just waiting and watching will be exactly what we will end up doing under the process that is being suggested from the other side.

Our contribution to the energy policy of the nation we will proudly say—we will put it up on the wall if you all succeed. We waited and we watched.

Mr. DOYLE. Will the gentleman yield.

Chairman ROHRABACHER. I will yield.

Mr. DOYLE. I would just like to say to our distinguished Chairman that I am not quite sure what took place here in the past. I am one of the new kids on the block.

My effort here is a sincere one to balance this budget, and not decimate energy R&D in this country. So, I just want people to realize that there is more than one way to skin a cat. There is more than one way to balance the Federal budget, and what we are saying is we are doing it without paying for tax cuts, and we are taking the savings from that and putting them back to investments in our country.

Chairman ROHRABACHER. That is what—the gentleman might be attempting to do that, but the fact is the gentleman is opting out of the process. You may be intending to do that, but with all the best of intentions, if you are not part of the process that is moving forward you are simply stating your case, and it is irrelevant that you are stating your case, because it is not part of the process that is working.

The Appropriation Committees are marking this up on Tuesday. Tuesday. If we have not passed an authorization within the budget guidelines we have been given, the appropriators ignore everything that we are doing.

If there is anyone in here who is worried about maybe there are too many cuts in a given area in his or her district, or in an area that he or she believes important to the country, forget it, because we have given all the authority to the appropriators at that point, and we will have no impact, and they might cut those areas twice as much, because we have basically opted out because we no longer—because we theoretically would like our caps to be higher, so we are just not going to pay attention to the caps.

Well, they will pay attention to the caps, and they will make the decisions.

This mark, I tried to be fair. I tried to say if you want to restructure the priorities that we came up with, you have a right to have your amendment within the caps.

But the fact is, your amendment doesn't follow that basic guideline within the caps. It just basically says. We not only want different priorities, we want more money.

Well, the appropriators at that point just say we will make the decisions because they are not going along with the process.

Mr. Brown, and then Mr. Ehlers.

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

Chairman ROHRABACHER. The gentleman is recognized for five minutes.

Mr. BROWN. With all due respect, I think the argument that we are hearing here is going beyond the realms of factuality in some of the statements that are being made.

The statement that you made that the appropriators are marking up on Tuesday is apparently intending to goad us in moving out this bill today so it will influence them.

I can assure you that any action that we take in the Subcommittee will have no affect on the appropriators.

Chairman ROHRABACHER. With all due respect, this is a new Congress from the time when you sat in this Chair.

Mr. BROWN. I understand that it is a new Congress. When we get to the point of acting in the full committee and on the floor, it will begin to have some impact.

Let me just cite an example of our experience, and I want to comment on this a little bit, where we failed to act on a major program for a number of different reasons.

It happened to be the space program. The appropriators went ahead and did their own thing, and made major changes, such as eliminating the space station.

We had an impact then by organizing an effort to defeat the appropriators on the floor, and we succeeded.

That will have an impact on the appropriators. We can do that here.

Now, Mr. Walker has made, and you have also made the point, that if we don't move rapidly the Senate will not act. We will have no affect on it.

You are correct in saying we haven't passed an energy authorization bill for some time. The reasons have nothing to do with timing.

The reasons are, and I think Mr. Walker will admit this, the Senators didn't want an authorization bill because the Chairman of the Senate Authorizing Committee also chaired the Senate Appropriating Committee for Energy, and he didn't give a damn what the authorizers did, he could do it all on the appropriations bill.

Would the gentleman like me to yield to him on that?

Mr. WALKER. The gentleman is correct in that vein. That gentleman is no longer chairman.

We, in fact,—we in fact have worked out some new relationships. Let me say to the gentleman we are, in fact, in direct communication. We are working all the time with the appropriators.

We are trying to match what we intend to do here with what they intend to do in Subcommittee. It may not be exactly the same, but it is going to be very nearly the same.

So, we are having the process. If, in fact, we decide to simply take a walk on the process today, I think at that juncture is when the appropriators will say they are not serious, and that is the reason why I would argue vigorously that it is the right thing to do here.

Mr. BROWN. I hope that the gentleman is correct, and I applaud him for establishing this close relationship. One thing I was never able to do with the Democratic members in the Senate, and if you have succeeded in doing this you are to be commended and I will praise you to the heavens for doing it.

But I am not at all sure that that is the actual fact at this point in view of the fact that the Senators do not agree with the numbers that are in this bill and, therefore, you are going to have to do some hard negotiating—

Mr. WALKER. If the gentleman will yield further. I think it has been some time since we could look around the room and, for instance, see Appropriations Committee staff watching one of our Subcommittee markups.

Mr. BROWN. We have had that before, Mr. Walker.

Mr. WALKER. You know—we in fact have built that kind of cooperative relationship. We also have a very good relationship in the Senate, and I believe that there will be changes in some of these numbers as we get to the Conference Committee, but they certainly are not going to reflect the Domenici Bill. You know, we are probably on a lot of these things going to end up splitting the difference.

But for us to adopt something here that says the Domenici Bill is going to be the final product of the conference is nonsense.

I am a part of that conference. I am one of the conferees. I will tell you it is nonsense to suggest that the Domenici Bill is going to be the final product, too.

So, we ought to do what the House has demanded we do, and then if we have to make adjustments along the line, we are certainly capable of doing that.

I am willing to do that. But you know, we ought to do that which has the most influence within the system that we have within the House, and that will be moving ahead with the bill that the Chairman has brought to us.

Mr. BROWN. Mr. Chairman, I ask unanimous consent to proceed for an additional two minutes.

Chairman ROHRABACHER. Without objection, go right ahead.

Mr. BROWN. I do commend the gentleman for his statement. For his active work in securing the better cooperation, and this leads me to another point.

The gentleman has the role not only of Chairman of this Committee, which I hope is a very prestigious role, but he is Vice Chairman of the Budget Committee, and what the Budget Committee adopted under his leadership and guidance with regard to the R&D budget was basically a reflection of his views and philosophy as to what ought to be done in terms of science policy.

Now, the actual budget resolution deals only in broad categories which in no way restrict the options of this Committee to do what Mr. Doyle's amendment said.

In the report accompanying the Budget Committee, in language which I presume you wrote, there are more detailed descriptions of what you think the budget for energy research and development ought to be, but these are not legally binding, have no effect other than the fact that they represent your views and were approved by the Budget Committee as reflecting theirs also, but the point I am making is the report of the Budget Committee which spells out the fine detail which then you handed down to the Subcommittees as your 602[b] have no standing in law or precedent as far as that is concerned.

Mr. WALKER. If the gentleman would yield. The gentleman is absolutely correct, it gives me far too much credit for what the total budget committee did. We worked in task forces, and I have some input into it, and I think—I hope it was useful input, but we did have a consensus, and there were some things that we adopted in areas that are important to me that didn't particularly fit with what I would like to do.

The majority of it was acceptable as far as I was concerned.

And the gentleman is absolutely right. There is no binding need to do that. There is nothing in those documents that is anything more than advisory.

However, it is also true that ultimately the process operates under those ceilings.

What we ask is that this Committee operate under the same ceilings that the process is going to ultimately use.

When we do that, we reflect the same kind of discipline that is in the rest of the process and, therefore, create I think a much better chance that we will be relevant.

That is the reason for doing it. Not because there is any legal obligation, but because discipline, in fact, does influence the system, and when we break away from the discipline, when we decide to break the bank, in many cases in these accounts double the numbers, it is a fine exercise within the Committee, but it simply means that others looking at it will decide that we simply didn't want to participate.

Chairman ROHRABACHER. The gentleman's time has expired, but would the distinguished former Chairman like the last word?

Mr. BROWN. Not particular. I have always found in dealing with Mr. Walker that it is never very useful to try to get the last word in.

[Laughter.]

Chairman ROHRABACHER. Thank you very much Mr. former Chairman.

The Chair intends to recognize Mr. Ehlers, and then to recognize, perhaps, Mr. Doyle again, to summarize. Then Mr. Roemer, and then a summary from Mr. Doyle, and a final—we will continue then and make sure rather than cut people—Mr. Ehlers, go right ahead.

Mr. EHLERS. Thank you, Mr. Chairman. I want to associate myself with some of your remarks, Mr. Schiff's remarks, and also give some encouragement to Mr. Doyle.

I don't believe that anything we are doing in this Committee is of greater importance to the future of this nation than the amount in the appropriations and expenditures of funds on energy research in this nation.

Because energy—having abundant, reasonably priced energy is the backbone of the future economic strength of this nation.

I don't believe there is any question about that.

We make a great issue about the budget and how important it is to balance that for the benefit of our children and our grandchildren and future generations, and that is absolutely true, and I fully support cutting the budget.

But it is equally as important that we find appropriate energy resources and develop them for the benefit of our children, grand-

children and future generations. Because if we do not do that for them, we are robbing from them just as much as we are robbing from them by running a deficit budget.

And that is why I think this is an extremely important issue. I fought against the Budget Committee's recommendations, the ones that passed the House in regards to this because I felt it was cutting energy research too much in view of the importance of this for the future of our country.

I lost that battle, but I hope—and that is my word of encouragement for Mr. Doyle,—I hope that through the conference report on the Budget Committee we will, in fact, get some increase in this area.

But we are constrained in the sense that we have a Catch-22. We hope it will go up. We would like to deal with that, but right now we are dealing with a budget resolution that is passed by the House, and that is why I will be voting against the Doyle Amendment, even though I am in great sympathy with some parts of it.

It is not quite a Catch-22, but at least a Catch-21, that we can't take any other action if we want to remain participants in the process.

We have to stick with the House budget figures.

I have prepared a few small amendments to try to get what I think is important. I personally have spent better than a week just on this particular budget alone, and as we all know we have many areas of the budget to worry about.

And that is because I think it is so important.

My word of encouragement also is that we will get a second shot at this Bill in the full Committee when this item is considered there.

We will have another shot at it on the floor, and once again a diluted shot at it in conference committee when—and by that time we will certainly know the final budget figures, and can make adjustments as necessary.

I certainly hope on behalf of our nation that we will be able to increase the energy research funding for this nation as we go through this process, and I will certainly continue to work hard for that.

I don't want my negative vote on the Doyle Amendment to indicate that I don't support what he is trying to do. I think we all want to move in that direction because of the extreme importance of this issue, and I will have a few amendments later that I hope will move it in that direction.

Chairman ROHRABACHER. Thank you, Mr. Ehlers.

Mr. BROWN. Would the gentleman yield briefly?

Mr. EHLERS. I would be happy to yield.

Mr. BROWN. Just for the purpose of commending your statement, I think it's a very wise and judicious statement. And I think most of us do recognize that this mark could be improved considerably.

And, I hope, as you do, that we can continue to work on that in the Full Committee. I must say that our votes, both in the Subcommittee and the Full Committee, are going to be observed very carefully on this matter.

And, I trust that all of us will do what's best for our districts and our constituents when we make these votes.

Mr. EHLERS. If I may reclaim my time, Mr. Chairman? One final comment is a commendation to you and your staff.

Since I have spent so much time in this, I have gone through the same agony that you and they have gone through as I've tried to identify sources of funds for the items I wanted to amend, because I could not offer amendments without cutting elsewhere. And, so I sweat and labored over this for a long time.

And, I appreciate what you and your staff have done, because it has been very, very difficult. When the whole pie is cut as much as this one has been, it's very difficult to judiciously cut the small remainder that's available and be sure that everyone involved—it reminds me when I grew up as a child in a Depression-era family and my father was in charge of cutting up the two pork chops that we shared with seven of us. And, we all watched very, very carefully as to what size the pieces were.

And, that's basically what we have here. We've been given a very small pie by the Budget Committee and we are all watching each other as we judiciously try to carve that up and be fair with everyone.

Thank you.

Mr. ROHRABACHER. The most important part was not to be dreaming of bigger pork chops but to be actually participating in the cutting, I imagine. And, Mr. Ehlers is correct if, indeed, we have a chance at later on, you know, our limitations are moved and we basically have lids that are now different lids, we will be able to have a shot at this in Full Committee.

And, this Chairman has only been trying diligently to try to be responsible within the challenge that we have been given. And, we also—and, we will, indeed—we will, indeed, be taking into consideration our constituencies and our own districts and, hopefully, we will be taking into consideration the needs of the country and the overall economic well-being of the United States of America as well.

Mr. Roemer.

Mr. ROEMER. Thank you, Mr. Chairman. It was a difficult vote for me on the Minge amendment to postpone debate.

I voted against somebody of my own party, who I often agree with on budgetary issues, because I think the debate that we are having today is a debate that is extremely important in terms of defining where we want to go in the future. This debate that we are having this morning is not about a party, one party or the other, that is for the balanced budget.

As a matter of fact, I am delighted that in four years since I've been in Congress we have come a long way. We are now debating—the Democrats and Republicans are agreeing that we should have a balanced budget by the year 2002.

It's the differences, how do we achieve the balanced budget and what do we allocate resources toward to achieve that. The Democrats—I think the majority of Democrats on this panel, I think eight or nine of us, voted for a balanced budget by the year 2002 to make tough choices and tough cuts to get there.

I voted for a balanced budget amendment to the Constitution. I voted for a plan to get us there.

Now, one of the most disturbing things about a plan to get us there is right now the United States of America spends less on ci-

vilian research as a percentage of Gross National Product than almost everyone of our competitors. And, that's going down. That's going to go down in the future under this legislation.

Now, certainly the example that Mr. Walker brings up about corporate welfare, I don't think there is a member of our Democratic party that is for providing money to Walt Disney to shoot off rockets in Los Angeles or at the opening of Pocohontas in Central Park coming up over the weekend. But, that's not what we are talking about.

I think we are all against that kind of waste or corporate welfare. But, we are for new partnerships and new ideas.

Lincoln talked about as the times are new, we must think anew and act anew. We are talking about ways by which we have partnerships with the private sector to save tax money and consumers' money.

And, let me give you examples about how we would do that. We don't zero out energy efficiency programs, conservation, solar and renewable programs.

We cut them. It would be ideal not to, but we cut them because we know we have to achieve a path toward a balanced budget.

We also realize that oil and gas are very much in our future. We support energy security measures to make sure that we maintain that balance of oil and gas and other energy efficiencies and renewables and solar.

But, here are the things that we do support in this Bill. We support working with the private sector to create refrigerators and freezers with higher efficiency compressors. That has produced a 44 percent efficiency gain, saving consumers more than six billion dollars in energy costs since the 1980s.

We support windows with special glass that captures one-third of home window heat loss, saving consumers 1.8 billion in energy bills. We support winter-buying technology.

We support photovoltaic electricity cost reductions. The list goes on and on.

We support the lighting appliance standards program that works with the private sector for better partnerships in energy and water use in washing machines in homes. Now, that program is 10 million dollars.

We are not doing everything for them. We are working with the private sector.

Now, some of the Republicans might say, "Well, the private sector can do that. That's corporate welfare."

I introduced an amendment yesterday to cut the space station. Eighteen Republicans voted against my amendment.

The private sector is not doing that. Many Republicans argued that that's the way to solve breast cancer. Well, the NIH can do that. We don't even fund the approved grants to tackle breast cancer in the NIH.

So, I think that many Republicans and Democrats perceive a role for government. It's "where is that role appropriate"?

And, we think that that role is very appropriate in buildings and homes research, in better use of generation of electricity, investing in this country's national security interests. So, I would encourage my colleagues to support the Doyle substitute.

We just don't support the tax cuts. We voted against—and I'm almost done, Mr. Chairman.

We did not support tax cuts that cost over 350 billion dollars. We have more money that we then could put into civilian research and development projects that we are here to fight for.

Many members on this Committee, distinguished people like Mr. Ehlers from Michigan, Mr. Bartlett from Maryland, come here with a science background. They should bring that expertise to this Committee to fight for the scientific and research needs for our future, not just to say, "Well, the appropriators of the Budget Committee people know what's best." These people are scientists.

People on this side come here with expertise in these areas.

Mr. WALKER. Would the gentleman yield just for clarification?

Mr. ROEMER. I would yield—

Mr. ROHRABACHER. The gentleman's time actually has expired.

Mr. ROEMER. Well, I guess I—

Mr. WALKER. I ask that you give one additional minute just for clarification.

Mr. ROHRABACHER. Without objection.

Mr. WALKER. The gentleman indicated that there were 18 Republican votes against his amendment yesterday. As I recall, that was a very strong bipartisan vote against the gentleman's amendment yesterday.

Mr. ROEMER. Well, we did lose a couple Democrats as well, too, Mr. Walker.

[Laughter.]

Mr. ROEMER. We hope to pick that back up—

Mr. BROWN. Would the gentleman—

Mr. ROEMER: —in Full Committee or on the floor.

Mr. BROWN: —yield briefly to me?

Mr. ROEMER. I would be happy to yield.

Mr. BROWN. I commend the gentleman for the points that he is making. And, I support them very strongly.

And, I would just like to add that the polarization we are getting here over terms like corporate welfare tend to indicate that the Democrats have invented this form of additional welfare when these programs actually were initiated and strongly promoted by both Reagan and Bush. It was Secretary Watson, for example, who developed most of these cooperative programs which are now being labeled "corporate welfare."

Now, it may be that the times have changed and what the Republicans initiated is now inadequate or in the wrong direction. But, they are not democratic programs. These have been built up over years of Republican administrations.

Mr. ROHRABACHER. The former Chairman is absolutely right when he says that the responsibility for the problems that we face and the challenges that we face are caused from both sides of the aisle. And, we both—on both sides of the aisle. And, we are going to have to work together to correct those problems.

And, the gentleman from—Mr. Baker from California.

Mr. BAKER. Thank you very much, Mr. Chairman. And, I want to compliment you on taking the hard line and on bringing forward to this Committee a balanced budget by the Year 2002.

I must, however, offer a little bit of chagrin—and I want to reassure my democratic colleagues that just several days ago when we received the budget on our doorstep, we hadn't had any interviews or any input in much of this budget anymore than you have. And, so to those people who are worried about being left out, this is the new Congress.

And, I would hope in the future that those of us who have over 10 thousand employees dealing in research would, at least, be invited to speak on the issues before the budget is printed and delivered to our doorstep. The procedure in a new and kinder and gentler Congress must be openness. And, I would have liked to have talked about the impacts of some of these cuts on the Berkeley Lawrence Laboratory and the Livermore Lab and Sandia Lab.

With that aside, I understand his mission and I understand that he did not design the budget lines. But, I would like to suggest that the overall budget ought to be as tough as this budget.

This is a Congress that recognizes that we have a bankrupt nation. Yet, because we lacked the courage, we have granted everyone living and dead a COLA. Current employees, past employees, military employees, civilian employees, Social Security annuitants, welfare recipients, everybody this year is going to get a COLA.

We are bankrupt. And, so we eat the seed corn. We come to research and development and our future, and we say, "You've got to balance it, because we don't have the guts to tell an employee that they can't have a raise."

Now, may I suggest that Chevron, that United Airlines, that all of these other major corporations don't give a COLA in their retirements. And, why not? No one put the money in.

But, we are going to do it. What about the food stamp program that everyone realizes is corrupt? Put that on the back burner and we will talk about that when we have more time, because the folks from Kansas have a lot of power.

The Foreign Affairs budget we are debating this week which, if you go out and ask, your constituents would like to zero out of the budget because this bankrupt nation shouldn't be playing Queen of the May, dropping dollars all over the globe. We are going to cut that five percent.

Compare that to our research budgets that we are cutting 33 percent. I hope that we will have some uniformity in the way we advance to the balanced budget.

The Senate, I'm assured—Mr. Doyle, as I vote against your amendment, the Senate will bail us out, because they are on a plan to balance the budget by 3002.

[Laughter.]

Mr. BAKER. And, they certainly will have, as they are doing to the Foreign Affairs budget, plenty of add-ons and plenty of their own pork to talk about.

This is the opening shot in the negotiating process. And, I admire Mr. Rohrabacher for taking the tough position, because we are certainly not going to get tougher when we go to meet the Senate and the President in the battle over a balanced budget.

After my bombastic speech, I would like to also caution us to disarm the rhetoric.

[Laughter.]

Mr. BAKER. The term "corporate welfare" was invented by the Democrats. And, they've been beating us over the head for years by it.

And, I'm chagrined that we would fall into a trap of even mentioning it, because we are the ones that believe in cooperation with the private sector. And, as the labs are disarmed because of our move to downsize the military, we want to move into the areas of breast cancer.

Indeed, we want to move into the areas of communication and satellite research. We want to continue our advancement for strategic defense initiative so that the terrorists of the world know that we are for real and that we are going to have a space program and a sky lab.

And, so I won't ever use that word, "corporate welfare." And, I want the gentleman from California to realize where that term came from.

So, I don't believe that we should act alone. I think we need cooperation from the corporate side.

But, I'm rather amused that corporate welfare and the Doyle amendment is now industrial participation or federally-supported R&D. I like those terms better, because we want the corporate folks to be involved in our research and development.

And, lastly, tax cuts for the rich, which was mentioned in the opening statement on the Democratic side. We are not cutting this budget to provide tax cuts for the rich.

We don't have guts enough to make deep cuts in our budget. The budget we are talking about is going to grow by three percent this year and by over a trillion dollars by 2002.

We are not talking about cuts in the overall budget. We are talking about trying to constrain our growth in spending so that we can balance by 2002.

And, the reason we have—the reason that we have cuts like the capital gains cuts is because we have to grow the private economy. And, we have to bring more revenue to the federal government, because we can't cut. And, we are proving that everyday.

So, I am going to vote reluctantly for the Rohrabacher approach and against the Doyle approach, even though I like Mr. Doyle's numbers, in confidence that the Senate and the President will rescue us and that we once again will join the rest of the budget process in adding and not cutting. But, I want to remind you that we are still going to get there by 2002.

Come hook or by crook, we will do it.

[Laughter.]

Mr. BAKER. Thank you so much.

Mr. ROHRABACHER. The gentleman's time has expired. I would like to note that Mrs. Cubin has joined us.

And, she is—and we are very, very grateful that she has come out of a sick bed to come with us today and to be with us for this. And, we will try to pay you the courtesy, seeing that you have been courageous enough to join us out of a sick bed—

Mr. HAYES. Would the Chairman yield?

Mr. ROHRABACHER. Yes.

Mr. HAYES. Just so you won't have missed anything, let's start from the top and run through it for you.

[Laughter.]

Mr. ROHRABACHER. We will make sure that she gets the full copy of the record. And, she will be able to read that at her leisure.

[Laughter.]

Mr. ROHRABACHER. And, so we would like to—I will recognize Mr. Olver now, but we would like to sort of move on and vote so Mrs. Cubin can then return to her sick bed.

Mr. OLVER. Return to her sick bed. Thank you. Thank you, Mr. Chairman.

I would like to, I think, associate myself with some of the remarks of each of the people who have spoken. Though since it's a little bit difficult to remember some of the remarks of each, I would take particular note of those by Mr. Ehlers from Michigan and Mr. Roemer from Indiana, which are recent enough for me to remember more of.

I must say I am sorry that postponement of this did not prevail, because I find it particularly frustrating to be told that we must vote on—in relation to a budget resolution which is surely not the final resolution, surely irrelevant in the final process—not irrelevant perhaps but close to—to the final numbers. And, members who have spoken on both sides of the aisle, particularly on this side but each of the members on the other side, on your side of the aisle, Mr. Chairman, have shown a great deal of—of frustration with the numbers that are in the mark.

Nearly everyone dislikes the mark that is before us today and for good reason, because the end result of the mark is that there are very deep cuts in civilian research and development under the Department of Energy. And, that great concern shows up in different people's statements.

The loss of research and development should be a matter of enormous concern for reasons that Mr. Roemer pointed out. Our research and development on the civilian side is already below all of our competitors.

And, when you compound that with how low our corporate research and development is that has become a matter of the bottom line way that corporations have functioned in the last decade or slightly more, the further trashing of the civilian research and development in places like the Department of Energy is—should be a matter of enormous concern to us. So, I just am—it's just impossible for me to vote for—to be constrained by a set of numbers which go far below what our needs are in civilian research and development.

We—as members of this Committee, we shouldn't be limited, it seems to me, by numbers which we don't believe in as guardians of what is—what are the needs in research and development to keep our scientific establishment going. We should be voting for what we believe is important to keep that system going.

And, the 700 million dollars that are part of the Doyle amendment, the additional 700 million dollars consistent with both the budget balancing resolution, the Stenholm resolution and consistent with the Domenici resolution on the other side, it seems to me, is an entirely reasonable thing for us to be doing. So, I certainly am going to be voting for the Doyle amendment.

Beyond that, it seems to me that there are some particular points that I don't know. Coming so late in this process, having seen the mark and trying to figure out what's in the mark exactly, we are not just cutting applied research or research that's close to commercialization, which is a matter that is close to the heart of the Chairman of the Full Committee, who is also a key member of the Budget Committee, which I serve on.

We are cutting deeply into—into basic kinds of research that—for instance, in physics, we are cutting deeply. The program for particle nuclear accelerators supported under the Department of Energy is wiped out under this Chairman's mark as it relates to a whole series of universities in this country, including universities in my State of Massachusetts, in Connecticut, in Texas, in Washington, in North Carolina. Those are wiped out.

I don't think we have any idea what it is that is the impacts and the implications of the Chairman's mark here when you begin to look down at the details. And, the programs for the support of the particle linear accelerators, the nuclear accelerators, in those locations are supported under the Doyle amendment. They remain within the Doyle amendment.

So, it seems to me there is just much that we don't know about here. And, there is one example of a very specific reason why we should be supporting the Doyle amendment if we really support research and development, civilian research and development, in this country.

Mr. ROHRABACHER. The gentleman's time has expired. We will have summaries.

Mr. Doyle will summarize for one minute. And, the Chair will summarize for one minute. And, then we will proceed to a vote on this issue.

Mr. Doyle, you have one minute to summarize your position.

Mr. DOYLE. Thank you, Mr. Chairman. Mr. Chairman, when we look at fiscal year '95, we spent 5.2 billion dollars in the DOE R&D appropriations line. The Administration requested 5.4 billion.

The Doyle substitute asks for 4.7 billion, 700 million dollars less than the Administration, 500 million dollars less than we spent last year. We talk about a doubling of line items. There is no doubling of line items here.

These are real cuts. This isn't limiting the growth of spending. We haven't grown this budget.

We've made real cuts of 500 million dollars. And, this is going to put us on a balanced budget glide path.

I hear Mr. Walker and other members say that we are going to make a statement today to the appropriators. And, that, while some of my friends on the other side of the aisle were sympathetic with what we are trying to do here, they feel obligated to make the statement of the House-passed budget resolution.

I agree with what's being said. We are here to make a statement today.

And, I think the statement that I want to make and that Members on both sides that feel strongly about energy research and development in this country should make is that we are not going to disseminate these programs. And, we want the appropriators to know that, too.

So that I would ask people to consider supporting the Doyle substitute as a way to balance the federal budget and make these important investments in our future. Thank you.

Mr. ROHRABACHER. Thank you very much, Mr. Doyle. Let me summarize from the Chair's point of view.

This decision, this vote, that we are about to make will be basically a turning point vote in what this Subcommittee will be doing for the rest of the year. If the Doyle amendment passes and ignores basically—passes through this Committee ignoring the budget guidelines and the lid that we've been given, this Subcommittee will no longer be playing a meaningful role in the budget process. It's as simple as that.

We will definitely not, by spending 800 million dollars more, be part of the effort to balance the budget and set the priorities. If later on we are—our budget lid is increased, we can work with that in Full Committee.

But, right now we have to work with what we have been given. And, the fact is, we are going to be part of the process and we are not going to just give this over to the appropriators.

But, if the Doyle amendment passes, we basically are saying, "The appropriators will make the judgments. They will set the priorities."

I think we should be players. We didn't tell our constituents that we were going to come here to pass the buck to the appropriators to make the decision.

So, let us move forward with the vote with this understanding.

Mrs. JOHNSON. Mr. Chairman—

Mr. ROHRABACHER. And, I'm sorry but we—

Mrs. JOHNSON: —I just want to clarify something.

Mr. ROHRABACHER. Yes, ma'am. What is your point of clarification?

Mrs. JOHNSON. Yes. Mr. Chairman, I just want to clarify the figures.

I heard Mr. Doyle say that his budget also balanced by Year 2002. And, you—and I thought I heard you say that it increased the budget by so many hundred million dollars.

Mr. ROHRABACHER. To make it clear, Mr. Doyle's budget increases the amount of spending in this authorization by 790 million dollars. Mr. Doyle believes that it is consistent with an overall budget balancing plan set forth by—that did not pass the House of Representatives.

But, I—the Chair does not believe that his figures are consistent. But, that's something that we have disagreed about.

Mr. DOYLE. A point of clarification. You are saying 700 million over what Kasich—

Mr. ROHRABACHER. Over—

Mr. DOYLE. Over what you are proposing?

Mr. ROHRABACHER. Over what the mark that we've been given—

Mr. DOYLE. Right.

Mr. ROHRABACHER: —as—

Mr. DOYLE. Not over FY-95. I just want to make it clear that this does not raise spending—

Mr. ROHRABACHER. No, no.

Mr. DOYLE: —from last year.

Mr. ROHRABACHER. That's correct.

Mr. DOYLE. Thank you, Mr. Chairman.

Mr. ROHRABACHER. It is over—

Mrs. JOHNSON. Thank you very much.

Mr. ROHRABACHER. It is 790 million dollars more than what we have been given as our challenge to be part of the budget balancing process, which is a seven—which is basically a seven year plan to balance the budget. And, I believe that this Committee wants to be part of the process.

We know that that means that some cuts will have to be made and that we will make those cuts and step up to the plate.

So, with that said, if there's no further discussion, the vote occurs on the Doyle amendment.

Mr. BAKER. A further point of clarification. What it means is that while Mr. Doyle cuts 700 million from the Clinton budget, he adds 800 million which presumes that some other person's committee will make that cut.

Mr. ROHRABACHER. Well—we are not—

Mr. BAKER. A point of clarification—

Mr. ROHRABACHER. We are going to cut off the debate right now, because these things could go on forever.

Mr. DOYLE. That is not accurate.

Mr. ROHRABACHER. I should not have opened up even to Mrs. Johnson for that. So, if there is no further discussion, the vote occurs on the Doyle amendment.

All in favor, say aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All opposed, say no.

[A chorus of nays.]

Mr. ROHRABACHER. The Chair says that the ayes—

[Laughter.]

Mr. DOYLE. I ask for a recorded vote.

Mr. ROHRABACHER. Well, the ayes have it. But, we ask for a recorded vote.

The Clerk will call the roll.

The CLERK. Mr. Rohrabacher.

Mr. ROHRABACHER. No.

The CLERK. Mr. Rohrabacher votes no. Mr. Fawell.

Mr. FAWELL. No.

The CLERK. Mr. Fawell votes no. Mr. Weldon.

Mr. WELDON. No.

The CLERK. Mr. Weldon votes no. Mr. Bartlett.

Mr. BARTLETT. No.

The CLERK. Mr. Bartlett votes no. Mr. Wamp.

Mr. WAMP. Yes.

The CLERK. Mr. Wamp votes yes. Mr. Graham.

Mr. GRAHAM. No.

The CLERK. Mr. Graham votes no. Mr. Salmon.

Mr. SALMON. No.

The CLERK. Mr. Salmon votes no. Mr. Davis.

Mr. DAVIS. No.

The CLERK. Mr. Davis votes no. Mr. Largent.

Mr. LARGENT. No.

The CLERK. Mr. Largent votes no. Mrs. Cubin.

Mrs. CUBIN. No.
The CLERK. Mrs. Cubin votes no. Mr. Foley.
Mr. FOLEY. No.
The CLERK. Mr. Foley votes no. Mr. Schiff.
Mr. SCHIFF. No.
The CLERK. Mr. Schiff votes no. Mr. Baker.
Mr. BAKER. No.
The CLERK. Mr. Baker votes no. Mr. Ehlers.
Mr. EHLERS. No.
The CLERK. Mr. Ehlers votes no. Mr. Stockman.
Mr. STOCKMAN. No.
The CLERK. Mr. Stockman votes no. Mr. Walker.
Mr. WALKER. No.
The CLERK. Mr. Walker votes no. Mr. Hayes.
Mr. HAYES. Yes.
The CLERK. Mr. Hayes votes yes. Mr. Minge.
Mr. MINGE. Yes.
The CLERK. Mr. Minge votes yes. Mr. Olver.
Mr. OLVER. Yes.
The CLERK. Mr. Olver votes yes. Mr. Ward.
Mr. WARD. Yes.
The CLERK. Mr. Ward votes yes. Mr. Doyle.
Mr. DOYLE. Yes.
The CLERK. Mr. Doyle votes yes. Mr. Roemer.
Mr. ROEMER. Yes.
The CLERK. Mr. Roemer votes yes. Mr. Cramer.
Mr. CRAMER. Yes.
The CLERK. Mr. Cramer votes yes. Mr. Barcia.
Mr. BARCIA. Yes.
The CLERK. Mr. Barcia votes yes. Mr. McHale.
Mr. MCHALE. Yes.
The CLERK. Mr. McHale votes yes. Mrs. Johnson.
Mrs. JOHNSON. Yes.
The CLERK. Mrs. Johnson votes yes. Mrs. Rivers.
Mrs. RIVERS. Yes.
The CLERK. Mrs. Rivers votes yes. Ms. McCarthy.
Ms. MCCARTHY. Yes.
The CLERK. Ms. McCarthy votes yes. Mr. Brown.
Mr. BROWN. Mr. Brown votes no.
The CLERK. Mr. Brown votes no.
Mr. ROHRABACHER. The Clerk will report the vote.
The CLERK. Mr. Chairman, the roll call tally is: yea's 13; nay's 16.
Mr. ROHRABACHER. The motion fails. We will now pass on to—move on—okay.
Without objection, the motion to reconsider is laid upon the table. And, we will move on—
Mr. BROWN. Mr. Chairman.
Mr. ROHRABACHER. Yes.
Mr. BROWN. Does that conclude my option to offer a motion?
Mr. ROHRABACHER. Unless you object.
Mr. BROWN. I object.
Mr. ROHRABACHER. All right. The objection is heard. Is there a motion to reconsider?

Mr. WALKER. I move that we lay the motion to reconsider on the table.

Mr. BROWN. I haven't made a motion to reconsider.

Mrs. CUBIN. I make the motion.

Mr. ROHRABACHER. Mrs. Cubin makes the motion to reconsider.

Mr. WALKER. I move we lay the motion to reconsider on the table.

Mr. ROHRABACHER. The motion to reconsider has been—

Mr. BROWN. Mr. Chairman, parliamentary inquiry?

Mr. ROHRABACHER. Yes. What is your inquiry?

Mr. BROWN. Can a member who voted with the prevailing—yes. [Laughter.]

Mr. ROHRABACHER. Yes, that's correct. And, Mrs. Cubin has asked for the motion to reconsider. And, we have a move to lay it on the table.

All in favor of laying it on the table will say aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All opposed?

[A chorus of nays.]

Mr. ROHRABACHER. The ayes have it. With that said, we will move on—

Mr. BROWN. A roll call vote.

Mr. ROHRABACHER. With that said—a roll call vote? A roll call has been asked for.

The Clerk will call the roll.

The CLERK. Mr. Rohrabacher.

Mr. ROHRABACHER. Yes.

The CLERK. Mr. Rohrabacher votes yes. Mr. Fawell.

Mr. FAWELL. Yes.

The CLERK. Mr. Fawell votes yes. Mr. Weldon.

Mr. WELDON. Yes.

The CLERK. Mr. Weldon votes yes. Mr. Bartlett.

Mr. BARTLETT. Yes.

The CLERK. Mr. Bartlett votes yes. Mr. Wamp.

Mr. WAMP. No.

The CLERK. Mr. Wamp votes no. Mr. Graham.

Mr. GRAHAM. Yes.

The CLERK. Mr. Graham votes yes. Mr. Salmon.

Mr. SALMON. Mr. Salmon votes yes.

The CLERK. Mr. Salmon votes yes. Mr. Davis.

Mr. DAVIS. Aye.

The CLERK. Mr. Davis votes yes. Mr. Largent.

Mr. LARGENT. Aye.

The CLERK. Mr. Largent.

Mr. LARGENT. Aye.

The CLERK. Mr. Largent votes yes. Mrs. Cubin.

Mrs. CUBIN. Aye.

The CLERK. Mrs. Cubin votes yes. Mr. Foley.

Mr. FOLEY. Yes.

The CLERK. Mr. Foley votes yes. Mr. Schiff.

Mr. SCHIFF. Aye.

The CLERK. Mr. Schiff votes yes. Mr. Baker.

Mr. BAKER. Yes.

The CLERK. Mr. Baker votes yes. Mr. Ehlers.

Mr. EHLERS. Yes.
The CLERK. Mr. Ehlers votes yes. Mr. Stockman.
Mr. STOCKMAN. Yes.
The CLERK. Mr. Stockman votes yes. Mr. Walker.
Mr. WALKER. Aye.
The CLERK. Mr. Walker votes yes. Mr. Hayes.
Mr. HAYES. No.
The CLERK. Mr. Hayes votes no. Mr. Minge.
Mr. MINGE: No.
The CLERK. Mr. Minge votes no. Mr. Olver.
Mr. OLVER. No.
The CLERK. Mr. Olver votes no. Mr. Ward.
Mr. WARD. No.
The CLERK. Mr. Ward votes no. Mr. Doyle.
Mr. DOYLE. No.
The CLERK. Mr. Doyle votes no. Mr. Roemer.
Mr. ROEMER. No.
The CLERK. Mr. Roemer votes no. Mr. Cramer.
Mr. CRAMER. No.
The CLERK. Mr. Cramer votes no. Mr. Barcia.
[No response.]
The CLERK. Mr. McHale.
Mr. MCHALE. No.
The CLERK. Mr. McHale votes no. Mrs. Johnson.
Mrs. JOHNSON. No.
The CLERK. Mrs. Johnson votes no. Mrs. Rivers.
Mrs. RIVERS. No.
The CLERK. Mrs. Rivers votes no. Ms. McCarthy.
Ms. MCCARTHY. No.
The CLERK. Ms. McCarthy votes no. Mr. Brown.
Mr. BROWN. No.
The CLERK. Mr. Brown votes no.
Mr. ROHRABACHER. The Clerk will report the vote.
The CLERK. Mr. Chairman, the roll call tally is: yea's 15; nays 13.
Mr. ROHRABACHER. The motion to lay on the table is successful. And, we will now move on to the next amendment.
Is there another amendment? Mr. Ehlers.
[The amendment offered by Mr. Ehlers follows:]

AMENDMENTS TO THE SUBCOMMITTEE PRINT OFFERED BY MR. EHLERS

Page 3, line 4, strike "$203,641,000" and insert in lieu thereof "$257,608,000".

Page 3, line 5, strike "$203,521,000" and insert in lieu thereof "$257,488,000".

Page 12, line 16, strike "$49,955,000" and insert in lieu thereof "$36,746,000".

Page 12, line 17, strike "$41,234,000" and insert in lieu thereof "$30,306,000".

Page 12, line 18, strike "$57,829,000" and insert in lieu thereof "$43,819,000".

Page 12, line 20, strike "$32,192,000" and insert in lieu thereof "$23,661,000".

Page 12, line 21, strike "$476,000" and insert in lieu thereof "$358,000".

Page 12, line 24, strike "$1,994,000" and insert in lieu thereof "$1,465,000".

Page 13, line 2, strike "$7,557,000" and insert in lieu thereof "$5,554,000".

2

Page 13, line 4, strike "$12,370,000" and insert in lieu thereof "$9,091,000".

Mr. EHLERS. Thank you, Mr. Chairman. A bit earlier, I emphasized the importance of energy research to the future of our nation.

And, in particular, I think it's important to deal with those areas of energy research which will provide energy resources for future generations. We are well supplied in this generation with fossil fuels. We've had some temporary shortages, but they were caused by political rather than natural resources reasons.

However, when you look down the road—and you don't have to look down the road very far to realize how much more difficult it is going to be to extract fossil resources and how much more they are going to cost. And, that emphasizes a need in our generation of using our good resources to develop better resources for our children, grandchildren and future generations.

I'm very concerned in the budget proposal, the so-called Kasich budget, which cut funding for solar and renewables, including hydrogen, by 46 percent, one of the largest cuts—in fact, just about the largest cut to energy research was in this area, a 46 percent cut. The Chairman's mark goes even beyond that and cuts an additional amount.

And, I think it's very, very important that we restore some of the funding and put the cut in this area more in line with the cuts we are making in other areas. The question is, "Where are we going to get the money for this?"

And, I have outlined in my amendment a number of different sources where we can get funds, cutting in a number of different areas of research where I think adequate research can be carried on by the industry. For example, the coal industry and some of the other fossil fuel industries where they have the resources to do it. And, I believe that there is a minimal involvement of the federal government necessary on this score.

There is another factor here that we should all be aware of. And, I hope that Mr. Bartlett and Mr. Olver, of the other side of the Committee, will speak to this as well.

One aspect about fossil resources, which is not discussed very often, is, frankly, they are too good to burn. And, yet we are burning them.

They are an extremely important feedstock for industry. Most of the petrochemical industry depends on resources from petroleum and natural gas and, to a certain extent, from coal.

If we burn them, they are gone forever. If we reserve them for use with the petrochemical industry, at least there's a possibility of retaining them and recycling them in the future. And, certainly that's, in many cases, a better and higher use than what we are doing now.

So, there are two main reasons for increasing our research effort in alternative sources of energy. One is the fact that fossil fuels are, in another generation or two, going to become very, very expensive. And, we owe it to future generations to provide reasonably, cost-effective and cheap energy resources. And, secondly, we are burning up their chemical feedstock, so they will no longer be able to develop many of the modern plastics that we have today and use them as we do.

I would appreciate the support of the Committee on my amendment to try to restore the line item for solar and renewables, in-

cluding hydrogen research. And, my cut will amount to about 39 percent and put it somewhat in line—it will still be one of the biggest cuts in the bill but certainly more palatable than the Chairman's mark and slightly more palatable than what the Budget Committee had cut.

So, I would urge the Committee to adopt this amendment.

Mr. SCHIFF. Would the gentleman yield?

Mr. EHLERS. I would be happy to yield to Mr. Schiff.

Mr. SCHIFF. I thank the gentleman for yielding. And, I respect his scientific background and knowledge.

I have a reluctance in supporting the gentleman's amendment, which I would like to state and invite the gentleman to respond. And, that is, it is my recollection that in the House-adopted budget resolution, which we are following and which I think it's appropriate for us to follow at this time, that the total cuts in fossil fuel research were actually deeper than solar research.

And, although they appear for both, naturally. So, I am concerned that further cuts in fossil research may take away an important goal we also have along the lines the gentleman from Michigan described of trying to use our fossil energy resources more efficiently.

So, I would ask the gentleman. Is it the gentleman's recollection, along with mine, that there were actually deeper cuts already in fossil energy research?

And, I yield to the gentleman back. Thank you.

Mr. EHLERS. Thank you. Reclaiming my time, the gentleman is right.

The cuts in the Budget Committee for fossil research were very deep. They were 66 percent.

The Chairman's mark, however, restores a substantial amount of them. And, when all is said and done, if my amendment is adopted, the cuts in fossil will be approximately equal to the cuts in solar and renewable. It's just slightly greater.

Now, as I said earlier, I believe the fossil fuel industry has ample resources to conduct much of this research on their own. It's a relatively inefficient program.

There's less than 25 percent cost sharing between the industry and the Department of Energy. And, I think they can certainly go to a higher percentage of cost sharing and still get the same amount of research done.

So, I think I have—

Mrs. CUBIN. Will the gentleman yield?

Mr. EHLERS: —not done damage, fatal damage, to the fossil fuel.

Mr. ROHRABACHER. The gentleman's time has expired. However, with unanimous consent, I will yield him two more minutes to take any questions that he would like, that people would like.

Mrs. CUBIN. Would the gentleman yield?

Mr. EHLERS. Yes.

Mrs. CUBIN. Thank you. I, too, have a technical background in this area.

As a matter of fact, I'm a chemist with a specialty in organic chemistry. And, I have an emphasis in physics and math also.

It has been my observation through the years, since 1969, that the fossil fuel industry has stayed viable in spite of the federal gov-

ernment rather than because of it; and, that the money that everyone thinks is there, truly there is money being made overseas but the domestic energy—the domestic fossil fuel energy is truly under siege.

As a matter of fact, the fact that we cannot even provide the oil that—for our nation shows that there is plenty in the ground. When you look at the huge, huge reserves of natural gas that we have and yet our own industry, the rigs are rusting in lots because they can't be drilled, I think that if we don't produce this industry we will miss a lot of money from permanent mineral royalties that we could do anyway.

No one wants to dirty the environment. And, certainly we want to develop cleaner alternative fuels.

But, I don't think that you break the back of an industry and try to help them out through research at the same time.

Mr. EHLERS. Reclaiming my time and responding to that, the industry that's in trouble, of course, is the exploration and extraction industry. And, the reason for that is very simple.

It's much cheaper to pull it out of the ground in the Middle East than it is in our nation. However, the companies I am referring to have ample money—the distributors and retailers, wholesalers and retailers, who, in fact, are—their profit margin is very, very large.

And, I would be delighted to join you in trying to do something to have a—I hate to use the word "tariff" these days but something that gives it more equal playing field between the Middle Eastern oil and our nation's oil, because currently we are using over 50 percent of our oil from the Middle East and importing it and, once again, making us extremely vulnerable. Whereas, the domestic industry, as you said—you are absolutely right, it's dying on the vine because of that particular problem.

Mr. ROHRABACHER. The gentleman's time has expired.

Mr. BARTLETT. Mr. Chairman.

Mr. ROHRABACHER. Mr. Bartlett is recognized for five minutes.

Mr. BARTLETT. Thank you very much. I would like to identify myself with the remarks of Mr. Ehlers.

I would like to note what he emphasized. And, that is that we produce in our country less than half of all of the oil that we use.

We are now dependent on foreign oil for more than half of our oil. But, the use of oil for energy is not the only use of oil.

For instance, essentially all of the plastics that we have come from a petrochemical base. In addition to that, a major part—in fact, almost all of the nitrogen fertilizers that grow our food and fiber come from a petrochemical base.

All of the—if you are wearing clothing that's anything other than cotton or silk or wool, it probably comes from a petrochemical base. And, so we have an enormous reliance on these fossil fuels.

I am very supportive of the agenda—of Mr. Ehlers, that is—of exploring the potential for alternative energy uses. And, I speak in strong support of his amendment.

Where we find the offsetting money is less important to me than the fact that we recognize that we really do need to fund these alternative energy sources.

I would like also to identify with him in his remarks about—about our children, our grandchildren's, future. We are very con-

cerned about their economic future and not passing on to them an increasing debt.

But, we are now mining and pumping and using the fossil fuels that they will need to depend on for their economy in the future. It is just as important for us to be concerned about their energy future as it is their economic future.

And, I support the amendments, which would reinforce, the government's role in making sure that we exploit to its maximum potential alternative energy sources.

Thank you very much. I yield back the balance of my time.

Mr. SCHIFF. Would the gentleman yield?

Mr. BARTLETT. Oh, yes, I will yield to you.

Mr. SCHIFF. I appreciate the gentleman yielding. After the last three speakers, I'm starting to get real paranoid.

Am I the only lawyer on this Committee or—

[Laughter.]

Mr. BARTLETT. That would be nice, but I doubt it.

[Laughter.]

Mr. SCHIFF. Surely, surely I've got—

Mr. BARTLETT. You are the only one that would admit it.

[Laughter.]

Mr. SCHIFF. Surely, I've some reinforcements from somewhere. But, it seems to me—I mean, you know, the point is everything makes sense here altogether.

But, it seems to me that in the solar area, we chose some time ago to do things like get rid of the solar energy tax credit, you know, that people were using for their houses. And, it just seems to me that a point has been made that the fossil energy research can perhaps help us use fossil energy more efficiently, which is also a laudable goal, because I don't see enough solar energy to take over all of our energy needs, although everything both gentlemen have said is true.

Mr. BARTLETT. If I could reclaim my time.

Mr. SCHIFF. I yield back to the gentleman.

Mr. BARTLETT. You mentioned solar and photoble takes. And, there are pending really meaningful improved efficiencies in that area.

There is a thin film technology that is being developed which will produce electricity at about half the cost of the crystals that are now being used in photoble takes. They are now predicting that they will get down to eight cents a kilowatt hour.

That will be very competitive with energy sources, with electricity from other energy sources by the time they have that developed, because the cost of electricity from other sources, as you know as you pay your home bill, is now increasing. I believe that Abraham Lincoln said it very well, that the government should only do for its citizens what they cannot do for themselves.

This is a fledgling industry which needs minimal help from the federal government to make a very meaningful impact on our energy future. And, I strongly support the alternative energy research.

Mr. SCHIFF. I appreciate the gentleman quoting a lawyer in his final remarks.

[Laughter.]

Mr. ROHRABACHER. All right. The—very good. The Chair would like to express its opinion at this point.

I commend my friend, the gentleman from Michigan, Mr. Ehlers, for the work that he has put into his amendment and especially the fact that it really goes right along with what we have set down, in that it offers offsets at a time when we are trying to set priorities. And, it's not just offering new spending.

This amendment would restore 54 million dollars in funding to the solar and renewable account and offset this with the reductions from a variety of accounts dealing with fossil fuels. In applying the budget resolution criteria to renewable programs, the Chair found that many of these programs do not really involve research but market development and promotion programs.

That's the reason we put that priority in the first place. And, we also have already cut, in a dramatic way, fossil fuel programs.

And, thus, this is why these were in the budget mark as you received it. However, with that said, it is perfectly—the Chair is perfectly willing to accept any decision that the Committee has in terms of setting this kind of priority.

We are operating within the budget lids that we have been given. If, indeed, we would like—this reflects the mood of the Committee, that more money should be channeled into solar and renewables at the expense of fossils, fossil fuel development, then that is the will of the Committee.

And, that's basically what Mr. Ehlers' amendment is all about. And—yes, sir. We have a—

Mr. DOYLE. Yes, Mr. Chairman, I would like to make a comment. While it's laudable that Mr. Ehlers wants to restore some funding into solar—and by voting for my substitute, he could have done that—to do that at the expense of fossil energy, which has already been disseminated, we are talking about going from 442 million in fiscal year '95 down to 204.

If we take another 54 out of there, that puts us at 150. That's not even enough to start with the termination procedures.

You might as well just take the whole 204 and just make a statement that we are not going to do any fossil energy research in this country again, because that is the net effect of what will happen if we take another 54 out of there. There isn't even enough money to close the program down.

I—we are creating winners and losers here now by taking very limited resources, because we are on the balance budget glide path, plus pay for tax cuts. And, I'm telling you that if you are going to destroy the fossil energy program, let's just stand up and say it, that this country is not going to do anymore fossil energy research anymore and take the whole 204 million and put it somewhere else.

Mr. EHLERS. Will the gentleman yield?

Mr. DOYLE. Yes, I will yield.

Mr. EHLERS. Thank you for yielding. Just a couple of responses.

First of all, as I mentioned earlier, the Chairman's mark restores a substantial amount of the fossil research funding and brings it back up to 203.9 million.

The other factor, as I mentioned, much of this research is being funded by DOE, in many cases, with less than 25 percent cost

sharing with the industry. We heard some comments earlier about the producers and their dire financial straits.

And, I recognize that. And, perhaps if they were the ones doing the research or are doing the research, that should be the priority.

However, I happen to think that the corporations that are primarily engaged in the research, the Exxons, the Shells and so forth, who are doing pretty well on the bottom line, certainly could provide more than 25 percent of the cost of research that is done jointly between DOE and the companies. So, I felt that was an area that we could go back to the Budget Committee's number.

And, that's all I've done. I haven't cut it below what the Kasich budget proposed.

I have just taken that number and said, "Okay. Whatever the difference is between the Chairman's mark and the Kasich budget, we will move that over to solar and renewables."

That still will leave them with a very substantial cut in their funding, about 40 percent. And, there's no wealthy industry there that could really pick it up if we drop it.

In regard to the comments made that some of this is market development, I'm sure with a 40 percent or a 45 percent cut, whatever this ends up to be, the market development efforts are going to go by the board. So, there is no question about that.

All that will be left is the basic research that Congressman Bartlett referred to dealing with photoble takes and development of them, which is a very promising field, and a few other areas that I think will be very, very useful to this country.

Thank you.

Mr. ROHRABACHER. Mr. Fawell.

Mr. FAWELL. Well, I don't have a great deal of scientific knowledge here. And, I'm an attorney also, so that may be a detriment.

And, I certainly have had a lot of information given to me about the winners here, those who are understandably concerned about solar energy, which has been somewhat decimated, I will agree. I feel a bit queasy just because I don't know about all the various fossil energy research which could be affected.

I'm thinking in terms of a program, molten carbonate fuel cells, for instance. I know that we have some real competition there and not enough money to probably allow both of the entities which are involved there to be left standing. But, one perhaps should be. I think that would probably eliminate both.

I don't know how much other detriment there might be. So, I'm just concerned that—I would feel better if we would pull back here a bit and review and analyze this so that we have more information about everybody who is affected rather than precipitously moving ahead.

I have a great deal of respect for the two members of the science community, three members of the science community, here. So, I know I am out-qualified.

But, I would tend to resist the amendment at this point until I, at least, have more knowledge as to the other—there are a lot of alternative energy fuels that are suffering. And, I'm not sure who is suffering the most and what is the best action to take here.

So, I, for one, would tend to vote no at this time but with great reservations and with a great deal of respect for the people who have spoken on the affirmative here.

Mr. EHLERS. Will the gentleman yield?

Mr. FAWELL. Yes. I would be more than glad to yield.

Mr. EHLERS. Thank you. I appreciate your comments.

First of all, I would prefer having your vote rather than your respect, although I would like to have both.

[Laughter.]

Mr. FAWELL. Well, usually you have both.

Mr. EHLERS. Thank you. I appreciate that. In terms of the items you mentioned, the fuel cell research, I think that's research that should go on.

My point is simply that rather than cut the solar and renewables—and that includes a lot of other areas as well, rather than cut them by about 55 percent and cut the fossil fuel by less than that, the number would be—well, fairly close to that number. Rather than cutting them the same when there are no other available resources in society to carry on the solar and renewable research to any great extent, it seems to me it's better to keep a little more money in the solar—and it won't be much more than the fossil—and encourage the fossil fuel industry to ante up a little more money to cover the slight shortfall that we will be introducing with this amendment.

So, it's a matter, as you said, where the priorities would be. My ardent hope is that as we go through the process, there will, in fact, be more money in total for energy research and development.

But, given the cap we have at this point, I think this is a more judicious allocation of resources. And, I would ask for the Committee's support.

Thank you.

Mr. ROHRABACHER. We are expecting—we are expecting a vote momentarily, in the next five or 10 minutes. It is the Chairman's intention to have this issue come to a vote before we go to the floor for a vote and then to give members 15 minutes after the vote on the floor to pick up a sandwich or something, to get some lunch, so that we can—but only 15 minutes so we can come back and proceed at a rapid pace immediately thereafter.

Mr. Roemer.

Mr. ROEMER. Thank you, Mr. Chairman. I will be brief.

The failure of the Doyle amendment has created a real Catch 22 here. For the first two hours of this debate, we heard members on the other side say that there were not any worthy programs in here and we could, therefore, cut corporate welfare.

Now, we are hearing that there are good programs here and let's plus up one but not take it from another. I think Mrs. Cubin's point about fossil energy R&D taking a big hit here—fossil energy oil technology taking a big hit, fossil energy R&D gas, fossil energy R&D program direction or management supply cuts, fossil energy R&D capital equipment, all of these programs are going to be cut back to fund some very worthwhile programs that I support in renewables.

I applaud Mr. Ehlers for his amendment. But, we are being forced to cut off our nose to spite our face on programs that should be supported across the board without devastating cuts.

Again, the Doyle amendment seeks to balance the budget. It seeks to make tough choices and cut funding across the board but not decimate all these programs and force the anecdote of the wolf that gets caught in a trap in Montana and chews its own leg off to get out of the trap.

That's what we are finding ourselves in this kind of predicament now. We are chewing off our own leg in terms of our R&D efforts in this country to fight between fossil energy and renewables.

And, it is a tragic fight that we are seeing. And, I think we are going to become weaker as a result of it.

Mr. DOYLE. Would you—

Mr. ROEMER. And, I yield to the gentleman from Pennsylvania.

Mr. DOYLE. Thank you. And, I will just take a second.

I just want members to understand and Mr. Ehlers, too, who I have a tremendous amount of respect for, that if we take this number from 204 where it is now down to 150, which is the effect of your amendment, the termination cost is 170 million dollars.

We might as well, like I said, just take the whole—it will cost you 20 million more than what you have in the budget just to terminate the fossil R&D program. I mean, we are talking about the abolishing of fossil R&D in this country and still falling 20 million dollars short to shut it down.

Mr. ROHRABACHER. One of the aspects of not spending more and more money—you know, we keep saying this program or that program is going to take a hit. But, we are doing that so that the American taxpayers aren't ending up taking a big hit in the end, meaning that we end up with interest rates that are totally noncompetitive with the rest of the world because we don't have anywhere near a balanced budget and we have levels of taxation that are totally out of control because we have not prioritized.

And, what we are doing today, and just what this amendment is all about, is saying, "We have to set some priorities." And, Mr. Ehlers has made a point in terms of what he believes the priorities should be. We've had some opposition.

Now is the time basically for the Committee to decide that. Let me just note that if you are trying to—if you have to chew off a leg to get out of a trap, just make sure you are chewing off the right leg—

[Laughter.]

Mr. ROHRABACHER: —because you will still be caught in the trap if you don't.

[Laughter.]

Mr. ROHRABACHER. And, right now we have got to decide exactly where we are going to go chewing. So, with that, we will now take this up to a vote on Mr. Ehlers' amendment.

If there is no further discussion, the vote occurs on the amendment. All in favor, say aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All opposed, say nay.

[A chorus of nays.]

Mr. ROHRABACHER. The Chair says the no's have it.

Mr. EHLERS. I call for a recorded vote.

Mr. ROHRABACHER. There is a call for a recorded vote. The Clerk will call the roll.

The CLERK. Mr. Rohrabacher.

Mr. ROHRABACHER. No.

The CLERK. Mr. Rohrabacher votes no. Mr. Fawell.

Mr. FAWELL. No.

The CLERK. Mr. Fawell votes no. Mr. Weldon.

[No response.]

The CLERK. Mr. Bartlett.

Mr. BARTLETT. Aye.

The CLERK. Mr. Bartlett votes yes. Mr. Wamp.

Mr. WAMP. Yes.

The CLERK. Mr. Wamp votes yes. Mr. Graham.

Mr. GRAHAM. No.

The CLERK. Mr. Graham votes no. Mr. Salmon.

Mr. SALMON. No.

The CLERK. Mr. Salmon votes no. Mr. Davis.

Mr. DAVIS. No.

The CLERK. Mr. Davis votes no. Mr. Largent.

Mr. LARGENT. No.

The CLERK. Mr. Largent votes no. Mrs. Cubin.

Mrs. CUBIN. No.

The CLERK. Mrs. Cubin votes no. Mr. Foley.

Mr. FOLEY. No.

The CLERK. Mr. Foley votes no. Mr. Schiff.

Mr. SCHIFF. No.

The CLERK. Mr. Schiff votes no. Mr. Baker.

[No response.]

The CLERK. Mr. Ehlers.

Mr. EHLERS. Yes.

The CLERK. Mr. Ehlers votes yes. Mr. Stockman.

[No response.]

The CLERK. Mr. Walker.

Mr. WALKER. No.

The CLERK. Mr. Walker votes no. Mr. Hayes.

Mr. HAYES. No.

The CLERK. Mr. Hayes votes no. Mr. Minge.

[No response.]

The CLERK. Mr. Olver.

[No response.]

The CLERK. Mr. Ward.

Mr. WARD. No.

The CLERK. Mr. Ward votes no. Mr. Doyle.

Mr. DOYLE. No.

The CLERK. Mr. Doyle votes no. Mr. Roemer.

Mr. ROEMER. Present.

The CLERK. Mr. Roemer votes present. Mr. Cramer.

Mr. CRAMER. Present.

The CLERK. Mr. Cramer votes present. Mr. Barcia.

Mr. BARCIA. Yes.

The CLERK. Mr. Barcia votes yes. Mr. McHale.

Mr. MCHALE. No.

The CLERK. Mr. McHale votes no. Mrs. Johnson.

Mrs. JOHNSON. Present.

The CLERK. Mrs. Johnson votes present. Mrs. Rivers.

Mrs. RIVERS. Yes.

The CLERK. Mrs. Rivers votes yes. Ms. McCarthy.

Ms. MCCARTHY. Yes.

The CLERK. Ms. McCarthy votes yes. Mr. Brown.

[No response.]

Mr. MINGE. Mr. Minge is present.

The CLERK. Okay. Mr. Minge will be present.

Mr. ROHRABACHER. The Clerk will report the vote.

The CLERK. Mr. Chairman, the roll call tally is yea's six, nay's 14 and present is 4.

Mr. ROHRABACHER. The amendment is not agreed to. Mr. Foley is called upon to present his amendment.

[The amendment offered by Mr. Foley follows:]

AMENDMENT TO THE SUBCOMMITTEE PRINT OFFERED BY MR. FOLEY

Page 3, line 10, strike "$220,541,000" and insert in lieu thereof "$195,541,000".

Page 3, line 11, strike "$217,841,000" and insert in lieu thereof "$192,841,000".

Page 3, lines 12 through 14, strike ", including, subject to section 4(b), $25,000,000 for the Gas Turbine-Modular Helium Reactor".

Page 15, after line 20, insert the following new paragraph:

1 (44) Gas Turbine-Modular Helium Reactor.

Page 15, line 21, through page 16, line 7, strike subsection (b).

Page 16, line 8, redesignate subsection (c) as subsection (b).

Mr. FOLEY. Thank you very much, Mr. Chairman. My amendment is designed to strike any authorizing language for the gas turbine modular helium reactor, GTMHR. This is a helium gas cooled nuclear reactor.

The current language would provide 25 million in fiscal year 1996, pending a report from the National Academy of Sciences that recommends continued funding. The National Academy of Sciences has already twice given this technology a thumbs down.

As the National Academy recently reported, it has not yet met commercial acceptance, in part, because of its high estimated capital costs. The Department of Energy, in a recent study, found that this technology is, and I quote, "the least cost effective of proposed future nuclear technologies."

For the fiscal year 1996, this is the third year in a row that the President has not included this program in his budget. In 1993, the Senate voted to kill this program.

Again, the National Academy of Sciences has already rejected it. Taxpayer activists like the National Taxpayers Union oppose this pure pork project. And, environmentalists who have raised serious safety concerns also oppose the program.

Only this House has seen fit to keep this program alive. Why?

Is it important to millions of American workers? No.

One private company develops this technology.

Estimates to see this through fruition are five billion dollars. This technology has already cost almost 900 million dollars.

The only working example of this technology was shut down and operated at only 14 percent capacity during its life span. The National Academy, who we will ask to judge this technology again, has already twice disapproved.

I came to Congress to cut waste in federal spending. That includes special benefits to big corporate players.

On behalf of the taxpayers in every district represented in this room, I urge support of the amendment. I would like to also stress that I am not doing this amendment in order to find offsets for other programs in my particular area.

This is a 25 million dollar clear reduction in the budget without reallocation to any other program that I have an interest in. So, it's clearly 25 million savings to the budget under the current budget caps.

I thank the Chairman.

Mr. DAVIS. Mr. Chairman.

Mr. ROHRABACHER. It is the Chairman's intention to have a few arguments be presented on this and then to break for this vote and then to give an extra 15 minutes after the end of this vote for people, as I say, to pick up a sandwich and come back and proceed with the discussion.

Is there someone who seeks to be recognized in this debate?

Mr. DAVIS. Mr. Chairman.

Mr. ROHRABACHER. Yes, the gentleman from Virginia.

Mr. DAVIS. Let me say that I am not going to support this amendment. I would just add that my understanding is the National Academy of Sciences has never—has not twice rejected the GTMHR.

They have never even reviewed the GTMHR, as I understand it. And, there is a lot of misinformation going around this program.

It's a clean, electricity generation alternative, which I think can make a significant capacity contribution. It could provide the highest safety margins of any current or proposed nuclear fission power concept.

It's melt-down proof. It's the lowest cost of electricity generation of any fossil or nuclear fission generation alternative in the projected time frame of deployment.

It's the least environmental impact of any fossil or nuclear fission electricity generation alternative. And, it's the most proliferation resistant fuel cycle of any nuclear fission system.

I think it's a good program. And, I'm going to oppose the amendment.

Mr. ROHRABACHER. Mr. Ehlers.

Mr. ROEMER. Mr. Chairman.

Mr. ROHRABACHER. Mr. Roemer.

Mr. ROEMER. Yes. Mr. Chairman, I would concur with the gentleman from Virginia and his remarks.

There's language on Page 15 and 16 of the Bill that states that none of the funds authorized under this Act can be available until the National Academy of Sciences has conducted a detailed review of this particular project, not the previous ones which are not the same project that we are talking about in this Bill. And, I would agree with the gentleman from Virginia.

And, I would yield back the balance of my time.

Mr. ROHRABACHER. Mr. Ehlers.

Mr. EHLERS. Thank you. I gave quite a speech earlier about taking care of our children and grandchildren.

The whole issue of energy supplies is a difficult one. I've spent a good deal of time studying nuclear power industry, fossil fuels and particularly coal for electric generation.

I've decided they are both equally bad. Most people concentrate on the bad features of one or the other. But, they are both equally bad.

But, I do think that this particular reactor is one of the better of the bad and certainly an option that should be explored. The one thing that—we heard discussions earlier. I believe Mr. Schiff raised the issue about energy efficiency.

This promises to be the most efficient in terms of the amount of electricity delivered for the amount of fuel used. And, so I think the language in the Bill is appropriate and should be maintained.

Thank you, Mr. Chairman.

Mr. ROHRABACHER. Mr. Ehlers, thank you very much. The Chair would like to single out the gentleman from Florida for special praise, not necessarily in support of his amendment but just to say that he has submitted the only amendment that would make a straight reduction with not an offset in increases of the amendment that we have received.

So, the GTMHR program is a difficult one to judge. The folks behind the program say they have not been given a fair chance for a peer review of their new turbine technology as compared to what the old—their old system.

So, the Chairman's mark authorizes 25 million dollars for fiscal year '96 contingent on a new review by the National Academy of Sciences. But, I am going to basically reserve my judgment as to the gentleman's amendment.

Mr. Walker.

Mr. WALKER. Mr. Chairman, I think it's important to also clarify some of the figures here. The five billion dollars that has been mentioned is not any money that we are considering for the future.

We are talking about a 25 million dollar program here. The five billion dollars assumes that we would see this program all the way through to completion with federal money.

There has never been an intention to do that. The question is whether or not we can do the research necessary for some commercial feasibility and then turn it over to the industry.

The 900 million dollars that has been mentioned that this has already cost, that's a little like saying that all the cars that ran at Indianapolis ought to be judged in terms of all the engine technology that has been done in all cars since the Model T. The fact is that there has been a lot of work that can come into this, but it's not clear.

And, this technology is something where we are doing very, very advanced work. And, it ought to be the kind of thing that the Committee would be willing to support providing the National Academy of Sciences says that this is the kind of priority we ought to be meeting.

Mr. ROHRABACHER. If there is no further people seeking recognition, I would give Mr. Foley one minute to summarize his position. And, then we will go to a vote.

Mr. FOLEY. Well, quickly, the modular gas, the National Academy of Sciences has reviewed this project. It says U.S. and foreign experience with the commercial gas cooled reactors has not been good.

A consortium of industry and utility people continue to promote funding, federal funding, and to express interest in the concept, while none has committed to an order. So, I think clearly by the spending, we may have not spent five billion dollars—I'm trying to avoid spending even close to that on a proposal that I don't think merits continued funding in the proposal.

I just hope people will support this amendment. And, by your support of continuing to fund it, then maybe consideration for the project if, in fact, it comes to light should be located in member's districts that like it.

Thank you.

Mr. ROHRABACHER. Okay. If there is no further discussion, the vote occurs on the gentleman's amendment.

All those in favor, say aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All opposed?

[A chorus of nays.]

Mr. ROHRABACHER. I don't know. We will ask for a division.

Could those in favor, say, raise their hand?

[A show of hands.]

Mr. ROHRABACHER. For those opposed, raise your hand.

[A show of hands.]

Mr. FOLEY. Let me just ask the—

Mr. ROHRABACHER. The no's appear to have it.

Mr. FOLEY. A question of the Chairman, though. Wasn't the instructions prior that we would return for a vote on my motion, because I think a number of members left.

I know Mr. Salmon had left. And, he had indicated support.

Mr. ROHRABACHER. I think that is fair. We will proceed when we immediately return—when we return immediately after 15 minutes after this vote is over.

We will have lunch for 15 minutes and have this vote immediately when we return.

The Committee will be recessed until 10 minutes to one.

[Whereupon, the Committee is in recess at 12:21 p.m., to reconvene at 12:59 p.m., this same date.]

Chairman ROHRABACHER. We will come to order. The members will take their chair.

We will proceed with the full amendment, and just to be fair to Mr. Foley, so that—before we proceed to the vote we will give Mr. Foley one minute to summarize his position, and then we will move forward with the vote.

Mr. FOLEY. Thank you very much, Mr. Chairman. Again, my amendment would strike the twenty-five million dollars in authorization to continue the gas turbine modular helium reactor.

It was stated earlier that the National Academy of Sciences has not made a determination on this process.

However, I would stress to the Committee that they have consistently considered gas-cooled reactors. There are none in existence today. Reading from the National Academy Press 92, the Committee believes that no fund should be allocated for development of high temperature gas-cooled reactor within the commercial nuclear power development budget of DOE.

They further state in '94 that it has not met commercial acceptance in part because of its high estimated capital cost, and a recent plutonium disposition study, for example, the Department of Energy found that the gas turbine was the least cost effective of the five reactors studied.

They have reviewed it. We have spent a considerable amount of money on this item.

When I was asked to vote for things on clean water and other things in this Congress, they told me to rely on sound science, so I have gone to the scientists. I have read their reports.

I think this is a waste of money to continue. There was some concern that there is still a report to come and we will leave the twenty-five million in abeyance. I would suggest to this Committee to vote for the Foley Amendment, and I will, if a report comes back, go into the authorization process in the future and find a new twenty-five million for it.

But as it currently exists, I think we should take the twenty-five million out of the budget, move it along for other uses of this government, and be very certain what we are going forward with.

And again, I stated earlier, that I think each member has to carefully consider if this is such great technology, that they be prepared to look at the potential for having it contained within their district, because I think when you look at the opportunities that it

poses to the environment and other factors, I don't think a lot of you will have your hands up at the time when it comes time to site this facility within the districts.

So, I appreciate the Chairman's indulgence, and I would ask for a recorded vote.

Chairman ROHRABACHER. Yes. And the clerk will call the role.

The CLERK. Mr. Rohrabacher?

Chairman ROHRABACHER. No.

The CLERK. Mr. Rohrabacher votes, no. Mr. Fawell?

[No response.]

The CLERK. Mr. Weldon?

[No response.]

The CLERK. Mr. Bartlett?

Mr. BARTLETT. No.

The CLERK. Mr. Bartlett votes, no. Mr. Wamp?

Mr. WAMP. No.

The CLERK. Mr. Wamp votes, no. Mr. Graham?

Mr. GRAHAM. Yes.

The CLERK. Mr. Graham votes, yes. Mr. Salmon?

Mr. SALMON. Yes.

The CLERK. Mr. Salmon votes, yes. Mr. Davis?

Mr. DAVIS. No.

The CLERK. Mr. Davis votes, no. Mr. Largent?

[No response.]

The CLERK. Mrs. Cubin?

[No response.]

The CLERK. Mr. Foley?

Mr. FOLEY. No.

The CLERK. Mr. Foley votes, no.

Mr. FOLEY. Yes, excuse me, on my amendment. I am listening to all this behind me, all this clapping. Vote yes on the amendment.

The CLERK. Mr. Foley votes, yes. Mr. Schiff?

Mr. SCHIFF. No.

The CLERK. Mr. Schiff votes, no. Mr. Baker?

[No response.]

The CLERK. Mr. Ehlers?

[No response.]

The CLERK. Mr. Stockman?

Mr. STOCKMAN. No.

The CLERK. Mr. Stockman votes, no. Mr. Walker?

Mr. WALKER. No.

The CLERK. Mr. Walker votes, no. Mr. Hayes?

Mr. HAYES. No.

The CLERK. Mr. Hayes votes, no. Mr. Minge?

Mr. MINGE. Yes.

The CLERK. Mr. Minge votes, yes. Mr. Olver?

Mr. OLVER. Yes.

The CLERK. Mr. Olver votes, yes. Mr. Ward?

[No response.]

The CLERK. Mr. Doyle?

Mr. DOYLE. Yes.

The CLERK. Mr. Doyle votes, yes. Mr. Roemer?

Mr. ROEMER. No.

The CLERK. Mr. Roemer votes, no. Mr. Cramer?

Mr. CRAMER. No.
The CLERK. Mr. Cramer votes, no. Mr. Barcia?
[No response.]
The CLERK. Mr. McHale?
Mr. MCHALE. Yes.
The CLERK. Mr. McHale votes, yes. Mrs. Johnson?
Ms. JOHNSON. No.
The CLERK. Mrs. Johnson votes, no. Mrs. Rivers?
Mrs. RIVERS. Yes.
The CLERK. Mrs. Rivers votes, yes. Ms. McCarthy?
Ms. MCCARTHY. Yes.
The CLERK. Ms. McCarthy votes, yes. Mr. Brown?
Mr. BROWN. No.
The CLERK. Mr. Brown votes, no.
Chairman ROHRABACHER. Will the Clerk call those who have not voted and see if there are any present?
The CLERK. Mr. Fawell?
[No response.]
The CLERK. Mr. Weldon?
[No response.]
The CLERK. Mr. Largent?
[No response.]
The CLERK. Mrs. Cubin?
[No response.]
The CLERK. Mr. Baker?
[No response.]
The CLERK. Mr. Ehlers?
Mr. EHLERS. No.
The CLERK. Mr. Ehlers votes, no. Mr. Barcia?
[No response.]
Mr. WARD. Mr. Chairman? May I inquire how I am recorded, please?
Chairman ROHRABACHER. You aren't finished yet, have you?
Mr. WARD. I am sorry.
The CLERK. No, I haven't.
Chairman ROHRABACHER. She hasn't finished.
Mr. WARD. I just didn't want to be too late.
Chairman ROHRABACHER. I don't blame you one bit.
The CLERK. Mr. Chairman, Mr. Ward is recorded as present.
Mr. WARD. I would like to change that to, aye, if I may.
The CLERK. Mr. Ward is recorded as, yes.
Chairman ROHRABACHER. How is Mr. Brown recorded?
The CLERK. Mr. Brown is recorded as, no.
Chairman ROHRABACHER. Are there any other members who wish to vote. If not, the Clerk will report the vote.
The CLERK. Mr. Chairman, the roll call vote is tallied at yeas, 10; nays, 13.
Chairman ROHRABACHER. The measure is not agreed to. We will now move to Mr. Bartlett's amendment, and Mr. Bartlett?
[The amendment offered by Mr. Bartlett follows:]

AMENDMENTS TO THE SUBCOMMITTEE PRINT OFFERED BY MR. BARTLETT OF MARYLAND

Page 3, line 10, strike "$220,541,000" and insert in lieu thereof "$234,541,000".

Page 3, line 14, insert ", and, subject to section 4(d), $14,000,000 for the AP600 light water reactor" after "Modular Helium Reactor".

Page 9, line 7, strike "$638,323,000" and insert in lieu thereof "$624,323,000".

Page 9, line 8, strike "$621,253,000" and insert in lieu thereof "$607,253,000".

Page 14, line 3, strike paragraph (9) and redesignate the subsequent paragraphs accordingly.

Page 16, after line 18, insert the following new subsection:

1 (d) LIGHT WATER REACTOR MATCHING FUNDS.—
2 Funds appropriated for the AP600 light water reactor
3 pursuant to section 3(a)(2)(A) shall be available only to
4 the extent that matching private sector funds are provided
5 for such project, and subject to the condition that such
6 Federal funds shall be repaid to the United States out

1 of royalties on the first commercial sale of such reactor

2 design.

Mr. BARTLETT. Thank you very much. I would like to take just a moment to kind of recapitulate a couple of things very briefly to put our amendment in context.

First of all, as far as I know there is no interest in our district that relates to this amendment. I am here as a member, and I am submitting this amendment because of my background, because I believe in good science and good policy, and I think that the present position in the mark relative to this issue is not good policy.

I would like to remind us that we now import more of our oil than we did at the Arab oil embargo. Every year since 1970, I think, that it is relatively true. We have found less oil and pumped less oil than we did before.

We now get twenty percent of all of our energy from nuclear. If we do not have new nuclear technology developed and do not license new plants, there is no reasonable place from which we can get this twenty percent of nuclear.

It is unthinkable that we would want to get it from more imported oil and to get it from coal only increases environmental impact.

I would like to reiterate what Mr. Ehlers said and that is that we also owe something to our children relative to their energy future, and we should not be exploiting the energy that they will need in their future.

I will also point out that it is projected there will be upwards of fifty nuclear power plants which will be built in the east, and our country should be in a position to be a competitor for these sales.

The amendment you have before you is a very simple amendment. The amendment simply keeps alive light water reactors. We made a commitment to AP-600. As a matter of fact, a part of that commitment last year was fourteen million dollars, which will be paid back. The—that was the language in the legislation if the program continues.

We are asking just another fourteen million dollars this year. The offset comes as about two percent from the environmental management.

In the language it is required that there be matching funds and there is also a requirement that this money be paid back.

In other words, a temporary investment of fourteen million dollars this year will bring back to the Government at the first sale, at the first plant sale, twenty-eight million dollars.

The industry—the partners in this program really need the involvement of the Federal government for more than just the fourteen million dollars, which will get us back twenty-eight million dollars. They need our involvement for the licensing and permitting, because if we have a vested interest in this, then they feel that they will have an easier path in getting the licensing and permitting.

I would like unanimous—ask unanimous consent to—on page 3, line 11, strike, "217,841," and insert, "231,841." This is a conforming change.

Chairman ROHRABACHER. Without objection that will be permitted, so ordered.

Mr. BARTLETT. Thank you very much, Mr. Chairman. And, I would ask for support of this amendment.

Mr. SCHIFF. Would the gentleman yield?

Mr. BARTLETT. Yes, sir.

Mr. SCHIFF. Again, as with previous speakers, I enormously respect the gentleman's scientific background, but the devil sometimes they say is in the details.

I understood clearly what the gentleman wants to increase funding for. I don't know that I understood where the cut—offsetting cut is going to come from, and wonder if the gentleman could explain that.

Mr. BARTLETT. Yes. The offsetting cuts come from the six hundred and some thousand dollars in the—six hundred and some million dollars in the environmental management, and this is about two percent of that total amount.

Page 9 in the Bill. You will find the numbers at Page 9 in the Bill.

This is about two percent from that. Language that we have already voted in previous legislation, which will require good science, which will require that the cost be justified by the benefit, should be more than adequate to produce much more than these kinds of savings in the environmental management.

Mr. SCHIFF. I thank the gentleman.

Mr. DOYLE. Mr. Chairman?

Chairman ROHRABACHER. Yes. The gentleman from Pennsylvania is recognized for five minutes.

Mr. DOYLE. Thank you, Mr. Chairman. I am supportive of the AP-600, and I just would like to ask the gentleman a few questions.

Do you know how much was requested by the Department for the AP-600?

Mr. BARTLETT. Five point six. Forty-nine million altogether for all the light water reactors, and five point six for this.

Mr. DOYLE. I am sorry. For all light water reactors, around fifty million dollars?

Chairman ROHRABACHER. The Chairman will let staff answer that question.

STAFF. The request in the Department of Energy's budget calls for forty-nine million for the advanced light water reactor program; five point six million specific request for the AP-600.

Mr. DOYLE. That was the Department request?

STAFF. That is the Department request.

Mr. DOYLE. Okay. And how much was actually put in the Chairman's mark?

STAFF. The Chairman's mark zeroed that account. The fourteen million represents what the AP-600 received from the Appropriations Subcommittee last year.

Mr. DOYLE. So, we are going from—the Department request was approximately fifty million. The Chairman's mark is zero, and what Mr. Bartlett proposes to do is to restore fourteen million dollars.

Mr. BARTLETT. Yes, sir. The fourteen million would require matching funds by the group, and it would be paid back along with fourteen million that they were given last year that I understand also will be paid back when the program is finished, and the first sale is made.

Mr. DOYLE. How does that affect the entire light water program? I mean, obviously, it is going to impact it.

Mr. BARTLETT. This, as you may know, the AP-600, the new technology here is a fail-safe kind of a system which does away with a lot of the environmental concerns, because any failure is fail-safe because the core will be flooded by water which is stored above it, and it is held off by devices which if there is a failure, the water simply flows in and cools it.

So, it essentially delegates any possibility of a melt down.

Mr. DOYLE. So, your fourteen million is exclusively for the AP-600?

Mr. BARTLETT. That is for the AP-600, and what it does is to complete the program. We will get that back, plus the fourteen million from last year at the first sale.

Mr. DOYLE. I thank the gentleman.

Chairman ROHRABACHER. Does anyone else seek recognition on this issue?

[No response.]

Chairman ROHRABACHER. Then the Chairman will just note that the primary motive in the Chairman's mark, and in eliminating and zeroing out these funds, was that the Chairman believes that the companies who are the recipients of these funds, being some of the most profitable companies in the United States of America, can well afford to provide this money themselves, and that I do not believe that it will basically kill the program to require them to do so.

Mr. Bartlett has made his case very well. The Committee will decide for themselves whether or not this is, as Mr. Bartlett suggests, a breach of faith with the people we made an agreement with, and whether or not this will substantially hurt the light water program, and I believe the Committee will be—we will leave that up to the Committee to decide which direction to go on this.

So, with that in mind, we move—if there is no further discussion, we will move to a vote on Mr. Bartlett's amendment.

All those in favor say, aye.

[A chorus of ayes.]

All those opposed say, nay.

[A chorus of nays.]

The ayes have it. And I would call for a roll call vote, and the Clerk will call the role.

The CLERK. Mr. Rohrabacher?

Chairman ROHRABACHER. Mr. Rohrabacher votes, no.

The CLERK. Mr. Rohrabacher votes, no. Mr. Fawell?

[No response.]

The CLERK. Mr. Weldon?

[No response.]

The CLERK. Mr. Bartlett?

Mr. BARTLETT. Yes.

The CLERK. Mr. Bartlett votes, yes. Mr. Wamp?

Mr. WAMP. No.

The CLERK. Mr. Wamp votes, no. Mr. Graham?

Mr. GRAHAM. No.

The CLERK. Mr. Graham votes, no. Mr. Salmon?

Mr. SALMON. Yes.

The CLERK. Mr. Salmon votes, yes. Mr. Davis?
Mr. DAVIS. Yes.
The CLERK. Mr. Davis votes, yes. Mr. Largent?
[No response.]
The CLERK. Mrs. Cubin?
[No response.]
The CLERK. Mr. Foley?
Mr. FOLEY. No.
The CLERK. Mr. Foley votes, no. Mr. Schiff?
Mr. SCHIFF. Aye.
The CLERK. Mr. Schiff votes, yes. Mr. Baker?
[No response.]
The CLERK. Mr. Ehlers?
Mr. EHLERS. Mr. Ehlers votes, yes. Mr. Stockman?
Mr. STOCKMAN. No.
The CLERK. Mr. Stockman votes, no. Mr. Walker?
Mr. WALKER. Aye.
The CLERK. Mr. Walker votes, yes. Mr. Hayes?
Mr. HAYES. Yes.
The CLERK. Mr. Hayes votes, yes. Mr. Minge?
Mr. MINGE. Yes.
The CLERK. Mr. Minge votes, yes. Mr. Olver?
Mr. OLVER. No.
The CLERK. Mr. Olver votes, no. Mr. Ward?
Mr. WARD. No.
The CLERK. Mr. Ward votes, no. Mr. Doyle?
Mr. DOYLE. Yes.
The CLERK. Mr. Doyle votes, yes. Mr. Roemer?
Mr. ROEMER. Yes.
The CLERK. Mr. Roemer votes, yes. Mr. Cramer?
Mr. CRAMER. Yes.
The CLERK. Mr. Cramer votes, yes. Mr. Barcia?
Mr. BARCIA. Yes.
The CLERK. Mr. Barcia votes, yes. Mr McHale?
Mr. MCHALE. Yes.
The CLERK. Mr. McHale votes, yes. Ms. Johnson?
Ms. JOHNSON. Yes.
The CLERK. Ms. Johnson votes, yes. Ms. Rivers?
Ms. RIVERS. No.
The CLERK. Ms. Rivers votes, no. Ms. McCarthy?
Ms. MCCARTHY. No.
The CLERK. Ms. McCarthy votes, no. Mr. Brown?
[No response.]
Chairman ROHRABACHER. The clerk will report the vote.
The CLERK. Mr. Chairman, the roll call tally is yeas, fourteen; nays, nine.
Chairman ROHRABACHER. The amendment is agreed to, and I would like to congratulate Mr. Bartlett. This is an example of the Committee setting priorities themselves, within the context of the budget limitations we are working under, and in a bipartisan manner deciding what the priorities will be.
Thank you very much. We will move on to Mr. Ehlers second amendment.
[The amendment offered by Mr. Ehlers follows:]

AMENDMENTS TO THE SUBCOMMITTEE PRINT OFFERED BY MR. EHLERS

Page 3, line 24, strike "$127,291,000" and insert in lieu thereof "$88,300,000".

Page 13, line 10, strike "$40,107,000" and insert in lieu thereof "$79,098,000".

Mr. EHLERS. Thank you, Mr. Chairman. I appreciate the opportunity to speak on this.

I would like to make a few comments by way of introduction.

I have already given several speeches about the importance of energy for our economy, and simply wanted to point out that energy conservation is the budget line attached to this amendment. Frankly, I think that is a mistake to discuss this in terms of energy conservation. It should be in terms of energy efficiency.

There is something that everyone I believe should be in favor of, and that is efficiency. Whether it is efficiency in the work place, efficiency of manufacture, or efficiency of energy use.

And we need considerable research in that. We have done a great deal in terms of improving lighting and improving building efficiency. We have now, through variable speed motors, tremendously improved efficiency there, saving money, saving a balance of trade, our balance of payments in export and import, and I think these are very important steps.

I would like to pursue this amendment, however, I understand that the Chairman is adamantly opposed to the source of funding I have developed to pay for this, and I believe that we can identify a better source.

So, I would ask unanimous consent to be permitted to withdraw this amendment, and I intend to offer it again when we reach the Full Committee, and I hope to have discovered a better alternative source of funding at that point.

Chairman ROHRABACHER. Without objection, and the gentleman is taking advantage of his right to bring this forward in Full Committee, which is the right of every member of the Subcommittee, and as again, we are keeping this an open and democratic process, and able to be flexible with the chances that happened during that time period as we can.

So, without objection we will move to the next amendment, which is the Largent Amendment. Mr. Largent?

[No response.]

Chairman ROHRABACHER. He has not returned yet, so we will hold that. Mr. Largent was here a minute ago, however.

Well, we will go the Davis Amendment, and then go to the Largent Amendment shortly thereafter.

Mr. Davis?

[The amendment offered by Mr. Davis follows:]

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AMENDMENT TO THE SUBCOMMITTEE PRINT OFFERED BY MR. DAVIS

Page 12, line 17, insert ", including maintaining programs at the National Institute for Petroleum and Energy Research" after "for operating".

Mr. DAVIS. Thank you. This doesn't re-authorize anything.

It is just I think some clarifying language. Hit the desk, page 12, line 17, insert, "including maintaining programs at the National Institute for Petroleum and Energy Research," after, "for operating."

This amendment just asks the Committee recognize the privatization efforts that are taking place at the National Institute for Petroleum and Energy Research.

This program focuses its efforts on long time—long term research and development programs while using substantial numbers of private non-government employees.

It has been nationally recognized as a privatization success, with minimum reliance on a large Federal work force, using private sector engineers, scientists and support personnel that are uniquely qualified to conduct petroleum research.

The operations at NIPER are consistent with the R&D priorities laid out in the House passed budget resolution.

This amendment ensures the continued operation of this model oil research and development facility.

Chairman ROHRABACHER. Is there any further discussion? The Chair will accept this amendment—

Mr. DOYLE. Yes, Mr. Chairman. I would like to ask the gentlemen a couple of questions.

Chairman ROHRABACHER. The gentleman from Pennsylvania is recognized for five minutes.

Mr. DOYLE. Thank you. Does the language that you are proposing mean that all of the programs at the National Institute for Petroleum and Energy Research should be maintained?

Mr. DAVIS. I don't think it says that all are going to be maintained. It doesn't say that.

It just recognizes these efforts as we go to the appropriations process, and gives them a recognition of being a successful program, but it is not—what we are asking they be maintained for the appropriation level, but there is no insurance, of course, as it goes to appropriation.

Mr. DOYLE. Why is the National Institute being singled out for this protection?

Mr. DAVIS. In this case, it recognizes the model facility because of the privatization usage extent there.

Mr. DOYLE. Where in the hearing record is there a basis for this earmark?

Mr. DAVIS. I don't know in the hearing, but we have had a number of discussions with other individuals that have been involved in this through time, and there have been some reports I could get for you. I don't have the hearings in front of me.

Mr. DOYLE. I thank the gentleman.

Mr. DAVIS. But this doesn't reallocate any dollars or anything, as you are aware of.

Mr. DOYLE. Thank you.

Chairman ROHRABACHER. Any further discussion? If not, we will go to Mr. Davis' Amendment.

All in favor say, aye.

[A chorus of ayes.]

Chairman ROHRABACHER. All opposed say, nay?

[No response.]

Chairman ROHRABACHER. The ayes appear to have it. The Davis Amendment is passed, and we will now go to the Olver Amendment.

[The amendment offered by Mr. Olver follows:]

AMENDMENT TO THE SUBCOMMITTEE PRINT

OFFERED BY MR. OLVER

Page 16, lines 14 through 18, strike paragraph (3).

Chairman ROHRABACHER. Mr. Olver is recognized.

Mr. OLVER. Thank you, Mr. Chairman. On Page 16 of the Chairman's mark, the language in Lines 14 through 18, which is—whatever subsection that is, C–3, in Section 4–C–3, the amendment that I have is a simple amendment which would simply eliminate those five lines that has to do with prohibiting the use of any monies for the development of efficiency standards and promulgation of rules in relation to efficiency standards.

Now, I remember just a couple of minutes ago that Mr. Ehlers on your side was—made some I thought very eloquent comments about the need for energy efficiency, energy conservation, and energy efficiency in the work place and manufacturing, and in all of our functions.

And it seems to me quite remarkable that we would have language in here which prohibits the development of those efficiency standards in the setting of rulemaking in relation to efficiency standards for appliances where we know that there is an enormous amount of energy that can be saved.

We know that lighting and efficiency standards have already saved millions of dollars, and have the capacity to save consumers a great many more billions of dollars along the way.

So, this amendment merely strikes out that series of four lines.

It has no effect upon allocation or reallocation of monies within, but merely strikes out those lines.

I would point out that the other remarkable thing about this is that there is no—I can't remember having heard so much as a word by a single witness who discussed the merits, pro or con, of this particular issue, or the possibility of eliminating such standards and such rulemaking along the way and, furthermore, the very process of rulemaking and issuing of rules is not within the jurisdiction of this Committee.

It really doesn't belong in the Bill, either from a procedural or a substantive viewpoint I think, so I would ask that the amendment be adopted and that this four lines—five lines be stricken from the legislation.

Chairman ROHRABACHER. The Chairman will now yield to Mr. Walker.

Mr. WALKER. Thank you, Mr. Chairman. The language in the Bill, I think, follows some understanding that we are beginning to develop about the nature of a number of these programs.

Over the years, what we have created is a philosophy that only the Federal Government knows best, and we will create a command and control system that essentially mandates to industry a lot of different standards, some of which make no sense in the marketplace.

In fact, some of these standards, in the case of electric motors I understand right now, the standards that have been set for 1997 are hopelessly behind the curve in terms of the technology that has already been developed, and so as we have moved into a regime where you have a lot of new technologies coming on line, Federal Government standards have, in fact, become outmoded, and much of what the industry is doing in order to maintain its place in a global marketplace is far better than the Government standards.

But, the main problem here is that what you are doing is you are making decisions that have real consequences.

For example, the Department of Justice, referring to some of these energy standards recently, made the point that on a number of these appliances, what we are doing is really raising a very significant anti-competitive effect.

Let me quote from the Justice Department letter, from the Anti-Trust Department, which I think is devastating.

The Justice Department says for television sets, fluorescent lamp ballasts, and professional style or high-end kitchen ranges, it is the Department's judgment—meaning the Department of Justice judgment—based upon the available evidence, that significant anti-competitive effects are likely to occur. For electric water heaters, the evidence indicates that a significant anti-competitive effect would take place if sufficient time is not permitted firms to develop, produce and market products complying with the new standard.

The Department says the same thing for microwave ovens, oil-fired water heaters, room air conditioners. Direct heating equipment.

These things are all questions of whether or not the Government standards are, in effect, wiping out the competition in the marketplace.

Mr. OLVER. Will the gentleman yield?

Mr. WALKER. Let me finish my statement. I let the gentleman make his statement.

In my view, the last thing we ought to be doing with a lot of these standards is making certain that people can compete normally in the marketplace.

The fact is, that energy saving technologies have not gotten us very much in terms of pay back either.

In The Philadelphia Inquirer article on some of these programs, it is noted that in 1975 the Government—since that time, we have spent seventy-six point two million dollars to foster energy saving technologies.

We have created a hundred and twenty-nine technologies during that period of time.

As of 1992, we had managed to employ, in those hundred and twenty-nine technologies that were created, exactly six hundred and sixty-eight people.

That means we created this seventy-five million dollars, we created this at a cost of a hundred and fourteen thousand dollars a job.

Those are real expensive jobs. And then, here is the problem, we come along with these kinds of standards, and we wipe out jobs. We are not creating any with what we are doing, and then we turn around and we wipe out jobs, because in several industries—for instance, in the fluorescent lamp ballast business, there are thousands of jobs due to be lost as a result of the standards that will go into effect.

Chairman ROHRABACHER. The gentleman's time has lapsed. I ask for unanimous consent for two additional minutes so the gentleman can finish his statement and answer any questions that will be posed.

Mr. WALKER. I will just make the point that if we are going to get the right kind of efficiency standards, it seems to me that we want to make very certain that the Federal Government is not doing it in a way which is both anti-competitive and job killing, and in the case of the systems that are now in place, that is exactly the results that we get.

And in my view, this is exactly the right language to include in the Bill. The conservation accounts monies should not be spent in ways that creates a marketplace that is both non-competitive, and job killing.

I will be happy to yield to the gentleman from Massachusetts.

Mr. OLVER. I thank the gentleman for yielding. And I think we could take testimony if it was in our jurisdiction over the question of how these rules and how these standards are set.

It is certainly my understanding that some of these standards are set with the collaboration of industry, and some of them when they become outdated have been removed, with the agreement and collaboration with industry.

There may be some cases where that is not the case, and I am really surprised that the Chairman of this Committee, who is usually so very careful about the jurisdictions of Committees and Subcommittees, has us—has this in here, and argues on issues which we have not had any testimony on in relation to this program, when the jurisdiction is clearly in the Commerce Committee for dealing with this particular material, the setting of the standards, the types of standards, and the rulemaking relationships in the very language that the distinguished Chairman has used.

He is placing it outside, it seems to me, the jurisdiction of this Committee.

Mr. WALKER. Well, let me—

Mr. OLVER. We should not be dealing with this. This should be in the Commerce Committee where testimony may well have been taken, and we have had no testimony on this.

Mr. WALKER. Let me respond to the gentleman, since he is making an accusation.

Chairman ROHRABACHER. The gentleman asked for two additional minutes with unanimous consent to continue his dialogue.

Mr. WALKER. This is under the Code and Standards Section—under codes and standards of the building section of the Conservation Account.

That is exclusively in the jurisdiction of this Committee. That is where the money gets spent for this measure.

So, I would be concerned about things that go beyond our jurisdiction, but it happens that the spending for this is completely within our jurisdiction under the Codes and Standards line of the building section.

So, I think this is something where if we want to limit funding activity in it, it is entirely in our jurisdiction to be able to do so.

Chairman ROHRABACHER. Would the gentleman from Massachusetts like one last retort?

Mr. OLVER. I don't know. I think I should probably—if that passed, what the former Chairman had said about this point. Trying to have the last word with Mr. Walker is almost impossible.

His mind goes much faster than mine I think on these kinds of things.

Chairman ROHRABACHER. I recognize Mr. Ehlers.

Mr. EHLERS. Thank you, Mr. Chairman. I am in the unenviable position of finding myself in some disagreement with the Chairman of the Subcommittee and the Chairman of the Full Committee.

I really think that this is one area that we need a good deal of guidance for the industry and the consumer to try to conserve energy. And sometimes we forget the magnitude of money wasted in this nation due to the use of energy.

I haven't done the figures for the United States Government, but I know a few years ago in the State of Michigan, when I was a State Senator, I calculated it.

The amount of money spent in the State of Michigan on energy use exceeded the amount of money the citizens of the state contributed to the State Government in taxes.

Furthermore, virtually all of that money went out of state, and a majority of it went abroad.

Clearly, anything we gain by energy efficiency is money in the pockets of the consumers. Money that can be invested in other things can be used for purchasing things, or for savings.

So, I am a strong advocate of anything we can do to improve energy efficiency.

Now, if it is true, and the Chairman asserts, that the Federal Government is making stupid rules, or doing things in the wrong way, I think that should be corrected.

I am very reluctant to say that the Federal Government should not make any rules, because I know for example on appliance standards, I doubt that they would have improved to the extent that had without some Federal involvement.

And I also know on lighting, the EPA Green Lights Program, which is clearly not in our jurisdiction, has saved American industry a tremendous amount of money, and the average pay back period of industry once they sign up in the Green Lights Program, and they did this, they simply were not aware of the savings possible.

But the average pay back time was less than two years. There are very few investments that business can make with a pay back time that short, and that simply had to be brought to their attention that this was a possibility, and that they should do this in their factories, their plants, their stores and so forth.

So, I think there is a legitimate role for the Federal Government in this area.

I am in a bit of a quandary on the amendment, because it is either or, and if the Chairman of the Committee is right about the impropriety of what the Federal Government has done in this, we certainly have to clean that up, and I would certainly welcome advice from him or anyone else on how we propose doing that, but I am very reluctant to have us say there cannot be any Federal role in this area.

Thank you.

Mr. OLVER. Will the gentleman yield?

Mr. EHLERS. I would be happy to yield.

Mr. OLVER. Thank you very much. It seems to me that this Committee has already spent a good deal of time earlier this year on the whole issue of cost benefit analysis, an appropriate cost benefit analysis, and if we had done that appropriately, then we should be developing rules on the basis of appropriate cost benefit analysis, and not making arbitrary decisions that would say that you cannot have rulemaking, you cannot have efficiency standards in an area where I think you and others already have spoken today about the amount of money that has been saved by consumers already, and the amount of potential, as you so eloquently put it, for saving for consumers is so very great.

I think this is—this may, if the anecdotal evidence that the Chairman speaks of, where there may have been an inappropriate rulemaking, that this—if we were not already attacking that in a way—it seems to me we are headed toward trying to correct these things, not to try to wipe out what is a most appropriate activity of proper regulation.

Mr. EHLERS. Reclaiming my time. If I may just give a personal example to illustrate the point.

Some years ago when my wife and I first got married, we went searching for a refrigerator.

I let her choose the type of refrigerator she wanted, and said, "Pick anything you like, but I want final word. Give me a couple of options."

She narrowed it down to a two hundred and fifty dollar refrigerator from one manufacturer, five hundred from another.

So, then I sat down and did an energy consumption analysis and analyzed the cost.

I discovered that if we bought the five hundred dollar refrigerator, even factoring in the cost of money, it would more than pay for itself in ten years, and anything beyond that I would gain money.

The refrigerator lasted over twenty-five years, and then we sold it. It is probably still running in someone else's house, and we saved more than the difference in cost, plus an additional three hundred dollars.

Now, I recognize not everyone has a doctorate in physics and can sit down and calculate these things.

[Laughter.]

Mr. EHLERS. And that is why I think an appropriate role of the Federal Government is to find out and be able to publicize these numbers, whether it is rules or some other means.

Thank you.

Mr. HAYES. Would the gentleman help me buy some appliances this weekend?

[Laughter.]

Mr. EHLERS. For the standard consulting fee, yes.

Chairman ROHRABACHER. The Chairman will claim his five minutes, and yield that to Mr. Walker.

Mr. WALKER. I think that what—the kind of consumers that the gentlemen just evidenced is exactly what we want to go on in the marketplace, and then the point that I am making is according to the Department of Justice, if we continue with the direction in

which this rulemaking is headed, you will not have that kind of selection.

You will not be able to make that kind of choice. The Government would have made those choices in advance for you, by setting what amounts to cafe standards for appliances.

And it just—it really has some concerns.

One other thing I just want to note for the gentleman is nothing in this takes away from the present standards. Whatever standards are now in place, that doesn't take away from it.

All this suggests is that we are not going to spend the money for promulgation or issue some other notices.

Just one other thing—

Mr. OLVER. Will the gentleman yield for just a clarification on that point? My recollection was that the gentleman from Pennsylvania had said that the present standards were anecdotally rather inappropriate.

So, you just said nothing from this takes away from those standards, which are incorrectly done. We are going to leave those, and not rebuild standards correctly under proper cost benefit analysis.

That seems quite remarkable.

Mr. WALKER. The current standards were, in fact, done in concert with the industries, where they have found them to be outmoded, they have in fact, with concurrence, backed off of them.

So, there are some problems. But what I am saying is the Department of Justice in looking ahead is suggesting that these are going to be anti-competitive. That was the point that I was making to the gentleman.

I would also point out that the gentleman indicated that the risk assessment and cost benefit analysis that the Committee passed earlier was going to take care of these problems.

The gentleman fought vigorously against that Bill when it was in Committee.

Mr. OLVER. I had a different definition of cost benefit analysis. I am not against as a scientist—certainly not against proper risk assessment, or proper cost benefit analyses. That is entirely appropriate.

Mr. WALKER. The approach we have taken to now defend the position, that we ought to keep all of these things in place, and move ahead with a bunch of new rules, which the main problem is that the new promulgated rules that we are attempting to speak to really do have some major problems in terms of job costs that will wipe out something on the order—in simply the florescent lamp area—will wipe out something on the order of two to three thousand jobs.

Chairman ROHRABACHER. The Chairman will reclaim his time now, and my own little summary—I have been in a situation in my life—in several situations actually—where the difference between having a choice between a two hundred and fifty refrigerator today, versus a five hundred dollar refrigerator that could save me money if I kept it for ten years, if I had to only choose the five hundred dollar refrigerator because some Government agency decided that is what—you are going to save energy in the long run, and thus is best for me—I would have never ended up with a new refrigerator, because I couldn't have afforded it.

And people in the marketplace make those determinations. They say, "Well, gee, we really—we need a refrigerator now and it is broken down, and we can't really wait to spend it for this five hundred dollar refrigerator," and you have the Government just arbitrarily making decisions, "well, the most energy efficient one is going to do it, so you have to pay the five hundred dollars," what you are doing is pricing some people out of the market, and I would have been in that situation myself when I was a journalist back in my time. We didn't make any money, not like you scientists.

[Laughter.]

Mr. OLVER. Will the Chairman yield for a question?

Chairman ROHRABACHER. Yes.

Mr. OLVER. Do you think there is any likelihood that that five hundred dollar refrigerator would be on the market if there were not an efficiency standard at some point that had been put forward and thought through as a benefit for us, with the billions of dollars that we know has been saved for us on building standards and appliance efficiency standards.

Chairman ROHRABACHER. Let me concede to you that there is some argument that says that has stimulated the production of such machines.

Mr. OLVER. Do you have any suspicion that there might be such a high price one on the market.

Chairman ROHRABACHER. I will have to say that when the price of energy went up, that you had a lot of activity in this country aimed at—in the 1970's that was not mandated by the Government whatsoever, but instead stimulated by the higher price and the higher cost of energy which stimulated the private sector to try to find things that saved energy.

You saw them all over the place advertised. Buy this product, it saves energy.

And that wasn't stimulated by a Government restriction or a Government mandate.

It was stimulated by the fact that people knew their electric bills were going up, and their gasoline bills were going up. You didn't have to mandate that cars got more miles for the gallon when the gasoline prices quadrupled.

That just happened to be what people were demanding at that time, and—yes, go right ahead. I ask unanimous consent for one more minute, and then—although those regulations, I will concede to you—certainly did stimulate it in many areas. Yes?

Ms. RIVERS. The issue of products being available to the market place, when—immediately when the demand is there, in fact, does not exist, particularly when you are dealing with goods like tires and certain kinds of appliances.

There is a research and development period of time that has to be built into it, and I think the question that Mr. Olver was answering—asking, if he isn't, I am, is, in fact, would the basic research and development that allowed for the production of those energy-efficient materials and those energy-efficient cars, actually happened without prodding from the Government?

Chairman ROHRABACHER. I think it is a question of magnitude. Most of us who believe in the market place, but in the long run,

these products will be developed to meet demands that are based on cost factors—

Ms. RIVERS. So, is that a, yes? You think that is cost efficient?

Chairman ROHRABACHER. Yes, to the degree that I can say yes without being an absolutist.

Sometimes Government regulations do some good. But also, I think market forces play a major part in correcting these type of situations in our society, but certainly one can't deny that market regulations sometimes has a positive impact. I am trying not to be an extremist here, but.

Mr. ELHERS. Will the gentleman yield for a quick comment?

Chairman ROHRABACHER. I grant myself with unanimous consent one more minute, and then we will move on.

Mr. EHLERS. Thank you. I think we have drifted into the free market arguments, and I don't think that is the issue here.

The issue is something I hope we all agree on, and that is consumer information and making sure that the method of calculating savings or energy use, annual energy use, is calculated according to particular standards.

I think various price refrigerators will continue to be made. It is important that the consumers know what it is going to cost them initially, what it is going to cost them on an annual basis, and to make sure that the methods by which this is calculated, and the methods by which the information is displayed, is done according to the same standards for every appliance and that, I think, is a legitimate role of the Government, but that is not what they are doing. We can pull them back to that.

But to simply say they can't do anything I think is a mistake.

Chairman ROHRABACHER. I have to yield to Mr. Bartlett, who has not had his five minutes yet, and then he can yield to whomever he likes.

Mr. BARTLETT. I may be asking the question that Mr. Walker is asking. There are few people who will disagree with what Mr. Ehlers is saying. But that has to do with labeling and informing the public.

I gather that is not what this amendment gets at. This amendment gets at rulemaking. I am quite opposed to the Government making rules. I am very supportive of the Government encouraging proper information and labeling, and if your amendment got at that, I could support it.

When it gets at rulemaking then, you know, that is not the proper role of the Federal Government.

Mr. WALKER. The gentleman from Maryland just made an important point.

He is exactly right. The labeling and the efficiencies and so on, and telling people what the efficiencies of their appliance is, is not involved in this.

This involves rulemaking where the Federal Government is specifically telling people, if the product you now have in the market does not meet this standard, you are gone from the marketplace.

You are now going to be left behind. This is proposed rulemaking that will literally take products out of the marketplace that are presently available to consumers.

That is the reason why the Department of Justice has said this is anti-competitive.

Mr. EHLERS. Will the gentleman from Maryland yield for a question?

Mr. BARTLETT. Yes.

Mr. EHLERS. My concern is the way the amendment reads, it prohibits the conduct of any rulemaking activities related to lighting and appliance standards, and building standards and guidelines.

And that, to me, means it will also prohibit rulemaking activities relating to the standards that must be used in calculating and displaying the efficiencies of windows, efficiencies of lighting, appliances and so forth.

My concern is with the breadth of the amendment. As I said earlier, perhaps there are some activities that should be proscribed and limited, but certainly not all of them.

Mr. WALKER. If that is the gentleman's concern, I would say we could probably work on that to get the language more precise.

Because the intention here is not to stop people from going ahead and doing labeling and all that sort of thing.

The question here is whether or not you are going to permit the Department of Energy, through these conservation accounts, to essentially take out of the market place products that are presently available to consumers and are a part of the totality of the market place.

That is what this is really aimed at?

Chairman ROHRABACHER. If the Chairman could regain control of this discussion, and will yield to Mr. Olver one minute to summarize his position, and then we will move forward for further debate, or with a vote on this issue.

Mr. OLVER. I would just say that I think that Mr. Ehlers interpretation is correct there, and I would like to yield to Mr. Roemer.

Mr. ROEMER. I would just be very brief, Mr. Chairman.

I think this is very complicated language that we should work on between now and the full Committee markup.

We have had a good discussion and dialogue and debate on how this affects labeling and efficiencies and consumer savings. In talking to some of the manufacturers of appliances, whether they be Whirlpool or others, they will also argue in terms of promulgating rules or rulemaking that this standard has allowed them a uniformity of standards, that is a national standard rather than a state-by-state standard, for these kinds of rulemaking and efficiencies.

And, I think we want national standard. I don't think that we want to pass on the cost to the consumer or to the businesses on that.

I think that we just need to look at this and analyze it a little bit more before we jump to any conclusions, given the complexity of it. And, I yield back whatever time I have.

Mr. ROHRABACHER. Thank you very much, Mr. Roemer. With that, if there is no further discussion, the vote will occur on the Olver amendment.

All in favor, say aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All opposed, say no.

[A chorus of nays.]

Mr. ROHRABACHER. It appears that the ayes have it.

Mr. OLVER. A roll call.

Mr. ROHRABACHER. A roll call has been—

Mr. OLVER. Make it a division.

Mr. ROHRABACHER. A division is called for. All those who favor the amendment will raise their hand.

[A show of hands.]

Mr. ROHRABACHER. All those who oppose the amendment will raise their hand.

[A show of hands.]

Mr. ROHRABACHER. The Clerk will report—the Chair has the count of nine yea's and 11 nay's. Is that what other people have counted?

The amendment is not agreed to.

Mr. OLVER. Mr. Chairman, I would ask for a roll call.

Mr. ROHRABACHER. All right. The Clerk will call the roll.

The CLERK. Mr. Rohrabacher.

Mr. ROHRABACHER. No.

The CLERK. Mr. Rohrabacher votes no. Mr. Fawell.

[No response.]

The CLERK. Mr. Weldon.

Mr. WELDON. No.

The CLERK. Mr. Weldon votes no. Mr. Bartlett.

Mr. BARTLETT. No.

The CLERK. Mr. Bartlett votes no. Mr. Wamp.

Mr. WAMP. No.

The CLERK. Mr. Wamp votes no. Mr. Graham.

Mr. GRAHAM. No.

The CLERK. Mr. Graham votes no. Mr. Salmon.

Mr. SALMON. No.

The CLERK. Mr. Salmon votes no. Mr. Davis.

Mr. DAVIS. No.

The CLERK. Mr. Davis votes no. Mr. Largent.

Mr. LARGENT. No.

The CLERK. Mr. Largent votes no. Mrs. Cubin.

[No response.]

The CLERK. Mr. Foley.

[No response.]

The CLERK. Mr. Schiff.

Mr. SCHIFF. No.

The CLERK. Mr. Schiff votes no. Mr. Baker.

[No response.]

The CLERK. Mr. Ehlers.

Mr. EHLERS. Yes.

The CLERK. Mr. Ehlers votes yes. Mr. Stockman.

Mr. STOCKMAN. No.

The CLERK. Mr. Stockman votes no. Mr. Walker.

Mr. WALKER. No.

The CLERK. Mr. Walker votes no. Mr. Hayes.

Mr. HAYES. No.

The CLERK. Mr. Hayes votes no. Mr. Minge.

Mr. MINGE. Yes.

The CLERK. Mr. Minge votes yes. Mr. Olver.

Mr. OLVER. Yes.
The CLERK. Mr. Olver votes yes. Mr. Ward.
Mr. WARD. Yes.
The CLERK. Mr. Ward votes yes. Mr. Doyle.
Mr. DOYLE. Yes.
The CLERK. Mr. Doyle votes yes. Mr. Roemer.
Mr. ROEMER. Yes.
The CLERK. Mr. Roemer votes yes. Mr. Cramer.
Mr. CRAMER. Yes.
The CLERK. Mr. Cramer votes yes. Mr. Barcia.
Mr. BARCIA. Yes.
The CLERK. Mr. Barcia votes yes. Mr. McHale.
Mr. MCHALE. Yes.
The CLERK. Mr. McHale votes yes. Ms. Johnson.
Ms. JOHNSON. Yes.
The CLERK. Ms. Johnson votes yes. Ms. Rivers.
Ms. RIVERS. Yes.
The CLERK. Ms. Rivers votes yes. Ms. McCarthy.
Ms. MCCARTHY. Yes.
The CLERK. Ms. McCarthy votes yes. Mr. Brown.
Mr. BROWN. Yes.
The CLERK. Mr. Brown votes yes.
Mr. ROHRABACHER. How is Mr. Foley recorded?
The CLERK. Mr. Foley is not recorded.
Mr. ROHRABACHER. Mr. Foley would like to be recorded as no. If the Clerk will, report the vote.
The CLERK. Mr. Chairman, the roll call tally is yea's 13, nay's 13.
Mr. ROHRABACHER. The amendment is not agreed to.
Mr. LARGENT. Mr. Chairman.
Mr. ROHRABACHER. Yes, Mr. Largent.
Mr. LARGENT. I have an amendment at the table.
[The amendment offered by Mr. Largent follows:]

AMENDMENT TO THE SUBCOMMITTEE PRINT OFFERED BY MR. LARGENT

Page 12, line 17, strike "$41,234,000" and insert in lieu thereof "$39,234,000".

Page 12, line 18, strike "$57,829,000" and insert in lieu thereof "$55,829,000".

Page 13, after line 4, insert the following new paragraph:

1 (9) Integrated Petroleum Environmental Con-
2 sortium, $4,000,000, which shall be dedicated solely
3 to environmental technology research and develop-
4 ment and scientific risk and cost-benefit analysis for
5 domestic energy resources on a 50 percent cost
6 share basis.

Mr. ROHRABACHER. Mr. Largent's amendment is at the table. Mr. Largent, would you like to proceed?

Mr. LARGENT. Yes, very quickly. This should be a non-controversial amendment, because we are basically moving money around in the oil and gas industry from the advanced computation technology initiative and placing it in integrated petroleum environmental consortium.

And, let me just go over a few points that I think are poignant and be very brief with my remarks. Basically, most folks understand that the oil and gas industry has lost 500 thousand jobs in the last 10 years.

Just in the last six months, they have lost 10 thousand 500 jobs. And, a significant reason for that is the burdensome environmental regulations that have to be met.

In fact, in 1992, the oil and gas industry spent 10 and a half billion dollars on the environment. That number is more than the profits from all of the top 300 oil and gas companies in this country. And, it's more than they spent in total for exploration for oil and gas, 10 and a half billion dollars.

This amendment is really the best of all worlds. I heard the Chairman of this Subcommittee talk about how we need to encourage private industry to be involved in a number of the programs that the Federal Government subsidizes. This amendment does that.

We have a 50/50 partnership with the private industry in IPEC, the Integrated Petroleum Environmental Consortium, when this typically would have been a program that would have been 100 percent funded by the government. It's a consortium of four universities in two different states, both private and public universities—the University of Oklahoma, Oklahoma State University, Arkansas and Tulsa.

It parallels—it mirrors in great part a consortium that's in effect in New Mexico. It is a one year authorization.

The reason for that, initially IPEC was asking for a five year authorization. I told them that what I wanted to see is a five year authorization with a two year look-back.

In other words, after two years, let's look back and see if you guys have really produced any results as a result of the money that had been appropriated. And, what we ended up with was a one year authorization, because the folks that are involved in this program are so confident that they can reflect results after one year's appropriations authorization that—that the program will sell itself at that point.

We are having—the offsets are through another program that also benefits the oil and gas program. So, that's why I say it's noncontroversial.

We are not taking from coal. We are not taking from the solar program. We are not taking from the nuclear reactor program.

This is another account that impacts the oil and gas industry. It is a—basically, the Department of Defense has developed computer technology that has been applied to the oil and gas industries.

We are taking two million dollars that was in the oil industry to—or oil sector, two million dollars out of the gas sector and applying it to this Integrated Petroleum Environmental Consortium.

And, I would tell you that in my last visit to my district there is a private computer company called National Computers that has already developed the next generation of computer technology that is being applied to the oil and gas industry anyway.

And, so what we are seeing happen is exactly what we want to see happen. And, that is the private sector has seen that this is beneficial.

They have picked up a program that the government had begun and are actually using that in application through the private industry. So, if we are going to fund—continue funding this particular program, advanced computation technology initiative, we will be duplicating what is already happening in the private sector.

So, what we are saying is. Let's reprioritize where we are sending that money. Let's put it into developing some technology that will help the oil and gas industry, particularly the independents.

People will say, "Well, all this is a corporate subsidy for the big oil companies." That's not true.

The big oil companies are not really in domestic production any longer. It's the independents. And, they don't have the ability to fund this type of research that we are talking about.

Mr. ROHRABACHER. Mr. Largent has made his point. This amendment would authorize funds for a new consortium of fossil fuel research on a 50 percent cost share basis.

And, it makes a generic reduction in that same area of the budget in terms of oil and gas, unlike other amendments that we've seen today which basically take from one area, whether it's oil and gas or whether it's nuclear energy or whether it's other types of solar, et cetera, taking these things from other areas and transferring them. We did not include this in our mark, because it is a new program.

And, we actually—well, we didn't put any new programs in the mark. I, however, find that it is totally consistent with what we are trying to do.

And, I—the Chairman will be voting for Mr. Largent's amendment.

However, is there anyone else with further discussion of this issue? Ms. Johnson.

Ms. JOHNSON. Yes. I do think this is a good way to accomplish something.

I would like to ask the difference between the environmental technology at DOE and EPA.

Mr. ROHRABACHER. I'm not sure—what is exactly your question?

Mr. BROWN. Would the gentlelady yield to me briefly?

Ms. JOHNSON. Yes, I will.

Mr. BROWN. I think the question I would have asked is, "Why did you strike the language in the bill that we will take up later to support environmental technology at EPA and yet you are willing to add it back to support the environmental technology here?"

And, could you make a distinction between the two situations?

Mr. ROHRABACHER. Mr. Largent.

Mr. BROWN. I'm asking that of the Chairman.

Mr. ROHRABACHER. Well, I—this is not my bill.

Ms. RIVERS. But, you just endorsed it.

Mr. ROHRABACHER. This is not my amendment.

[Laughter.]

Mr. ROHRABACHER. This is my bill. It's not my amendment.

Mr. BROWN. After long and careful consideration, you decided to support this amendment. And, you also decided to strike the environmental technology in your mark for the Environmental Protection Agency.

Mr. ROHRABACHER. I will confer with counsel for one moment.

[The Chairman is conferring with staff.]

Mr. ROHRABACHER. The environmental technology program is not environmental research. It is basically grants to people outside of the research area.

This particular program goes directly to research which is—at the university level, which is totally consistent with the goals that we have set down. In fact, the entire piece of legislation that we are talking about tried to focus on some basic scientific research.

That is exactly what Mr. Largent's bill—

Ms. JOHNSON. Reclaiming my time.

Mr. ROHRABACHER. Yes.

Ms. JOHNSON. I have one other question. Is this specifically earmarked for a location or would it be competitive from university submissions or how would it be distributed?

Mr. LARGENT. This is a consortium that is already in place. So, it's—as I said, this really duplicates similar consortium of the universities in the State of New Mexico that currently exist.

Ms. JOHNSON. Are there any in Texas?

Mr. LARGENT. I have no idea. Not to my knowledge.

Ms. JOHNSON. Are there any in Oklahoma?

Mr. LARGENT. Not at this time.

Ms. JOHNSON. Are there any plans for any in Oklahoma?

Mr. LARGENT. Say that again.

Ms. JOHNSON. I'm just—are there any plans within this amendment here to place it in Oklahoma?

Mr. LARGENT. Oklahoma and Arkansas.

Ms. JOHNSON. And Arkansas?

Mr. LARGENT. It's a consortium of four universities in both Oklahoma and the State of Arkansas.

Ms. JOHNSON. Arkansas but not Texas.

Mr. LARGENT. Not Texas.

[Laughter.]

Ms. JOHNSON. Thank you.

[Laughter.]

Mr. SCHIFF. Mr. Chairman.

Mr. ROHRABACHER. Does anyone else seek recognition?

Mr. SCHIFF. Mr. Chairman.

Mr. ROHRABACHER. Who seeks recognition? Mr. Schiff.

Mr. SCHIFF. Thank you. Mr. Chairman, since the gentleman who offered the amendment has mentioned the State of New Mexico at least three times, I feel some obligation to vote for his amendment.

[Laughter.]

Ms. JOHNSON. But, you don't have to.

Mr. SCHIFF. However, I just have to say—and I believe I will. But, I just want to state a reservation.

And, just obviously we can all do something different in Full Committee, but I wouldn't want to come out of ambush on it. What

the—the program the gentleman is seeking to create here and to foster, I think, is a good idea.

But, even within oil and gas, there can be some controversy. My problem is that the advanced computative technology, which is being—the funds in the Chairman's mark which are being used to fund the ideas proposed in the amendment is also an important program within the Department of Energy laboratories and was not developed for the purpose of specifically let's help the oil industry.

Advanced computers have long been a mission in national laboratories, particularly dealing with weapon systems. And, they go—obviously advanced computer technology simultaneously benefits both, the government in its weapons program and private enterprise.

And, I'm just concerned about the vitality of that program, because I don't think it's just a matter of using computers to help the oil industry. And, I'm just concerned about the—

Mr. LARGENT. Would the gentleman yield?

Mr. SCHIFF. Yes.

Mr. LARGENT. These dollars specifically come out of an account that are dollars allocated for the application of advanced computation as it relates to the oil industry and as it relates to the gas industry.

Mr. SCHIFF. If the gentleman will yield back, I understand that point. My reservation, however, is that all the funds that go towards advanced computer operation ultimately get together at some point and there is ultimately a sharing of the information.

And, pulling part of the funding could affect the rest of the program. I want to say, I'm going to vote for the gentleman's amendment today.

But, I just wanted to just offer that concern. And, if it's not there, then certainly I wouldn't raise the matter any further.

But, I didn't want to vote for the gentleman's amendment and not at least show that I had at least this concern which may or may not be valid upon closer inspection.

I yield back, Mr. Chairman.

Mr. ROHRABACHER. Yes, Mr. Hayes.

Mr. HAYES. I just wanted to spend a moment asking Mr. Walker a question if he wouldn't mind. Since I've supported Chairman—now Chairman Walker even when he was the Ranking Minority member on the anti-earmarking efforts all of us worked so hard on, is our new earmarking definition now requiring building locations and room numbers in order to come under the earmarking definition?

[Laughter.]

Mr. WALKER. The new definition, I'm going to leave to the gentleman because I haven't figured it out yet.

[Laughter.]

Mr. ROHRABACHER. Is there anyone else who seeks recognition?

Mr. BROWN. Mr. Chairman.

Mr. ROHRABACHER. Ms. Rivers first—

Mr. BROWN. Oh, certainly.

Mr. ROHRABACHER: —and then the former distinguished Chairman.

Ms. RIVERS. I just want to follow up in what was a humorous reference to earmarking, because I really have a serious question being new to the Committee and my understanding really with the first six months of the Committee is that we don't do a lot of that and that all of us represent universities and a variety of places that we would dearly love to direct dollars.

Mr. ROHRABACHER. Ms. Rivers, if I could—

Ms. RIVERS. Yes. Thank you if you could explain the standard.

Mr. ROHRABACHER. Let me just note that this was not in the Chairman's mark. This has been brought up independently with specifically the purpose of presenting this to the Full Subcommittee for their decision.

We did not put this into our mark. So, if the Committee decides that this is not a priority item, that this should not be a way of directing our funds, Mr. Largent has made his arguments that the money he is taking was money that is coming out of basically funding programs from oil and gas accounts. And, it is still being channeled towards a research program for the oil and gas accounts.

If that's not what the Full Committee wants—or the Subcommittee wants, that's not the direction we will go. But, it has not been presented to you as part of the mark.

Ms. RIVERS. Okay. Then, I guess my follow-up question is. Just so I understand the relationship between what we say and what we do is that—

[Laughter.]

Ms. RIVERS: —there is not—that I should not necessarily expect the people who have propounded the standard of not earmarking at the various leadership levels, that they may or may not vote for this.

Mr. ROHRABACHER. If you were presented as a member of this Subcommittee the option of participating in the decision, it is far different than when if you are not really part of the decision-making process. If this Subcommittee, after hearing Mr. Largent's aggressive champion of this program decides that's the way to go, well, then you are participating in making the decision.

This isn't some earmark being snuck in anywhere. It is being presented to the Committee to make their judgment as to whether this is a priority area that we want to decide to send these funds.

Ms. RIVERS. I guess really the question that I am asking also, then, is. Is there any expectation that leadership on this Committee would be attempting to uphold the standard?

Mr. ROHRABACHER. Let me put it this way. If anyone wanted to present an amendment that specifically directed funds and opened it to the Full Subcommittee, they would have been free to do so. That is not any violation of an understanding.

But, at the same time, you might have people who just opposed the idea, not only the idea in terms of the general direction but also the specification of the proposed amendment.

Ms. RIVERS. All right. Thank you.

Mr. ROHRABACHER. Mr. Brown, Mr. Former Chairman.

Mr. BROWN. Mr. Chairman, please don't refer to me as the former Chairman. It's too nostalgic.

[Laughter.]

Mr. BROWN. Mr. Chairman, the amendment offered by Mr. Largent is the kind of amendment which is typical of do-gooder Democrats in the past. And—

[Laughter.]

Mr. BROWN: —because of that, it's my inclination to support it.

[Laughter.]

Mr. BROWN. However, I point out that it is quite likely that the amendment is not in order since it contradicts the provisions of Section 6 of the bill, which states, "Merit review requirement for awards of financial assistance," and states in particular that the, "Secretary shall not award financial assistance for research, development, demonstration," and so forth unless an objective merit review process is used to award the financial assistance.

And, it states, furthermore, that this cannot be—the bill cannot be modified unless a—containing a provision of this sort unless it specifically refers to this provision and waives it, which Mr. Largent's amendment does not do.

Now, I am going to offer an amendment—and you perhaps have received a copy—which says, "Notwithstanding Section 6 of this Act," which requires the merit review. And, if you are willing to accept that—

Mr. ROHRABACHER. Would Mr. Largent accept this amendment to his amendment by Chairman Brown?

Mr. LARGENT. I would like to hear what the amendment is.

Mr. ROHRABACHER. It is with the recommendation of the Chair, I think that you should accept it.

[Laughter.]

Mr. LARGENT. Well, I have to tell the Chair that I am still reeling a little bit that Mr. Brown impugned my character to associate myself with the way things used to be around here. But, I'm—I'm saying that facetiously.

But, yeah, I will accept his amendment.

[Laughter.]

[The amendment offered by Mr. Brown follows:]

On line 1 of the Largent amendment, ~~before~~ after the "(9)", insert

"Notwithstanding section 6 of this ~~Act~~"

Mr. BROWN. Now, if I may continue, Mr. Chairman.

Mr. ROHRABACHER. Yes, Mr. Brown.

Mr. BROWN. I am laying a trap for the Republicans here. I know you respect the fact that I'm sneaky enough to do that.

[Laughter.]

Mr. BROWN. What you are proposing here directly contradicts your elimination of research and environmental technology in the EPA bill. And, it contradicts Mr. Walker's long and fervently stated opposition to corporate welfare, which is construed as any form of assistance to the corporate sector involving cooperation between the government and the private sector on matters involving technology development.

Now, you said—and Mr. Walker frequently says when he's trying to justify one of his projects to aid technology—that this is real science and real research. But, the clear language in Mr. Largent's amendment says that the funding shall be dedicated solely to environmental technology.

And, technology is not basic research. So, I'm going to lay that on you, even though I'm going to support this amendment, and see how you defend it on the floor of the House.

Mr. ROHRABACHER. Well, Mr. Chairman, let me take up the challenge by saying that this amendment is not aimed at providing a specific benefit for a specific company. If it was aimed at providing a benefit for a specific company, like whatever amendments might come up, rather than a generic idea that this will help the oil and gas industry—and it is going to a university to provide research, which will help the oil and gas industry, if it said, "Actually, what we are doing here is to help Texaco Corporation, because Texaco needs this in order to drill a certain way," well, that would be corporate welfare as far as I am concerned. And, the government shouldn't be paying for it.

But, Mr. Largent obviously is trying to do something that is aimed at producing and developing technology which, in my book, that has a lot to do with basic research.

Mr. BROWN. May I respond?

Mr. ROHRABACHER. Yes, sir.

Mr. BROWN. I'm so glad to hear you say that technology has something to do with basic research. Now, in the—

[Laughter.]

Mr. BROWN: —Bush Administration, Dr. Bromley went to great lengths to justify the Administration's policy at that time to support competitive—pre-competitive generic research. You have just defended that position almost in the same identical words that Dr. Bromley enunciated.

Mr. ROHRABACHER. Only if bodies, as we are, can juxtapose that spending to other spending concerns and feel that it's justified. And, the fact is, when we are here prioritizing the spending, this may well be a priority within the limits that we have.

If this was spending, for example, above the caps, it wouldn't even be discussed. As far as I'm concerned, it not only didn't make itself into the mark, I would be thoroughly opposing it right now.

But, at least, what it's trying to do, within the limits that we've set, is to say that there is going to be development in this area of the oil and gas industry.

Mr. BROWN. Mr. Chairman, I am going to suggest to you that you have your staff thoroughly review your reasoning on this and that you hone your justifications very carefully, because you are going to need to use them frequently.

Mr. ROHRABACHER. The money that is being taken, that Mr. Largent is taking his money from, is exactly the same kind of program in terms of the grants that he is then applying it to this new program. But, it's exactly in the same set.

We are not starting something new here. We are just trying to set priorities. So, it's not like we are setting up a whole new situation.

Mr. Walker, would you like to respond?

Mr. WALKER. Sure.

Mr. ROHRABACHER. I do appreciate these challenges from Mr. Brown, whose experience and knowledge is well respected on both sides of the aisle.

Mr. BROWN. It will improve your chairmanship, Mr. Rohrabacher.

Mr. ROHRABACHER. Well, thank you.

[Laughter.]

Mr. WALKER. I, too, want to thank Mr. Brown for raising these very pertinent issues. It's too bad sometimes they digress into kind of a—into kind of personal attacks on the people involved rather than the whole thing about the issues. But, I do think it's an important subject area and one that obviously is brought up by the party that for years promoted these ideas of R&D going directly to particular kinds of programs with the idea that that was real R&D.

It has been very interesting to begin some research, since we now have the power to do some of that, and find out just how some of these programs worked. I've been particularly interested because one of the reasons for bringing up these programs all the time is the defense of the advanced technology program—one of the cornerstones of the Clinton Administration and the Democratic party at the present time—and to find how that money has been allocated.

In Mr. Brown's State of California, I found the other day, as we looked at that, that lo and behold, 73 of the projects went into Democratic districts and only 22 of them went into Republican districts. Gee, isn't that wonderful peer review? I mean, it certainly works well.

In my state, we had 11 projects. Nine of them went into Democratic districts.

In Michigan, there were 37 projects in Democratic districts. Only nine made it in Republican districts.

Now, I mean, we can talk about the fact—

Mr. HAYES. Which category did they list my district in?

[Laughter.]

Mr. WALKER. We had a question mark beside it. But, as we look at these programs, it turns out that there was a very large element of attempting to make certain that they might serve some minor R&D needs. But, they also served a great—a very great political need.

It was also interesting to note that as we look at these programs how many of the people who got the money happened to make huge contributions to political campaigns. You know, there seems to be

kind of a nice correlation between those who contribute to political campaigns and those who end up getting technology projects.

Now, all I'm suggesting is that we can debate these issues and we can have a lot of fun here with regard to the particular interest of members. You know, there is an attempt on this Committee—there has long been an attempt on a bipartisan basis to accommodate things that members thought were in theirs.

But, we have had a long standing tradition that we try to stay away from the pork barreling as well. And, I think we—

Mr. OLVER. Mr. Chairman—

Mr. WALKER. And, I think we ought to continue that. But, I also think that when we are making high-minded statements and so on or attempting to try to hang people on their general philosophy about things, we ought to recognize what it is that we are fighting against.

Corporate welfare is very, very real in a lot of these programs. Corporate welfare has, in fact, become a very grave problem, because we have, in a sense, totally changed the direction of R&D spending in this country over the last 20 years. And, more and more of it was going toward non-priority research that had politically derived motives.

And, we want to stop some of that. And, I would hope that maybe in the course of the deliberations of this Committee and the work that we are doing here in trying to do these budget cuts that that sense of priority will actually come through.

Mr. ROHRABACHER. This lowly Subcommittee Chairman will—we've only got a couple of minutes left. But, let us hope that we can refocus the debate on the Largent amendment. However, the distinguished—and I won't say that, Mr. Brown, who is held in very high regard on both sides of the aisle, will have a couple of minutes to respond.

Mr. BROWN. First, let me acknowledge that Mr. Walker and I have cooperated on efforts to eliminate or reduce earmarks over the years. And, I frankly consider a program which is contained in authorizing legislation not to be an earmark in the terms that we normally use that term.

I am not accusing this as being an earmark.

And, I've indicated already in my remarks that I will support it as long as it is consistent with the clear language of your Bill, Mr. Chairman, that requires that a site specific allocation by the Secretary be given an exception to the requirements for a peer review. And, that's what my amendment seeks to do.

Mr. WALKER. Well, if the gentleman would allow me to reclaim my time, that's—that's the problem—that's the problem with your amendment. It says, "notwithstanding Section 6 of this Act."

Now, if the gentleman would put language in that says, "in compliance with Section 6 of this Act," I—I would—I would think that that's—that that would be a far more helpful suggestion in that regard, to make certain that what we are doing here—

Mr. BROWN. If the gentleman would allow me to respond, I was going to waive the requirement that it be peer-reviewed as long as the exception was noted. If the gentleman would like to offer a modification which says that this must be peer-reviewed, then I would certainly support that.

Mr. WALKER. Well, in my view, we want Section 6 of the Act to apply to whatever we put in here in terms of money.

Mr. BROWN. Well, then, let's work out some language for the Full Committee that will make that clear, Mr. Chairman.

Mr. OLVER. Mr. Chairman, would the gentleman—would the gentleman yield?

Mr. WALKER. Sure.

Mr. OLVER. My understanding here is that Mr. Brown had done a very helpful thing to make certain that what Mr. Largent wanted to do could be done within the law by saying, "notwithstanding Section 6," because Mr. Largent's earmark, which I think we all agree is an earmark for a particular consortium, could not be done except if it were peer-reviewed under—

Mr. WALKER. No.

Mr. OLVER: —the provisions of Section 6.

Mr. WALKER. The amendment says, "notwithstanding. . ."

Mr. OLVER. Very clearly, what he was trying to do was to exempt it from Section 6 so that that specific consortium could go forward without peer review. Now, what you are proposing is that you require it to be subject to Section 6.

Mr. WALKER. Well, in my view, the way that you prevent things from being earmarked and the way that you make certain that you get the best science is to assure that they are in compliance with Section 6. That's what Section 6 is all about.

And—and I have a—I have a great deal of objection to saying that we are going to spend money that doesn't have that kind of a—

Mr. OLVER. Well, I'm—if you would yield again, I am very happy to hear that you do have that consistency, because I was beginning to wonder here. My jaw was beginning to drop.

First of all, both the Chairman—

Mr. WALKER. I didn't propose the amendment.

Mr. OLVER. I understand. But, you, up until now, I thought were acceding to it.

Mr. ROHRABACHER. Would the Chairman—if the Chairman—if this Chairman can regain control of the discussion—

[The Chairman is conferring with staff.]

Mr. ROHRABACHER. Mr. Brown, do you have something?

Mr. BROWN. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

Mr. ROHRABACHER. Without objection, Mr. Brown's amendment is withdrawn.

The subject before us at this moment is the Largent amendment. If there is no other discussion, we will have a vote on the amendment.

Mr. Brown may choose to amend the Largent amendment or make modifications in Full Committee.

Mr. MCHALE. Mr. Chairman.

Mr. ROHRABACHER. Who is seeking recognition? Yes.

Mr. MCHALE. A parliamentary inquiry. In light of the unanimous consent that has just been given for the withdrawal of the Brown amendment, is it correct then to conclude that in the absence of the Brown amendment, the Largent amendment is now still subject to the requirements of Section 6[a]?

Mr. ROHRABACHER. That is correct.

Mr. MCHALE. Thank you, Mr. Chairman.

Mr. BROWN. Mr. Chairman, if I may, the language of Section 6[a]—6[b], actually, requires a specific reference to the language of Section 6[a], which is not contained in Mr. Largent's amendment.

Mr. WALKER. It says to waive 6[a] there has to be a specific reference. And, we are not waiving 6[a].

Mr. ROHRABACHER. Yes, 6[a] is not waived unless Mr. Brown's amendment is put forward in Full Committee.

Mr. BROWN. Mr. Chairman, if I may suggest—

Mr. ROHRABACHER. Yes.

Mr. BROWN: —it was my hope that you would ask Mr. Largent to withdraw his amendment and properly draft it on advice of counsel and consider it in the Full Committee at that time. And, I will support it if it's properly drafted at that point.

Mr. LARGENT. I will withdraw my amendment. And, we will report it back in the Full Committee.

Mr. ROHRABACHER. That's up to you, Mr. Largent. And, without objection, this amendment has been withdrawn.

And, Mr. Largent will submit this in Full Committee. Thank you.

The last amendment to this Bill is offered by Mr. Davis.

[The amendment offered by Mr. Davis follows:]

AMENDMENT TO THE SUBCOMMITTEE PRINT

OFFERED BY MR. DAVIS

Page 20, after line 25, insert the following new section:

SEC. 8. FURTHER AUTHORIZATIONS.

"Nothing in this Act shall preclude further authorization of appropriations for civilian research, development, demonstration, and commercial application activities of the Department of Energy for fiscal year 1996; *Provided*, that authorization allocations adopted by the Conference Committee on House Concurrent Resolution 67, and approved by Congress, allow for such further authorizations.

Mr. ROHRABACHER. Mr. Davis.

Mr. DAVIS. Mr. Chairman, I have an amendment to Section 8, Further Authorizations. And, as I had noted in comments previously, this simply says that, ''Nothing in this Act shall preclude further authorization of appropriations for civilian research, development, demonstration, and commercial application activities of the Department of Energy for fiscal year 1996; Provided, that authorization allocations adopted by the Conference Committee on House Concurrent Resolution 67, and approved by Congress, allow for such further authorizations.''

This just builds into place the assurances we have heard from the Chairman of the Full Committee and the Subcommittee that we will revisit increased authorizations as the budget caps—should they be lifted.

Mr. ROHRABACHER. Is there any discussion on the Davis amendment? I find it very self-explanatory.

Mr. DOYLE. Yes, Mr. Chairman.

Mr. ROHRABACHER. Yes.

Mr. DOYLE. Mr. Chairman, I have a substitute to Mr. Davis' amendment, which I believe is at the desk.

Mr. ROHRABACHER. There is a substitute for Mr. Davis' amendment. Where is the substitute for Mr. Davis' amendment?

The Clerk will present the substitute to Mr. Davis' amendment.

[The substitute to Mr. Davis' amendment offered by Mr. Doyle follows:]

**SUBSTITUTE AMENDMENT TO THE DAVIS AMENDMENT
OFFERED BY MR. DOYLE**

Page 20, after line 25, insert the following new section:

1 SEC. 8. ALTERNATIVE AUTHORIZATION.

2 (a) In General. -- Notwithstanding any other provision of this Act, if the concurrent
3 resolution approved by the House of Representatives and the Senate on the budget for fiscal
4 year 1996 is based on an assumption of a tax cut of less than $350,000,000,000, the total
5 amount authorized by this Act shall be increased by the amount equal to $758,000,000
6 multiplied by the fraction whose numerator is $350,000,000,000 minus the amount of the tax
7 cut reflected in the concurrent resolution and whose denominator is $350,000,000,000.

8 (b) Application of Increase. -- Any amount appropriated pursuant to subsection (a)
9 shall be used as follows:

10 (1) 47 percent shall be for Energy Supply Research and Development;

11 (2) 2 percent shall be for General Science and Research Activities;

12 (3) 25 percent shall be for Fossil Energy Research and Development; and

13 (4) 26 percent shall be for Energy Conservation Research and Development.

Mr. ROHRABACHER. Mr. Doyle is full of substitutes today.

Mr. DAVIS. Mr. Chairman, let me just note for the record that Mr. Doyle has discussed this with me and—

Mr. WALKER. I reserve a point of order against the substitute.

Mr. ROHRABACHER. The gentleman does reserve a point of order. Mr. Davis—

[The Chairman is conferring with staff.]

Mr. WALKER. I make a point of order against the substitute that the language in the Alternative Authorization section, Section 8, is not within the scope of the Bill; and, so, therefore, is not germane to the consideration of this legislation.

Mr. ROHRABACHER. A point of order has been made that Section 8 of this Bill is not germane. Does anyone wish to be heard on this particular point of order?

[No response.]

Mr. ROHRABACHER. The Chair will confer with counsel on the point of order.

Mr. DOYLE. Mr. Chairman, if you would read the Act, it speaks specifically to the total amount authorized by this Act. You know, I would disagree with Mr. Walker. I think it is germane.

Mr. WALKER. Well, there is nothing in the total amount that's contained that includes 350 billion dollars for tax cuts. And, so that provision alone makes it completely non-germane to the Bill we have before us.

We have no—we have no tax cuts above 350 billion dollars in this Bill.

Mr. DOYLE. It's a contingent authorization.

Mr. WALKER. But, you are making it contingent on something that is not included in the Bill.

Mr. DOYLE. It's contingent on an outside event.

Mr. DAVIS. Mr. Chairman, let me see if I can try and shed some light. As I understand the objection at this point, the point of order is that the budget allocation doesn't speak—it gives an allocation for programs here. It doesn't speak to tax cuts or no tax cuts.

And, the appropriate way to handle this would be that if our allocation is raised—and that's not what this talks about. This talks about a cut in taxes on which that authorization is based.

Mr. ROHRABACHER. The Chair rules that the Doyle amendment is germane. If Mr. Walker would like to challenge that, we would be very willing to have a vote.

But, the Chair rules in favor of Mr. Doyle. Mr. Walker is not going to challenge the ruling by the Chair.

Mr. Doyle is recognized.

Mr. DOYLE. Thank you, Mr. Chairman.

Mr. DAVIS. Could I—what is the—could I just ask the intent of the Chair in terms of are we going to try and vote on this before we go?

Mr. ROHRABACHER. I think if we could have this debate and get it over with and have this vote before we leave, I would like to do so. But, we won't be able to get—I would suggest that we go and vote right now, that we break for 10 minutes and then come back and get this all done.

And, we will have final—it is a series of votes. Five minutes after the last vote, let us return and finish this bill up. We should be able to do that quickly.

The Committee is in recess.

[Whereupon, a recess is taken at 2:28 p.m., to reconvene at 3:57 p.m., this same date.]

Mr. ROHRABACHER. We do not have enough members to begin at this moment. So, as soon as we have a quorum, we will begin.

I would appreciate it if the members would stay close by their seats so we can begin as soon as a quorum is achieved.

[Whereupon, the Committee is in recess at 3:58 p.m., to reconvene at 4:06 p.m., this same date.]

Mr. ROHRABACHER. Members will be seated. Let's come to order and let's get this going.

It is the Chairman's intention to try to get done with the Energy Bill and the EPA Bill, at the very least. And, hopefully we can do NOAA as well.

But, let's get moving forward as fast as we can and see how far we get. We are on the Doyle substitute to the Davis amendment.

Mr. Doyle, would you like to say a few words about that?

Mr. DOYLE. Thank you, Mr. Chairman.

Mr. ROHRABACHER. As few words as possible.

[Laughter.]

Mr. DOYLE. Yes. I guess we've all got planes that we want to catch.

Basically, what this is an attempt to do, this is a contingent authorization. And, I think there is general recognition in this House that this 350 billion dollars in tax cuts is not going to be what we finally end up when the House and the Senate get together.

And, what I'm attempting to do is saying that if when the House of Representatives and the Senate on the budget for FY-96 pass something less than 350 billion dollars in tax cuts that whatever the proportionate decrease—if they pass 250 instead of 350 billion, that we take a percentage of that up against the 758 million dollars, which represented the funding that we put through in Stenholm, and give us that percentage back into the Department of Energy and apply those increases in the percentages, which I've outlined in Section [b], so that we have some mechanism or some way to put teeth in it that we are guaranteed that if we have something less than a 350 billion dollar tax cut that we can guarantee that money is coming back to Energy R&D. That's what I'm attempting to do.

Mr. SCHIFF. Mr. Chairman.

Mr. ROHRABACHER. Mr. Schiff.

Mr. SCHIFF. I will very briefly speak against the substitute in favor of the original amendment.

As I stated before, I voted against the tax cut, not because I bought the arguments that are made against it but because I thought our priority is balancing the budget. But, I think this is the wrong way to authorize.

I think we should still authorize by the budget resolution figures. And, there are endless possibilities that are different from what the substitute offers.

There is a possibility that the tax cut could still be at the highest possible figure but that the budget conferees could still raise the numbers for scientific research by cutting other numbers in spending. And, I could go on and on and on.

And, I think that the original amendment offered by Mr. Davis is the way to go.

Mr. ROHRABACHER. Is there anyone else that would like to speak to the substitute?

[No response.]

Mr. ROHRABACHER. The Chairman would just like to say that it appears to me that what the substitute is trying to do is again to bring into the question about what happens if. And, being very specific, you are trying to basically raise the authorization lids even before we know exactly what's going to happen.

I mean, if, indeed, something does happen like is being suggested, some other factors in terms of what may be spent and what the overall lids will be, we don't know. And, it has to be part of an overall plan towards a balanced budget.

And, for us to be sitting here right now and to be setting this thing into our Bill based on speculation and information that we don't have and trying to basically establish things on hypotheticals is not good law. And, it's not good procedure.

And, it's not going to bring us to a point where we are able to come to a balanced budget. It's going to come to a point where basically we are—we might find ourselves just in a very confused situation.

So, with that said, is there anyone else who wishes to speak for this Bill?

Mr. DOYLE. Mr. Chairman, if the gentleman would just yield one second? I would just like—

Mr. ROHRABACHER. I certainly will. In fact, I will yield you another minute to rebut me if you would like.

Mr. DOYLE. Thank you. I would just like to say that this contingent authorization is no different than basically what was done yesterday with the space station and that I don't think that it's a departure from what is being done in many other areas.

And, I thank you for the time.

Mr. ROHRABACHER. If basically—if there is a tax cut that is passed or isn't passed, some of—you know, whether or not we want to—want that to be translated or whether or not the House wants it to be translated specifically into more spending for this Committee is not something that is apparent. It might be apparent that the overall—in the overall considerations these things might want to go in another direction.

But, the point is, we should give ourselves the benefit, as Mr. Davis does, of revisiting this and talking about it and trying to work at it. But, trying to tie us into a formula like you are doing now is not—is not the right approach.

Does anyone else have any discussion on this?

[No response.]

Mr. ROHRABACHER. Mr. Davis, whose substitute this is—Mr. Davis is on his way in. And, as you can see, he is totally prepared to jump right into this debate.

[Laughter.]

Mr. ROHRABACHER. And, we were talking something about the District of Columbia. No, no, that was another issue.

[Laughter.]

Mr. ROHRABACHER. Okay. Mr. Davis, is there something you would like to say about the substitute to your amendment, Mr. Doyle's substitute?

Mr. DAVIS. Well, I just didn't try to take an effort to, at this point, apportion where the dollars will go should we get additional dollars for authorization, because we could be here all night with that. And, I think what we want to make is a statement that we recognize the numbers on the—the budget numbers may change and that we are committed to coming back and revisiting them at that time.

And, I think that was—Mr. Doyle made that argument this morning, that they may, in fact, change. We recognize that. And, I think this takes care of it.

Mr. ROHRABACHER. The Majority and the Chairman here definitely recognize that the numbers could change. We are not precluded.

In fact, Mr. Davis' amendment basically makes it the policy that we will come back and talk about these things. Setting down a formula, however, on how we will deal with that situation at this moment is, as I say, a very bad way of approaching the problem.

I would now ask, if there is no further discussion, for a vote on the Doyle substitute. If there is no objection, Mr. Doyle's substitute—all in favor of Mr. Doyle's substitute, say aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All opposed, nay.

[A chorus of nays.]

Mr. ROHRABACHER. The no's have it. The substitute is defeated. We now go on—

Mr. DOYLE. Mr. Chairman, could we have a show of hands?

Mr. ROHRABACHER. Yes, we can. Would those in favor of the Doyle substitute, please raise your hand?

[A show of hands.]

Mr. ROHRABACHER. Those opposed, please raise your hand.

[A show of hands.]

Mr. ROHRABACHER. Thirteen to 10.

Mr. DOYLE. Mr. Chairman, I would like to request a roll call vote.

Mr. ROHRABACHER. It's going to take a while. But, if you want to do it, that's all right.

A roll call vote. The Clerk will call the roll.

The CLERK. Mr. Rohrabacher.

Mr. ROHRABACHER. No.

The CLERK. Mr. Rohrabacher votes no. Mr. Fawell.

Mr. FAWELL. No.

The CLERK. Mr. Fawell votes no. Mr. Weldon.

Mr. WELDON. No.

The CLERK. Mr. Weldon votes no. Mr. Bartlett.

Mr. BARTLETT. No.

The CLERK. Mr. Bartlett votes no. Mr. Wamp.

Mr. WAMP. No.

The CLERK. Mr. Wamp votes no. Mr. Graham.

Mr. GRAHAM. No.
The CLERK. Mr. Graham votes no. Mr. Salmon.
Mr. SALMON. No.
The CLERK. Mr. Salmon votes no. Mr. Davis.
Mr. DAVIS. No.
The CLERK. Mr. Davis votes no. Mr. Largent.
[No response.]
The CLERK. Mrs. Cubin.
[No response.]
The CLERK. Mr. Foley.
[No response.]
The CLERK. Mr. Schiff.
Mr. SCHIFF. No.
The CLERK. Mr. Schiff votes no. Mr. Baker.
Mr. BAKER. No.
The CLERK. Mr. Baker votes no. Mr. Ehlers.
Mr. EHLERS. No.
The CLERK. Mr. Ehlers votes no. Mr. Stockman.
Mr. STOCKMAN. No.
The CLERK. Mr. Stockman votes no. Mr. Walker.
Mr. WALKER. No.
The CLERK. Mr. Walker votes no. Mr. Hayes.
Mr. HAYES. Yes.
The CLERK. Mr. Hayes votes yes. Mr. Minge.
Mr. MINGE. Yes.
The CLERK. Mr. Minge votes yes. Mr. Olver.
Mr. OLVER. Yes.
The CLERK. Mr. Olver votes yes. Mr. Ward.
[No response.]
The CLERK. Mr. Doyle.
Mr. DOYLE. Yes.
The CLERK. Mr. Doyle votes yes. Mr. Roemer.
Mr. ROEMER. Yes.
The CLERK. Mr. Roemer votes yes. Mr. Cramer.
Mr. CRAMER. Yes.
The CLERK. Mr. Cramer votes yes. Mr. Barcia.
Mr. BARCIA. Yes.
The CLERK. Mr. Barcia votes yes. Mr. McHale.
Mr. MCHALE. Yes.
The CLERK. Mr. McHale votes yes. Ms. Johnson.
[No response.]
The CLERK. Ms. Rivers.
Mrs. RIVERS. Yes.
The CLERK. Ms. Rivers votes yes. Ms. McCarthy.
Ms. MCCARTHY. Yes.
The CLERK. Ms. McCarthy votes yes. Mr. Brown.
[No response.]
Mr. ROHRABACHER. Is there anyone who is here but has not voted?
Mr. WARD. I might ask how I am reported, recorded.
Mr. ROHRABACHER. Mr. Ward. How is Mr. Ward recorded?
The CLERK. Mr. Ward is not recorded.
Mr. ROHRABACHER. Mr. Ward, how would you like to be recorded?

Mr. WARD. I would like to be recorded as voting aye.

Mr. ROHRABACHER. The Clerk will read the results.

The CLERK. Mr. Chairman, the roll call tally is yea's are—excuse me. Yea's, 11; nay's, 13.

Mr. ROHRABACHER. The substitute is not agreed to.

The question is now on the amendment, the Davis amendment. All in favor of the Davis amendment, say aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All opposed.

[No response.]

Mr. ROHRABACHER. The ayes have it. We have one more amendment.

The Davis amendment has passed. Mr. Ehlers has an amendment.

Is that correct, Mr. Ehlers?

Mr. EHLERS. Yes, it is.

Mr. ROHRABACHER. Would you move it forward?

Mr. EHLERS. Thank you, Mr. Chairman. I have an amendment at the desk. And, it is being distributed.

[The amendment offered by Mr. Ehlers follows.]

AMENDMENT TO THE SUBCOMMITTEE PRINT
OFFERED BY MR. EHLERS

Page 9, line 7, strike "$624, 323,000" and insert in lieu thereof "$596,015,000".

Page 9, line 8, strike "$607,253,000" and insert in lieu thereof "$578,945,000".

Page 11, line 21, strike "$290,110,000" and insert in lieu thereof "$318,918,000".

Page 11, line 22, strike "$213,313,000" and insert in lieu thereof "$241,318,000".

Mr. EHLERS. This morning during our debate, Mr. Olver mentioned the rather drastic cut in university-based accelerator research, in fact, so drastic that it was zeroed out. And, I have worked with the Chairman of the Subcommittee and the staff and have identified some possible funding for it.

The amendment would restore the university-based accelerator research which, I am convinced, gives more dollar for dollar than almost any other research effort within the Department of Energy, because the work is done largely by graduate students who obviously work for very low pay. And, also the researchers are guided by professors who are—have a lot of brain power for the dollar.

So, I think it's beneficial to reinstate that. And, I appreciate the Chairman's support and effort on this and ask the Committee to agree with this.

The money for it, incidentally, will come from the environmental management line, which has had one of the lowest reductions in the Energy budget. The Chairman's mark had cut it 13 percent. This would make it an 18 and a half percent cut.

So, I urge adoption of the amendment. Thank you.

Mr. ROHRABACHER. Is there any other discussion? Ms. Rivers?

Ms. RIVERS. Thank you, Mr. Chair. I oppose this particular amendment.

And, I do so not because I doubt the good faith of the person who is offering it, because I believe Mr. Ehlers is a friend to science and a friend to universities, in general. But, I have concerns that what we are doing here is pitting one important program off another important program.

And, although the number of dollars here appear to be very, very large, in fact, many of those dollars are already committed to contracts that cannot be broken. And, the number—the amount of money left over from which this change must come will most probably affect very negatively the robotics programs at universities across the country.

And, I think it is a very—it is a Hobson's choice for us to be faced with whether or not we support accelerated research in nuclear physics or whether we support robotics. I think they are both basic and important to our future as a nation.

And, I would hope that we would not pass this at the moment and take another look at the Bill before it comes to general committee and a way to find—in order to find a way to fund both of those programs.

Mr. EHLERS. Will the gentle lady yield? Ms. Rivers, will you yield?

Ms. RIVERS. Yes, I will yield.

Mr. EHLERS. Thank you for yielding. I just wanted to comment that it is, indeed, a Hobson's choice.

But, our discussion today has been filled with Hobson's choices. All of these are.

I am put in a particular position—virtually everything I've argued for today is not in my district. This—and this particular item, actually my amendment hurts me to a certain extent, because it restores funding for university-based research.

But, at the same time, the money comes from—and as Ms. Rivers says, it may hurt the University of Michigan, which is in her dis-

trict, but also very close to my district. But, yet I think the university-based accelerated research is extremely important.

The accelerators are there. The money will be well spent.

These are facilities that also receive substantial support from the National Science Foundation. I should say the researchers working on them receive support from the NFS.

If we kill the accelerators, that kills the entire project. And, I think the likelihood that the robotics project at the University of Michigan will be affected is very small, relatively small.

It's—we have 638 million in this line. And, we are taking far less than that, in the neighborhood of 28 million dollars and using that to fund the accelerator research.

That still leaves over—that leaves 580 million. And, I realize some of it is committed.

But, certainly I think there's a good chance the robotics project will survive anyway. So, I urge adoption of the amendment.

Mr. ROHRABACHER. Okay. Is there anyone else who wishes to participate in this discussion?

[No response.]

Mr. ROHRABACHER. If not, we will move to a vote on the amendment. All those in favor of the amendment, please signify by saying aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All opposed, say no.

[A chorus of nays.]

Mr. ROHRABACHER. It's a close call. But, I would say the ayes have it.

With that, the amendment is accepted. We will now move—

Mr. MCHALE. Mr. Chairman, I do call for a recorded vote.

Mr. ROHRABACHER. I knew you would.

[Laughter.]

Mr. ROHRABACHER. All right. I knew someone was bound to do that.

The Clerk will call the roll.

The CLERK. Mr. Rohrabacher.

Mr. ROHRABACHER. Aye.

The CLERK. Mr. Rohrabacher votes aye. Mr. Fawell.

[No response.]

The CLERK. Mr. Weldon.

Mr. WELDON. Aye.

The CLERK. Mr. Weldon votes yes. Mr. Bartlett.

Mr. BARTLETT. Yes.

The CLERK. Mr. Bartlett votes yes. Mr. Wamp.

Mr. WAMP. Yes.

The CLERK. Mr. Wamp votes yes. Mr. Graham.

Mr. GRAHAM. No.

The CLERK. Mr. Graham votes no. Mr. Salmon.

Mr. SALMON. No.

The CLERK. Mr. Salmon votes no. Mr. Davis.

[No response.]

The CLERK. Mr. Largent.

[No response.]

The CLERK. Mrs. Cubin.

[No response.]

The CLERK. Mr. Foley.
[No response.]
The CLERK. Mr. Schiff.
Mr. SCHIFF. Yes.
The CLERK. Mr. Schiff votes yes. Mr. Baker.
Mr. BAKER. No.
The CLERK. Mr. Baker votes no. Mr. Ehlers.
Mr. EHLERS. Yes.
The CLERK. Mr. Ehlers votes yes. Mr. Stockman.
Mr. STOCKMAN. Yes.
The CLERK. Mr. Stockman votes yes. Mr. Walker.
Mr. WALKER. Yes.
The CLERK. Mr. Walker votes yes. Mr. Hayes.
Mr. HAYES. No.
The CLERK. Mr. Hayes votes no. Mr. Minge.
Mr. MINGE. Yes.
The CLERK. Mr. Minge votes yes. Mr. Olver.
Mr. OLVER. Yes.
The CLERK. Mr. Olver votes yes. Mr. Ward.
Mr. WARD. Yes.
The CLERK. Mr. Ward votes yes. Mr. Doyle.
Mr. DOYLE. No.
The CLERK. Mr. Doyle votes no. Mr. Roemer.
Mr. ROEMER. Yes.
The CLERK. Mr. Roemer votes yes. Mr. Cramer.
Mr. CRAMER. No.
The CLERK. Mr. Cramer votes no. Mr. Barcia.
Mr. BARCIA. No.
The CLERK. Mr. Barcia votes no. Mr. McHale.
Mr. MCHALE. No.
The CLERK. Mr. McHale votes no. Ms. Johnson.
Ms. JOHNSON. Aye.
The CLERK. Ms. Johnson votes yes. Ms. Rivers.
Ms. RIVERS. No.
The CLERK. Ms. Rivers votes no. Ms. McCarthy.
Ms. MCCARTHY. No.
The CLERK. Ms. McCarthy votes no. Mr. Brown.
[No response.]

Mr. ROHRABACHER. Would the gentleman from Kentucky would like to change his vote?

Mr. WARD. Yes. I would like to be recorded as voting no, please.

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

Mr. ROHRABACHER. How is Mr. Fawell recorded?

The CLERK. Mr. Fawell is not recorded.

Mr. FAWELL. No.

Mr. ROHRABACHER. The Clerk will report the Bill.

The CLERK. Mr. Chairman, the roll call tally is yea's 12; nay's 12.

Mr. ROHRABACHER. The motion fails for lack of a majority, I believe. And, so now we move on to final passage.

The Chairman doesn't need to note that the bipartisan nature of the decision-making that is going on here today—and these decisions are not made on any party line whatsoever. And, I think that when I said that this would be open, that this process would be

open and the decisions would be made and the priority set by majority vote of the members of this Committee.

I hope that all of us understand that that is exactly what is going on. And, I think that there is a lot of sincerity on both sides of the aisle on trying to make these determinations.

At this point, we will move on to final passage. And, are there any further amendments?

[No response.]

Mr. ROHRABACHER. Hearing none, the Chair moves the Bill, as amended. All those in favor of the Bill, as amended, will say aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All opposed will say no.

[A chorus of nays.]

Mr. ROHRABACHER. It is the opinion of the Chair that the ayes have it. So, with that said, I move—the Ranking Minority member will.

Mr. HAYES. This is much better than the note that Palmer wrote that looked like something that would be handed to a bank clerk at a hold-up.

[Laughter.]

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 right. Okay. The Subcommittee has heard the motion.

Those in—pardon me. This is the first time I've been the Chairman of a markup.

Mr. HAYES. I feel like a teleprompter.

[Laughter.]

Mr. ROHRABACHER. All right. The Subcommittee has heard the motion.

Those in favor will say aye.

[A chorus of ayes.]

Mr. ROHRABACHER. Those opposed will say no.

[A chorus of nays.]

Mr. ROHRABACHER. It appears that 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.

Okay. This concludes our markup on the measure of the Department of Energy Civilian Research and Development Act of 1995.

We will now suspend momentarily to allow the Reporter to change to a new tape and to move to a new page in the transcript.

It is the intent of the—it is the intent of the Chairman to move forward now to the Environmental Research Development and Demonstration Authorization Act of 1995. I think we can get this done fairly quickly, because there are no amendments.

Is that right? There are no reported amendments.

And, if we can do this as well as the NOAA authorization, we will get done with all of this within an hour, I would hope. We will be getting done with the NOAA vote tonight.

I think that we can get it done within an hour or an hour and a half. And, we should get it done.

We will try. And, we will make a further assessment depending on how quickly it takes us to get through this next bill.

[Whereupon, the hearing on the DOE markup is completed at 4:30 p.m.,

[Additional material follows:]

COMMITTEE ON SCIENCE

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT

SUBCOMMITTEE MARKUP - JUNE 8, 1995

AMENDMENT ROSTER

I. H.R. -- The Department of Energy Civilian Research and Development Act of 1995.

-- Motion to postpone the measure - Defeated by roll call vote 10-17
-- Motion to table the reconsideration of the Doyle Amendment - Adopted by roll call vote 15-13
-- Motion to report the measure as amended to the Full Committee - Adopted by voice vote

No.	Sponsor	Description	Results
1.	Mr. Doyle	An amendment in the Nature of a Substitute to the Subcommittee Print	Defeated by roll call vote 13-16
2.	Mr. Ehlers	En bloc amendment to strike and insert	Defeated by roll call vote 6-14
3.	Mr. Foley	En bloc amendment to strike and insert	Defeated by roll call vote 10-13
4.	Mr. Bartlett	En bloc amendment to strike and insert	Adopted by roll call vote 14-9
5.	Mr. Ehlers	En bloc amendment to strike and insert	Withdrawn by unanimous consent
6.	Mr. Largent	En bloc amendment to strike and insert	Withdrawn by unanimous consent
6.a	Mr. Brown	An amendment to the amendment offered by Mr. Largent	Withdrawn by unanimous consent
7.	Mr. Davis	Inserts language to section 3 (c) Fossil Energy Research and Development	Adopted by voice vote

8.	Mr. Olver	An amendment to strike language in the "Funding Limitations" section	Defeated by roll call vote 13-13
9.	Mr. Ehlers	En bloc amendment to strike and insert	Defeated by roll call vote 12-12
10.	Mr. Davis	Inserts language to section 8 Further Authorizations	Adopted by voice vote
10.a	Mr. Doyle	Substitute to the amendment offered by Mr. Davis	Defeated by roll call vote 11-13

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT - 104TH CONGRESS **** ROLL CALL

SUBJECT: Motion to postpone

Rm.	Phone	Name	Present	Absent	Yea	Nay	Not Voting
2338	5-2415	Mr. Rohrabacher, R-CA				✓	
2159	5-3515	Mr. Fawell , R-IL				✓	
2452	5-2011	Mr. Weldon, R-PA					
322	5-2721	Mr. Bartlett, R-MD				✓	
423	5-3271	Mr. Wamp, R-TN				✓	
1429	5-5301	Mr. Graham, R-SC				✓	
115	5-2635	Mr. Salmon, R-AZ				✓	
415	5-1492	Mr. Davis, R-VA				✓	
410	5-2211	Mr. Largent, R-OK				✓	
1114	5-2311	Mrs. Cubin, R-WY					
506	5-5792	Mr. Foley, R-FL				✓	
2404	5-6316	Mr. Schiff, R-NM				✓	
1724	5-1880	Mr. Baker, R-CA				✓	
1717	5-3831	Mr. Ehlers, R-MI				✓	
417	5-6565	Mr. Stockman, R-TX				✓	
2369	5-2411	Mr. Walker, R-PA				✓	
2432	5-2031	Mr. Hayes, D-LA			✓		
1415	5-2331	Mr. Minge, D-MN			✓		
1027	5-5335	Mr. Olver, D-MA			✓		
1032	5-5401	Mr. Ward, D-KY			✓		
1218	5-2135	Mr. Doyle, D-PA			✓		
407	5-3915	Mr. Roemer, D-IN				✓	
236	5-4801	Mr. Cramer, D-AL				✓	
1410	5-8171	Mr. Barcia, D-MI			✓		
217	5-6411	Mr. McHale, D-PA				✓	
1123	5-8885	Ms. Johnson, D-TX			✓		
1116	5-8261	Ms. Rivers, D-MI			✓		
1232	5-4535	Ms. McCarthy, D-MO			✓		
2300	5-6161	Mr. Brown, D-CA			✓		

Attest: Jennifer Dickerson (Clerk) Total: Y 10 N 17

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT - 104TH CONGRESS **** ROLL CALL

SUBJECT: Motion to table the reconsideration of the Doyle Amendment

Rm.	Phone	Name	Present	Absent	Yea	Nay	Not Voting
2338	5-2415	Mr. Rohrabacher, R-CA			✓		
2159	5-3515	Mr. Fawell , R-IL			✓		
2452	5-2011	Mr. Weldon, R-PA			✓		
322	5-2721	Mr. Bartlett, R-MD			✓		
423	5-3271	Mr. Wamp, R-TN				✓	
1429	5-5301	Mr. Graham, R-SC			✓		
115	5-2635	Mr. Salmon, R-AZ			✓		
415	5-1492	Mr. Davis, R-VA			✓		
410	5-2211	Mr. Largent, R-OK			✓		
1114	5-2311	Mrs. Cubin, R-WY			✓		
506	5-5792	Mr. Foley, R-FL			✓		
2404	5-6316	Mr. Schiff, R-NM			✓		
1724	5-1880	Mr. Baker, R-CA			✓		
1717	5-3831	Mr. Ehlers, R-MI			✓		
417	5-6565	Mr. Stockman, R-TX			✓		
2369	5-2411	Mr. Walker, R-PA			✓		
2432	5-2031	Mr. Hayes, D-LA				✓	
1415	5-2331	Mr. Minge, D-MN				✓	
1027	5-5335	Mr. Olver, D-MA				✓	
1032	5-5401	Mr. Ward, D-KY				✓	
1218	5-2135	Mr. Doyle, D-PA				✓	
407	5-3915	Mr. Roemer, D-IN				✓	
236	5-4801	Mr. Cramer, D-AL				✓	
1410	5-8171	Mr. Barcia, D-MI					
217	5-6411	Mr. McHale, D-PA				✓	
1123	5-8885	Mr. Johnson, D-TX				✓	
1116	5-6261	Mr. Rivers, D-MI				✓	
1232	5-4535	Ms. McCarthy, D-MO				✓	
2300	5-6161	Mr. Brown, D-CA				✓	

Attest: Jennifer Dickerson (Clerk) Total: Y 15 N 13

AMENDMENT IN THE NATURE OF A SUBSTITUTE
OFFERED BY MR. DOYLE
TO THE SUBCOMMITTEE PRINT

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

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "Energy Research and
3 Development Act of 1995".

4 SEC. 2. FINDINGS.

5 The Congress finds that—

6 (1) Federal support of research and develop-
7 ment in general, and energy research and develop-
8 ment in particular, has played a key role in the
9 growth of the United States economy since World
10 War II through the production of new knowledge,
11 the development of new technologies and processes,
12 and the demonstration of such new technologies and
13 processes for application to industrial and other
14 uses;

15 (2) Federal support of energy research and de-
16 velopment is especially important because such re-
17 search and development contributes to solutions for

1 national problems in energy security, environmental
2 restoration, and economic competitiveness;
3 (3) the Department of Energy has successfully
4 promoted new technologies and processes to address
5 problems with energy supply, fossil energy, and en-
6 ergy conservation through its various research and
7 development programs;
8 (4) while the Federal budget deficit and pay-
9 ments on the national debt must be addressed
10 through cost-cutting measures, investments in basic
11 research and research and development on key en-
12 ergy issues must be maintained;
13 (5) within the last two years, the Department
14 of Energy has made great strides in managing its
15 programs more efficiently and effectively;
16 (6) significant savings should result from these
17 measures without hampering the Department's core
18 missions; and
19 (7) the Strategic Realignment Initiative and
20 other such efforts of the Department should be con-
21 tinued.
22 **SEC. 3. DEFINITIONS.**
23 For purposes of this Act—
24 (1) the term "Department" means the Depart-
25 ment of Energy; and

1 (2) the term "Secretary" means the Secretary
2 of Energy.

3 SEC. 4. ENERGY CONSERVATION.

4 There are authorized to be appropriated to the Sec-
5 retary for fiscal year 1996 for energy conservation re-
6 search, development, and demonstration—

7 (1) $62,700,000 for energy conservation in
8 buildings;

9 (2) $121,700,000 for energy conservation by in-
10 dustry;

11 (3) $185,700,000 for energy conservation in the
12 transportation sector;

13 (4) no funds for energy conservation by utili-
14 ties;

15 (5) $36,400,000 for technical and financial as-
16 sistance; and

17 (6) $7,000,000 for policy and management ac-
18 tivities.

19 SEC. 5. FOSSIL ENERGY.

20 There are authorized to be appropriated to the Sec-
21 retary for fiscal year 1996 for fossil energy research, de-
22 velopment, and demonstration—

23 (1) $114,900,000 for coal;

24 (2) $81,700,000 for petroleum;

25 (3) $116,300,000 for gas;

1 (4) no funds for the Fossil Energy Cooperative
2 Research and Development Program;
3 (5) $2,000,000 for fuels;
4 (6) $64,000,000 for program direction and
5 management;
6 (7) $3,000,000 for plant and capital improve-
7 ments; and
8 (8) $16,400,000 for environmental restoration.
9 SEC. 6. HIGH ENERGY AND NUCLEAR PHYSICS.
10 (a) AUTHORIZATIONS.—There are authorized to be
11 appropriated to the Secretary for fiscal year 1996 for high
12 energy and nuclear physics activities of the Department—
13 (1) $665,000,000 for high energy physics ac-
14 tivities;
15 (2) $321,100,000 for nuclear physics activities;
16 and
17 (3) $9,000,000 for program direction.
18 (b) REPORT TO CONGRESS.—Before May 1, 1996,
19 the Secretary, after consultation with the high energy and
20 nuclear physics communities, shall prepare and transmit
21 to the Congress a strategic plan for the high energy and
22 nuclear physics activities of the Department, assuming a
23 combined budget of $900,000,000 for all activities author-
24 ized under this section for each of the fiscal years 1997,
25 1998, 1999, and 2000. The report shall include—

1 (1) a list of research opportunities to be pur-
2 sued, including both ongoing and proposed activities;
3 (2) an analysis of the relevance of each research
4 facility to the research opportunities listed under
5 paragraph (1):
6 (3) a statement of the optimal balance among
7 facility operations, construction, and research sup-
8 port and the optimal balance between university and
9 laboratory research programs;
10 (4) schedules for the continuation, consolida-
11 tion, or termination of each research program, and
12 continuation, upgrade, transfer, or closure of each
13 research facility; and
14 (5) a statement by project of efforts to coordi-
15 nate research projects with the international commu-
16 nity to maximize the use of limited resources and
17 avoid unproductive duplication of efforts.
18 **SEC. 7. SOLAR AND RENEWABLE ENERGY.**
19 There are authorized to be appropriated to the Sec-
20 retary for fiscal year 1996 for solar and renewable energy
21 research, development, and demonstration—
22 (1) $263,000,000 for solar energy;
23 (2) $30,000,000 for geothermal energy;
24 (3) $25,000,000 for hydrogen energy;
25 (4) $500,000 for hydropower;

1 (5) $34,700,000 for electric energy systems;
2 and
3 (6) $5,200,000 for energy storage systems.
4 SEC. 8. NUCLEAR ENERGY.
5 (a) AUTHORIZATIONS.—There are authorized to be
6 appropriated to the Secretary for fiscal year 1996 for nu-
7 clear energy research, development, and demonstration—
8 (1) $161,000,000 for nuclear energy, including
9 $49,740,000 for the Advanced Light Water Reactor
10 program;
11 (2) $69,700,000 for the termination of certain
12 facilities; and
13 (3) $25,400,000 for isotope support.
14 (b) PROHIBITIONS.—None of the funds authorized in
15 this Act for any fiscal year may be used for the Soviet
16 Design Reactor Safety Initiative or the Russian Replace-
17 ment Power Initiative.
18 (c) NATIONAL ACADEMY OF SCIENCES REPORT.—
19 The Secretary shall enter into an agreement with the Na-
20 tional Academy of Sciences for such Academy to conduct
21 a study of the Gas Turbine-Modular Helium Reactor, and
22 report the results of such study to the Congress by Decem-
23 ber 31, 1995. Such study shall consider the technical fea-
24 sibility and economic potential of such reactor design.

1 SEC. 9. CIVILIAN WASTE; ENVIRONMENT, SAFETY, AND
2 HEALTH.

3 There are authorized to be appropriated to the Sec-
4 retary for fiscal year 1996 for research, development, and
5 demonstration—

6 (1) $700,000 for civilian waste; and

7 (2) $143,900,000 for environment, safety, and
8 health.

9 SEC. 10. LONG-TERM INITIATIVES.

10 (a) AUTHORIZATIONS.—There are authorized to be
11 appropriated to the Secretary for fiscal year 1996—

12 (1) $429,500,000 for biological and environ-
13 mental research activities;

14 (2) $275,000,000 for fusion energy research,
15 development, and demonstration, including a fusion
16 research program using the Tokamak Fusion Test
17 Reactor, except that no funds authorized by this Act
18 for fiscal year 1996 or 1997 may be used for con-
19 struction of the Tokamak Physics Experiment; and

20 (3) $761,000,000 for basic energy sciences re-
21 search activities.

22 (b) REPORT TO CONGRESS.—Before May 1, 1996,
23 the Secretary, after consultation with the relevant sci-
24 entific communities, shall prepare and transmit to the
25 Congress a report detailing a strategic plan for the oper-

1 ation of facilities that are provided funds authorized by
2 subsection (a)(3). The report shall include—
3 (1) a list of such facilities, including schedules
4 for continuation, upgrade, transfer, or closure of
5 each facility;
6 (2) a list of proposed facilities to be provided
7 funds authorized by subsection (a)(3), including
8 schedules for the construction and operation of each
9 facility;
10 (3) a list of research opportunities to be pur-
11 sued, including both ongoing and proposed activities,
12 by the research activities authorized by subsection
13 (a)(3); and
14 (4) an analysis of the relevance of each facility
15 listed in paragraphs (1) and (2) to the research op-
16 portunities listed in paragraph (3).
17 SEC. 11. SUPPORT PROGRAMS FOR ENERGY SUPPLY RE-
18 SEARCH AND DEVELOPMENT.
19 There are authorized to be appropriated to the Sec-
20 retary for fiscal year 1996 for support programs for En-
21 ergy Supply Research and Development—
22 (1) $1,400,000 for Energy Research Analyses;
23 (2) $40,000,000 for Laboratory Technology
24 Transfer;

1 (3) $7,700,000 for advisory and oversight ac-
2 tivities;
3 (4) $25,000,000 for the Multi-Program Energy
4 Laboratory program;
5 (5) $4,000,000 for policy and management of
6 Energy Supply Research and Development;
7 (6) $2,000,000 for policy and management of
8 the energy research programs;
9 (7) $20,000,000 for University and Science
10 Education programs;
11 (8) $10,000,000 for the Technology Informa-
12 tion Management Program;
13 (9) $2,000,000 for the Technology Partnership;
14 (10) $15,000,000 for In-House Energy Man-
15 agement; and
16 (11) $642,000,000 for Civilian Environmental
17 Restoration and Waste Management.
18 SEC. 12. LIMITATION.
19 None of the funds authorized by this Act shall be
20 used at the Idaho National Engineering Laboratory after
21 June 1, 1996, with the exception of funds authorized by
22 sections 9 and 11(11).

3 SEC. 13. SENSE OF CONGRESS.

4 It is the sense of the Congress that $100,000,000
5 previously appropriated for the Clean Coal Technology
6 Program should be returned to the Treasury, and that
7 $220,000,000 of funds previously appropriated for activi-
8 ties for which funds are authorized by this Act, and allo-
9 cated for a specific location by the Congress, should also
10 be returned to the Treasury.

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT - 104TH CONGRESS **** ROLL CALL

SUBJECT: Doyle Substitute

Rm.	Phone	Name	Present	Absent	Yes	Nay	Not Voting
2338	5-2415	Mr. Rohrabacher, R-CA				✓	
2159	5-3515	Mr. Fawell , R-IL				✓	
2452	5-2011	Mr. Weldon, R-PA				✓	
322	5-2721	Mr. Bartlett, R-MD				✓	
423	5-3271	Mr. Wamp, R-TN			✓		
1429	5-5301	Mr. Graham, R-SC				✓	
115	5-2635	Mr. Salmon, R-AZ				✓	
415	5-1492	Mr. Davis, R-VA				✓	
410	5-2211	Mr. Largent, R-OK				✓	
1114	5-2311	Mrs. Cubin, R-WY				✓	
506	5-5792	Mr. Foley, R-FL				✓	
2404	5-6316	Mr. Schiff, R-NM				✓	
1724	5-1880	Mr. Baker, R-CA				✓	
1717	5-3831	Mr. Ehlers, R-MI				✓	
417	5-6565	Mr. Stockman, R-TX				✓	
2369	5-2411	Mr. Walker, R-PA				✓	
2432	5-2031	Mr. Hayes, D-LA			✓		
1415	5-2331	Mr. Minge, D-MN			✓		
1027	5-5335	Mr. Olver, D-MA			✓		
1032	5-5401	Mr. Ward, D-KY			✓		
1218	5-2135	Mr. Doyle, D-PA			✓		
407	5-3915	Mr. Roemer, D-IN			✓		
236	5-4801	Mr. Cramer, D-AL			✓		
1410	5-8171	Mr. Barcia, D-MI			✓		
217	5-6411	Mr. McHale, D-PA			✓		
1123	5-8885	Mr. Johnson, D-TX			✓		
1116	5-6261	Mr. Rivers, D-MI			✓		
1232	5-4535	Ms. McCarthy, D-MO			✓		
2300	5-8161	Mr. Brown, D-CA				✓	

Attest: Jennifer Dickerson (Clerk) Total: Y 13 N 16

-11-

AMENDMENTS TO THE SUBCOMMITTEE PRINT OFFERED BY MR. EHLERS

Page 3, line 4, strike "$203,641,000" and insert in lieu thereof "$257,608,000".

Page 3, line 5, strike "$203,521,000" and insert in lieu thereof "$257,488,000".

Page 12, line 16, strike "$49,955,000" and insert in lieu thereof "$36,746,000".

Page 12, line 17, strike "$41,234,000" and insert in lieu thereof "$30,306,000".

Page 12, line 18, strike "$57,829,000" and insert in lieu thereof "$43,819,000".

Page 12, line 20, strike "$32,192,000" and insert in lieu thereof "$23,661,000".

Page 12, line 21, strike "$476,000" and insert in lieu thereof "$358,000".

Page 12, line 24, strike "$1,994,000" and insert in lieu thereof "$1,465,000".

Page 13, line 2, strike "$7,557,000" and insert in lieu thereof "$5,554,000".

2

Page 13, line 4, strike "$12,370,000" and insert in lieu thereof "$9,091,000".

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT - 104TH CONGRESS **** ROLL CALL

SUBJECT: Ehlers Amendment (#2)

Rm.	Phone	Name	Present	Absent	Yea	Nay	Not Voting
2338	5-2415	Mr. Rohrabacher, R-CA				✓	
2159	5-3515	Mr. Fawell , R-IL				✓	
2452	5-2011	Mr. Weldon, R-PA					
322	5-2721	Mr. Bartlett, R-MD			✓		
423	5-3271	Mr. Wamp, R-TN			✓		
1429	5-5301	Mr. Graham, R-SC				✓	
115	5-2635	Mr. Salmon, R-AZ				✓	
415	5-1492	Mr. Davis, R-VA				✓	
410	5-2211	Mr. Largent, R-OK				✓	
1114	5-2311	Mrs. Cubin, R-WY				✓	
506	5-5792	Mr. Foley, R-FL				✓	
2404	5-6316	Mr. Schiff, R-NM				✓	
1724	5-1880	Mr. Baker, R-CA					
1717	5-3831	Mr. Ehlers, R-MI			✓		
417	5-6565	Mr. Stockman, R-TX					
2369	5-2411	Mr. Walker, R-PA				✓	
2432	5-2031	Mr. Hayes, D-LA				✓	
1415	5-2331	Mr. Minge, D-MN	✓				
1027	5-5335	Mr. Olver, D-MA					
1032	5-5401	Mr. Ward, D-KY				✓	
1218	5-2135	Mr. Doyle, D-PA				✓	
407	5-3915	Mr. Roemer, D-IN	✓				
236	5-4801	Mr. Cramer, D-AL	✓				
1410	5-8171	Mr. Barcia, D-MI			✓		
217	5-6411	Mr. McHale, D-PA				✓	
1123	5-8885	Mrs. Johnson, D-TX	✓				
1116	5-8261	Mrs. Rivers, D-MI			✓		
1232	5-4535	Ms. McCarthy, D-MO			✓		
2300	5-6161	Mr. Brown, D-CA					

Attest: Jennifer Dickerson (Clerk) Total: Y 6 N 14

AMENDMENT TO THE SUBCOMMITTEE PRINT OFFERED BY MR. FOLEY

Page 3, line 10, strike "$220,541,000" and insert in lieu thereof "$195,541,000".

Page 3, line 11, strike "$217,841,000" and insert in lieu thereof "$192,841,000".

Page 3, lines 12 through 14, strike ", including, subject to section 4(b), $25,000,000 for the Gas Turbine-Modular Helium Reactor".

Page 15, after line 20, insert the following new paragraph:

1 (44) Gas Turbine-Modular Helium Reactor.

Page 15, line 21, through page 16, line 7, strike subsection (b).

Page 16, line 8, redesignate subsection (c) as subsection (b).

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT - 104TH CONGRESS **** ROLL CALL

SUBJECT: Foley Amendment (#3)

Rm.	Phone	Name	Present	Absent	Yea	Nay	Not Voting
2338	5-2415	Mr. Rohrabacher, R-CA				✓	
2159	5-3515	Mr. Fawell , R-IL					
2452	5-2011	Mr. Weldon, R-PA				✓	
322	5-2721	Mr. Bartlett, R-MD				✓	
423	5-3271	Mr. Wamp, R-TN				✓	
1429	5-5301	Mr. Graham, R-SC			✓		
115	5-2635	Mr. Salmon, R-AZ			✓		
415	5-1492	Mr. Davis, R-VA				✓	
410	5-2211	Mr. Largent, R-OK					
1114	5-2311	Mrs. Cubin, R-WY					
506	5-5792	Mr. Foley, R-FL			✓		
2404	5-6316	Mr. Schiff, R-NM				✓	
1724	5-1880	Mr. Baker, R-CA					
1717	5-3831	Mr. Ehlers, R-MI				✓	
417	5-6565	Mr. Stockman, R-TX				✓	
2369	5-2411	Mr. Walker, R-PA				✓	
2432	5-2031	Mr. Hayes, D-LA				✓	
1415	5-2331	Mr. Minge, D-MN			✓		
1027	5-5335	Mr. Olver, D-MA			✓		
1032	5-5401	Mr. Ward, D-KY			✓		
1218	5-2135	Mr. Doyle, D-PA			✓		
407	5-3915	Mr. Roemer, D-IN				✓	
236	5-4801	Mr. Cramer, D-AL				✓	
1410	5-8171	Mr. Barcia, D-MI					
217	5-6411	Mr. McHale, D-PA			✓		
1123	5-8885	Mrs. Johnson, D-TX				✓	
1116	5-6261	Mrs. Rivers, D-MI			✓		
1232	5-4535	Ms. McCarthy, D-MO			✓		
2300	5-6161	Mr. Brown, D-CA				✓	

Attest: Jennifer Dickerson (Clerk) Total: Y 10 N 13

AMENDMENTS TO THE SUBCOMMITTEE PRINT OFFERED BY MR. BARTLETT OF MARYLAND

Page 3, line 10, strike "$220,541,000" and insert in lieu thereof "$234,541,000".

Page 3, line 14, insert ", and, subject to section 4(d), $14,000,000 for the AP600 light water reactor" after "Modular Helium Reactor".

Page 9, line 7, strike "$638,323,000" and insert in lieu thereof "$624,323,000".

Page 9, line 8, strike "$621,253,000" and insert in lieu thereof "$607,253,000".

Page 14, line 3, strike paragraph (9) and redesignate the subsequent paragraphs accordingly.

Page 16, after line 18, insert the following new subsection:

1 (d) LIGHT WATER REACTOR MATCHING FUNDS.—
2 Funds appropriated for the AP600 light water reactor
3 pursuant to section 3(a)(2)(A) shall be available only to
4 the extent that matching private sector funds are provided
5 for such project, and subject to the condition that such
6 Federal funds shall be repaid to the United States out

1 of royalties on the first commercial sale of such reactor

2 design.

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT - 104TH CONGRESS **** ROLL CALL

SUBJECT: Bartlett Amendment #4.

Rm.	Phone	Name	Present	Absent	Yes	Nay	Not Voting
2338	5-2415	Mr. Rohrabacher, R-CA				✓	
2159	5-3515	Mr. Fawell , R-IL					
2452	5-2011	Mr. Weldon, R-PA					
322	5-2721	Mr. Bartlett, R-MD			✓		
423	5-3271	Mr. Wamp, R-TN				✓	
1429	5-5301	Mr. Graham, R-SC				✓	
115	5-2635	Mr. Salmon, R-AZ			✓		
415	5-1492	Mr. Davis, R-VA			✓		
410	5-2211	Mr. Largent, R-OK					
1114	5-2311	Mrs. Cubin, R-WY					
506	5-5792	Mr. Foley, R-FL				✓	
2404	5-6316	Mr. Schiff, R-NM			✓		
1724	5-1880	Mr. Baker, R-CA					
1717	5-3831	Mr. Ehlers, R-MI			✓		
417	5-6565	Mr. Stockman, R-TX				✓	
2369	5-2411	Mr. Walker, R-PA			✓		
2432	5-2031	Mr. Hayes, D-LA			✓		
1415	5-2331	Mr. Minge, D-MN			✓		
1027	5-5335	Mr. Olver, D-MA				✓	
1032	5-5401	Mr. Ward, D-KY				✓	
1218	5-2135	Mr. Doyle, D-PA			✓		
407	5-3915	Mr. Roemer, D-IN			✓		
236	5-4801	Mr. Cramer, D-AL			✓		
1410	5-8171	Mr. Barcia, D-MI			✓		
217	5-6411	Mr. McHale, D-PA			✓		
1123	5-8885	Mrs. Johnson, D-TX			✓		
1116	5-6261	Mrs. Rivers, D-MI				✓	
1232	5-4535	Ms. McCarthy, D-MO				✓	
2300	5-6161	Mr. Brown, D-CA					

Attest: Jennifer Disharoon (Clerk) Total: Y 14 N 9

AMENDMENTS TO THE SUBCOMMITTEE PRINT OFFERED BY MR. EHLERS

Page 3, line 24, strike "$127,291,000" and insert in lieu thereof "$88,300,000".

Page 13, line 10, strike "$40,107,000" and insert in lieu thereof "$79,098,000".

AMENDMENT TO THE SUBCOMMITTEE PRINT OFFERED BY MR. LARGENT

Page 12, line 17, strike "$41,234,000" and insert in lieu thereof "$39,234,000".

Page 12, line 18, strike "$57,829,000" and insert in lieu thereof "$55,829,000".

Page 13, after line 4, insert the following new paragraph:

1 (9) Integrated Petroleum Environmental Con-
2 sortium, $4,000,000, which shall be dedicated solely
3 to environmental technology research and develop-
4 ment and scientific risk and cost-benefit analysis for
5 domestic energy resources on a 50 percent cost
6 share basis.

On line 1 of the Largent amendment, ~~before~~ after the "(9)", insert

"Notwithstanding section 6 of this ~~Act~~"

AMENDMENT TO THE SUBCOMMITTEE PRINT OFFERED BY MR. DAVIS

Page 12, line 17, insert ", including maintaining programs at the National Institute for Petroleum and Energy Research" after "for operating".

AMENDMENT TO THE SUBCOMMITTEE PRINT

OFFERED BY MR. OLVER

Page 16, lines 14 through 18, strike paragraph (3).

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT - 104TH CONGRESS **** ROLL CALL

SUBJECT: Olver Amendment (#8)

Rm.	Phone	Name	Present	Absent	Yea	Nay	Not Voting
2338	5-2415	Mr. Rohrabacher, R-CA				✓	
2159	5-3515	Mr. Fawell , R-IL					
2452	5-2011	Mr. Weldon, R-PA				✓	
322	5-2721	Mr. Bartlett, R-MD				✓	
423	5-3271	Mr. Wamp, R-TN				✓	
1429	5-5301	Mr. Graham, R-SC				✓	
115	5-2635	Mr. Salmon, R-AZ				✓	
415	5-1492	Mr. Davis, R-VA				✓	
410	5-2211	Mr. Largent, R-OK				✓	
1114	5-2311	Mrs. Cubin, R-WY					
506	5-5792	Mr. Foley, R-FL				✓	
2404	5-6316	Mr. Schiff, R-NM				✓	
1724	5-1880	Mr. Baker, R-CA					
1717	5-3831	Mr. Ehlers, R-MI			✓		
417	5-6565	Mr. Stockman, R-TX				✓	
2369	5-2411	Mr. Walker, R-PA				✓	
2432	5-2031	Mr. Hayes, D-LA				✓	
1415	5-2331	Mr. Minge, D-MN			✓		
1027	5-5335	Mr. Olver, D-MA			✓		
1032	5-5401	Mr. Ward, D-KY			✓		
1218	5-2135	Mr. Doyle, D-PA			✓		
407	5-3915	Mr. Roemer, D-IN			✓		
236	5-4801	Mr. Cramer, D-AL			✓		
1410	5-8171	Mr. Barcia, D-MI			✓		
217	5-6411	Mr. McHale, D-PA			✓		
1123	5-8885	Mrs. Johnson, D-TX			✓		
1116	5-6261	Mrs. Rivers, D-MI			✓		
1232	5-4535	Ms. McCarthy, D-MO			✓		
2300	5-6161	Mr. Brown, D-CA			✓		

Attest: Jennifer Dickerson (Clerk) Total: Y 13 N 13

AMENDMENT TO THE SUBCOMMITTEE PRINT
OFFERED BY MR. EHLERS

Page 9, line 7, strike "$624, 323,000" and insert in lieu thereof "$596,015,000".

Page 9, line 8, strike "$607,253,000" and insert in lieu thereof "$578,945,000".

Page 11, line 21, strike "$290,110,000" and insert in lieu thereof "$318,918,000".

Page 11, line 22, strike "$213,313,000" and insert in lieu thereof "$241,318,000".

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT - 104TH CONGRESS **** ROLL CALL

SUBJECT: Ehlers Amendment

Rm.	Phone	Name	Present	Absent	Yea	Nay	Not Voting
2338	5-2415	Mr. Rohrabacher, R-CA			✓		
2159	5-3515	Mr. Fawell , R-IL				✓	
2452	5-2011	Mr. Weldon, R-PA			✓		
322	5-2721	Mr. Bartlett, R-MD			✓		
423	5-3271	Mr. Wamp, R-TN			✓		
1429	5-5301	Mr. Graham, R-SC				✓	
115	5-2635	Mr. Salmon, R-AZ				✓	
415	5-1492	Mr. Davis, R-VA					
410	5-2211	Mr. Largent, R-OK					
1114	5-2311	Mrs. Cubin, R-WY					
506	5-5792	Mr. Foley, R-FL					
2404	5-6316	Mr. Schiff, R-NM			✓		
1724	5-1880	Mr. Baker, R-CA				✓	
1717	5-3831	Mr. Ehlers, R-MI			✓		
417	5-6565	Mr. Stockman, R-TX			✓		
2369	5-2411	Mr. Walker, R-PA			✓		
2432	5-2031	Mr. Hayes, D-LA				✓	
1415	5-2331	Mr. Minge, D-MN			✓		
1027	5-5335	Mr. Olver, D-MA			✓		
1032	5-5401	Mr. Ward, D-KY				✓	
1218	5-2135	Mr. Doyle, D-PA				✓	
407	5-3915	Mr. Roemer, D-IN			✓		
236	5-4801	Mr. Cramer, D-AL				✓	
1410	5-8171	Mr. Barcia, D-MI				✓	
217	5-6411	Mr. McHale, D-PA				✓	
1123	5-8885	Mrs. Johnson, D-TX			✓		
1116	5-6261	Mrs. Rivers, D-MI				✓	
1232	5-4535	Ms. McCarthy, D-MO				✓	
2300	5-6161	Mr. Brown, D-CA					

Attest: Jennifer Dickerson (Clerk) Total: Y 12 N 12

AMENDMENT TO THE SUBCOMMITTEE PRINT

OFFERED BY MR. DAVIS

Page 20, after line 25, insert the following new section:

SEC. 8. FURTHER AUTHORIZATIONS.

"Nothing in this Act shall preclude further authorization of appropriations for civilian research, development, demonstration, and commercial application activities of the Department of Energy for fiscal year 1996; *Provided*, that authorization allocations adopted by the Conference Committee on House Concurrent Resolution 67, and approved by Congress, allow for such further authorizations.

SUBSTITUTE AMENDMENT TO THE DAVIS AMENDMENT
OFFERED BY MR. DOYLE

Page 20, after line 25, insert the following new section:

1 SEC. 8. ALTERNATIVE AUTHORIZATION.

2 (a) In General. -- Notwithstanding any other provision of this Act, if the concurrent
3 resolution approved by the House of Representatives and the Senate on the budget for fiscal
4 year 1996 is based on an assumption of a tax cut of less than $350,000,000,000, the total
5 amount authorized by this Act shall be increased by the amount equal to $758,000,000
6 multiplied by the fraction whose numerator is $350,000,000,000 minus the amount of the tax
7 cut reflected in the concurrent resolution and whose denominator is $350,000,000,000.

8 (b) Application of Increase. -- Any amount appropriated pursuant to subsection (a)
9 shall be used as follows:

10 (1) 47 percent shall be for Energy Supply Research and Development;

11 (2) 2 percent shall be for General Science and Research Activities;

12 (3) 25 percent shall be for Fossil Energy Research and Development; and

13 (4) 26 percent shall be for Energy Conservation Research and Development.

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT - 104TH CONGRESS **** ROLL CALL

SUBJECT: Doyle Substitute to Davis Amendment #1(

Rm.	Phone	Name	Present	Absent	Yea	Nay	Not Voting
2338	5-2415	Mr. Rohrabacher, R-CA				✓	
2159	5-3515	Mr. Fawell , R-IL				✓	
2452	5-2011	Mr. Weldon, R-PA				✓	
322	5-2721	Mr. Bartlett, R-MD				✓	
423	5-3271	Mr. Wamp, R-TN				✓	
1429	5-5301	Mr. Graham, R-SC				✓	
115	5-2635	Mr. Salmon, R-AZ				✓	
415	5-1492	Mr. Davis, R-VA				✓	
410	5-2211	Mr. Largent, R-OK					
1114	5-2311	Mrs. Cubin, R-WY					
506	5-5792	Mr. Foley, R-FL					
2404	5-6316	Mr. Schiff, R-NM				✓	
1724	5-1880	Mr. Baker, R-CA				✓	
1717	5-3831	Mr. Ehlers, R-MI				✓	
417	5-6565	Mr. Stockman, R-TX				✓	
2369	5-2411	Mr. Walker, R-PA				✓	
2432	5-2031	Mr. Hayes, D-LA			✓		
1415	5-2331	Mr. Minge, D-MN			✓		
1027	5-5335	Mr. Olver, D-MA			✓		
1032	5-5401	Mr. Ward, D-KY			✓		
1218	5-2135	Mr. Doyle, D-PA			✓		
407	5-3915	Mr. Roemer, D-IN			✓		
236	5-4801	Mr. Cramer, D-AL			✓		
1410	5-8171	Mr. Barcia, D-MI			✓		
217	5-6411	Mr. McHale, D-PA			✓		
1123	5-8885	Mrs. Johnson, D-TX					
1116	5-6261	Mrs. Rivers, D-MI			✓		
1232	5-4535	Ms. McCarthy, D-MO			✓		
2300	5-8161	Mr. Brown, D-CA					

Attest: Jennifer Dickerson (Clerk) Total: Y 21 N 13

XVII. PROCEEDINGS FROM FULL COMMITTEE MARKUP

FULL COMMITTEE MARKUP ON H.R. 1816—TO AUTHORIZE APPROPRIATIONS FOR CIVILIAN RESEARCH, DEVELOPMENT, DEMONSTRATION, AND COMMERCIAL APPLICATION ACTIVITIES OF THE DEPARTMENT OF ENERGY FOR FISCAL YEAR 1996, AND FOR OTHER PURPOSES

SECTION-BY-SECTION

THE DEPARTMENT OF ENERGY CIVILIAN RESEARCH AND DEVELOPMENT ACT OF 1995

Section 1. Short Title.

Cites the Act as the "Department of Energy Civilian Research and Development Act of 1995."

Section 2. Definitions.

Contains definitions of terms used in the Act.

Section 3. Authorization of Appropriations.

Section 3 authorizes a total of $3,984,640,000 for fiscal year 1996 for Department of Energy civilian energy research, development, demonstration, and commercial application programs.

Subsection 3(a) authorizes a total of $2,602,589,000 for Energy Supply Research and Development Activities for fiscal year 1996, for the following: (1) $203,641,000 for Solar and Renewable Energy; (2) $234,541,000 for Nuclear Energy (including, subject to subsection 4(b), $25,000,000 for the Gas Turbine-Modular Helium Reactor, and, subject to subsection 4(d), $14,000,000 for the AP600 light water reactor); (3) $127,291,000 for Environment, Safety and Health; (4) $358,136,000 for Biological and Environmental Research; (5) $229,144,000 for Fusion Energy (including $215,201,000 for Magnetic Fusion Energy, $8,000,000 for Inertial Fusion Energy, and $5,943,000 for Program Direction); (6) $765,852,000 for Basic Energy Sciences (including $60,000,000 for the Scientific Facilities Initiative); (7) $39,327,000 for Multiprogram Energy Laboratories—Facilities Support; (8) $5,940,000 for Advisory and Oversight Program Direction; (9) $14,394,000 for the Technical Information Management Program, and (10) $624,323,000 for Environmental Management (Non-Defense).

Subsection 3(b) authorizes a total of $972,677,000 for General Science and Research Activities for fiscal year 1996, for: (1) $674,137,000 for High Energy Physics (including $15,000,000 for the Scientific Facilities Initiative); (2) $290,110,000 for Nuclear Physics (including $25,000,000 for the Scientific Facilities Initiative); and (3) $8,430,000 for Program Direction.

FULL COMMITTEE MARKUP—H.R. 1816, THE DEPARTMENT OF ENERGY CIVILIAN RESEARCH AND DEVELOPMENT ACT OF 1995

TUESDAY, JUNE 20, 1995

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

The CHAIRMAN. The Committee will come to order.

The gentleman from Michigan.

Mr. EHLERS. Mr. Chairman, ask unanimous consent to make a comment.

Thank you.

I just did a little calculation over the break, and I don't know whether you'd consider this hard science or soft science, but I reviewed the pace at which we've moved, the number of amendments that were adopted, the time it took to adopt them.

I did a straightline extrapolation, and at the rate we're proceeding, we'll finish the bills on our desk at 2:47 tomorrow afternoon. [Laughter.]

Mr. EHLERS. I thought perhaps the results of this calculation might encourage the Committee to move a little more rapidly on some of these issues.

Thank you.

The CHAIRMAN. I thank the gentleman, and I hope his advice to the members would be followed.

We do in fact want to consider all these issues, but it is I think important that we move on and get as much of our work done as possible.

Members ought to recognize that the next day of meeting is on Thursday, and any work that we put over to Thursday means that members are then faced with their getaway day on Thursday afternoon.

And so it is in fact a difficult set of circumstances, I recognize, but we ought to be cognizant of the fact that it is our intention to complete our work and we will proceed with that in mind.

We will now consider—

Ms. LOFGREN. Mr. Chairman?

The CHAIRMAN. Who seeks recognition?

Ms. Lofgren?

Ms. LOFGREN. I was at a roll call vote in Judiciary on final passage of the Terrorism Bill and so was not able to be here for Mr. Olver's amendment. Had I been present, I would have voted aye, and I would ask unanimous consent that that be listed in the record.

The CHAIRMAN. Without objection, it will be so noted.

Mr. BROWN. Mr. Chairman?

The CHAIRMAN. Gentleman from California.

Mr. BROWN. I ask unanimous consent that a statement by Representative Minge, explaining his missing votes on today's roll calls also be included in the record.

The CHAIRMAN. Without objection.

[The prepared statement of Representative Minge follows:]

STATEMENT BY REPRESENTATIVE DAVID MINGE

I regret missing votes during the Science Committee mark-up on June 20, 1995. I was unavoidably detained on the floor of the House with the sponsorship for an amendment on the Military Construction Appropriations Act for FY96. As a co-chair of the Pork Busters Coalition, my presence was necessary. At the same time as the amendment was taking place on the floor and this Committee's mark-up was taking place, the Agriculture Committee, of which I am a member, was also marking-up legislation. Again, I regret missing Science Committee mark-up votes on June 20, 1995.

The CHAIRMAN. We will now consider HR 1816, the Department of Energy Civilian Research and Development Act of 1995.

[The bill HR 1816 follows:]

I

104TH CONGRESS
1ST SESSION

H. R. 1816

To authorize appropriations for civilian research, development, demonstration, and commercial application activities of the Department of Energy 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

---

A BILL

To authorize appropriations for civilian research, development, demonstration, and commercial application activities of the Department of Energy 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 "Department of Energy Civilian Research and Development Act of 1995".

SEC. 2. DEFINITIONS.

For purposes of this Act—

1 (1) the term "Department" means the Depart-
2 ment of Energy;
3 (2) the term "major construction project"
4 means a civilian research, development, demonstra-
5 tion, or commercial application project whose con-
6 struction costs are estimated to exceed
7 $100,000,000 over the life of the project;
8 (3) the term "Secretary" means the Secretary
9 of Energy;
10 (4) the term "substantial construction project"
11 means a civilian research, development, demonstra-
12 tion, or commercial application project whose con-
13 struction costs are estimated to exceed $10,000,000,
14 but not to exceed $100,000,000, over the life of the
15 project; and
16 (5) the term "substantial equipment acquisi-
17 tion" means the acquisition of civilian research, de-
18 velopment, demonstration, or commercial application
19 equipment at a cost estimated to exceed
20 $10,000,000 for the entire acquisition.
21 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**
22 (a) ENERGY SUPPLY RESEARCH AND DEVELOPMENT
23 ACTIVITIES.—There are authorized to be appropriated to
24 the Secretary for fiscal year 1996 for Energy Supply Re-

1 search and Development operating, capital equipment, and
2 construction the following amounts:
3 (1) Solar and Renewable Energy,
4 $203,641,000, of which—
5 (A) $203,521,000 shall be for operating
6 and capital equipment; and
7 (B) $120,000 shall be for construction of
8 Project GP–C–002, General Plant Projects, Na-
9 tional Renewable Energy Laboratory.
10 (2) Nuclear Energy, $234,541,000, of which—
11 (A) $231,841,000 shall be for operating
12 and capital equipment, including, subject to sec-
13 tion 4(b), $25,000,000 for the Gas Turbine-
14 Modular Helium Reactor, and, subject to sec-
15 tion 4(d), $14,000,000 for the AP600 light
16 water reactor;
17 (B) $1,000,000 shall be for construction of
18 Project GPN–102, General Plant Projects, Ar-
19 gonne National Laboratory-West, Idaho; and
20 (C) $1,700,000 shall be for completion of
21 construction of Project 95–E–207, Modifica-
22 tions to Reactors, Experimental Breeder Reac-
23 tor-II, Sodium Processing Facility, Argonne
24 National Laboratory-West, Idaho.

1 (3) Environment, Safety, and Health,
2 $127,291,000 for operating and capital equipment.
3 (4) Biological and Environmental Research,
4 $358,136,000, of which—
5 (A) $302,041,000 shall be for operating
6 and capital equipment;
7 (B) $3,500,000 shall be for construction of
8 Project GPE–120, General Plant Projects, Var-
9 ious Locations;
10 (C) $5,700,000 shall be for construction of
11 Project 94–E–339, Human Genome Labora-
12 tory, Lawrence Berkeley Laboratory;
13 (D) $4,295,000 shall be for completion of
14 construction of Project 94–E–338, Structural
15 Biology Facility, Argonne National Laboratory;
16 (E) $2,600,000 shall be for completion of
17 construction of Project 94–E–337, ALS Struc-
18 tural Biology Support Facilities, Lawrence
19 Berkeley Laboratory; and
20 (F) $40,000,000 shall be for construction
21 of Project 91–EM–100, Environmental Molecu-
22 lar Sciences Laboratory, Pacific Northwest
23 Laboratory.
24 (5) Fusion Energy, $229,144,000, of which—

1 (A) $214,201,000 shall be for operating
2 and capital equipment for Magnetic Fusion En-
3 ergy;
4 (B) $4,800,000 shall be for operating and
5 capital equipment for Inertial Fusion Energy;
6 (C) $5,943,000 shall be for Program Di-
7 rection operating;
8 (D) $1,000,000 shall be for construction of
9 Project GPE–900, General Plant Projects, Var-
10 ious Locations; and
11 (E) $3,200,000 shall be for construction of
12 Project 96–E–310, Elise Project, Lawrence
13 Berkeley Laboratory.
14 (6) Basic Energy Sciences, $765,852,000, of
15 which—
16 (A) $743,283,000 shall be for operating
17 and capital equipment, including $60,000,000
18 for the Scientific Facilities Initiative;
19 (B) $4,500,000 shall be for construction of
20 Project GPE–400, General Plant Projects, Var-
21 ious Locations;
22 (C) $12,883,000 shall be for construction
23 of Project 96–E–305, Accelerator and Reactor
24 Improvements and Modifications;

1 (D) $3,186,000 shall be for completion of
2 construction of Project 89–R–402, 6–7 GeV
3 Synchrotron Radiation Source, Argonne Na-
4 tional Laboratory; and
5 (E) $2,000,000 shall be for construction of
6 Project 87–R–405, Combustion Research Facil-
7 ity, Phase II, Sandia National Laboratories-
8 Livermore.
9 (7) Multiprogram Energy Laboratories—Facili-
10 ties Support—
11 (A) $15,539,000 shall be for operating and
12 capital equipment;
13 (B) $8,740,000 shall be for construction of
14 Project GPE–801, General Plant Projects, Var-
15 ious Locations;
16 (C) $2,740,000 shall be for construction of
17 Project 95–E–310, Multiprogram Laboratory
18 Rehabilitation, Phase 1, Pacific Northwest Lab-
19 oratory;
20 (D) $1,500,000 shall be for construction of
21 Project 95–E–303, Electrical Safety Rehabilita-
22 tion, Pacific Northwest Laboratory;
23 (E) $3,270,000 shall be for completion of
24 construction of Project 95–E–302, Applied

1 Science Center, Phase 1, Brookhaven National
2 Laboratory;
3 (F) $2,500,000 shall be for construction of
4 Project 95–E–301, Central Heating Plant Re-
5 habilitation, Phase 1, Argonne National Lab-
6 oratory;
7 (G) $2,038,000 shall be for construction of
8 Project 94–E–363, Roofing Improvements, Oak
9 Ridge National Laboratory;
10 (H) $440,000 shall be for completion of
11 construction of Project 94–E–351, Fuel Stor-
12 age and Transfer Facility Upgrade, Brookhaven
13 National Laboratory;
14 (I) $800,000 shall be for construction of
15 Project 96–E–332, Building 801 Renovations,
16 Brookhaven National Laboratory;
17 (J) $2,400,000 shall be for completion of
18 construction of Project 96–E–331, Sanitary
19 Sewer Restoration, Phase I, Lawrence Berkeley
20 Laboratory;
21 (K) $1,200,000 shall be for construction of
22 Project 96–E–330, Building Electrical Service
23 Upgrade, Phase I, Argonne National Labora-
24 tory;

(L) $2,480,000 shall be for construction of Project 95–E–309, Loss Prevention Upgrade-Electrical Substations, Brookhaven National Laboratory;

(M) $1,540,000 shall be for construction of Project 95–E–308, Sanitary System Modifications, Phase II, Brookhaven National Laboratory;

(N) $1,000,000 shall be for construction of Project 95–E–307, Fire Safety Improvements, Phase III, Argonne National Laboratory;

(O) $1,288,000 shall be for completion of construction of Project 93–E–324, Hazardous Materials Safeguards, Phase I, Lawrence Berkeley Laboratory;

(P) $1,130,000 shall be for completion of construction of Project 93–E–323, Fire and Safety Systems Upgrade, Phase I, Lawrence Berkeley Laboratory; and

(Q) $2,411,000 shall be for construction of Project 93–E–320, Fire and Safety Improvements, Phase II, Argonne National Laboratory.

Notwithstanding subparagraphs (A) through (Q), the total amount authorized under this paragraph shall not exceed $39,327,000.

(8) Advisory and Oversight Program Direction, $5,940,000 for operating.

(9) Technical Information Management Program, $14,394,000, of which—

(A) $12,894,000 shall be for operating and capital equipment; and

(B) $1,500,000 shall be for construction of Project 95–A–500, Heating, Venting, and Air Conditioning Retrofits, Oak Ridge.

(10) Environmental Management, $624,323,000, of which—

(A) $607,253,000 shall be for operating and capital equipment;

(B) $339,000 shall be for completion of construction of Project 92–E–601, Melton Valley Liquid Low-Level Waste Collection and Transfer System Upgrade, Oak Ridge National Laboratory;

(C) $4,000,000 shall be for construction of Project 88–R–830, Bethel Valley Liquid Low-Level Waste Collection and Transfer System Upgrade, Oak Ridge National Laboratory;

(D) $2,255,000 shall be for construction of Project GPN–103, Oak Ridge Landlord General Plant Projects;

1 (E) $730,000 shall be for construction of
2 Project GPN–102, Test Reactor Area Landlord
3 General Plant Projects, Idaho National Engi-
4 neering Laboratory;
5 (F) $1,900,000 shall be for construction of
6 Project 95–E–201, Test Reactor Area Landlord
7 Fire and Life Safety Improvements, Idaho Na-
8 tional Engineering Laboratory;
9 (G) $2,040,000 shall be for construction of
10 Project GPE–600, General Plant Projects,
11 Waste Management, Non-Defense, Various Lo-
12 cations;
13 (H) $300,000 shall be for construction of
14 Project 94–E–602, Bethel Valley Federal Facil-
15 ity Agreement Upgrades, Oak Ridge National
16 Laboratory;
17 (I) $4,048,000 shall be for construction of
18 Project 93–E–900, Dry Cast Storage, Idaho
19 National Engineering Laboratory;
20 (J) $787,000 shall be for construction of
21 Project 91–E–602, Rehabilitation of Waste
22 Management Building 306, Argonne National
23 Laboratory; and
24 (K) $671,000 shall be for completion of
25 construction of Project 88–R–812, Hazardous

1 Waste Handling Facility, Lawrence Berkeley
2 Laboratory.
3 (b) GENERAL SCIENCE AND RESEARCH ACTIVI-
4 TIES.—There are authorized to be appropriated to the
5 Secretary for fiscal year 1996 for General Science and Re-
6 search Activities operating, capital equipment, and con-
7 struction the following amounts:
8 (1) High Energy Physics, $674,137,000, of
9 which—
10 (A) $548,191,000 shall be for operating
11 and capital equipment, including $15,000,000
12 for the Scientific Facilities Initiative;
13 (B) $12,146,000 shall be for construction
14 of Project GPE–103, General Plant Projects,
15 Various Locations;
16 (C) $9,800,000 shall be for construction of
17 Project 96–G–301, Accelerator Improvements
18 and Modifications, Various Locations;
19 (D) $52,000,000 shall be for construction
20 of Project 94–G–305, B-Factory, Stanford Li-
21 near Accelerator Center; and
22 (E) $52,000,000 shall be for construction
23 of Project 92–G–302, Fermilab Main Injector,
24 Fermi National Accelerator Center.
25 (2) Nuclear Physics, $290,110,000, of which—

1 (A) $213,010,000 shall be for operating
2 and capital equipment, including $25,000,000
3 for the Scientific Facilities Initiative;
4 (B) $3,900,000 shall be for construction of
5 Project GPE–300, General Plant Projects, Var-
6 ious Locations;
7 (C) $3,200,000 shall be for construction of
8 Project 96–G–302, Accelerator Improvements
9 and Modifications, Various Locations; and
10 (D) $70,000,000 shall be for construction
11 of Project 91–G–300, Relativistic Heavy Ion
12 Collider, Brookhaven National Laboratory.
13 (3) Program Direction, $8,430,000.
14 (c) FOSSIL ENERGY RESEARCH AND DEVELOP-
15 MENT.—There are authorized to be appropriated to the
16 Secretary for fiscal year 1996 for Fossil Energy Research
17 and Development operating, capital equipment, and con-
18 struction the following amounts:
19 (1) Coal, $49,955,000 for operating.
20 (2) Oil Technology, $41,234,000 for operating,
21 including maintaining programs at the National In-
22 stitute for Petroleum and Energy Research.
23 (3) Gas, $57,829,000 for operating.
24 (4) Program Direction and Management Sup-
25 port, $32,192,000 for operating.

1 (5) Capital Equipment, $476,000.

2 (6) Construction of Project GPF–100, General
3 Plant Projects for Energy Technology Centers,
4 $1,994,000.

5 (7) Cooperative Research and Development,
6 $7,557,000.

7 (8) Fossil Energy Environmental Restoration,
8 $12,370,000.

9 (d) ENERGY CONSERVATION RESEARCH AND DEVEL-
10 OPMENT.—There are authorized to be appropriated to the
11 Secretary for fiscal year 1996 for Energy Conservation
12 Research and Development operating and capital equip-
13 ment the following amounts:

14 (1) Buildings Sector, $40,107,000.

15 (2) Industry Sector, $51,116,000.

16 (3) Transportation Sector, $106,731,000.

17 (4) Technical and Financial Assistance (Non-
18 Grants), $7,813,000.

19 **SEC. 4. FUNDING LIMITATIONS.**

20 (a) FISCAL YEAR 1996 APPROPRIATIONS.—None of
21 the funds authorized by this Act may be used for the fol-
22 lowing programs, projects, and activities:

23 (1) Solar Buildings Technology Research.

24 (2) Solar International Program.

25 (3) Solar Technology Transfer.

1 (4) Solar Program Support.

2 (5) Resource Assessment.

3 (6) Hydropower.

4 (7) In-House Energy Management.

5 (8) Policy and Management—Energy Efficiency

6 and Renewable Energy.

7 (9) Space Power Reactor Systems.

8 (10) Nuclear Energy Facilities.

9 (11) Policy and Management—Nuclear Energy.

10 (12) Soviet-Designed Reactor Safety.

11 (13) Russian Replacement Power Initiative.

12 (14) Advanced Neutron Source.

13 (15) Energy Research Analysis.

14 (16) University and Science Education.

15 (17) Energy Research Laboratory Technology

16 Transfer.

17 (18) Technology Partnerships.

18 (19) Policy and Management—Energy Re-

19 search.

20 (20) Direct Liquefaction.

21 (21) Indirect Liquefaction.

22 (22) Systems for Coproducts.

23 (23) Technical and Economic Analysis.

24 (24) International Program Support.

25 (25) Coal Technology Export.

1 (26) Gas Delivery and Storage.

2 (27) Gas Utilization.

3 (28) Fuel Cells Climate Change Action Plan.

4 (29) Fuels Conversion, Natural Gas, and Elec-
5 tricity.

6 (30) Clean Coal Technology Program.

7 (31) Buildings Sector Codes and Standards.

8 (32) Buildings Sector Implementation and De-
9 ployment.

10 (33) Industry Sector Municipal Solid Wastes.

11 (34) Industry Sector Implementation and De-
12 ployment.

13 (35) Alternative Fuels Utilization.

14 (36) Transportation Sector Implementation and
15 Deployment.

16 (37) Utility Sector Integrated Resource Plan-
17 ning.

18 (38) International Market Development.

19 (39) Inventions and Innovation Program.

20 (40) Municipal Energy Management.

21 (41) Information and Communications.

22 (42) Policy and Management—Energy Con-
23 servation.

24 (b) FISCAL YEAR 1996 OBLIGATION AND EXPENDI-
25 TURE.—None of the funds authorized by this Act may be

1 available for obligation for expenditure for the Gas Tur-
2 bine-Modular Helium Reactor, except for termination of
3 such reactor, until the National Academy of Sciences has
4 conducted a detailed review of the economic and technical
5 issues related to such reactor, and has reported to the De-
6 partment, the Committee on Science of the House of Rep-
7 resentatives, and the Committee on Energy and Natural
8 Resources of the Senate that such reactor warrants fund-
9 ing within the civilian nuclear energy budget of the De-
10 partment.

11 (c) PRIOR FISCAL YEAR OBLIGATION AND EXPENDI-
12 TURE.—No funds may be available for obligation or ex-
13 penditure with respect to the following:

14 (1) University of Nebraska Medical Center
15 Transplant Center.

16 (2) Oregon Health Sciences University.

17 (3) Conduct of any rulemaking activities relat-
18 ing to Lighting and Appliance Standards and Build-
19 ing Standards and Guidelines, including the promul-
20 gation or issuance of notices of proposed
21 rulemakings, proposed rules, or final rules.

22 (d) LIGHT WATER REACTOR MATCHING FUNDS.—
23 Funds appropriated for the AP600 light water reactor
24 pursuant to section 3(a)(2)(A) shall be available only to
25 the extent that matching private sector funds are provided

1 for such project, and subject to the condition that such
2 Federal funds shall be repaid to the United States out
3 of royalties on the first commercial sale of such reactor
4 design.

5 **SEC. 5. LIMITATION ON APPROPRIATIONS.**

6 No sums are authorized to be appropriated for any
7 fiscal year after fiscal year 1995 for any civilian research,
8 development, demonstration, or commercial application
9 program, project, or activity of the Department unless
10 such sums are specifically authorized to be appropriated
11 by Act of Congress with respect to such fiscal year.

12 **SEC. 6. MERIT REVIEW REQUIREMENT FOR AWARDS OF FI-**
13 **NANCIAL ASSISTANCE.**

14 (a) MERIT REVIEW REQUIREMENT.—The Secretary
15 may not award financial assistance to any person for civil-
16 ian research, development, demonstration, or commercial
17 application activities, including related facility construc-
18 tion, unless an objective merit review process is used to
19 award the financial assistance.

20 (b) REQUIREMENT OF SPECIFIC MODIFICATION OF
21 MERIT REVIEW PROVISION.—

22 (1) IN GENERAL.—A provision of law may not
23 be construed as modifying or superseding subsection
24 (a), or as requiring that financial assistance be

1 awarded by the Secretary in a manner inconsistent
2 with subsection (a), unless such provision of law—
3 (A) specifically refers to this section;
4 (B) specifically states that such provision
5 of law modifies or supersedes subsection (a);
6 and
7 (C) specifically identifies the person to be
8 awarded the financial assistance and states that
9 the financial assistance to be awarded pursuant
10 to such provision of law is being awarded in a
11 manner inconsistent with subsection (a).
12 (2) NOTICE AND WAIT REQUIREMENT.—No fi-
13 nancial assistance may be awarded pursuant to a
14 provision of law that requires or authorizes the
15 award of the financial assistance in a manner incon-
16 sistent with subsection (a) until—
17 (A) the Secretary submits to the Congress
18 a written notice of the Secretary's intent to
19 award the financial assistance; and
20 (B) 180 days has elapsed after the date on
21 which the notice is received by the Congress.
22 (c) DEFINITIONS.—For purposes of this section:
23 (1) The term "objective merit review process"
24 means a thorough, consistent, and independent ex-
25 amination of requests for financial assistance based

1 on preestablished criteria and scientific and technical
2 merit by persons knowledgeable in the field for
3 which the financial assistance is requested.
4 (2) The term "financial assistance" means the
5 transfer of funds or property to a recipient or sub-
6 recipient to accomplish a public purpose of support
7 or stimulation authorized by Federal law. Such term
8 includes grants, cooperative agreements, and
9 subawards but does not include cooperative research
10 and development agreements as defined in section
11 12(d)(1) of the Stevenson-Wydler Technology Inno-
12 vation Act of 1980 (15 U.S.C. 3710a(d)(1)), nor
13 any grant that calls upon the National Academy of
14 Sciences, the National Academy of Engineering, the
15 Institute of Medicine, or the National Academy of
16 Public Administration to investigate, examine, or ex-
17 periment upon any subject of science or art and to
18 report on such matters to Congress or any agency
19 of the Federal Government.

20 **SEC. 7. POLICY ON CAPITAL PROJECTS AND CONSTRUC-**
21 **TION.**

22 (a) REQUIREMENT OF PRIOR AUTHORIZATION.—(1)
23 No funds are authorized to be appropriated to the Sec-
24 retary for any substantial construction project, substantial
25 equipment acquisition, or major construction project un-

1 less a report on such project or acquisition has been pro-
2 vided to Congress in accordance with subsection (b).
3 (2) The Secretary may not obligate any funds for any
4 substantial construction project, substantial equipment ac-
5 quisition, or major construction project unless such project
6 or acquisition has been specifically authorized by statute.
7 (3) This subsection may not be amended or modified
8 except by specific reference to this subsection.
9 (b) REPORTS TO CONGRESS.—(1) Within 180 days
10 after the date of the enactment of this Act, the Secretary
11 shall submit to the Congress a report that identifies all
12 construction projects and acquisitions of the Department
13 described in subsection (a) for which the preliminary de-
14 sign phase is completed but the construction or acquisition
15 is not completed. Such report shall include—
16 (A) an estimate of the total cost of completion
17 of the construction project or acquisition, itemized
18 by individual activity and by fiscal year; and
19 (B) an identification of which construction
20 projects or acquisitions have not been specifically au-
21 thorized by statute.
22 The Secretary shall annually update and resubmit the re-
23 port required by this paragraph, as part of the report re-
24 quired under section 15 of the Federal Nonnuclear Energy
25 Research and Development Act of 1974 (42 U.S.C. 5914).

1 (2) The Secretary shall, after completion of the pre-
2 liminary design phase of a major construction project,
3 submit to the Congress a report containing—
4 (A) an estimate of the total cost of construction
5 of the facility;
6 (B) an estimate of the time required to com-
7 plete construction;
8 (C) an estimate of the annual operating costs of
9 the facility;
10 (D) the intended useful operating life of the fa-
11 cility; and
12 (E) an identification of any existing facilities to
13 be closed as a result of the operation of the facility.
14 **SEC. 8. FURTHER AUTHORIZATIONS.**
15 Nothing in this Act shall preclude further authoriza-
16 tion of appropriations for civilian research, development,
17 demonstration, and commercial application activities of
18 the Department of Energy for fiscal year 1996: *Provided,*
19 That authorization allocations adopted by the Conference
20 Committee on House Concurrent Resolution 67, and ap-
21 proved by Congress, allow for such further authorizations.

O

SUBCOMMITTEE PRINT: DEPARTMENT OF ENERGY CIVILIAN RESEARCH AND DEVELOPMENT AUTHORIZATION ACT OF 1995 (H.R. 1816) AS ADOPTED BY THE SUBCOMMITTEE ON ENERGY AND ENVIRONMENT

COMMITTEE OF SCIENCE

U.S. HOUSE OF REPRESENTATIVES

HON. ROBERT S. WALKER, CHAIRMAN

JUNE 20, 1995

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DEPARTMENT OF ENERGY 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
Solar Energy and Renewable Energy					
Solar:					
Solar Buildings Technology Research	4,610	4,657	0	-4,610	-4,657
Photovoltaic Energy Systems	87,527	88,129	55,129	-32,398	-33,000
Solar Thermal Energy Systems	31,458	33,943	24,642	-6,816	-9,301
Biofuels Energy Systems	59,643	80,380	32,298	-27,345	-48,082
Wind Energy Systems	47,139	49,820	10,389	-36,750	-39,431
Solar International Program	9,087	29,154	0	-9,087	-29,154
Solar Technology Transfer	22,406	17,758	0	-22,406	-17,758
Solar Program Support	12,199	7,345	0	-12,199	-7,345
Resource Assessment	3,950	4,665	0	-3,950	-4,665
National Renewable Energy Laboratory	5,963	6,000	500	-5,463	-5,500
Program Direction	8,200	9,460	3,561	-4,639	-5,899
Subtotal, Solar Energy	292,182	331,311	126,519	-165,663	-204,792
Geothermal Energy	37,807	37,527	17,464	-20,343	-20,063
Hydropower	4,846	994	0	-4,846	-994
Hydrogen Research and Development	9,616	7,444	25,000	+15,384	+17,556
Electric Energy Systems and Storage	44,376	47,645	34,658	-9,718	-12,987
In-House Energy Management	30,729	28,789	0	-30,729	-28,789
Policy and Management—Energy Efficiency and Renewable Energy	4,817	4,817	0	-4,817	-4,817
Total, Solar and Renewable Energy	424,373	458,527	203,641	-220,732	-254,886
Nuclear Energy					
Nuclear Energy R&D:					
Light Water Reactors	64,329	49,740	14,000	-50,329	-35,740
Advanced Reactor R&D	19,948	0	25,000	+5,052	+25,000
Space Power Reactor Systems	1,224	0	0	-1,224	0
Advanced Radioisotope Power Systems	59,894	49,237	48,512	-11,382	-725
Facilities, Operating Expenses	7,027	0	0	-7,027	0
Nuclear Technology R&D	0	37,300	35,810	+35,810	-1,490
Program Direction	12,500	13,000	4,136	-8,364	-8,864
Policy and Management-Nuclear Energy	11,900	10,200	0	-11,900	-10,200
Test Reactor Area (TRA) Hot Cells	1,430	1,400	1,400	-30	0

DEPARTMENT OF ENERGY 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
Nuclear Energy (Continued)					
Nuclear Energy R&D (Continued):					
Oak Ridge Landlord[1]	14,252	18,685	0	-14,252	-18,685
Test Reactor Area Landlord[1]	3,959	4,000	0	-3,959	-4,000
Advanced Test Reactor (ATR) Fusion Irradiations[2]	2,683	2,303	0	-2,683	-2,303
University Nuclear Science and Reactor Support	0	6,130	6,130	+6,130	0
Subtotal, Nuclear Energy Research and Development	199,146	191,995	134,988	-64,158	-57,007
Termination Costs	69,705	81,700	74,250	+4,545	-7,450
Isotope Support, Operating Expenses	19,493	25,358	25,303	+5,810	-55
Soviet-Designed Reactor Safety, Operating Expenses	0	78,764	0	0	-78,764
Russian Replacement Power Initiative, Operating Expenses	0	5,000	0	0	-5,000
Total, Nuclear Energy	288,344	382,817	234,541	-53,803	-148,276
Civilian Radioactive Waste Research and Development	692	699	0	-692	-699
Environment, Safety and Health	143,920	166,759	127,291	-16,629	-39,468
Energy Research					
Biological and Environmental Research	436,641	431,664	358,136	-78,505	-73,528
Fusion Energy	368,421	366,045	229,144	-139,277	-136,901
Supporting Research and Technical Analysis:					
Basic Energy Sciences	733,940	811,419	765,852	+31,912	-45,567
Advanced Neutron Source	20,764	0	0	-20,764	0
Energy Research Analysis	3,407	3,463	0	-3,407	-3,463
University and Science Education	69,572	55,418	0	-69,572	-55,418
Multiprogram Energy Laboratories—Facilities Support	43,034	51,016	39,327	-3,707	-11,689
Energy Research Laboratory Technology Transfer	56,900	58,776	0	-56,900	-58,776
Technology Partnerships	0	3,153	0	0	-3,153
Advisory and Oversight Program Direction	12,450	9,780	5,940	-6,510	-3,840
Subtotal, Supporting Research and Technical Analysis	940,067	993,025	811,119	-128,948	-181,906

[1]Management and Funding transferred to the Office of Environmental Management.
[2]Management and Funding transferred to the Office of Fusion Energy.

DEPARTMENT OF ENERGY 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
Policy and Management—Energy Research	2,200	2,200	0	-2,200	-2,200
Total, Energy Research	1,747,329	1,792,934	1,398,399	-348,930	-394,535
Technical Information Management Program	16,124	17,450	14,394	-1,730	-3,056
Environmental Management (Non-Defense)					
Corrective Activities	26,700	5,404	4,863	-21,837	-541
Environmental Restoration	388,597	417,758	357,978	-30,619	-59,780
Waste Management	243,016	206,145	204,694	-38,322	-1,451
Nuclear Materials and Facility Stabilization	73,336	83,683	70,788	-2,548	-12,895
General Reduction	0	0	-14,000	-14,000	-14,000
Environmental Management (Non-Defense)	731,649	712,990	624,323	-107,326	-88,667
Total, Energy Supply Research and Development	*3,352,431*	*3,532,176*	*2,602,589*	*-749,842*	*-929,587*
General Science and Research					
High Energy Physics	642,129	685,552	674,137	+32,008	-11,415
Nuclear Physics	331,502	321,078	290,110	-41,392	-30,968
Program Direction	10,400	10,900	8,430	-1,970	-2,470
Total, General Science and Research	*984,031*	*1,017,530*	*972,677*	*-11,354*	*-44,853*
Total, Energy and Water Development Appropriations	*4,336,462*	*4,549,706*	*3,575,266*	*-761,196*	*-974,440*

DEPARTMENT OF ENERGY 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
Fossil Energy					
Coal	154,393	114,881	49,955	-104,438	-64,926
Oil	81,708	86,773	41,234	-40,474	-45,539
Gas	116,273	145,845	57,829	-58,444	-88,016
Program Direction and Management Support	72,263	69,897	32,192	-40,071	-37,705
Plant and Capital Equipment	5,010	4,005	2,470	-2,540	-1,535
Cooperative R&D	9,082	0	7,557	-1,525	+7,557
Fossil Energy Environmental Restoration	16,431	18,919	12,370	-4,061	-6,569
Fuels Conversion, Natural Gas, and Electricity	3,007	2,687	0	-3,007	-2,687
Total, Fossil Energy Research and Development	*458,167*	*443,007*	*203,607*	*-254,560*	*-239,400*
Clean Coal Technology	*37,121*	*44,981*	*0*	*-37,121*	*-44,981*
Energy Conservation Research and Development					
Buildings Sector	115,636	154,802	40,107	-75,529	-114,695
Industry Sector	135,193	172,867	51,116	-84,077	-121,751
Transportation Sector	206,257	262,308	106,731	-99,526	-155,577
Utility Sector	8,756	9,930	0	-8,756	-9,930
Technical and Financial Assistance (Non-Grants)	40,359	45,435	7,813	-32,546	-37,622
Policy and Management—Energy Conservation	8,342	11,332	0	-8,342	-11,332
Total, Energy Conservation Research and Development	*514,543*	*656,674*	*205,767*	*-308,776*	*-450,907*
Total, Interior and Related Agencies Appropriations	*1,009,831*	*1,144,662*	*409,374*	*-600,457*	*-735,288*
Total, Department of Energy	*5,346,293*	*5,694,368*	*3,984,640*	*-1,361,653*	*-1,709,728*

DEPARTMENT OF ENERGY
(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
SOLAR AND RENEWABLE ENERGY (Page 1 of 5)					
Solar Energy					
Solar Buildings Technology Research					
Operating Expenses	4,505	4,471	0	-4,505	-4,471
Capital Equipment	105	186	0	-105	-186
Total, Solar Buildings Technology Research	4,610	4,657	0	-4,610	-4,657
Photovoltaic Energy Systems					
Operating Expenses	86,527	84,159	51,159	-35,368	-33,000
Capital Equipment	1,000	3,970	3,970	+2,970	0
Total, Photovoltaic Energy Systems	87,527	88,129	55,129	-32,398	-33,000
Solar Thermal Energy Systems					
Operating Expenses	30,758	33,248	23,947	-6,811	-9,301
Capital Equipment	700	695	695	-5	0
Total, Solar Thermal Energy Systems	31,458	33,943	24,642	-6,816	-9,301
Biofuels Energy Systems					
Operating Expenses	56,734	78,296	30,214	-26,520	-48,082
Capital Equipment	2,909	2,084	2,084	-825	0
Total, Biofuels Energy Systems	59,643	80,380	32,298	-27,345	-48,082
Wind Energy Systems					
Operating Expenses	46,139	48,331	8,900	-37,239	-39,431
Capital Equipment	1,000	1,489	1,489	+489	0
Total, Wind Energy Systems	47,139	49,820	10,389	-36,750	-39,431
Solar International Program, Operating Expenses	9,087	29,154	0	-9,087	-29,154
Solar Technology Transfer, Operating Expenses	22,406	17,758	0	-22,406	-17,758
Solar Program Support, Operating Expenses	12,199	7,345	0	-12,199	-7,345

DEPARTMENT OF ENERGY
(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
SOLAR AND RENEWABLE ENERGY (Page 2 of 5)					
Solar Energy (Continued)					
Resource Assessment					
Operating Expenses	3,558	4,268	0	-3,558	-4,268
Capital Equipment	392	397	0	-392	-397
Total, Resource Assessment	3,950	4,665	0	-3,950	-4,665
National Renewable Energy Laboratory					
Capital Equipment	1,548	380	380	-1,168	0
Construction:					
GP-C-002, General Plant Projects	1,665	120	120	-1,545	0
96-E-100, Field Test Laboratory Building (FTLB) Renovation and Expansion	0	5,500	0	0	-5,500
95-E-103, South Table Mountain Site Infrastructure	2,750	0	0	-2,750	0
Total, Construction	4,415	5,620	500	-4,295	-5,500
Total, National Renewable Energy Laboratory	5,963	6,000	500	-5,463	-5,500
Program Direction, Operating Expenses	8,200	9,460	3,561	-4,639	-5,899
Total, Solar Energy	*292,182*	*331,311*	*126,519*	*-165,663*	*-204,792*
(Operating Expenses)	(280,113)	(316,490)	(117,781)	(-162,332)	(-198,709)
(Capital Equipment)	(7,654)	(9,201)	(8,618)	(+964)	(-583)
(Construction)	(4,415)	(5,620)	(120)	(-4,295)	(-5,500)
Geothermal Energy					
Operating Expenses	36,921	37,130	17,067	-19,854	-20,063
Capital Equipment	886	397	397	-489	0
Total, Geothermal Energy	37,807	37,527	17,464	-20,343	-20,063
Hydropower, Operating Expenses	4,846	994	0	-4,846	-994
Hydrogen Research and Development, Operating Expenses	9,616	7,444	25,000	+15,384	+17,556

DEPARTMENT OF ENERGY
(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
SOLAR AND RENEWABLE ENERGY (Page 3 of 5)					
Electric Energy Systems and Storage					
Operating Expenses					
Electric Energy Systems					
Electric Field Effects	13,462	9,924	9,924	-3,538	0
Reliability Research	5,962	6,153	0	-5,962	-6,153
Systems and Materials Research	18,270	24,712	18,270	0	-6,442
Program Direction	850	850	632	-218	-218
Total, Electric Energy Systems	38,544	41,639	28,826	-9,718	-12,813
Energy Storage Systems	5,832	6,006	5,832	0	-174
Total, Electric Energy Systems and Storage	44,376	47,645	34,658	-9,718	-12,987
In-House Energy Management					
Operating Expenses	6,029	15,664	0	-6,029	-15,664
Construction, IHE-500, Modifications for Energy Management, Various Locations	24,700	13,125	0	-24,700	-13,125
Total, In-House Energy Management	30,729	28,789	0	-30,729	-28,789
Policy and Management-Energy Efficiency and Renewable Energy	4,817	4,817	0	-4,817	-4,817
Total, Solar and Renewable Energy	*424,373*	*458,527*	*203,641*	*-220,732*	*-254,886*
(Operating Expenses)	(386,718)	(430,184)	(194,506)	(-926,212)	(-235,678)
(Capital Equipment)	(8,540)	(9,598)	(9,015)	(+475)	(-583)
(Construction)	(29,115)	(18,745)	(120)	(-28,995)	(-18,625)

SOLAR AND RENEWABLE ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Operating Expenses: -$235,678,000 to FY 1996 request

- -$4,471,000 for Solar Buildings Technology Research to terminate program.
- -$33,000,000 for Photovoltaic Energy Systems to provide an increase of $1,000,000 to Fundamental Research to continue cooperating in photovoltaic-related research projects with the Basic Energy Sciences Program, and to delete funding for Collector Research and Systems Development systems evaluation and deployment activity (-$14,000,000), market mobilization efforts (-$18,000,000), and design services (-$2,000,000). This will provide $51,159,000 to fund Fundamental Research ($8,741,000) at a $1,000,000 increase above the FY 1996 request, and to fund Advanced Materials and Devices ($24,812,000) and the Photovoltaic Manufacturing Project ($17,606,000) at the FY 1996 request level.
- -$9,301,000 for Solar Thermal Energy Systems to reduce funding for Technology Development (-$1,000,000) activities relating to the Solar Two project; to reduce funding for Commercial Applications (-$5,471,000), except for testing of Phase II 25 kWe dish/engine systems ($10,619,000) and continuation of Phase II of heliostat contracts for low-cost solar collectors ($3,100,000); and to reduce funding for Solar Industrial Applications (-$2,830,000) by eliminating funding for solar equipment demonstrations and international marketing (-$800,000), other Federal demonstration agency projects (-$800,000), and State and utility demonstration projects (-$1,230,000).
- -$48,082,000 for Biofuels Energy Systems to delete all funding to subsidize: (1) existing thermochemical biomass plants (-$2,000,000); (2) new biomass thermochemical conversion facilities (-$20,000,000); (3) new biomass gasifiers/electric generation systems (-$9,226,000); (4) municipal solid waste bioprocessing projects (-$3,077,000); (5) terrestrial crops producers and equipment manufacturers (-$6,339,000); (6) special-interest involvement in the evaluation of proposals and projects (-$1,000,000); (7) deployment of commercial biochemical conversion plants (-$2,500,000) and (8) the special-interest Regional Biomass Program (-$3,940,000).
- -$39,431,000 for Wind Energy Systems to fund Applied Research at FY 1996 request level ($8,900,000), and to delete funding for the Utility and Industry Programs (-$39,431,000), which subsidize utilities and other special interests.
- -$29,154,000 for Solar International Program to terminate corporate and special-interest subsidies.
- -$17,758,000 for Solar Technology Transfer to terminate program, which subsidizes corporate and special interests and duplicates information dissemination activities of program offices.
- -$7,345,000 for Solar Program Support to terminate program, which subsidizes utilities and other special interests. (This program also includes the Renewable Energy Production Incentive ($2,988,000 request in FY 1996).)
- -$4,268,000 for Resource Assessment to terminate program, which subsidizes corporate and special interests and duplicates work of other agencies (e.g., NOAA).

SOLAR AND RENEWABLE ENERGY (Page 5 of 5)

SOLAR AND RENEWABLE ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$5,899,000 for Solar Program Direction for reduced level of effort.
- -$20,063,000 for Geothermal Energy to delete funding for corporate and special-interest subsidies for geyser fields (-$3,447,000), international marketing (-$1,000,000), Kalina Cycle (-$8,080,000), and "market mobilization programs" (-$7,000,000), and to reduce Program Direction to reflect reduced level of effort (-$536,000).
- -$994,000 for Hydropower to terminate special-interest program.
- +$17,556,000 for Hydrogen Research and Development consistent with H.R. 655, which passed the House on May 2, 1995.
- -$12,987,000 for Electric Energy Systems, including -$5,962,000 for Reliability Research to terminate work that represents a subsidy to utilities, -$6,442,000 for Systems and Materials Research to maintain FY 1995 level of effort; and -$218,000 for Program Direction for reduced level of effort.
- -$174,000 for Energy Storage Systems to maintain FY 1995 level of effort.
- -$15,664,000 for In-House Energy Management to terminate redundant program.
- -$4,817,000 for Policy and Management-Energy Efficiency and Renewable Energy to terminate redundant program.

Capital Equipment: -$583,000 to FY 1996 request

- -$186,000 for Solar Buildings Technology Research to terminate program.
- -$397,000 for Resource Assessment to terminate program.

Construction: -$18,625,000 to FY 1996 request

- -$5,500,000 for Project 96-E-100, Field Test Laboratory Building (FTLB), National Renewable Energy Laboratory, due to reduced level of effort.
- -$13,125,000 for Project IHE-500, Modifications for Energy Management, Various Locations, to terminate redundant program.

DEPARTMENT OF ENERGY
(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
NUCLEAR ENERGY (Page 1 of 5)					
Nuclear Energy R&D					
Light Water Reactors, Operating Expenses	64,329	49,740	14,000	-50,329	-35,740
Advanced Reactor R&D, Operating Expenses	19,948	0	25,000	+5,052	+25,000
Space Power Reactor Systems, Operating Expenses	1,224	0	0	-1,224	0
Advanced Radioisotope Power Systems					
Operating Expenses	58,040	48,337	47,612	-10,428	-725
Capital Equipment	1,854	900	900	-954	0
Total, Advanced Radioisotope Power Systems	59,894	49,237	48,512	-11,382	-725
Facilities, Operating Expenses	7,027	0	0	-7,027	0
Nuclear Technology R&D, Operating Expenses	0	37,300	35,810	+35,810	-1,490
Program Direction, Operating Expenses	12,500	13,000	4,136	-8,364	-8,864
Policy and Management-Nuclear Energy, Operating Expenses	11,900	10,200	0	-11,900	-10,200
Test Reactor Area (TRA) Hot Cells[1]					
Operating Expenses	1,230	1,200	1,200	-30	0
Capital Equipment	200	200	200	0	0
Total, TRA Hot Cells	1,430	1,400	1,400	-30	0
Oak Ridge Landlord*					
Operating Expenses	10,016	12,449	0	-10,016	-12,449
Capital Equipment	1,981	2,981	0	-1,981	-2,981
Construction, GPN-103, General Plant Projects	2,255	3,255	0	-2,255	-3,255
Total, Oak Ridge Landlord*	14,252	18,685	0	-14,252	-18,685

*Management and funding transferred to the Office of Environmental Management.

DEPARTMENT OF ENERGY
(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
NUCLEAR ENERGY (Page 2 of 5)					
Nuclear Energy R&D (Continued):					
TRA Landlord, Idaho National Engineering Laboratory[1]					
Operating Expenses	1,487	1,085	0	-1,487	-1,085
Capital Equipment	0	285	0	0	-285
Construction:					
GPN-102, General Plant Projects	750	730	0	-750	-730
95-E-201, TRA Fire and Safety Improvements	1,722	1,900	0	-1,722	-1,900
Total, Construction	2,472	2,630	0	-2,472	-2,630
Total, TRA Landlord	3,959	4,000	0	-3,959	-4,000
Advanced Test Reactor (ATR) Fusion Irradiations,					
Operating Expenses[2]	2,683	2,303	0	-2,683	-2,303
University Nuclear Science and Reactor Support,					
Operating Expenses	0	6,130	6,130	+6,130	0
Total, Nuclear Energy Research and Development	*199,146*	*191,995*	*134,988*	*-64,158*	*-57,007*
(Operating Expenses)	(190,384)	(181,744)	(134,088)	(-56,296)	(-47,656)
(Capital Equipment)	(4,035)	(4,366)	(900)	(-3,135)	(-3,466)
(Construction)	(4,727)	(5,855)	(0)	(-4,727)	(-5,885)

[1]Management and funding transferred to the Office of Environmental Management.
[2]Management and funding transferred to the Office of Fusion Energy.

DEPARTMENT OF ENERGY
(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
NUCLEAR ENERGY (Page 3 of 5)					
Termination Costs					
Operating Expenses	63,000	76,000	68,550	+5,550	-7,450
Capital Equipment	1,000	3,000	3,000	+2,000	0
Construction:					
GPN-102, General Plant Projects, Argonne National Laboratory (ANL)-West, Idaho	2,194	1,000	1,000	-1,194	0
95-E-207, Modifications to Reactors, Experimental Breeder Reactor-II (EBR-II)Sodium Processing Facility, ANL-West, Idaho	1,500	1,700	1,700	+200	0
92-E-200, Modifications to Reactors, EBR-II Fuel Handling Major Maintenance, ANL-West, Idaho	2,011	0	0	-2,011	0
Total, Construction	5,705	2,700	2,700	-3,005	-7,250
Total, Termination Costs	69,705	81,700	74,250	+4,545	-7,450
Isotope Support, Operating Expenses	19,493	25,358	25,358	+5,865	0
Soviet-Designed Reactor Safety, Operating Expenses	0	78,764	0	0	-78,764
Russian Replacement Power Initiative, Operating Expenses	0	5,000	0	0	-5,000
Total, Nuclear Energy	*288,344*	*382,817*	*234,541*	*-53,803*	*-148,276*
(Operating Expenses)	(272,877)	(366,866)	(226,941)	(-44,936)	(-138,925)
(Capital Equipment)	(5,035)	(7,366)	(3,900)	(-1,135)	(-3,466)
(Construction)	(10,432)	(8,585)	(2,700)	(-7,732)	(-5,885)

NUCLEAR ENERGY (Page 4 of 5)

NUCLEAR ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Operating Expenses: -$124,925,000 to FY 1996 request

- -$35,740,000 for Light Water Reactors to provide $14,000,000 for the AP600 light water reactor. Funds appropriated for the AP600 light water reactor shall be available only to the extent that matching private sector funds are provided for such project, and subject to the condition that such Federal funds shall be repaid to the United States out of royalties on the first commercial sale of such reactor design.

- +$25,000,000 for Advanced Reactor R&D for the Gas Turbine-Modular Helium Reactor (GT-MHR). Bill language (Subsection 4(b)) is included that provides that none of these funds may be available for obligation for expenditure, except for termination of such reactor, until the National Academy of Sciences has conducted a detailed review of the economic and technical issues related to such reactor, and has reported to the Department of Energy, the Committee on Science of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate that such reactor warrants funding within the civilian nuclear energy budget of the Department.

- -$725,000 to Advanced Radioisotope Power Systems for DOE Strategic Realignment Savings Amendment.

- -$1,490,000 for Nuclear Technology R&D to eliminate undefined "Management Studies, Evaluations, and Other Support Activities" (-$1,400,000) and for DOE Strategic Realignment Savings Amendment (-$90,000).

- -$8,864,000 for Program Direction to reflect lower funding levels.

- -$10,200,000 for Policy and Management-Nuclear Energy to eliminate duplication and overlap with Program Direction, and the Department's Office of Policy.

- -$12,449,000 for Oak Ridge Landlord to transfer management and funding to the Office of Environmental Management.

- -$1,085,000 for TRA Landlord, Idaho Nuclear Engineering Laboratory, to transfer management and funding to the Office of Environmental Management.

- -$2,303,000 for Advanced Test Reactor (ATR) Fusion Irradiations to transfer funding to the Office of Fusion Energy.

- -$7,450,000 for Termination Costs to initiate Gas Turbine-Modular Helium Reactor program closeout activities (-$7,250,000), and for DOE Strategic Realignment Savings Amendment (-$200,000).

- -$55,000 for Isotope Support for DOE Strategic Realignment Savings Amendment.

- -$78,764,000 for Soviet-Designed Reactor Safety; funding for this foreign aid program should be provided through U.S. Agency for International Development (AID) as in the past.

- -$5,000,000 for Russian Replacement Power Initiatives; funding for this foreign aid program should be provided through U.S. Agency for International Development (AID) as in the past.

NUCLEAR ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Capital Equipment: -$3,266,000 to FY 1996 request

- -$2,981,000 for Oak Ridge Landlord to transfer management and funding to the Office of Environmental Management.
- -$285,000 for TRA Landlord, Idaho Nuclear Engineering Laboratory, to transfer management and funding to the Office of Environmental Management.

Construction: -$5,885,000 to FY 1996 request

- -$3,255,000 for Oak Ridge Landlord to transfer management and funding to the Office of Environmental Management.
- -$2,630,000 for TRA Landlord, Idaho Nuclear Engineering Laboratory, to transfer management and funding to the Office of Environmental Management.

DEPARTMENT OF ENERGY
(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
CIVILIAN RADIOACTIVE WASTE RESEARCH AND DEVELOPMENT (Page 1 of 1)					
Operating Expenses	692	699	0	-692	-699
Total, Civilian Radioactive Waste Research and Development	*692*	*699*	*0*	*-692*	*-699*

CIVILIAN RADIOACTIVE WASTE RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

Operating Expenses: -$692,000 to FY 1996 request

- -$692,000 for operating expenses to terminate program, which funds the monitoring of casks at the Idaho National Engineering Laboratory containing fuel from dry storage demonstration projects and participation in a DOE/industry/utility research, development, and demonstration project to develop a dry spent fuel transfer system and a transport/storage system as an alternative method of providing additional spent fuel storage at nuclear power plant sites. The program is recommended for termination because it represents an inappropriate subsidy to the private-sector.

DEPARTMENT OF ENERGY
(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
ENVIRONMENT, SAFETY AND HEALTH (Page 1 of 2)					
Environment Research and Development					
Environment	14,190	7,200	7,080	-7,110	-120
Worker Health and Safety	25,011	29,415	24,593	-418	-4,822
Health Studies	43,472	61,072	38,496	-4,976	-22,576
Oversight	11,750	13,325	11,554	-196	-1,771
Planning and Administration					
Operating Expenses:					
Business Performance Systems	3,000	5,000	2,950	-50	-2,050
Program Direction	27,817	32,067	24,225	-3,592	-7,842
Total, Operating Expenses	30,817	37,067	27,175	-3,642	-9,892
Capital Equipment	1,500	1,500	1,500	0	0
Total, Planning and Administration	32,317	38,567	28,675	-3,642	-9,892
Total, Environmental Research and Development	126,740	149,579	110,398	-16,342	-39,181
Nuclear Safety Policy	17,180	17,180	16,893	-287	-287
Total, Environment, Safety and Health	*143,920*	*166,759*	*127,291*	*-16,629*	*-39,468*
(Operating Expenses)	(142,420)	(165,259)	(125,791)	(-16,629)	(-39,468)
(Capital Equipment)	(1,500)	(1,500)	(1,500)	(0)	(0)
(Construction)	(0)	(0)	(0)	(0)	(0)

ENVIRONMENT, SAFETY AND HEALTH FY 1996 BUDGET MARKS' ASSUMPTIONS

Operating Expenses: -$39,468,000 to FY 1996 request

- -$120,000 for Environment for DOE Strategic Realignment Savings Amendment.
- -$4,822,000 for Worker Health and Safety to maintain FY 1995 level of effort (-$4,404,000), and for DOE Strategic Realignment Savings Amendment (-$418,000).
- -$22,576,000 for Health Studies to maintain FY 1995 level of effort ($-17,600,000), less State grants (-$4,322,000), and for DOE Strategic Realignment Savings Amendment (-$654,000).
- -$1,771,000 for Oversight to maintain FY 1995 level of effort (-$1,575,000), and for DOE Strategic Realignment Savings Amendment (-$196,000).
- -$2,050,000 for Business Performance Systems to maintain FY 1995 level of effort (-$2,000,000), and for DOE Strategic Realignment Savings Amendment (-$50,000).
- -$7,842,000 for Program Direction to reflect reduced level of funding.
- -$287,000 for Nuclear Safety Policy for DOE Strategic Realignment Savings Amendment.

DEPARTMENT OF ENERGY
(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
BIOLOGICAL AND ENVIRONMENTAL RESEARCH (Page 1 of 3)					
Operating Expenses:					
Analytical Technology	8,706	8,880	8,393	-413	-587
Environmental Research	44,400	50,100	36,640	-7,760	-13,460
Health Effects	36,921	33,092	32,749	-4,172	-343
General Life Sciences	108,894	113,647	112,468	+3,574	-1,179
Medical Applications	48,132	38,900	38,496	-9,636	-404
Carbon Dioxide Research	86,848	88,400	52,556	-34,292	-35,844
Program Direction	7,500	7,600	6,139	-1,361	-1,461
Total, Operating Expenses	341,401	340,619	287,341	-54,060	-53,278
Capital Equipment	24,540	24,000	14,700	-9,840	-9,300
Construction:					
GPE-120, General Plant Projects, Various Locations	3,500	4,450	3,500	0	-950
94-E-339, Human Genome Laboratory, Lawrence Berkeley Laboratory	15,800	5,700	5,700	-10,100	0
94-E-338, Structural Biology Facility, Argonne National Laboratory	6,700	4,295	4,295	-2,405	0
94-E-337, ALS Structural Biology Support Facilities, Lawrence Berkeley Laboratory	4,700	2,600	2,600	-2,100	0
91-EM-100, Environmental Molecular Sciences Laboratory, Pacific Northwest Laboratory	40,000	50,000	40,000	0	-10,000
Total, Construction	70,700	67,045	56,095	-14,605	-10,950
Total, Biological and Environmental Research	*436,641*	*431,664*	*358,136*	*-78,505*	*-73,528*
(Operating Expenses)	(341,401)	(340,619)	(287,341)	(-54,060)	(-53,278)
(Capital Equipment)	(24,540)	(24,000)	(14,700)	(-9,840)	(-9,300)
(Construction)	(70,700)	(67,045)	(56,095)	(-14,605)	(-10,950)

BIOLOGICAL AND ENVIRONMENTAL RESEARCH (Page 2 of 3)

BIOLOGICAL AND ENVIRONMENTAL RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Analytical Technology: -$587,000 to FY 1996 request

- -$500,000 for Measurement Science for development new technology for study of ocean environments. This work has limited relevance to DOE missions, and for DOE Strategic Realignment Savings Amendment (-$87,000).

Environmental Research: -$13,460,000 to FY 1996 request

- -$600,000 in Atmospheric Science for initiation of field experiments in the Pacific Ocean region. This research has limited relevance to DOE missions.
- -$7,155,000 in Marine Transport for Ocean Margins Program. This research has limited relevance to DOE missions.
- -$5,320,000 in Ecosystem Functioning and Response for research on the potential ecological consequences of human-induced climate change. This research has limited relevance to DOE missions.
- -$385,000 for DOE Strategic Realignment Savings Amendment.

Health Effects: -$343,000 to FY 1996 request

- -$343,000 for DOE Strategic Realignment Savings Amendment.

General Life Sciences: -$1,179,000 to FY 1996 request

- -$1,179,000 for DOE Strategic Realignment Savings Amendment.

Medical Applications: -$404,000 to FY 1996 request

- -$404,000 for DOE Strategic Realignment Savings Amendment.

Carbon Dioxide Research: -$36,844,000 to FY 1996 request

- -$3,148,000 to Core Program (-$1,612,000), Information & Integration (-$134,000), and Atmospheric Radiation Measurement (-$1,402,000) to maintain FY 1995 level.
- -$1,500,000 for Core Program for FACE (Free-Air Carbon Dioxide Enrichment) experiments in a forest ecosystems with USDA. This research has limited relevance to DOE missions.

BIOLOGICAL AND ENVIRONMENTAL RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$10,857,000 for Computer Hardware, Advanced Mathematics and Model Physics to eliminate duplicative program that is developing more climate change models. This research has limited relevance to DOE missions.
- -$4,469,000 for Oceans Research for World Ocean Circulation Experiment. This research has limited relevance to DOE missions.
- -$11,000,000 for National Institute for Global Environmental Change (NIGEC). NIGEC, a global change research program operated for DOE by the University of California through a Cooperative Agreement, was established in 1989 in response to a Congressional earmark directing that such an institute be established at the University of California, Davis. Since then, Congress has earmarked funding for NIGEC in the Biological and Environmental Research budget and has specified the creation of six regional centers (Harvard University, Indiana University, University of Alabama, Tulane University, University of Nebraska, and University of California, Davis). This research has limited relevance to DOE missions.
- -$1,000,000 for Unmanned Aerospace Vehicles. This research has limited relevance to DOE missions.
- -$3,319,000 for Global Change Integrated Assessment. This research has limited relevance to DOE missions.
- -$551,000 for DOE Strategic Realignment Savings Amendment.

Program Direction: -$1,461,000 to FY 1996 request

- -$1,461,000 for Program Direction for reduced level of effort.

Capital Equipment: -$9,300,000 to FY 1996 request

- -$9,300,000 for global climate change capital equipment.

Construction: -$10,950,000 to FY 1996 request

- -$950,000 for Project GPE-120, General Plant Projects, to maintain FY 1995 level of effort.
- -$10,000,000 for Project 91-EM-100, Environmental Molecular Sciences Laboratory, Pacific Northwest Laboratory, to maintain FY 1995 level of effort.

DEPARTMENT OF ENERGY
(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
FUSION ENERGY (Page 1 of 3)					
Magnetic Fusion Energy					
Operating Expenses:					
Confinement Systems	187,857	131,492	75,059	-112,798	-56,433
Development and Technology*	89,026	100,400	90,173	+1,147	-10,227
Applied Plasma Physics	54,275	48,821	35,670	-18,605	-13,151
Planning and Projects	7,364	6,053	4,332	-3,032	-1,721
Total, Operating Expenses	338,522	286,766	205,234	-133,288	-81,532
Capital Equipment	9,599	11,779	8,967	-632	-2,812
Construction:					
GPE-900, General Plant Projects, Various Locations	2,000	1,000	1,000	-1,000	0
94-E-200, Tokamak Physics Experiment, Princeton Plasma Physics Laboratory	0	49,900	0	0	-49,900
Total, Construction	2,000	50,900	1,000	-1,000	-49,900
Total, Magnetic Fusion Energy	*350,121*	*349,445*	*215,201*	*-134,920*	*-134,244*
Inertial Fusion Energy					
Operating Expenses	8,000	3,100	4,100	-3,900	+1,000
Capital Equipment	700	700	700	0	0
Construction:					
Project 96-E-310, Elise Project, Lawrence Berkeley Laboratory	0	3,200	3,200	+3,200	0
Total, Inertial Fusion Energy	*8,700*	*6,900*	*8,000*	*-700*	*+1,000*
Program Direction, Operating Expenses	9,600	9,600	5,943	-3,657	-3,657

*Includes management and funding of Advanced Test Reactor (ATR) Fusion Irradiations transferred from the Office of Nuclear Energy.

DEPARTMENT OF ENERGY
(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
FUSION ENERGY (Page 2 of 3)					
Total, Fusion Energy	*368,421*	*366,045*	*229,144*	*-139,277*	*-136,901*
(Operating Expenses)	(356,122)	(299,466)	(215,277)	(-140,845)	(-84,189)
(Capital Equipment)	(10,299)	(12,479)	(9,667)	(-632)	(-2,812)
(Construction)	(2,000)	(54,100)	(4,200)	(+2,200)	(-49,900)

FUSION ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Magnetic Fusion Energy: -$134,244,000 to FY 1996 Request

Confinement Systems: -$56,433,000 to FY 1996 request

- -$38,000,000 for Tokamak Fusion Test Reactor (TFTR).
- -$5,300,000 for Base Toroidal activity to maintain ITER-Related activities ($45,000,000), and to provide for TFTR isolation and termination costs ($31,000,000).
- -$12,192,000 for Tokamak Physics Experiment (TPX).
- -$941,000 for DOE Strategic Realignment Savings Amendment.

Development and Technology: -$10,227,000 to FY 1996 request

- -$9,097,000 to reduce subprogram to level of effort required to meet U.S. ITER commitment ($82,000,000), to fund other ITER-related activities ($7,000,000), and to fund Advanced Test Reactor (ATR) Fusion Irradiations ($2,303,000) formerly budgeted under the Office of Nuclear Energy.
- -$1,130,000 for DOE Strategic Realignment Savings Amendment.

FUSION ENERGY (Page 3 of 3)

FUSION ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Applied Plasma Physics: -$13,151,000 to FY 1996 request

- -$12,704,000 to reduce subprogram to level of effort required to support ITER-related activities ($7,000,000); to fund alternate concepts at near the FY 1995 level ($7,100,000); and to fund MFE Computing at the FY 1996 request level ($10,000,000).
- -$447,000 for DOE Strategic Realignment Savings Amendment.

Planning and Projects: -$1,721,000 to FY 1996 request

- -$1,667,000 for reduction in Small Business Innovative Research (SBIR) and Small Business Technology Transfer Research (STTR) set-asides due to reduction in funding.
- -$54,000 for DOE Strategic Realignment Savings Amendment.

Program Direction: -$3,657,000 to FY 1996 request

- -$3,657,000 for Program Direction to reflect reduced funding level.

Capital Equipment: -$2,812,000 to FY 1996 request

- -$2,700,000 for Magnetic Fusion Energy Capital Equipment to freeze Confinement Systems Capital Equipment at FY 1995 level, and Applied Plasma Physics and Development and Technology Capital Equipment at the FY 1996 request level.
- -$112,000 for DOE Strategic Realignment Savings Amendment.

Construction: -$49,900,000 to FY 1996 request

- -$49,900,000 for TPX construction.

Inertial Fusion Energy: +$1,000,000 to FY 1996 Request

- +$1,000,000 for operating expenses.

DEPARTMENT OF ENERGY
(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
BASIC ENERGY SCIENCES (Page 1 of 3)					
Operating Expenses:					
Materials Sciences	272,319	348,297	333,564	+61,245	-14,733
Chemical Sciences	159,578	181,565	171,378	+11,800	-10,187
Engineering and Geosciences	35,845	39,953	35,418	-427	-4,535
Advanced Energy Projects	10,811	12,026	11,894	+1,083	-132
Energy Biosciences	27,936	29,534	24,702	-3,234	-4,832
Applied Mathematical Sciences	108,116	108,688	103,226	-4,890	-5,462
Program Direction	9,900	10,000	9,820	-80	-180
Total, Operating Expenses	624,505	730,063	690,002	+65,497	-40,061
Capital Equipment	39,056	56,973	53,281	+14,225	-3,692
Construction:					
GPE-400, General Plant Projects, Various Locations	4,500	6,314	4,500	0	-1,814
96-E-305, Accelerator and Reactor Improvements and Modifications, Various Locations	0	12,883	12,883	+12,883	0
95-E-305, Accelerator and Reactor Improvements and Modifications, Various Locations	7,500	0	0	-7,500	0
89-R-402, 6-7 GeV Synchrotron Radiation Source, Argonne National Laboratory	58,379	3,186	3,186	-55,193	0
87-R-405, Combustion Research Facility, Phase II, Sandia National Laboratories, Livermore	0	2,000	2,000	+2,000	0
Total, Construction	70,379	24,383	22,569	-47,810	-1,814
Total, Basic Energy Sciences	*733,940*	*811,419*	*765,852*	*+31,912*	*-45,567*
(Operating Expenses)	(624,505)	(730,063)	(690,002)	(+65,497)	(-40,061)
(Capital Equipment)	(39,056)	(56,973)	(53,281)	(+14,225)	(-3,692)
(Construction)	(70,379)	(24,383)	(22,569)	(-47,810)	(-1,814)

BASIC ENERGY SCIENCES (Page 2 of 3)

BASIC ENERGY SCIENCES FY 1996 BUDGET MARKS' ASSUMPTIONS

Operating Expenses: -$40,061,000 to FY 1996 request

- -$4,800,000 from Materials Sciences and -$3,200,000 from Chemical Sciences for new initiative on the Partnership for New Generation Vehicles.
- -$6,000,000 for new Sustainable Development initiative (-$2,205,000 from Materials Sciences, -$1,705,000 from Chemical Sciences, -$1,045,000 from Engineering and Geosciences, -$315,000 from Advanced Energy Projects, and -$430,000 from Energy Biosciences).
- -$18,000,000 for new Environmental Technology Partnerships initiative (-$5,000,000 from Materials Sciences, -$3,880,000 from Chemical Sciences, -$2,400,000 from Engineering and Geosciences, -$720,000 from Advanced Energy Projects, -$3,730,000 from Energy Biosciences, and -$3,000,000 from Applied Mathematical Sciences).
- -$800,000 for Geosciences Research for continued participation in the Continental Scientific Drilling Program. This program, coordinated with the National Science Foundation and the U.S. Geological Survey, has limited relevance to DOE's energy mission.
- +$1,000,000 to Advanced Energy Projects to fund peer-reviewed research on the potential energy applications of sonoluminescence. Sonoluminescence is an effect in which highly concentrated sound waves in liquids generate very short bursts of light from bubbles in the liquid. These bursts occur with very high regularity in time, and in the process energy densities can increase by as much as 12 orders of magnitude, producing extraordinarily high temperatures. While sonoluminescence is not yet understood, calculations have suggested the possibility of its use in inertial confinement fusion applications. While DOE has funded work in this area at a low level for nearly a decade, increased funding is required to understand and exploit the phenomenon.
- -$900,000 for Energy Biosciences for continued participation in the joint DOE/NSF/USDA Plant Science Program. This program has limited relevance to DOE's energy mission.
- -$1,618,000 for Advanced Mathematical Sciences for Supercomputer Computations Research Institute at Florida State University. This Center was created and has been supported annually only through Congressional earmarks.
- -$100,000 for Program Direction to maintain at FY 1995 level (-100,000).
- -$5,643,000 for DOE Strategic Realignment Savings Amendment, including Materials Sciences (-$2,728,000), Chemical Sciences (-$1,402,000), Engineering and Geosciences (-$290,000), Advanced Energy Projects (-$202,000), Applied Mathematical Sciences (-$844,000), and Program Direction (-$80,000).

BASIC ENERGY SCIENCES FY 1996 BUDGET MARKS' ASSUMPTIONS

Capital Equipment: -$3,692,000 to FY 1996 request

- -$775,000 for High Performance Computing and Communications to maintain FY 1995 level.
- -$2,481,000 for non-facility equipment associated with research in the Materials Sciences, Chemical Sciences, Engineering and Geosciences, Advanced Energy Projects, and Energy Biosciences subprograms to maintain FY 1995 level.
- -$436,000 for DOE Strategic Realignment Savings Amendment.

Construction: -$1,814,000 to FY 1996 request

- -$1,814,000 for Project GPE-400, General Plant Projects, Various Locations, to maintain FY 1995 level.

DEPARTMENT OF ENERGY
(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
ADVANCED NEUTRON SOURCE (Page 1 of 1)					
Operating Expenses	20,764	0	0	-20,764	0
Total, Advanced Neutron Source	***20,764***	***0***	***0***	***-20,764***	***0***

ADVANCED NEUTRON SOURCE FY 1996 BUDGET MARKS' ASSUMPTIONS

Operating Expenses: No change to FY 1996 request

- Endorse Adminstration's proposed termination of the Advanced Neutron Source.

DEPARTMENT OF ENERGY
(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
ENERGY RESEARCH ANALYSES (Page 1 of 1)					
Operating Expenses	3,407	3,463	0	-3,407	-3,463
Total, Energy Research Analyses	*3,407*	*0*	*0*	*-3,407*	*-3,463*

ENERGY RESEARCH ANALYSES FY 1996 BUDGET AUTHORIZATION MARKS' ASSUMPTIONS

Operating Expenses: -$3,463,000 to FY 1996 request

- -$3,463,000 for operating expenses to terminate activities that are duplicative of the Advisory and Oversight Program Direction account and the Program Direction accounts of individual Office of Energy Research programs.

DEPARTMENT OF ENERGY
(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
UNIVERSITY AND SCIENCE EDUCATION (Page 1 of 1)					
Operating Expenses:					
Laboratory Cooperative Science Centers	30,315	30,035	0	-30,315	-30,035
University Programs	27,082	17,377	0	-27,082	-17,377
University Reactor Fuel Assistance*	3,584	0	0	-3,584	0
University Research Instrumentation	5,647	5,647	0	-5,647	-5,647
Program Direction	2,944	2,359	0	-2,944	-2,359
Total, University and Science Education	***69,572***	***55,418***	***0***	***-69,572***	***-55,418***

*Management and funding transferred to Office of Nuclear Energy per the Administration's Request.

UNIVERSITY AND SCIENCE EDUCATION FY 1996 BUDGET AUTHORIZATION MARKS' ASSUMPTIONS

Operating Expenses: -$55,418,000 to FY 1996 request

- -$55,418,000 to terminate program.

Much of the emphasis in the Laboratory Cooperative Science Centers and University Programs is on precollege mathematics and science education activities. The Congressional Budget Office, in its February 1995 report *Reducing the Deficit: Spending and Revenue Options* noted that these "activities have been criticized as ill-focused and unsupervised" and as duplicating efforts in the same area by the National Science Foundation (p.114). The General Accounting Office, in its review of the program, noted that "these projects may be ineffective at increasing student achievement" and that "[t]o compound problems, DOE "did not link budget decisions to project evaluation results" (*Precollege Math and Science and Math Education: Department of Energy's Precollege Program Managed Ineffectively*, U.S. General Accounting Office, GAO/HEHS-94-208, September 1994, p. 3.) Whether successful or not, projects received increased amounts of funding—up to 1,731 percent from fiscal year 1990 to 1992.

The University Research Instrumentation provides competitive grants to universities for scientific equipment costing more than $100,000 and duplicates efforts by the Basic Energy Sciences Program and the National Science Foundation.

DEPARTMENT OF ENERGY
(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
MULTIPROGRAM ENERGY LABORATORIES (MEL)—FACILITIES SUPPORT (Page 1 of 3)					
General Purpose Facilities					
Operating Expenses	595	595	595	0	0
Capital Equipment	5,787	5,787	5,787	0	0
Construction:					
GPE-801, General Plant Projects, Various Locations	8,450	8,740	8,740	+290	0
95-E-310, Multiprogram Laboratory Rehabilitation, Phase 1, Pacific Northwest Laboratory (PNL)	400	2,740	2,740	+2,340	0
95-E-303, Electrical Safety Rehabilitation, PNL	240	1,500	1,500	+1,260	0
95-E-302, Applied Science Center, Phase 30, Brookhaven National Laboratory (BNL)	600	3,270	3,270	+2,670	0
95-E-301, Central Heating Plant Rehabilitation, Phase 1, Argonne National Laboratory (ANL)	1,307	2,500	2,500	+1,193	0
94-E-363, Roofing Improvements, Oak Ridge National Laboratory (ORNL)	1,525	2,038	2,038		
94-E-351, Fuel Storage and Transfer Facility Upgrade, BNL	2,479	440	440	-2,039	
93-E-325, Potable Water System Upgrade I, BNL	1,863	0	0	-1,863	0
93-E-313, Electrical Systems Upgrade, ANL	2,043	0	0	-2,043	0
93-E-324, Safety Compliance Modifications, Building 326, PNL	1,900	0	0	-1,900	
92-E-322, East Canyon Electrical Safety Project, Lawrence Berkeley Laboratory (LBL)	1,000	0	0	-1,000	0
Total, Construction	21,807	21,228	21,228	-579	
Total, MEL—General Purpose Facilities	***28,189***	***27,610***	***27,610***	***-579***	***0***
(Operating Expenses)	(595)	(595)	(595)	(0)	(0)
(Capital Equipment)	(5,787)	(5,787)	(5,787)	(0)	(0)
(Construction)	(21,807)	(21,228)	(21,228)	(-579)	(-290)

DEPARTMENT OF ENERGY
(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
MULTIPROGRAM ENERGY LABORATORIES (MEL)—FACILITIES SUPPORT (Page 2 of 3)					
Environment, Safety & Health Support					
Operating Expenses	6,007	8,157	8,157	+2,150	0
Capital Equipment	500	500	500	0	0
Construction:					
96-E-332, Building 801 Renovations, Brookhaven National Laboratory (BNL)	0	800	800	+800	0
96-E-331, Sanitary Sewer Restoration, Phase I, Lawrence Berkeley Laboratory (LBL)	0	2,400	2,400	+2,400	0
96-E-330, Building Electrical Service Upgrade, Phase I, Argonne National Laboratory (ANL)	0	1,200	1,200	+1,200	0
95-E-309, Loss Prevention Upgrade-Electrical Substation, BNL	600	2,480	2,480	+1,880	
95-E-308, Sanitary System Modifications, Phase II, BNL	960	1,540	1,540	+580	0
95-E-307, Fire Safety Improvements, Phase III, ANL	210	1,000	1,000	+790	0
93-E-324, Hazardous Materials Safeguards, Phase I, LBL	1,962	1,288	1,288	-674	0
93-E-323, Fire and Safety Systems Upgrade, Phase I, LBL	2,000	1,130	1,130	-870	0
93-E-320, Fire and Safety Improvements, Phase II, ANL	1,500	2,411	2,411	+911	0
93-E-317, Life Safety Code Compliance, Pacific Northwest Laboratory (PNL)	506	0	0	-506	0
93-E-315, Roof Replacement, Phase I, BNL	100	0	0	-100	0
Total, Construction	7,838	14,249	14,249	+6,411	0
Total, MEL—Environment, Safety and Health Support	***14,345***	***22,906***	***22,906***	***+8,561***	***0***
(Operating Expenses)	(6,007)	(8,157)	(8,157)	(+2,150)	(0)
(Capital Equipment)	(500)	(500)	(500)	(0)	(0)
(Construction)	(7,838)	(14,249)	(14,249)	(+6,411)	(0)

DEPARTMENT OF ENERGY
(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
MULTIPROGRAM ENERGY LABORATORIES (MEL)—FACILITIES SUPPORT (Page 3 of 3)					
Inactive and Surplus Facilities					
Operating Expenses	500	500	500	0	0
Subtotal, MEL—FACILITIES SUPPORT	*43,034*	*51,016*	*51,016*	*+7,982*	*0*
(Operating Expenses)	(7,102)	(9,252)	(9,252)	(+2,150)	(0)
(Capital Equipment)	(6,287)	(6,287)	(6,287)	(0)	(0)
(Construction)	(29,645)	(35,477)	(35,477)	(+5,832)	(0)
General Reduction	0	0	-11,689	-11,689	-11,689
Total, MEL—FACILITIES SUPPORT	*43,034*	*51,016*	*39,327*	*-3,707*	*-11,689*

MULTIPROGRAM ENERGY LABORATORIES—FACILITIES SUPPORT FY 1996 BUDGET MARKS' ASSUMPTIONS

General Reduction: -$11,689,000 to FY 1996 Request

- -$11,689,000 to maintain program at FY 1994 level.

DEPARTMENT OF ENERGY
(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
ENERGY RESEARCH LABORATORY TECHNOLOGY TRANSFER (Page 1 of 1)					
Operating Expenses:					
Laboratory Technology Transfer	55,900	58,776	0	-55,900	-58,776
Technology Utilization	1,000	0	0	-1,000	0
Total, Energy Research Laboratory Technology Transfer	*56,900*	*58,776*	*0*	*-56,900*	*-58,776*

ENERGY RESEARCH LABORATORY TECHNOLOGY TRANSFER FY 1996 BUDGET AUTHORIZATION MARKS' ASSUMPTIONS

Operating Expenses: -$58,776,000 to FY 1996 request

- -$58,776,000 for operating expenses to terminate program, consistent with the recommendation of the Secretary of Energy Advisory Board Task Force on Alternative Futures for the Department of Energy National Laboratories (Galvin Task Force) that "[d]evelopment of technologies for which private sector companies are the major beneficiary is not an appropriate mission for the national laboratories."

DEPARTMENT OF ENERGY
(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
TECHNOLOGY PARTNERSHIPS (Page 1 of 1)					
Operating Expenses:					
Technology Partnerships	0	983	0	0	-983
Program Direction	0	2,170	0	0	-2,170
Total, Technology Partnerships	*0*	*3,153*	*0*	*0*	*-3,153*

TECHNOLOGY PARTNERSHIPS FY 1996 BUDGET AUTHORIZATION MARKS' ASSUMPTIONS

Operating Expenses: -$3,153,000 to FY 1996 request

- -$3,153,000 for operating expenses to terminate program, consistent with the recommendation of the Secretary of Energy Advisory Board Task Force on Alternative Futures for the Department of Energy National Laboratories (Galvin Task Force) that "[d]evelopment of technologies for which private sector companies are the major beneficiary is not an appropriate mission for the national laboratories.".

DEPARTMENT OF ENERGY
(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
ADVISORY AND OVERSIGHT PROGRAM DIRECTION (Page 1 of 1)					
Operating Expenses	12,450	9,780	5,940	-6,510	-3,840
Total, Advisory and Oversight Program Direction	***12,450***	***9,780***	***5,940***	***-6,510***	***-3,840***

ADVISORY AND OVERSIGHT PROGRAM DIRECTION FY 1996 BUDGET AUTHORIZATION MARKS' ASSUMPTIONS

Operating Expenses: -$3,820,000 to FY 1996 request

- -$1,120,000 for operating expenses to administer the Laboratory Technology Transfer Program, which has been terminated.
- -$2,700,000 for operating expenses for activities that duplicate the functions of the Office of Environment, Safety and Health.

DEPARTMENT OF ENERGY
(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
POLICY AND MANAGEMENT—ENERGY RESEARCH (Page 1 of 1)					
Operating Expenses	2,200	2,200	0	-2,200	-2,200
Total, Policy and Management—Energy Research	*2,200*	*2,200*	*0*	*-2,200*	*-2,200*

POLICY AND MANAGEMENT—ENERGY RESEARCH FY 1996 BUDGET AUTHORIZATION MARKS' ASSUMPTIONS

Operating Expenses: -$2,200,000 to FY 1996 request

- -$2,200,000 for operating expenses to terminate activities that are duplicative of the Advisory and Oversight Program Direction account, the Program Direction accounts of individual Office of Energy Research programs, and the Department's Office of Policy.

DEPARTMENT OF ENERGY
(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
TECHNICAL INFORMATION MANAGEMENT PROGRAM (Page 1 of 1)					
Operating Expenses	14,535	15,350	12,375	-2,160	-2,975
Capital Equipment	589	600	519	-70	-81
Construction, 95-A-500, Heating, Venting, and Air Conditioning Retrofits, Oak Ridge	1,000	1,500	1,500	+500	0
Total, Technical Information Management Program	*16,124*	*17,450*	*14,394*	*-1,730*	*-3,056*
(Operating Expenses)	(14,535)	(15,350)	(12,335)	(-1,800)	(-2,975)
(Capital Equipment)	(589)	(600)	(519)	(-70)	(-81)
(Construction)	(1,000)	(1,500)	(1,500)	(+500)	(0)

TECHNICAL INFORMATION MANAGEMENT PROGRAM FY 1996 BUDGET AUTHORIZATION MARKS' ASSUMPTIONS

Operating Expenses: -$2,975,000 to FY 1996 request

- -$815,000 to maintain overall FY 1995 level, for DOE Strategic Realignment Savings Amendment (-$2,160,000).

Capital Equipment: -$81,000 to FY 1996 request

- -$11,000 to maintain FY 1995 level, for DOE Strategic Realignment Savings Amendment (-$70,000).

DEPARTMENT OF ENERGY
(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
ENVIRONMENTAL MANAGEMENT (NON-DEFENSE) (Page 1 of 6)					
Corrective Activities					
Operating Expenses	600	1,065	524	-76	-989
Construction:					
92-E-601, Melton Valley Liquid Low-Level Waste Collection and Transfer System Upgrade	9,100	339	339	-8,761	0
88-R-830, Bethel Valley Liquid Low-Level Waste Collection and Transfer System Upgrade, Oak Ridge National Laboratory	17,000	4,000	4,000	-13,000	
Total, Construction	26,100	4,339	4,339	-21,761	-541
Total, Corrective Activities	*26,700*	*5,404*	*4,863*	*-21,837*	*-541*
(Operating Expenses)	(600)	(1,065)	(524)	(0)	(-451)
(Capital Equipment)	(0)	(0)	(0)	(0)	(0)
(Construction)	(26,100)	(4,339)	(4,339)	(-21,761)	(0)
Environmental Restoration					
Operating Expenses:					
Facilities and Sites (Non-Defense)	219,380	244,758	212,360	-7,020	-32,398
Formerly Utilized Sites Remedial Action Project (FUSRAP)	74,100	85,200	71,729	-2,371	-13,471
Uranium Mill Tailings Remedial Action Project (UMTRAP)	88,117	80,000	67,419	-20,698	-12,581
Uranium Mill Tailings Remedial Action Groundwater Project	7,000	7,800	6,470	-530	-1,330
Total, Environmental Restoration	*388,597*	*417,758*	*357,978*	*-30,619*	*-59,780*

DEPARTMENT OF ENERGY
(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
ENVIRONMENTAL MANAGEMENT (NON-DEFENSE) (Page 2 of 6)					
Waste Management (Non-Defense)					
Operating Expenses:					
Program Management	4,242	4,193	2,858	-1,384	-1,335
Facilities Operations and Maintenance	69,360	61,632	61,632	-7,728	0
New Facilities	2,636	2,544	2,544	-92	0
Oak Ridge Landlord*	0	0	10,016	+10,016	+10,016
Test Reactor Area (TRA) Landlord, Idaho National Engineering Laboratory (INEL)*	0	0	1,085	+1,085	+1,085
West Valley Demonstration Project	125,127	122,100	110,330	-14,797	-11,770
National Low-Level Waste	7,477	6,000	6,000	-1,477	0
Total, Operating Expenses	208,842	196,469	194,465	-14,377	-2,044
Capital Equipment:					
General	1,831	1,658	1,658	-173	0
Oak Ridge Landlord*	0	0	1,981	+1,981	+1,981
TRA Landlord, INEL*	0	0	285	+285	+285
Total, Capital Equipment	1,831	1,658	3,924	+2,093	+2,266
Construction:					
Oak Ridge Landlord Construction, GPN-103, General Plant Projects*	0	0	2,255	+2,255	+2,255
TRA Landlord, INEL, GPN-102, General Plant Projects*	0	0	730	+730	+730
TRA Landlord, INEL, 95-E-201, TRA Fire and Safety Improvements*	1,722	1,900	1,900	+178	+1,900
GPE-500, General Plant Projects, Waste Management (Non-Defense), Various Locations	2,040	2,212	2,040	0	-172
95-E-601, Radioactive Waste Handling Facility, Princeton Plasma Physics Laboratory	1,937	0	0	-1,937	0
94-E-601, Waste Handling Building, Fermilab	2,500	0	0	-2,500	0

*Management and funding transferred from the Office of Nuclear Energy

DEPARTMENT OF ENERGY
(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
ENVIRONMENTAL MANAGEMENT (NON-DEFENSE) (Page 3 of 6)					
Construction (Continued):					
94-E-602, Bethel Valley Federal Facility Agreement Upgrades, Oak Ridge National Laboratory	7,000	300	300	-6,700	0
93-E-632, Laboratory Floor Drain Collection System Upgrades, Brookhaven National Laboratory (BNL)	571	0	0	-571	0
93-E-633, Upgrade Sanitary Sewer System, Oak Ridge National Laboratory	4,000	0	0	-4,000	0
93-E-600, Dry Cask Storage, Idaho National Engineering Laboratory	4,910	4,048	4,048	-862	0
91-E-305, Waste Management Facilities Project, BNL	5,160	0	0	-5,160	0
91-E-600, Rehabilitation of Waste Management Building 306, Argonne National Laboratory (ANL)	0	787	787	+787	0
91-E-602, Hazardous, Radioactive, and Mixed Waste Storage Facility, ANL	3,600	0	0		
88-R-612, Hazardous Waste Handling Facility, Lawrence Berkeley Laboratory	625	671	671	+46	0
Total, Construction	32,343	8,018	12,731	-19,612	+4,713
Total, Waste Management (Non-Defense)	*243,016*	*206,145*	*204,694*	*-38,322*	*-1,451*
(Operating Expenses)	(208,842)	(196,469)	(188,039)	(-20,803)	(-8,430)
(Capital Equipment)	(1,831)	(1,658)	(3,924)	(+2,093)	(+2,266)
(Construction)	(32,343)	(8,018)	(12,731)	(-19,612)	(+4,713)

DEPARTMENT OF ENERGY
(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
ENVIRONMENTAL MANAGEMENT (NON-DEFENSE) (Page 4 of 6)					
Nuclear Materials and Facilities Stabilization					
Operating Expenses	72,986	83,483	70,588	-2,398	-12,895
Capital Equipment	350	200	200	-150	0
Total, Nuclear Materials and Facilities Stabilization	*73,336*	*83,683*	*70,788*	*-2,548*	*-12,895*
Subtotal, Environmental Management	*731,649*	*712,990*	*638,323*	*-93,326*	*-74,667*
(Operating Expenses)	(671,025)	(698,775)	(617,129)	(-53,896)	(-81,646)
(Capital Equipment)	(2,181)	(1,868)	(4,124)	(+1,943)	(+2,266)
(Construction)	(58,443)	(12,357)	(17,070)	(-41,373)	(+4,713)
General Reduction to Operating and Capital Equipment	0	0	-14,000	-14,000	-14,000
Total, Environmental Management	*731,649*	*712,990*	*638,323*	*-107,326*	*-88,667*

ENVIRONMENTAL MANAGEMENT (NON-DEFENSE)

Corrective Activities: -$541,000 to FY 1996 Request

- -$465,000 for increase to operating expenses to maintain FY 1995 level, and -$76,000 for DOE Strategic Realignment Amendment Savings.

ENVIRONMENTAL MANAGEMENT (NON-DEFENSE)

Environmental Restoration: -$59,780,000 to FY 1996 Request

- -$25,376,000 for Facilities and Sites to maintain FY 1995 level, and -$76,000 for DOE Strategic Realignment Amendment Savings.
- -$11,100,000 for Formerly Utilized Sites Remedial Action Project (FUSRAP) to maintain FY 1995 level, and -$2,371,000 for DOE Strategic Realignment Amendment Savings.
- -$10,352,000 for Uranium Mill Tailings Remedial Action Project (UMTRA) program management to maintain FY 1995 level, and -$2,229,000 for DOE Strategic Realignment Amendment Savings.
- -$1,116,000 for Uranium Mill Tailings Remedial Action Groundwater Project to maintain Program Management (-$553,000) and Contingency (-$573,000) at FY 1995 level, and -$214,000 for DOE Strategic Realignment Amendment Savings.
- -$6,226,000 for DOE Strategic Realignment Amendment Savings.

Waste Management (Non-Defense): -$1,451,000 to FY 1996 Request

- -$1,335,000 for Program Management to reflect reduced level of effort, and -$94,000 for DOE Strategic Realignment Amendment Savings.
- -$2,037,000 for Facilities Operations and Maintenance and for DOE Strategic Realignment Amendment Savings.
- -$84,000 for New Facilities for DOE Strategic Realignment Amendment Savings.
- +$14,252,000 for Oak Ridge Landlord to transfer management and funding from the Office of Nuclear Energy (+$10,016,000 for operating, +$1,981,000 for capital equipment, and +$2,255,000 for Project GPN-103, General Plant Projects) to maintain FY 1995 level, and -$331,000 for DOE Strategic Realignment Amendment Savings.
- +$4,000,000 for Test Reactor Area (TRA) Landlord, Idaho National Engineering Laboratory to transfer management and funding from the Office of Nuclear Energy (+$1,085,000 for operating, +$285,000 for capital equipment, +$730,000 for Project GPN-102, General Plant Projects and +$1,900,000 for Project 95-E-201, TRA Fire and Safety Improvements) to maintain FY 1995 level, and -$36,000 for DOE Strategic Realignment Amendment Savings.
- -$11,770,000 for West Valley Demonstration Project operating expenses for Site Operations (-$2,400,000), Project Support (-$5,900,000) and Low-Level, Hazardous, Transuranic Waste Management (-$3,470,000) to maintain at FY 1995 levels, and -$3,646,000 for DOE Strategic Realignment Amendment Savings.

ENVIRONMENTAL MANAGEMENT (NON-DEFENSE)

- -$198,000 for National Low-Level Waste for DOE Strategic Realignment Amendment Savings.
- -$172,000 for Project GPE-103, General Plant Projects, Various Locations, to maintain FY 1995 level.

Nuclear Materials and Facilities Stabilization: -$12,895,000 to FY 1996 Request

- -$10,497,000 for Nuclear Materials and Facilities operating to maintain FY 1995 level, and -$2,398,000 for DOE Strategic Realignment Amendment Savings.

General Reduction for Operating and Capital Equipment: -$14,000,000 to FY 1996 Request

- -$14,000,000 for general reduction for plant and capital equipment.

ENVIRONMENTAL MANAGEMENT (NON-DEFENSE)

- -$198,000 for National Low-Level Waste for DOE Strategic Realignment Amendment Savings.
- -$172,000 for Project GPE-103, General Plant Projects, Various Locations, to maintain FY 1995 level.

Nuclear Materials and Facilities Stabilization: -$12,895,000 to FY 1996 Request

- -$10,497,000 for Nuclear Materials and Facilities operating to maintain FY 1995 level, and -$2,398,000 for DOE Strategic Realignment Amendment Savings.

General Reduction for Operating and Capital Equipment: -$14,000,000 to FY 1996 Request

- -$14,000,000 for general reduction for plant and capital equipment.

DEPARTMENT OF ENERGY
(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
GENERAL SCIENCE AND RESEARCH (Page 1 of 4)					
High Energy Physics					
Operating Expenses:					
Physics Research	139,940	147,155	146,039	+6,099	-1,116
Facility Operations	278,563	280,152	276,027	+1,464	-2,125
High Energy Technology	58,190	67,370	62,095	+3,905	-5,275
Total, Operating Expenses	474,693	494,677	486,161	+11,468	-8,516
Capital Equipment	57,700	63,230	62,030	+4,330	-1,200
Construction:					
GPE-103, General Plant Projects, Various Locations	12,146	13,845	12,146	0	-1,699
96-G-301, Accelerator and Modifications, Various Locations	0	9,800	9,800	+9,800	0
95-G-301, Accelerator and Modifications, Various Locations	10,590	0	0	-10,590	0
94-G-305, B-Factory, Stanford Linear Accelerator Center	44,000	52,000	52,000	+8,000	0
92-G-302, Fermilab Main Injector, Fermilab	43,000	52,000	52,000	+9,000	0
Total, Construction	109,736	127,645	125,946	+16,210	0
Total, High Energy Physics	*642,129*	*685,552*	*674,137*	*+32,008*	*-11,415*
(Operating Expenses)	(474,693)	(494,677)	(486,161)	(+11,468)	(-8,516)
(Capital Equipment)	(57,700)	(63,230)	(62,030)	(+4,330)	(-1,200)
(Construction)	(109,736)	(127,645)	(125,946)	(+16,210)	(-1,699)

DEPARTMENT OF ENERGY
(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
GENERAL SCIENCE AND RESEARCH (Page 2 of 4)					
Nuclear Physics					
Operating Expenses:					
Medium Energy Nuclear Physics	124,982	103,918	88,382	-36,600	-15,536
Heavy Ion Nuclear Physics	61,174	66,800	63,727	+2,553	-3,073
Low Energy Nuclear Physics	24,596	27,100	22,601	-1,995	-4,499
Nuclear Theory	14,650	15,500	15,375	+725	-125
Total, Operating Expenses	225,402	213,318	190,085	-35,317	-23,233
Capital Equipment	28,000	28,000	22,925	-5,075	-5,075
Construction:					
GPE-300, General Plant Projects, Various Locations	3,900	4,785	3,900	0	-885
96-G-301, Accelerator Improvements and Modifications, Various Locations	0	4,975	3,200	+3,200	-1,775
95-G-301, Accelerator Improvements and Modifications, Various Locations	3,200	0	0	-3,200	0
91-G-300, Relativistic Heavy Ion Collider, Brookhaven National Laboratory	70,000	70,000	70,000	0	0
87-R-203, Continuous Electron Beam Accelerator Facility, Newport News, VA	1,000	0	0	-1,000	0
Total, Construction	78,100	79,760	77,100	-1,000	-2,660
Total, Nuclear Physics	***331,502***	***321,078***	***290,110***	***-41,392***	***-30,968***
(Operating Expenses)	(225,402)	(213,318)	(190,085)	(-35,317)	(-23,233)
(Capital Equipment)	(28,000)	(28,000)	(22,925)	(-5,075)	(-5,075)
(Construction)	(78,100)	(79,760)	(77,100)	(-1,000)	(-2,660)

DEPARTMENT OF ENERGY
(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
GENERAL SCIENCE AND RESEARCH (Page 3 of 4)					
Program Direction					
Operating Expenses	10,400	10,900	9,000	-1,400	-1,900
Subtotal, Program Direction	10,400	10,900	9,000	-1,400	-1,900
DOE Strategic Realignment Amendment	0	0	-570	-570	-570
Total, Program Direction	*10,400*	*10,900*	*8,430*	*-1,970*	*-2,470*
Total, GENERAL SCIENCE AND RESEARCH	*984,031*	*1,017,630*	*972,677*	*-11,354*	*-44,853*
(Operating Expenses)	(710,495)	(718,895)	(684,676)	(-25,819)	(-34,219)
(Capital Equipment)	(85,700)	(91,230)	(84,955)	(-745)	(-6,275)
(Construction)	(187,836)	(207,405)	(203,046)	(+15,210)	(-4,359)

GENERAL SCIENCE AND RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

High Energy Physics: -$11,415,000 to FY 1996 Request

- -6,000,000 (-$4,800,000 for High Energy Technology Operating and -1,200,000 for capital equipment) for initiation of collaborative activities with CERN on the Large Hadron Collider (LHC) in the absence of a formal agreement with CERN for significant participation in the LHC project.

GENERAL SCIENCE AND RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$3,716,000 for DOE Strategic Realignment Amendment Savings: -$1,116,000 for Physics Research, -$2,125,000 for Facility Operations, and -$475,000 for High Energy Technology.

- -$1,699,000 for Project GPE-103, General Plant Projects, Various Locations, to maintain FY 1995 level.

Nuclear Physics: -$30,868,000 to FY 1996 request

- -$23,233,000 for operating expenses, including -$14,818,000 for Medium Energy Physics to eliminate funding for the Bates Linear Accelerator; -$2,555,000 for Heavy Ion Nuclear Physics for university accelerator operations at Yale and at Texas A&M, and -$4,315,000 for Low Energy Nuclear Physics for research at university facilities at the Triangle Universities Nuclear Laboratory and at the University of Washington, and -$1,545,000 for DOE Strategic Realignment Amendment Savings: -$718,000 for Medium Energy Research, -$518,000 for Heavy Ion Nuclear Physics, -$184,000 for Low Energy Nuclear Physics, and -$125,000 for Nuclear Theory.

- -$5,075,000 for capital equipment, including -$3,795,000 for the Bates Linear Accelerator Center, and -$1,280,000 for university laboratories and user groups.

- -$2,660,000 for construction, including -$885,00 for Project GPE-300, General Plant Projects, Various Locations, and -$1,775,000 for Project 96-301, Accelerator Improvements and Modifications, Various Locations to maintain FY 1995 level of effort.

Program Direction: -$2,470,000 to FY 1996 request

- -$1,900,000 to return Program Direction costs to the FY 1994 level for 75 FTEs instead of the 89 FTEs proposed, and -$570,000 for DOE Strategic Realignment Amendment Savings.

DEPARTMENT OF ENERGY
(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
FOSSIL ENERGY (Page 1 of 6)					
Coal					
Advanced Clean Fuels Research					
Coal Preparation	7,171	4,910	4,511	-2,660	-399
Direct Liquefaction	9,797	5,080	0	-9,797	-5,080
Indirect Liquefaction	12,583	5,836	0	-12,583	-5,836
Advanced Research and Environmental Technology	3,989	746	739	-3,250	-7
Systems for Coproducts	4,981	0	0	-4,981	0
Total, Advanced Clean Fuels Research	38,521	16,572	5,250	-33,271	-11,322
Advanced Clean/Efficient Power Systems					
Advanced Pulverized Coal-Fired Powerplant	7,466	5,000	3,300	-4,166	-1,700
Indirect Fired Cycle	11,800	11,900	8,043	-3,757	-3,857
High-Efficiency Integrated Gasified Combined Cycle	27,514	24,500	0	-27,514	-24,500
High-Efficiency Pressurized Fluidized Bed	25,226	19,500	0	-25,226	-19,500
Advanced Research and Environmental Technology	18,508	12,484	12,359	-6,149	-125
Total, Advanced Clean/Efficient Power Systems	90,514	73,384	23,702	-66,812	-49,682
Advanced Research and Technology Development (AR&TD)					
Coal Utilization Science	3,134	3,149	3,118	-16	-31
Materials and Components	8,758	7,332	7,259	-1,499	-73
Technology Crosscut					
Environmental Activities	1,814	2,511	2,241	+427	-270
Technical and Economic Analysis	686	964	0	-686	-964
International Program Support	1,302	1,308	0	-1,302	-1,308
Coal Technology Export	819	1,191	0	-819	-1,191
Instrumentation and Diagnosis	964	500	495	-469	-5
Bioprocessing of Coal	1,928	1,000	990	-938	-10
Total, Technology Crosscut	7,513	7,474	3,726	-3,787	-3,748
University/National Laboratory Coal Research	5,953	6,970	6,900	+947	-70
Total, AR&TD	25,358	24,925	21,003	-4,355	-3,922
Total, Coal	*154,393*	*114,881*	*49,955*	*-104,438*	*-64,926*

DEPARTMENT OF ENERGY
(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
FOSSIL ENERGY (Page 2 of 6)					
Oil Technology					
Exploration and Production Supporting Research	36,093	41,348	22,160	-13,933	-19,188
Recovery Field Demonstrations	33,911	28,369	8,100	-25,811	-20,269
Exploration and Production Environmental Research	4,775	7,056	4,241	-534	-2,815
Processing Research and Downstream Operations	6,929	10,000	6,733	-196	-3,267
Total, Oil Technology	*81,708*	*86,773*	*41,234*	*-40,474*	*-45,539*
Gas					
New Gas Program					
Resource and Extraction	20, 703	33,001	13,086	-7,617	-19,915
Delivery and Storage	1,066	3,071	0	-1,066	-3,071
Advanced Turbine Systems	37,674	43,970	10,300	-27,374	-33,670
Utilization	4,263	4,934	0	-4,263	-4,934
Environmental Research/Regulatory Impact Analysis	2,985	5,405	2,985	0	-2,420
Total, New Gas Program	66,691	90,381	26,371	-40,320	-64,010
Fuel Cells					
Advanced Research	1,456	1,317	1,304	-152	-13
Climate Change Action Plan	0	8,000	0	0	-8,000
Molten Carbonate Systems	29,983	30,067	14,235	-15,748	-15,832
Advanced Concepts	18,143	16,080	16,919	-2,224	-161
Total, Fuel Cells	49,582	55,464	31,458	-18,124	-24,006
Total, Gas	*116,273*	*145,845*	*57,829*	*-58,444*	*-88,016*
Program Direction and Management Support					
Headquarters Program Direction	12,969	13,621			
Energy Technology Center (ETC) Program Direction	59,294	56,276			
Total, Program Direction and Management Support	*72,263*	*69,897*	*32,192*	*-40,071*	*-37,705*

DEPARTMENT OF ENERGY
(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
FOSSIL ENERGY (Page 3 of 6)					
Plant and Capital Equipment					
Capital Equipment	776	1,701	476	-300	-1,225
Construction, GP-F100, General Plant Projects for ETCs	4,234	2,304	1,994	-2,240	-310
Total, Plant and Capital Equipment	*5,010*	*4,005*	*2,470*	*-2,540*	*-1,535*
Cooperative R&D	*9,082*	*0*	*7,557*	*-1,525*	*+7,557*
Fossil Energy Environmental Restoration	*16,431*	*18,919*	*12,370*	*-4,061*	*-6,569*
Fuels Conversion, Natural Gas, and Electricity	*3,007*	*2,687*	*0*	*-3,007*	*-2,687*
Total, Fossil Energy Research and Development	*468,167*	*443,007*	*203,967*	*-254,560*	*-239,400*
(Operating Expenses)	(453,157)	(439,002)	(201,137)	(-252,020)	(-237,865)
(Capital Equipment)	(776)	(1,701)	(476)	(-300)	(-1,225)
(Construction)	(4,234)	(2,304)	(1,994)	(-2,240)	(-310)

FOSSIL ENERGY (Page 4 of 8)

FOSSIL ENERGY RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

Coal: -$64,926,000 to FY 1996 request

- -$399,000 for Coal Preparation to delete funding to continue in-house activities to assess deeply beneficiated coal-based fuels for integration into advanced power systems being developed and provide project management support (-$350,000); and to delete funding for technical and project management support (-$49,000).
- -$5,080,000 for Direct Liquefaction to terminate program.
- -$5,836,000 for Indirect Liquefaction to terminate program.
- -$7,000 for Advanced Clean Fuels Research Advanced Research and Environmental Technology for technical and program management support.
- -$1,700,000 for Advanced Pulverized Coal-Fired Powerplant to provide $3,300,000—and a total of $6,600,000 if 50-percent cost-sharing is obtained.
- -$3,857,000 for Indirect Fired Cycle to provide $8,043,000—and a total of $16,086,000, if 50-percent cost-sharing is obtained.
- -$24,500,000 for High-Efficiency Integrated Gasified Combined Cycle to terminate program, which subsidizes ongoing Clean Coal Technology Program projects.
- -$19,500,000 for High-Efficiency Pressurized Fluidized Bed (PFB) to terminate program, which subsidizes ongoing Clean Coal Technology Program projects.
- -$125,000 for Advanced Clean/Efficient Power Systems Advanced Research and Environmental Technology to delete funding for technical and project management support (-$125,000).
- -$31,000 for Coal Utilization Science for technical and program management support.
- -$73,000 for Materials and Components for technical and program management support.
- -$270,000 for Environmental Activities to delete NEPA and other support to field offices.
- -$964,000 for Technical and Economic Analysis to terminate program, which subsidizes corporate and other special interests.
- -$1,308,000 for International Program Support to terminate program, which subsidizes corporate and other special interests.

FOSSIL ENERGY (Page 5 of 6)

FOSSIL ENERGY RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$1,191,000 for Coal Technology Export to terminate program.
- -$5,000 for Instrumentation and Diagnostics for technical and program management support.
- -$10,000 for Bioprocessing of Coal for technical and program management support.
- -$70,000 for University/National Laboratory Coal Research for technical and program management support.

Oil: -$45,539,000 to FY 1996 request

- -$19,168,000 for Exploration and Production Supporting Research Resource and Extraction to provide $22,160,000 to fund Extraction at the FY 1996 request ($8,520,000);, and to fund (1) Reservoir Characterization ($3,875,000), (2) Multi National Laboratory/Industry Partnership and National Laboratory Supporting R&D ($5,700,000), and (3) Advanced Computational Technology Initiative ($4,065,000) at the FY 1995 level.
- -$20,269,000 for Recovery Field Demonstrations to provide $8,100,000 in FY 1996 requested funding for completion of Class 2 projects ($3,100,000) and for continuation of ongoing Class 3 projects ($5,000,000).
- -$2,815,000 for Exploration and Production Environmental Research to fund Risk Assessment at FY 1996 request ($4,241,000).
- -$3,287,000 for Processing Research and Downstream Operations to provide $6,733,000 to maintain FY 1995 level of funding for Pollution Prevention ($4,433,000), Environmental Compliance ($1,387,000), and Upgrading Technology Development ($913,000).
- Bill language provides for maintenance of programs at the National Institute for Petroleum and Energy Research.

Gas: -$89,016,000 to FY 1996 request

- -$19,915,000 for Resource and Extraction to provide $13,086,000 to fund, at the FY 1995 level, (1) Drilling, Completion, and Stimulation ($4,824,000), (2) Low-Permeability Formations ($4,777,000), and (3) the Advanced Computational Technology Initiative ($3,485,000).
- -$3,071,000 to terminate Delivery and Storage, which subsidizes corporate and special interests.
- -$33,570,000 for Advanced Turbine Systems to provide $10,300,000 to fund Technology Development at the FY 1995 level.
- -$4,934,000 to terminate Utilization, which subsidizes corporate and special interests.
- -$2,420,000 for Environmental Research/Regulatory Impact Analysis to fund at the FY 1995 level ($2,985,000).

FOSSIL ENERGY (Page 6 of 6)

FOSSIL ENERGY RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$13,000 for Fuel Cells Advanced Research for technical and program management support.
- -$8,000,000 to terminate Fuel Cells Climate Action Plan, which subsidizes corporate and special interests.
- -$15,832,000 for Molten Carbonate Systems to provide $14,235,000 for one contractor.
- -$161,000 for Advanced Concepts to provide $15,818,000 for last year of funding for five-year cost-shared cooperative agreement for development of the tubular solid oxide fuel cell.

Program Direction and Management Support: -$37,705,000 to FY 1996 request

- -$37,705,000 to reflect the lower level of effort.

Plant and Capital Equipment: -$1,535,000 to FY 1996 request

- -$1,535,000 to provide $2,470,000 in centralized funding for capital equipment ($476,000), and for General Plant Projects (1,994,000) in all Fossil Energy R&D activities conducted at the Energy Technology Centers, National Laboratories, and Bartlesville Project Office at the FY 1995 level.

Cooperative R&D: +$7,557,000 to FY 1996 request

- +$7,557,000 to maintain funding of Western Research Institute and North Dakota Energy and Environmental Research Center at FY 1995 levels ($3,779,000 and 3,778,000, respectively).

Fossil Energy Environmental Restoration: -$6,589,000 to FY 1996 request

- -$6,589,000 to maintain funding at FY 1995 level, after subtracting $3,701,000 for one-time Magnetohydrodynamics Closeout and Cleanup Actions, and -$360,000 for DOE Strategic Realignment Budget Amendment Savings.

Fossil Conversion, Natural Gas, and Electricity: -$2,687,000 to FY 1996 request

- -$2,687,000 to terminate regulatory program.

DEPARTMENT OF ENERGY
(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
CLEAN COAL TECHNOLOGY (Page 1 of 1)					
Cooperative Agreements	37,121	26,981	0	-37,121	-26,981
Program Direction	0	18,000	0	0	-18,000
Total, Clean Coal Technology	*37,121*	*44,981*	*0*	*-37,121*	*-44,981*

CLEAN COAL TECHNOLOGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Clean Coal Technology: -$44,981,000 to FY 1996 request

- -$44,981,000 to prevent further appropriations for the Program.

DEPARTMENT OF ENERGY
(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
ENERGY CONSERVATION RESEARCH AND DEVELOPMENT (Page 1 of 6)					
Buildings Sector					
Operating Expenses:					
Building Systems	21,502	46,998	9,446	-12,056	-37,552
Building Envelope	9,617	11,999	6,528	-3,089	-5,471
Building Equipment	25,616	27,542	13,278	-12,338	-14,264
Codes and Standards	22,516	24,599	0	-22,516	-24,599
Federal Energy Management Program	23,472	25,408	6,549	-16,923	-18,859
Implementation and Deployment	1,370	6,032	0	-1,370	-6,032
Management and Planning	9,583	10,300	2,669	-6,914	-7,631
Total, Operating Expenses	113,676	152,878	38,470	-75,206	-114,408
Capital Equipment	1,960	1,924	1,637	-323	-287
Total, Buildings Sector	*115,636*	*154,802*	*40,107*	*-75,529*	*-114,695*
Industry Sector					
Operating Expenses:					
Cogeneration	27,809	34,488	6,736	-21,073	-27,752
Electric Drives	5,500	8,882	2,713	-2,787	-6,169
Process Heating and Cooling	7,814	4,588	1,813	-6,001	-2,775
Industrial Wastes	26,209	29,660	15,659	-10,550	-14,001
Municipal Solid Wastes	2,737	2,680	0	-2,737	-2,680
Materials and Metals Processing	22,517	25,070	10,384	-12,133	-14,686
Other Process Efficiency	19,907	27,757	9,957	-9,950	-17,800
Implementation and Deployment	12,995	29,722	0	-12,995	-29,722
Management and Planning	7,130	8,000	2,366	-4,764	-5,634
Total, Operating Expenses	132,618	170,847	49,628	-82,990	-121,219
Capital Equipment	2,575	2,020	1,488	-1,087	-532
Total, Industry Sector	*135,193*	*172,867*	*51,116*	*-84,077*	*-121,751*

DEPARTMENT OF ENERGY
(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
ENERGY CONSERVATION RESEARCH AND DEVELOPMENT (Page 2 of 6)					
Transportation Sector					
Operating Expenses:					
Alternative Fuels Utilization	52,455	55,578	0	-52,455	-55,578
Materials Technology	33,729	39,147	33,732	+3	-5,415
Heat Engine Technologies	18,208	24,066	7,655	-10,553	-16,411
Electric and Hybrid Propulsion Development	89,855	129,395	60,454	-29,401	-68,941
Implementation and Deployment	2,196	3,375	0	-2,196	-3,375
Management and Planning	8,421	9,200	3,744	-4,677	-5,456
Total, Operating Expenses	204,864	260,761	105,585	-99,279	-155,176
Capital Equipment	1,393	1,547	1,146	-247	-401
Total, Transportation Sector	*206,257*	*262,308*	*106,731*	*-99,526*	*-155,577*
Utility Sector					
Operating Expenses:					
Integrated Resource Planning	8,756	9,930	0	-8,756	-9,930
District Heating and Cooling	0	0	0	0	0
Total, Utility Sector	*8,756*	*9,930*	*0*	*-8,756*	*-9,930*
Technical and Financial Assistance (Non-Grants)					
Operating Expenses:					
International Market Development	2,907	5,134	0	-2,907	-5,134
Inventions and Innovations Program	5,799	8,762	0	-5,799	-8,762
Municipal Energy Management	1,848	1,843	0	-1,848	-1,843
Information and Communications	1,915	1,640	0	-1,915	-1,640
Management	27,890	28,056	7,813	-20,077	-20,243
Total, Technical and Financial Assistance (Non-Grants)	*40,359*	*45,436*	*7,813*	*-32,546*	*-37,622*
Policy and Management—EC	*8,342*	*11,332*	*0*	*-8,342*	*-11,332*
Total, Energy Conservation Research and Development	514,543	656,674	205,767	-308,776	-450,907

ENERGY CONSERVATION RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

Buildings Sector: -$114,695,000 to FY 1996 request

- -$37,552,000 for Building Systems to maintain National Laboratory funding at FY 1996 request level ($10,215,000), less DOE Strategic Realignment Budget Amendment Savings (-$769,000). National Laboratories receive a total of $9,446,000, a decrease of $354,000, or 3.6 percent for FY 1995 funding level of $9,800,000.

- -$5,471,000 for Building Envelope to maintain National Laboratory funding at FY 1996 request level ($7,060,000), less DOE Strategic Realignment Budget Amendment Savings (-$532,000). National Laboratories receive a total of $6,528,000, a decrease of $782,000, or 10.7 percent for FY 1995 funding level of $7,310,000.

- -$14,264,000 for Building Equipment to maintain National Laboratory funding at FY 1996 request level ($14,360,000), less DOE Strategic Realignment Budget Amendment Savings (-$1,082,000). National Laboratories receive a total of $13,278,000, a decrease of $2,702,000, or 16.9 percent for FY 1995 funding level of $15,980,000.

- -$24,599,000 for Codes and Standards to terminate program funding of command-and-control regulatory program. Bill language to prevent the funding of any rule-making or the issuance of any proposed or final rule (Section 4(c)(3)).

- -$18,859,000 for Federal Energy Management Program to terminate Federal Energy Efficiency Fund (-$7,440,000); analyses to provide cash awards to Federal energy managers (-$2,700,000); innovative financing (-$1,969,000); alternative financing (-$1,197,000), audit teams action plans (-$2,186,000); design assistance (-$2,037,000); and user analytical systems (-$796,000); less DOE Strategic Realignment Budget Amendment Savings (-$534,000).

- -$6,032,000 for Implementation and Deployment to terminate program special-interest subsidy program.

- -$7,631,000 for Management and Planning to reflect lower level of effort.

- -$154,000 for Capital Equipment to provide National Laboratory capital equipment at the FY 1996 request level ($1,770,000), less DOE Strategic Realignment Budget Savings Amendment (-$133,000). National Laboratories receive a total of $1,637,000, a decrease of $33,000, or 2.0 percent for FY 1995 funding level of $1,670,000.

Industry Sector: -$121,761,000 to FY 1996 request

- -$27,752,000 for Cogeneration to maintain National Laboratory funding at FY 1996 request level ($7,200,000), less DOE Strategic Realignment Budget Amendment Savings (-$464,000). National Laboratories receive a total of $6,736,000, a decrease of $264,000, or 3.8 percent for FY 1995 funding level of $7,000,000.

ENERGY CONSERVATION RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

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ENERGY CONSERVATION RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$6,169,000 for Electric Drives to maintain National Laboratory funding at FY 1996 request level ($2,900,000), less DOE Strategic Realignment Budget Amendment Savings (-$187,000). National Laboratories receive a total of $2,713,000, an increase of $633,000, or 30.4 percent for FY 1995 funding level of $2,080,000.

- -$2,775,000 for Process Heating and Cooling to maintain National Laboratory funding at FY 1996 request level ($1,938,000), less DOE Strategic Realignment Budget Amendment Savings (-$125,000). National Laboratories receive a total of $1,813,000, a decrease of $2,069,000, or 53.3 percent for FY 1995 funding level of $3,882,000.

- -$14,001,000 for Industrial Wastes to maintain National Laboratory funding at FY 1996 request level ($16,738,000), less DOE Strategic Realignment Budget Amendment Savings (-$1,079,000). National Laboratories receive a total of $15,659,000, an increase of $4,886,000, or 45.4 percent for FY 1995 funding level of $10,773,000.

- -$2,680,000 for Municipal Solid Wastes to terminate program that subsidizes local interests.

- -$14,686,000 for Materials and Metals Processing to maintain National Laboratory funding at FY 1996 request level ($11,100,000), less DOE Strategic Realignment Budget Amendment Savings (-$716,000). National Laboratories receive a total of $10,384,000, a decrease of $121,000, or 1.2 percent for FY 1995 funding level of $10,505,000.

- -$17,800,000 for Other Process Efficiency to maintain National Laboratory funding at FY 1996 request level ($10,643,000), less DOE Strategic Realignment Budget Amendment Savings (-$686,000). National Laboratories receive a total of $9,957,000, a decrease of $475,000, or 4.6 percent for FY 1995 funding level of $10,432,000.

- -$29,722,000 for Implementation and Deployment to terminate special-interest program.

- -$5,634,000 for Management and Planning to reflect lower level of effort.

- -$532,000 for Capital Equipment to maintain National Laboratory funding at FY 1996 request level ($1,591,000), less DOE Strategic Realignment Budget Amendment Savings (-$103,000). National Laboratories receive a total of $1,488,000, a decrease of $158,000, or 9.6 percent for FY 1995 funding level of $1,646,000.

Transportation Sector: -$158,577,000 to FY 1996 request

- -$55,578,000 for Alternative Fuels to terminate program that subsidizes private sector and duplicates EPA activities.

- -$5,415,000 for Materials Technology to maintain National Laboratory funding at FY 1996 request level ($35,250,000), less DOE Strategic Realignment Budget Amendment Savings (-$1,518,000). National Laboratories receive a total of $33,732,000, an increase of $2,322,000, or 7.4 percent for FY 1995 funding level of $31,410,000.

ENERGY CONSERVATION RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$16,411,000 for Heat Engines to maintain National Laboratory funding at FY 1996 request level ($8,000,000), less DOE Strategic Realignment Budget Amendment Savings (-$345,000). National Laboratories receive a total of $7,655,000, an increase of $1,146,000, or 17.6 percent for FY 1995 funding level of $6,509,000.

- -$68,941,000 for Electric and Hybrid Propulsion Development to maintain National Laboratory funding at FY 1996 request level ($63,175,000), less DOE Strategic Realignment Budget Amendment Savings (-$2,721,000). National Laboratories receive a total of $60,454,000, an increase of $18,883,000, or 45.4 percent for FY 1995 funding level of $41,571,000.

- -$3,375,000 for Implementation and Deployment to terminate special-interest program.

- -$5,456,000 for Management and Planning to reflect lower level of effort.

- -$401,000 for Capital Equipment to provide National Laboratory capital equipment at the FY 1996 request level ($1,198,000), less DOE Strategic Realignment Budget Savings Amendment (-$52,000). National Laboratories receive a total of $1,146,000, a decrease of $194,000, or 14.5 percent for FY 1995 funding level of $1,340,000.

Utility Sector: -$9,930,000 to FY 1996 request

- -$9,930,000 for Integrated Resource Planning to terminate program that subsidizes utilities and States to do integrated resource planning, which they are already doing.

Policy and Management—Energy Conservation: -$11,332,000 to FY 1996 request

- -$11,332,000 to terminate funding to eliminate duplication with other Management and Planning efforts, and the Department's Office of Policy.

Technical and Financial Assistance (Non-Grants): -$35,873,000 to FY 1996 request

- -$5,134,000 for International Market Development to terminate corporate and special-interest subsidy program.

- -$8,762,000 for Inventions and Innovations Program to terminate special-interest subsidy program.

- -$1,843,000 for Municipal Energy Management to terminate special-interest subsidy program.

- -$1,640,000 for Information and Communications that duplicates other ongoing efforts.

ENERGY CONSERVATION RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$20,243,000 for Management to eliminate needless Support Offices housing some 183 bureaucrats in 10 cities (Atlanta, Boston, Chicago, Dallas, Denver, Kansas City New York, Philadelphia, San Francisco, and Seattle) that duplicate the functions of Headquarters and the Operations Offices (-$17,962,000), and -$2,281,000 for Headquarters and Operations Offices to reflect lower level of funding for program.

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. 1816) The Department of Energy Civilian Research and Development Authorization Act of 1995

The Subcommittee on Energy and Environment has completed consideration of Subcommittee Print, the Department of Energy Civilian Research and Development Authorization Act of 1995. On Thursday, June 8, 1995, the Subcommittee ordered the Subcommittee Print, as amended, 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.

On June 13, 1995, following subcommittee consideration the Subcommittee Print (H.R. 1816, the Department of Energy Civilian Research and Development Authorization Act of 1995), was introduced by Subcommittee Chairman Dana Rohrabacher. H.R. 1816 was referred solely to the Committee on Science.

The Subcommittee on Energy and Environment held hearings on the DOE Fiscal Year 1996 budget request on February 13th, 14th and 15th of 1995, to obtain the views of the Administration and outside witnesses for its programs under the Science Committee's jurisdiction. The witnesses expressed strong support for reducing, downsizing, privatizing and/or eliminating projects while at the same time improving services.

The Subcommittee met for consideration of the Subcommittee Print on June 8, 1995. The Subcommittee Print was adopted, as amended, by voice vote and ordered reported to the Full Committee for consideration. The major changes include:

- an increase of $14.0 million for the authorization of the AP600 light water reactors, offset by a decrease of $14.0 million for the Environmental Management authorization. The amendment also added a new Subsection 4(d) that provides that funds appropriated for the AP600 light water reactor shall be available only to the extent that matching private sector funds are provided for such project, and subject to the condition that such Federal funds shall be repaid to the United States out of royalties on the first commercial sale of such reactor design.

- clarifying language in section 3(c)(2), Oil Technology, to maintain programs at the National Institute for Petroleum and Energy Research.

- adoption of Section 8, "Further Authorizations," that states that "nothing in this Act shall preclude further authorization of appropriations for civilian research, development, demonstration, and commercial application activities of the Department of Energy for fiscal year 1996."

SECTION-BY-SECTION

H.R. 1816: THE DEPARTMENT OF ENERGY CIVILIAN RESEARCH AND DEVELOPMENT ACT OF 1995

Section 1. Short Title.

Cites the Act as the "Department of Energy Civilian Research and Development Act of 1995."

Section 2. Definitions.

Contains definitions of terms used in the Act.

Section 3. Authorization of Appropriations.

Section 3 authorizes a total of $3,984,640,000 for fiscal year 1996 for Department of Energy civilian energy research, development, demonstration, and commercial application programs.

Subsection 3(a) authorizes a total of $2,602,589,000 for Energy Supply Research and Development Activities for fiscal year 1996, for the following: (1) $203,641,000 for Solar and Renewable Energy; (2) $234,541,000 for Nuclear Energy (including, subject to subsection 4(b), $25,000,000 for the Gas Turbine-Modular Helium Reactor, and, subject to subsection 4(d), $14,000,000 for the AP600 light water reactor); (3) $127,291,000 for Environment, Safety and Health; (4) $358,136,000 for Biological and Environmental Research; (5) $229,144,000 for Fusion Energy (including $215,201,000 for Magnetic Fusion Energy, $8,000,000 for Inertial Fusion Energy, and $5,943,000 for Program Direction); (6) $765,852,000 for Basic Energy Sciences (including $60,000,000 for the Scientific Facilities Initiative); (7) $39,327,000 for Multiprogram Energy Laboratories—Facilities Support; (8) $5,940,000 for Advisory and Oversight Program Direction; (9) $14,394,000 for the Technical Information Management Program, and (10) $624,323,000 for Environmental Management (Non-Defense).

Subsection 3(b) authorizes a total of $972,677,000 for General Science and Research Activities for fiscal year 1996, for: (1) $674,137,000 for High Energy Physics (including $15,000,000 for the Scientific Facilities Initiative); (2) $290,110,000 for Nuclear Physics (including $25,000,000 for the Scientific Facilities Initiative); and (3) $8,430,000 for Program Direction.

Subsection 3(c) authorizes a total of $203,607,000 for Fossil Energy Research and Development for fiscal year 1996, including: (1) $49,955,000 for Coal; (2) 41,234,000 for Oil Technology, including maintaining programs at the National Institute for Petroleum and Energy Research; (3) $57,829,000 for Gas; (4) $32,192,000 for Program Direction and Management Support; (5) $476,000 for Capital Equipment; (6) $1,994,000 for General Plant Projects; (7) $7,557,000 for Cooperative Research and Development, and (8) $12,370,000 for Fossil Energy Environmental Restoration.

Subsection 3(d) authorizes a total of $205,767,000 for Energy Conservation Research and Development for fiscal year 1996, including: (1) $40,107,000 for Buildings Sector; (2) $51,116,000 for Industry Sector; (3) $106,731,000 for Transportation Sector; and (4) $7,813,000 for Technical and Financial Assistance (Non-Grants).

Section 3 authorizes operating and capital equipment as one amount for each program (except in the case of Fossil Energy Research and Development) in order to allow the Department flexibility in the use of funds; line-item construction projects are authorized separately.

Section 4. Funding Limitations.

Subsection 4(a) prohibits the use of the funds authorized by the Act for 42 specific programs, projects, and activities: (1) Solar Buildings Technology Research; (2) Solar International Program; (3) Solar Technology Transfer; (4) Solar Program Support; (5) Resource Assessment; (6) Hydropower; (7) In-House Energy Management; (8) Policy and Management—Energy Efficiency and Renewable Energy; (9) Space Power Reactor Systems; (10) Nuclear Energy Facilities; (11) Policy and Management—Nuclear Energy; (12) Soviet-Designed Reactor Safety; (13) Russian Replacement Power Initiative; (14) Advanced Neutron Source; (15) Energy Research Analysis; (16) University and Science Education; (17) Energy Research Laboratory Technology Transfer; (18) Technology Partnerships; (19) Policy and Management—Energy Research; (20) Direct Liquefaction; (21) Indirect Liquefaction; (22) Systems for Coproducts; (23) Technical and Economic Analysis; (24) International Program Support; (25) Coal Technology Export; (26) Gas Delivery and Storage; (27) Gas Utilization; (28) Fuels Cells Climate Change Action Plan; (29) Fuels Conversion, Natural Gas, and Electricity; (30) Clean Coal Technology Program; (31) Buildings Sector Codes and Standards; (32) Buildings Sector Implementation and Deployment; (33) Industry Sector Municipal Solid Wastes; (34) Industry Sector Implementation and Deployment; (35) Alternative Fuels Utilization; (36) Transportation Sector Implementation and Deployment; (37) Utility Sector Integrated Resource Planning; (38) International Market Development; (39) Inventions and Innovation Program; (40) Municipal Energy Management; (41) Information and Communications; and (42) Policy and Management—Energy Conservation.

Subsection 4(b) provides that none of the funds authorized by this Act may be available for obligation or expenditure for the Gas Turbine-Modular Helium Reactor, except for termination of such reactor, until the National Academy of Sciences has conducted a detailed review of the economic and technical issues related to the reactor, and has reported to the Department of Energy, the Committee on Science of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate that such reactor warrants funding within the civilian nuclear budget of the Department of Energy.

Subsection 4(c) provides that no prior-year funds may be available for obligation or expenditure for two academic earmarks contained in the 1995 Energy and Water Development Appropriations Act Conference Report (House Report 103-672): (1) the University of Nebraska Medical Center Transplant Center and (2) the Oregon Health Sciences University. Also, Subsection 4(c)(3) prohibits the use of prior-year funds for the conduct of any rulemaking activities relating to Lighting and Appliance Standards and Building Standards and Guidelines, including the promulgation or issuance of notices of proposed rulemakings, proposed rules, or final rules.

Subsection 4(d) provides that funds appropriated for the AP600 light water reactor shall be available only to the extent that matching private sector funds are provided for such project, and subject to the condition that such Federal funds shall be repaid to the United States out of royalties on the first commercial sale of such reactor design.

Section 5. Limitation on Appropriations.

Section 5 provides that no sums are authorized to be appropriated for any fiscal year after fiscal year 1995 for any civilian research, development, demonstration, or commercial application program, project, or activity of the Department of Energy unless such sums are specifically authorized to be appropriated by an Act of Congress with respect to such fiscal year.

Section 6. Merit Review Requirement of Awards for Financial Assistance.

Subsection 6(a) prohibits the Secretary of Energy from awarding financial assistance to any person for civilian research, development, demonstration, or commercial application activities, including related facility construction, unless an objective merit review process is used to award the financial assistance. Financial assistance is specifically defined as "the transfer of funds or property to a recipient or subrecipient to accomplish a public purpose of support or stimulation authorized by Federal law," and specifically states that cooperative research and development agreements as defined in subsection 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1)) are not subject to the provisions of

this section, nor are grants that call upon the National Academy of Sciences, the National Academy of Engineering, the Institute of Medicine, or the National Academy of Public Administration to report to Congress or to any agency of the Federal Government.

Subsection 6(b) provides that no provision of law may modify or supersede the preceding requirement unless that law specifically refers to the subsection 6(a) prohibition, states that the subsection 6(a) prohibition is modified or superseded, and identifies the person making the award. Finally, the Secretary must notify Congress 180 days prior to making an award inconsistent with the prohibition of subsection 12(a).

Section 7. Policy on Capital Projects and Construction.

Subsection 7(a) prohibits the appropriation of funds to the Secretary of Energy and the obligation of funds by the Secretary for civilian research, development, demonstration, or commercial application construction projects and equipment acquisitions that have not been specifically authorized by statute.

Subsection 7(b) requires the Secretary: (1) to submit to Congress within 180 days after enactment of this Act, a report that identifies and provides specific financial estimates for construction projects and acquisitions for which the preliminary design phase is completed but the construction or acquisition is not yet completed, and (2) to submit to Congress after completion of the preliminary design phase of a major construction project a report with specific financial estimates.

Section 8. Further Authorizations.

Section 8 states that nothing in this Act shall preclude further authorization of appropriations for civilian research, development, demonstration, and commercial application activities of the Department of Energy for fiscal year 1996; provided, that authorization allocations adopted by the Conference Committee on House Concurrent Resolution 67, and approved by Congress, allow for such further authorizations.

COMMITTEE ON SCIENCE
FULL COMMITTEE MARKUP: JUNE 20, 1995

AMENDMENT ROSTER

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

No.	Sponsor	Description	Results
1.	Mr. Walker	Amendment in the Nature of a Substitute	
2.	Mr. Doyle	Amendment in the Nature of a Substitute	
3.	Mr. Doggett	En bloc amendment to cut the light water reactor	
4.	Mr. Foley	En bloc amendment to cut the gas cooled reactor	
5.	Mr. Baker	Reallocates money for the International Thermonuclear Experimental Reactor (ITER)	
6.	Mr. Davis	En bloc amendment to cut environmental management and increase transportation energy conservation	
7.	Mr. Doggett	Maintains programs at the National Institute for Petroleum and Energy Research	
8.	Mr. Largent	Multi-state consortium language	
9.	Mr. Doggett	New paragraph (43) -- International Thermonuclear Experimental Reactor	
10(a).	Mr. Doyle	New Sec. 8 -- Alternative Authorization	
10(b).	Mr. Doyle	New Section 8 -- Alternative Authorization	
11.	Mr. Traficant	Buy American	
12.	Mr. Barton	Creates a new Title II--Energy Laboratory Facilities	

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. WALKER

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

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "Department of Energy
3 Civilian Research and Development Act of 1995".

4 SEC. 2. DEFINITIONS.

5 For purposes of this Act—
6 (1) the term "CERN" means the European Or-
7 ganization for Nuclear Research;
8 (2) the term "Department" means the Depart-
9 ment of Energy;
10 (3) the term "Large Hadron Collider project"
11 means the Large Hadron Collider project at CERN;
12 (4) the term "major construction project"
13 means a civilian research, development, demonstra-
14 tion, or commercial application project whose con-
15 struction costs are estimated to exceed
16 $100,000,000 over the life of the project;
17 (5) the term "Secretary" means the Secretary
18 of Energy;
19 (6) the term "substantial construction project"
20 means a civilian research, development, demonstra-

1 tion, or commercial application project whose con-
2 struction costs are estimated to exceed $10,000,000,
3 but not to exceed $100,000,000, over the life of the
4 project; and
5 (7) the term "substantial equipment acquisi-
6 tion" means the acquisition of civilian research, de-
7 velopment, demonstration, or commercial application
8 equipment at a cost estimated to exceed
9 $10,000,000 for the entire acquisition.
10 SEC. 3. AUTHORIZATION OF APPROPRIATIONS.
11 (a) ENERGY SUPPLY RESEARCH AND DEVELOPMENT
12 ACTIVITIES.—There are authorized to be appropriated to
13 the Secretary for fiscal year 1996 for Energy Supply Re-
14 search and Development operating, capital equipment, and
15 construction the following amounts:
16 (1) Solar and Renewable Energy,
17 $235,451,000, of which—
18 (A) $235,331,000 shall be for operating
19 and capital equipment; and
20 (B) $120,000 shall be for construction of
21 Project GP–C–002, General Plant Projects, Na-
22 tional Renewable Energy Laboratory.
23 (2) Nuclear Energy, $295,448,000, of which—
24 (A) $292,738,000 shall be for operating
25 and capital equipment, including, subject to sec-

1 tion 4(b), $25,000,000 for the Gas Turbine-
2 Modular Helium Reactor, and, subject to sec-
3 tion 4(d), $14,000,000 for the AP600 light
4 water reactor;
5 (B) $1,000,000 shall be for construction of
6 Project GPN–102, General Plant Projects, Ar-
7 gonne National Laboratory-West, Idaho; and
8 (C) $1,700,000 shall be for completion of
9 construction of Project 95–E–207, Modifica-
10 tions to Reactors, Experimental Breeder Reac-
11 tor-II, Sodium Processing Facility, Argonne
12 National Laboratory-West, Idaho.
13 (3) Environment, Safety, and Health,
14 $128,433,000 for operating and capital equipment.
15 (4) Biological and Environmental Research,
16 $369,645,000, of which—
17 (A) $313,550,000 shall be for operating
18 and capital equipment;
19 (B) $3,500,000 shall be for construction of
20 Project GPE–120, General Plant Projects, Var-
21 ious Locations;
22 (C) $5,700,000 shall be for construction of
23 Project 94–E–339, Human Genome Labora-
24 tory, Lawrence Berkeley Laboratory;

1 (D) $4,295,000 shall be for completion of
2 construction of Project 94–E–338, Structural
3 Biology Facility, Argonne National Laboratory;
4 (E) $2,600,000 shall be for completion of
5 construction of Project 94–E–337, ALS Struc-
6 tural Biology Support Facilities, Lawrence
7 Berkeley Laboratory; and
8 (F) $40,000,000 shall be for construction
9 of Project 91–EM–100, Environmental Molecu-
10 lar Sciences Laboratory, Pacific Northwest
11 Laboratory.
12 (5) Fusion Energy, $229,144,000, of which—
13 (A) $220,144,000 shall be for operating
14 and capital equipment for Magnetic Fusion En-
15 ergy;
16 (B) $4,800,000 shall be for operating and
17 capital equipment for Inertial Fusion Energy;
18 (C) $1,000,000 shall be for construction of
19 Project GPE–900, General Plant Projects, Var-
20 ious Locations; and
21 (D) $3,200,000 shall be for construction of
22 Project 96–E–310, Elise Project, Lawrence
23 Berkeley Laboratory.
24 (6) Basic Energy Sciences, $827,981,000, of
25 which—

1 (A) $805,412,000 shall be for operating
2 and capital equipment, including $60,000,000
3 for the Scientific Facilities Initiative;
4 (B) $4,500,000 shall be for construction of
5 Project GPE–400, General Plant Projects, Var-
6 ious Locations;
7 (C) $12,883,000 shall be for construction
8 of Project 96–E–305, Accelerator and Reactor
9 Improvements and Modifications;
10 (D) $3,186,000 shall be for completion of
11 construction of Project 89–R–402, 6–7 GeV
12 Synchrotron Radiation Source, Argonne Na-
13 tional Laboratory; and
14 (E) $2,000,000 shall be for construction of
15 Project 87–R–405, Combustion Research Facil-
16 ity, Phase II, Sandia National Laboratories-
17 Livermore.
18 (7) Advisory and Oversight Program Direction,
19 $6,200,000 for operating.
20 (8) Policy and Management—Energy Research,
21 $2,200,000 for operating.
22 (9) Multiprogram Energy Laboratories—Facili-
23 ties Support—
24 (A) $15,539,000 shall be for operating and
25 capital equipment;

(B) $8,740,000 shall be for construction of Project GPE–801, General Plant Projects, Various Locations;

(C) $2,740,000 shall be for construction of Project 95–E–310, Multiprogram Laboratory Rehabilitation, Phase 1, Pacific Northwest Laboratory;

(D) $1,500,000 shall be for construction of Project 95–E–303, Electrical Safety Rehabilitation, Pacific Northwest Laboratory;

(E) $3,270,000 shall be for completion of construction of Project 95–E–302, Applied Science Center, Phase 1, Brookhaven National Laboratory;

(F) $2,500,000 shall be for construction of Project 95–E–301, Central Heating Plant Rehabilitation, Phase 1, Argonne National Laboratory;

(G) $2,038,000 shall be for construction of Project 94–E–363, Roofing Improvements, Oak Ridge National Laboratory;

(H) $440,000 shall be for completion of construction of Project 94–E–351, Fuel Storage and Transfer Facility Upgrade, Brookhaven National Laboratory;

(I) $800,000 shall be for construction of Project 96–E–332, Building 801 Renovations, Brookhaven National Laboratory;

(J) $2,400,000 shall be for completion of construction of Project 96–E–331, Sanitary Sewer Restoration, Phase I, Lawrence Berkeley Laboratory;

(K) $1,200,000 shall be for construction of Project 96–E–330, Building Electrical Service Upgrade, Phase I, Argonne National Laboratory;

(L) $2,480,000 shall be for construction of Project 95–E–309, Loss Prevention Upgrade-Electrical Substations, Brookhaven National Laboratory;

(M) $1,540,000 shall be for construction of Project 95–E–308, Sanitary System Modifications, Phase II, Brookhaven National Laboratory;

(N) $1,000,000 shall be for construction of Project 95–E–307, Fire Safety Improvements, Phase III, Argonne National Laboratory;

(O) $1,288,000 shall be for completion of construction of Project 93–E–324, Hazardous

1 Materials Safeguards, Phase I, Lawrence
2 Berkeley Laboratory;
3 (P) $1,130,000 shall be for completion of
4 construction of Project 93–E–323, Fire and
5 Safety Systems Upgrade, Phase I, Lawrence
6 Berkeley Laboratory; and
7 (Q) $2,411,000 shall be for construction of
8 Project 93–E–320, Fire and Safety Improve-
9 ments, Phase II, Argonne National Laboratory.
10 Notwithstanding subparagraphs (A) through (Q),
11 the total amount authorized under this paragraph
12 shall not exceed $39,327,000.
13 (10) Technical Information Management Pro-
14 gram, $14,394,000, of which—
15 (A) $12,894,000 shall be for operating and
16 capital equipment; and
17 (B) $1,500,000 shall be for construction of
18 Project 95–A–500, Heating, Venting, and Air
19 Conditioning Retrofits, Oak Ridge.
20 (11) Environmental Management,
21 $644,971,000, of which—
22 (A) $617,129,000 shall be for operating
23 and capital equipment;
24 (B) $339,000 shall be for completion of
25 construction of Project 92–E–601, Melton Val-

1 ley Liquid Low-Level Waste Collection and
2 Transfer System Upgrade, Oak Ridge National
3 Laboratory;
4 (C) $4,000,000 shall be for construction of
5 Project 88–R–830, Bethel Valley Liquid Low-
6 Level Waste Collection and Transfer System
7 Upgrade, Oak Ridge National Laboratory;
8 (D) $2,255,000 shall be for construction of
9 Project GPN–103, Oak Ridge Landlord Gen-
10 eral Plant Projects;
11 (E) $730,000 shall be for construction of
12 Project GPN–102, Test Reactor Area Landlord
13 General Plant Projects, Idaho National Engi-
14 neering Laboratory;
15 (F) $1,900,000 shall be for construction of
16 Project 95–E–201, Test Reactor Area Landlord
17 Fire and Life Safety Improvements, Idaho Na-
18 tional Engineering Laboratory;
19 (G) $2,040,000 shall be for construction of
20 Project GPE–600, General Plant Projects,
21 Waste Management, Non-Defense, Various Lo-
22 cations;
23 (H) $300,000 shall be for construction of
24 Project 94–E–602, Bethel Valley Federal Facil-

1 ity Agreement Upgrades, Oak Ridge National
2 Laboratory;
3 (I) $4,048,000 shall be for construction of
4 Project 93–E–900, Dry Cast Storage, Idaho
5 National Engineering Laboratory;
6 (J) $787,000 shall be for construction of
7 Project 91–E–602, Rehabilitation of Waste
8 Management Building 306, Argonne National
9 Laboratory; and
10 (K) $671,000 shall be for completion of
11 construction of Project 88–R–812, Hazardous
12 Waste Handling Facility, Lawrence Berkeley
13 Laboratory.
14 (b) GENERAL SCIENCE AND RESEARCH ACTIVI-
15 TIES.—There are authorized to be appropriated to the
16 Secretary for fiscal year 1996 for General Science and Re-
17 search Activities operating, capital equipment, and con-
18 struction the following amounts:
19 (1) High Energy Physics, $680,137,000, of
20 which—
21 (A) $554,191,000 shall be for operating
22 and capital equipment, including $15,000,000
23 for the Scientific Facilities Initiative;

1 (B) $12,146,000 shall be for construction
2 of Project GPE–103, General Plant Projects,
3 Various Locations;
4 (C) $9,800,000 shall be for construction of
5 Project 96–G–301, Accelerator Improvements
6 and Modifications, Various Locations;
7 (D) $52,000,000 shall be for construction
8 of Project 94–G–305, B-Factory, Stanford Lin-
9 ear Accelerator Center; and
10 (E) $52,000,000 shall be for construction
11 of Project 92–G–302, Fermilab Main Injector,
12 Fermi National Accelerator Center.
13 (2) Nuclear Physics, $316,873,000, of which—
14 (A) $239,773,000 shall be for operating
15 and capital equipment, including $25,000,000
16 for the Scientific Facilities Initiative;
17 (B) $3,900,000 shall be for construction of
18 Project GPE–300, General Plant Projects, Var-
19 ious Locations;
20 (C) $3,200,000 shall be for construction of
21 Project 96–G–302, Accelerator Improvements
22 and Modifications, Various Locations; and
23 (D) $70,000,000 shall be for construction
24 of Project 91–G–300, Relativistic Heavy Ion
25 Collider, Brookhaven National Laboratory.

1 (3) Program Direction, $9,500,000.

2 (c) FOSSIL ENERGY RESEARCH AND DEVELOP-
3 MENT.—There are authorized to be appropriated to the
4 Secretary for fiscal year 1996 for Fossil Energy Research
5 and Development operating, capital equipment, and con-
6 struction the following amounts:

7 (1) Coal, $49,955,000 for operating.

8 (2) Oil Technology, $43,234,000 for operating,
9 including maintaining programs at the National In-
10 stitute for Petroleum and Energy Research.

11 (3) Gas, $59,829,000 for operating.

12 (4) Program Direction and Management Sup-
13 port, $45,535,000 for operating.

14 (5) Capital Equipment, $476,000.

15 (6) Construction of Project GPF–100, General
16 Plant Projects for Energy Technology Centers,
17 $1,994,000.

18 (7) Cooperative Research and Development,
19 $7,557,000.

20 (8) Fossil Energy Environmental Restoration,
21 $12,370,000.

22 (d) ENERGY CONSERVATION RESEARCH AND DEVEL-
23 OPMENT.—There are authorized to be appropriated to the
24 Secretary for fiscal year 1996 for Energy Conservation

1 Research and Development operating and capital equip-
2 ment the following amounts:
3 (1) Buildings Sector, $55,074,000.
4 (2) Industry Sector, $55,110,000.
5 (3) Transportation Sector, $112,123,000.
6 (4) Technical and Financial Assistance (Non-
7 Grants), $7,813,000.
8 SEC. 4. FUNDING LIMITATIONS.
9 (a) FISCAL YEAR 1996 APPROPRIATIONS.—None of
10 the funds authorized by this Act may be used for the fol-
11 lowing programs, projects, and activities:
12 (1) Solar Buildings Technology Research.
13 (2) Solar International Program.
14 (3) Solar Technology Transfer.
15 (4) Solar Program Support.
16 (5) Hydropower.
17 (6) Space Power Reactor Systems.
18 (7) Nuclear Energy Facilities.
19 (8) Soviet-Designed Reactor Safety.
20 (9) Russian Replacement Power Initiative.
21 (10) Civilian Radioactive Waste Research and
22 Development.
23 (11) Tokamak Physics Experiment.
24 (12) Advanced Neutron Source.
25 (13) Energy Research Analysis.

1 (14) Energy Research Laboratory Technology
2 Transfer.
3 (15) University and Science Education.
4 (16) Technology Partnerships.
5 (17) In-House Energy Management.
6 (18) Direct Liquefaction.
7 (19) Indirect Liquefaction.
8 (20) Systems for Coproducts.
9 (21) High Efficiency-Integrated Gasification
10 Combined Cycle.
11 (22) High Efficiency-Pressurized Fluidized
12 Bed.
13 (23) Technical and Economic Analysis.
14 (24) International Program Support.
15 (25) Coal Technology Export.
16 (26) Gas Delivery and Storage.
17 (27) Gas Utilization.
18 (28) Fuel Cells Climate Change Action Plan.
19 (29) Fuels Conversion, Natural Gas, and Elec-
20 tricity.
21 (30) Clean Coal Technology Program.
22 (31) Buildings Sector Implementation and De-
23 ployment.
24 (32) Industry Sector Municipal Solid Wastes.

1 (33) Industry Sector Implementation and De-
2 ployment.
3 (34) Alternative Fuels Utilization.
4 (35) Transportation Sector Implementation and
5 Deployment.
6 (36) Utility Sector Integrated Resource Plan-
7 ning.
8 (37) International Market Development.
9 (38) Inventions and Innovation Program.
10 (39) Municipal Energy Management.
11 (40) Information and Communications.
12 (41) Policy and Management—Energy Con-
13 servation.
14 (b) FISCAL YEAR 1996 OBLIGATION AND EXPENDI-
15 TURE.—None of the funds authorized by this Act may be
16 available for obligation or expenditure for the Gas Tur-
17 bine-Modular Helium Reactor until—
18 (1) the National Academy of Sciences has com-
19 pleted a review of the technical feasibility and eco-
20 nomic potential of such reactor, and has reported to
21 the Committee on Science of the House of Rep-
22 resentatives and the Committee on Energy and Nat-
23 ural Resources of the Senate; or
24 (2) December 15, 1995,

1 whichever occurs first. The Department shall fund such
2 review, and necessary contract support and work nec-
3 essary to maintain technical continuity of the Gas Tur-
4 bine-Modular Helium Reactor, with funds authorized by
5 this Act, not to exceed $3,800,000.

6 (c) PRIOR FISCAL YEAR OBLIGATION AND EXPENDI-
7 TURE.—No funds may be available for obligation or ex-
8 penditure with respect to the following:

9 (1) University of Nebraska Medical Center
10 Transplant Center.

11 (2) Oregon Health Sciences University.

12 (3) Conduct of any rulemaking activities relat-
13 ing to determinations for or prescriptions of new or
14 amended standards with respect to Lighting and Ap-
15 pliance Standards and Building Standards and
16 Guidelines, including the promulgation or issuance
17 of notices of proposed rulemakings, proposed rules,
18 or final rules.

19 (d) LIGHT WATER REACTOR MATCHING FUNDS.—
20 Funds appropriated for the AP600 light water reactor
21 pursuant to section 3(a)(2)(A) shall be available only to
22 the extent that matching private sector funds are provided
23 for such project, and subject to the condition that such
24 Federal funds shall be repaid to the United States out

1 of royalties on the first commercial sale of such reactor
2 design.

3 SEC. 5. LIMITATION ON APPROPRIATIONS.

4 (a) EXCLUSIVE AUTHORIZATION FOR FISCAL YEAR
5 1996.—Notwithstanding any other provision of law, no
6 sums are authorized to be appropriated for fiscal year
7 1996 for Energy Supply Research and Development, Gen-
8 eral Science and Research, Fossil Energy Research and
9 Development, or Energy Conservation Research and De-
10 velopment activities of the Department unless such sums
11 are specifically authorized to be appropriated by this Act.

12 (b) SUBSEQUENT FISCAL YEARS.—No sums are au-
13 thorized to be appropriated for any fiscal year after fiscal
14 year 1996 for any civilian research, development, dem-
15 onstration, or commercial application program, project, or
16 activity of the Department unless such sums are specifi-
17 cally authorized to be appropriated by Act of Congress
18 with respect to such fiscal year.

19 SEC. 6. MERIT REVIEW REQUIREMENT FOR AWARDS OF FI-
20 NANCIAL ASSISTANCE.

21 (a) MERIT REVIEW REQUIREMENT.—The Secretary
22 may not award financial assistance to any person for civil-
23 ian research, development, demonstration, or commercial
24 application activities, including related facility construc-

1 tion, unless an objective merit review process is used to
2 award the financial assistance.
3 (b) REQUIREMENT OF SPECIFIC MODIFICATION OF
4 MERIT REVIEW PROVISION.—
5 (1) IN GENERAL.—A provision of law may not
6 be construed as modifying or superseding subsection
7 (a), or as requiring that financial assistance be
8 awarded by the Secretary in a manner inconsistent
9 with subsection (a), unless such provision of law—
10 (A) specifically refers to this section;
11 (B) specifically states that such provision
12 of law modifies or supersedes subsection (a);
13 and
14 (C) specifically identifies the person to be
15 awarded the financial assistance and states that
16 the financial assistance to be awarded pursuant
17 to such provision of law is being awarded in a
18 manner inconsistent with subsection (a).
19 (2) NOTICE AND WAIT REQUIREMENT.—No fi-
20 nancial assistance may be awarded pursuant to a
21 provision of law that requires or authorizes the
22 award of the financial assistance in a manner incon-
23 sistent with subsection (a) until—

1 (A) the Secretary submits to the Congress
2 a written notice of the Secretary's intent to
3 award the financial assistance; and
4 (B) 180 days has elapsed after the date on
5 which the notice is received by the Congress.
6 (c) DEFINITIONS.—For purposes of this section:
7 (1) The term "objective merit review process"
8 means a thorough, consistent, and independent ex-
9 amination of requests for financial assistance based
10 on preestablished criteria and scientific and technical
11 merit by persons knowledgeable in the field for
12 which the financial assistance is requested.
13 (2) The term "financial assistance" means the
14 transfer of funds or property to a recipient or sub-
15 recipient to accomplish a public purpose of support
16 or stimulation authorized by Federal law. Such term
17 includes grants, cooperative agreements, and
18 subawards but does not include cooperative research
19 and development agreements as defined in section
20 12(d)(1) of the Stevenson-Wydler Technology Inno-
21 vation Act of 1980 (15 U.S.C. 3710a(d)(1)), nor
22 any grant that calls upon the National Academy of
23 Sciences, the National Academy of Engineering, the
24 Institute of Medicine, or the National Academy of
25 Public Administration to investigate, examine, or ex-

1 periment upon any subject of science or art and to
2 report on such matters to Congress or any agency
3 of the Federal Government.

4 SEC. 7. POLICY ON CAPITAL PROJECTS AND CONSTRUC-
5 TION.

6 (a) REQUIREMENT OF PRIOR AUTHORIZATION.—(1)
7 No funds are authorized to be appropriated to the Sec-
8 retary for any substantial construction project, substantial
9 equipment acquisition, or major construction project un-
10 less a report on such project or acquisition has been pro-
11 vided to Congress in accordance with subsection (b).

12 (2) The Secretary may not obligate any funds for any
13 substantial construction project, substantial equipment ac-
14 quisition, or major construction project unless such project
15 or acquisition has been specifically authorized by statute.

16 (3) This subsection may not be amended or modified
17 except by specific reference to this subsection.

18 (b) REPORTS TO CONGRESS.—(1) Within 180 days
19 after the date of the enactment of this Act, the Secretary
20 shall submit to the Congress a report that identifies all
21 construction projects and acquisitions of the Department
22 described in subsection (a) for which the preliminary de-
23 sign phase is completed but the construction or acquisition
24 is not completed. Such report shall include—

1 (A) an estimate of the total cost of completion
2 of the construction project or acquisition, itemized
3 by individual activity and by fiscal year; and
4 (B) an identification of which construction
5 projects or acquisitions have not been specifically au-
6 thorized by statute.
7 The Secretary shall annually update and resubmit the re-
8 port required by this paragraph, as part of the report re-
9 quired under section 15 of the Federal Nonnuclear Energy
10 Research and Development Act of 1974 (42 U.S.C. 5914).
11 (2) The Secretary shall, after completion of the pre-
12 liminary design phase of a major construction project,
13 submit to the Congress a report containing—
14 (A) an estimate of the total cost of construction
15 of the facility;
16 (B) an estimate of the time required to com-
17 plete construction;
18 (C) an estimate of the annual operating costs of
19 the facility;
20 (D) the intended useful operating life of the fa-
21 cility; and
22 (E) an identification of any existing facilities to
23 be closed as a result of the operation of the facility.

1 **SEC. 8. FURTHER AUTHORIZATIONS.**

2 Nothing in this Act shall preclude further authoriza-
3 tion of appropriations for civilian research, development,
4 demonstration, and commercial application activities of
5 the Department of Energy for fiscal year 1996: *Provided,*
6 That authorization allocations adopted by the Conference
7 Committee on House Concurrent Resolution 67, and ap-
8 proved by Congress, allow for such further authorizations.

9 **SEC. 9. HIGH ENERGY AND NUCLEAR PHYSICS.**

10 (a) LARGE HADRON COLLIDER PROJECT.—

11 (1) NEGOTIATIONS.—The Secretary, in con-
12 sultation with the Director of the National Science
13 Foundation and the Secretary of State, shall enter
14 into negotiations with CERN concerning United
15 States participation in the planning and construction
16 of the Large Hadron Collider project, and shall en-
17 sure that any agreement incorporates provisions to
18 protect the United States investment in the project,
19 including provisions for—

20 (A) fair allocation of costs and benefits
21 among project participants;

22 (B) a limitation on the amount of United
23 States contribution to project construction and
24 an estimate of the United States contribution to
25 subsequent operating costs;

1 (C) a cost and schedule control system for
2 the total project;
3 (D) a preliminary statement of costs and
4 the schedule for all component design, testing,
5 and fabrication, including technical goals and
6 milestones, and a final statement of such costs
7 and schedule within 1 year after the date on
8 which the parties enter into the agreement;
9 (E) a preliminary statement of costs and
10 the schedule for total project construction and
11 operation, including technical goals and mile-
12 stones, and a final statement of such costs and
13 schedule within 1 year after the date on which
14 the parties enter into the agreement;
15 (F) reconsideration of the extent of United
16 States participation if technical or operational
17 milestones described in subparagraphs (D) and
18 (E) are not met, or if the project falls signifi-
19 cantly behind schedule;
20 (G) conditions of access for United States
21 and other scientists to the facility; and
22 (H) a process for addressing international
23 coordination and cost sharing on high energy
24 physics projects beyond the Large Hadron
25 Collider.

1 (2) OTHER INTERNATIONAL NEGOTIATIONS.—
2 Nothing in this Act shall be construed to preclude
3 the President from entering into negotiations with
4 respect to international science agreements.
5 (b) REPORT TO CONGRESS.—Before January 1,
6 1996, the Secretary, in consultation with the Director of
7 the National Science Foundation and with the high energy
8 and nuclear physics communities, shall prepare and trans-
9 mit to the Congress a strategic plan for the high energy
10 and nuclear physics activities of the Department, assum-
11 ing a combined budget of $950,000,000 for all activities
12 authorized under section 3(b) for fiscal year 1997, and
13 assuming a combined budget of $900,000,000 for all ac-
14 tivities authorized under section 3(b) for each of the fiscal
15 years 1998, 1999, and 2000. The report shall include—
16 (1) a list of research opportunities to be pur-
17 sued, including both ongoing and proposed activities;
18 (2) an analysis of the relevance of each research
19 facility to the research opportunities listed under
20 paragraph (1):
21 (3) a statement of the optimal balance among
22 facility operations, construction, and research sup-
23 port and the optimal balance between university and
24 laboratory research programs;

1 (4) schedules for the continuation, consolida-
2 tion, or termination of each research program, and
3 continuation, upgrade, transfer, or closure of each
4 research facility; and
5 (5) a statement by project of efforts to coordi-
6 nate research projects with the international commu-
7 nity to maximize the use of limited resources and
8 avoid unproductive duplication of efforts.

9 SEC. 10. PROHIBITION OF LOBBYING ACTIVITIES.

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

13 SEC. 11. ELIGIBILITY FOR AWARDS.

14 (a) IN GENERAL.—The Secretary shall exclude from
15 consideration for awards of financial assistance made by
16 the Department after fiscal year 1995 any person who re-
17 ceived funds, other than those described in subsection (b),
18 appropriated for a fiscal year after fiscal year 1995, from
19 any Federal funding source for a project that was not sub-
20 jected to a competitive, merit-based award process. Any
21 exclusion from consideration pursuant to this section shall
22 be effective for a period of 5 years after the person re-
23 ceives such Federal funds.
24 (b) EXCEPTION.—Subsection (a) shall not apply to
25 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.

3 **SEC. 12. TERMINATION COSTS.**

4 Unobligated funds previously appropriated for the
5 Clean Coal Technology program may be used to pay costs
6 associated with the termination of Energy Supply Re-
7 search and Development, General Science and Research,
8 Fossil Energy Research and Development, and Energy
9 Conservation Research and Development programs,
10 projects, and activities of the Department.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. DOYLE TO H.R. 1816

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Energy Research and
3 Development Act of 1995".

4 **SEC. 2. FINDINGS.**

5 The Congress finds that—

6 (1) Federal support of research and develop-
7 ment in general, and energy research and develop-
8 ment in particular, has played a key role in the
9 growth of the United States economy since World
10 War II through the production of new knowledge,
11 the development of new technologies and processes,
12 and the demonstration of such new technologies and
13 processes for application to industrial and other
14 uses;

15 (2) Federal support of energy research and de-
16 velopment is especially important because such re-
17 search and development contributes to solutions for

1 national problems in energy security, environmental
2 restoration, and economic competitiveness;
3 (3) the Department of Energy has successfully
4 promoted new technologies and processes to address
5 problems with energy supply, fossil energy, and en-
6 ergy conservation through its various research and
7 development programs;
8 (4) while the Federal budget deficit and pay-
9 ments on the national debt must be addressed
10 through cost-cutting measures, investments in basic
11 research and research and development on key en-
12 ergy issues must be maintained;
13 (5) within the last two years, the Department
14 of Energy has made great strides in managing its
15 programs more efficiently and effectively;
16 (6) significant savings should result from these
17 measures without hampering the Department's core
18 missions; and
19 (7) the Strategic Realignment Initiative and
20 other such efforts of the Department should be con-
21 tinued.
22 SEC. 3. DEFINITIONS.
23 For purposes of this Act—
24 (1) the term "Department" means the Depart-
25 ment of Energy; and

1 (2) the term "Secretary" means the Secretary
2 of Energy.

3 **SEC. 4. ENERGY CONSERVATION.**

4 There are authorized to be appropriated to the Sec-
5 retary for fiscal year 1996 for energy conservation re-
6 search, development, and demonstration—

7 (1) $62,700,000 for energy conservation in
8 buildings;

9 (2) $121,700,000 for energy conservation by in-
10 dustry;

11 (3) $185,700,000 for energy conservation in the
12 transportation sector;

13 (4) no funds for energy conservation by utili-
14 ties;

15 (5) $36,400,000 for technical and financial as-
16 sistance; and

17 (6) $7,000,000 for policy and management ac-
18 tivities.

19 **SEC. 5. FOSSIL ENERGY.**

20 There are authorized to be appropriated to the Sec-
21 retary for fiscal year 1996 for fossil energy research, de-
22 velopment, and demonstration—

23 (1) $114,900,000 for coal;

24 (2) $81,700,000 for petroleum;

25 (3) $116,300,000 for gas;

1 (4) no funds for the Fossil Energy Cooperative
2 Research and Development Program;
3 (5) $2,000,000 for fuels;
4 (6) $64,000,000 for program direction and
5 management;
6 (7) $3,000,000 for plant and capital improve-
7 ments; and
8 (8) $16,400,000 for environmental restoration.
9 SEC. 6. HIGH ENERGY AND NUCLEAR PHYSICS.
10 (a) AUTHORIZATIONS.—There are authorized to be
11 appropriated to the Secretary for fiscal year 1996 for high
12 energy and nuclear physics activities of the Department—
13 (1) $665,000,000 for high energy physics ac-
14 tivities;
15 (2) $321,100,000 for nuclear physics activities;
16 and
17 (3) $9,000,000 for program direction.
18 (b) REPORT TO CONGRESS.—Before May 1, 1996,
19 the Secretary, after consultation with the high energy and
20 nuclear physics communities, shall prepare and transmit
21 to the Congress a strategic plan for the high energy and
22 nuclear physics activities of the Department, assuming a
23 combined budget of $900,000,000 for all activities author-
24 ized under this section for each of the fiscal years 1997,
25 1998, 1999, and 2000. The report shall include—

1 (1) a list of research opportunities to be pur-
2 sued, including both ongoing and proposed activities;
3 (2) an analysis of the relevance of each research
4 facility to the research opportunities listed under
5 paragraph (1):
6 (3) a statement of the optimal balance among
7 facility operations, construction, and research sup-
8 port and the optimal balance between university and
9 laboratory research programs;
10 (4) schedules for the continuation, consolida-
11 tion, or termination of each research program, and
12 continuation, upgrade, transfer, or closure of each
13 research facility; and
14 (5) a statement by project of efforts to coordi-
15 nate research projects with the international commu-
16 nity to maximize the use of limited resources and
17 avoid unproductive duplication of efforts.
18 **SEC. 7. SOLAR AND RENEWABLE ENERGY.**
19 There are authorized to be appropriated to the Sec-
20 retary for fiscal year 1996 for solar and renewable energy
21 research, development, and demonstration—
22 (1) $263,000,000 for solar energy;
23 (2) $30,000,000 for geothermal energy;
24 (3) $25,000,000 for hydrogen energy;
25 (4) $500,000 for hydropower;

1 (5) $34,700,000 for electric energy systems;
2 and
3 (6) $5,200,000 for energy storage systems.
4 SEC. 8. NUCLEAR ENERGY.
5 (a) AUTHORIZATIONS.—There are authorized to be
6 appropriated to the Secretary for fiscal year 1996 for nu-
7 clear energy research, development, and demonstration—
8 (1) $161,000,000 for nuclear energy, including
9 $49,740,000 for the Advanced Light Water Reactor
10 program;
11 (2) $69,700,000 for the termination of certain
12 facilities; and
13 (3) $25,400,000 for isotope support.
14 (b) PROHIBITIONS.—None of the funds authorized in
15 this Act for any fiscal year may be used for the Soviet
16 Design Reactor Safety Initiative or the Russian Replace-
17 ment Power Initiative.
18 (c) NATIONAL ACADEMY OF SCIENCES REPORT.—
19 The Secretary shall enter into an agreement with the Na-
20 tional Academy of Sciences for such Academy to conduct
21 a study of the Gas Turbine-Modular Helium Reactor, and
22 report the results of such study to the Congress by Decem-
23 ber 31, 1995. Such study shall consider the technical fea-
24 sibility and economic potential of such reactor design.

1 SEC. 9. CIVILIAN WASTE; ENVIRONMENT, SAFETY, AND
2 HEALTH.

3 There are authorized to be appropriated to the Sec-
4 retary for fiscal year 1996 for research, development, and
5 demonstration—

6 (1) $700,000 for civilian waste; and

7 (2) $143,900,000 for environment, safety, and
8 health.

9 SEC. 10. LONG-TERM INITIATIVES.

10 (a) AUTHORIZATIONS.—There are authorized to be
11 appropriated to the Secretary for fiscal year 1996—

12 (1) $429,500,000 for biological and environ-
13 mental research activities;

14 (2) $275,000,000 for fusion energy research,
15 development, and demonstration, including a fusion
16 research program using the Tokamak Fusion Test
17 Reactor, except that no funds authorized by this Act
18 for fiscal year 1996 or 1997 may be used for con-
19 struction of the Tokamak Physics Experiment; and

20 (3) $761,000,000 for basic energy sciences re-
21 search activities.

22 (b) REPORT TO CONGRESS.—Before May 1, 1996,
23 the Secretary, after consultation with the relevant sci-
24 entific communities, shall prepare and transmit to the
25 Congress a report detailing a strategic plan for the oper-

1 ation of facilities that are provided funds authorized by
2 subsection (a)(3). The report shall include—
3 (1) a list of such facilities, including schedules
4 for continuation, upgrade, transfer, or closure of
5 each facility;
6 (2) a list of proposed facilities to be provided
7 funds authorized by subsection (a)(3), including
8 schedules for the construction and operation of each
9 facility;
10 (3) a list of research opportunities to be pur-
11 sued, including both ongoing and proposed activities,
12 by the research activities authorized by subsection
13 (a)(3); and
14 (4) an analysis of the relevance of each facility
15 listed in paragraphs (1) and (2) to the research op-
16 portunities listed in paragraph (3).
17 **SEC. 11. SUPPORT PROGRAMS FOR ENERGY SUPPLY RE-**
18 **SEARCH AND DEVELOPMENT.**
19 There are authorized to be appropriated to the Sec-
20 retary for fiscal year 1996 for support programs for En-
21 ergy Supply Research and Development—
22 (1) $1,400,000 for Energy Research Analyses;
23 (2) $40,000,000 for Laboratory Technology
24 Transfer;

1 (3) $7,700,000 for advisory and oversight ac-
2 tivities;
3 (4) $25,000,000 for the Multi-Program Energy
4 Laboratory program;
5 (5) $4,000,000 for policy and management of
6 Energy Supply Research and Development;
7 (6) $2,000,000 for policy and management of
8 the energy research programs;
9 (7) $20,000,000 for University and Science
10 Education programs;
11 (8) $10,000,000 for the Technology Informa-
12 tion Management Program;
13 (9) $2,000,000 for the Technology Partnership;
14 (10) $15,000,000 for In-House Energy Man-
15 agement; and
16 (11) $642,000,000 for Civilian Environmental
17 Restoration and Waste Management.
18 **SEC. 12. LIMITATION.**
19 None of the funds authorized by this Act shall be
20 used at the Idaho National Engineering Laboratory after
21 June 1, 1996, with the exception of funds authorized by
22 sections 9 and 11(11).
23 **SEC. 13. ADDITIONAL AUTHORIZATIONS.**
24 There are authorized to be appropriated to the Sec-
25 retary for each of the fiscal years 1997, 1998, 1999, and

1 2000 $4,342,000,000 for carrying out the activities au-
2 thorized by this Act.

3 SEC. 14. SENSE OF CONGRESS.

4 It is the sense of the Congress that $100,000,000
5 previously appropriated for the Clean Coal Technology
6 Program should be returned to the Treasury, and that
7 $220,000,000 of funds previously appropriated for activi-
8 ties for which funds are authorized by this Act, and allo-
9 cated for a specific location by the Congress, should also
10 be returned to the Treasury.

AMENDMENT TO H.R. 1816
OFFERED BY MR. DOGGETT

Page 3, line 10, strike "$234,541,000" and insert in lieu thereof "$220,541,000".

Page 3, line 11, strike "$231,841,000" and insert in lieu thereof "$217,841,000".

Page 3, lines 14 through 16, strike ", and, subject to section 4(d), $14,000,000 for the AP600 light water reactor".

Page 15, after line 23, insert the following new paragraph:

1 (43) Light Water Reactors.

Page 16, line 22, through page 17, line 4, strike subsection (d).

AMENDMENT TO H.R. 1816

OFFERED BY MR. FOLEY

Page 3, line 10, strike "$234,541,000" and insert in lieu thereof "$209,541,000".

Page 3, line 11, strike "$231,841,000" and insert in lieu thereof "$206,841,000".

Page 3, lines 12 through 14, strike ", including, subject to section 4(b), $25,000,000 for the Gas Turbine-Modular Helium Reactor".

Page 15, after line 23, insert the following new paragraph:

1 (43) Gas Turbine-Modular Helium Reactor.

Page 15, line 24, through page 16, line 10, strike subsection (b).

Page 16, line 11, redesignate subsection (c) as subsection (b).

AMENDMENT TO H.R. 1816

OFFERED BY MR. BAKER OF CALIFORNIA

Page 5, line 3, insert ", of which not more than $75,173,000 shall be for Development and Technology Operating Expense, and not more than $90,059,000 shall be for Confinement Systems Operating Expense" after "Magnetic Fusion Energy".

AMENDMENT TO H.R. 1816
OFFERED BY MR. DAVIS

Page 9, line 11, strike "$624,323,000" and insert in lieu thereof "$614,323,000".

Page 9, line 12, strike "$607,253,000" and insert in lieu thereof "$597,253,000".

Page 13, line 16, strike "$106,731,000" and insert in lieu thereof "$116,731,000, including $10,000,000 for alternative fuels utilization programs".

Page 15, line 13, strike paragraph (35).

Page 15, lines 14 through 23, redesignate paragraphs (36) through (42) as paragraphs (35) through (41), respectively.

AMENDMENT TO H.R. 1816
OFFERED BY MR. DOGGETT

Page 12, lines 20 through 22, strike ", including maintaining programs at the National Institute for Petroleum and Energy Research".

AMENDMENT TO H.R. 1816
OFFERED BY MR. LARGENT

Page 12, line 22, insert ", and supporting, consistent with section 6, a multi-state consortium dedicated to integrated petroleum environment and energy research to develop objective, cost-benefit analyses, for the appropriate technology required for effective fossil energy production and supply, on a 50 percent cost-share basis" after "Petroleum and Energy Research".

AMENDMENT TO H.R. 1816
OFFERED BY MR. DOGGETT

Page 15, after line 23, insert the following new paragraph:

1 (43) International Thermonuclear Experimental
2 Reactor.

AMENDMENT TO H.R. 1816

OFFERED BY MR. DOYLE

On Page 21, strike lines 14 through 21 and substitute the following Section:

SEC. 8. ALTERNATIVE AUTHORIZATION.

(a) In General. -- Notwithstanding any other provision of this Act, if the concurrent 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, the total amount authorized by this Act shall be increased by the amount equal to $758,000,000 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.

(b) Application of Increase. -- Any amount appropriated pursuant to subsection (a) shall be used as follows:

(1) The first $30 million shall be allocated to nuclear physics research activities;

(2) The next $100 million shall be allocated to solar and geothermal research and development;

(3) The next $100 million shall be allocated to coal, oil, and gas research and development;

(4) The next $100 million shall be allocated to building, industrial, and transportation energy conservation research and development activities;

(5) The next $26 million shall be allocated to Advanced Light Water Reactor Research and Development program;

(6) The next $17 million shall be allocated to the Environment, Health, and Safety

program;

(7) The next $42 million shall be allocated to the Laboratory Technology Transfer and Technology Partnership programs;

(8) The next $40 million shall be allocated to fusion research and development activities;

(9) The next $70 million shall be allocated to the Biological and Environmental Research program;

(10) The next $35 million to the University and Science Education and In-house Energy Management programs;

(11) The next $88 million to fossil energy research and development activities;

(12) The next $94 million to energy conservation research and development activities; and

(13) The remaining $16 million shall be allocated to the Environmental Restoration and Waste Management program.

AMENDMENT TO H.R. 1816
OFFERED BY MR. DOYLE

On Page 21, strike lines 14 through 21 and substitute the following Section:

SEC. 8. ALTERNATIVE AUTHORIZATION.

(a) In General. -- Notwithstanding any other provision of this Act, if the concurrent 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, the total amount authorized by this Act shall be increased by the amount equal to $758,000,000 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.

(b) Application of Increase. -- Any amount appropriated pursuant to subsection (a) shall be used as follows:

(1) 47 percent shall be for Energy Supply Research and Development;

(2) 2 percent shall be for General Science and Research Activities;

(3) 25 percent shall be for Fossil Energy Research and Development; and

(4) 26 percent shall be for Energy Conservation Research and Development.

AMENDMENT TO H.R. 1816
OFFERED BY MR. TRAFICANT

Page 21, after line 21, insert the following new section:

1 **SEC. 9. 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.

AMENDMENT TO H.R. 1816

OFFERED BY MR. BARTON OF TEXAS

Page 21, after line 21, insert the following new title:

1 TITLE II—ENERGY LABORATORY
2 FACILITIES

3 SEC. 201. ENERGY LABORATORY FACILITIES COMMISSION.

4 (a) ESTABLISHMENT.—There is established an inde-
5 pendent commission to be known as the "Energy Labora-
6 tory Facilities Commission", for the purpose of reducing
7 the number of energy laboratories and programs at those
8 laboratories, through reconfiguration, privatization, and
9 closure.

10 (b) DUTIES.—The Commission shall carry out the
11 duties specified for the Commission in this title.

12 (c) APPOINTMENT.—

13 (1) IN GENERAL.—The Commission shall be
14 composed of 7 members appointed by the President,
15 by and with the advice and consent of the Senate.
16 The President shall transmit to the Senate the
17 nominations for appointment to the Commission not
18 later than 3 months after the date of the enactment
19 of this Act.

1 (2) CONSULTATION.—In selecting individuals
2 for nominations for appointments to the Commis-
3 sion, the President should consult with—
4 (A) the Speaker of the House of Rep-
5 resentatives concerning the appointment of 2
6 members; and
7 (B) the majority leader of the Senate con-
8 cerning the appointment of 2 members.
9 (3) CHAIRPERSON.—At the time the President
10 nominates individuals for appointment to the Com-
11 mission, the President shall designate one such indi-
12 vidual who shall serve as Chairperson of the Com-
13 mission.
14 (d) TERMS.—The term of each member of the Com-
15 mission shall expire on the termination of the Commission
16 under subsection (l).
17 (e) MEETINGS.—Each meeting of the Commission,
18 other than meetings in which classified information is to
19 be discussed, shall be open to the public.
20 (f) VACANCIES.—A vacancy in the Commission shall
21 be filled in the same manner as the original appointment.
22 (g) PAY AND TRAVEL EXPENSES.—
23 (1) BASIC PAY.—Except as otherwise provided
24 in this section, members of the Commission shall re-

1 ceive no compensation for service on the Commis-
2 sion.
3 (2) TRAVEL EXPENSES.—Members shall receive
4 travel expenses, including per diem in lieu of subsist-
5 ence, in accordance with sections 5702 and 5703 of
6 title 5, United States Code.
7 (h) DIRECTOR.—
8 (1) IN GENERAL.—The Commission shall, with-
9 out regard to section 5311(b) of title 5, United
10 States Code, appoint a Director who—
11 (A) has not served as a civilian employee
12 of the Department of Energy during the 2-year
13 period preceding the date of such appointment;
14 (B) has not been an employee of an energy
15 laboratory during the 5-year period preceding
16 the date of such appointment; and
17 (C) has not been an employee of a contrac-
18 tor operating an energy laboratory during the
19 5-year period preceding the date of such ap-
20 pointment.
21 (2) PAY.—The Director shall be paid at the
22 rate of basic pay payable for level IV of the Execu-
23 tive Schedule under section 5315 of title 5, United
24 States Code.
25 (i) STAFF.—

1 (1) APPOINTMENT BY DIRECTOR.—Subject to
2 paragraphs (2) and (3), the Director, with the ap-
3 proval of the Commission, may appoint and fix the
4 pay of additional personnel.
5 (2) APPLICABILITY OF CERTAIN CIVIL SERVICE
6 LAWS.—The Director may make such appointments
7 without regard to the provisions of title 5, United
8 States Code, governing appointments in the competi-
9 tive service, and any personnel so appointed may be
10 paid without regard to the provisions of chapter 51
11 and subchapter III of chapter 53 of that title relat-
12 ing to classification and General Schedule pay rates,
13 except that an individual so appointed may not re-
14 ceive pay in excess of the annual rate of basic pay
15 payable for level IV of the Executive Schedule under
16 section 5315 of title 5, United States Code.
17 (3) SUPPORT FROM OTHER AGENCIES.—Upon
18 request of the Director, the head of a Federal agen-
19 cy may detail any of the personnel of that agency to
20 the Commission to assist the Commission in carry-
21 ing out its duties under this title.
22 (4) SUPPORT FROM COMPTROLLER GENERAL.—
23 The Comptroller General of the United States shall
24 provide assistance, including the detailing of employ-

1 ees, to the Commission in accordance with an agree-
2 ment entered into with the Commission.
3 (j) OTHER AUTHORITY.—
4 (1) TEMPORARY AND INTERMITTENT SERV-
5 ICES.—The Commission may procure by contract, to
6 the extent funds are available, the temporary or
7 intermittent services of experts or consultants pursu-
8 ant to section 3109 of title 5, United States Code.
9 (2) AUTHORITY TO LEASE SPACE AND ACQUIRE
10 CERTAIN PROPERTY.—The Commission may lease
11 space and acquire personal property to the extent
12 funds are available. To the extent practicable, the
13 Commission shall use suitable real property available
14 under the most recent inventory of real property as-
15 sets published by the Resolution Trust Corporation
16 under section 21A(b)(11)(F) of the Federal Home
17 Loan Bank Act (12 U.S.C. 1441a(b)(12)(F)).
18 (k) FUNDING.—There are authorized to be appro-
19 priated to the Commission such funds as are necessary
20 to carry out its duties under this title. Such funds shall
21 remain available until expended.
22 (l) TERMINATION.—The Commission shall terminate
23 not later than 30 days after the date on which it transmits
24 its final recommendations under section 202(f)(4).

1 SEC. 202. PROCEDURE FOR MAKING RECOMMENDATIONS
2 FOR LABORATORY FACILITIES.
3 (a) SELECTION CRITERIA.—In making recommenda-
4 tions for the reconfiguration, privatization, and closure of
5 energy laboratories and termination of programs at such
6 laboratories under this section, the Secretary and the
7 Commission shall—
8 (1) give strong consideration to the closure or
9 reconfiguration of energy laboratories;
10 (2) eliminate duplication of effort by energy
11 laboratories and reduce overhead costs as a propor-
12 tion of program benefits distributed through an en-
13 ergy laboratory;
14 (3) seek to achieve cost savings for the overall
15 budget for such laboratories;
16 (4) define appropriate missions for each energy
17 laboratory, and ensure that the activities of each
18 such laboratory are focused on its mission or mis-
19 sions;
20 (5) consider the program costs and program
21 distributions on a State and county basis, including
22 real and personal property costs associated with
23 each energy laboratory considered;
24 (6) consider the number of participants in pro-
25 grams conducted through an energy laboratory and
26 staff resources involved:

1 (7) estimate the cost savings and increases that
2 would accrue through the reconfiguration of energy
3 laboratories;
4 (8) consider the potential of each energy labora-
5 tory to generate revenues or to offset costs;
6 (9) consider the transfer of energy laboratories
7 to other Federal agencies; and
8 (10) consider the privatization of the energy
9 laboratories as an alternative to closure or reconfig-
10 uration.
11 (b) RECOMMENDATIONS.—
12 (1) PUBLICATION AND TRANSMITTAL.—Not
13 later than 3 months after the date of the enactment
14 of this Act, the Secretary shall publish in the Fed-
15 eral Register and transmit to the congressional en-
16 ergy committees and to the Commission a list of the
17 energy laboratories that the Secretary recommends
18 for reconfiguration, privatization, and closure.
19 (2) SUMMARY OF SELECTION PROCESS.—The
20 Secretary shall include, with the list of recommenda-
21 tions published and transmitted pursuant to para-
22 graph (1), a summary of the selection process that
23 resulted in the recommendation for each energy lab-
24 oratory, including a justification for each rec-
25 ommendation.

1 (c) EQUAL CONSIDERATION OF LABORATORIES.—In
2 considering energy laboratories for reconfiguration, privat-
3 ization, and closure, the Secretary shall consider all such
4 laboratories equally without regard to whether a labora-
5 tory has been previously considered or proposed for recon-
6 figuration, privatization, or closure by the Secretary of
7 Energy.

8 (d) AVAILABILITY OF INFORMATION.—The Secretary
9 shall make available to the Commission and the Comptrol-
10 ler General of the United States all information used by
11 the Secretary in making recommendations under this sec-
12 tion.

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

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

21 (3) Within 90 days after the date of the enactment
22 of this Act, the Director of the Office of Management and
23 budget shall enter into a contract with an independent fi-
24 nancial consulting firm for an audit of the energy labora-
25 tories and their programs, facilities, and assets. Such

1 audit shall assess the commercial potential of the energy
2 labs and their programs and make recommendations on
3 how the Government could best realize such potential. The
4 audit shall be completed and transmitted to the Commis-
5 sion, the Secretary, and the congressional energy commit-
6 tees within 6 months after the contract is entered into
7 under this subsection.

8 (f) REVIEW AND RECOMMENDATIONS BY THE COM-
9 MISSION.—

10 (1) PUBLIC HEARINGS.—After receiving the
11 recommendations from the Secretary pursuant to
12 subsection (b), the Commission shall provide an op-
13 portunity for public comment on the recommenda-
14 tions for a 30-day period.

15 (2) INITIAL REPORT.—Not later than 1 year
16 after the date of the enactment of this Act, the
17 Commission shall publish in the Federal Register an
18 initial report containing the Commission's findings
19 and conclusions based on a review and analysis of
20 the recommendations made by the Secretary and the
21 audit conducted pursuant to subsection (e), together
22 with the Commission's recommendations for recon-
23 figuration, privatization, and closure of energy lab-
24 oratories. In conducting such review and analysis,

1 the Commission shall consider all energy labora-
2 tories.
3 (3) DEVIATION FROM RECOMMENDATIONS.—In
4 making its recommendations, the Commission may
5 make changes in any of the recommendations made
6 by the Secretary if the Commission determines that
7 the Secretary deviated substantially from the criteria
8 described in subsection (a) in making recommenda-
9 tions. The Commission shall explain and justify in
10 the report any recommendation made by the Com-
11 mission that is different from the recommendations
12 made by the Secretary.
13 (4) FINAL REPORT.—After providing a 30-day
14 period for public comment following publication of
15 the initial report under paragraph (2), and after full
16 consideration of such public comments, the Commis-
17 sion shall, within 15 months after the date of the
18 enactment of this Act, transmit to the Secretary and
19 the congressional energy committees a final report
20 containing the recommendations of the Commission.
21 (5) PROVISION OF CERTAIN INFORMATION.—
22 After transmitting the final report under paragraph
23 (4), the Commission shall promptly provide, upon re-
24 quest, to any Member of Congress information used
25 by the Commission in making its recommendations.

1 (g) ASSISTANCE FROM COMPTROLLER GENERAL.—
2 The Comptroller General of the United States shall—
3 (1) assist the Commission, to the extent re-
4 quested, in the Commission's review and analysis of
5 the recommendations made by the Secretary pursu-
6 ant to subsection (b); and
7 (2) not later than 6 months after the date of
8 the enactment of this Act, transmit to the congres-
9 sional energy committees and to the Commission a
10 report containing a detailed analysis of the rec-
11 ommendations of the Secretary and the selection
12 process.
13 SEC. 203. RECONFIGURATION, PRIVATIZATION, AND CLO-
14 SURE OF ENERGY LABORATORIES.
15 (a) IN GENERAL.—Subject to subsection (b), the
16 Secretary shall—
17 (1) reconfigure, within 1 year after the date of
18 the transmittal of the final report under section
19 202(f)(4), all energy laboratories recommended for
20 reconfiguration by the Commission in such report;
21 (2) provide for and complete the privatization,
22 within 18 months after the date of the transmittal
23 of the final report under section 202(f)(4), of all en-
24 ergy laboratories recommended for privatization by
25 the Commission in such report; and

1 (3) except as necessary to achieve the privatiza-
2 tion of an energy laboratory under paragraph (2),
3 close, within 1 year after the date of the transmittal
4 of the final report under section 202(f)(4), all en-
5 ergy laboratories recommended for closure by the
6 Commission in such report.
7 (b) CONGRESSIONAL DISAPPROVAL.—
8 (1) IN GENERAL.—The Secretary may not carry
9 out any reconfiguration, privatization, or closure of
10 an energy laboratory recommended by the Commis-
11 sion in the report transmitted pursuant to section
12 202(f)(4) if a joint resolution is enacted, in accord-
13 ance with the provisions of section 207, disapproving
14 the recommendations of the Commission before the
15 earlier of—
16 (A) the end of the 45-day period beginning
17 on the date on which the Commission transmits
18 the report; or
19 (B) the adjournment of Congress sine die
20 for the session during which the report is trans-
21 mitted.
22 (2) For purposes of paragraph (1) of this sub-
23 section and subsections (a) and (c) of section 207,
24 the days on which either House of Congress is not
25 in session because of an adjournment of more than

1 three days to a day certain shall be excluded in the
2 computation of a period.

3 SEC. 204. IMPLEMENTATION OF RECONFIGURATION, PRI-
4 VATIZATION, AND CLOSURE ACTIONS.

5 (a) IMPLEMENTATION.—In reconfiguring,
6 privatizing, or closing an energy laboratory under this
7 title, the Secretary shall—

8 (1) take such actions as may be necessary to
9 reconfigure, privatize, or close the energy laboratory;

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

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

19 (b) MANAGEMENT AND DISPOSAL OF PROPERTY.—

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

1 (A) the authority of the Secretary to utilize
2 excess property under section 202 of the Fed-
3 eral Property and Administrative Services Act
4 of 1949 (40 U.S.C. 483);
5 (B) the authority of the Secretary to dis-
6 pose of surplus property under section 203 of
7 that Act (40 U.S.C. 484);
8 (C) the authority of the Secretary to grant
9 approvals and make determinations under sec-
10 tion 13(g) of the Surplus Property Act of 1944
11 (50 U.S.C. App. 1622(g)); and
12 (D) the authority of the Secretary to deter-
13 mine the availability of excess or surplus real
14 property for wildlife conservation purposes in
15 accordance with the Act of May 19, 1948 (16
16 U.S.C. 667b).
17 (2) EXERCISE OF AUTHORITY.—
18 (A) IN GENERAL.—Subject to subpara-
19 graph (C), the Secretary shall exercise the au-
20 thority delegated to the Secretary pursuant to
21 paragraph (1) in accordance with—
22 (i) all regulations in effect on the date
23 of the enactment of this Act governing the
24 utilization of excess property and the dis-
25 posal of surplus property under the Fed-

1 eral Property and Administrative Services
2 Act of 1949; and
3 (ii) all regulations in effect on the
4 date of the enactment of this Act govern-
5 ing the conveyance and disposal of prop-
6 erty under section 13(g) of the Surplus
7 Property Act of 1944 (50 U.S.C. App.
8 1622(g)).
9 (B) REGULATIONS.—The Secretary, after
10 consulting with the Administrator of General
11 Services, may issue regulations that are nec-
12 essary to carry out the delegation of authority
13 required by paragraph (1).
14 (C) LIMITATION.—The authority required
15 to be delegated by paragraph (1) to the Sec-
16 retary by the Administrator of General Services
17 shall not include the authority to prescribe gen-
18 eral policies and methods for utilizing excess
19 property and disposing of surplus property.
20 (c) WAIVER.—The Secretary may reconfigure, pri-
21 vatize, or close energy laboratories under this title without
22 regard to any provision of law restricting the use of funds
23 for reconfiguring, privatizing, or closing such energy lab-
24 oratories included in any appropriations or authorization
25 Act.

1 SEC. 205. ACCOUNT.

2 (a) ESTABLISHMENT.—There is hereby established
3 on the books of the Treasury an account to be known as
4 the "Energy Laboratory Facility Closure Account" which
5 shall be administered by the Secretary as a single account.

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

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

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

18 (3) proceeds received from the transfer or dis-
19 posal of any property at an office reconfigured,
20 privatized, or closed under this section.

21 (c) USE OF FUNDS.—The Secretary may use the
22 funds in the Account only for the purposes described in
23 section 204(a).

24 (d) REPORTS.—

25 (1) IN GENERAL.—Not later than 60 days after
26 the end of each fiscal year in which the Secretary

1 carries out activities under this title, the Secretary
2 shall transmit a report to the congressional energy
3 committees of the amount and nature of the deposits
4 into, and the expenditures from, the Account during
5 such fiscal year and of the amount and nature of
6 other expenditures made pursuant to section 204(a)
7 during such fiscal year.
8 (2) UNOBLIGATED FUNDS.—Unobligated funds
9 shall be held in the Account until transferred by law.
10 SEC. 206. REPORTS ON IMPLEMENTATION.
11 As part of the budget request for each fiscal year in
12 which the Secretary is authorized to carry out activities
13 under this title, the Secretary shall transmit to the con-
14 gressional energy committees—
15 (1) a schedule of the reconfiguration, privatiza-
16 tion, and closure actions to be carried out under this
17 title in the fiscal year for which the request is made
18 and an estimate of the total expenditures required
19 and cost savings to be achieved by each such recon-
20 figuration, privatization, or closure and of the time
21 period in which these savings are to be achieved in
22 each case; and
23 (2) a description of the energy laboratories to
24 which functions are to be transferred as a result of
25 such reconfigurations, privatizations, and closures.

1 SEC. 207. CONGRESSIONAL CONSIDERATION OF COMMIS-
2 SION REPORT.

3 (a) TERMS OF THE RESOLUTION.—For purposes of
4 section 203(b), the term "joint resolution" means only a
5 joint resolution which is introduced within the 10-day pe-
6 riod beginning on the date on which the Commission
7 transmits the report to the Congress under section
8 202(f)(4), and—

9 (1) which does not have a preamble;

10 (2) the matter after the resolving clause of
11 which is as follows: "That Congress disapproves the
12 recommendations of the Energy Laboratory Facili-
13 ties Commission as submitted on _____", the blank
14 space being filled in with the appropriate date; and

15 (3) the title of which is as follows: "Joint reso-
16 lution disapproving the recommendations of the En-
17 ergy Laboratory Facilities Commission.".

18 (b) REFERRAL.—A resolution described in subsection
19 (a) that is introduced in the House of Representatives
20 shall be referred to the Committee on National Security
21 and the Committee on Science of the House of Represent-
22 atives. A resolution described in subsection (a) introduced
23 in the Senate shall be referred to the Committee on Armed
24 Services and the Committee on Energy and Natural Re-
25 sources of the Senate.

1 (c) DISCHARGE.—If the committee to which a resolu-
2 tion described in subsection (a) is referred has not re-
3 ported such resolution (or an identical resolution) by the
4 end of the 20-day period beginning on the date on which
5 the Commission transmits the report to the Congress
6 under section 202(f)(4), such committee shall be, at the
7 end of such period, discharged from further consideration
8 of such resolution, and such resolution shall be placed on
9 the appropriate calendar of the House involved.
10 (d) CONSIDERATION.—
11 (1) IN GENERAL.—On or after the third day
12 after the date on which the committee to which such
13 a resolution is referred has reported, or has been
14 discharged (under subsection (c)) from further con-
15 sideration of, such a resolution, it is in order (even
16 though a previous motion to the same effect has
17 been disagreed to) for any Member of the respective
18 House to move to proceed to the consideration of the
19 resolution (but only on the day after the calendar
20 day on which such Member announces to the House
21 concerned the Member's intention to do so). All
22 points of order against the resolution (and against
23 consideration of the resolution) are waived. The mo-
24 tion is highly privileged in the House of Representa-
25 tives and is privileged in the Senate and is not de-

1 batable. The motion is not subject to amendment, or
2 to a motion to postpone, or to a motion to proceed
3 to the consideration of other business. A motion to
4 reconsider the vote by which the motion is agreed to
5 or disagreed to shall not be in order. If a motion to
6 proceed to the consideration of the resolution is
7 agreed to, the respective House shall immediately
8 proceed to consideration of the joint resolution with-
9 out intervening motion, order, or other business, and
10 the resolution shall remain the unfinished business
11 of the respective House until disposed of.
12 (2) DEBATE.—Debate on the resolution, and on
13 all debatable motions and appeals in connection
14 therewith, shall be limited to not more than 2 hours,
15 which shall be divided equally between those favoring
16 and those opposing the resolution. An amendment to
17 the resolution is not in order. A motion further to
18 limit debate is in order and not debatable. A motion
19 to postpone, or a motion to proceed to the consider-
20 ation of other business, or a motion to recommit the
21 resolution is not in order. A motion to reconsider the
22 vote by which the resolution is agreed to or dis-
23 agreed to is not in order.
24 (3) QUORUM CALL.—Immediately following the
25 conclusion of the debate on a resolution described in

1 subsection (a) and a single quorum call at the con-
2 clusion of the debate if requested in accordance with
3 the rules of the appropriate House, the vote on final
4 passage of the resolution shall occur.

5 (4) APPEALS FROM DECISION OF CHAIR.—Ap-
6 peals from the decisions of the Chair relating to the
7 application of the rules of the Senate or the House
8 of Representatives, as the case may be, to the proce-
9 dure relating to a resolution described in subsection
10 (a) shall be decided without debate.

11 (e) CONSIDERATION BY OTHER HOUSE.—

12 (1) IN GENERAL.—If, before the passage by one
13 House of a resolution of that House described in
14 subsection (a), that House receives from the other
15 House a resolution described in subsection (a), then
16 the following procedures shall apply:

17 (A) The resolution of the other House shall
18 not be referred to a committee and may not be
19 considered in the House receiving it except in
20 the case of final passage as provided in sub-
21 paragraph (B)(ii).

22 (B) With respect to a resolution described
23 in paragraph (1) of the House receiving the res-
24 olution—

1 (i) the procedure in that House shall
2 be the same as if no resolution had been
3 received from the other House; but
4 (ii) the vote on final passage shall be
5 on the resolution of the other House.
6 (2) CONSIDERATION AFTER DISPOSITION BY
7 OTHER HOUSE.—Upon disposition of the resolution
8 received from the other House, it shall no longer be
9 in order to consider the resolution that originated in
10 the receiving House.
11 (f) RULES OF THE SENATE AND HOUSE.—This sec-
12 tion is enacted by Congress—
13 (1) as an exercise of the rulemaking power of
14 the Senate and House of Representatives, respec-
15 tively, and as such it is deemed a part of the rules
16 of each House, respectively, but applicable only with
17 respect to the procedure to be followed in that
18 House in the case of a resolution described in sub-
19 section (a), and it supersedes other rules only to the
20 extent that it is inconsistent with such rules; and
21 (2) with full recognition of the constitutional
22 right of either House to change the rules (so far as
23 relating to the procedure of that House) at any time,
24 in the same manner, and to the same extent as in
25 the case of any other rule of that House.

1 SEC. 208. DEFINITIONS.

2 For purposes of this title:

3 (1) The term "Account" means the Energy
4 Laboratory Facility Closure Account established in
5 section 205(a).

6 (2) The term "Commission" means the Energy
7 Laboratory Facilities Commission.

8 (3) The term "congressional energy commit-
9 tees" means the Committee on Armed Services of
10 the Senate, the Committee on National Security of
11 the House of Representatives, the Committee on
12 Science of the House of Representatives, and the
13 Committee on Energy and Natural Resources of the
14 Senate.

15 (4) The term "energy laboratory" means the
16 Lawrence Livermore National Laboratory, the Los
17 Alamos National Laboratory, the Sandia National
18 Laboratories, the Argonne National Laboratory, the
19 Brookhaven National Laboratory, the Idaho Na-
20 tional Engineering Laboratory, the Lawrence Berke-
21 ley Laboratory, the Oak Ridge National Laboratory,
22 the Pacific Northwest Laboratory, the National Re-
23 newable Energy Laboratory, the Ames Laboratory,
24 the Bates Linear Accelerator Laboratory, the Bettis
25 Atomic Power Laboratory, the Continuous Electron
26 Beam Accelerator Facility, the Energy Technology

1 Engineering Center, the Environmental Measure-
2 ments Laboratory, the Fermi National Accelerator
3 Laboratory, the Inhalation Toxicology Research In-
4 stitute, the Knolls Atomic Power Laboratory, the
5 Laboratory of Radiobiology and Environmental
6 Health, the Morgantown Energy Technology Center,
7 the National Renewable Energy Laboratory, the
8 New Brunswick Laboratory, the Oak Ridge Institute
9 for Science and Education, the Pittsburgh Energy
10 Technology Center, the Princeton Plasma Physics
11 Laboratory, the Savannah River Ecology Labora-
12 tory, the Savannah River Technology Center, the
13 Specific Manufacturing Capability Facility, or the
14 Stanford Linear Accelerator Facility.
15 (5) The term "Secretary" means the Secretary
16 of Energy.

The CHAIRMAN. I ask unanimous consent that the bill be considered as read, open to amendment at any point.

Mr. SCHIFF. Mr. Chairman? On your left?

I'm sorry to interrupt, Mr. Chairman, but I was also in the Judiciary markup and ask unanimous consent to show that I would have voted yes on the final passage of the previous bill also.

The CHAIRMAN. The previous bill was voted by voice vote but the gentleman's statement will be noted.

We would ask, as we proceed forward with the bill, that members proceed with amendments in the order of the roster.

I ask unanimous consent that the Committee consider the Walker substitute as original text for the purpose of amendment.

If there is no objection, so ordered.

[The amendment follows:]

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. WALKER

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

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "Department of Energy
3 Civilian Research and Development Act of 1995".

4 SEC. 2. DEFINITIONS.

5 For purposes of this Act—

6 (1) the term "CERN" means the European Or-
7 ganization for Nuclear Research;

8 (2) the term "Department" means the Depart-
9 ment of Energy;

10 (3) the term "Large Hadron Collider project"
11 means the Large Hadron Collider project at CERN;

12 (4) the term "major construction project"
13 means a civilian research, development, demonstra-
14 tion, or commercial application project whose con-
15 struction costs are estimated to exceed
16 $100,000,000 over the life of the project;

17 (5) the term "Secretary" means the Secretary
18 of Energy;

19 (6) the term "substantial construction project"
20 means a civilian research, development, demonstra-

1 tion, or commercial application project whose con-
2 struction costs are estimated to exceed $10,000,000,
3 but not to exceed $100,000,000, over the life of the
4 project; and
5 (7) the term "substantial equipment acquisi-
6 tion" means the acquisition of civilian research, de-
7 velopment, demonstration, or commercial application
8 equipment at a cost estimated to exceed
9 $10,000,000 for the entire acquisition.
10 SEC. 3. AUTHORIZATION OF APPROPRIATIONS.
11 (a) ENERGY SUPPLY RESEARCH AND DEVELOPMENT
12 ACTIVITIES.—There are authorized to be appropriated to
13 the Secretary for fiscal year 1996 for Energy Supply Re-
14 search and Development operating, capital equipment, and
15 construction the following amounts:
16 (1) Solar and Renewable Energy,
17 $235,451,000, of which—
18 (A) $235,331,000 shall be for operating
19 and capital equipment; and
20 (B) $120,000 shall be for construction of
21 Project GP–C–002, General Plant Projects, Na-
22 tional Renewable Energy Laboratory.
23 (2) Nuclear Energy, $295,448,000, of which—
24 (A) $292,738,000 shall be for operating
25 and capital equipment, including, subject to sec-

1 tion 4(b), $25,000,000 for the Gas Turbine-
2 Modular Helium Reactor, and, subject to sec-
3 tion 4(d), $14,000,000 for the AP600 light
4 water reactor;
5 (B) $1,000,000 shall be for construction of
6 Project GPN–102, General Plant Projects, Ar-
7 gonne National Laboratory-West, Idaho; and
8 (C) $1,700,000 shall be for completion of
9 construction of Project 95–E–207, Modifica-
10 tions to Reactors, Experimental Breeder Reac-
11 tor-II, Sodium Processing Facility, Argonne
12 National Laboratory-West, Idaho.
13 (3) Environment, Safety, and Health,
14 $128,433,000 for operating and capital equipment.
15 (4) Biological and Environmental Research,
16 $369,645,000, of which—
17 (A) $313,550,000 shall be for operating
18 and capital equipment;
19 (B) $3,500,000 shall be for construction of
20 Project GPE–120, General Plant Projects, Var-
21 ious Locations;
22 (C) $5,700,000 shall be for construction of
23 Project 94–E–339, Human Genome Labora-
24 tory, Lawrence Berkeley Laboratory;

1 (D) $4,295,000 shall be for completion of
2 construction of Project 94–E–338, Structural
3 Biology Facility, Argonne National Laboratory;
4 (E) $2,600,000 shall be for completion of
5 construction of Project 94–E–337, ALS Struc-
6 tural Biology Support Facilities, Lawrence
7 Berkeley Laboratory; and
8 (F) $40,000,000 shall be for construction
9 of Project 91–EM–100, Environmental Molecu-
10 lar Sciences Laboratory, Pacific Northwest
11 Laboratory.
12 (5) Fusion Energy, $229,144,000, of which—
13 (A) $220,144,000 shall be for operating
14 and capital equipment for Magnetic Fusion En-
15 ergy;
16 (B) $4,800,000 shall be for operating and
17 capital equipment for Inertial Fusion Energy;
18 (C) $1,000,000 shall be for construction of
19 Project GPE–900, General Plant Projects, Var-
20 ious Locations; and
21 (D) $3,200,000 shall be for construction of
22 Project 96–E–310, Elise Project, Lawrence
23 Berkeley Laboratory.
24 (6) Basic Energy Sciences, $827,981,000, of
25 which—

(A) $805,412,000 shall be for operating and capital equipment, including $60,000,000 for the Scientific Facilities Initiative;

(B) $4,500,000 shall be for construction of Project GPE–400, General Plant Projects, Various Locations;

(C) $12,883,000 shall be for construction of Project 96–E–305, Accelerator and Reactor Improvements and Modifications;

(D) $3,186,000 shall be for completion of construction of Project 89–R–402, 6–7 GeV Synchrotron Radiation Source, Argonne National Laboratory; and

(E) $2,000,000 shall be for construction of Project 87–R–405, Combustion Research Facility, Phase II, Sandia National Laboratories-Livermore.

(7) Advisory and Oversight Program Direction, $6,200,000 for operating.

(8) Policy and Management—Energy Research, $2,200,000 for operating.

(9) Multiprogram Energy Laboratories—Facilities Support—

(A) $15,539,000 shall be for operating and capital equipment;

(B) $8,740,000 shall be for construction of Project GPE–801, General Plant Projects, Various Locations;

(C) $2,740,000 shall be for construction of Project 95–E–310, Multiprogram Laboratory Rehabilitation, Phase 1, Pacific Northwest Laboratory;

(D) $1,500,000 shall be for construction of Project 95–E–303, Electrical Safety Rehabilitation, Pacific Northwest Laboratory;

(E) $3,270,000 shall be for completion of construction of Project 95–E–302, Applied Science Center, Phase 1, Brookhaven National Laboratory;

(F) $2,500,000 shall be for construction of Project 95–E–301, Central Heating Plant Rehabilitation, Phase 1, Argonne National Laboratory;

(G) $2,038,000 shall be for construction of Project 94–E–363, Roofing Improvements, Oak Ridge National Laboratory;

(H) $440,000 shall be for completion of construction of Project 94–E–351, Fuel Storage and Transfer Facility Upgrade, Brookhaven National Laboratory;

(I) $800,000 shall be for construction of Project 96–E–332, Building 801 Renovations, Brookhaven National Laboratory;

(J) $2,400,000 shall be for completion of construction of Project 96–E–331, Sanitary Sewer Restoration, Phase I, Lawrence Berkeley Laboratory;

(K) $1,200,000 shall be for construction of Project 96–E–330, Building Electrical Service Upgrade, Phase I, Argonne National Laboratory;

(L) $2,480,000 shall be for construction of Project 95–E–309, Loss Prevention Upgrade-Electrical Substations, Brookhaven National Laboratory;

(M) $1,540,000 shall be for construction of Project 95–E–308, Sanitary System Modifications, Phase II, Brookhaven National Laboratory;

(N) $1,000,000 shall be for construction of Project 95–E–307, Fire Safety Improvements, Phase III, Argonne National Laboratory;

(O) $1,288,000 shall be for completion of construction of Project 93–E–324, Hazardous

1 Materials Safeguards, Phase I, Lawrence
2 Berkeley Laboratory;
3 (P) $1,130,000 shall be for completion of
4 construction of Project 93–E–323, Fire and
5 Safety Systems Upgrade, Phase I, Lawrence
6 Berkeley Laboratory; and
7 (Q) $2,411,000 shall be for construction of
8 Project 93–E–320, Fire and Safety Improve-
9 ments, Phase II, Argonne National Laboratory.
10 Notwithstanding subparagraphs (A) through (Q),
11 the total amount authorized under this paragraph
12 shall not exceed $39,327,000.
13 (10) Technical Information Management Pro-
14 gram, $14,394,000, of which—
15 (A) $12,894,000 shall be for operating and
16 capital equipment; and
17 (B) $1,500,000 shall be for construction of
18 Project 95–A–500, Heating, Venting, and Air
19 Conditioning Retrofits, Oak Ridge.
20 (11) Environmental Management,
21 $644,971,000, of which—
22 (A) $617,129,000 shall be for operating
23 and capital equipment;
24 (B) $339,000 shall be for completion of
25 construction of Project 92–E–601, Melton Val-

1 ley Liquid Low-Level Waste Collection and
2 Transfer System Upgrade, Oak Ridge National
3 Laboratory;
4 (C) $4,000,000 shall be for construction of
5 Project 88–R–830, Bethel Valley Liquid Low-
6 Level Waste Collection and Transfer System
7 Upgrade, Oak Ridge National Laboratory;
8 (D) $2,255,000 shall be for construction of
9 Project GPN–103, Oak Ridge Landlord Gen-
10 eral Plant Projects;
11 (E) $730,000 shall be for construction of
12 Project GPN–102, Test Reactor Area Landlord
13 General Plant Projects, Idaho National Engi-
14 neering Laboratory;
15 (F) $1,900,000 shall be for construction of
16 Project 95–E–201, Test Reactor Area Landlord
17 Fire and Life Safety Improvements, Idaho Na-
18 tional Engineering Laboratory;
19 (G) $2,040,000 shall be for construction of
20 Project GPE–600, General Plant Projects,
21 Waste Management, Non-Defense, Various Lo-
22 cations;
23 (H) $300,000 shall be for construction of
24 Project 94–E–602, Bethel Valley Federal Facil-

1 ity Agreement Upgrades, Oak Ridge National
2 Laboratory;
3 (I) $4,048,000 shall be for construction of
4 Project 93–E–900, Dry Cast Storage, Idaho
5 National Engineering Laboratory;
6 (J) $787,000 shall be for construction of
7 Project 91–E–602, Rehabilitation of Waste
8 Management Building 306, Argonne National
9 Laboratory; and
10 (K) $671,000 shall be for completion of
11 construction of Project 88–R–812, Hazardous
12 Waste Handling Facility, Lawrence Berkeley
13 Laboratory.
14 (b) GENERAL SCIENCE AND RESEARCH ACTIVI-
15 TIES.—There are authorized to be appropriated to the
16 Secretary for fiscal year 1996 for General Science and Re-
17 search Activities operating, capital equipment, and con-
18 struction the following amounts:
19 (1) High Energy Physics, $680,137,000, of
20 which—
21 (A) $554,191,000 shall be for operating
22 and capital equipment, including $15,000,000
23 for the Scientific Facilities Initiative;

(B) $12,146,000 shall be for construction of Project GPE–103, General Plant Projects, Various Locations;

(C) $9,800,000 shall be for construction of Project 96–G–301, Accelerator Improvements and Modifications, Various Locations;

(D) $52,000,000 shall be for construction of Project 94–G–305, B-Factory, Stanford Linear Accelerator Center; and

(E) $52,000,000 shall be for construction of Project 92–G–302, Fermilab Main Injector, Fermi National Accelerator Center.

(2) Nuclear Physics, $316,873,000, of which—

(A) $239,773,000 shall be for operating and capital equipment, including $25,000,000 for the Scientific Facilities Initiative;

(B) $3,900,000 shall be for construction of Project GPE–300, General Plant Projects, Various Locations;

(C) $3,200,000 shall be for construction of Project 96–G–302, Accelerator Improvements and Modifications, Various Locations; and

(D) $70,000,000 shall be for construction of Project 91–G–300, Relativistic Heavy Ion Collider, Brookhaven National Laboratory.

1 (3) Program Direction, $9,500,000.

2 (c) FOSSIL ENERGY RESEARCH AND DEVELOP-
3 MENT.—There are authorized to be appropriated to the
4 Secretary for fiscal year 1996 for Fossil Energy Research
5 and Development operating, capital equipment, and con-
6 struction the following amounts:

7 (1) Coal, $49,955,000 for operating.

8 (2) Oil Technology, $43,234,000 for operating,
9 including maintaining programs at the National In-
10 stitute for Petroleum and Energy Research.

11 (3) Gas, $59,829,000 for operating.

12 (4) Program Direction and Management Sup-
13 port, $45,535,000 for operating.

14 (5) Capital Equipment, $476,000.

15 (6) Construction of Project GPF–100, General
16 Plant Projects for Energy Technology Centers,
17 $1,994,000.

18 (7) Cooperative Research and Development,
19 $7,557,000.

20 (8) Fossil Energy Environmental Restoration,
21 $12,370,000.

22 (d) ENERGY CONSERVATION RESEARCH AND DEVEL-
23 OPMENT.—There are authorized to be appropriated to the
24 Secretary for fiscal year 1996 for Energy Conservation

1 Research and Development operating and capital equip-
2 ment the following amounts:
3 (1) Buildings Sector, $55,074,000.
4 (2) Industry Sector, $55,110,000.
5 (3) Transportation Sector, $112,123,000.
6 (4) Technical and Financial Assistance (Non-
7 Grants), $7,813,000.
8 SEC. 4. FUNDING LIMITATIONS.
9 (a) FISCAL YEAR 1996 APPROPRIATIONS.—None of
10 the funds authorized by this Act may be used for the fol-
11 lowing programs, projects, and activities:
12 (1) Solar Buildings Technology Research.
13 (2) Solar International Program.
14 (3) Solar Technology Transfer.
15 (4) Solar Program Support.
16 (5) Hydropower.
17 (6) Space Power Reactor Systems.
18 (7) Nuclear Energy Facilities.
19 (8) Soviet-Designed Reactor Safety.
20 (9) Russian Replacement Power Initiative.
21 (10) Civilian Radioactive Waste Research and
22 Development.
23 (11) Tokamak Physics Experiment.
24 (12) Advanced Neutron Source.
25 (13) Energy Research Analysis.

1 (14) Energy Research Laboratory Technology
2 Transfer.
3 (15) University and Science Education.
4 (16) Technology Partnerships.
5 (17) In-House Energy Management.
6 (18) Direct Liquefaction.
7 (19) Indirect Liquefaction.
8 (20) Systems for Coproducts.
9 (21) High Efficiency-Integrated Gasification
10 Combined Cycle.
11 (22) High Efficiency-Pressurized Fluidized
12 Bed.
13 (23) Technical and Economic Analysis.
14 (24) International Program Support.
15 (25) Coal Technology Export.
16 (26) Gas Delivery and Storage.
17 (27) Gas Utilization.
18 (28) Fuel Cells Climate Change Action Plan.
19 (29) Fuels Conversion, Natural Gas, and Elec-
20 tricity.
21 (30) Clean Coal Technology Program.
22 (31) Buildings Sector Implementation and De-
23 ployment.
24 (32) Industry Sector Municipal Solid Wastes.

1 (33) Industry Sector Implementation and De-
2 ployment.
3 (34) Alternative Fuels Utilization.
4 (35) Transportation Sector Implementation and
5 Deployment.
6 (36) Utility Sector Integrated Resource Plan-
7 ning.
8 (37) International Market Development.
9 (38) Inventions and Innovation Program.
10 (39) Municipal Energy Management.
11 (40) Information and Communications.
12 (41) Policy and Management—Energy Con-
13 servation.
14 (b) FISCAL YEAR 1996 OBLIGATION AND EXPENDI-
15 TURE.—None of the funds authorized by this Act may be
16 available for obligation or expenditure for the Gas Tur-
17 bine-Modular Helium Reactor until—
18 (1) the National Academy of Sciences has com-
19 pleted a review of the technical feasibility and eco-
20 nomic potential of such reactor, and has reported to
21 the Committee on Science of the House of Rep-
22 resentatives and the Committee on Energy and Nat-
23 ural Resources of the Senate; or
24 (2) December 15, 1995,

1 whichever occurs first. The Department shall fund such
2 review, and necessary contract support and work nec-
3 essary to maintain technical continuity of the Gas Tur-
4 bine-Modular Helium Reactor, with funds authorized by
5 this Act, not to exceed $3,800,000.

6 (c) PRIOR FISCAL YEAR OBLIGATION AND EXPENDI-
7 TURE.—No funds may be available for obligation or ex-
8 penditure with respect to the following:

9 (1) University of Nebraska Medical Center
10 Transplant Center.

11 (2) Oregon Health Sciences University.

12 (3) Conduct of any rulemaking activities relat-
13 ing to determinations for or prescriptions of new or
14 amended standards with respect to Lighting and Ap-
15 pliance Standards and Building Standards and
16 Guidelines, including the promulgation or issuance
17 of notices of proposed rulemakings, proposed rules,
18 or final rules.

19 (d) LIGHT WATER REACTOR MATCHING FUNDS.—
20 Funds appropriated for the AP600 light water reactor
21 pursuant to section 3(a)(2)(A) shall be available only to
22 the extent that matching private sector funds are provided
23 for such project, and subject to the condition that such
24 Federal funds shall be repaid to the United States out

1 of royalties on the first commercial sale of such reactor
2 design.

3 SEC. 5. LIMITATION ON APPROPRIATIONS.

4 (a) EXCLUSIVE AUTHORIZATION FOR FISCAL YEAR
5 1996.—Notwithstanding any other provision of law, no
6 sums are authorized to be appropriated for fiscal year
7 1996 for Energy Supply Research and Development, Gen-
8 eral Science and Research, Fossil Energy Research and
9 Development, or Energy Conservation Research and De-
10 velopment activities of the Department unless such sums
11 are specifically authorized to be appropriated by this Act.

12 (b) SUBSEQUENT FISCAL YEARS.—No sums are au-
13 thorized to be appropriated for any fiscal year after fiscal
14 year 1996 for any civilian research, development, dem-
15 onstration, or commercial application program, project, or
16 activity of the Department unless such sums are specifi-
17 cally authorized to be appropriated by Act of Congress
18 with respect to such fiscal year.

19 SEC. 6. MERIT REVIEW REQUIREMENT FOR AWARDS OF FI-
20 NANCIAL ASSISTANCE.

21 (a) MERIT REVIEW REQUIREMENT.—The Secretary
22 may not award financial assistance to any person for civil-
23 ian research, development, demonstration, or commercial
24 application activities, including related facility construc-

1 tion, unless an objective merit review process is used to
2 award the financial assistance.
3 (b) REQUIREMENT OF SPECIFIC MODIFICATION OF
4 MERIT REVIEW PROVISION.—
5 (1) IN GENERAL.—A provision of law may not
6 be construed as modifying or superseding subsection
7 (a), or as requiring that financial assistance be
8 awarded by the Secretary in a manner inconsistent
9 with subsection (a), unless such provision of law—
10 (A) specifically refers to this section;
11 (B) specifically states that such provision
12 of law modifies or supersedes subsection (a);
13 and
14 (C) specifically identifies the person to be
15 awarded the financial assistance and states that
16 the financial assistance to be awarded pursuant
17 to such provision of law is being awarded in a
18 manner inconsistent with subsection (a).
19 (2) NOTICE AND WAIT REQUIREMENT.—No fi-
20 nancial assistance may be awarded pursuant to a
21 provision of law that requires or authorizes the
22 award of the financial assistance in a manner incon-
23 sistent with subsection (a) until—

1 (A) the Secretary submits to the Congress
2 a written notice of the Secretary's intent to
3 award the financial assistance; and
4 (B) 180 days has elapsed after the date on
5 which the notice is received by the Congress.
6 (c) DEFINITIONS.—For purposes of this section:
7 (1) The term "objective merit review process"
8 means a thorough, consistent, and independent ex-
9 amination of requests for financial assistance based
10 on preestablished criteria and scientific and technical
11 merit by persons knowledgeable in the field for
12 which the financial assistance is requested.
13 (2) The term "financial assistance" means the
14 transfer of funds or property to a recipient or sub-
15 recipient to accomplish a public purpose of support
16 or stimulation authorized by Federal law. Such term
17 includes grants, cooperative agreements, and
18 subawards but does not include cooperative research
19 and development agreements as defined in section
20 12(d)(1) of the Stevenson-Wydler Technology Inno-
21 vation Act of 1980 (15 U.S.C. 3710a(d)(1)), nor
22 any grant that calls upon the National Academy of
23 Sciences, the National Academy of Engineering, the
24 Institute of Medicine, or the National Academy of
25 Public Administration to investigate, examine, or ex-

1 periment upon any subject of science or art and to
2 report on such matters to Congress or any agency
3 of the Federal Government.

4 SEC. 7. POLICY ON CAPITAL PROJECTS AND CONSTRUC-
5 TION.

6 (a) REQUIREMENT OF PRIOR AUTHORIZATION.—(1)
7 No funds are authorized to be appropriated to the Sec-
8 retary for any substantial construction project, substantial
9 equipment acquisition, or major construction project un-
10 less a report on such project or acquisition has been pro-
11 vided to Congress in accordance with subsection (b).

12 (2) The Secretary may not obligate any funds for any
13 substantial construction project, substantial equipment ac-
14 quisition, or major construction project unless such project
15 or acquisition has been specifically authorized by statute.

16 (3) This subsection may not be amended or modified
17 except by specific reference to this subsection.

18 (b) REPORTS TO CONGRESS.—(1) Within 180 days
19 after the date of the enactment of this Act, the Secretary
20 shall submit to the Congress a report that identifies all
21 construction projects and acquisitions of the Department
22 described in subsection (a) for which the preliminary de-
23 sign phase is completed but the construction or acquisition
24 is not completed. Such report shall include—

1 (A) an estimate of the total cost of completion
2 of the construction project or acquisition, itemized
3 by individual activity and by fiscal year; and
4 (B) an identification of which construction
5 projects or acquisitions have not been specifically au-
6 thorized by statute.
7 The Secretary shall annually update and resubmit the re-
8 port required by this paragraph, as part of the report re-
9 quired under section 15 of the Federal Nonnuclear Energy
10 Research and Development Act of 1974 (42 U.S.C. 5914).
11 (2) The Secretary shall, after completion of the pre-
12 liminary design phase of a major construction project,
13 submit to the Congress a report containing—
14 (A) an estimate of the total cost of construction
15 of the facility;
16 (B) an estimate of the time required to com-
17 plete construction;
18 (C) an estimate of the annual operating costs of
19 the facility;
20 (D) the intended useful operating life of the fa-
21 cility; and
22 (E) an identification of any existing facilities to
23 be closed as a result of the operation of the facility.

1 SEC. 8. FURTHER AUTHORIZATIONS.

2 Nothing in this Act shall preclude further authoriza-
3 tion of appropriations for civilian research, development,
4 demonstration, and commercial application activities of
5 the Department of Energy for fiscal year 1996: *Provided,*
6 That authorization allocations adopted by the Conference
7 Committee on House Concurrent Resolution 67, and ap-
8 proved by Congress, allow for such further authorizations.

9 SEC. 9. HIGH ENERGY AND NUCLEAR PHYSICS.

10 (a) LARGE HADRON COLLIDER PROJECT.—

11 (1) NEGOTIATIONS.—The Secretary, in con-
12 sultation with the Director of the National Science
13 Foundation and the Secretary of State, shall enter
14 into negotiations with CERN concerning United
15 States participation in the planning and construction
16 of the Large Hadron Collider project, and shall en-
17 sure that any agreement incorporates provisions to
18 protect the United States investment in the project,
19 including provisions for—

20 (A) fair allocation of costs and benefits
21 among project participants;

22 (B) a limitation on the amount of United
23 States contribution to project construction and
24 an estimate of the United States contribution to
25 subsequent operating costs;

1 (C) a cost and schedule control system for
2 the total project;
3 (D) a preliminary statement of costs and
4 the schedule for all component design, testing,
5 and fabrication, including technical goals and
6 milestones, and a final statement of such costs
7 and schedule within 1 year after the date on
8 which the parties enter into the agreement;
9 (E) a preliminary statement of costs and
10 the schedule for total project construction and
11 operation, including technical goals and mile-
12 stones, and a final statement of such costs and
13 schedule within 1 year after the date on which
14 the parties enter into the agreement;
15 (F) reconsideration of the extent of United
16 States participation if technical or operational
17 milestones described in subparagraphs (D) and
18 (E) are not met, or if the project falls signifi-
19 cantly behind schedule;
20 (G) conditions of access for United States
21 and other scientists to the facility; and
22 (H) a process for addressing international
23 coordination and cost sharing on high energy
24 physics projects beyond the Large Hadron
25 Collider.

1 (2) OTHER INTERNATIONAL NEGOTIATIONS.—
2 Nothing in this Act shall be construed to preclude
3 the President from entering into negotiations with
4 respect to international science agreements.
5 (b) REPORT TO CONGRESS.—Before January 1,
6 1996, the Secretary, in consultation with the Director of
7 the National Science Foundation and with the high energy
8 and nuclear physics communities, shall prepare and trans-
9 mit to the Congress a strategic plan for the high energy
10 and nuclear physics activities of the Department, assum-
11 ing a combined budget of $950,000,000 for all activities
12 authorized under section 3(b) for fiscal year 1997, and
13 assuming a combined budget of $900,000,000 for all ac-
14 tivities authorized under section 3(b) for each of the fiscal
15 years 1998, 1999, and 2000. The report shall include—
16 (1) a list of research opportunities to be pur-
17 sued, including both ongoing and proposed activities;
18 (2) an analysis of the relevance of each research
19 facility to the research opportunities listed under
20 paragraph (1):
21 (3) a statement of the optimal balance among
22 facility operations, construction, and research sup-
23 port and the optimal balance between university and
24 laboratory research programs;

1 (4) schedules for the continuation, consolida-
2 tion, or termination of each research program, and
3 continuation, upgrade, transfer, or closure of each
4 research facility; and
5 (5) a statement by project of efforts to coordi-
6 nate research projects with the international commu-
7 nity to maximize the use of limited resources and
8 avoid unproductive duplication of efforts.
9 SEC. 10. PROHIBITION OF LOBBYING ACTIVITIES.
10 None of the funds authorized by this Act shall be
11 available for any activity whose purpose is to influence leg-
12 islation pending before the Congress.
13 SEC. 11. ELIGIBILITY FOR AWARDS.
14 (a) IN GENERAL.—The Secretary shall exclude from
15 consideration for awards of financial assistance made by
16 the Department after fiscal year 1995 any person who re-
17 ceived funds, other than those described in subsection (b),
18 appropriated for a fiscal year after fiscal year 1995, from
19 any Federal funding source for a project that was not sub-
20 jected to a competitive, merit-based award process. Any
21 exclusion from consideration pursuant to this section shall
22 be effective for a period of 5 years after the person re-
23 ceives such Federal funds.
24 (b) EXCEPTION.—Subsection (a) shall not apply to
25 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.

3 SEC. 12. TERMINATION COSTS.

4 Unobligated funds previously appropriated for the
5 Clean Coal Technology program may be used to pay costs
6 associated with the termination of Energy Supply Re-
7 search and Development, General Science and Research,
8 Fossil Energy Research and Development, and Energy
9 Conservation Research and Development programs,
10 projects, and activities of the Department.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. WALKER TO THE DEPARTMENT OF ENERGY CIVILIAN RESEARCH AND DEVELOPMENT AUTHORIZATION ACT OF 1995 (H.R. 1816)

COMMITTEE OF SCIENCE

U.S. HOUSE OF REPRESENTATIVES

HON. ROBERT S. WALKER, CHAIRMAN

JUNE 20, 1995

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DEPARTMENT OF ENERGY 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
Solar Energy and Renewable Energy					
Solar:					
Solar Buildings Technology Research	4,610	4,657	0	-4,610	-4,657
Photovoltaic Energy Systems	87,527	88,129	65,129	-22,398	-23,000
Solar Thermal Energy Systems	31,458	33,943	27,742	-3,716	-6,201
Biofuels Energy Systems	59,643	80,380	46,637	-13,006	-33,743
Wind Energy Systems	47,139	49,820	10,389	-36,750	-39,431
Solar International Program	9,087	29,154	0	-9,087	-29,154
Solar Technology Transfer	22,406	17,758	0	-22,406	-17,758
Solar Program Support	12,199	7,345	0	-12,199	-7,345
Resource Assessment	3,950	4,665	2,000	-1,950	-2,665
National Renewable Energy Laboratory	5,963	6,000	500	-5,463	-5,500
Program Direction	8,200	9,460	5,500	-2,700	-3,960
Subtotal, Solar Energy	292,182	331,311	157,897	-134,285	-173,414
Review of Uncoated Balances	0	-4,888	-4,888	-4,888	0
Total, Solar Energy	292,182	326,423	153,009	-139,173	-173,414
Geothermal Energy	37,807	36,972	20,345	-17,462	-16,627
Hydrogen Research and Development	9,616	7,334	25,000	+15,384	+17,666
Hydropower	4,846	980	0	-4,846	-980
Electric Energy Systems and Storage	44,376	46,942	34,658	-10,079	-12,645
Policy and Management—Energy Efficiency and Renewable Energy	4,817	4,746	2,800	-2,017	-1,946
Total, Solar and Renewable Energy	393,644	423,397	235,451	-158,193	-187,946
Nuclear Energy					
Nuclear Energy R&D:					
Light Water Reactors	64,329	49,740	63,740	-589	+14,000
Advanced Reactor R&D	19,948	0	25,000	+5,052	+25,000
Space Power Reactor Systems	1,224	0	0	-1,224	0
Advanced Radioisotope Power Systems	59,894	49,237	48,512	-11,382	-725
Facilities, Operating Expenses	7,027	0	0	-7,027	0
Nuclear Technology R&D	0	37,300	35,810	+35,810	-1,490
Program Direction	12,500	13,000	8,000	-4,500	-5,000
Policy and Management-Nuclear Energy	11,900	10,200	5,000	-6,900	-5,200

DEPARTMENT OF ENERGY 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
Nuclear Energy (Continued)					
Nuclear Energy R&D (Continued)					
Test Reactor Area (TRA) Hot Cells	1,430	1,400	1,400	-30	0
Oak Ridge Landlord*	14,252	18,685	0	-14,252	-18,685
Test Reactor Area Landlord*	3,959	4,000	0	-3,959	-4,000
Advanced Test Reactor (ATR) Fusion Irradiations	2,683	2,303	2,303	-380	0
University Nuclear Science and Reactor Support	0	6,130	6,130	+6,130	0
Subtotal, Nuclear Energy Research and Development	199,146	191,995	195,895	-3,251	+3,900
Termination Costs	69,705	81,700	74,250	+4,545	-7,450
Isotope Support, Operating Expenses	19,493	25,358	25,303	+5,810	-55
Soviet-Designed Reactor Safety, Operating Expenses	0	78,764	0	0	-78,764
Russian Replacement Power Initiative, Operating Expenses	0	5,000	0	0	-5,000
Total, Nuclear Energy	288,344	382,817	295,448	+7,104	-87,369
Civilian Radioactive Waste Research and Development	692	699	0	-692	-699
Environment, Safety and Health	143,920	166,759	128,433	-15,487	-38,326
Energy Research					
Biological and Environmental Research	436,641	431,664	369,645	-66,996	-62,019
Fusion Energy	368,421	366,045	229,144	-139,277	-136,901
Basic Energy Sciences	733,940	811,419	827,981	+94,041	+16,562
Other Energy Research:					
Advanced Neutron Source	20,764	0	0	-20,764	0
Energy Research Analysis	3,407	3,463	0	-3,407	-3,463
Energy Research Laboratory Technology Transfer	56,900	58,776	0	-56,900	-58,776
Advisory and Oversight Program Direction	12,450	9,780	6,200	-6,250	-3,580
Policy and Management—Energy Research	2,200	2,200	2,200	0	0
Multiprogram Energy Laboratories—Facilities Support	43,034	51,016	39,327	-3,707	-11,689
Subtotal, Other Energy Research	138,755	125,235	47,727	-91,028	-77,508
Total, Energy Research	1,677,757	1,734,363	1,474,497	-203,260	-259,866

*Management and Funding transferred to the Office of Environmental Management.

DEPARTMENT OF ENERGY 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
Energy Support Activities					
University and Science Education	69,572	55,418	0	-69,572	-55,418
Technical Information Management Program	16,124	17,450	14,394	-1,730	-3,056
Technology Partnerships	0	3,153	0	0	-3,153
In-House Energy Management	30,729	28,789	0	-30,729	-28,789
Total, Energy Support Activities	116,425	104,810	14,394	-102,031	-90,416
Environmental Management (Non-Defense)					
Corrective Activities	26,700	5,404	4,339	-22,361	-1,065
Environmental Restoration	388,597	417,758	373,400	-15,197	-44,358
Waste Management	243,016	206,145	207,358	-35,658	+1,213
Nuclear Materials and Facility Stabilization	73,336	83,683	73,100	-236	-10,583
General Reduction	0	0	-14,000	-14,000	-14,000
Environmental Management (Non-Defense)	731,649	712,990	644,197	-87,452	-68,793
Total, Energy Supply Research and Development	*3,352,431*	*3,525,835*	*2,792,420*	*-560,017*	*-733,415*
General Science and Research					
High Energy Physics	642,129	685,552	680,137	+38,008	-5,415
Nuclear Physics	331,502	321,078	316,873	-14,629	-4,205
Program Direction	10,400	10,900	9,500	-900	-1,400
Total, General Science and Research	*984,031*	*1,017,530*	*1,006,510*	*+22,479*	*-11,020*
Total, Energy and Water Development Appropriations	*4,336,462*	*4,543,465*	*3,798,930*	*-537,532*	*-744,535*

DEPARTMENT OF ENERGY 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
Fossil Energy					
Coal	154,393	114,881	49,955	-104,438	-64,926
Oil	81,708	86,773	43,234	-38,474	-43,539
Gas	116,273	145,845	59,829	-56,444	-86,016
Program Direction and Management Support	72,263	69,897	45,535	-26,728	-24,362
Plant and Capital Equipment	5,010	4,005	2,470	-2,540	-1,535
Cooperative R&D	9,082	0	7,557	-1,525	+7,557
Fossil Energy Environmental Restoration	16,431	18,919	12,370	-4,061	-6,549
Fuels Conversion, Natural Gas, and Electricity	3,007	2,687	0	-3,007	-2,687
Total, Fossil Energy Research and Development	*458,167*	*443,007*	*220,950*	*-237,217*	*-222,057*
Clean Coal Technology	*37,121*	*44,981*	*0*	*-37,121*	*-44,981*
Energy Conservation Research and Development					
Buildings Sector	115,636	154,802	55,074	-60,562	-99,728
Industry Sector	135,193	172,867	55,110	-80,083	-117,757
Transportation Sector	206,257	262,308	112,123	-94,134	-150,185
Utility Sector	8,756	9,930	0	-8,756	-9,930
Technical and Financial Assistance (Non-Grants)	40,359	45,435	7,813	-32,546	-37,622
Policy and Management—Energy Conservation	8,342	11,332	0	-8,342	-11,332
Total, Energy Conservation Research and Development	*514,543*	*656,674*	*230,120*	*-284,423*	*-426,554*
Total, Interior and Related Agencies Appropriations	*1,009,831*	*1,144,662*	*451,070*	*-558,761*	*-693,592*
Total, Department of Energy	*5,346,293*	*5,688,127*	*4,250,000*	*-1,096,293*	*-1,438,127*

DEPARTMENT OF ENERGY
(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
SOLAR AND RENEWABLE ENERGY (Page 1 of 5)					
Solar Energy					
Solar Buildings Technology Research					
Operating Expenses	4,505	4,471	0	-4,505	-4,471
Capital Equipment	105	186	0	-105	-186
Total, Solar Buildings Technology Research	4,610	4,657	0	-4,610	-4,657
Photovoltaic Energy Systems					
Operating Expenses	86,527	84,159	61,159	-25,368	-23,000
Capital Equipment	1,000	3,970	3,970	+2,970	0
Total, Photovoltaic Energy Systems	87,527	88,129	65,129	-22,398	-23,000
Solar Thermal Energy Systems					
Operating Expenses	30,758	33,248	27,047	-3,711	-6,201
Capital Equipment	700	695	695	-5	0
Total, Solar Thermal Energy Systems	31,458	33,943	27,742	-3,716	-6,201
Biofuels Energy Systems					
Operating Expenses	56,734	78,296	44,553	-12,181	-33,743
Capital Equipment	2,909	2,084	2,084	-825	0
Total, Biofuels Energy Systems	59,643	80,380	36,637	-13,006	-33,743
Wind Energy Systems					
Operating Expenses	46,139	48,331	8,900	-37,239	-39,431
Capital Equipment	1,000	1,489	1,489	+489	0
Total, Wind Energy Systems	47,139	49,820	10,389	-36,750	-39,431
Solar International Program, Operating Expenses	9,087	29,154	0	-9,087	-29,154
Solar Technology Transfer, Operating Expenses	22,406	17,758	0	-22,406	-17,758
Solar Program Support, Operating Expenses	12,199	7,345	0	-12,199	-7,345

DEPARTMENT OF ENERGY
(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
SOLAR AND RENEWABLE ENERGY (Page 2 of 5)					
Solar Energy (Continued)					
Resource Assessment					
Operating Expenses	3,558	4,268	2,000	-1,558	-2,268
Capital Equipment	392	397	0	-392	-397
Total, Resource Assessment	3,950	4,665	2,000	-1,950	-2,665
National Renewable Energy Laboratory					
Capital Equipment	1,548	380	380	-1,168	0
Construction:					
GP-C-002, General Plant Projects	1,665	120	120	-1,545	0
96-E-100, Field Test Laboratory Building (FTLB) Renovation and Expansion	0	5,500	0	0	-5,500
95-E-103, South Table Mountain Site Infrastructure	2,750	0	0	-2,750	0
Total, Construction	4,415	5,620	500	-4,295	-5,500
Total, National Renewable Energy Laboratory	5,963	6,000	500	-5,463	-5,500
Program Direction, Operating Expenses	8,200	9,460	5,500	-2,700	-3,960
Subtotal, Solar Energy	292,182	331,311	139,897	-152,285	-191,414
Review of Uncosted Balances	0	-4,888	-4,888	-4,888	0
Total, Solar Energy	*292,182*	*326,423*	*135,009*	*-157,173*	*-191,414*
Geothermal Energy					
Operating Expenses:					
Geothermal Technology Development	35,921	36,130	20,050	-15,871	-16,080
Program Direction	1,000	1,000	850	-150	-150
Total, Operating Expenses	36,921	37,130	20,900	-16,021	-16,230
Capital Equipment	886	397	0	-886	-397
Review of Uncosted Balances	0	-555	-555	-555	0
Total, Geothermal Energy	37,807	36,972	20,345	-17,462	-16,627

DEPARTMENT OF ENERGY
(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
SOLAR AND RENEWABLE ENERGY (Page 3 of 5)					
Hydrogen Research and Development, Operating Expenses	9,616	7,334	25,000	+15,384	+17,666
Hydropower					
Operating Expenses:					
Hydropower Development	4,756	904	0	-4,846	-904
Program Direction	90	90	0	-90	-90
Review of Uncosted Balances	0	-14	0	0	+14
Total, Hydropower	4,846	980	0	-4,846	-980
Electric Energy Systems and Storage					
Operating Expenses:					
Electric Energy Systems					
Electric Field Effects	13,462	9,924	9,924	-3,538	0
Reliability Research	5,962	6,153	0	-5,962	-6,153
Systems and Materials Research	18,270	24,712	18,270	0	-6,442
Program Direction	850	850	800	-50	-50
Review of Uncosted Balances	0	-615	-615	-615	0
Total, Electric Energy Systems	38,544	41,024	28,379	-10,166	-12,645
Energy Storage Systems					
Battery Storage	5,482	5,656	5,656	+174	0
Program Direction	350	350	350	0	0
Review of Uncosted Balances	0	-88	-88	-88	0
Total, Electric Energy Systems	5,832	5,918	5,918	+86	0
Total, Electric Energy Systems and Storage	44,376	47,942	34,297	-10,079	-12,645
Policy and Management-Energy Efficiency and Renewable Energy	4,817	4,746	2,800	-2,017	-1,946
Total, Solar and Renewable Energy	*393,644*	*423,397*	*235,451*	*-158,193*	*-187,946*

SOLAR AND RENEWABLE ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Solar and Renewable Energy: -$187,946,000 to FY 1996 request

- -$4,657,000 for Solar Buildings Technology Research to terminate program.

- -$23,000,000 for Photovoltaic Energy Systems to provide an increase of $1,000,000 to Fundamental Research to continue cooperating in photovoltaic-related research projects with the Basic Energy Sciences Program, and to delete funding for Collector Research and Systems Development systems evaluation and deployment activity (-$14,000,000), market mobilization efforts (-$18,000,000), and design services (-$2,000,000). This will provide $51,159,000 to fund Fundamental Research ($18,741,000) at an $11,000,000 increase above the FY 1996 request, and to fund Advanced Materials and Devices ($24,812,000) and the Photovoltaic Manufacturing Project ($17,606,000) at the FY 1996 request level.

- -$6,201,000 for Solar Thermal Energy Systems to reduce funding for Commercial Applications (-$5,471,000), except for testing of Phase II 25 kWe dish/engine systems ($10,619,000), full-scale testing of Solar Two plant ($2,100,000) and continuation of Phase II of heliostat contracts for low-cost solar collectors ($3,100,000); and to reduce funding for Solar Industrial Applications (-$2,830,000) by eliminating funding for solar equipment demonstrations and international marketing (-$800,000), other Federal demonstration agency projects (-$800,000), and State and utility demonstration projects (-$1,230,000).

- -$33,743,000 for Biofuels Energy Systems to delete all funding to subsidize: (1) existing thermochemical biomass plants (-$2,000,000); (2) new biomass thermochemical conversion facilities (-$20,000,000); (3) new biomass gasifiers/electric generation systems (-$9,226,000); (4) municipal solid waste bioprocessing projects (-$3,077,000); (5) special-interest involvement in the evaluation of proposals and projects (-$1,000,000); (6) deployment of commercial biochemical conversion plants (-$2,500,000) and (7) the Regional Biomass Program (-$3,940,000). The Committee recommendation provides $16,060,000 for Biochemical Conversion scientific research and technology development, an increase of $8,000,000 above the FY 1996 request.

- -$39,431,000 for Wind Energy Systems to fund Applied Research at FY 1996 request level ($8,900,000), and to delete funding for the Utility and Industry Programs (-$39,431,000), which subsidize utilities and other special interests.

- -$29,154,000 for Solar International Program to terminate corporate and special-interest subsidies.

- -$17,758,000 for Solar Technology Transfer to terminate program, which subsidizes corporate and special interests and duplicates information dissemination activities of program offices.

- -$7,345,000 for Solar Program Support to terminate program, which subsidizes utilities and other special interests. (This program also includes the Renewable Energy Production Incentive ($2,988,000 request in FY 1996).)

- -$2,665,000 for Resource Assessment.

SOLAR AND RENEWABLE ENERGY (Page 5 of 5)

SOLAR AND RENEWABLE ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$5,500,000 for Project 96-E-100, Field Test Laboratory Building (FTLB), National Renewable Energy Laboratory, due to reduced level of effort.
- -$3,960,000 for Solar Program Direction for reduced level of effort.
- -$16,627,000 for Geothermal Energy to delete funding for corporate and special-interest subsidies for international marketing (-$1,000,000), Kalina Cycle (-$8,080,000), "market mobilization programs" (-$7,000,000), and capital equipment (-$397,000); and to reduce Program Direction to reflect reduced level of effort (-$150,000).
- -$980,000 for Hydropower to terminate program.
- +$17,666,000 for Hydrogen Research and Development consistent with H.R. 655, which passed the House on May 2, 1995.
- -$12,645,000 for Electric Energy Systems, including -$6,153,000 for Reliability Research to terminate work that represents a subsidy to utilities, -$6,442,000 for Systems and Materials Research to maintain FY 1995 level of effort; and -$50,000 for Program Direction for reduced level of effort.
- -$1,946,000 for Policy and Management-Energy Efficiency and Renewable Energy to reflect lower level of effort.

DEPARTMENT OF ENERGY
(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
NUCLEAR ENERGY (Page 1 of 4)					
Nuclear Energy R&D					
Light Water Reactors, Operating Expenses	64,329	49,740	63,740	-589	+14,000
Advanced Reactor R&D, Operating Expenses	19,948	0	25,000	+5,052	+25,000
Space Power Reactor Systems, Operating Expenses	1,224	0	0	-1,224	0
Advanced Radioisotope Power Systems					
Operating Expenses	58,040	48,337	47,612	-10,428	-725
Capital Equipment	1,854	900	900	-954	0
Total, Advanced Radioisotope Power Systems	59,894	49,237	48,512	-11,382	-725
Facilities, Operating Expenses	7,027	0	0	-7,027	0
Nuclear Technology R&D, Operating Expenses	0	37,300	35,810	+35,810	-1,490
Program Direction, Operating Expenses	12,500	13,000	8,000	-4,500	-8,000
Policy and Management-Nuclear Energy, Operating Expenses	11,900	10,200	5,000	-6,900	-5,200
Test Reactor Area (TRA) Hot Cells					
Operating Expenses	1,230	1,200	1,200	-30	0
Capital Equipment	200	200	200	0	0
Total, TRA Hot Cells	1,430	1,400	1,400	-30	0
Oak Ridge Landlord*					
Operating Expenses	10,016	12,449	0	-10,016	-12,449
Capital Equipment	1,981	2,981	0	-1,981	-2,981
Construction, GPN-103, General Plant Projects	2,255	3,255	0	-2,255	-3,255
Total, Oak Ridge Landlord*	14,252	18,685	0	-14,252	-18,685

*Management and funding transferred to the Office of Environmental Management.

DEPARTMENT OF ENERGY
(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
NUCLEAR ENERGY (Page 2 of 4)					
Nuclear Energy R&D (Continued):					
TRA Landlord, Idaho National Engineering Laboratory*					
Operating Expenses	1,487	1,085	0	-1,487	-1,085
Capital Equipment	0	285	0	0	-285
Construction:					
GPN-102, General Plant Projects	750	730	0	-750	-730
95-E-201, TRA Fire and Safety Improvements	1,722	1,900	0	-1,722	-1,900
Total, Construction	2,472	2,630	0	-2,472	-2,630
Total, TRA Landlord*	3,959	4,000	0	-3,959	-4,000
Advanced Test Reactor (ATR) Fusion Irradiations,					
Operating Expenses	2,683	2,303	2,303	-380	0
University Nuclear Science and Reactor Support,					
Operating Expenses	0	6,130	6,130	+6,130	0
Total, Nuclear Energy Research and Development	*199,146*	*191,995*	*195,895*	*-3,251*	*+3,900*

*Management and funding transferred to the Office of Environmental Management.

DEPARTMENT OF ENERGY
(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
NUCLEAR ENERGY (Page 3 of 4)					
Termination Costs					
Operating Expenses	63,000	76,000	68,550	+5,550	-7,450
Capital Equipment	1,000	3,000	3,000	+2,000	0
Construction:					
GPN-102, General Plant Projects, Argonne National Laboratory (ANL)-West, Idaho	2,194	1,000	1,000	-1,194	0
95-E-207, Modifications to Reactors, Experimental Breeder Reactor-II (EBR-II)Sodium Processing Facility, ANL-West, Idaho	1,500	1,700	1,700	+200	0
92-E-200, Modifications to Reactors, EBR-II Fuel Handling Major Maintenance, ANL-West, Idaho	2,011	0	0	-2,011	0
Total, Construction	5,705	2,700	2,700	-3,005	0
Total, Termination Costs	69,705	81,700	74,250	+4,545	-7,450
Isotope Support, Operating Expenses	19,493	25,358	25,303	+5,810	-55
Soviet-Designed Reactor Safety, Operating Expenses	0	78,764	0	0	-78,764
Russian Replacement Power Initiative, Operating Expenses	0	5,000	0	0	-5,000
Total, Nuclear Energy	*288,344*	*382,817*	*295,448*	*+7,104*	*-87,369*

NUCLEAR ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Nuclear Energy: -$87,369,000 to FY 1996 request

- +$14,000,000 for Light Water Reactors to provide $14,000,000 for the AP600 light water reactor. Bill language is included (section 4(d)), which states that funds appropriated for the AP600 light water reactor shall be available only to the extent that matching private sector funds are provided for such project, and subject to the condition that such Federal funds shall be repaid to the United States out of royalties on the first commercial sale of such reactor design (section 4(b)).

- +$25,000,000 for Advanced Reactor R&D for the Gas Turbine-Modular Helium Reactor (GT-MHR). Bill language (Section 4(b)) is included that provides that none of these funds may be available for obligation for expenditure, except for termination of such reactor, until the National Academy of Sciences has conducted a detailed review of the economic and technical issues related to such reactor, and has reported to the Department of Energy, the Committee on Science of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate that such reactor warrants funding within the civilian nuclear energy budget of the Department.

- -$725,000 to Advanced Radioisotope Power Systems.

- -$1,490,000 for Nuclear Technology R&D.

- -$5,000,000 for Program Direction to reflect lower funding levels.

- -$5,200,000 for Policy and Management-Nuclear Energy to eliminate duplication and overlap with Program Direction, and the Department's Office of Policy.

- -$18,685,000 for Oak Ridge Landlord to transfer management and funding to the Office of Environmental Management.

- -$4,000,000 for TRA Landlord, Idaho Nuclear Engineering Laboratory, to transfer management and funding to the Office of Environmental Management.

- -$7,450,000 for Termination Costs to initiate Gas Turbine-Modular Helium Reactor program closeout activities (-$7,250,000), and for DOE Strategic Realignment Savings Amendment (-$200,000).

- -$55,000 for Isotope Support for DOE Strategic Realignment Savings Amendment.

- -$78,764,000 for Soviet-Designed Reactor Safety; funding for this foreign aid program should be provided through U.S. Agency for International Development (AID) as in the past.

- -$5,000,000 for Russian Replacement Power Initiatives; funding for this foreign aid program should be provided through U.S. Agency for International Development (AID) as in the past.

DEPARTMENT OF ENERGY
(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
CIVILIAN RADIOACTIVE WASTE RESEARCH AND DEVELOPMENT (Page 1 of 1)					
Operating Expenses:					
Spent Fuel Storage R&D	582	589	0	-582	-589
Program Direction	110	110	0	-110	-110
Total, Civilian Radioactive Waste Research and Development	*692*	*699*	*0*	*-692*	*-699*

CIVILIAN RADIOACTIVE WASTE RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

Civilian Radioactive Waste Research and Development: -$699,000 to FY 1996 request

- -$699,000 for operating expenses to terminate program, which funds the monitoring of casks at the Idaho National Engineering Laboratory containing fuel for dry storage demonstration projects and participation in a DOE/industry/utility research, development, and demonstration project to develop a dry spent fuel transfer system and a transport/storage system as an alternative method of providing additional spent fuel storage at nuclear power plant sites. The program is recommended for termination because it represents an inappropriate subsidy to the private sector.

DEPARTMENT OF ENERGY
(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
ENVIRONMENT, SAFETY AND HEALTH (Page 1 of 2)					
Environment Research and Development					
Environment	14,190	7,200	7,200	-6,990	0
Worker Health and Safety	25,011	29,415	25,011	0	-4,404
Health Studies	43,472	61,072	43,472	0	-17,600
Oversight	11,750	13,325	11,750	0	-1,575
Planning and Administration					
Operating Expenses:					
Business Performance Systems	3,000	5,000	3,000	0	-2,000
Program Direction	27,817	32,067	23,000	-4,817	-9,067
Total, Operating Expenses	30,817	37,067	26,000	-4,817	-11,067
Capital Equipment	1,500	1,500	1,500	0	0
Total, Planning and Administration	32,317	38,567	27,500	-4,817	-11,067
Total, Environmental Research and Development	126,740	149,579	114,933	-11,807	-34,646
Nuclear Safety Policy	17,180	17,180	13,500	-3,680	-3,680
Total, Environment, Safety and Health	*143,920*	*166,759*	*128,433*	*-15,487*	*-38,326*
(Operating Expenses)	(142,420)	(165,259)	(126,933)	(-15,487)	(-38,326)
(Capital Equipment)	(1,500)	(1,500)	(1,500)	(0)	(0)
(Construction)	(0)	(0)	(0)	(0)	(0)

ENVIRONMENT, SAFETY AND HEALTH FY 1996 BUDGET MARKS' ASSUMPTIONS

Operating Expenses: -$38,326,000 to FY 1996 request

- -$4,404,000 for Worker Health and Safety, -$17,600,000 for Health Studies, -$1,575,000 for Oversight, and -$2,000,000 for Business Performance Systems to maintain FY 1995 level of effort.
- -$9,067,000 for Program Direction to reflect reduced level of funding, and reductions in excessive oversight and contractor support.
- -$3,680,000 for Nuclear Safety Policy for reduction in excessive oversight and reporting requirements.

DEPARTMENT OF ENERGY
(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
BIOLOGICAL AND ENVIRONMENTAL RESEARCH (Page 1 of 2)					
Operating Expenses:					
Analytical Technology	8,706	8,880	8,380	-326	-500
Environmental Research	44,400	50,100	37,025	-7,375	-13,075
Health Effects	36,921	33,092	33,092	-3,829	0
General Life Sciences	108,894	113,647	113,647	+4,753	0
Medical Applications	48,132	38,900	38,900	-9,232	0
Carbon Dioxide Research	86,848	88,400	56,255	-30,593	-32,145
Program Direction	7,500	7,600	7,000	-500	-600
Total, Operating Expenses	341,401	340,619	294,299	-47,102	-46,320
Capital Equipment	24,540	24,000	19,251	-5,289	-4,749
Construction:					
GPE-120, General Plant Projects, Various Locations	3,500	4,450	3,500	0	-950
94-E-338, Human Genome Laboratory, Lawrence Berkeley Laboratory	15,800	5,700	5,700	-10,100	0
94-E-336, Structural Biology Facility, Argonne National Laboratory	6,700	4,295	4,295	-2,405	0
94-E-337, ALS Structural Biology Support Facilities, Lawrence Berkeley Laboratory	4,700	2,600	2,600	-2,100	0
91-EM-100, Environmental Molecular Sciences Laboratory, Pacific Northwest Laboratory	40,000	50,000	40,000	0	-10,000
Total, Construction	70,700	67,045	56,095	-14,605	-10,950
Total, Biological and Environmental Research	*436,641*	*431,664*	*369,645*	*-66,996*	*-62,019*

BIOLOGICAL AND ENVIRONMENTAL RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Analytical Technology: -$500,000 to FY 1996 request

- -$500,000 for Measurement Science for development new technology for study of ocean environments. This work has limited relevance to DOE missions.

Environmental Research: -$13,075,000 to FY 1996 request

- -$600,000 in Atmospheric Science for initiation of field experiments in the Pacific Ocean region; -$7,155,000 in Marine Transport for Ocean Margins Program; and -$5,320,000 in Ecosystem Functioning and Response for research on the potential ecological consequences of human-induced climate change. This research has limited relevance to DOE missions.

Carbon Dioxide Research: -$21,289,000 to FY 1996 request

- -$1,500,000 for Core Program for FACE (Free-Air Carbon Dioxide Enrichment) experiments in a forest ecosystems with USDA; -$4,469,000 for Oceans Research for World Ocean Circulation Experiment; -$1,000,000 for Unmanned Aerospace Vehicles; and -$3,319,000 for Global Change Integrated Assessment. This research has limited relevance to DOE missions.

- -$10,857,000 for Computer Hardware, Advanced Mathematics and Model Physics (CHAMMP) to eliminate duplicative an redundant program that is developing more climate system models.

- -$11,000,000 for National Institute for Global Environmental Change (NIGEC). NIGEC, a global change research program operated for DOE by the University of California through a Cooperative Agreement, was established in 1989 in response to a Congressional earmark directing that such an institute be established at the University of California, Davis. Since then, Congress has earmarked funding for NIGEC in the Biological and Environmental Research budget and has specified the creation of six regional centers (Harvard University, Indiana University, University of Alabama, Tulane University, University of Nebraska, and University of California, Davis). This also research has limited relevance to DOE missions.

Program Direction: -$600,000 to FY 1996 request

- -$600,000 for Program Direction for reduced level of effort.

Capital Equipment: -$606,000 to FY 1996 request

- -$606,000 for global climate change capital equipment.

Construction: -$10,950,000 to FY 1996 request

- -$950,000 for Project GPE-120, General Plant Projects, and -$10,000,000 for Project 91-EM-100, Environmental Molecular Sciences Laboratory, Pacific Northwest Laboratory, to maintain FY 1995 level of effort.

DEPARTMENT OF ENERGY
(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
FUSION ENERGY (Page 1 of 3)					
Magnetic Fusion Energy					
Operating Expenses:					
Confinement Systems	187,857	131,492			
Development and Technology	89,026	100,400			
Applied Plasma Physics	54,275	48,821			
Planning and Projects	7,364	6,053			
Program Direction	9,600	9,600			
Total, Operating Expenses	348,122	286,766			
Capital Equipment	9,599	11,779			
Construction:					
GPE-900, General Plant Projects, Various Locations	2,000	1,000	1,000	-1,000	0
94-E-200, Tokamak Physics Experiment, Princeton Plasma Physics Laboratory	0	49,900	0	0	-49,900
Total, Construction	2,000	50,900	1,000	-1,000	-49,900
Total, Magnetic Fusion Energy	*359,721*	*359,045*	*221,144*	*-138,577*	*-137,901*
Inertial Fusion Energy					
Operating Expenses	8,000	3,100	4,100	-3,900	+1,000
Capital Equipment	700	700	700	0	0
Construction:					
Project 96-E-310, Elise Project, Lawrence Berkeley Laboratory	0	3,200	3,200	+3,200	0
Total, Inertial Fusion Energy	*8,700*	*6,900*	*8,000*	*-700*	*+1,000*
Total, Fusion Energy	*368,421*	*366,045*	*229,144*	*-139,277*	*-136,901*

FUSION ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Magnetic Fusion Energy: -$137,901,000 to FY 1996 request

For well over four decades, researchers have been working to tap the essentially infinite power of fusion, the fundamental energy source of the universe, and have spent some $9 billion in this quest. The program has made great progress, as evidenced by the results achieved by the Tokamak Fusion Test Reactor (TFTR) at Princeton Plasma Physics Laboratory. The program has also established an interesting model for international collaboration through the International Thermonuclear Experimental Reactor (ITER) process.

However, with the program's near-total focus on the tokamak concept, it will require decades of further development and the expenditure of an additional tens of billions of dollars, with no promise that the end product will achieve the levels of economic viability, public acceptance, and regulatory simplicity required of a practical power system. Given the mandate to balance the budget, the Committee is not able to provide funding to support the direction of the fusion program as requested by the Department, which includes funding both the ITER and the Tokamak Physics Experiment (TPX). Budget realities dictate that the Department must develop a revised program strategy for fusion energy at a much reduced level.

The Committee recommendation strongly supports the ITER process, and directs that, within available funds, the Department continue U.S. participation in the Engineering Design Activities phase of ITER, to which the U.S. is committed through fiscal year 1998 under existing international agreements.

The Committee recommendation also supports, to the maximum extent practicable, the maintenance of ITER-relevant experiments on existing devices, including experiments on (1) confinement, pressure limits, power and particle control, and current drive carried out on the DIII-D tokamak, the most productive of the current Department of Energy fusion research facilities supporting ITER; and (2) power and particle control with an ITER-like configuration, radio-frequency wave heating, and confinement in a high-field, high-density plasma on the Alcator-C Mod tokamak. The Committee notes that the DIII-D tokamak facility has the capability to test most of the scientific concepts and related technology that have the potential to lead to smaller, more efficient and higher performance future magnetic fusion energy systems, and that with the planned upgrade of the facility, many of the tokamak improvements planned for the proposed TPX could be tested in the DIII-D tokamak.

The Committee recommendation also supports continued research on alternate (i.e., non-conventional tokamak magnetic fusion devices) concepts at the current level, and does not include any funding—operating, capital equipment, or construction—for the TPX.

The President's Council on Science and Technology (PCAST) is reviewing the program, and the White House Office of Science and Technology has made available a draft of the executive summary of a report prepared by a PCAST panel. The Committee acknowledges receipt of the PCAST panel draft executive summary, but notes that the draft report has not been approved by PCAST, and that the estimated funding level for the budget-constrained program proposed by the panel is not likely to be achieved for the foreseeable future. With funding provided in fiscal year 1996, the Committee also expects the Department to propose a fusion program that supports advancement of key research areas and exploration of alternate concepts at a much smaller scale in laboratories and universities. This program should be developed in consultation with the fusion community and Congress, but with the understanding that future funding levels are unlikely to increase and could well decrease below the fiscal year 1996 recommendation.

FUSION ENERGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Inertial Fusion Energy: +$1,000,000 to FY 1996 Request.

- +$1,000,000 for operating expenses.

DEPARTMENT OF ENERGY
(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
BASIC ENERGY SCIENCES (Page 1 of 3)					
Operating Expenses:					
Materials Sciences	272,319	348,297	348,297	+75,978	0
Chemical Sciences	159,578	181,565	181,565	+21,987	0
Engineering and Geosciences	35,845	39,953	39,153	+3,308	-800
Advanced Energy Projects	10,811	12,026	13,026	+2,215	+1,000
Energy Biosciences	27,936	29,534	28,634	+698	-900
Applied Mathematical Sciences	108,116	108,688	107,070	-1,046	-1,618
Program Direction	9,900	10,000	9,900	0	-100
Education Transition	0	0	24,488	+24,488	+24,488
Total, Operating Expenses	624,505	730,063	752,131	+127,626	+22,068
Capital Equipment	39,056	56,973	53,281	+14,225	-3,692
Construction:					
GPE-400, General Plant Projects, Various Locations	4,500	6,314	4,500	0	-1,814
96-E-305, Accelerator and Reactor Improvements and Modifications, Various Locations	0	12,883	12,883	+12,883	0
95-E-305, Accelerator and Reactor Improvements and Modifications, Various Locations	7,500	0	0	-7,500	0
89-R-402, 6-7 GeV Synchrotron Radiation Source, Argonne National Laboratory	58,379	3,186	3,186	-55,193	0
87-R-405, Combustion Research Facility, Phase II, Sandia National Laboratories, Livermore	0	2,000	2,000	+2,000	0
Total, Construction	70,379	24,383	22,569	-47,810	-1,814
Total, Basic Energy Sciences	*733,940*	*811,419*	*827,981*	*+94,041*	*+16,562*

BASIC ENERGY SCIENCES FY 1996 BUDGET MARKS' ASSUMPTIONS

Operating Expenses: +$22,068,000 to FY 1996 request

- -$800,000 from Geosciences Research for continued participation in the Continental Scientific Drilling Program.

- The Committee recommendation includes an increase of $1,000,000 to Advanced Energy Projects to fund peer-reviewed research on the potential energy applications of sonoluminescence. Sonoluminescence is an effect in which highly concentrated sound waves in liquids generate very short bursts of light from bubbles in the liquid. These bursts occur with very high regularity in time, and in the process energy densities can increase by as much as 12 orders of magnitude, producing extraordinarily high temperatures. While sonoluminescence is not yet understood, calculations have suggested the possibility of its use in inertial confinement fusion applications. While DOE has funded work in this area at a low level for nearly a decade, increased funding is required to understand and exploit the phenomenon.

- -$900,000 from Energy Biosciences for continued participation in the Plant Science Program.

- -$1,618,000 from Advanced Mathematical Sciences for Supercomputer Computations Research Institute.

- -$100,000 from Program Direction to maintain at FY 1995 level.

- +$24,486,000 for an Education Transition line item. The Committee recommends termination of the University and Science Education program, and has included bill language (section 4(a)(16)) that provides that none of the funds authorized by this Act may be used for the University and Science Education program. To ease this funding transition during fiscal year 1996, the Committee recommendation includes one-time funding of $24,486,000 for an Education Transition line item within the Basic Energy Sciences program distributed among the various Department laboratories and facilities, and also includes $700,000 to fund the Einstein Fellows selected for fiscal year 1996. The funding recommendation of $23,786,000 for Department laboratories is to be distributed consistent with pages 604, 605, and 611 of Volume 2 of the Department's fiscal year 1996 budget request documents (DOE/CR-0030, Volume 2 of 5), as follows: $400,000 for Ames Laboratory; $4,292,000 for Argonne National Laboratory (East); $2,092,000 for Brookhaven National Laboratory; $1,211,000 for Fermi National Accelerator Laboratory; $174,000 for Idaho National Engineering Laboratory; $2,600,000 for Lawrence Berkeley Laboratory; $1,000,000 for Lawrence Livermore National Laboratory; $1,208,000 for Los Alamos National Laboratory; $5,500,000 for Oak Ridge Institute for Science and Education; $1,500,000 for Oak Ridge National Laboratory; $1,200,000 for Pacific Northwest Laboratory; $289,000 for Princeton Plasma Physics Laboratory; $100,000 for Savannah River Ecology Laboratory; $70,000 for Savannah River Technology Center; and $2,150,000 for Sandia National Laboratories.

- The Committee recommendation includes $7,000,000 to continue the Department's Experimental Program to Stimulate Competitive Research (EPSCoR) program at the fiscal year 1995 level.

BASIC ENERGY SCIENCES FY 1996 BUDGET MARKS' ASSUMPTIONS

- The Committee has included the budget request of $8,000,000 for research and development and conceptual design activities for a spallation neutron source. The preferred alternative site for the spallation would be Oak Ridge National Laboratory to maximize the use of neutron source design expertise already developed through the preparation of the Advanced Neutron Source conceptual design, and to take advantage of the laboratory's expertise in operating particle accelerators and conducting neutron scattering research. The spallation source research and development effort will make use of the best capabilities in the Department's laboratories, including the Defense Programs' Accelerator Production of Tritium (APT) project at Los Alamos National Laboratory and the expertise at Argonne and Brookhaven National Laboratories.

Capital Equipment: -$3,256,000 to FY 1996 request

- -$775,000 for High Performance Computing and Communications to maintain FY 1995 level.
- -$2,481,000 for non-facility equipment associated with research in the Materials Sciences, Chemical Sciences, Engineering and Geosciences, Advanced Energy Projects, and Energy Biosciences subprograms to maintain FY 1995 level.

DEPARTMENT OF ENERGY
(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
OTHER ENERGY RESEARCH (Page 1 of 4)					
Advanced Neutron Source, Operating Expenses	20,764	0	0	-21,000	0
Energy Research Analyses, Operating Expenses	3,407	3,463	0	-3,407	-3,463
Energy Research Laboratory Technology Transfer	56,900	58,776	0	-56,900	-58,776
Advisory and Oversight Program Direction	12,460	9,780	6,200	-6,260	-3,580
Policy and Management—Energy Research	2,200	2,200	2,200	0	0
Multiprogram Energy Laboratories (MEL)—Facilities Support					
General Purpose Facilities					
Operating Expenses	595	595	595	0	0
Capital Equipment	5,787	5,787	5,787	0	0
Construction:					
GPE-801, General Plant Projects, Various Locations	8,450	8,740	8,740	+290	0
95-E-310, Multiprogram Laboratory Rehabilitation, Phase 1, Pacific Northwest Laboratory (PNL)	400	2,740	2,740	+2,340	0
95-E-303, Electrical Safety Rehabilitation, PNL	240	1,500	1,500	+1,260	0
95-E-302, Applied Science Center, Phase 25, Brookhaven National Laboratory (BNL)	600	3,270	3,270	+2,670	0
95-E-301, Central Heating Plant Rehabilitation, Phase 1, Argonne National Laboratory (ANL)	1,307	2,500	2,500	+1,193	0
94-E-363, Roofing Improvements, Oak Ridge National Laboratory (ORNL)	1,525	2,038	2,038	+513	0
94-E-351, Fuel Storage and Transfer Facility Upgrade, BNL	2,479	440	440	-2,039	0
93-E-325, Potable Water System Upgrade I, BNL	1,863	0	0	-1,863	0
93-E-313, Electrical Systems Upgrade, ANL	2,043	0	0	-2,043	0
93-E-324, Safety Compliance Modifications, Building 326, PNL	1,900	0	0	-1,900	0

DEPARTMENT OF ENERGY
(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
OTHER ENERGY RESEARCH (Page 2 of 4)					
MEL—General Purpose Facilities (Continued)					
92-E-322, East Canyon Electrical Safety Project, Lawrence Berkeley Laboratory (LBL)	1,000	0	0	-1,000	0
Total, Construction	21,807	21,228	21,228	-579	0
Total, MEL—General Purpose Facilities	*28,189*	*27,610*	*27,610*	*-579*	*0*
Environment, Safety & Health Support					
Operating Expenses	6,007	8,157	8,157	+2,150	0
Capital Equipment	500	500	500	0	0
Construction:					
96-E-332, Building 801 Renovations, Brookhaven National Laboratory (BNL)	0	800	800	+800	0
96-E-331, Sanitary Sewer Restoration, Phase I, Lawrence Berkeley Laboratory (LBL)	0	2,400	2,400	+2,400	0
96-E-330, Building Electrical Service Upgrade, Phase I, Argonne National Laboratory (ANL)	0	1,200	1,200	+1,200	0
95-E-309, Loss Prevention Upgrade-Electrical Substation, BNL	600	2,480	2,480	+1,880	0
95-E-308, Sanitary System Modifications, Phase II, BNL	960	1,540	1,540	+580	0
95-E-307, Fire Safety Improvements, Phase III, ANL	210	1,000	1,000	+790	0
93-E-324, Hazardous Materials Safeguards, Phase I, LBL	1,962	1,288	1,288	-674	0
93-E-323, Fire and Safety Systems Upgrade, Phase I, LBL	2,000	1,130	1,130	-870	0
93-E-320, Fire and Safety Improvements, Phase II, ANL	1,500	2,411	2,411	+911	0

DEPARTMENT OF ENERGY
(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
OTHER ENERGY RESEARCH (Page 3 of 4)					
Environment, Safety & Health Support (Continued)					
93-E-317, Life Safety Code Compliance, Pacific Northwest Laboratory (PNL)	506	0	0	-506	0
93-E-315, Roof Replacement, Phase I, BNL	100	0	0	-100	0
Total, Construction	7,838	14,249	14,249	+6,411	0
Total, MEL—Environment, Safety and Health Support	*14,345*	*22,906*	*22,906*	*+8,561*	*0*
Inactive and Surplus Facilities					
Operating Expenses	500	500	500	0	0
Subtotal, MEL—Facilities Support	*43,034*	*51,016*	*51,016*	*+7,982*	*0*
General Reduction	0	0	-11,689	-11,689	-11,689
Total, MEL—Facilities Support	*43,034*	*51,016*	*39,327*	*-3,707*	*-11,689*
Total, Other Energy Research	*138,755*	*125,235*	*47,727*	*-91,028*	*-77,508*

OTHER ENERGY RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

Other Energy Research: -$77,508,000 to FY 1996 request

- -$3,463,000 for Energy Research Analyses to terminate activities that are duplicative of the Advisory and Oversight Program Direction and Program Direction accounts of individual Office of Energy Research Programs.

- -$3,580,000 for Advisory and Oversight Program Direction to terminate activities that are redundant environmental, safety and health departmental oversight and due to the termination of the Energy Research Laboratory Technology Transfer activities.

- -$58,776,000 for Energy Research Laboratory Technology Transfer activities to terminate program, and bill language (section 4(a)(15)) that provides that none of the funds authorized by this Act may be used for Energy Research Laboratory Technology Transfer. Technology transfer activities in energy research should be funded only to the extent that they directly support ongoing energy research programs and can compete for direct program funding. The Committee's recommendation is consistent with the recommendation of the Secretary of Energy Advisory Board Task Force on Alternative Futures for the Department of Energy National Laboratories (Galvin Task Force) that "[d]evelopment of technologies for which private sector companies are the major beneficiary is not an appropriate mission for the national laboratories."

- -$11,689,000 for Multiprogram Energy Laboratories—Facilities Support to maintain program at FY 1994 level.

DEPARTMENT OF ENERGY
(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
ENERGY SUPPORT ACTIVITIES (Page 1 of 1)					
University and Science Education					
Operating Expenses:					
Laboratory Cooperative Science Centers	30,315	30,035	0	-30,315	-30,035
University Programs	27,082	17,377	0	-27,082	-17,377
University Reactor Fuel Assistance*	3,584	0	0	-3,584	0
University Research Instrumentation	5,647	5,647	0	-5,647	-5,647
Program Direction	2,944	2,359	0	-2,944	-2,359
Total, University and Science Education	*69,572*	*55,418*	*0*	*-69,572*	*-55,418*
Technical Information Management Program					
Operating Expenses	14,535	15,350	12,375	-2,160	-2,975
Capital Equipment	589	600	519	-70	-81
Construction, 95-A-500, Heating, Venting, and Air Conditioning Retrofits, Oak Ridge	1,000	1,500	1,500	+500	0
Total, Technical Information Management Program	*16,124*	*17,450*	*14,394*	*-1,730*	*-3,056*
Technology Partnerships, Operating Expenses	*0*	*3,153*	*0*	*0*	*-3,153*
In-House Energy Management					
Operating Expenses	6,029	15,664	0	-6,029	-15,664
Construction, IHE-500, Modifications for Energy Management, Various Locations	24,700	13,125	0	-24,700	-13,125
Total, In-House Energy Management	30,729	28,789	0	-30,729	-28,789
Total, Energy Support Programs	116,425	104,810	14,394	-102,031	-90,416

*Management and funding transferred to Office of Nuclear Energy per the Administration's request.

ENERGY SUPPORT PROGRAMS FY 1996 BUDGET AUTHORIZATION MARKS' ASSUMPTIONS

Energy Support Programs: -$90,416,000 to FY 1996 request

- -$55,418,000 to terminate the University and Science Education program, and bill language (section 4(a)(16)) provides that none of the funds authorized by this Act may be used for the program. The Committee recognizes that certain educational activities, such as graduate fellowships, research appointments and intern programs, are a direct byproduct of the line programs and are, therefore, included in the budget request of those programs. These educational activities are an integral part of these programs and should be continued.

  Other activities funded by the program, however, such as generic precollege education, teacher and university faculty training, science literacy, scientific and technical manpower development, university instrumentation support and fellowship programs (such as the Albert Einstein Distinguished Educator Fellowship) are duplicating efforts of the National Science Foundation. Therefore, the Secretary of Energy is directed to enter into an agreement with the Director of the National Science Foundation, that will make available the Department's facilities for Foundation support of any these generic activities, on a reimbursable basis, that are consistent with the Foundation's mission. As noted on page 24 above, to ease this funding transition during fiscal year 1996, the Committee recommendation includes one-time funding of $24,486,000 for an Education Transition line item within the Basic Energy Sciences program distributed among the various Department laboratories and facilities, and also includes $700,000 to fund the Einstein Fellows selected for fiscal year 1996. The funding recommendation of $23,786,000 for Department laboratories is to be distributed consistent with pages 604, 605, and 611 of Volume 2 of the Department's fiscal year 1996 budget request documents (DOE/CR-0030, Volume 2 of 5), as follows: $400,000 for Ames Laboratory; $4,292,000 for Argonne National Laboratory (East); $2,092,000 for Brookhaven National Laboratory; $1,211,000 for Fermi National Accelerator Laboratory; $174,000 for Idaho National Engineering Laboratory; $2,600,000 for Lawrence Berkeley Laboratory; $1,000,000 for Lawrence Livermore National Laboratory; $1,208,000 for Los Alamos National Laboratory; $5,500,000 for Oak Ridge Institute for Science and Education; $1,500,000 for Oak Ridge National Laboratory; $1,200,000 for Pacific Northwest Laboratory; $289,000 for Princeton Plasma Physics Laboratory; $100,000 for Savannah River Ecology Laboratory; $70,000 for Savannah River Technology Center; and $2,150,000 for Sandia National Laboratories. To ease this funding transition during fiscal year 1996, the Committee recommends one-time funding of $24,600,000 within the Basic Energy Sciences program distributed among the various Department laboratories, including $700,000 to fund the Einstein Fellows selected for fiscal year 1996.

- -$3,056,000 for the Technical Information Management Program (-$2,975,000 for operating expenses and -$81,000 for capital equipment).

- -$3,153,000 for Technology Partnerships to terminate program due to the significant reduction in technology transfer activities throughout the Department.

- -$28,789,000 for In-House Energy Management to terminate program, which has been in existence over twenty years. The Committee recognizes the success of the Department's efforts to incorporate energy efficiency provisions into the operations of its facilities. After twenty years, it appears that energy efficiency is an integral part of the operating philosophy of the Department's facilities; therefore, the Committee does not see the need for a separate funding source for these alternatives.

DEPARTMENT OF ENERGY
(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
ENVIRONMENTAL MANAGEMENT (NON-DEFENSE) (Page 1 of 3)					
Corrective Activities					
Operating Expenses	600	1,065	0	-600	-1,065
Construction:					
92-E-601, Melton Valley Liquid Low-Level Waste Collection and Transfer System Upgrade	9,100	339	339	-8,761	0
88-R-830, Bethel Valley Liquid Low-Level Waste Collection and Transfer System Upgrade, Oak Ridge National Laboratory	17,000	4,000	4,000	-13,000	0
Total, Construction	26,100	4,339	4,339	-21,761	-1,065
Total, Corrective Activities	*26,700*	*5,404*	*4,339*	*-22,361*	*-1,065*
Environmental Restoration, Operating Expenses	*388,597*	*417,758*	*373,400*	*-15,197*	*-44,358*
Waste Management (Non-Defense)					
Operating Expenses	208,842	196,469	190,703	-18,139	-5,766
Capital Equipment	1,831	1,658	3,924	+2,093	+2,266
Construction:					
Oak Ridge Landlord Construction, GPN-103, General Plant Projects*	0	0	2,255	+2,255	+2,255
TRA Landlord, INEL, GPN-102, General Plant Projects*	0	0	730	+730	+730
TRA Landlord, INEL, 95-E-201, TRA Fire and Safety Improvements*	0	0	1,900	+1,900	+1,900
GPE-600, General Plant Projects, Waste Management (Non-Defense), Various Locations	2,040	2,212	2,040	0	-172
95-E-601, Radioactive Waste Handling Facility, Princeton Plasma Physics Laboratory	1,937	0	0	-1,937	0
94-E-601, Waste Handling Building, Fermilab	2,500	0	0	-2,500	0
94-E-602, Bethel Valley Federal Facility Agreement Upgrades, Oak Ridge National Laboratory	7,000	300	300	-6,700	0

*Management and funding transferred from the Office of Nuclear Energy

DEPARTMENT OF ENERGY
(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
ENVIRONMENTAL MANAGEMENT (NON-DEFENSE) (Page 1 of 3)					
Waste Management (Non-Defense)					
Construction (Continued):					
93-E-632, Laboratory Floor Drain Collection System Upgrades, Brookhaven National Laboratory (BNL)	671	0	0	-671	0
93-E-633, Upgrade Sanitary Sewer System, Oak Ridge National Laboratory	4,000	0	0	-4,000	0
93-E-900, Dry Cast Storage, Idaho National Engineering Laboratory	4,910	4,048	4,048	-862	0
91-E-305, Waste Management Facilities Project, BNL	5,160	0	0	-5,160	0
91-E-600, Rehabilitation of Waste Management Building 306, Argonne National Laboratory (ANL)	0	787	787	+787	0
91-E-602, Hazardous, Radioactive, and Mixed Waste Storage Facility, ANL	3,600	0	0		
88-R-812, Hazardous Waste Handling Facility, Lawrence Berkeley Laboratory	625	671	671	+46	0
Total, Construction	32,343	8,018	12,731	-19,612	+4,713
Total, Waste Management (Non-Defense)	***243,016***	***206,145***	***207,358***	***-35,658***	***+1,213***
Nuclear Materials and Facilities Stabilization					
Operating Expenses	72,986	83,483	72,900	-86	-10,583
Capital Equipment	350	200	200	-150	0
Total, Nuclear Materials and Facilities Stabilization	***73,336***	***83,683***	***73,100***	***-236***	***-10,583***
Subtotal, Environmental Management	***731,649***	***712,990***	***658,197***	***-73,452***	***-54,793***
General Reduction to Operating and Capital Equipment	0	0	-14,000	-14,000	-14,000
Total, Environmental Management	***731,649***	***712,990***	***644,971***	***-87,452***	***-68,793***

DEPARTMENT OF ENERGY
(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
ENVIRONMENTAL MANAGEMENT (NON-DEFENSE) (Page 2 of 3)					
Nuclear Materials and Facilities Stabilization					
Operating Expenses	72,986	83,483	70,588	-2,398	-12,895
Capital Equipment	350	200	200	-150	0
Total, Nuclear Materials and Facilities Stabilization	*73,336*	*83,683*	*70,788*	*-2,548*	*-12,895*
Subtotal, Environmental Management	*731,649*	*712,990*	*638,323*	*-93,326*	*-74,667*
(Operating Expenses)	(671,025)	(698,775)	(617,129)	(-53,896)	(-81,646)
(Capital Equipment)	(2,181)	(1,858)	(4,124)	(+1,943)	(+2,266)
(Construction)	(58,443)	(12,357)	(17,070)	(-41,373)	(+4,713)
General Reduction to Operating and Capital Equipment	0	0	-14,000	-14,000	-14,000
Total, Environmental Management	*731,649*	*712,990*	*638,323*	*-107,326*	*-88,667*

ENVIRONMENTAL MANAGEMENT (NON-DEFENSE)

Environmental Management (Non-Defense): -$68,793,000 to FY 1996 Request

- -$1,065,000 for Corrective Activities. Because of the close similarity between Corrective Activities and Waste Management (Non-Defense) programs, the Committee's recommendation combines Corrective Activities operating expenses with Waste Management (Non-Defense). In addition, beginning on fiscal year 1997, all new Corrective Activities' construction projects should be included in the Waste Management (Non-Defense) program.

- -$44,358,000 for Environmental Restoration.

- +$1,213,000 for Waste Management (Non-Defense), including $14,252,000 for Oak Ridge Landlord to transfer management and funding from the Office of Nuclear Energy ($10,016,000 for operating, $1,981,000 for capital equipment, and $2,255,000 for Project GPN-103, General Plant Projects); and $4,000,000 for Test Reactor Area (TRA) Landlord, Idaho National Engineering Laboratory to transfer management and funding from the Office of Nuclear Energy ($1,085,000 for operating, $285,000 for capital equipment, and $730,000 for Project GPN-102, General Plant Projects and $1,900,000 for Project 95-E-201, TRA Fire and Safety Improvements).

- -$10,583,000 for Nuclear Materials and Facilities Stabilization operating.

- -$14,000,000 for general reduction for operating and capital equipment.

DEPARTMENT OF ENERGY
(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
GENERAL SCIENCE AND RESEARCH (Page 1 of 3)					
High Energy Physics					
Operating Expenses:					
Physics Research	139,940	147,155	146,039	+6,099	-1,116
Facility Operations	276,563	280,152	278,027	+1,464	-2,125
High Energy Technology	58,190	67,370	66,695	+8,705	-475
Total, Operating Expenses	474,693	494,677	490,961	+16,268	-3,716
Capital Equipment	57,700	63,230	63,230	+5,530	0
Construction:					
GPE-103, General Plant Projects, Various Locations	12,146	13,845	12,146	0	-1,699
96-G-301, Accelerator and Modifications, Various Locations	0	9,800	9,800	+9,800	0
95-G-301, Accelerator and Modifications, Various Locations	10,590	0	0	-10,590	0
94-G-305, B-Factory, Stanford Linear Accelerator Center	44,000	52,000	52,000	+8,000	0
92-G-302, Fermilab Main Injector, Fermilab	43,000	52,000	52,000	+9,000	0
Total, Construction	109,736	127,645	126,946	+16,210	0
Total, High Energy Physics	*642,129*	*685,552*	*680,137*	*+38,008*	*-5,415*

DEPARTMENT OF ENERGY
(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
GENERAL SCIENCE AND RESEARCH (Page 2 of 3)					
Nuclear Physics					
Operating Expenses:					
Medium Energy Nuclear Physics	124,982	103,918	103,200	-21,782	-718
Heavy Ion Nuclear Physics	61,174	66,800	66,282	+5,108	-518
Low Energy Nuclear Physics	24,596	27,100	26,916	+2,320	-184
Nuclear Theory	14,650	15,500	15,375	+725	-125
Total, Operating Expenses	225,402	213,318	211,773	-13,629	-1,545
Capital Equipment	28,000	28,000	28,000	0	0
Construction:					
GPE-300, General Plant Projects, Various Locations	3,900	4,785	3,900	0	-885
96-G-301, Accelerator Improvements and Modifications, Various Locations	0	4,975	3,200	+3,200	-1,775
95-G-301, Accelerator Improvements and Modifications, Various Locations	3,200	0	0	-3,200	0
91-G-300, Relativistic Heavy Ion Collider, Brookhaven National Laboratory	70,000	70,000	70,000	0	0
87-R-203, Continuous Electron Beam Accelerator Facility, Newport News, VA	1,000	0	0	-1,000	0
Total, Construction	78,100	79,760	77,100	-1,000	-2,660
Total, Nuclear Physics	*331,502*	*321,078*	*316,873*	*-14,629*	*-4,205*
Program Direction, Operating Expenses	10,400	10,900	9,500	-900	-1,400
Total, GENERAL SCIENCE AND RESEARCH	*984,031*	*1,017,530*	*1,006,510*	*+22,479*	*-11,020*

GENERAL SCIENCE AND RESEARCH FY 1996 BUDGET MARKS' ASSUMPTIONS

High Energy Physics: -$5,415,000 to FY 1996 Request

- -$3,716,000 for DOE Strategic Realignment Amendment Savings: -$1,116,000 for Physics Research, -$2,125,000 for Facility Operations, and -$475,000 for High Energy Technology.
- -$1,699,000 for Project GPE-103, General Plant Projects, Various Locations, to maintain FY 1995 level.
- The Committee's recommendation includes $6,000,000 ($4,800,000 for High Energy Technology Operating and $1,200,000 for capital equipment) for initiation of collaborative activities with the European Organization for Nuclear Research (CERN) on the Large Hadron Collider (LHC) project. Bill language is also included that directs the Secretary of Energy, in consultation with the Director of the National Science Foundation, to enter into negotiations with CERN concerning U.S. participation in the planning of the LHC (section 9(a)).

Nuclear Physics: -$4,205,000 to FY 1996 request

- -$1,545,000 for DOE Strategic Realignment Amendment Savings: -$718,000 for Medium Energy Research, -$518,000 for Heavy Ion Nuclear Physics, -$184,000 for Low Energy Nuclear Physics, and -$125,000 for Nuclear Theory.
- -$2,660,000 for construction, including -$885,000 for Project GPE-300, General Plant Projects, Various Locations, and -$1,775,000 for Project 96-301, Accelerator Improvements and Modifications, Various Locations to maintain FY 1995 level of effort.

Program Direction: -$1,400,000 to FY 1996 request

DEPARTMENT OF ENERGY
(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
FOSSIL ENERGY (Page 1 of 6)					
Coal					
Advanced Clean Fuels Research					
Coal Preparation	7,171	4,910	4,511	-2,660	-399
Direct Liquefaction	9,797	5,080	0	-9,797	-5,080
Indirect Liquefaction	12,583	5,836	0	-12,583	-5,836
Advanced Research and Environmental Technology	3,989	746	739	-3,250	-7
Systems for Coproducts	4,981	0	0	-4,981	0
Total, Advanced Clean Fuels Research	38,521	16,572	5,250	-33,271	-11,322
Advanced Clean/Efficient Power Systems					
Advanced Pulverized Coal-Fired Powerplant	7,466	5,000	3,300	-4,166	-1,700
Indirect Fired Cycle	11,800	11,900	8,043	-3,757	-3,857
High Efficiency-Integrated Gasification Combined Cycle	27,514	24,500	0	-27,514	-24,500
High Efficiency-Pressurized Fluidized Bed	25,226	19,500	0	-25,226	-19,500
Advanced Research and Environmental Technology	18,508	12,484	12,359	-6,149	-125
Total, Advanced Clean/Efficient Power Systems	90,514	73,384	23,702	-66,812	-49,682
Advanced Research and Technology Development (AR&TD)					
Coal Utilization Science	3,134	3,149	3,118	-16	-31
Materials and Components	8,758	7,332	7,259	-1,499	-73
Technology Crosscut					
Environmental Activities	1,814	2,511	2,241	+427	-270
Technical and Economic Analysis	686	964	0	-686	-964
International Program Support	1,302	1,308	0	-1,302	-1,308
Coal Technology Export	819	1,191	0	-819	-1,191
Instrumentation and Diagnosis	964	500	495	-469	-5
Bioprocessing of Coal	1,928	1,000	990	-938	-10
Total, Technology Crosscut	7,513	7,474	3,726	-3,787	-3,748
University/National Laboratory Coal Research	5,953	6,970	6,900	+947	-70
Total, AR&TD	25,358	24,925	21,003	-4,355	-3,922
Total, Coal	*154,393*	*114,881*	*49,955*	*-104,438*	*-64,926*

DEPARTMENT OF ENERGY
(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
FOSSIL ENERGY (Page 2 of 6)					
Oil Technology					
Exploration and Production Supporting Research	36,093	41,348	22,160	-13,933	-19,188
Recovery Field Demonstrations	33,911	28,369	8,100	-25,811	-20,269
Exploration and Production Environmental Research	4,775	7,056	6,241	+1,466	-815
Processing Research and Downstream Operations	6,929	10,000	6,733	-196	-3,267
Total, Oil Technology	*81,708*	*86,773*	*43,234*	*-38,474*	*-43,539*
Gas					
New Gas Program					
Resource and Extraction	20, 703	33,001	13,086	-7,617	-19,915
Delivery and Storage	1,066	3,071	0	-1,066	-3,071
Advanced Turbine Systems	37,674	43,970	10,300	-27,374	-33,670
Utilization	4,263	4,934	0	-4,263	-4,934
Environmental Research/Regulatory Impact Analysis	2,985	5,405	4,985	+2,000	-420
Total, New Gas Program	66,691	90,381	28,371	-38,320	-62,010
Fuel Cells					
Advanced Research	1,456	1,317	1,304	-152	-13
Climate Change Action Plan	0	8,000	0	0	-8,000
Molten Carbonate Systems	29,983	30,067	14,235	-15,748	-15,832
Advanced Concepts	18,143	16,080	15,919	-2,224	-161
Total, Fuel Cells	49,582	55,464	31,458	-18,124	-24,006
Total, Gas	*116,273*	*145,845*	*59,829*	*-56,444*	*-86,016*
Program Direction and Management Support					
Headquarters Program Direction	12,969	13,621			
Energy Technology Center (ETC) Program Direction	59,294	56,276			
Total, Program Direction and Management Support	*72,263*	*69,897*	*45,535*	*-26,728*	*-24,362*

DEPARTMENT OF ENERGY
(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
FOSSIL ENERGY (Page 3 of 6)					
Plant and Capital Equipment					
Capital Equipment	776	1,701	476	-300	-1,225
Construction, GP-F100, General Plant Projects for ETCs	4,234	2,304	1,994	-2,240	-310
Total, Plant and Capital Equipment	*5,010*	*4,005*	*2,470*	*-2,540*	*-1,535*
Cooperative R&D	*9,082*	*0*	*7,557*	*-1,525*	*+7,557*
Fossil Energy Environmental Restoration	*16,431*	*18,919*	*12,370*	*-4,061*	*-6,569*
Fuels Conversion, Natural Gas, and Electricity	*3,007*	*2,687*	*0*	*-3,007*	*-2,687*
Total, Fossil Energy Research and Development	*458,167*	*443,007*	*220,950*	*-237,217*	*-222,057*

FOSSIL ENERGY RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

Coal: -$64,926,000 to FY 1996 request

- -$399,000 for Coal Preparation to delete funding to continue in-house activities to assess deeply beneficiated coal-based fuels for integration into advanced power systems being developed and provide project management support (-$350,000); and to delete funding for technical and project management support (-$49,000).
- -$5,080,000 for Direct Liquefaction to terminate program.
- -$5,836,000 for Indirect Liquefaction to terminate program.
- -$7,000 for Advanced Clean Fuels Research Advanced Research and Environmental Technology for technical and program management support.
- -$1,700,000 for Advanced Pulverized Coal-Fired Powerplant to provide $3,300,000—and a total of $6,600,000 if 50-percent cost-sharing is obtained.
- -$3,857,000 for Indirect Fired Cycle to provide $8,043,000—and a total of $16,086,000, if 50-percent cost-sharing is obtained.
- -$24,500,000 for High Efficiency-Integrated Gasification Combined Cycle to terminate program, which subsidizes ongoing Clean Coal Technology Program projects.
- -$19,500,000 for High Efficiency-Pressurized Fluidized Bed (PFB) to terminate program, which subsidizes ongoing Clean Coal Technology Program projects.
- -$125,000 for Advanced Clean/Efficient Power Systems Advanced Research and Environmental Technology to delete funding for technical and project management support (-$125,000).
- -$31,000 for Coal Utilization Science for technical and program management support.
- -$73,000 for Materials and Components for technical and program management support.
- -$270,000 for Environmental Activities to delete NEPA and other support to field offices.
- -$964,000 for Technical and Economic Analysis to terminate program, which subsidizes corporate and other special interests.
- -$1,308,000 for International Program Support to terminate program, which subsidizes corporate and other special interests.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$1,191,000 for Coal Technology Export to terminate program.
- -$5,000 for Instrumentation and Diagnostics for technical and program management support.
- -$10,000 for Bioprocessing of Coal for technical and program management support.
- -$70,000 for University/National Laboratory Coal Research for technical and program management support.

Oil: -$43,639,000 to FY 1996 request

- -$19,188,000 for Exploration and Production Supporting Research Resource and Extraction to provide $22,160,000 to fund Extraction at the FY 1996 request ($8,520,000);, and to fund (1) Reservoir Characterization ($3,875,000), (2) Multi National Laboratory/Industry Partnership and National Laboratory Supporting R&D ($5,700,000), and (3) Advanced Computational Technology Initiative ($4,065,000) at the FY 1995 level.
- -$20,269,000 for Recovery Field Demonstrations to provide $8,100,000 in FY 1996 requested funding for completion of Class 2 projects ($3,100,000) and for continuation of ongoing Class 3 projects ($5,000,000).
- -$815,000 for Exploration and Production Environmental Research to fund Risk Assessment and other relevant activities.
- -$3,267,000 for Processing Research and Downstream Operations to provide $8,733,000 to maintain FY 1995 level of funding for Pollution Prevention ($4,433,000), Environmental Compliance ($1,387,000), and Upgrading Technology Development ($913,000).
- Bill language provides for maintenance of programs at the National Institute for Petroleum and Energy Research.

Gas: -$86,016,000 to FY 1996 request

- -$19,915,000 for Resource and Extraction to provide $13,086,000 to fund, at the FY 1995 level, (1) Drilling, Completion, and Stimulation ($4,824,000), (2) Low-Permeability Formations ($4,777,000), and (3) the Advanced Computational Technology Initiative ($3,485,000).
- -$3,071,000 to terminate Delivery and Storage, which subsidizes corporate and special interests.
- -$33,870,000 for Advanced Turbine Systems to provide $10,300,000 to fund Technology Development at the FY 1995 level, including maintenance of funding at the FY 1995 for the university consortium.
- -$4,934,000 to terminate Utilization, which subsidizes corporate and special interests.
- -$420,000 for Environmental Research/Regulatory Impact Analysis.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$13,000 for Fuel Cells Advanced Research for technical and program management support.
- -$8,000,000 to terminate Fuel Cells Climate Action Plan, which subsidizes corporate and special interests.
- -$15,832,000 for Molten Carbonate Systems to provide $14,235,000 for one contractor.
- -$161,000 for Advanced Concepts to provide $15,919,000 for last year of funding for five-year cost-shared cooperative agreement for development of the tubular solid oxide fuel cell.

Program Direction and Management Support: -$24,362,000 to FY 1996 request

- -$24,362,000 to reflect the lower level of effort.

Plant and Capital Equipment: -$1,535,000 to FY 1996 request

- -$1,535,000 to provide $2,470,000 in centralized funding for capital equipment ($476,000), and for General Plant Projects (1,994,000) in all Fossil Energy R&D activities conducted at the Energy Technology Centers, National Laboratories, and Bartlesville Project Office at the FY 1995 level.

Cooperative R&D: +$7,557,000 to FY 1996 request

- +$7,557,000 to maintain funding of Western Research Institute and North Dakota Energy and Environmental Research Center at FY 1995 levels ($3,779,000 and 3,778,000, respectively).

Fossil Energy Environmental Restoration: -$6,569,000 to FY 1996 request

- -$6,569,000 to maintain funding at FY 1995 level, after subtracting $3,701,000 for one-time Magnetohydrodynamics Closeout and Cleanup Actions, and -$360,000 for DOE Strategic Realignment Budget Amendment Savings.

Fossil Conversion, Natural Gas, and Electricity: -$2,687,000 to FY 1996 request

- -$2,687,000 to terminate regulatory program.

DEPARTMENT OF ENERGY
(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
CLEAN COAL TECHNOLOGY (Page 1 of 1)					
Cooperative Agreements	37,121	26,981	0	-37,121	-26,981
Program Direction	0	18,000	0	0	-18,000
Total, Clean Coal Technology	***37,121***	***44,981***	***0***	***-37,121***	***-44,981***

CLEAN COAL TECHNOLOGY FY 1996 BUDGET MARKS' ASSUMPTIONS

Clean Coal Technology: -$44,981,000 to FY 1996 request

- -$44,981,000 to prevent further appropriations for the Program.
- Bill language is also included (section 12) that provides that unobligated funds previously appropriated for the Clean Coal Technology Program may be used to pay costs associated with the termination of Energy Supply Research and Development, General Science and Research, Fossil Energy Research and Development, and Energy Conservation Research and Development programs, projects, and activities of the Department.

DEPARTMENT OF ENERGY
(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
ENERGY CONSERVATION RESEARCH AND DEVELOPMENT (Page 1 of 5)					
Buildings Sector					
Operating Expenses:					
Building Systems	21,502	46,998	10,215	-11,287	-36,783
Building Envelope	9,617	11,999	7,060	-2,557	-4,939
Building Equipment	25,616	27,542	14,360	-11,256	-13,182
Codes and Standards	22,516	24,599	701	-21,815	-23,898
Federal Energy Management Program	23,472	25,408	16,968	-6,504	-8,440
Implementation and Deployment	1,370	6,032	0	-1,370	-6,032
Management and Planning	9,583	10,300	4,000	-5,583	-6,300
Total, Operating Expenses	113,676	152,878	53,304	-60,372	-99,574
Capital Equipment	1,960	1,924	1,770	-190	-154
Total, Buildings Sector	*115,636*	*154,802*	*55,074*	*-60,562*	*-99,728*
Industry Sector					
Operating Expenses:					
Cogeneration	27,809	34,488	7,200	-20,609	-27,288
Electric Drives	5,500	8,882	2,900	-2,600	-5,982
Process Heating and Cooling	7,814	4,588	1,938	-5,876	-2,650
Industrial Wastes	26,209	29,660	16,738	-9,471	-12,922
Municipal Solid Wastes	2,737	2,660	0	-2,737	-2,660
Materials and Metals Processing	22,517	25,070	11,100	-11,417	-13,970
Other Process Efficiency	18,907	27,757	10,643	-8,264	-17,114
Implementation and Deployment	12,995	29,722	0	-12,995	-29,722
Management and Planning	7,130	8,000	3,000	-4,130	-5,000
Total, Operating Expenses	132,618	170,847	53,519	-79,099	-117,328
Capital Equipment	2,575	2,020	1,591	-984	-429
Total, Industry Sector	*135,193*	*172,867*	*55,110*	*-80,083*	*-117,757*

DEPARTMENT OF ENERGY
(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
ENERGY CONSERVATION RESEARCH AND DEVELOPMENT (Page 2 of 5)					
Transportation Sector					
Operating Expenses:					
Alternative Fuels Utilization	52,455	55,578	0	-52,455	-55,578
Materials Technology	33,729	39,147	35,750	+2,021	-3,397
Heat Engine Technologies	18,208	24,066	8,000	-10,208	-16,066
Electric and Hybrid Propulsion Development	89,855	129,395	63,175	-126,680	-66,220
Implementation and Deployment	2,196	3,375	0	-2,196	-3,375
Management and Planning	8,421	9,200	4,000	-4,421	-5,200
Total, Operating Expenses	204,864	260,761	110,925	-93,939	-149,836
Capital Equipment	1,393	1,547	1,198	-195	-349
Total, Transportation Sector	*206,257*	*262,308*	*112,123*	*-94,134*	*-150,185*
Utility Sector					
Operating Expenses:					
Integrated Resource Planning	8,756	9,930	0	-8,756	-9,930
District Heating and Cooling	0	0	0	0	0
Total, Utility Sector	*8,756*	*9,930*	*0*	*-8,756*	*-9,930*
Technical and Financial Assistance (Non-Grants)					
Operating Expenses:					
International Market Development	2,907	5,134	0	-2,907	-5,134
Inventions and Innovations Program	5,799	8,782	0	-5,799	-8,782
Municipal Energy Management	1,848	1,843	0	-1,848	-1,843
Information and Communications	1,915	1,640	0	-1,915	-1,640
Management	27,890	28,056	7,813	-20,077	-20,243
Total, Technical and Financial Assistance (Non-Grants)	*40,359*	*45,435*	*7,813*	*-32,546*	*-37,622*
Policy and Management—EC	*8,342*	*11,332*	*0*	*-8,342*	*-11,332*
Total, Energy Conservation Research and Development	514,543	656,674	230,120	-284,423	-426,554

ENERGY CONSERVATION RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

Buildings Sector: -$99,729,000 to FY 1996 request

- -$36,783,000 for Building Systems to maintain National Laboratory funding at FY 1996 request level ($10,215,000).
- -$4,939,000 for Building Envelope to maintain National Laboratory funding at FY 1996 request level ($7,060,000).
- -$13,182,000 for Building Equipment to maintain National Laboratory funding at FY 1996 request level ($14,360,000).
- -$23,898,000 for Codes and Standards to terminate program funding of command-and-control regulatory program, except for continued support for voluntary efficiency rating and efficiency programs for commercial office equipment and luminaries and to assist industry in meeting mandatory labeling requirements for Energy Policy Act covered commercial products ($701,000). Bill language to prevent the funding of any rule-making or the issuance of any proposed or final rule (Section 4(c)(3)).
- -$8,440,000 for Federal Energy Management Program to terminate Federal Energy Efficiency Fund (-$7,440,000); planning reporting and evaluation (-$500,000), and technical guidance and assistance (-$500,000).
- -$6,032,000 for Implementation and Deployment to terminate program special-interest subsidy program.
- -$6,300,000 for Management and Planning to reflect lower level of effort.
- -$154,000 for Capital Equipment to provide National Laboratory capital equipment at the FY 1996 request level ($1,770,000), less DOE Strategic Realignment Budget Savings Amendment (-$133,000).

Industry Sector: -$117,787,000 to FY 1996 request

- -$27,288,000 for Cogeneration to maintain National Laboratory funding at FY 1996 request level.
- -$5,982,000 for Electric Drives to maintain National Laboratory funding at FY 1996 request level ($2,900,000).
- -$2,650,000 for Process Heating and Cooling to maintain National Laboratory funding at FY 1996 request level ($1,938,000).
- -$12,922,000 for Industrial Wastes to maintain National Laboratory funding at FY 1996 request level ($16,738,000).
- -$2,680,000 for Municipal Solid Wastes to terminate program that subsidizes local interests.
- -$14,686,000 for Materials and Metals Processing to maintain National Laboratory funding at FY 1996 request level ($11,100,000).

ENERGY CONSERVATION RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

- -$17,114,000 for Other Process Efficiency to maintain National Laboratory funding at FY 1996 request level ($10,643,000).
- -$29,722,000 for Implementation and Deployment to terminate special-interest program.
- -$5,000,000 for Management and Planning to reflect lower level of effort.
- -$429,000 for Capital Equipment to maintain National Laboratory funding at FY 1996 request level ($1,591,000).

Transportation Sector: -$180,185,000 to FY 1996 request

- -$55,578,000 for Alternative Fuels to terminate program that subsidizes private sector and duplicates EPA activities.
- -$3,397,000 for Materials Technology to maintain National Laboratory funding at FY 1996 request level ($35,250,000), plus $500,000 to maintain High Temperature Materials Laboratory User Facility Fellowship Program, formerly funded by the Transportation Implementation and Deployment line item.
- -$16,411,000 for Heat Engines to maintain National Laboratory funding at FY 1996 request level ($8,000,000).
- -$68,941,000 for Electric and Hybrid Propulsion Development to maintain National Laboratory funding at FY 1996 request level ($63,175,000).
- -$3,375,000 for Implementation and Deployment to terminate special-interest program.
- -$5,200,000 for Management and Planning to reflect lower level of effort.
- -$349,000 for Capital Equipment to provide National Laboratory capital equipment at the FY 1996 request level ($1,198,000).

Utility Sector: -$9,930,000 to FY 1996 request

- -$9,930,000 for Integrated Resource Planning to terminate program that subsidizes utilities and States to do integrated resource planning, which they are already doing.

Policy and Management—Energy Conservation: -$11,332,000 to FY 1996 request

- -$11,332,000 to terminate funding to eliminate duplication with other Management and Planning efforts, and the Department's Office of Policy.

ENERGY CONSERVATION RESEARCH AND DEVELOPMENT FY 1996 BUDGET MARKS' ASSUMPTIONS

Technical and Financial Assistance (Non-Grants): -$35,873,000 to FY 1996 request

- -$5,134,000 for International Market Development to terminate corporate and special-interest subsidy program.
- -$8,762,000 for Inventions and Innovations Program to terminate special-interest subsidy program.
- -$1,843,000 for Municipal Energy Management to terminate special-interest subsidy program.
- -$1,640,000 for Information and Communications that duplicates other ongoing efforts.
- -$20,243,000 for Management to eliminate needless Support Offices housing some 183 bureaucrats in 10 cities (Atlanta, Boston, Chicago, Dallas, Denver, Kansas City New York, Philadelphia, San Francisco, and Seattle) that duplicate the functions of Headquarters and the Operations Offices (-$17,982,000), and -$2,261,000 for Headquarters and Operations Offices to reflect lower level of funding for program.

Mr. BROWN. Mr. Chairman?

The CHAIRMAN. Gentleman from California?

Mr. BROWN. May I request unanimous consent to insert an opening statement in the record with regard to the Energy Bill at this point?

I will not take up the time to read it.

The CHAIRMAN. I'd appreciate that.

[The prepared statement of Mr. Brown follows:]

STATEMENT BY
THE HONORABLE GEORGE E. BROWN, JR.
ON THE MARK UP OF H.R. 1816

Mr. Chairman, I would like to commend you for the Committee's swift action on a comprehensive energy R&D authorization bill. However, there are times to act with speed and there are times to act with deliberation. The legislative process is invariably at its best when there is adequate time for reflection, research, and a willingness to perfect a bill rather than pass a version out of Committee simply because you have the votes to do so.

Perhaps if the Committee had begun its authorization process earlier in the legislative year, we would not now be faced with a rushed agenda of legislation that must be passed immediately. Perhaps we would not face an Amendment in

the Nature of a Substitute that completely rewrites the numbers in this bill in a last minute effort to make them reflect what the Appropriators have done. Perhaps, if we had moved first, we could even claim some impact on the Appropriations process.

Instead, we have waited months and months with little work being done by the Committee only to then swing into a frenzy of legislative action driven by a vain desire to catch up to the appropriators. This pattern of periods of inactivity followed by frenzied, ill-considered action began in the weeks leading up to the risk bill and has not changed in the months since then. I would hope that a more reasoned pace will emerge in coming weeks and I hope that we will begin to do some of the oversight agenda that this Committee adopted in February. So far as we on the minority side are aware, close

to nothing has been done to carry out that ambitious plan five months after it was adopted.

Today we have an opportunity to correct some of the problems built into the Energy authorization. I would like to wholeheartedly support the Doyle Substitute that will be offered later, which makes prudent cuts in energy R&D while maintaining our Nation's investment in this key area. I support the Doyle amendment because it provides for R&D in tight fiscal budget times by rejecting the idea of a large tax cut, as embodied in the Kasich Budget Resolution. Instead, the Doyle Substitute conforms to the Stenholm budget, and would allow for future adjustments should the Budget Conference retain some measure of a tax cut.

H.R. 1816, on the other hand, slashes energy R&D to

such an extent that fossil, solar and renewable, and conservation R&D are entirely wiped out. It ignores the consensus in the Nation's electorate that these efforts are of paramount importance to reduce the triple-threat of energy insecurity, pollution, and dwindling resources.

I am heartened by the fact that at least some Members of the Appropriations Committee appear to remember our commitment to pursue advancements and R&D in these areas. And, the protestations of the Science Committee Chairman notwithstanding, I hope that they continue to use their good judgement and not be ruled by the dictates of authorizations that have not yet been passed into law.

The process has always been that authorizations must be in law before the Appropriations Committee takes heed of

them. And, I do not believe that the charade that we are now involved in--of influencing the Appropriations Committee through the sheer politics of marking up a bill--is any better than the broken process that we had in the last Congress where authorizations rarely passed due to the politics of the Senate. Replacing one bad process with another is hardly a step forward.

If this Committee wants to assert its relevence, at a minimum, we need to mark up our authorization bills before the Appropriations subcommittees do their marks. We have already missed that target for those DOE programs contained in the Energy and Water Appropriation--a bill that is moving through full Committee today and is expected on the floor later this week.

The hearing record is scant for many of the decisions that we make today, and Members have resorted to half-truths and innuendo to substantiate their points. For instance, in the debate at Subcommittee on this bill, Members quoted liberally from a poorly documented, poorly written Philadelphia Inquirer series. Members seized on the half-truths contained in those articles regarding a CRADA between Disney and the Department of Energy to show how crazy technology cooperation could be.

The article claims that the Federal monies were ill-spent and that the only result of the collaboration was a better fireworks display for Disney. The article totally ignores the spin-off company generated by the collaboration that has since licensed the technology for mining, oil well, seat belt, and air bag applications, not to mention the benefits to the Federal

Government through enhanced weapons technology.

The use and misuse of the Inquirer article points to the problems of relying on convenient outside sources of information that conform to a person's preferences rather than doing the hard work of oversight that would produce a better informed perspective. There are problems with the CRADA program at DOE, but they are not the kinds of problems the Inquirer points to and they do not appear to be unfixable or sufficient reason to kill CRADA's.

I hope that today's debate will be more enlightened than the last one we had on DOE, and that we can produce an authorization bill worth following. The Nation is looking to us to protect their future. Alongside reducing the deficit, we must invest in new ideas and technologies for the future. Mr.

Doyle's substitute makes those investments and does it in a way that is fiscally responsible. Thank you, Mr. Chairman.

The CHAIRMAN. And we would then recognize Mr. Doyle for his substitute.

[The amendment follows:]

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. DOYLE TO H.R. 1816

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

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "Energy Research and
3 Development Act of 1995".

4 SEC. 2. FINDINGS.

5 The Congress finds that—

6 (1) Federal support of research and develop-
7 ment in general, and energy research and develop-
8 ment in particular, has played a key role in the
9 growth of the United States economy since World
10 War II through the production of new knowledge,
11 the development of new technologies and processes,
12 and the demonstration of such new technologies and
13 processes for application to industrial and other
14 uses;

15 (2) Federal support of energy research and de-
16 velopment is especially important because such re-
17 search and development contributes to solutions for

1 national problems in energy security, environmental
2 restoration, and economic competitiveness;
3 (3) the Department of Energy has successfully
4 promoted new technologies and processes to address
5 problems with energy supply, fossil energy, and en-
6 ergy conservation through its various research and
7 development programs;
8 (4) while the Federal budget deficit and pay-
9 ments on the national debt must be addressed
10 through cost-cutting measures, investments in basic
11 research and research and development on key en-
12 ergy issues must be maintained;
13 (5) within the last two years, the Department
14 of Energy has made great strides in managing its
15 programs more efficiently and effectively;
16 (6) significant savings should result from these
17 measures without hampering the Department's core
18 missions; and
19 (7) the Strategic Realignment Initiative and
20 other such efforts of the Department should be con-
21 tinued.
22 **SEC. 3. DEFINITIONS.**
23 For purposes of this Act—
24 (1) the term "Department" means the Depart-
25 ment of Energy; and

1 (2) the term "Secretary" means the Secretary
2 of Energy.

3 SEC. 4. ENERGY CONSERVATION.

4 There are authorized to be appropriated to the Sec-
5 retary for fiscal year 1996 for energy conservation re-
6 search, development, and demonstration—

7 (1) $62,700,000 for energy conservation in
8 buildings;

9 (2) $121,700,000 for energy conservation by in-
10 dustry;

11 (3) $185,700,000 for energy conservation in the
12 transportation sector;

13 (4) no funds for energy conservation by utili-
14 ties;

15 (5) $36,400,000 for technical and financial as-
16 sistance; and

17 (6) $7,000,000 for policy and management ac-
18 tivities.

19 SEC. 5. FOSSIL ENERGY.

20 There are authorized to be appropriated to the Sec-
21 retary for fiscal year 1996 for fossil energy research, de-
22 velopment, and demonstration—

23 (1) $114,900,000 for coal;

24 (2) $81,700,000 for petroleum;

25 (3) $116,300,000 for gas;

1 (4) no funds for the Fossil Energy Cooperative
2 Research and Development Program;
3 (5) $2,000,000 for fuels;
4 (6) $64,000,000 for program direction and
5 management;
6 (7) $3,000,000 for plant and capital improve-
7 ments; and
8 (8) $16,400,000 for environmental restoration.
9 SEC. 6. HIGH ENERGY AND NUCLEAR PHYSICS.
10 (a) AUTHORIZATIONS.—There are authorized to be
11 appropriated to the Secretary for fiscal year 1996 for high
12 energy and nuclear physics activities of the Department—
13 (1) $665,000,000 for high energy physics ac-
14 tivities;
15 (2) $321,100,000 for nuclear physics activities;
16 and
17 (3) $9,000,000 for program direction.
18 (b) REPORT TO CONGRESS.—Before May 1, 1996,
19 the Secretary, after consultation with the high energy and
20 nuclear physics communities, shall prepare and transmit
21 to the Congress a strategic plan for the high energy and
22 nuclear physics activities of the Department, assuming a
23 combined budget of $900,000,000 for all activities author-
24 ized under this section for each of the fiscal years 1997,
25 1998, 1999, and 2000. The report shall include—

1 (1) a list of research opportunities to be pur-
2 sued, including both ongoing and proposed activities;
3 (2) an analysis of the relevance of each research
4 facility to the research opportunities listed under
5 paragraph (1):
6 (3) a statement of the optimal balance among
7 facility operations, construction, and research sup-
8 port and the optimal balance between university and
9 laboratory research programs;
10 (4) schedules for the continuation, consolida-
11 tion, or termination of each research program, and
12 continuation, upgrade, transfer, or closure of each
13 research facility; and
14 (5) a statement by project of efforts to coordi-
15 nate research projects with the international commu-
16 nity to maximize the use of limited resources and
17 avoid unproductive duplication of efforts.
18 **SEC. 7. SOLAR AND RENEWABLE ENERGY.**
19 There are authorized to be appropriated to the Sec-
20 retary for fiscal year 1996 for solar and renewable energy
21 research, development, and demonstration—
22 (1) $263,000,000 for solar energy;
23 (2) $30,000,000 for geothermal energy;
24 (3) $25,000,000 for hydrogen energy;
25 (4) $500,000 for hydropower;

1 (5) $34,700,000 for electric energy systems;
2 and
3 (6) $5,200,000 for energy storage systems.
4 SEC. 8. NUCLEAR ENERGY.
5 (a) AUTHORIZATIONS.—There are authorized to be
6 appropriated to the Secretary for fiscal year 1996 for nu-
7 clear energy research, development, and demonstration—
8 (1) $161,000,000 for nuclear energy, including
9 $49,740,000 for the Advanced Light Water Reactor
10 program;
11 (2) $69,700,000 for the termination of certain
12 facilities; and
13 (3) $25,400,000 for isotope support.
14 (b) PROHIBITIONS.—None of the funds authorized in
15 this Act for any fiscal year may be used for the Soviet
16 Design Reactor Safety Initiative or the Russian Replace-
17 ment Power Initiative.
18 (c) NATIONAL ACADEMY OF SCIENCES REPORT.—
19 The Secretary shall enter into an agreement with the Na-
20 tional Academy of Sciences for such Academy to conduct
21 a study of the Gas Turbine-Modular Helium Reactor, and
22 report the results of such study to the Congress by Decem-
23 ber 31, 1995. Such study shall consider the technical fea-
24 sibility and economic potential of such reactor design.

1 SEC. 9. CIVILIAN WASTE; ENVIRONMENT, SAFETY, AND
2 HEALTH.

3 There are authorized to be appropriated to the Sec-
4 retary for fiscal year 1996 for research, development, and
5 demonstration—

6 (1) $700,000 for civilian waste; and

7 (2) $143,900,000 for environment, safety, and
8 health.

9 SEC. 10. LONG-TERM INITIATIVES.

10 (a) AUTHORIZATIONS.—There are authorized to be
11 appropriated to the Secretary for fiscal year 1996—

12 (1) $429,500,000 for biological and environ-
13 mental research activities;

14 (2) $275,000,000 for fusion energy research,
15 development, and demonstration, including a fusion
16 research program using the Tokamak Fusion Test
17 Reactor, except that no funds authorized by this Act
18 for fiscal year 1996 or 1997 may be used for con-
19 struction of the Tokamak Physics Experiment; and

20 (3) $761,000,000 for basic energy sciences re-
21 search activities.

22 (b) REPORT TO CONGRESS.—Before May 1, 1996,
23 the Secretary, after consultation with the relevant sci-
24 entific communities, shall prepare and transmit to the
25 Congress a report detailing a strategic plan for the oper-

1 ation of facilities that are provided funds authorized by
2 subsection (a)(3). The report shall include—
3 (1) a list of such facilities, including schedules
4 for continuation, upgrade, transfer, or closure of
5 each facility;
6 (2) a list of proposed facilities to be provided
7 funds authorized by subsection (a)(3), including
8 schedules for the construction and operation of each
9 facility;
10 (3) a list of research opportunities to be pur-
11 sued, including both ongoing and proposed activities,
12 by the research activities authorized by subsection
13 (a)(3); and
14 (4) an analysis of the relevance of each facility
15 listed in paragraphs (1) and (2) to the research op-
16 portunities listed in paragraph (3).

17 **SEC. 11. SUPPORT PROGRAMS FOR ENERGY SUPPLY RE-**
18 **SEARCH AND DEVELOPMENT.**

19 There are authorized to be appropriated to the Sec-
20 retary for fiscal year 1996 for support programs for En-
21 ergy Supply Research and Development—
22 (1) $1,400,000 for Energy Research Analyses;
23 (2) $40,000,000 for Laboratory Technology
24 Transfer;

1 (3) $7,700,000 for advisory and oversight ac-
2 tivities;
3 (4) $25,000,000 for the Multi-Program Energy
4 Laboratory program;
5 (5) $4,000,000 for policy and management of
6 Energy Supply Research and Development;
7 (6) $2,000,000 for policy and management of
8 the energy research programs;
9 (7) $20,000,000 for University and Science
10 Education programs;
11 (8) $10,000,000 for the Technology Informa-
12 tion Management Program;
13 (9) $2,000,000 for the Technology Partnership;
14 (10) $15,000,000 for In-House Energy Man-
15 agement; and
16 (11) $642,000,000 for Civilian Environmental
17 Restoration and Waste Management.
18 SEC. 12. LIMITATION.
19 None of the funds authorized by this Act shall be
20 used at the Idaho National Engineering Laboratory after
21 June 1, 1996, with the exception of funds authorized by
22 sections 9 and 11(11).
23 SEC. 13. ADDITIONAL AUTHORIZATIONS.
24 There are authorized to be appropriated to the Sec-
25 retary for each of the fiscal years 1997, 1998, 1999, and

1 2000 $4,342,000,000 for carrying out the activities au-
2 thorized by this Act.

3 SEC. 14. SENSE OF CONGRESS.

4 It is the sense of the Congress that $100,000,000
5 previously appropriated for the Clean Coal Technology
6 Program should be returned to the Treasury, and that
7 $220,000,000 of funds previously appropriated for activi-
8 ties for which funds are authorized by this Act, and allo-
9 cated for a specific location by the Congress, should also
10 be returned to the Treasury.

Mr. DOYLE. Thank you, Mr. Chairman.

Mr. Chairman, the amendment in the nature of a substitute that I offer today embodies a rational approach to achieving real deficit reduction without what I believe are excessive cuts in important programs that are contained in the Chairman's mark.

I want to thank Chairman Walker for moving the debate on energy policy forward with his substitute. I think that the Walker substitute is a further recognition of the widely held view that the cuts in HR 1816 go too far.

In fact, the proposed cuts in this bill have attracted the attention of some our nation's most notable leaders.

Speaker Gingrich, appearing on This Week with David Brinkley, in responding specifically to a question about this bill, posed by a well-known big spender, George Will, stated:

"I am very concerned that we're going to cut too deeply into science."

At the subcommittee markup, members were told to vote against the Doyle substitute because it was contrary to the non-binding report language in the non-binding budget resolution.

Ten days ago, members on the other side stated that they were sympathetic to what I had proposed, that we should not gut our Federal energy R&D efforts, that we should not be bound to endorse spending levels that are predicated on funding a tax cut that is not likely to be part of the budget conferences, in some cases that they do not support.

Yet, with one exception, they voted against my substitute. Their rationale was that the budget resolution was a sacred document that could not be altered by the authorizing committee or the Appropriations Committee would deem that to be an ample justification for ignoring the non-binding language in the Budget Resolution.

To follow this logic, the only role that the Subcommittee could play was to rubber stamp the Budget Committee's views on energy R&D policy or to abdicate our responsibility to the appropriators.

Mr. Chairman, I don't think I'm being partisan by saying that is no way to formulate our energy policy.

Let's look at the larger picture. Clearly, we are not going to solve our energy needs by blindly throwing a lot of money at the problem.

There is, however, a clear difference between fighting wasteful spending and recklessly eliminating vital energy research and development.

Now it appears that members who voted for the Kasich Budget Resolution are not bound to the illustrative language it contained. Everyone in this room should feel free to endorse any R&D plan that is part of a larger plan to get us to a balanced budget.

Mr. Walker's substitute gets us to a balanced budget. My substitute gets us to a balanced budget.

So members should feel free to choose which proposal they believe is the best energy policy.

In my mind, we have no greater priority than tackling the Federal budget deficit.

In drafting my substitute, I followed the guidance of the Stenholm budget which led to a budget surplus by the year 2002, and the Domenici budget in the Senate.

My proposal is below their spending levels for energy R&D. My proposal gets us to a balanced budget by 2002 without presumptively gutting our ability to conduct vital energy R&D.

While the Walter substitute addresses some of the shortcomings in HR 1816 in the area of nuclear physics and nuclear R&D, it still falls far short of adequate support in many areas. Energy conservation, fossil energy, and solar and renewables are all still critically under-funded.

If we go ahead with the numbers put forward in HR 1816, or the Walker substitute, and then the budget conference does not accept the Kasich tax cut, we are locked onto lower-than-necessary authorization levels for these programs.

Does anyone in this room really believe that we will be back here in September working on another energy authorization?

Let's think about the economic importance of energy before we commit to the cuts in HR 1816 or the Walker substitute.

Earlier this year, I received a letter from Paul Allaire, Chairman of the Council On Competitiveness, which states:

"We must continue to give priority to programs that encourage government, industry, and academia to work together on research that is of direct relevance to the economy and that emphasizes the achievement of strategic objectives."

This view is also the conclusion of the Yergin Commission, whose report came out last week, and I'm sure we'll be hearing more about throughout the debate this afternoon.

My colleagues, today we have an opportunity to ensure that our energy policy is still relevant to the needs of our society.

I again urge members to consider the importance of a safe and sustainable energy supply as well as the R&D investment that this will require, and support the Doyle substitute.

Thank you, Mr. Chairman.

Mr. SCHIFF. Mr. Chairman?

The CHAIRMAN. Mr. Schiff?

Mr. SCHIFF. Mr. Chairman, thank you for recognizing me. I want to speak in favor of the Chair's substitute and against the Doyle substitute.

I think the Chair's substitute is the exact illustration we talked about in the Energy and Environment Subcommittee in which those of us who supported figures under the Kasich amendment stated that as there was room to increase funding for energy, research and development, we would do so, since most of us, if not all of us share Congressman Doyle's view of the issue.

But there is also the need to stay within the proposed balanced budget. If each committee goes off on its own, regardless of what other figures it is using, against what figures have been adopted by its respective house or by both houses following the conference, we are inviting the same business as usual deficit spending which has got us into this mess in the first place.

And the fact of the matter is that the Chair has been able to negotiate with the Appropriations Committee in order to allow more

funding for energy research and development under the House adopted Kasich Budget.

I am very hopeful that when the House and Senate negotiate for a conference report on the budget, that the figures will be even higher for scientific research and particularly for energy research.

But until that happens, I think it's imperative that each committee stay within the figures that have actually been adopted by the House.

We have the authority, I suppose would be the right word, to adopt any set of figures that we want. But if we, I mean we could, we could all say let's adopt such sums as may be necessary. That'll make everybody feel good.

But if we do that kind of approach, one of two things will happen. Either it's a call for more deficit spending, in which each committee chooses to ignore the budget, or it makes us irrelevant in the process in which real money is being spent.

Either way, I think we should stay with the Chair's amendment, and I yield back.

I yield whatever time I have left to the Chairman of the Subcommittee, Congressman Rohrabacher.

Mr. ROHRABACHER. Thank you very much.

I just would like to say a few words in opposition to the Doyle substitute as well.

The subcommittee mark that would have the Chairman's substitute now, as compared to the Doyle substitute, is the difference between night and day.

I do not see how someone can sit here to ask us to seriously consider his words, when he's talking about, well, what I'm proposing leads to a balanced budget at the same time, but I'm asking for hundreds of millions of dollars worth of spending.

I mean, the fact is that the Doyle substitute would spend $760 million more than the Subcommittee mark and a half a billion dollars more than the Chairman's substitute, Chairman Walker's substitute.

So what we're here talking about is are we serious about balancing the budget? We can use all the rhetoric we want about—"Oh this is gutting the scientific research programs we have in energy". You can talk in general that way.

But the fact is that our staff and the members of our subcommittee went through the budget figures and what we were taking out of the budget, and especially now that Mr. Walker has been able to find us some more money, what we've taken out is not energy research.

What we have taken out are things that deal with promotion of technology rather than the development of technology.

What we've taken out are corporate subsidies.

What we've taken out are things that would be nice, if we were not in an environment where we needed to reduce government spending.

But in a situation where we're heading towards a balanced budget, these things we can no longer afford.

The Committee took great efforts to try to keep in our mark fundamental research programs and fundamental research.

For example, we took out a lot for solar energy, but we left in solar energy research. What we took out was the promotion of solar energy. What we took out was not direct research money.

So by the rhetoric notwithstanding,—

Mr. OLVER. Would the gentleman yield?

Mr. ROHRABACHER. —I would support—actually, I'll have to yield back my time. I think the five minutes is up.

Is the five minutes up, Mr. Chairman?

The CHAIRMAN. The gentleman's time is up.

Mr. ROHRABACHER. I'll yield to the gentleman from New Mexico, but I will just finish by saying that you can't talk about—"I am in favor of a balanced budget"—and then come back to us with a half a billion dollars more in spending.

Mr. DOYLE. Will the gentleman yield?

Mr. SCHIFF. If the Chair says I have any time. Who's seeking—

The CHAIRMAN. Is the gentleman still—the gentleman has one minute remaining.

Mr. SCHIFF. Who? I'm sorry, but I can't see who's seeking.

Mr. Doyle, I'm sorry. I yield my one minute to Mr. Doyle.

Mr. DOYLE. Thank you very much. I'll just say a couple of things.

The Doyle substitute cuts $700 million from the President's request and $500 million from FY '95.

These are cuts, not spending increases.

If you want to characterize them, let's characterize it that the Doyle amendment cuts less than the Chairman's mark.

Secondly, if I would have offered the Walker substitute ten days ago in Subcommittee, you would have ruled it out of order, Mr. Chairman.

I'll quote you. "I would suggest, and let me make it very clear that it is a violation to break the caps. It is a violation of our agreement to try to break the caps."

What is happening here with the Chairman's substitute is exactly that. Your mark was $3.98 billion, give or take a few bucks.

Mr. Walker's substitute is $4.25 billion. Is that not a breaking of a cap?

I don't understand. Maybe you could indulge me because I'm a new member here.

Does the Chairman have a red phone in his office that rings unbeknownst to all of us, and he knows when there's extra money freed up so that he can offer substitutes that breaks the cap that you authorized?

You'd have ruled my thing out of order. You'd have ruled this out of order ten days ago.

The CHAIRMAN. The gentleman's time has expired.

Who seeks recognition?

The gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I'm not sure that I kept up with all the machinations there when we opened up the energy debate here and consideration.

Are we now, by unanimous consent, on the Walker substitute?

The CHAIRMAN. The Walker substitute has been adopted as original text and we are now proceeding with the Doyle substitute to the original text.

Mr. ROEMER. Are you going to explain at all to the Committee why you decided to offer a substitute, increase the money and how that is expended? Why you've decided to do that?

The CHAIRMAN. Sure. At an appropriate time, I will certainly do that.

Mr. ROEMER. We would sure be interested in knowing that because I want to read a quote from the hearing, and the markup that we had just a week or so ago.

On June 13th, when the Doyle amendment came up, and we talked about increasing the amount of money in this particular bill, the Chairman of the subcommittee, Mr. Rohrabacher said, and I quote:

"I would suggest, and let me make it very clear that if the Doyle amendment passes, it is a violation, it is breaking the caps, it is a violation of our agreement to try to balance the budget."

He goes on to say:

"We will then have given all the power and all the authority to the appropriators, and I do not plan to be part of that farce that does that."

So basically if the Doyle amendment passes, just remember that's basically the end of this hearing. We've given up our authority to the appropriators because we have broken, we have absolutely broken the lids that were given at that time, unquote.

Now you have broken the lids, and I think—

The CHAIRMAN. Well, if the gentleman would yield?

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

The CHAIRMAN. The gentleman would also remember that the Subcommittee had, at that time, adopted the Davis amendment which suggested that, as a part of the on-going process, that if we found, in the course of the on-going process, that additional moneys were going to be made available in energy accounts, that in fact the Committee should be given a chance to act on those additional moneys.

That is precisely what has happened in the course of the deliberations with the appropriators.

Money within the 602[b] allocations given the appropriators, remembering there are two committees that consider these moneys, has been freed up. It is my belief that this Committee should in fact give its sense of how that money should be used in terms of our priorities so that that will be a relevant part of the process.

Mr. DOYLE. Will the gentleman yield?

Mr. ROEMER. Reclaiming, reclaiming—

The CHAIRMAN. The gentleman can reclaim his time if he doesn't want the explanation.

Mr. DOYLE. Will the gentleman yield?

Mr. ROEMER. No, no, no. I'd be happy to yield further.

The CHAIRMAN. The point being that when that additional money became available, it was the Chairman's belief that we should then find a way to include that as a part of this process.

Mr. DOYLE. Will the gentleman yield?

The CHAIRMAN. My substitute does in fact provide that additional money within these accounts and that is now subject to the will of the Committee as to whether or not they like this set of figures.

But it is in line with exactly what the Davis amendment suggested that we should do when this bill came to the Subcommittee.

Mr. DOYLE. Would the gentleman yield?

Mr. ROEMER. I would just like to say, and I appreciate the Chairman's response, and I would like to engage with him in some further explanations, some of which I might agree with him on, some of your increases in the budget.

Solar and renewable you increase from Chairman Rohrabacher's $203.6 to $235.5; nuclear energy is increased. There are a host of things that are increased.

And I would probably agree with Chairman Walker on a number of these increases.

But in terms of clarifying the Davis language in Section 8, Further Authorizations, it says on line 19 that authorization allocations adopted by the Conference Committee on House Concurrent Resolution 67. That's, I'm not sure that that's taken place.

The CHAIRMAN. Well, if the gentleman would yield.

It was very clear. I attended that Subcommittee meeting, and it was very clear that the intention of the Subcommittee in adopting the Davis amendment was to keep this House relevant to the ongoing process.

I thought that the spirit of the Davis amendment was that if in fact the caps that we set as a part of the budget process became artificially low at any given point, we would adjust those caps to more nearly reflect the priorities.

That's what I'm attempting to do here.

Mr. DOYLE. Would the gentleman yield.

The CHAIRMAN. And I think that it has been an exercise that will allow us to exert more influence in the process.

Mr. DOYLE. Will the gentleman yield?

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

Mr. DOYLE. Thank you very much.

I wonder if the Chairman could tell us when he found out this extra money became available and what members of this Committee did he consult with to come up with this substitute.

And in light of what the appropriators just did today, they are closer to my numbers now, Mr. Chairman, than they are to your numbers.

Shouldn't we be able to now entertain the Doyle substitute, which is much closer to what the appropriators are doing than what you've suggested?

And I'd really like to hear when you found out about this and who on this Committee helped you devise this substitute.

Mr. ROHRABACHER. Mr. Chairman? Mr. Chairman, I seek recognition. I believe all time has elapsed.

The CHAIRMAN. The gentleman from Indiana?

Mr. ROEMER. I would be happy to yield to the gentleman from California unless the gentleman from Pennsylvania—.

The CHAIRMAN. If the gentleman is finished with his statement, I think we will have the Committee go into recess to go do the vote.

Mr. ROEMER. In trying to continue this dialogue after we go vote, Mr. Chairman, certainly I would like to talk with you and have a dialogue go on how the consideration came about on the different accounts from the Rohrabacher markup to the Walker—

The CHAIRMAN. The gentleman's time has expired.

Mr. ROEMER. Well, I would hope that the Chairman, since he was answering many of my questions before, and took some of my time, that he would be gracious in letting me continue this dialogue with him after the vote.

The CHAIRMAN. Well, the Chair, the Chair is prepared to explain the substitute, and if we're going to have a dialogue, I'd be happy to have that dialogue. If we're going to delay the Committee with a lot of interruptions in that dialogue, then it seems to me that I might be better taking my own time, at some point, and simply explaining the substitute that we have.

Mr. ROEMER. I would appreciate the continued dialogue, Mr. Chairman.

[Recess.]

The CHAIRMAN. We're in the process of discussing the Doyle substitute.

Let the Chair make a statement here first, with regard to how we plan to proceed. The majority has caucused and tried to figure out how we might proceed, you know, in a rational way here.

I've just consulted with the ranking minority member.

It would be our intention to go through here until about 7:00 o'clock. We would like to finish the Doyle amendment, if we can, prior to that time.

So I—what I'd like to do is say that we will go until the Doyle amendment is finished. We would hope that that could be done by 7:00, and then we would come back tomorrow at 1:00 o'clock, and we would proceed to work through the afternoon tomorrow and into perhaps tomorrow evening, trying to get as far as we can on this bill and the NOAA bill, and then we would come back on Thursday with the plan schedule for Thursday in hopes that we could finish that plan schedule in time for people to meet their getaway times.

But that will involve at least some discipline on the part of the Committee in terms of trying to meet that time schedule.

That's what the Chairman would propose at this point.

The gentleman from California.

Mr. BROWN. Mr. Chairman, I have no objection in principle to what you've suggested, but I don't have the same firm control over the Democratic members that you do, and I would like to have an opportunity—you do the Republican members—

[Laughter.]

Mr. BROWN. And I'd like to have Mr. Doyle comment as to whether he feels advantaged or disadvantaged by this proposal which would get us to a vote on his amendment hopefully in the near future.

I yield to the gentleman.

Mr. DOYLE. Thank you. I know Mr. Walker's anxious to get to the picnic, so that's okay by me.

[Laughter.]

The CHAIRMAN. I thank the gentleman.

We're thrilled with President Clinton's balanced budget. We want to go down there and tell him so.

[Laughter.]

The CHAIRMAN. Now, if that is acceptable then to the Committee, that is how we will proceed. We will proceed through until we have

completed the Doyle amendment here this evening, and then we will recess until 1:00 o'clock tomorrow afternoon.

Mr. Roemer, you wanted to continue some questions. I would hope that since your time had expired, I would hope that we could complete that. I do have a number of other members that seek to be recognized.

Mr. ROEMER. That my time expired, or I expired?

The CHAIRMAN. No, your time had expired, Mr. Roemer. We'll save you expiring for the Space Station debate.

[Laughter.]

Mr. ROEMER. That hurts. I've heard lots of comments from your side today about how us Democrats want to increase, increase, increase spending, and we Democrats are going to give you the opportunity to cut some spending on the Space Station.

The CHAIRMAN. Okay. Well, we will be happy to discuss that at the appropriate time.

Mr. ROEMER. Could I just follow up, with unanimous consent, for one minute, Mr. Chairman, just to continue our dialogue?

The CHAIRMAN. Sure.

Mr. ROEMER. I would, first of all, say that we adopted a rule in our Committee at the beginning of the year. I think at the behest of many of the freshmen members, both Republican and Democrat, that are concerned about having an open process, and also concerned about the budget deficit that said that Rule 21[a]. A roll call vote shall be automatic on any amendment which specifies the use of Federal resources in addition to or more explicitly than that specified in the underlying text of the measure being considered.

And I know you asked for unanimous consent at the very beginning of the markup but I would hope that, in the future, that we would pay attention to 21[a] and on such an important amendment that would increase spending by $200 million, that we would have a vote on that particular—

The CHAIRMAN. We will have a vote on it, Mr. Roemer.

Mr. ROEMER. At the end, on passage.

The CHAIRMAN. Sure. So it is fully compliant with the Rule.

Mr. ROEMER. And finally I would say that I would hope we would continue the discussion on your substitute and not just Mr. Doyle's amendment.

Again, we would certainly like to hear your rationale, which many of us may support. We might not think it's enough spending. We might think it's too much. But particularly your substitute on fossil in the energy account goes from $204 million under Rohrabacher to $221.3.

On conservation, it goes from $206 under Rohrabacher to $229.4.

And to have some discussion on those important areas I think would help the Committee make a good decision on final passage.

The CHAIRMAN. I thank the gentleman. The time of the gentleman has expired.

The gentleman from Tennessee.

Mr. WAMP. Thank you, Mr. Chairman.

As many here know, I do not agree with some of my colleagues on this side of the aisle, Mr. Tiahrt and others, about the elimination of the Department of Energy.

I think that the jury is very much out on whether or not eliminating the Department of Energy and replacing it with another agency will actually save money. And I think it's really a matter of priorities that we set on where we reduce spending.

And I am the only Republican at the Subcommittee level that voted for the Doyle substitute.

And let me commend my friend from the other side, Mike Doyle, on offering that substitute before the Subcommittee, as well as this Full Committee.

The reason I voted for it at the Subcommittee level is because it actually reduced spending substantially over 1995 levels. I didn't come here to protect my backyard. I did come here to express the prioritization of where we spend our money and how we save money as we seek collectively to do this great patriotic challenge and balance the Federal budget.

But Mr. Doyle offered a legitimate alternative. You know, I don't believe that Republicans are always right and Democrats are always wrong. Some may, but I don't.

In this case, I thought Mr. Doyle had a better alternative than Mr. Rohrabacher, our Subcommittee Chairman's mark. And in fact, others must have thought the same thing, because now we've actually increased these energy research areas.

I think this is important, folks.

I also voted for the Davis amendment. The Davis amendment was debated. Many people joined together to say, in the event the appropriators give us more money, can we spend that extra money on these critical energy research areas.

I heard that said, and in fact that has happened now, and that's where this $265 million of additional spending comes from in the Walker substitute.

I want to applaud Chairman Walker. I sat down with him. I went through these issues. I said, these are my concerns. I represent Oak Ridge, Tennessee, home of the best National Laboratory I think in the entire system.

He listened to those requests.

The Subcommittee mark was not near as good as the Walker substitute. He addresses these areas and I commend him for listening and working these problems out.

To me, it doesn't matter if you call a better piece of legislation the Doyle substitute, the Walker substitute, the Wamp substitute, or the Brown substitute. If it makes better sense, no matter who authors it, Democrat or Republican, you ought to support it. And that's what I did at the Subcommittee level.

Quite honestly, that's why I rise tonight to support the Walker substitute, because he addressed the concerns that I had. The Walker substitute increases total funding above the Subcommittee mark by $265 million.

The Walker substitute increases funding for basic energy sciences by $65 million. Of that, $24.5 million is in the science education area.

The Walker substitute increases funding for biological and environmental research by $11.5 million.

The Walker substitute increases energy conservation by about $25 million.

The Walker substitute increases funding for nuclear physics by about $27 million.

In real numbers, when honest scoring is all said and done, the Walker substitute will increase the critical energy research programs that we in Oak Ridge, Tennessee feel passionately about.

In my district, where energy research is king, we will be investing more resources under the Walker substitute than either Doyle or Rohrabacher.

I do commend Mr. Doyle and Chairman Walker for these two good alternatives. I think both of them are good alternatives. I do prefer the Walker substitute now that these changes have been made. I urge my colleagues to support Chairman Walker, and yield back the balance of my time.

Mr. BROWN. Would the gentleman yield, please?

Mr. WAMP. Yes, sir, Mr. Brown.

Mr. BROWN. I think the gentleman is correct in identifying the Walker substitute as being an improvement over the original Subcommittee bill.

I think the gentleman misinterprets the thrust of the Davis, which I have in front of me, that says nothing in this action will preclude further authorization of appropriations for civil research and so forth, provided that authorization allocations adopted by the Conference Committee on House Concurrent Budget Resolution 67 and approved by Congress allow for such further authorization.

Now we all know that hasn't happened, and what has happened is that the appropriators have and the Subcommittee allocated more money.

Now Mr. Walker is, I think, wise to offer some changes. I think he's not wise to conceal the basis for it. I think he has followed, to some degree, Appropriations Subcommittee's allocations. He may want to change it again when the Full Committee on Appropriations acts.

And I might commend him for it, but he shouldn't conceal the fact that he's doing it to follow the appropriators, not to follow the Budget Committee.

Mr. WAMP. Reclaiming my time—

The CHAIRMAN. Would the gentleman yield to me?

Mr. WAMP. Yes, sir, Mr. Chairman.

The CHAIRMAN. Nobody's concealing anything here. It is in fact a matter of a consultation process that has gone forward and it is, there is no attempt to hide or conceal anything. It's all right out here on the public record.

And the fact is that it is clear to me that the Davis amendment, adopted in Committee, was an attempt to make certain that we did authorize, in light of the realities of the moneys that were going to be available in these accounts.

At the time that the Subcommittee marked up, we had only the budget to work from. Now what we have is the opportunity to, within the budget, understanding that because we have two subcommittees working this, their 602 allocations are different from anything that we can anticipate in this Committee.

And so what we have done is taken the work that they have done within their mark, where they have in fact been trying to be more sympathetic to science numbers, and we have worked directly with

them in trying to come up with some of these, now what I, since the numbers are going to be higher, it was my feeling that this Committee ought to reflect on what the priorities are that we ought to have within those higher numbers.

That's what the substitute does is gives this Committee an opportunity to work its will so that we are again relevant in the appropriations process. And it's not being done in any way that is hidden. It is all being done with the idea that the process is an ongoing one, and that we ought to be actively engaged in it.

Mr. WAMP. Reclaiming my time, just for purposes of closing, let me say that I don't care who gets the credit. The bottom line to me is that we increase energy research funding.

Rohrabacher's wasn't sufficient, and we were right on that, and you've done that. And whether you did it or Mike Doyle did it or whoever, we just ought to be glad that it happened and not posture politically.

Mr. SCHIFF. Will the gentleman yield?

Mr. WAMP. I'll yield to Mr. Schiff first, but my time has expired. Thank you.

The CHAIRMAN. The gentleman's time has expired.

Mr. SCHIFF. Mr. Chairman?

Mr. BROWN. Mr. Chairman?

The CHAIRMAN. The gentleman from California.

Mr. BROWN. Mr. Chairman, I don't want to prolong this unduly but I do have a number of questions about the procedures that you used.

Normally speaking, when one issues a 602[b] allocation, if that is in fact what you think you did, and then there is reason to think that there's more money, and one issues another 602[b] allocation, that goes back to the Subcommittee and they revise what they did originally under the original 602[b] allocation.

Did you in fact give the Subcommittee an opportunity, using your changed figures, to reconsider the priorities that they had in subcommittee?

The CHAIRMAN. Well, first of all, as the gentleman knows, there is no such thing as a true 602[b] in this process.

Mr. BROWN. I've told you that many times.

[Laughter.]

The CHAIRMAN. Well, an no one disputed what you told me. We simply, I simply have said, all the way along, that there was going to be a discipline process here that allowed us to stay within where the budget process and the appropriations process was taking us. And that's exactly what we're doing.

I did go back and consult with members of the Subcommittee as we were building the substitute, and we did attempt to take a lot of their concerns into account.

I will say that my substitute does not in any way reflect the priorities of the appropriators. In fact, there in a number of instances here, the additional money has been allocated in a way far different than what the Appropriations Committee has decided.

That is an attempt to guide—

Mr. BROWN. Can I reclaim my time?

The gentleman has answered my question. He didn't consult with the Committee. He didn't give the numbers back to the Committee.

Let me ask you something else.

The CHAIRMAN. Well, the gentleman—I just said that I did in fact consult with the Subcommittee.

Mr. BROWN. You did. Was there a meeting of the Subcommittee?

The CHAIRMAN. No. I consulted individually with them.

Mr. BROWN. Individually. All right.

Now, is there any possibility that your changed numbers were developed in order to influence some of the members on your side who didn't like the old numbers in order for you to get enough votes to pass this bill?

The CHAIRMAN. Well, if the gentleman would yield.

Mr. BROWN. Yes or no is all I need.

The CHAIRMAN. Obviously, Members who had concerns were—things that we wanted to consult about, and in some cases we did that. We would hope that anybody who was consulted with and who we helped would in fact find it in their power to vote for the bill.

Mr. BROWN. That's the way we always work on our side.

[Laughter.]

The CHAIRMAN. And I learned well over the years.

Mr. BROWN. May I ask a further question?

When the appropriators in the Full Committee make further adjustments in the amounts, will you consider further changes in your 602[b]?

And when after the Conference Committee on the appropriation, the Conference Committee comes up with a different set, will you then make another set of changes?

The CHAIRMAN. Well, if the gentleman would yield.

I think it's entirely possible that as the process moves forward and we take this bill to the floor, we may in fact want to make additional adjustments.

As long as we are operating within the context that all of this is being done within the balanced budget and that these funds are being found in other places so that they can be in fact spent in a way that does not violate the overall budget agreement.

And so it will continue to be an on-going process, and we will seek to find ways that we can make a difference in science accounts and do so without in any way breaking the discipline of the budget.

And that's what we've done here, and I think—

Mr. BROWN. Mr. Chairman, reclaiming my time, I told you from the beginning that the budget figures had no relevance here because they don't reach the level of specificity which is included in this bill.

And obviously that is true because the appropriators went ahead and changed the figures and may change them yet again.

What I'm concerned about is that you have been operating under the fiction that you could prescribe arbitrary limits to the Subcommittees, that you could change those arbitrary limits, and that that had some magic, that it was the only way to reach a balanced budget, when we know that isn't true.

The CHAIRMAN. If the gentleman would yield.

There is no magic in this process, there is only discipline. That somewhere along the line, we have to figure out a way to operate

within whatever discipline we have imposed upon ourselves, and that's exactly what we've done.

In the budget process, we've imposed some discipline, the appropriations process is another set of disciplines.

As the gentleman well knows, the appropriators don't have just science accounts to deal with in terms of their operations. They in fact have a variety of accounts, all of which are part of their 602 allocations.

If they have made a determination that is different from the budget committees that some of those accounts will be downgraded in order to plus up science, I think as authorizer, we ought to recognize that. That's what we're doing in the course of this process.

Mr. BROWN. Mr. Chairman, we ought to recognize it before we go through this charade. We should go through the process using our best judgment before we have to do this kind of thing.

The CHAIRMAN. Well—

Mr. BROWN. Now I will assure you that on our side, we have the same concern for budget discipline as you do. I have members on my side that will not vote for a bill that breaks the budget discipline, and you know that full well.

And we intend to pursue that course in the future also.

The CHAIRMAN. Well, I thank the gentleman for that explanation. I must say that I sat through the Subcommittee sessions and so far all we have seen is amendments designed to add spending onto the discipline that we imposed.

Mr. BROWN.—unanimous consent.

The Chairman: —but we are doing that, as I say, within the context of a budget process that is on-going, and in fact it stays within the House-passed budget.

We keep hearing from the Democrats that what you want to do is use the discipline of a budget that never passed the House or, in the case of the Doyle substitute, he has suggested, for example, that he is within the same figures of the Senate-passed bill.

The Senate has $2.9 billion for BA in Function 270 versus 4.35 that's in the BA function in 270 in the House passed bill.

So the Senate-passed bill is actually $1.45 billion below the House in function 270. And yet Mr. Doyle's amendment is authorizing at a $4.7 billion level that he claims is consistent with the Senate.

Now I mean, something there doesn't add up at all within this process.

Mr. BROWN. Mr. Chairman, I yield back the balance of my time that you're using so well.

The CHAIRMAN. The gentleman's time has expired.

The gentleman from Michigan.

Mr. EHLERS. Mr. Chairman, I think we've had adequate discussion of the amendment.

I move the previous question on the amendment.

The CHAIRMAN. Well, I would prefer the gentleman not do that. There are still hands in the room of people who want to be recognized.

Mr. EHLERS. I will withdraw the motion.

The CHAIRMAN. And I think we do want to make certain that everybody gets their chance.

Mr. DAVIS. Will the gentleman yield?

The CHAIRMAN. I recognize the gentleman from Virginia.

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

Thank you. Let me just explain the purpose of my amendment at the Subcommittee level was a recognition that this would be a dynamic process. That in fact the numbers may in fact, and I felt would in fact change.

We thought it might happen at the budget level, but in this case, it sounds like the Chairman of our Full Committee has negotiated and discussed basically a better deal for this Committee, and instead of sitting here criticizing, I think we ought be putting a ring on his finger and killing the fatted calf.

We have more money available at this point for energy research.

The real issue, the real issue, it seems to me, is what is the relevance, if we want to make ourselves relevant to the process, what is the real number?

Should it be the Subcommittee numbers? Well, that doesn't seem to be appropriate anymore in light of what's been discussed with the Appropriations Committee.

Should it be the Chairman's number, or should it be the gentleman from Pennsylvania's number?

It seems to me at this point, we're where the Chairman of the Committee.

At this point, if we want to be relevant to the appropriations process, those are the current numbers.

Mr. DOYLE. Will the gentleman yield?

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

Mr. DOYLE. If, and I appreciate the gentleman's remarks, if what we're trying to do is get close to what the appropriators are doing, let me just give you a couple of news flashes from the Appropriations Committee.

In fossil, for instance, the Rohrabacher substitute was $204 million. Walker kicks that up to $221.3. The Doyle substitute is a $392.

What have the appropriators said? $379. Thirteen million off of my number, $150 million off the Chairman's number.

Mr. DAVIS. Reclaiming my time. I think the ceiling is the number, not particularly where we are in fossils and other areas.

The CHAIRMAN. If the gentleman will yield to me?

I just made the statement here a minute ago that we are not necessarily accepting all the appropriator's priorities. That we are accepting the fact that they have found money in order to raise the ceilings but we are not taking their priorities. We are in fact trying to influence those priorities with the authorizations that we're doing, hoping that that will have an impact on the on-going process.

Mr. DAVIS. I think the gentleman states correctly.

As long as the ceiling numbers were in accordance with theirs, we can move around the priorities. I think that is the relevant purpose.

Let me just ask the Chairman if I could ask the Chairman if he could once again explain why your numbers are more relevant than some of the other numbers that have been discussed here?

The CHAIRMAN. Sure.

What we are attempting to do here is take the budget numbers that were originally given to the Subcommittees as their ceilings. We are now adjusting that for the fact that you have two Subcommittees at appropriations that have worked on this, and decided that within the budget numbers, within their 602s, that they could find money elsewhere, that they would apply to energy figures.

In those negotiations, it became clear that there is about $265 million that is likely to remain as additional moneys within the budget process over the next several months of negotiations.

We have attempted now to bring that back to this Committee in hopes that this Committee now can make some of its priority determinations within that new ceiling.

And my substitute represents an ability for us to determine some of those ceiling decisions.

Mr. DAVIS. Mr. Chairman, thank you very much.

I would just add, if members of the Committee don't like the priorities you've come back with with the additional money, they are free to offer amendments at this point to change them around.

The CHAIRMAN. Sure.

Mr. DAVIS. I would yield back.

The CHAIRMAN. We have a lot of amendments where members are going to try to reflect on those priorities. Those are certainly in order as long as we maintain the discipline of the ceiling.

Ms. JACKSON LEE. Mr. Chairman? Mr. Chairman?

The CHAIRMAN. Ms. Jackson Lee?

Ms. JACKSON LEE. Before you recess, Mr. Chairman, if that's what you're going to do, I would appreciate just a moment to again reflect on the record of vote that I missed, please, because I was in mark-up in Judiciary.

And I'd like to so indicate that I was in Judiciary mark-up and missed Mr. Olver's amendment, and I would have voted aye on that.

And I understand that the Environmental Research, Development, and Demonstration Authorization Act of 1995 was passed by voice vote, and I would have supported that as well.

Thank you.

The CHAIRMAN. I thank the gentlelady.

Mr. WARD. Mr. Chairman? Mr. Chairman?

The CHAIRMAN. The gentleman from Kentucky was seeking recognition.

Mr. WARD. Yes, Mr. Chairman.

I had asked Mr. Doyle a couple of questions and would appreciate giving him the opportunity of answering those and adding another thought or two of his own.

I yield to Mr. Doyle.

Mr. DOYLE. I thank the gentleman.

A couple of points I think need to be made here. The line items that are under this Committee's jurisdiction, under this Committee's jurisdiction in the Interior Appropriations Committee, they have appropriated $335 million more than what the Walker substitute calls for.

And since we're all here and we're hearing about the substitute that the Chairman's presented for the first time. Nobody that I

know of on this side of the aisle has seen the Walker substitute. We heard about it late last night, and at this point, haven't had a chance to see it or have any input on it.

But given the fact that we now know there is freed money in the Interior Appropriations Committee over and above, and we're talking bottom line, not just specifics here, that there's bottom line more freed up money than what's being appropriated under Mr. Walker's substitute, shouldn't we all have an opportunity then to sit down as a Committee and state what our priorities are going to be in this budget?

And I think that's all we're asking for.

And I think before this is all said and done, you're going to see the bottom line numbers under the Doyle substitute, which is about $4.7 billion, be a lot closer what the final numbers are than what we're doing here today.

And the other point that needs to be made is that ten days ago, any talk of a substitute of this nature would have been called irrelevant and breaking our promise to the budget.

All of a sudden, it's relevant now and these numbers somehow have some correlation with what's going on in the Appropriations Committee, and that's simply not accurate. There is no correlation between the numbers in Mr. Walker's substitute and what's going on in the Appropriations Committee by either line item or by bottom line amount.

And if we want to be relevant, then we need to be talking a little bit more about what we can be doing with some of this money that's obviously being restored in Appropriations.

The CHAIRMAN. It is the intention of the Chairman, since I have further people to be recognized, what it would have been nice to do would have been to go to a vote here before we have to go to vote. But since I don't want to cut anybody off, I will recognize additional people, and then we will come back and vote on the Doyle substitute after this vote.

The gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, first of all, I must have heard about a dozen times today about the Rohrabacher mark. There was no Rohrabacher mark. I was given a ceiling. Our Subcommittee was given a ceiling to operate on. Every member of the Subcommittee was permitted to offer any amendment that he or she desired. I made that very clear, any change of priorities within that ceiling.

And Mr. Doyle, unlike what you said earlier, no amendment was ruled out of order. Your amendment was ruled in order. Mr. Walker's amendment would have been ruled in order.

The fact is we had a very open session with the ceiling that we were given.

The fact is that we also, on numerous occasions during that time period, stated that there would be flexibility, depending on if we could come up with some more money. We were given a ceiling to operate under.

The Chairman now has shown that we have some flexibility here. He should be applauded for it, as Mr. Davis has indicated.

Instead, what we are hearing is a lot of much ado about nothing because of the fact that we got some more money to work with.

Now back to your substitute, I'll just say a couple words about it.

Number one, the Chairman indicated that your, that under the Stenholm budget, and under the Senate budget, the figures for energy were $2.9 billion, and that's under what we are spending.

And the fact is, you are proposing to spend $760 million more than what was in the ceiling that we had to work with when we were working with it in Subcommittee, and $500 million more, $500 million more than the Walker substitute.

Your presentation just doesn't add up. You can't—

Mr. DOYLE. Will the gentleman yield? Will the gentleman yield?

Mr. ROHRABACHER. —more and more when we're allocated less.

Mr. DOYLE. Number one, the reason—you're not taking into account the asset sales. That's the difference between that number that you see in the Senate numbers and the House number.

Secondly, you keep characterizing this debate—

Mr. ROHRABACHER. Reclaim my time on that one point. You've made your point. The fact is the asset sales have not come forward.

Are you willing to stake your reputation that those asset sales will take place?

Well, that's what's happening.

What happens when the democratic party decides—wait a minute—decides they're going to talk about a balanced budget. They put all these never-never land items in front of us, and then—

Mr. DOYLE. Will the gentleman yield?

Mr. ROHRABACHER. Yes.

Mr. DOYLE. The Senate Budget Resolution also uses the asset sales as part of their budget resolution.

Mr. ROHRABACHER. That's right.

Mr. DOYLE. Apparently Chairman Domenici is willing to stake his reputation on it. So if it's good enough for him, it's good enough for me.

Mr. ROHRABACHER. That did not pass in the House, and one of the reasons it didn't pass in the House is we felt that was irresponsible.

The fact is the Chairman has shown flexibility with the numbers. We promised, time and again, during the debate, that if we could find, if we could free up more money, that we would then bring it to the Committee and bring it to the Full Committee.

You might have had a good quote from me, one good quote. That's right, but you negated several other quotes.

Mr. DOYLE. Well, I'm sure you had many good quotes.

Mr. ROHRABACHER. Yes, I'm sure, but you negated several other statements that I made that we would bring this up at Full Committee if we could find some more money.

The idea is flexibility and that's responsible. Thank you.

Mr. DOYLE. This flexibility happened all of a sudden, like an hour ago.

The CHAIRMAN. The Committee is in recess.

[Recess.]

The CHAIRMAN. The Committee will be in order.

Mr. OLVER. Mr. Chairman?

Mr. TANNER. Mr. Chairman?

The CHAIRMAN. The gentleman from Tennessee.

Mr. TANNER. Thank you, Mr. Chairman.

I'm not going to take long. I know the members want to get out of here. And I understand and appreciate the fact that the Chair has a tough job in a declining environment.

But, Mr. Chairman, I would suggest that if you were still in the minority, you'd be outraged and justifiably so at the procedure here.

We were given an absolute number in Subcommittee. I know in our Subcommittee it was an absolute number, and from the discussion here today, it's been an absolute number in this Subcommittee.

To quote you a few minutes ago, you said, "Well, everybody knew the numbers were not solid".

We haven't received, to date, an answer on who was consulted and when about this plus up.

We received your substitute last night at 6:00 o'clock. I'm not sure what's in it. I know I've got some charts here.

I've talked to the University of Tennessee officials several times in my area in my State. They'll lose at least a third of their engineering research funding under I think either your amendment or certainly the Rohrabacher mark-up.

We don't know. This whole procedure has rendered the Subcommittee process completely irrelevant.

And I just hope that by the time we get to Thursday or tomorrow, that we can at least have some input from the Subcommittee level into what's happening here.

I know Mr. Rohrabacher is interested in deficit reduction, and I am too, but maybe one way we could save, if we're going to continue with this procedure, is abolish Subcommittees.

Mr. BARTON. Mr. Chairman? Mr. Chairman?

The CHAIRMAN. I thank the gentleman for his contribution.

The gentleman from Texas.

Mr. BARTON. Mr. Chairman, I will be very brief.

I want to rise in support of the Walker substitute and in opposition to the Doyle substitute, but more importantly, I have my minister and his wife here, who have driven all the way from Innis, Texas, to go to the White House picnic this evening, and they've been praying for me for a long time, but they're now praying that this vote occurs sooner rather than later, so that we can all go to the picnic.

And Reverend Able and his wife, if they'd stand up, and then I'll yield back the balance of my time.

[Applause.]

The CHAIRMAN. Anybody else seeking recognition?

The gentleman from Massachusetts.

Mr. OLVER. Thank you, Mr. Chairman.

Mr. Chairman, I too have some problems with the procedure, but what I suppose is they may be a little bit different.

I think what I understand from this is that the emperor, or in this instance, the Chairman, has only the very thinnest veil of clothing out of this process.

What's really happened here is that the two Subcommittees of the Appropriations Committee have rejuggered the 602[b] allocations.

Now beneath that, we have the fact that we are more than two months late on the Budget Resolution, which should be the basis under which 602[b] allocations are created.

The 602[b] allocations are in fact based on only, on only the House-passed resolution, not the Congressional passed resolution.

And those 602[b] allocations are undoubtedly meaningless. They are undoubtedly going to be very different in the long, in the long run.

So here we have the two Appropriations Subcommittees that have decided what they're going to do, what they're going to give out in moneys in these areas, and here we are trying to call ourselves relevant in the process, as we try to come up with some other set of numbers that is closer maybe to what the Appropriations Committees have already decided to do.

And in fact, the whole question of relevance, there just isn't any associated with this because the Subcommittees on Appropriations have already, in two of the areas, in conservation, as the gentleman from Pennsylvania has pointed out, are way above in what they are coming out with the, from, with their mark-ups on conservation and in fossil energy, way above. So they aren't paying any attention.

So I would hope that we would hear less rhetoric about how important it is, how important it is to the Appropriations Committees what we do here. The Appropriations Committees have driven what we're doing here in the first place, and all the running we do after this particular crash going on is not going to make us any more relevant in this process.

The Subcommittee process may have been irrelevant, as the previous speaker on my side of the aisle has said, but here, in terms of making ourselves relevant, the process, as it's gone on today, isn't going to make us any more relevant than we were.

The Appropriations Committees aren't paying any attention to this, and are going to do what they're going to do.

The CHAIRMAN. Well, I appreciate the gentleman's comments. The gentleman, however, has not been a part of the negotiations and doesn't know what he's talking about.

[Laughter.]

The CHAIRMAN. The gentleman from Michigan, Mr. Ehlers.

Mr. EHLERS. Thank you, Mr. Chairman. I was about to say the same thing but in some nicer fashion.

[Laughter.]

The CHAIRMAN. Well since it was aimed at me, I thought I had a chance to make that comment.

Mr. EHLERS. Well, thank you, Mr. Chairman.

The point I'd like to make, most of the debate has not been about the merits of your particular substitute or the merits of the Doyle substitute, which is what the debate should be about.

The argument, it seems to me, has been about the process and some dissatisfaction with it. And I fail to understand that.

I've not served on the Appropriations Committee here but I served on the Appropriations Committee at the state level for quite some time. I understand the process fully.

And it seems to me we're going through a perfectly normal process.

What's surprising and different about it this year in the House is the interaction between the Appropriations Committee and this Committee in the sense that there are conversations going back and forth and there's mutual respect, in an attempt to reach a decision.

The entire appropriations process is so multifaceted, consisting of Budget Resolutions, authorization bills, appropriations bills, all of which go through each house, then through Conference Committee, and finally reconciliation process, and I think it's absurd.

When I was young, I heard the phrase, consistency is the hobgoblin of small minds, and now I'm beginning to fully understand that in the debate that we've heard today.

One cannot expect a Subcommittee to take action at an early stage and assume that locks things in. I would argue that the Subcommittee process has been excellent.

Those of us on the Subcommittee who took the matter seriously, studied the budget, really understand these numbers, they really understand the implications, and can make informed judgments about this as we go along.

So I think the process is working precisely the way it's supposed to work, and the plus factor this year is that this Committee is given greater respect and authority than it has in the past.

I would urge that we proceed to a vote on this matter. I think most of the debate has not dealt with the substance of—just a moment, and I would urge that we proceed with all due speed to take a vote on this issue and register our final opinions at this point in time.

Thank you, Mr. Chairman.

The CHAIRMAN. The gentleman's time has expired.

The gentlewoman from California.

Ms. HARMAN. Thank you, Mr. Chairman.

I just want to make one comment, and then yield to Mr. Doyle.

My comment is that I think we would all be advantaged if we adjourn now, deferred this vote until tomorrow for this reason. I believe that tomorrow morning, people who are far more sophisticated than I on this specific issue could meet together in a bipartisan fashion and hammer out something that might be your amendment, might be his amendment, that might be in between, and I associate myself with the comments made on the other side of the aisle.

It doesn't matter whose name is on it but something that reflects the will and expertise of this Committee. And we would feel much better if we took this vote tomorrow on an amendment that we all feel that we have somehow some ownership in.

So that's my comment.

I'd obviously appreciate a response but I would yield the remainder of my time to Mr. Doyle.

Ms. JACKSON LEE. Ms. Harman, would you yield time to me, and I'll then yield to Mr. Doyle, please?

Ms. HARMAN. That would be fine.

Ms. JACKSON LEE. Thank you.

I want to get away from, I think, the budget and appropriations talk is certainly appropriate, but I do want to just briefly speak to the merits.

And I've always been a supporter of not eliminating the Department of Energy, but I want to note, in trying to make a determination that complies with some of the efficiencies that we're interested in seeing happen in these agencies, but as well, the mission of the Department of Energy.

I know, in particular, that Mr. Doyle's amendment does some things that I think this Committee should be in the business of doing.

It enhances biological environmental research in contrast to both the Rohrabacher and the Walker amendment.

It enhances industrial research and development.

It enhances transportation research and development.

And not extremely so, but in a balanced manner.

And finally, a concern of mine, it enhances the opportunity for university research from a zero to $20 billion.

And I think that what we're talking about here is an opportunity to balance the efficiencies that are required, which I see in the Doyle amendment, and as well be able to emphasize the mission of this Committee and the mission of the Department of Energy which is to help advance research and development.

I yield back, yield to Mr. Doyle.

Mr. DOYLE. Thank you.

Mr. Chairman, I'll be brief. It's been a long day and I know members on both sides of the aisle are anxious to retire for the day.

I'd just like to say in summation, the Doyle substitute is a sincere effort to make a statement where we should be in our energy policy and balance the Federal budget.

The Doyle substitute is closer to what the appropriators are saying than the Walker substitute.

And I would urge my colleagues on both sides of the aisle, I know many of you have told me privately that this is where you would like to see the numbers go. It doesn't hurt to vote against your Chairman. I did it twice today to my ranking member with all due respect.

If you feel this is where our energy policy will be, say so in your vote today, and vote for the Doyle substitute.

Thank you very much.

The CHAIRMAN. The time of the gentlewoman has expired.

The question is on the Doyle substitute.

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. DOYLE. Roll call vote, Mr. Chairman.

The CHAIRMAN. The gentleman's asked for 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?
Mr. SENSENBRENNER. No.
Ms. SCHWARTZ. Mr. Sensenbrenner votes no.
Mr. Boehlert?
[No response.]
Ms. SCHWARTZ. 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?
[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. 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.]
Ms. SCHWARTZ. 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?
[No response.]
Ms. SCHWARTZ. 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. Aye.

Ms. SCHWARTZ. Ms. Johnson votes yes.
Mr. Minge?
Mr. MINGE. Yes.
Ms. SCHWARTZ. Mr. Minge votes yes.
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?
Ms. LOFGREN. Yes.
Ms. SCHWARTZ. Ms. Lofgren votes yes.
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?
Ms. JACKSON LEE. Aye.
Ms. SCHWARTZ. Ms. Jackson Lee votes yes.
Mr. Luther?
Mr. LUTHER. No.
Ms. SCHWARTZ. Mr. Luther votes no.
The CHAIRMAN. How is Mr. Baker recorded?
Ms. SCHWARTZ. Mr. Baker is not recorded.
Mr. BAKER. Mr. Baker votes no.
The CHAIRMAN. Are there other members who seek to be recorded?
[No response.]
The CHAIRMAN. If not, the Clerk will report.
Ms. SCHWARTZ. The roll call vote is yes 18, no 27.
The CHAIRMAN. And the substitute is not agreed to.
The Committee will stand in recess until noon tomorrow.
[Whereupon, at 7:20 p.m., the Committee was recessed, to reconvene the following day, Wednesday, June 21, 1995, at 12:00 noon, in the same place.]

WEDNESDAY, JUNE 21, 1995

The Committee met, pursuant to recess, at 12:15 p.m. in room 2318, Rayburn House Office Building, Hon. Robert S. Walker [Chairman of the Committee] presiding.

The CHAIRMAN. In order to be fair to all members, the Chairman is going to enforce the five minute rule today. And he's going to enforce the rule that suggests that each member is only given five minutes to make their presentation. It should help us to move the process a little bit.

Mr. BROWN. Would the gentleman yield to me very briefly?

I concur with the gentleman's intention to move expeditiously and would support that. I mentioned yesterday I had certain reservations about the Chair's request for unanimous consent to proceed in certain things like recesses. And I'm not sure that having a de facto recess for a caucus on one side falls within the limits of what I would like to give unanimous consent to.

And there are other similar requests which, merely because I have not been consulted in advance about, and because I have certain reservations, I intend to object to unanimous consent requests. But if I could have prior notice what the purpose is and a chance to think about it, of course, I would perhaps change my mind about that.

The CHAIRMAN. I thank the gentleman. I thought that we did consult with the gentleman with regard to this recess yesterday.

Mr. BROWN. I have no recollections of any such consultation, Mr. Chairman. But I'm getting old, and sometimes I forget things.

The CHAIRMAN. Well, I thought we consulted first of all about 1:00 o'clock, and then I came back and told the gentleman that I thought we were going to try to do it at 12:00.

Mr. BROWN. Oh, no, if you're talking about today's meeting. But yesterday, you had a de facto caucus after a roll call, which is not exactly within the purview of—

The CHAIRMAN. Well, I would say to the gentleman, the recess was called for members to go vote. And we in fact caucused—

Mr. BROWN. We extended for a considerable amount of time for your caucus.

The CHAIRMAN. We did in fact caucus when we came back to try to make some accommodations for members to deal with their personal problems.

Mr. BROWN. But if the Chair would be willing to entertain a similar request for us to caucus on our side, I would consider that would represent fair treatment and would have no objection.

The CHAIRMAN. Fine.

Next amendment on the roster is Mr. Doggett.

[The amendment follows:]

AMENDMENT TO H.R. 1816

OFFERED BY MR. DOGGETT

Page 3, line 10, strike "$234,541,000" and insert in lieu thereof "$220,541,000".

Page 3, line 11, strike "$231,841,000" and insert in lieu thereof "$217,841,000".

Page 3, lines 14 through 16, strike ", and, subject to section 4(d), $14,000,000 for the AP600 light water reactor".

Page 15, after line 23, insert the following new paragraph:

1 (43) Light Water Reactors.

Page 16, line 22, through page 17, line 4, strike subsection (d).

Mr. DOGGETT. Mr. Chairman, I've decided to withdraw that and concentrate on my other two. Thank you.

The CHAIRMAN. The gentleman withdraws the amendment. Mr. Foley will be next.

[The amendment follows:]

AMENDMENT OFFERED BY MR. FOLEY TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Page 2, line 23, strike "$295,448,000" and insert in lieu thereof "$270,448,000".

Page 2, line 24, strike "$292,738,000" and insert in lieu thereof "$267,738,000".

Page 2, line 25 through page 3, line 2, strike ", subject to section 4(b), $25,000,000 for the Gas Turbine-Modular Helium Reactor, and".

Page 15, after line 13, insert the following new paragraph:

1 (42) Gas Turbine-Modular Helium Reactor.

Page 15, line 14, through page 16, line 5, strike subsection (b).

Page 16, lines 6 and 19, redesignate subsections (c) and (d) as subsections (b) and (c), respectively.

Agreed

June 20, 1995

Mr. FOLEY. Mr. Chairman, my amendment is designed to strike any authorizing language for the gas turbine modular helium reactor. This is a helium gas cooled nuclear reactor. Current language would provide $25 million in fiscal year 1996, pending a report from the National Academy of Sciences that recommends continued funding.

I want to state for the record at this point that this is not an anti-nuclear amendment. I recognize and support the important role of nuclear technology in the Nation's energy needs. However, I am absolutely opposed to funding technology that has for years proven unsuccessful and wasteful. Given the fiscal realities this Congress has finally started to face, I will not support spending on nuclear research or any research if it is not in the absolute best interests of the hard-working men and women of this Nation.

The National Academy of Science has already twice given the thumbs down to gas-cooled reactor technology. The National Academy says it has not yet met commercial acceptance in part because of high estimated capital costs. The Department of Energy in a recent study found that this technology is, and I quote, "the least cost effective of proposed nuclear technologies."

In a letter to Mr. Rohrabacher, Chairman of the Energy and Environment Subcommittee, the chairman of the Advanced Reactor Corporation stated that this current reactor, the GTMHR, carries large development risks, large licensing uncertainties, and significant questions regarding its economics. That is not an anti-nuke environmentalist. That is James O'Connor, the chairman of Advanced Reactor Corporation. I remind you that the corporation is a driving force behind the completion of the light water reactor program.

The arguments in opposition to this amendment will focus on some great change to the reactor's design. I would simply ask you to take a look at the letter I have circulated. It clearly states the Department of Energy's opposition to this so-called new reactor. The nuclear research people at DOE know what I know. They know it's pork and wasteful spending.

Fiscal year 1996 is the third year in a row that the President has not included this program in his budget. In 1993, the Senate voted to kill this program. Again, NAS has already rejected gas-cooled reactor prototypes. Taxpayer advocates like National Taxpayers Union oppose this pure pork project. And environmentalists who have raised the same safety concerns cited in my letter from the DOE oppose the GTMHR. Only this House has seen fit to keep this program alive.

Why? Is it important to millions of American workers? No. One private company is the prime beneficiary of this spending. Estimates to see this through fruition are over $5 billion, half of which is on the backs of our constituents. Gas-cooled reactor research has already cost almost $900 million, most of that coming from taxpayers already. The only working commercial gas-cooled reactor was shut down and operated at only 14 percent of capacity. The National Academy, who was asked to judge this technology again, has already twice refused.

I came to Congress to cut the waste in Federal spending. That includes the special benefits to big corporate players. The people of

this country do not need to continue to be the high risk financiers of this highly speculative research.

On behalf of the taxpayers in every district represented in this room, I urge support for the amendment. I ask you to look at the letter from the Department of Energy dated June 20th, which clearly states, this letter is to inform you of the Department of Energy's position regarding the authorization and funding for GTMHR development program. The Department does not support continued funding for the GTMHR. There are significant questions about the viability of this reactor type, including whether the fuel will retain fission products to the extent necessary for safety.

There is little utility interest in this technology, and we believe that development of this reactor concept would require Federal expenditures in excess of $1 billion over the next decade. Gas-cooled reactor technology has been under development by the Federal Government for approximately 30 years, without tangible benefit. The Department therefore proposes to terminate work on the gas turbine modular helium reactor.

And that was by the Director of Office of Nuclear Energy, Science and Technology.

The evidence against this spending of $25 million is clear and convincing. Every group that's looked at it has clearly stated it's wasteful. So I ask my colleagues on this committee to do the right thing. I have not asked for this $25 million in spending reduction in order to do something in my district. It's not an offset. It's a direct $25 million reduction in spending by this committee.

So I ask you to please carefully consider this in the urgency of the budget deficit, in the urgency of the safety of our communities. And let us rely on the communities that have to deal with this technology, the Department of Energy and others, that oppose this project.

Thank you, Mr. Chairman.

The CHAIRMAN. The gentleman from Tennessee?

Mr. WAMP. Thank you, Mr. Chairman.

At the subcommittee level, as we marked up this initiative, I actually voted against Mr. Foley on this initiative, because part of these dollars are actually spent on the research technology in Oak Ridge, Tennessee for this initiative. And it was on the list of those projects in my district that I was supporting and standing up for.

In this case, after careful research and evaluation and discussions with people inside and outside of the Department of Energy and Oak Ridge and the Beltway, I must be honest and say that the "not in my backyard" attitude that has prevailed in Capitol Hill for so long has got to be left behind us.

This is an example of a project that is corporate welfare, that should have advanced much quicker than it has. As Representative Foley has stated, this project is not supported by the Department of Energy. Four million dollars was budgeted to be spent in Oak Ridge, Tennessee, in my district, on this project. But I'm going to oppose it.

Last year I think we received $1.5 million on this project. It's on the top 12 list of the Coalition to End Corporate Welfare in this country. We must be honest, when projects just don't meet the

smell test. As much as I'd love to have dollars spent in my district, the GTMHR needs to be walked away from.

And it's high time, and I recommend to the members that they consider supporting Mr. Foley on this amendment. And I would encourage other members to recognize when projects in their district just don't add up to do the same thing.

I yield back the balance of my time.

The CHAIRMAN. Mr. Luther.

Mr. LUTHER. Thank you, Mr. Chairman. I appreciate the opportunity to speak. And I certainly don't want to belabor the point, but I want to add my support to the comments that have been previously made on this amendment. I certainly want to commend Mr. Foley for advancing this proposal.

I think what voters were asking us to do in the last election is to start making some tough decisions and develop some priorities in Congress. And in terms of evaluating projects, I think it is difficult for us to sit in a committee and evaluate projects. But when you have a project that does not have support from the private sector, the competitive forces aren't saying that this is something that should be done.

When the scientific community is saying, this is not something that we should move forward on, when the Administration is not supporting it, it seems to me that this is a classic case of something where we need to make that tough decision. I know those decisions aren't made too often here. I've been following and trying to learn as a new member here.

But this is something, it seems to me, where we can make a decision to cut spending that does not, while a case perhaps can be made where the priority is just not in the category of other things where we could make investments.

And the one thing that I was told here in the first few months of serving in Congress is, watch out what you start. Because you can't ever stop something that you start here in Congress. It just goes on and on. And I think this is a classic case of where this committee and the members can stand up and stop something that has started. Because it doesn't have the priority that other projects have.

I think this is an opportunity for us to show people that we are willing to change the way things normally operate in Washington. And I guess the rhetorical question I would ask, and again, commending Mr. Foley for coming forward with this, is if we can't stop a project like this, that does not have support from the scientific community, that does not have support from the Administration, that doesn't hold promise, then what project would we ever be able to stop here in Congress? That's the question I would ask, and I would urge your support.

The CHAIRMAN. The gentleman from California, the Chairman of the Subcommittee, Mr. Rohrabacher.

Mr. ROHRABACHER. I really hadn't planned to speak on this, but I do believe the other side deserves to be heard. I commend Mr. Foley, first of all. In our subcommittee, Mr. Foley was the only one who presented an amendment to cut spending who did not have within his amendment an offset that would increase spending in his own district. All the other amendments were cutting spending

only to increase spending. And quite often, I can't say the only one, but quite often, just to increase spending in their own district.

So I commend Mr. Foley for his responsibility in trying to find ways of reducing spending.

It is important for us when analyzing Mr. Foley's amendment, however, to note that we are currently committing ourselves to follow the recommendation of the National Academy of Science. That's what we are doing in the legislation. We're asking the National Academy of Science to tell us what is and what is not good science. Thus, Mr. Foley is suggesting by his amendment that we ignore a request from the National Academy of Science.

Now, I'm a former journalist. I will have to admit even since I've been involved in politics that my knowledge base in terms of science isn't exactly what I would like it to be. I know this much about a lot, but I don't know this much about anything. And I don't believe Mr. Foley is a scientist, and I think we only have a few scientists with us here in this committee.

And thus, when I was confronted by the arguments, when our subcommittee was confronted by the arguments of whether we should go with light water reactors or gas turbine, or whether we should be spending money on fusion, these are things that scientists and people who are experts, we have to turn to these experts and ask for their opinion. The fact is, the arguments that were presented to me in terms of this gas turbine reactor are, seem to me to hold more water—pardon the expression—than those people who are talking about fusion energy.

And at least in terms of their saying, give us a chance and we'll be able to produce something within about 10 years, and the fusion people say, give us a chance and a gazillion dollars and we might be able to produce something in 40 years.

So in terms of whether or not this is a viable project, let me note that Mr. Foley has quoted the competitors when, the person that you were quoting, by the way, the very first person you quoted, was someone, was the president of a company that is in competition with these people who want to produce the gas turbine reactor.

And in terms of the National Taxpayers Union, whose judgment I rely on quite a bit, economists, whose judgment I rely on quite a bit in other issues, these are not scientists. And all we are saying, what is currently in the mark, is that if the National Academy of Sciences gives this a thumbs up, we will respect their opinion and move forward in this area, because it might deserve research. And Mr. Foley, I would be very happy to yield to you to answer the suggestions that I've made.

Mr. FOLEY. Well, I just want to make clear—thank you, Mr. Chairman—I just want to make clear that the competitor you refer to are both funded under the Walker substitute. So they're not really in competition for the pool of resources—

Mr. ROHRABACHER. Yes, they are. They are funded in that they are—

Mr. FOLEY. Right, so it's not as if we're going after—

Mr. ROHRABACHER. And they are competitors in the marketplace.

Mr. FOLEY. I just feel that, having read everything that I've looked at, I think the jury has been out and deliberated and concluded that this project's unnecessary. I feel like on this committee

I'm like a banker or a real estate speculator that keeps going to an appraiser, and gets an appraisal that's not to the liking and continues to look for appraisals until they find somebody that says, okay, I'll assign that value to it. I think this is the same technology we've looked at.

And again, I'm quoting the Department of Energy. I'm not trying to quote somebody in the industry. I'm trying to quote somebody who we put our faith and trust in, suggesting that this is their assignment, to look at the most efficient means of producing energy for this Nation, and the most cost effective, the safest. So when I quote the Department of Energy, I'm certainly not quoting somebody that works for a corporation that has something at stake in this proposal.

So clearly on the face, clearly this is gas-cooled technology which the National Academy has looked at. It may be dressed up in a different suit today. But I think it's still, the suit hasn't changed the basic technology.

Mr. ROHRABACHER. Reclaiming my time, in this, if I believed that the National Academy of Sciences had turned this down, I would not have then returned the same program to the National Academy of Sciences. There is a fundamental difference in the structure—

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from Indiana.

Mr. ROEMER. Thank you, Mr. Chairman.

I would, too, like to salute Mr. Foley for his hard work and efforts in trying to be fiscally responsible. But I'd like to join in opposing the gentleman from Florida's amendment with the comments from our chairman from California, Mr. Rohrabacher. Many people who spoke in favor of killing this particular project cited the 1994 elections and what the people spoke about.

The people spoke about making tough decisions. They spoke about changing the status quo. And the status quo that we face on this committee is reliance on more foreign oil. The status quo is more pollution and more polluting technology. The status quo is more reliance on fossil burning plants.

We are tasked with a tough, tough opportunity on this committee to make choices, to make choices that will determine what technology has promised, to fund that technology, to make tough choices to cut other projects that we don't think have the merits of continued promise for the American taxpayer, and for getting us off sources of foreign oil dependence.

I think we should merely wait for the National Academy to issue the report in August. I think that we should wait to have the National Academy determine whether or not this will be a safer, next generation technology, to determine whether or not there is promise in this technology for more economy, for less waste, for some people estimating that there will be 50 percent increase in efficiency, and that this technology would be much more friendly to the environment than the current fossil burning plants.

The question then is, has the National Academy ruled on this technology before. To the best of my research, in 1988, the National Research Council did a study on the modular high temperature gas-cooled reactor, not this current project, the gas turbine modular helium reactor.

So I think that we should take the time and wait. It could be that the study in August or in the fall does say that it's not worth the $25 million. I think it's worth waiting for the scientific report. And I would therefore remain in the remarks of the Chairman from California in supporting this technology and the promise that this technology holds.

Mr. SCHIFF. Would the gentleman yield?

Mr. ROEMER. I don't think I have any time left, but I would be happy to yield.

Mr. SCHIFF. Before the gavel comes down, I wanted to say, in the subcommittee I voted against the amendment by Mr. Foley for the reasons that you stated, that we need to be pursuing further energy research. I think the next energy crisis is one boycott away.

But the more I've looked into it, the more I find an absence of support for this particular technology. And like the gentleman from Tennessee, I'm going to switch my vote and vote in favor of the amendment at this time.

Mr. ROEMER. Well, I'm sorry I yielded my time to you for that comment.

[Laughter.]

Mr. ROEMER. But I yield back to the Chairman.

The CHAIRMAN. The Chairman yields to the gentleman from Maryland, Mr. Bartlett.

Mr. BARTLETT. Thank you very much.

For all of those who are concerned about setting the deficit, count me in. But I would like to try to put this amendment in a broader context. We now get 20 percent of all of our energy in this country from nuclear. There are no new plants being licensed. And if things continue as they are now headed, we will in the future be getting none of our energy from nuclear. We're going to be even more dependent on foreign oil, and it's just been mentioned that we're just one embargo away from a real energy crisis in our country.

I think the question here is not on this specific project, but rather on the need for advanced research in reactors. This is the only advanced reactor that we are looking at. This money is fenced, as I understand it. It will not be spent until a study from the National Academy of Sciences is done.

And I think the really important question here is our commitment to a potential future in nuclear. This is an essential stepping stone to that. And I would not focus on this specific project. Because we do not have at this time the reading of the National Academy of Sciences.

I would like to strongly oppose the amendment, because I do not think that it is responsible on the part of this committee to stop all research in advanced reactors. And this is the only one we're doing now. And so the money is fenced. And let's just wait for the study from the National Academy of Sciences and see where we go with it.

Mr. FOLEY. Would the gentleman yield?

Mr. BARTLETT. For just a moment, yes.

Mr. FOLEY. Only to quote from Mr. Walker's substitute: The obligation of funds may occur under two scenarios, one under the National Academy of Science has completed its technical feasibility and economic potential, or December 15th, 1995. So the money can

still be expended, even without the National Academy's review, by the language in the Walker substitute.

Mr. BARTLETT. If I can reclaim my time, the intent, I'm sure, and it will be in the report language, is that we want the input of the National Academy of Science. And again, I would just urge a no vote on this amendment. Because this committee must keep alive research in advanced reactors. The national security, really the national security of our country in large measure depends upon us developing energy sources that are not the oil and gas that we are now too largely dependent on foreign supplies for.

So I would urge a responsible action on the part of this committee. And that is a no vote on this amendment, so that we can proceed with more research on advanced reactors. Thank you, and I yield back my time.

The CHAIRMAN. Time of the gentleman has expired. The gentleman from California, Mr. Brown.

Mr. BROWN. Thank you, Mr. Chairman.

I want to rise in strong opposition to the amendment offered by Mr. Foley. And I don't quite know what arguments to make that might be most convincing in this situation. We do have one company in this case who spent hundreds of millions of dollars of their own money to bring this technology through successive iterations up to the point that it is. And they have over the years received support from the Department of Energy.

And in fact, this year, the Appropriations Subcommittee has already allocated a certain amount of money to continue with this program. And I have high respect for the judgment of the leadership of that particular subcommittee.

Now, why did they do this? This technology has the promise that Mr. Bartlett has indicated. It could provide, over the next 10 to 20 years, perhaps sooner, an essentially fail-safe system for the generation of nuclear energy which has the benefits of being intrinsically safe, there's no possibility of melt-down in this system. And also it has the potential to burn up certain types of nuclear fuels, such as plutonium, if it's used for that purpose.

It furthermore has a great deal of attractiveness to some of our foreign partners, and Russia specifically, which is faced with the problem of replacing a whole generation of existing reactors which have proven to be extremely untrustworthy. Chernobyl is an example of that. And the Russians are considering, in cooperation with this particular company, the possibility of a new generation of helium gas-cooled reactors as a replacement for their present industry.

Now, whether that will come to pass or not, no one can predict. But in itself, it is worth spending a little bit of money just for the possibility that we could resolve not only our own energy needs, but could provide one of the greatest export markets that the world has ever seen in replacing the Russian nuclear system. I think that's worth a small amount of investment on our part.

Now, the problem confronting the Department of Energy is, they don't have enough money because of the restrictions that are being placed on their energy research budget to fund all of the promising things that they have been funding and would like to fund. And

they have funded some good research over the years, and they've funded some turkeys.

I'll be the first to admit that. As a matter of fact, there are some people who still think that we should be developing breeder reactors, regret that they quit funding breeder reactors after quite a large number of years. Because it turns out that the economic assumptions underling the breeder reactor, regardless of the technical assumptions, were not all that sound. It was based upon the potential shortage of uranium, yellow cake, which never developed. And of course, the reactor technology had certain critics from people who didn't like to see us moving to a plutonium economy.

So I understand the position of the Department. So does the Appropriations Committee. We want to maintain a certain continuity in promising research that has the kind of potential that Mr. Bartlett and others have mentioned. And I want to fully endorse the continuation at a reasonable level, and with the study that's already in the bill providing for the National Academy to review the technology here. I think it would be unwise for us to drop it at this time.

The CHAIRMAN. Mr. Ehlers.

Mr. EHLERS. Thank you, Mr. Chairman.

Several comments to make. First of all, I'm somewhat surprised at the support the amendment seems to have obtained between the time of the Subcommittee meeting and right now. First of all, I had no impression whatsoever that this is a pork project. And I'm surprised to hear that connotation applied to it. I'm also surprised to see the letter from the Department of Energy, and I wish I'd seen it before, so I could check it out more fully. But I suspect it's a case of someone who supports light water reactors, saying, let's get rid of the competition and continue with this.

Some of the factors that are important have been mentioned already. My colleague to my right here, Mr. Bartlett, pointed out the need for alternative sources of energy. And this is just one of many examples where we have to investigated advanced alternatives, regardless of whether they're solar, renewable or nuclear.

But I would point out the advantages of gas turbine reactor, if it can be made to work. First of all, it's helium cooled. And helium is the most stable nucleus that we could find, other than perhaps the proton. But helium is, because you use helium cooling, you're very likely to have no contamination leaking to the atmosphere. And also, you have the fail-safe provision that Mr. Brown mentioned.

The fission products from the reactors would be the same, but a very important difference between this and the light water reactor is the efficiency. And that is something that no one has mentioned. If this can be made to operate, it will be the highest efficiency means of producing electrical power. And so you'll get fewer fission products per kilowatt of electricity produced than you do with the standard nuclear reactors.

In addition to that, it reduces our dependence on oil, as has been mentioned. And efficiency is something that we don't pay enough attention to in this country, and we should. Because it's absolutely crucial to our economic productivity.

I personally have some reservations about the gas turbine modular helium reactor, but I was willing to support it in this, because it's couched in the terms of let's get the NAS study completed and then make our final decision. And on that basis, I think it would be a mistake to reject this proposal at this time. And I urge a no vote on the Foley amendment.

Thank you.

The CHAIRMAN. Are there other members seeking recognition?

The Chairman then will finish. I just want to indicate that this is the only real nuclear energy basic research that's in this bill. We are talking about a theoretical concept of a gas turbine modular helium reactor that holds some tremendous promise, much like the long term prospects of hydrogen and fusion. These can be major energy sources for the next century.

And if we work on developing the enabling technologies, that's what this is all about. We are trying to do the fundamental scientific exploration, the basic building blocks of an energy concept. It involves new materials. Some of the work being done on it is a first of a kind annular core concept. It's a meltdown-proof reactor with a direct cycle turbo generator.

These are the kinds of things that we ought to be doing on an experimental basis. It has nothing to do with commercialization or corporate subsidy. This is actually work that's being done in basic research in nuclear. I think it's a project we ought to continue.

The Chair puts the question. Those in favor of the Foley amendment will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of noes.]

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

Mr. BROWN. Roll call.

The CHAIRMAN. The gentleman from California requests a roll call. The Clerk will call the roll.

The CLERK. Mr. Walker?

The CHAIRMAN. No.

The CLERK. Mr. Walker votes no. Mr. Sensenbrenner?

Mr. SENSENBRENNER. Aye.

The CLERK. Mr. Sensenbrenner votes yes. Mr. Boehlert? Mr. Fawell? Mrs. Morella?

Mrs. MORELLA. Yes.

The CLERK. Mrs. Morella votes yes. Mr. Weldon of Pennsylvania?

Mr. WELDON OF PENNSYLVANIA. Yes.

The CLERK. Mr. Weldon votes yes. Mr. Rohrabacher?

Mr. ROHRABACHER. No.

The CLERK. Mr. Rohrabacher votes no. Mr. Schiff?

Mr. SCHIFF. Aye.

The CLERK. Mr. Schiff votes yes. Mr. Barton? Mr. Calvert?

Mr. CALVERT. No.

The CLERK. Mr. Calvert votes no. Mr. Baker?

Mr. BAKER. No.

The CLERK. Mr. Baker votes no. Mr. Bartlett?

Mr. BARTLETT. No.

The CLERK. Mr. Bartlett votes no. Mr. Ehlers?

Mr. EHLERS. No.

The CLERK. Mr. Ehlers votes no. Mr. Wamp?
Mr. WAMP. Yes.
The CLERK. Mr. Wamp votes yes. Mr. Weldon of Florida? Mr. Graham? Mr. Salmon?
Mr. SALMON. Yes.
The CLERK. Mr. Salmon votes yes. Mr. Davis?
Mr. DAVIS. No.
The CLERK. Mr. Davis votes no. Mr. Stockman? Mr. Gutknecht?
Mr. GUTKNECHT. Yes.
The CLERK. Mr. Gutknecht votes yes. Mrs. Seastrand?
Mrs. SEASTRAND. Yes.
The CLERK. Mrs. Seastrand votes yes. Mr. Tiahrt?
Mr. TIAHRT. Yes.
The CLERK. Mr. Tiahrt votes yes. Mr. Largent?
Mr. LARGENT. Aye.
The CLERK. Mr. Largent votes yes. Mr. Hilleary?
Mr. HILLEARY. Yes.
The CLERK. Mr. Hilleary votes yes. Mrs. Cubin?
Mrs. CUBIN. Yes.
The CLERK. Mrs. Cubin votes yes. Mr. Foley?
Mr. FOLEY. Yes.
The CLERK. Mr. Foley votes yes. Mrs. Myrick?
Mrs. MYRICK. Yes.
The CLERK. Mrs. Myrick votes yes. Mr. Brown?
Mr. BROWN. No.
The CLERK. Mr. Brown votes no. Mr. Hall? Mr. Traficant? Mr. Hayes? Mr. Tanner?
Mr. TANNER. No.
The CLERK. Mr. Tanner votes no. Mr. Geren?
Mr. GEREN. No.
The CLERK. Mr. Geren votes no. Mr. Roemer?
Mr. ROEMER. No.
The CLERK. Mr. Roemer votes no. Mr. Cramer?
Mr. CRAMER. No.
The CLERK. Mr. Cramer votes no. Mr. Barcia? Mr. McHale? Ms. Harman? Ms. Johnson?
Ms. JOHNSON. No.
The CLERK. Ms. Johnson votes no. Mr. Minge?
Mr. MINGE. Yes.
The CLERK. Mr. Minge votes yes. Mr. Olver?
Mr. OLVER. No.
The CLERK. Mr. Olver votes no. Mr. Hastings?
Mr. HASTINGS. Yes.
The CLERK. Mr. Hastings votes yes. Ms. Rivers?
Ms. RIVERS. Yes.
The CLERK. Ms. Rivers votes yes. Ms. McCarthy?
Ms. MCCARTHY. Yes.
The CLERK. Ms. McCarthy votes yes. Mr. Ward?
Mr. WARD. Yes.
The CLERK. Mr. Ward votes yes. Ms. Lofgren?
Ms. LOFGREN. Yes.
The CLERK. Ms. Lofgren votes yes. Mr. Doggett?
Mr. DOGGETT. Yes.
The CLERK. Mr. Doggett votes yes. Mr. Doyle?

Mr. DOYLE. Yes.

The CLERK. Mr. Doyle votes yes. Ms. Jackson-Lee? Mr. Luther?

Mr. LUTHER. Yes.

The CLERK. Mr. Luther votes yes.

The CHAIRMAN. How is Mr. Hall recorded?

The CLERK. Mr. Hall is not recorded.

Mr. HALL. Mr. Chairman, I voted no.

The CHAIRMAN. The Clerk will report.

The CLERK. Mr. Chairman, yes, 25, no, 15.

[The Clerk reported the tally incorrectly; the correct tally is: Yes-23; no-15.]

The CHAIRMAN. The amendment is agreed to.

The next amendment on the list is from Mr. Baker, who is going to withdraw his amendment, is that correct, Mr. Baker?

Mr. BAKER. We couldn't get as many fissions as fusions to agree on this. So I'd like to withdraw it as this moment.

The CHAIRMAN. The gentleman withdraws his amendment.

Mr. Davis?

Mr. DAVIS. Mr. Chairman, I'd like to pass for now, reserve the right to bring it back. We may be able to work out some report language.

The CHAIRMAN. All right. The gentleman passes for the moment.

Mr. Doggett?

Mr. DOGGETT. Thank you, Mr. Chairman.

And I would ask the Clerk to redistribute this amendment. It's the same amendment wording as yesterday, just different line numbers because of the Chairman's substitute.

[The amendment follows:]

AMENDMENT OFFERED BY MR. DOGGETT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Page 12, lines 8 through 10, strike ", including maintaining programs at the National Institute for Petroleum and Energy Research".

Mr. DOGGETT. Mr. Chairman, I have prepared this amendment in an attempt to preserve the long bipartisan effort of this Committee to avoid specification of particular institutes or contractors for performance of our research. Members of this committee have long endorsed the principle of merit in making awards of taxpayer resources. I think this was most recently demonstrated yesterday in the amendment that Chairman Walker offered to the environmental research bill.

Comparative merit review of funding has been shown to work in the best interests of the taxpayer and in the best interests of science, with reference to a number of agencies. The Energy and Environment Subcommittee has cut research in oil technology in half. That is, they have reduced it by 50 percent.

Then the next thing that the subcommittee has done is that it has encouraged, if not required, that the half that remains be done at one location, the National Institute for Petroleum and Energy Research, or NIPER, as it is known by its acronym.

This is an attempt through this amendment to nip NIPER out of the bill. I don't believe designating a particular site for performance of research or requiring that a particular institute be maintained at this time of Government downsizing is a very good precedent. If this amendment stands, it will be just that more difficult to say, that much more difficult to say to the next institute or the next university or entity that comes along that they should not be given this kind of preferential treatment also.

I would suggest that we need to be nipping away at pork barrel, not enshrining NIPER in law. Mr. Chairman, NIPER should have been nipped out by the subcommittee, and there is a danger in having an earmark in this nature, a danger to the taxpayer and a danger to those of us who are concerned about quality science. The approach that we should be using is not to try to pick winners and losers among the institutes and the contractors who want Federal funds.

Instead, we should continue to set broad policy guidelines that ensure the selection of those who can do the best job at the research according to merit review procedures. My amendment simply restores the subcommittee bill to its original form in this regard. And I would further propose report language for the guidance of the Department of Energy that requires the Secretary to choose performance of this research among institutes, national laboratories, universities, and private companies, in accordance with fair and open competition with the award of contracts being based strictly on merit.

Enough said, I would urge my colleagues to vote to strike the language added in the subcommittee to designate a particular institute, that it be maintained to conduct research.

The CHAIRMAN. The gentleman from Virginia.

Mr. DAVIS. Mr. Chairman, yes, contrary to what some inferences members may have drawn, this doesn't direct any contracts to anyone. But what it does is it recognizes what's happened at the facility in Bartlesville, Oklahoma. And in accordance with the standards set by the National Performance Review, where they asked the three labs working to try to de-Federalize those areas. Bartlesville is the only one that delivered. And by reducing its

number of permanent employees and going to the private sector, have put themselves very much at risk.

In addition to that, this is the only one of the three major sites where petroleum and gas research is carried on today. If this is going to be carried on, it doesn't make sense to carry this on at the other two, which were more coal-producing areas. This simply recognizes the fact that privatization has worked here, that the National Institute for Petroleum and Energy Research followed the de-Federalizing of sites which was requested previously and which the other two sites have not acknowledged to date.

And I think we ought to recognize that this doesn't direct any contracts anywhere at this point, but preserves that site for oil and petroleum research. And I speak in opposition to the amendment.

Mr. ROHRABACHER. Would the gentleman yield?

Mr. DAVIS. I yield to the gentleman from California.

Mr. ROHRABACHER. I will be opposing this amendment as well. And we are making the same decision here in terms of NIPER that we do with our national labs. And this is not any type of earmarking, and, in the same way that we direct money to our national labs.

So we have cut money for oil and gas research. NIPER has done a good job. Our national labs in many cases have done a good job. And we're treating them in the same way. So I oppose the amendment.

Mr. LARGENT. Would the gentleman yield?

Mr. DAVIS. I'd be happy to yield to the gentleman from Oklahoma.

Mr. LARGENT. I'd just like to say that, I understand this laboratory is not something that has been earmarked this year or last year or even within the last five years. This is a laboratory that's been in existence well over 30 years at its current location. It's not in my district.

But I can tell you that the work that they do not only goes to help the Navy, the Department of Defense and a lot of other public entities, but the oil and gas industry that's particularly taken it on the chin in the last 10 years, losing 500,000 jobs, just in the last 6 months, losing 50,000 jobs, that they do an invaluable service for that particular sector of industry.

And so this is not something that, and again, as Tom mentioned, of all the Government-owned organizations that have made the moves in the right direction in terms of relying on research that is practical, that is basic, NIPER has gone above and beyond the call of duty.

I yield back my time.

The CHAIRMAN. Would the gentleman yield? The one thing that I think needs to be understood here so that members can at least make a choice on this is, the gentleman from Texas is absolutely right in the position of this committee. We suggest that things ought to be done on a competitive process, and they ought not be earmarked and so on.

The fact is, as I understand it, this particular project was selected on a competitive process, isn't that right?

Mr. DAVIS. That is correct

The CHAIRMAN. And all the language does is assures the Department of Energy in fact prioritizes that.

Mr. DAVIS. Right.

The CHAIRMAN. But we are not earmarking something here, and suggesting that that be set aside. The selection of the program here was done on a competitive process, is that correct?

Mr. DAVIS. That is correct. In fact, Mr. Chairman, what's happened is, because we asked that they privatize, it had to be done that way. The problem with some of the other labs is that they didn't privatize, and they're still run by Federal employees. I think we ought, this has won the national awards under Performance Review, and I think we ought to acknowledge that.

I yield back.

The CHAIRMAN. Thank you.

We can get a vote in here before we—oh, I'm sorry, Mr. Luther.

Mr. LUTHER. Mr. Chairman, if I could yield to Mr. Doggett for a response to Mr. Davis' point.

Mr. DOGGETT. If this is such a great program, it can stand on merit. There wouldn't be any reason for enshrining this as the one out of three national institutes, the only one to be enshrined to law, unless somebody had a little pork they wanted to protect.

If it's privatizing, if it's the best one, if it wins out in competition, it doesn't need special privilege in this bill, which is what is being accorded to it. What we need to do is determine these projects based on merit. And I think this kind of maneuver is the very kind of thing that puts the lie to the, or puts, questions the validity, I'm not suggesting that anybody is misstating the truth, but questions the validity of the argument that we're really after identifying all the pork in this budget, and as we downsize, eliminate that first, and concentrate on where we can get the most research for our dollar.

Mr. LARGENT. Would the gentleman yield?

Mr. DOGGETT. I yield.

Mr. LARGENT. I just would say, that's exactly what we've done, and what we're doing. What you're suggesting is that we pull the rug out of the feet, underneath the feet of the people that have gone through the competitive process and acquired the bid. We've given them a previous contract. They've operated on that—

Mr. DOGGETT. Well, reclaiming my time, Mr. Largent, I understand that you feel they've done a good job, and if they've done a good job, they can compete with the other two labs, other two institutes that aren't in here, and they can compete with the University of Oklahoma or the University of Pennsylvania or any other university or private entity in the country.

There's no reason to specify one out of all the institutes in the country over all private entities, over all private universities, and say they're going to be maintained, and not maintain other programs. Particularly when you're coming in and cutting the total amount of research funds in half, by 50 percent, and then saying we'll maintain the one project in my district, and give it preferential treatment.

That is not in accord with the stated goals of this committee. It's not good science. It's not good for the taxpayer. And we ought to

nip this bit of pork out of here and let this project stand on its merits.

Now, as far as the Performance Review or the Reinventing Government initiative, it has looked and encouraged privatization, and I'm glad this particular institute has done that. But it has also questioned whether we need three institutes, and whether we don't need some merger and consolidation.

And what this action does is to make a decision in advance, prejudging the Department of Energy. And to select one of these projects, over the other three. And that's just flat wrong. And that's why in this amendment I would go back to what the subcommittee did originally.

The CHAIRMAN. We've talked ourselves past a vote, so the Committee stands in recess.

[Recess.]

The CHAIRMAN. Ms. Jackson-Lee.

Ms. JACKSON-LEE. Thank you, Mr. Chairman.

I rise to support the amendment of Mr. Doggett, clearly because I think that as we look at an energy policy, it's important that we not forget the importance of oil research. And part of the effort behind this amendment is to ensure that we have enough dollars within the budget lines for oil research, which really helps in exploration and environmental safety.

And then I would conclude simply, Mr. Chairman, by saying that I think the role of Congress is to ensure that any distribution of funds is partly by the merit of the project, among other issues. And I think that this amendment speaks to the question of merit on these issues dealing with oil research.

And I thank you, Mr. Chairman, for that—

Mr. DOGGETT. Would the gentlelady yield?

The CHAIRMAN. The gentlelady had asked to be recognized for just a couple of minutes. The Chair does want to go to a vote and I would ask the gentleman's—

Mr. DOGGETT. I just wanted to ask her a question.

The CHAIRMAN. Yes, but the gentlelady came to me and asked me to recognize her very briefly. And the gentleman—

Mr. DOGGETT. That's fine.

The CHAIRMAN. I tried to do that so that we could proceed on to a vote. The Chair would prefer to have a vote before we get another vote on the floor, and we put the question.

Those in favor of the Doggett amendment will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed?

[Chorus of noes.]

Mr. DOGGETT. Roll call vote.

The CHAIRMAN. In the apparent opinion of the Chair, the noes have it.

Mr. DOGGETT. Roll call vote, please, Mr. Chairman.

The CHAIRMAN. The gentleman requests a roll call vote. The Clerk will call the roll.

The CLERK. Mr. Walker?

The CHAIRMAN. No.

The CLERK. Mr. Walker votes no. Mr. Sensenbrenner?

Mr. SENSENBRENNER. No.

The CLERK. Mr. Sensenbrenner votes no. Mr. Boehlert? Mr. Fawell?

Mr. FAWELL. No.

The CLERK. Mr. Fawell votes no. Mrs. Morella? Mr. Weldon of Pennsylvania?

Mr. WELDON OF PENNSYLVANIA. No.

The CLERK. Mr. Weldon votes no. Mr. Rohrabacher?

Mr. ROHRABACHER. No.

The CLERK. Mr. Rohrabacher votes no. Mr. Schiff?

Mr. SCHIFF. No.

The CLERK. Mr. Schiff votes no. Mr. Barton? Mr. Calvert?

Mr. CALVERT. No.

The CLERK. Mr. Calvert votes no. Mr. Baker? Mr. Bartlett? Mr. Ehlers?

Mr. EHLERS. No.

The CLERK. Mr. Ehlers votes no. Mr. Wamp?

Mr. WAMP. No.

The CLERK. Mr. Wamp votes no. Mr. Weldon of Florida?

Mr. WELDON OF FLORIDA. No.

The CLERK. Mr. Weldon votes no. Mr. Graham?

Mr. GRAHAM. No.

The CLERK. Mr. Graham votes no. Mr. Salmon? Mr. Davis?

Mr. DAVIS. No.

The CLERK. Mr. Davis votes no. Mr. Stockman?

Mr. STOCKMAN. No.

The CLERK. Mr. Stockman votes no. Mr. Gutknecht?

Mr. GUTKNECHT. No.

The CLERK. Mr. Gutknecht votes no. Mrs. Seastrand? Mr. Tiahrt?

Mr. TIAHRT. No.

The CLERK. Mr. Tiahrt votes no. Mr. Largent?

Mr. LARGENT. No.

The CLERK. Mr. Largent votes no. Mr. Hilleary?

Mr. HILLEARY. No.

The CLERK. Mr. Hilleary votes no. Mrs. Cubin? Mr. Foley? Mrs. Myrick? Mr. Brown?

Mr. BROWN. Yes.

The CLERK. Mr. Brown votes yes. Mr. Hall? Mr. Traficant? Mr. Hayes? Mr. Tanner?

Mr. TANNER. Yes.

The CLERK. Mr. Tanner votes yes. Mr. Geren? Mr. Roemer?

Mr. ROEMER. Yes.

The CLERK. Mr. Roemer votes yes. Mr. Cramer?

Mr. CRAMER. Yes.

The CLERK. Mr. Cramer votes yes. Mr. Barcia?

Mr. BARCIA. Yes.

The CLERK. Mr. Barcia votes yes. Mr. McHale?

Mr. MCHALE. Yes.

The CLERK. Mr. McHale votes yes. Ms. Harman?

Ms. HARMAN. Yes.

The CLERK. Ms. Harman votes yes. Ms. Johnson? Mr. Minge? Mr. Olver? Mr. Hastings? Ms. Rivers?

Ms. RIVERS. Yes.

The CLERK. Ms. Rivers votes yes. Ms. McCarthy?

Ms. MCCARTHY. Yes.

The CLERK. Ms. McCarthy votes yes. Mr. Ward?

Mr. WARD. Yes.

The CLERK. Mr. Ward votes yes. Ms. Lofgren?

Ms. LOFGREN. Yes.

The CLERK. Ms. Lofgren votes yes. Mr. Doggett?

Mr. DOGGETT. Yes.

The CLERK. Mr. Doggett votes yes. Mr. Doyle?

Mr. DOYLE. Yes.

The CLERK. Mr. Doyle votes yes. Ms. Jackson-Lee?

Ms. JACKSON-LEE. Aye.

The CLERK. Ms. Jackson-Lee votes yes. Mr. Luther?

Mr. LUTHER. Yes.

The CLERK. Mr. Luther votes yes. Mr. Hastings?

The CHAIRMAN. Mr. Hastings votes aye. The gentleman from Florida, Mr. Foley? How is Mr. Olver recorded?

The CLERK. Mr. Olver is not recorded.

Mr. OLVER. Aye.

The CHAIRMAN. The gentleman from Kentucky, how is the gentleman from Kentucky recorded? Mr. Ward?

The CLERK. Mr. Ward is recorded as voting aye.

The CHAIRMAN. Clerk will report.

The CLERK. Mr. Chairman, the roll call is yes, 17, no, 18.

The CHAIRMAN. The amendment is not agreed to.

Ms. JACKSON-LEE. Mr. Chairman?

The CHAIRMAN. Ms. Jackson-Lee.

Ms. JACKSON-LEE. Mr. Chairman, I just want to note that I was unavoidably detained on the vote amendment of Mr. Foley, I believe, the gas-cooled reactor, unavoidably detained on the Senate Floor dealing with Dr. Henry Foster's vote. And if I had been present I would have voted aye. I would like the record to so reflect that vote, Mr. Chairman, by unanimous consent.

The CHAIRMAN. The gentlewoman's statement will be noted.

The gentleman from Pennsylvania, Mr. McHale.

Mr. MCHALE. Thank you, Mr. Chairman.

Mr. Chairman, I too was absent for the Foley vote. At the time the vote was taken, I was on the Floor of the House of Representatives managing an amendment then being considered. Had I been in my seat in here in Committee at the time, as I had in the subcommittee, I would have voted for the Foley amendment.

Thank you, Mr. Chairman.

The CHAIRMAN. The gentleman's remarks will be noted.

The gentleman from Oklahoma.

Mr. LARGENT. Mr. Chairman, we're withdrawing our amendment at this time.

[The amendment follows:]

AMENDMENT TO H.R. 1816

OFFERED BY MR. LARGENT

Page 12, line 22, insert ", and supporting, consistent with section 6, a multi-state consortium dedicated to integrated petroleum environment and energy research to develop objective, cost-benefit analyses, for the appropriate technology required for effective fossil energy production and supply, on a 50 percent cost-share basis" after "Petroleum and Energy Research".

The CHAIRMAN. The gentleman withdraws his amendment at this time.

The gentleman from Texas, Mr. Doggett. Number nine in the package.

[The amendment follows:]

AMENDMENT OFFERED BY MR. DOGGETT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Page 15, after line 13, insert the following new paragraph:

1 (42) International Thermonuclear Experimental
2 Reactor.

Mr. DOGGETT. Number nine. This one is about ITER, Mr. Chairman. This amendment, which I would also ask the Clerk to redistribute, same language as yesterday, just new page and line numbers. This amendment addresses an important, but a very costly, decision regarding this Nation's energy future. And that's the role of fusion power, which has already been referenced earlier in our debate.

While I think that it is basically correct to explore fusion and its potential application here on Earth as a source of practical energy, in this stringent budget situation that we face, I think we have to make some difficult choices about how we will spend the very limited amount of research dollars that we have for fusion research.

My amendment proposes that we adopt a realistic goal for fusion power that we can achieve with money we've got available. Here the Subcommittee on Energy and Environment had a cut almost as dramatic as that for oil research. This one was 38 percent reduction for this year. The Appropriations Interior Subcommittee has agreed with this figure.

According to the bill before us, the amount that we have available will have to fund a basic research program and the International Thermonuclear Experimental Reactor, ITER. The trouble is—might we have order, Mr. Chairman? It's a little noisy.

The CHAIRMAN. The gentleman is correct. The Committee will be in order.

Mr. DOGGETT. The trouble with ITER, Mr. Chairman, is that it has a very big appetite for taxpayer dollars. ITER will indeed eat the fusion budget, leaving only table scraps around for basic research here within the United States. In cutting the fusion program by 38 percent in a single year, this bill assures that we're going to be taking a lot longer to achieve fusion as a practical source of energy. And with these limited dollars, we've got to focus them where they will do the most good.

Clearly, this means a bigger allocation to basic research, not a smaller one. My amendment would strike the authorization for funds for applied research in the design of ITER. Continuing to spend almost $100 million a year to design an eight-story tall Tokamak that would cost more than $10 billion to build in the current budgetary situation is folly. We don't even know if a Tokamak structure is the best approach for a practical power plant. Perhaps inertial fusion energy, or one of the many other confinement structures, might be better. Research could provide that answer before we waste billions on what may be a dead-end technology.

When the budget is restrained as it is, and we're making a 38 percent cut in fusion research money today, it is also folly to believe that in three years, in 1988, we're going to be willing to spend billions of dollars to start building what we're spending hundreds of millions to design right now. ITER is never going to be built. Thus, by continuing the plan of this bill, we are just going to be pouring design funds, about $300 million, right down the drain. And I don't believe the American taxpayer has any appetite for that kind of waste.

Some may say that discontinuing ITER is going to upset other countries. Perhaps some in Japan, perhaps the Germans will speak ill of us. Well, I'm sorry. I think they'll get over it. And in fact, I

think there may well be elected officials in those countries who are watching what we're doing today and who may well decide that their fusion dollars would better be spent in another way as well.

Mr. Chairman, continuing ITER is not responsible leadership. The Europeans and the Japanese can read the fusion budget numbers. And they've got to know that if we whack fusion research, as we're doing in this budget, by 38 percent, the United States is unlikely to ever put up its share to actually construct ITER. Many of them would welcome an opportunity to reprogram their own limited research budgets for more effective direction.

The Appropriations Interior Subcommittee has said, and I quote, the Committee expects the Department to propose—that's the Department of Energy—a fusion program which supports advancement of key research areas and exploration of alternatives at a much smaller scale in laboratories and universities. The plan should be developed with the fusion community and Congress, but with the understanding, and again, this is the Committee's language, that future funding levels are unlikely to increase, and could well decrease below the FY '96 recommendation.

Mr. Chairman, my amendment provides the key element of Congressional input. It faces the stark reality, we can't build ITER, and thus it is irresponsible to continue spending hundreds of millions of dollars to design a facility that will never be built. We must make the tough decisions that will get this budget balanced, and focus our investments where they can do the most good.

I would urge my colleagues to vote for the amendment, strike the authorization for ITER, put this committee on record that continuing to design ITER is not good public policy in the kind of budget environment that we face today.

I thank the Chair.

The CHAIRMAN. Any other members seek recognition?

The gentlelady from California.

Ms. HARMAN. Thank you, Mr. Chairman.

First, I want to state that I was, I too was unavoidably absent during the vote on the Foley amendment. I would have voted no on that amendment, and would like it reported at the proper point in the record.

The CHAIRMAN. The gentlelady's statement will be noted.

Ms. HARMAN. Thank you.

Mr. Chairman, I have enormous respect for my colleague, Mr. Doggett, and we usually agree. On this issue, however, we disagree. I am aware of and a fan of the ITER program, an international program based in San Diego, California.

And I listened carefully to what he had to say. I think that spending R&D on fusion is critical.

But I do not agree that ITER will eat our fusion budget, to quote him. I think that this is one place where Government investment will pay off, and without Government investment, we have no chance of making fusion a reality.

So I would urge that we stick with the text as is, and defeat the Doggett Amendment. Thank you.

The CHAIRMAN. The gentleman from Michigan.

Mr. EHLERS. Thank you, Mr. Chairman.

The problem with the amendment is that it kills the ITER project. And I think it would certainly be premature to kill the ITER project. I'd be quite willing to entertain discussions about scaling back the project in view of the very serious cut to the fusion budget. I think it is important to continue the basic research.

But I do believe that at some point we have to construct something similar to ITER. And we should continue our planning, our discussions with other nations. It's a project of a size that we do not want to, and perhaps cannot, carry on as a nation alone.

But there's a good possibility of international cooperation, international funding, as we are going to have in numerous major scientific projects in the future. And I think it would be a mistake at this point, in fact I know it would be a mistake, to unilaterally kill it by inserting this amendment. I would like to continue the discussions with other nations, perhaps establish a new timeline. But certainly, let's not kill the project at this point.

Thank you.

The CHAIRMAN. Any other members seeking recognition before the Chairman concludes the debate on this amendment?

The Chairman would oppose this amendment. The President has said that ITER is "the centerpiece of the research effort in magnetic fusion energy," end of quote. And his Administration is fully committed to this particular project.

And with good reason. The fact is that each of the world's major fusion programs have independently come to the conclusion that a facility to address the fusion issues, this should be the next step in fusion development. It seems to me that if we are going to pursue fusion, we are going to have to do the next generation of big machine. The fact is that no one nation can afford to do that.

And so in effect, by killing off the ITER project, what we will do is leave ourselves with only a few small projects that will be incapable of ever moving the issue forward. I think it would be a mistake to abandon the international regime, where I think that big science engineering projects are going to have to be done. This will once again impact on our credibility as partners in scientific process.

The fact is that we are a part of an agreement to conduct engineering design and supporting research and development on the ITER. What the gentleman's amendment would do is abandon that agreement, and once again put this Nation in a position of being seen as an unreliable partner in international projects in science.

I think that would be a tragic position for us to be in, particularly given the fact that big science in the future is going to have to be done internationally or it won't be done at all. And so I would hope that the committee would reject this amendment as being really an effort to go far beyond killing ITER. This really kills magnetic fusion as a viable energy experiment for the near term.

With that, the Chair would put the question. Those in favor of the Doggett amendment will say yes.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of noes.]

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

Mr. DOGGETT. May I have a roll call vote, Mr. Chairman?

The CHAIRMAN. The gentleman requests a roll call vote. The Clerk will call the roll.

The CLERK. Mr. Walker?

The CHAIRMAN. No.

The CLERK. Mr. Walker votes no. Mr. Sensenbrenner?

Mr. SENSENBRENNER. No.

The CLERK. Mr. Sensenbrenner votes no. Mr. Boehlert? Mr. Fawell?

Mr. FAWELL. No.

The CLERK. Mr. Fawell votes no. Mrs. Morella?

Mrs. MORELLA. No.

The CLERK. Mrs. Morella votes no. Mr. Weldon of Pennsylvania?

Mr. WELDON of Pennsylvania. No.

The CLERK. Mr. Weldon votes no. Mr. Rohrabacher? Mr. Schiff?

Mr. SCHIFF. No.

The CLERK. Mr. Schiff votes no. Mr. Barton? Mr. Calvert?

Mr. CALVERT. No.

The CLERK. Mr. Calvert votes no. Mr. Baker? Mr. Bartlett? Mr. Ehlers?

Mr. EHLERS. No.

The CLERK. Mr. Ehlers votes no. Mr. Wamp?

Mr. WAMP. No.

The CLERK. Mr. Wamp votes no. Mr. Weldon of Florida?

Mr. WELDON of Florida. No.

The CLERK. Mr. Weldon votes no. Mr. Graham?

Mr. GRAHAM. No.

The CLERK. Mr. Graham votes no. Mr. Salmon? Mr. Davis?

Mr. DAVIS. No.

The CLERK. Mr. Davis votes no. Mr. Stockman? Mr. Gutknecht?

Mr. GUTKNECHT. No.

The CLERK. Mr. Gutknecht votes no. Mrs. Seastrand? Mr. Tiahrt?

Mr. TIAHRT. No.

The CLERK. Mr. Tiahrt votes no. Mr. Largent?

Mr. LARGENT. No.

The CLERK. Mr. Largent votes no. Mr. Hilleary? Mrs. Cubin? Mr. Foley?

Mr. FOLEY. No.

The CLERK. Mr. Foley votes no. Mrs. Myrick?

Mrs. MYRICK. No.

The CLERK. Mrs. Myrick votes no. Mr. Brown? Mr. Hall? Mr. Traficant? Mr. Hayes? Mr. Tanner?

Mr. TANNER. Yes.

The CLERK. Mr. Tanner votes yes. Mr. Geren?

Mr. GEREN. Yes.

The CLERK. Mr. Geren votes yes. Mr. Roemer?

Mr. ROEMER. No.

The CLERK. Mr. Roemer votes no. Mr. Cramer?

Mr. CRAMER. Yes.

The CLERK. Mr. Cramer votes yes. Mr. Barcia?

Mr. BARCIA. Yes.

The CLERK. Mr. Barcia votes yes. Mr. McHale?

Mr. MCHALE. No.

The CLERK. Mr. McHale votes no. Ms. Harman?

Ms. HARMAN. No.
The CLERK. Ms. Harman votes no. Ms. Johnson?
Ms. JOHNSON. Yes.
The CLERK. Ms. Johnson votes yes. Mr. Minge?
Mr. MINGE. Yes.
The CLERK. Mr. Minge votes yes. Mr. Olver?
Mr. OLVER. No.
The CLERK. Mr. Olver votes no. Mr. Hastings?
Mr. HASTINGS. No.
The CLERK. Mr. Hastings votes no. Ms. Rivers?
Ms. RIVERS. Yes.
The CLERK. Ms. Rivers votes yes. Ms. McCarthy?
Ms. MCCARTHY. Yes.
The CLERK. Ms. McCarthy votes yes. Mr. Ward?
Mr. WARD. Yes.
The CLERK. Mr. Ward votes yes. Ms. Lofgren?
Ms. LOFGREN. No.
The CLERK. Ms. Lofgren votes no. Mr. Doggett?
Mr. DOGGETT. Yes.
The CLERK. Mr. Doggett votes yes. Mr. Doyle?
Mr. DOYLE. Yes.
The CLERK. Mr. Doyle votes yes. Ms. Jackson-Lee?
Ms. JACKSON-LEE. Aye.
The CLERK. Ms. Jackson-Lee votes yes. Mr. Luther?
Mr. LUTHER. Yes.
The CLERK. Mr. Luther votes yes.
The CHAIRMAN. How is Mr. Rohrabacher recorded?
The CLERK. Mr. Rohrabacher is not recorded.
Mr. ROHRABACHER. No.
The CLERK. Mr. Rohrabacher votes no.
The CHAIRMAN. How is Mr. Hall recorded?
The CLERK. Mr. Hall is not recorded.
Mr. HALL. Mr. Hall votes yes.
The CHAIRMAN. The gentleman, Mr. Hilleary, how is he recorded?
The CLERK. Mr. Hilleary is not recorded.
The CHAIRMAN. He votes no.
Mr. Baker?
Mr. BAKER. No.
The CLERK. Mr. Baker votes no.
The CHAIRMAN. The Clerk will report.
The CLERK. Mr. Chairman, the roll call vote, yes, 14, no, 26.
The CHAIRMAN. The vote is 14 to 26. The amendment is not agreed to.
Ms. Johnson?
Ms. JOHNSON. Mr. Chairman, I was unavoidably detained on the earlier Doggett amendment. Had I been present, I would have voted aye, and I ask unanimous consent to have the record so reflect.
The CHAIRMAN. Okay. The gentlelady's statement will be noted.
The gentleman from Pennsylvania.
Mr. DOYLE. Thank you, Mr. Chairman.

Mr. Chairman, I have amendment 10A, I have an updated amendment which is at the desk, which they'll pass around. And just to notify you, Mr. Chairman, I intend to withdraw 10B.

The CHAIRMAN. I appreciate that. The gentleman then is recognized for his amendment.

Mr. DOYLE. Thank you.

[The amendment follows:]

AMENDMENT OFFERED BY MR. DOYLE

TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

OFFERED BY MR. WALKER

On Page 22, strike lines 1 through 8 and substitute the following Section:

SEC. 8. ALTERNATIVE AUTHORIZATION.

(a) In General. -- Notwithstanding any other provision of this Act, if the concurrent 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, the total amount authorized by this Act shall be increased by the amount equal to $497,000,000 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.

(b) Application of Increase. -- Any amount appropriated pursuant to subsection (a) shall be used as follows:

(1) The first $100 million shall be allocated to solar and geothermal research and development;

(2) The next $100 million shall be allocated to coal, oil, and gas research and development;

(3) The next $100 million shall be allocated to building, industrial, and transportation energy conservation research and development activities;

(4) The next $18 million shall be allocated to the Environment, Health, and Safety program;

(5) The next $42 million shall be allocated to the Laboratory Technology Transfer and

Technology Partnership programs;

(6) The next $40 million shall be allocated to fusion research and development activities;

(7) The next $59 million shall be allocated to the Biological and Environmental Research program; and

(8) The remaining $38 million shall be allocated to fossil and conservation research and development activities.

Mr. DOYLE. Mr. Chairman, in the interest of time, too, this is an amendment which we have seen in subcommittee before, and that has been discussed. Basically what we're doing here is, this is being based on an assumption of a tax cut of less than $350 billion, and then a proportionate share would come back to the committee.

And what I've done instead of doing it by percentage, in Section B of the bill, we do the application of increase, the first $100 million allocated to solar and geothermal research, the next $100 million to coal, oil, gas R&D, the next $100 million building industrial transportation, and so on, through the sections of the bill.

And since this has been the subject of debate at all the subcommittee levels, I'll just conclude with that and ask for support on the amendment.

The CHAIRMAN. The Chair would recognize the Subcommittee Chairman, Mr. Rohrabacher.

Mr. ROHRABACHER. Mr. Chairman, I just don't believe that this proposal makes much sense. What we're basically doing is tying tax cuts to budget resolutions and sort of intermingling these concepts. Basically, this is an arbitrary formula, and basically I have to oppose it. It just doesn't make any sense.

Thank you.

Mr. SENSENBRENNER. Would the gentleman yield?

Mr. ROHRABACHER. Yes, I will.

Mr. SENSENBRENNER. I'm just wondering what would happen if every authorizing committee adopted an amendment like this for the programs under their jurisdiction. That would mean that any time the tax cut got below $350 billion, we would end up spending the money that was saved by having less of a tax cut several times over. It seems to me that that's what got us in the pickle of a $5 trillion deficit, that the best way to prevent that from happening in the future is just say no when amendments like this are proposed.

Mr. ROHRABACHER. That's correct. As I said, it doesn't make any sense.

Mr. DOYLE. Will the gentleman yield? Will the gentleman yield?

Mr. ROHRABACHER. Yes, I would.

Mr. DOYLE. I'd just like to say in reply to Mr. Sensenbrenner that that would not be the case, as what we try to recoup back here in science is a proportionate amount of the tax cut. So therefore, every committee could indeed require their proportionate share back. And it would never exceed the $350 billion.

There are many of us in this Congress that don't believe we need a $350 tax cut, and we can still balance the budget without having $350 billion in tax cuts, so I just want to correct the gentleman that this would not overspend.

Mr. SENSENBRENNER. If the gentleman from California would yield further?

Mr. ROHRABACHER. Yes, I will.

Mr. SENSENBRENNER. I think that's a debate that's most properly conducted in the Ways and Means Committee, rather than in the Science Committee, on whether or not we ought to have a tax cut or not. Our job is to set priorities in science programs with the allocations that we have available, rather than going off into never-never land with various types of hypotheticals.

Mr. ROHRABACHER. My colleague from Wisconsin is correct. We are here to discuss science issues, not tax issues. Trying to intermingle them in this way, again, makes no sense. And I yield to Mr. Schiff.

Mr. SCHIFF. Very briefly, thank you, Mr. Chairman.

I want to just say on the tax cut issue, I voted against the tax cut for various, not for the reasons most often given on the House Floor. But for other reasons.

But here's the point. This is a poor way of authorizing. Because what if we can obtain money other ways, as our Chairman did in negotiations with the House Appropriations Committee? There was no change in the tax cut. But we got more funds to authorize.

If there is less of a tax cut or no tax cut, why should we be content with a proportional share? Why shouldn't we fight for more for scientific research? If there is changes in spending for other reasons in the House-Senate Conference, why shouldn't we fight for that?

So I think this locks us into a position that doesn't make much sense. I yield back.

Mr. ROHRABACHER. I yield back the balance of my time, Mr. Chairman.

The CHAIRMAN. The time of the gentleman has expired.

The Chair will put the question. Those in favor of the Doyle amendment will say aye.

[Several ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of noes.]

The CHAIRMAN. In the opinion of the Chair, the noes have it. The noes have it, the amendment is not agreed to.

The gentleman, Mr. Traficant, is not here. Mr. Barton is not here. The—

Mr. TANNER. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The gentleman from Tennessee has an amendment at the desk.

Mr. TANNER. Mr. Chairman, I just heard, I'm—Mr. Chairman I reserve a point of order.

The CHAIRMAN. The gentleman will withhold because we have not seen the gentleman's amendment at this point. So we would want to have a look at the gentleman's amendment before proceeding.

[The amendment follows:]

AMENDMENT OFFERED BY TAUNER

TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1816
OFFERED BY MR. WALKER

On Page 2, line 17, strike "$235,451,000" and insert in lieu thereof "$250,451,000".

On Page 2, line 18, strike "$235,331,000" and insert in lieu thereof "$250,331,000".

On Page 12, line 7, strike "$49,955,000" and insert in lieu thereof "$69,955,000".

On Page 12, line 8, strike "$43,234,000" and insert in lieu thereof "$58,234,000".

On Page 12, line 11, strike "$59,829,000" and insert in lieu thereof "$74,829,000".

On Page 13, line 3, strike "$55,074,000" and insert in lieu thereof "$65,074,000".

On Page 13, line 4, strike "$55,110,000" and insert in lieu thereof "$65,110,000".

On Page 13, line 5, strike "$112,123,000" and insert in lieu thereof "$132,123,000".

The CHAIRMAN. The gentleman is recognized.

Mr. TANNER. Mr. Chairman, I withdraw my reservation.

The CHAIRMAN. The Chair withdraws his reservation. The gentleman from Tennessee would proceed.

Mr. TANNER. Thank you, Mr. Chairman.

I—we just heard that we shouldn't intermingle tax cuts or that sort of policy with authorization, and we shouldn't, and the reasons given for voting against Mr. Doyle, I could not agree more. I would just simply say that that's what we've been doing ever since we started this process.

We were given a number in the subcommittee that was supposed a rock hard number about what was tied to the budget. We later learned yesterday that that had no consequence. So now we're told that, oh, you shouldn't tie this to the budget.

Well, just yesterday the Chairman, and I'm glad he did, and I commend him for it, found some more money from somewhere from somebody, and rewrote the subcommittee mark to the Chairman's mark. Now, this amendment today, what we're trying to do is to allocate some money that the Appropriations Committee appropriated yesterday, both in Subcommittee and in Full Committee, in the Energy R&D account, General Science, Fossil Energy and Conservation.

Without reading my amendment, it's numbers, but what we do, we try to have a relevant role in this process by this authorizing committee to give the appropriators some idea of what we would like to see this extra money, or so-called extra money, being spent on.

I just heard the comments on Mr. Doyle's amendment, and I guess this will be defeated for the same reason. But for the Chairman of the Subcommittee to say we shouldn't tie authorization policy to appropriation policy when the Chairman just did that yesterday in his mark, is almost beyond credibility to me.

Anyway, I submit this amendment, and I anticipate it will go the way of those heretofore.

Mr. ROHRABACHER. Would the gentleman yield? I believe it was tax policy that we were talking about.

Mr. TANNER. Tax policy, or—you said appropriations at one point, then you changed to tax policy.

Mr. ROHRABACHER. I thought it was tax policy.

Mr. TANNER. We've been chasing the appropriators since we started this process.

Mr. ROHRABACHER. I believe the discussion on appropriations policy concerned your dialogue with the Chairman, and not with the Subcommittee Chairman.

The CHAIRMAN. The gentleman's time has expired.

Any members seek recognition? The gentlewoman from California.

Ms. HARMAN. Mr. Chairman, I'd like to speak in favor of the Tanner amendment. You will recall that late yesterday, after a very long mark, I suggested that we defer the vote on the Doyle amendment, because I was hopeful that today, with extensive consultation, people would be able to come up with, if not the best, a very good reallocation of this new money. And I think that that's just what Mr. Tanner has done.

And so I would urge people to see this as a bipartisan, good-spirited offering, which includes the best of your offering, the best of Mr. Doyle's, the best of Mr. Wamp's and anyone else's who's been helpful here. And this is, I hope, the way the Committee will mark this bill, with thought and with friendship. And I strongly support it.

The CHAIRMAN. The time of the gentlelady has expired.

Mr. Ehlers?

Mr. EHLERS. Thank you, Mr. Chairman.

The question, the discussion has been in terms of changing priorities. But all I see here are additions, unless I'm reading this wrong, that we're increasing spending considerably. I don't see any offsets anywhere. I would be happy to yield to Mr. Tanner to explain my dilemma. Because it appears to me we're simply adding to, which is a very easy thing to do. Then we exceed the cap.

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

Mr. TANNER. Mr. Ehlers, this is the numbers of the Appropriations Subcommittee in these accounts, not our numbers.

Mr. EHLERS. Have they reduced—reclaiming my time—have they reduced spending in other categories to provide for this funding?

Mr. DOYLE. Will the gentleman yield?

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

Mr. DOYLE. Mr. Ehlers, our understanding is that what's happening here is similar to the Walker substitute.

Mr. TANNER. Exactly.

Mr. DOYLE. There's been money found in the Appropriations Committee which we didn't know prior existed, and therefore, the caps were raised from $3.89 billion up to $4.25 under Mr. Walker. And what we're saying is now we've learned, as of this morning, that there is perhaps up to another $200 million available in found money. And what Mr. Tanner's attempting to do is to raise some categories which we feel have been underfunded. And I think that's—hopefully answers the—

Mr. TANNER. We're still within the cap—

Mr. DOYLE. Within the cap.

Mr. TANNER.—for the Committee. Now what's going to happen, if we don't, if we remain silent on this, what's going to happen is, we're going to have a gap between what we've authorized and what the Committee has, Appropriations Committee has appropriated. I don't think this authorizing committee wants to stand silent.

Mr. EHLERS. Reclaiming my time, I think if indeed that's true, it's marvelous. I'm astounded at the ability of the Appropriations Committee to find money. Perhaps we should let them go another few weeks, and they might continue to find more and more.

It's good news to me if it's true, but I just wanted to check that out. Perhaps the Chairman has some comment on that.

The CHAIRMAN. I thank the gentleman.

Are other people seeking recognition?

I would simply say that we haven't had much of a chance to look at this, and you know, perhaps people have found money elsewhere, it was not money that we thought was part of negotiations.

And what I'm afraid of is that this amendment may well duplicate the money that we previously had talked to the authorizers about. The reason why we had $265 million in additional money

was because we took into account what was going to happen in the Appropriations Committee yesterday. And we did in fact include the considerable amounts of that funding in the money that I put into the substitute.

What I'm very much afraid of is, by adding something like $105, which is something on the order of $105 to $120 million more here, that we may well be going well beyond any amounts of money that would fall within the 602(b)s, and go well outside the process. And so in my view, this is an amendment which has problems, if in fact we want to try as a committee to hold to our commitment to the overall budget. And so that's—

Mr. ROHRABACHER. Mr. Chairman?

The CHAIRMAN. The gentleman from California.

Mr. ROHRABACHER. May I have permission to ask Mr. Tanner just a question about his proposal? I seem to be recognized.

The CHAIRMAN. I would yield to the gentleman. Well, I will yield back the balance of my time and yield to the gentleman from California.

Mr. ROHRABACHER. I'll make this very short.

Mr. Tanner, in your amendment as a substitute, you say that on page 13, line 4 of this Walker substitute that you are increasing spending from $55 million to $65 million on line 3, and on line 4, increasing again $55 million to $65 million in another account. Can you tell me why that is justified in terms of hard science and making hard priorities in hard times? Why are you increasing $20 million worth of spending in that area?

Okay, fine. Anyway, reclaiming my time, and then I'll just finish with this, from what we understood when we first set off these figures in the subcommittee was that those areas represent market development and promotion, and have nothing to do with hard science research.

This exemplifies again what this debate has been about all along, and that is, increasing the spending for items that have nothing to do with hard core energy research, and spending money on Christmas tree items that are using energy research as a cover. And I would hope that Mr. Tanner's amendment is rejected, just like all the rest of the amendments, which basically take us away from a balanced budget.

Thank you very much. I yield back the balance of my time.

Mr. TANNER. Mr. Chairman, could I be recognized, then we'll go vote?

The CHAIRMAN. Well, our rule at the beginning here was that we were going to—

Mr. TANNER. Well, I think it's debatable about the hard science that the gentleman refers to. I'd just say this. If the gentleman was serious about the deficit, he's let us have a vote on the lock box, if he could get his rules committee to allow that to happen on the Floor. I'd be willing to cut a lot more, if we could put it on the deficit. But we've been deprived of that right on the Floor, to vote on a lock box.

The CHAIRMAN. Thank you. I think we will go ahead and vote the amendment. And the Chair would call the question—

Mr. OLVER. Mr. Chairman? Mr. Chairman? A number of people have gotten up and, seeing that this was—

Mr. TANNER. I'd like to have a roll call.

Mr. OLVER.—and couldn't we have this vote after we come back from this, since there is another amendment? We're not going to be able to finish this before that.

The CHAIRMAN. Well, you know, we do have members here that are prepared to vote, you know, that—

Ms. RIVERS. Mr. Chairman, it would be a shame to miss one for the other vote. Everyone is trying very hard, to vote every time here, vote every time here. If you want to vote, not out in the hall—

The CHAIRMAN. Well, clearly, we have had a pattern here where we have tended to get votes in before the vote. So the fact is that we're dealing with a difficult situation here, and the Chair would prefer to go ahead and vote the issue.

The Chair would put the question—

Mr. DOGGETT. Mr. Chairman, is this not still open for debate?

The CHAIRMAN. The Chair is prepared to put the question.

Mr. DOGGETT. Well, I would move to strike the last word.

The CHAIRMAN. The gentleman is recognized.

Mr. DOGGETT. Mr. Chairman, I think it really is a problem, given the elimination of proxy voting, and we've been through this in this committee once before, earlier in the year. We get into a situation where members are forced to be in two places at once. And if they can't be two places at once, which even the Science Committee has not yet figured out a way for that to occur, then they find themselves being criticized for having missed a vote.

We have a number of members who have tried quite diligently, I'm sure on both sides of the aisle, to do their job in this Committee at the time that a very important piece of legislation—unfortunately—has been scheduled for the Floor. And that's the legislative appropriations, which involves minor matters of public interest like the franking budget, and all of the other things that are the subject of one bit of criticism after another at campaign time.

But some members have stayed here and fulfilled their responsibility on this committee at the same time those matters are being debated, places us in a situation where we go running over to the Floor, wondering what amendment is up without knowing what's been said on either side.

Now, we have pending in this Committee at this time an initiative by Mr. Tanner and Mr. Doyle that I think is a responsible answer on the budget, as it relates to the Department of Energy. I am surprised that we would be forced to choose between voting here and, as some members have chosen, to move on over and thus perhaps be able to cast a more informed vote by getting there a minute before they switch the lights on over on the Floor of the House.

But here, the suggestion that the Tanner approach is a Christmas tree approach to this bill, minutes after the ITER project, which will lead to the expenditure of $10 or $13 billion to build an international fusion Tokamak of some multi-stories, to suggest that that Christmas tree is all right, but because this one doesn't exactly match what some people had a preconceived notion should be in this bill, that it's a Christmas tree, is really highly contradictory.

And I believe we would be better advised to take our time, to speak slowly, to do whatever's necessary to assure that members of this committee are given an opportunity to participate fully, to have their vote count both places. And I would ask the Chair how much time remains out of my five minutes.

The CHAIRMAN. The gentleman has two minutes remaining.

Mr. DOGGETT. Then I'll have two additional minutes of comment about this, and would certainly be pleased to—

The CHAIRMAN. If the gentleman would yield to the Chairman.

Mr. DOGGETT. I yield.

The CHAIRMAN. The Chairman intends to have a roll call vote here. Now, we can vote first, and then you all vote. So you're taking away from your time and—

Mr. DOGGETT. But what you're doing is denying the opportunity to cast a vote, some members of this committee—

The CHAIRMAN. The Chair is prepared to put the question. Everybody will be able to vote. But if the gentleman intends to filibuster, the Chair would simply say that it is the intent of the—

Mr. DOGGETT. I want to assure that those members who've left to cast their vote have an opportunity to record their vote here. And if they do, and the Chair is saying that there'll be an opportunity for every member of this Committee who may have left, hearing—

The CHAIRMAN. All members who are present will be able to cast their vote.

Mr. DOGGETT. Then I'll continue my comments, because it does strike me as being really contrary to the spirit of democracy to require people to be two places at once. And that's what's being done here. The bells begin ringing, some members of the Committee, thinking that this debate would proceed, chose to get up and go over to the Floor, recognizing that on the Floor, it's not perhaps just one amendment, but a number of amendments that are being rolled together, a series of votes that would be taken—

Ms. JACKSON-LEE. Would the gentleman yield?

Mr. DOGGETT.—concerning those matters—to the gentlelady from Houston, yes.

Ms. JACKSON-LEE. I applaud you, Mr. Doggett, because one of the concerns that I have is the, I don't think the presence of the Ranking Member, who's been a very active proponent of the science issues, and as well as compromise on these budgeting issues, and it disturbs me that he is not here, it appears, because I imagine he is on the House floor, to be able to be part of this vote. And I think your points are very well taken, but it certainly speaks ill that we would not have the Ranking Member here, who's been diligent and present at all of these.

The CHAIRMAN. The time of the gentleman has expired. The Chairman will put the question. Those in favor of the Doggett amendment will say aye.

[Chorus of ayes.]

Mr. DOGGETT. Parliamentary inquiry, Mr. Chairman. I don't have an amendment on the Floor.

The CHAIRMAN. The gentleman is correct. The Chair made a mistake and will correct his mistake. The question is on the Tanner amendment. Those in favor will say aye.

[Chorus of ayes.]
The CHAIRMAN. Those opposed will say no.
[Chorus of noes.]
The CHAIRMAN. In the opinion of the Chair, the noes have it.
Mr. TANNER. Mr. Chairman, could I ask for a roll call, please.
The CHAIRMAN. The gentleman asks for a roll call.
Mr. TANNER. And try as I might, I can't talk any slower.
[Laughter.]
The CHAIRMAN. The gentleman requests a roll call vote.
The CLERK. Mr. Walker?
The CHAIRMAN. No.
The CLERK. Mr. Walker votes no. Mr. Sensenbrenner?
Mr. SENSENBRENNER. No.
The CLERK. Mr. Sensenbrenner votes no. Mr. Boehlert? Mr. Fawell?
Mr. FAWELL. No.
The CLERK. Mr. Fawell votes no. Mrs. Morella? Mr. Weldon of Pennsylvania?
Mr. WELDON OF PENNSYLVANIA. No.
The CLERK. Mr. Weldon votes no. Mr. Rohrabacher?
Mr. ROHRABACHER. No.
The CLERK. Mr. Rohrabacher votes no. Mr. Schiff?
Mr. SCHIFF. No.
The CLERK. Mr. Schiff votes no. Mr. Barton? Mr. Calvert?
Mr. CALVERT. No.
The CLERK. Mr. Calvert votes no. Mr. Baker? Mr. Bartlett? Mr. Ehlers?
Mr. EHLERS. No.
The CLERK. Mr. Ehlers votes no. Mr. Wamp?
Mr. WAMP. No.
The CLERK. Mr. Wamp votes no. Mr. Weldon?
Mr. WELDON OF FLORIDA. No.
The CLERK. Mr. Weldon votes no. Mr. Graham?
Mr. GRAHAM. No.
The CLERK. Mr. Graham votes no. Mr. Salmon?
Mr. SALMON. No.
The CLERK. Mr. Salmon votes no. Mr. Davis?
Mr. DAVIS. No.
The CLERK. Mr. Davis votes no. Mr. Stockman? Mr. Gutknecht?
Mr. GUTKNECHT. No.
The CLERK. Mr. Gutknecht votes no. Mrs. Seastrand?
Mrs. SEASTRAND. No.
The CLERK. Mrs. Seastrand votes no. Mr. Tiahrt?
Mr. TIAHRT. No.
The CLERK. Mr. Tiahrt votes no. Mr. Largent?
Mr. LARGENT. No.
The CLERK. Mr. Largent votes no. Mr. Hilleary?
Mr. HILLEARY. No.
The CLERK. Mr. Hilleary votes no. Mrs. Cubin? Mr. Foley?
Mr. FOLEY. No.
The CLERK. Mr. Foley votes no. Mrs. Myrick?
Mrs. MYRICK. No.
The CLERK. Mrs. Myrick votes no. Mr. Brown? Mr. Hall?
Mr. HALL. Yes.

The CLERK. Mr. Hall votes yes.
Mr. Traficant?
Mr. Traficant votes yes—excuse me, I thought I heard a yes.
Mr. Hayes? Mr. Tanner?
Mr. TANNER. Yes.
The CLERK. Mr. Tanner votes yes. Mr. Geren?
Mr. GEREN. Aye.
The CLERK. Mr. Geren votes yes. Mr. Roemer?
Mr. ROEMER. Aye.
The CLERK. Mr. Roemer votes yes. Mr. Cramer?
Mr. CRAMER. Yes.
The CLERK. Mr. Cramer votes yes. Mr. Barcia?
Mr. BARCIA. Yes.
The CLERK. Mr. Barcia votes yes. Mr. McHale? Ms. Harman?
Ms. HARMAN. Yes.
The CLERK. Ms. Harman votes yes. Ms. Johnson? Mr. Minge? Mr. Olver?
Mr. OLVER. Yes.
The CLERK. Mr. Olver votes yes. Mr. Hastings?
Mr. HASTINGS. Yes.
The CLERK. Mr. Hastings votes yes. Ms. Rivers? Ms. McCarthy? Mr. Ward?
Mr. WARD. Yes.
The CLERK. Mr. Ward votes yes. Ms. Lofgren? Mr. Doggett?
Mr. DOGGETT. Aye.
The CLERK. Mr. Doggett votes yes. Mr. Doyle?
Mr. DOYLE. Yes.
The CLERK. Mr. Doyle votes yes. Ms. Jackson-Lee? Mr. Luther?
Mr. LUTHER. No.
The CLERK. Mr. Luther votes no.
The CHAIRMAN. The Clerk will report.
The CLERK. Mr. Chairman, the roll call is yes, 12, no, 21.
The CHAIRMAN. And the amendment is not agreed to. The Committee will stand in recess.
[Recess.]
The CHAIRMAN. The Committee will come to order.
It is the Chair's intention at this point to recess the Committee until the time that we noticed for tomorrow at 9:30. And we may be able to proceed at that point.
Mr. BARTON. Mr. Chairman? Mr. Chairman?
The CHAIRMAN. Mr. Barton.
Mr. BARTON. Could I just strike the requisite number of words, very briefly? I mean, I'm not going to inject anything, I'm not—
The CHAIRMAN. I understand the gentleman's position. But I would prefer not to get us into discussion at this point. I would prefer just to go to recess.
Mr. BARTON. Then parliamentary inquiry. Before, when we reconvene tomorrow morning, is the pending business before the Committee the bill that was pending before the recess?
The CHAIRMAN. The gentleman is correct.
Mr. BARTON. I thank the gentleman.
Mr. BROWN. May I make a parliamentary inquiry, Mr. Chairman?
The CHAIRMAN. The gentleman from California.

Mr. BROWN. It was my intention to ask unanimous consent to revote on that last vote in order that members who were not able to vote, and there were about a dozen on our side, might have a chance to be recorded. I think that would be fair and equitable, and I recognize that anyone can object to it. But it is my intention, if you will recognize me for that purpose, to make that unanimous consent request tomorrow.

The CHAIRMAN. Of course, any member who voted on the prevailing side can't ask for reconsideration.

Mr. BROWN. I understand that. That would be a fall back position, Mr. Chairman.

The CHAIRMAN. I understand. Well, you can certainly propound that unanimous consent request. I would suggest that, the idea that we did not proceed in a fair manner on this does strike the Chairman as being a little bit below the belt, in large part because the Chairman announced that we were going to move to a vote on that amendment, and in fact, in fairness, recognize people after saying that, because they were demanding attention, who then specifically stated that they were filibustering the Committee in order to try to delay the vote. And I did attempt to be fair with regard to the vote.

But for right now, I'm in a position where I think what we're going to do is recess. The Committee stands in recess until 9:30 tomorrow.

[Whereupon, at 3:50 p.m., the Committee was recessed, to reconvene at 9:30 a.m. the following day.]

THURSDAY, JUNE 22, 1995

The Committee met, pursuant to recess, at 9:42 a.m. in room 2318, Rayburn House Office Building, Hon. Robert S. Walker [Chairman of the Committee] presiding.

The CHAIRMAN. The Committee will come to order.

It is the intention of the Chair to continue work on the energy authorization, and we will proceed through until we can get these bills finished today.

Mr. BARTON. Mr. Chairman? Mr. Chairman?

The CHAIRMAN. The gentleman from Texas?

Mr. BARTON. Mr. Chairman, if it's appropriate, I have an amendment at the desk that I would like to offer at this time. If it's not appropriate, I would like permission to speak the requisite number of words on that amendment.

The CHAIRMAN. Well, if the gentleman will withhold, I think the ranking member was going to—at least had indicated he was going to propound a parliamentary inquiry or a unanimous consent request at the opening here.

The gentleman from California?

Mr. BROWN. Mr. Chairman, I intend to ask unanimous consent for a revote on the Tanner amendment, which was the matter which caused the furor yesterday. Let me just explain the reason that I intend to do that.

It disturbs me very much to have the Committee procedures degenerate into a bitter controversy over a matter which probably needs to be considered in a less emotional light. It is quite clear, of course, that when an amendment before the Committee is

passed after the bells have rung and in which a third of the Committee members don't vote, that there is some sort of a problem there. With all the other complications, these even small problems escalate into big problems.

I want to have the Committee function efficiently and I want to cooperate with the Chairman in the orderly debate and action on all the legislation before us, even though I don't agree with most of it. And it is for that reason that I now ask unanimous consent that the Committee proceed to revote on the Tanner amendment, then proceed with the rest of the business in order.

The CHAIRMAN. Well, the Chair reserves the right to object and will not object; in fact, will allow us to proceed to that particular vote. But the Chair does feel as though he, too, will make an explanation.

The issue here in some members' minds was the issue of fairness. The Chair would simply say that the Chair is going to attempt to be fair to all members of the Committee on both sides of the aisle, and thinks that he has done that along the way and then will attempt to continue to do so. But it is important, I think, for all members to recognize that the fairness extends not only from the Chair but for members treating other members in this body, or in this Committee, as fairly as possible, too. Members who are here and proceeding with the business deserve to be treated equitably, as well. This Committee is meeting until a recess has been declared or until we have decided to adjourn. Members who have other priorities that they wish to meet, that is certainly their right as individual members, but they should know that as long as the Committee is meeting, we are likely to have votes, and that those votes will come up.

The Chair recognized people to speak because they asked yesterday. That did delay us some, but the Chair made it very clear that the amendment that we had before us was one on which we were going to vote.

The Chair also would note that the recorded vote was not called by the Chair or members in the majority. The recorded vote was, in fact, something that was given to the minority because they asked for it at that point.

I would also point out to members who said to me that the only reason why the Chair proceeded was because I knew that the vote was going to be held on the floor—the Chair had no knowledge of that whatsoever. I have checked on that further and found out that it was, in fact, the Democratic Cloakroom that called the Cloakroom on the Democrats' side, and the Democratic Cloakroom had told Mr. Linder to hold the vote because there was a vote taking place here. The Chair, in fact, informed his own staff that if this caused him to be late, he was going to have to miss the vote.

So I was willing to "take the hit," as it was. I left the room the last one, and actually made the vote. So, you know, I understand that it is difficult for members, and I feel particularly badly for somebody like Mr. Hastings who has told me in the past that his health problems and so on make that running back and forth—and we want to try to prevent that insofar as possible, and I would hope that all members would be cooperative in helping us to do that.

Mr. BROWN. Would the Chairman yield under his reservation?

The CHAIRMAN. Sure, I'd be happy to yield under my reservation.

Mr. BROWN. The Chair has correctly pointed out that he was making an effort to be fair and equitable to all, and that the basic problem here is, of course, the fact that this Committee was seeking to vote after a roll call had been called on the floor of the House.

The historical and customary provisions of our rules on the floor have precluded Committees sitting while the House is considering legislation under the five-minute rule. That, of course, is now being waived, generally speaking. But the reason for that rule is to prevent the kinds of situation that we just experienced yesterday.

And I would like to file with the Committee a proposal for a change in the rules which would—of the Committee rules—which would preclude a vote being taken in Committee after the bells have rung for a vote on the floor. In effect, that would be assuming for the Committee the same responsibility that the House rules which prohibit the Committee sitting under the five-minute rule—we would take the responsibility not to have votes when there are votes taking place on the floor.

Now, I recognize that this proposal for amendment to our rules has to go to the Chairman; if he agrees, it has to be noticed; if he doesn't agree, we will have to go through a petition process and so forth. But I will file this proposed amendment and ask the Chair to give due consideration to it.

The CHAIRMAN. Well, the gentleman is certainly free to do that. The gentleman might also, in that instance, maybe suggest to members on his side that we could in fact vote some of these things by division vote rather than have recorded vote that causes members to have these kinds of problems, and we could handle it within the rule. The Chair is certainly willing to entertain the possibility of division votes which are, in most cases, going to turn out the same anyhow.

And so, you know, perhaps the desire to go through the process of recorded votes is related to something that goes beyond the Chairman's comprehension, but in most of these cases we could in fact do the business of the Committee in an efficient manner, make certain that members' rights are protected, without necessarily on every one of these requiring a recorded vote. It would certainly be another way of handling it, but under my reservation—

Mr. ROHRABACHER. Mr. Chairman, I would ask you to yield under your reservation.

Mr. Chairman, many of our members had no idea that this would be voted on again, obviously, and are not here to vote on this very important issue that the minority would like to have a second vote. So I would ask the Chairman that if he indeed does not object, that it be based on—that this vote be held immediately after our first vote on the floor today so that all members will be present for the revote.

The CHAIRMAN. Well, I would say to the gentleman that I understand his point, but the members of both sides were informed that there would be a vote immediately, and if members are not here, that's going to be—that's going to be a problem.

Mr. ROHRABACHER. Mr. Chairman, I was not informed of that and I certainly was not informed there would be a vote immediately on the Tanner amendment. If so, I don't believe any of our fellow Republican members were notified that there would be a revote on the Tanner amendment.

Mr. BROWN. Would the gentleman yield to me?

Mr. ROHRABACHER. Yes.

The CHAIRMAN. The Chair is reserving the right to object, and I will certainly be happy to reyield to the gentleman from California.

Mr. BROWN. The gentleman from California announced last night, before the end of the meeting, that he intended to make this request this morning. I would have made it last night except that I thought it was untimely to do so, and that in the event that unanimous consent was refused, that there would be a motion to reconsider, and if that is in order and would be done, and of course, you would have the option of making a motion to table.

The point I'm making is, you would have had several votes to take anyway under any circumstances, Mr. Rohrabacher.

The CHAIRMAN. Well, further reserving the right to object, I would simply say to the gentleman that this particular Committee meeting was noticed to the members at least a week ago for 9:30 this morning. Members should expect that when they are told to be here, they should be here. But I will say that applies to not only majority, but minority members as well. And I would hope that the Chair would hear no more complaints about people who make decisions, to be outside this room when the Committee is meeting, that they in fact were not able to be present for Committee business. You know, when I'm going to require majority members to be here, I'm going to require minority members to be here, and if you're not here and you're not voting, that is because you have made that choice, not because of any procedures of the committee that have not been fairly applied.

With that, I withdraw my reservation—

Mr. ROHRABACHER. Mr. Chairman, I reserve—reserving the right to object?

The CHAIRMAN. The gentleman from California reserves the right to object, and I hope he would not object because I think it is important to proceed forward here.

Mr. ROHRABACHER. I think it's important for us to bend over backwards to be courteous and have a spirit of comity here that will be—will actually create a spirit where we can work together rather than working against each other. I just—after the extraordinary outbursts of yesterday, I would say from both sides of the aisle, that I would just—I would like to state for the record before we go into this vote that I, too, hope that we just don't do this again, and I withdraw my reservation.

The CHAIRMAN. The gentleman withdraws his reservation.

The Chairman will put the question on the Tanner amendment—

Mr. WARD. Mr. Chairman? Mr. Chairman? Reserving the right to object?

The CHAIRMAN. Where is the reservation coming from?

Mr. WARD. Striking the last word, may I make one point, sir?

The CHAIRMAN. The gentleman is recognized under his reservation.

Mr. WARD. Thank you very much.

I would like to follow up on what Mr. Rohrabacher has said. The question not is knowing that we were going to be here and be voting, but that issue had been voted upon. I think those who have a strong feeling about the Tanner amendment would reasonably not have expected that issue to be voted on first thing this morning.

I think his point is a very good point, if we are going to do the vote again, to do it at a time when people have some opportunity to know, because the vote was over; it's not in the reasonable expectation that it would have come up again.

So I would join Mr. Rohrabacher in his point.

The CHAIRMAN. Well, if the gentleman would yield to the Chairman under his reservation, as the ranking member has explained, the ranking member explained that he was going to do this first thing in the morning. Members on your side should have been noticed at that point that your leadership was in fact going to bring this forward.

We are now 25 minutes into a meeting. I don't know how many members think they can wait 25 minutes before we proceed ahead.

Mr. WARD. Well, I wasn't speaking for myself. I'm here.

[Laughter.]

The CHAIRMAN. And we appreciate that, Mr. Ward. We're glad to have you with us.

Mr. WARD. I was speaking on behalf of those members on the majority side who, again, may not have been noticed. Thank you.

The CHAIRMAN. Well, you know, they seem to be kind of gathering at the present time, so we hope that all of them who have an intense interest in these subject matters will have a chance to cast their votes in an appropriate manner.

With that, the Chair will put the question on the Tanner amendment. Those in favor of the Tanner amendment—

Mr. TIAHRT. Mr. Chairman?

The CHAIRMAN. The gentleman from Kansas?

Mr. TIAHRT. Reserving the right to object—

The CHAIRMAN. The gentleman reserves the right to object.

Mr. TIAHRT.—we have gone through several different amendments, and I was looking through my paperwork here and I was unable to find the Tanner amendment. Perhaps we could renew our acquaintance with the Tanner amendment before we are required to vote, a brief explanation or something.

The CHAIRMAN. Well, I would be happy to recognize the gentleman, Mr. Tanner, to explain his amendment, to hopefully—in the short version, with the one-minute rule—and then the Chairman might take one minute himself to explain his versions of the Tanner amendment, and therefore give the Committee an opportunity to appropriately decide this issue.

Mr. TANNER. Thank you, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized for one minute.

Mr. TANNER. I will try to do it in one minute. I, unfortunately, cannot talk any faster today than I could yesterday.

[Laughter.]

Mr. TANNER. I told somebody on the floor one time, I said, it's really not fair to give 15 minutes to one side and 15 minutes to the side I'm on. I need about 20 or 15 to make it.

Anyway, it is a straightforward amendment. What we did was conform to the appropriated monies, the bottom line total. We simply add to the Chairman's priorities: $50 million in fossil energy research, $50 million in conservation research; and $15 million to solar research. The bottom line is what the appropriators did. There is no, as you know, lock-box, so the money doesn't go to deficit reduction if we don't at least authorize this. This is an attempt to put this authorizing committee into play to make us relevant, as we've heard so much about the last couple of days, in terms of what the appropriators are doing.

With that, Mr. Chairman, thank you.

The CHAIRMAN. Thank you, Mr. Tanner. You did a very good job within the one minute. The Chair will try to also honor that.

The Tanner amendment does exactly as he has explained. It adds money to the accounts that he says are involved in the appropriations process. I would simply say to the Committee that the monies that were added in by the Chairman's mark were those same monies. It is monies that we anticipated the Appropriations Committee were going to utilize, so this is a bump, in my view, over and above that which the Chair has already provided, and so I believe takes us outside the scope of not only the budget in this case, but where we will finally end up. And the Chair would recommend a no vote.

On the Tanner amendment, those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of noes.]

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?

The CHAIRMAN. No.

The CLERK. Mr. Walker votes no. Mr. Sensenbrenner?

Mr. SENSENBRENNER. No.

The CLERK. Mr. Sensenbrenner votes no. Mr. Boehlert? Mr. Fawell? Mrs. Morella? Mr. Weldon of Pennsylvania?

Mr. WELDON OF PENNSYLVANIA. No.

The CLERK. Mr. Weldon votes no. Mr. Rohrabacher?

Mr. ROHRABACHER. No.

The CLERK. Mr. Rohrabacher votes no. Mr. Schiff?

Mr. SCHIFF. No.

The CLERK. Mr. Schiff votes no. Mr. Barton?

Mr. BARTON. No.

The CLERK. Mr. Barton votes no. Mr. Calvert?

Mr. CALVERT. No.

The CLERK. Mr. Calvert votes no. Mr. Baker?

Mr. BAKER. No.

The CLERK. Mr. Baker votes no. Mr. Bartlett?

Mr. BARTLETT. No.

The CLERK. Mr. Bartlett votes no. Mr. Ehlers?

Mr. EHLERS. No.

The CLERK. Mr. Ehlers votes no. Mr. Wamp?
Mr. WAMP. No.
The CLERK. Mr. Wamp votes no. Mr. Weldon of Florida?
Mr. WELDON OF FLORIDA. No.
The CLERK. Mr. Weldon votes no. Mr. Graham?
Mr. GRAHAM. No.
The CLERK. Mr. Graham votes no. Mr. Salmon?
Mr. SALMON. No.
The CLERK. Mr. Salmon votes no. Mr. Davis?
Mr. DAVIS. No.
The CLERK. Mr. Davis votes no. Mr. Stockman?
Mr. STOCKMAN. No.
The CLERK. Mr. Stockman votes no. Mr. Gutknecht?
Mr. GUTKNECHT. No.
The CLERK. Mr. Gutknecht votes no. Mrs. Seastrand?
Mrs. SEASTRAND. No.
The CLERK. Mrs. Seastrand votes no. Mr. Tiahrt?
Mr. TIAHRT. No.
The CLERK. Mr. Tiahrt votes no. Mr. Largent?
Mr. LARGENT. No.
The CLERK. Mr. Largent votes no. Mr. Hilleary?
Mr. HILLEARY. No.
The CLERK. Mr. Hilleary votes no. Mrs. Cubin? Mr. Foley?
Mr. FOLEY. No.
The CLERK. Mr. Foley votes no. Mrs. Myrick?
Mrs. MYRICK. No.
The CLERK. Mrs. Myrick votes no. Mr. Brown?
Mr. BROWN. Yes.
The CLERK. Mr. Brown votes yes. Mr. Hall?
Mr. HALL. Yes.
The CLERK. Mr. Hall votes yes. Mr. Traficant? Mr. Hayes?
Mr. HAYES. Yes.
The CLERK. Mr. Hayes votes yes. Mr. Tanner?
Mr. TANNER. Yes.
The CLERK. Mr. Tanner votes yes. Mr. Geren?
Mr. GEREN. Yes.
The CLERK. Mr. Geren votes yes. Mr. Roemer?
Mr. ROEMER. Yes.
The CLERK. Mr. Roemer votes yes. Mr. Cramer?
Mr. CRAMER. Yes.
The CLERK. Mr. Cramer votes yes. Mr. Barcia?
Mr. BARCIA. Yes.
The CLERK. Mr. Barcia votes yes. Mr. McHale?
Mr. MCHALE. Yes.
The CLERK. Mr. McHale votes yes. Ms. Harman?
Ms. HARMAN. Yes.
The CLERK. Ms. Harman votes yes. Ms. Johnson?
Ms. JOHNSON. Yes.
The CLERK. Ms. Johnson votes yes. Mr. Minge?
Mr. MINGE. Yes.
The CLERK. Mr. Minge votes yes. Mr. Olver?
Mr. OLVER. Yes.
The CLERK. Mr. Olver votes yes. Mr. Hastings?
Mr. HASTINGS. Yes.

The CLERK. Mr. Hastings votes yes. Ms. Rivers?
Ms. RIVERS. Yes.
The CLERK. Ms. Rivers votes yes. Ms. McCarthy?
Ms. MCCARTHY. Yes.
The CLERK. Ms. McCarthy votes yes. Mr. Ward?
Mr. WARD. Yes.
The CLERK. Mr. Ward votes yes. Ms. Lofgren?
Ms. LOFGREN. Yes.
The CLERK. Ms. Lofgren votes yes. Mr. Doggett? Mr. Doyle?
Mr. DOYLE. Yes.
The CLERK. Mr. Doyle votes yes. Ms. Jackson Lee?
Ms. JACKSON LEE. Yes.
The CLERK. Ms. Jackson Lee votes yes. Mr. Luther?
Mr. LUTHER. No.
The CLERK. Mr. Luther votes no.
The CHAIRMAN. Are there additional members who wish to cast their votes?
Mr. FAWELL. Mr. Chairman, how am I recorded?
The CHAIRMAN. Mr. Fawell?
The CLERK. Mr. Fawell is not recorded.
Mr. FAWELL. I vote no.
The CLERK. Mr. Fawell votes no.
Mrs. MORELLA. May I ask how Mrs. Morella is recorded?
The CLERK. Mrs. Morella is not recorded.
Mrs. MORELLA. Mrs. Morella votes no.
Mr. HILLEARY. Mr. Chairman, how is Mr. Hilleary recorded?
The CHAIRMAN. Mr. Hilleary?
The CLERK. Mr. Hilleary is not recorded.
Mr. HILLEARY. I vote no.
The CHAIRMAN. The gentleman votes no.
Are there other members who wish to be recorded?
[No response.]
The CHAIRMAN. The Clerk will report.
The CLERK. Mr. Chairman, the roll call vote, yes: 20, no: 26.
The CHAIRMAN. And the amendment is not agreed to.
The gentleman from Texas?
Mr. BARTON. Mr. Chairman, I have an amendment at the desk. It was prepared for the Committee print. It was not prepared for the substitute, the Walker substitute that has been adopted. I would have to get unanimous consent, I believe, to offer it since the substitute has passed, so I would simply seek to strike the requisite number of words to talk about the amendment that was prepared.
[The amendment follows:]

AMENDMENT TO H.R. 1816

OFFERED BY MR. BARTON OF TEXAS

Page 21, after line 21, insert the following new title:

TITLE II—ENERGY LABORATORY FACILITIES

SEC. 201. ENERGY LABORATORY FACILITIES COMMISSION.

(a) ESTABLISHMENT.—There is established an independent commission to be known as the "Energy Laboratory Facilities Commission", for the purpose of reducing the number of energy laboratories and programs at those laboratories, through reconfiguration, privatization, and closure.

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

(c) APPOINTMENT.—

(1) IN GENERAL.—The Commission shall be composed of 7 members appointed by the President, by and with the advice and consent of the Senate. The President shall transmit to the Senate the nominations for appointment to the Commission not later than 3 months after the date of the enactment of this Act.

1 (2) CONSULTATION.—In selecting individuals
2 for nominations for appointments to the Commis-
3 sion, the President should consult with—
4 (A) the Speaker of the House of Rep-
5 resentatives concerning the appointment of 2
6 members; and
7 (B) the majority leader of the Senate con-
8 cerning the appointment of 2 members.
9 (3) CHAIRPERSON.—At the time the President
10 nominates individuals for appointment to the Com-
11 mission, the President shall designate one such indi-
12 vidual who shall serve as Chairperson of the Com-
13 mission.
14 (d) TERMS.—The term of each member of the Com-
15 mission shall expire on the termination of the Commission
16 under subsection (l).
17 (e) MEETINGS.—Each meeting of the Commission,
18 other than meetings in which classified information is to
19 be discussed, shall be open to the public.
20 (f) VACANCIES.—A vacancy in the Commission shall
21 be filled in the same manner as the original appointment.
22 (g) PAY AND TRAVEL EXPENSES.—
23 (1) BASIC PAY.—Except as otherwise provided
24 in this section, members of the Commission shall re-

1 ceive no compensation for service on the Commis-
2 sion.
3 (2) TRAVEL EXPENSES.—Members shall receive
4 travel expenses, including per diem in lieu of subsist-
5 ence, in accordance with sections 5702 and 5703 of
6 title 5, United States Code.
7 (h) DIRECTOR.—
8 (1) IN GENERAL.—The Commission shall, with-
9 out regard to section 5311(b) of title 5, United
10 States Code, appoint a Director who—
11 (A) has not served as a civilian employee
12 of the Department of Energy during the 2-year
13 period preceding the date of such appointment;
14 (B) has not been an employee of an energy
15 laboratory during the 5-year period preceding
16 the date of such appointment; and
17 (C) has not been an employee of a contrac-
18 tor operating an energy laboratory during the
19 5-year period preceding the date of such ap-
20 pointment.
21 (2) PAY.—The Director shall be paid at the
22 rate of basic pay payable for level IV of the Execu-
23 tive Schedule under section 5315 of title 5, United
24 States Code.
25 (i) STAFF.—

1 (1) APPOINTMENT BY DIRECTOR.—Subject to
2 paragraphs (2) and (3), the Director, with the ap-
3 proval of the Commission, may appoint and fix the
4 pay of additional personnel.
5 (2) APPLICABILITY OF CERTAIN CIVIL SERVICE
6 LAWS.—The Director may make such appointments
7 without regard to the provisions of title 5, United
8 States Code, governing appointments in the competi-
9 tive service, and any personnel so appointed may be
10 paid without regard to the provisions of chapter 51
11 and subchapter III of chapter 53 of that title relat-
12 ing to classification and General Schedule pay rates,
13 except that an individual so appointed may not re-
14 ceive pay in excess of the annual rate of basic pay
15 payable for level IV of the Executive Schedule under
16 section 5315 of title 5, United States Code.
17 (3) SUPPORT FROM OTHER AGENCIES.—Upon
18 request of the Director, the head of a Federal agen-
19 cy may detail any of the personnel of that agency to
20 the Commission to assist the Commission in carry-
21 ing out its duties under this title.
22 (4) SUPPORT FROM COMPTROLLER GENERAL.—
23 The Comptroller General of the United States shall
24 provide assistance, including the detailing of employ-

1 ees, to the Commission in accordance with an agree-
2 ment entered into with the Commission.
3 (j) OTHER AUTHORITY.—
4 (1) TEMPORARY AND INTERMITTENT SERV-
5 ICES.—The Commission may procure by contract, to
6 the extent funds are available, the temporary or
7 intermittent services of experts or consultants pursu-
8 ant to section 3109 of title 5, United States Code.
9 (2) AUTHORITY TO LEASE SPACE AND ACQUIRE
10 CERTAIN PROPERTY.—The Commission may lease
11 space and acquire personal property to the extent
12 funds are available. To the extent practicable, the
13 Commission shall use suitable real property available
14 under the most recent inventory of real property as-
15 sets published by the Resolution Trust Corporation
16 under section 21A(b)(11)(F) of the Federal Home
17 Loan Bank Act (12 U.S.C. 1441a(b)(12)(F)).
18 (k) FUNDING.—There are authorized to be appro-
19 priated to the Commission such funds as are necessary
20 to carry out its duties under this title. Such funds shall
21 remain available until expended.
22 (l) TERMINATION.—The Commission shall terminate
23 not later than 30 days after the date on which it transmits
24 its final recommendations under section 202(f)(4).

1 SEC. 202. PROCEDURE FOR MAKING RECOMMENDATIONS
2 FOR LABORATORY FACILITIES.
3 (a) SELECTION CRITERIA.—In making recommenda-
4 tions for the reconfiguration, privatization, and closure of
5 energy laboratories and termination of programs at such
6 laboratories under this section, the Secretary and the
7 Commission shall—
8 (1) give strong consideration to the closure or
9 reconfiguration of energy laboratories;
10 (2) eliminate duplication of effort by energy
11 laboratories and reduce overhead costs as a propor-
12 tion of program benefits distributed through an en-
13 ergy laboratory;
14 (3) seek to achieve cost savings for the overall
15 budget for such laboratories;
16 (4) define appropriate missions for each energy
17 laboratory, and ensure that the activities of each
18 such laboratory are focused on its mission or mis-
19 sions;
20 (5) consider the program costs and program
21 distributions on a State and county basis, including
22 real and personal property costs associated with
23 each energy laboratory considered;
24 (6) consider the number of participants in pro-
25 grams conducted through an energy laboratory and
26 staff resources involved;

1 (7) estimate the cost savings and increases that
2 would accrue through the reconfiguration of energy
3 laboratories;
4 (8) consider the potential of each energy labora-
5 tory to generate revenues or to offset costs;
6 (9) consider the transfer of energy laboratories
7 to other Federal agencies; and
8 (10) consider the privatization of the energy
9 laboratories as an alternative to closure or reconfig-
10 uration.
11 (b) RECOMMENDATIONS.—
12 (1) PUBLICATION AND TRANSMITTAL.—Not
13 later than 3 months after the date of the enactment
14 of this Act, the Secretary shall publish in the Fed-
15 eral Register and transmit to the congressional en-
16 ergy committees and to the Commission a list of the
17 energy laboratories that the Secretary recommends
18 for reconfiguration, privatization, and closure.
19 (2) SUMMARY OF SELECTION PROCESS.—The
20 Secretary shall include, with the list of recommenda-
21 tions published and transmitted pursuant to para-
22 graph (1), a summary of the selection process that
23 resulted in the recommendation for each energy lab-
24 oratory, including a justification for each rec-
25 ommendation.

1 (c) EQUAL CONSIDERATION OF LABORATORIES.—In
2 considering energy laboratories for reconfiguration, privat-
3 ization, and closure, the Secretary shall consider all such
4 laboratories equally without regard to whether a labora-
5 tory has been previously considered or proposed for recon-
6 figuration, privatization, or closure by the Secretary of
7 Energy.
8 (d) AVAILABILITY OF INFORMATION.—The Secretary
9 shall make available to the Commission and the Comptrol-
10 ler General of the United States all information used by
11 the Secretary in making recommendations under this sec-
12 tion.
13 (e) INDEPENDENT AUDIT.—(1) Within 30 days after
14 the date of the enactment of this Act, the Director of the
15 Office of Management and Budget shall issue a request
16 for proposals for the performance of an audit under para-
17 graph (3).
18 (2) Within 60 days after the date of the enactment
19 of this Act, proposals shall be due in response to the re-
20 quest under paragraph (1).
21 (3) Within 90 days after the date of the enactment
22 of this Act, the Director of the Office of Management and
23 budget shall enter into a contract with an independent fi-
24 nancial consulting firm for an audit of the energy labora-
25 tories and their programs, facilities, and assets. Such

1 audit shall assess the commercial potential of the energy
2 labs and their programs and make recommendations on
3 how the Government could best realize such potential. The
4 audit shall be completed and transmitted to the Commis-
5 sion, the Secretary, and the congressional energy commit-
6 tees within 6 months after the contract is entered into
7 under this subsection.

8 (f) REVIEW AND RECOMMENDATIONS BY THE COM-
9 MISSION.—

10 (1) PUBLIC HEARINGS.—After receiving the
11 recommendations from the Secretary pursuant to
12 subsection (b), the Commission shall provide an op-
13 portunity for public comment on the recommenda-
14 tions for a 30-day period.

15 (2) INITIAL REPORT.—Not later than 1 year
16 after the date of the enactment of this Act, the
17 Commission shall publish in the Federal Register an
18 initial report containing the Commission's findings
19 and conclusions based on a review and analysis of
20 the recommendations made by the Secretary and the
21 audit conducted pursuant to subsection (e), together
22 with the Commission's recommendations for recon-
23 figuration, privatization, and closure of energy lab-
24 oratories. In conducting such review and analysis,

1 the Commission shall consider all energy labora-
2 tories.
3 (3) DEVIATION FROM RECOMMENDATIONS.—In
4 making its recommendations, the Commission may
5 make changes in any of the recommendations made
6 by the Secretary if the Commission determines that
7 the Secretary deviated substantially from the criteria
8 described in subsection (a) in making recommenda-
9 tions. The Commission shall explain and justify in
10 the report any recommendation made by the Com-
11 mission that is different from the recommendations
12 made by the Secretary.
13 (4) FINAL REPORT.—After providing a 30-day
14 period for public comment following publication of
15 the initial report under paragraph (2), and after full
16 consideration of such public comments, the Commis-
17 sion shall, within 15 months after the date of the
18 enactment of this Act, transmit to the Secretary and
19 the congressional energy committees a final report
20 containing the recommendations of the Commission.
21 (5) PROVISION OF CERTAIN INFORMATION.—
22 After transmitting the final report under paragraph
23 (4), the Commission shall promptly provide, upon re-
24 quest, to any Member of Congress information used
25 by the Commission in making its recommendations.

1 (g) ASSISTANCE FROM COMPTROLLER GENERAL.—
2 The Comptroller General of the United States shall—
3 (1) assist the Commission, to the extent re-
4 quested, in the Commission's review and analysis of
5 the recommendations made by the Secretary pursu-
6 ant to subsection (b); and
7 (2) not later than 6 months after the date of
8 the enactment of this Act, transmit to the congres-
9 sional energy committees and to the Commission a
10 report containing a detailed analysis of the rec-
11 ommendations of the Secretary and the selection
12 process.
13 SEC. 203. RECONFIGURATION, PRIVATIZATION, AND CLO-
14 SURE OF ENERGY LABORATORIES.
15 (a) IN GENERAL.—Subject to subsection (b), the
16 Secretary shall—
17 (1) reconfigure, within 1 year after the date of
18 the transmittal of the final report under section
19 202(f)(4), all energy laboratories recommended for
20 reconfiguration by the Commission in such report;
21 (2) provide for and complete the privatization,
22 within 18 months after the date of the transmittal
23 of the final report under section 202(f)(4), of all en-
24 ergy laboratories recommended for privatization by
25 the Commission in such report; and

1 (3) except as necessary to achieve the privatiza-
2 tion of an energy laboratory under paragraph (2),
3 close, within 1 year after the date of the transmittal
4 of the final report under section 202(f)(4), all en-
5 ergy laboratories recommended for closure by the
6 Commission in such report.
7 (b) CONGRESSIONAL DISAPPROVAL.—
8 (1) IN GENERAL.—The Secretary may not carry
9 out any reconfiguration, privatization, or closure of
10 an energy laboratory recommended by the Commis-
11 sion in the report transmitted pursuant to section
12 202(f)(4) if a joint resolution is enacted, in accord-
13 ance with the provisions of section 207, disapproving
14 the recommendations of the Commission before the
15 earlier of—
16 (A) the end of the 45-day period beginning
17 on the date on which the Commission transmits
18 the report; or
19 (B) the adjournment of Congress sine die
20 for the session during which the report is trans-
21 mitted.
22 (2) For purposes of paragraph (1) of this sub-
23 section and subsections (a) and (c) of section 207,
24 the days on which either House of Congress is not
25 in session because of an adjournment of more than

1 three days to a day certain shall be excluded in the
2 computation of a period.

3 SEC. 204. IMPLEMENTATION OF RECONFIGURATION, PRI-
4 VATIZATION, AND CLOSURE ACTIONS.

5 (a) IMPLEMENTATION.—In reconfiguring,
6 privatizing, or closing an energy laboratory under this
7 title, the Secretary shall—

8 (1) take such actions as may be necessary to
9 reconfigure, privatize, or close the energy laboratory;

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

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

19 (b) MANAGEMENT AND DISPOSAL OF PROPERTY.—

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

1 (A) the authority of the Secretary to utilize
2 excess property under section 202 of the Fed-
3 eral Property and Administrative Services Act
4 of 1949 (40 U.S.C. 483);
5 (B) the authority of the Secretary to dis-
6 pose of surplus property under section 203 of
7 that Act (40 U.S.C. 484);
8 (C) the authority of the Secretary to grant
9 approvals and make determinations under sec-
10 tion 13(g) of the Surplus Property Act of 1944
11 (50 U.S.C. App. 1622(g)); and
12 (D) the authority of the Secretary to deter-
13 mine the availability of excess or surplus real
14 property for wildlife conservation purposes in
15 accordance with the Act of May 19, 1948 (16
16 U.S.C. 667b).
17 (2) EXERCISE OF AUTHORITY.—
18 (A) IN GENERAL.—Subject to subpara-
19 graph (C), the Secretary shall exercise the au-
20 thority delegated to the Secretary pursuant to
21 paragraph (1) in accordance with—
22 (i) all regulations in effect on the date
23 of the enactment of this Act governing the
24 utilization of excess property and the dis-
25 posal of surplus property under the Fed-

1 eral Property and Administrative Services
2 Act of 1949; and
3 (ii) all regulations in effect on the
4 date of the enactment of this Act govern-
5 ing the conveyance and disposal of prop-
6 erty under section 13(g) of the Surplus
7 Property Act of 1944 (50 U.S.C. App.
8 1622(g)).
9 (B) REGULATIONS.—The Secretary, after
10 consulting with the Administrator of General
11 Services, may issue regulations that are nec-
12 essary to carry out the delegation of authority
13 required by paragraph (1).
14 (C) LIMITATION.—The authority required
15 to be delegated by paragraph (1) to the Sec-
16 retary by the Administrator of General Services
17 shall not include the authority to prescribe gen-
18 eral policies and methods for utilizing excess
19 property and disposing of surplus property.
20 (c) WAIVER.—The Secretary may reconfigure, pri-
21 vatize, or close energy laboratories under this title without
22 regard to any provision of law restricting the use of funds
23 for reconfiguring, privatizing, or closing such energy lab-
24 oratories included in any appropriations or authorization
25 Act.

1 SEC. 205. ACCOUNT.

2 (a) ESTABLISHMENT.—There is hereby established
3 on the books of the Treasury an account to be known as
4 the "Energy Laboratory Facility Closure Account" which
5 shall be administered by the Secretary as a single account.

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

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

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

18 (3) proceeds received from the transfer or dis-
19 posal of any property at an office reconfigured,
20 privatized, or closed under this section.

21 (c) USE OF FUNDS.—The Secretary may use the
22 funds in the Account only for the purposes described in
23 section 204(a).

24 (d) REPORTS.—

25 (1) IN GENERAL.—Not later than 60 days after
26 the end of each fiscal year in which the Secretary

1 carries out activities under this title, the Secretary
2 shall transmit a report to the congressional energy
3 committees of the amount and nature of the deposits
4 into, and the expenditures from, the Account during
5 such fiscal year and of the amount and nature of
6 other expenditures made pursuant to section 204(a)
7 during such fiscal year.

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

10 SEC. 206. REPORTS ON IMPLEMENTATION.

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

15 (1) a schedule of the reconfiguration, privatiza-
16 tion, and closure actions to be carried out under this
17 title in the fiscal year for which the request is made
18 and an estimate of the total expenditures required
19 and cost savings to be achieved by each such recon-
20 figuration, privatization, or closure and of the time
21 period in which these savings are to be achieved in
22 each case; and

23 (2) a description of the energy laboratories to
24 which functions are to be transferred as a result of
25 such reconfigurations, privatizations, and closures.

1 SEC. 207. CONGRESSIONAL CONSIDERATION OF COMMIS-
2 SION REPORT.

3 (a) TERMS OF THE RESOLUTION.—For purposes of
4 section 203(b), the term "joint resolution" means only a
5 joint resolution which is introduced within the 10-day pe-
6 riod beginning on the date on which the Commission
7 transmits the report to the Congress under section
8 202(f)(4), and—

9 (1) which does not have a preamble;

10 (2) the matter after the resolving clause of
11 which is as follows: "That Congress disapproves the
12 recommendations of the Energy Laboratory Facili-
13 ties Commission as submitted on _____", the blank
14 space being filled in with the appropriate date; and

15 (3) the title of which is as follows: "Joint reso-
16 lution disapproving the recommendations of the En-
17 ergy Laboratory Facilities Commission.".

18 (b) REFERRAL.—A resolution described in subsection
19 (a) that is introduced in the House of Representatives
20 shall be referred to the Committee on National Security
21 and the Committee on Science of the House of Represent-
22 atives. A resolution described in subsection (a) introduced
23 in the Senate shall be referred to the Committee on Armed
24 Services and the Committee on Energy and Natural Re-
25 sources of the Senate.

1 (c) DISCHARGE.—If the committee to which a resolu-
2 tion described in subsection (a) is referred has not re-
3 ported such resolution (or an identical resolution) by the
4 end of the 20-day period beginning on the date on which
5 the Commission transmits the report to the Congress
6 under section 202(f)(4), such committee shall be, at the
7 end of such period, discharged from further consideration
8 of such resolution, and such resolution shall be placed on
9 the appropriate calendar of the House involved.
10 (d) CONSIDERATION.—
11 (1) IN GENERAL.—On or after the third day
12 after the date on which the committee to which such
13 a resolution is referred has reported, or has been
14 discharged (under subsection (c)) from further con-
15 sideration of, such a resolution, it is in order (even
16 though a previous motion to the same effect has
17 been disagreed to) for any Member of the respective
18 House to move to proceed to the consideration of the
19 resolution (but only on the day after the calendar
20 day on which such Member announces to the House
21 concerned the Member's intention to do so). All
22 points of order against the resolution (and against
23 consideration of the resolution) are waived. The mo-
24 tion is highly privileged in the House of Representa-
25 tives and is privileged in the Senate and is not de-

1 batable. The motion is not subject to amendment, or
2 to a motion to postpone, or to a motion to proceed
3 to the consideration of other business. A motion to
4 reconsider the vote by which the motion is agreed to
5 or disagreed to shall not be in order. If a motion to
6 proceed to the consideration of the resolution is
7 agreed to, the respective House shall immediately
8 proceed to consideration of the joint resolution with-
9 out intervening motion, order, or other business, and
10 the resolution shall remain the unfinished business
11 of the respective House until disposed of.
12 (2) DEBATE.—Debate on the resolution, and on
13 all debatable motions and appeals in connection
14 therewith, shall be limited to not more than 2 hours,
15 which shall be divided equally between those favoring
16 and those opposing the resolution. An amendment to
17 the resolution is not in order. A motion further to
18 limit debate is in order and not debatable. A motion
19 to postpone, or a motion to proceed to the consider-
20 ation of other business, or a motion to recommit the
21 resolution is not in order. A motion to reconsider the
22 vote by which the resolution is agreed to or dis-
23 agreed to is not in order.
24 (3) QUORUM CALL.—Immediately following the
25 conclusion of the debate on a resolution described in

1 subsection (a) and a single quorum call at the con-
2 clusion of the debate if requested in accordance with
3 the rules of the appropriate House, the vote on final
4 passage of the resolution shall occur.

5 (4) APPEALS FROM DECISION OF CHAIR.—Ap-
6 peals from the decisions of the Chair relating to the
7 application of the rules of the Senate or the House
8 of Representatives, as the case may be, to the proce-
9 dure relating to a resolution described in subsection
10 (a) shall be decided without debate.

11 (e) CONSIDERATION BY OTHER HOUSE.—

12 (1) IN GENERAL.—If, before the passage by one
13 House of a resolution of that House described in
14 subsection (a), that House receives from the other
15 House a resolution described in subsection (a), then
16 the following procedures shall apply:

17 (A) The resolution of the other House shall
18 not be referred to a committee and may not be
19 considered in the House receiving it except in
20 the case of final passage as provided in sub-
21 paragraph (B)(ii).

22 (B) With respect to a resolution described
23 in paragraph (1) of the House receiving the res-
24 olution—

1 (i) the procedure in that House shall
2 be the same as if no resolution had been
3 received from the other House; but
4 (ii) the vote on final passage shall be
5 on the resolution of the other House.
6 (2) CONSIDERATION AFTER DISPOSITION BY
7 OTHER HOUSE.—Upon disposition of the resolution
8 received from the other House, it shall no longer be
9 in order to consider the resolution that originated in
10 the receiving House.
11 (f) RULES OF THE SENATE AND HOUSE.—This sec-
12 tion is enacted by Congress—
13 (1) as an exercise of the rulemaking power of
14 the Senate and House of Representatives, respec-
15 tively, and as such it is deemed a part of the rules
16 of each House, respectively, but applicable only with
17 respect to the procedure to be followed in that
18 House in the case of a resolution described in sub-
19 section (a), and it supersedes other rules only to the
20 extent that it is inconsistent with such rules; and
21 (2) with full recognition of the constitutional
22 right of either House to change the rules (so far as
23 relating to the procedure of that House) at any time,
24 in the same manner, and to the same extent as in
25 the case of any other rule of that House.

1 SEC. 208. DEFINITIONS.

2 For purposes of this title:

3 (1) The term "Account" means the Energy
4 Laboratory Facility Closure Account established in
5 section 205(a).

6 (2) The term "Commission" means the Energy
7 Laboratory Facilities Commission.

8 (3) The term "congressional energy commit-
9 tees" means the Committee on Armed Services of
10 the Senate, the Committee on National Security of
11 the House of Representatives, the Committee on
12 Science of the House of Representatives, and the
13 Committee on Energy and Natural Resources of the
14 Senate.

15 (4) The term "energy laboratory" means the
16 Lawrence Livermore National Laboratory, the Los
17 Alamos National Laboratory, the Sandia National
18 Laboratories, the Argonne National Laboratory, the
19 Brookhaven National Laboratory, the Idaho Na-
20 tional Engineering Laboratory, the Lawrence Berke-
21 ley Laboratory, the Oak Ridge National Laboratory,
22 the Pacific Northwest Laboratory, the National Re-
23 newable Energy Laboratory, the Ames Laboratory,
24 the Bates Linear Accelerator Laboratory, the Bettis
25 Atomic Power Laboratory, the Continuous Electron
26 Beam Accelerator Facility, the Energy Technology

1 Engineering Center, the Environmental Measure-
2 ments Laboratory, the Fermi National Accelerator
3 Laboratory, the Inhalation Toxicology Research In-
4 stitute, the Knolls Atomic Power Laboratory, the
5 Laboratory of Radiobiology and Environmental
6 Health, the Morgantown Energy Technology Center,
7 the National Renewable Energy Laboratory, the
8 New Brunswick Laboratory, the Oak Ridge Institute
9 for Science and Education, the Pittsburgh Energy
10 Technology Center, the Princeton Plasma Physics
11 Laboratory, the Savannah River Ecology Labora-
12 tory, the Savannah River Technology Center, the
13 Specific Manufacturing Capability Facility, or the
14 Stanford Linear Accelerator Facility.
15 (5) The term "Secretary" means the Secretary
16 of Energy.

The CHAIRMAN. The gentleman is recognized.

Mr. BARTON. I thank the Chairman.

Mr. Chairman, we have over 30 designated research facilities in this Nation that bear the title of ''National Laboratories.'' Those facilities employ approximately 50,000 direct employees, I don't know how many thousands of indirect employees. We spend over $6 billion at those facilities in the name of research. The facilities run the gamut from some of our very prestigious weapons laboratories, Sandia, Los Alamos, to high energy physics laboratories like FermiLab and the Stanford Linear Accelerator, to much smaller facilities.

In any event, we have invested huge amounts of dollars, huge amounts of human capital. In the last several years there have been a number of reports, most recently the Galvin Report, that indicate that those resources may not be allocated appropriately; in some cases, resources are being expended that may not need to be expended.

As a consequence of that, there have been a number of efforts to determine the best way to rationalize those facilities. The amendment that I have prepared would create a National Laboratory Closing Commission that would do a study of all the laboratories. It itemizes specifically 30 laboratories by name that should be reviewed; sets out a timetable for a report to be given to the House and the Senate; sets out a timetable for the House and the Senate to review that report; sets out an elaborate procedure for the Congress to act on that report.

This is something that the Committee needs to address, the Congress needs to address. We are going through base closing right now using a similar commission, and the reason you need some sort of a commission is because if you look at each of these facilities individually, it is almost always impossible to change that facility because of the interest in the community of protecting the infrastructure that has already been created.

So I am not going to offer this amendment, but I would like to get some sense from the Chairman what activities he intends to pursue, either at Subcommittee or at Full Committee, to look at a way to rationalize resources in our National Laboratories.

The CHAIRMAN. Would the gentleman yield to the Chairman?

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

The CHAIRMAN. The gentleman raises a very important point. It is, of course, a matter which the Department of Energy has asked to be studied, and Mr. Galvin did do a comprehensive study of the laboratories. It is a matter that this committee certainly has to review. It is our intention to hold hearings later on this year to look at the whole matter of the future of the labs and how we might organize that structure.

As the gentleman knows, there are several ways this might be approached. The Base Closing Commission concept is one which has some support. There are also people who believe that it can be done through a system of privatization of the labs. There are a number of things that I believe the Committee ought to examine before coming to a particular conclusion on how we should proceed on the future of the labs.

There are, of course, a number of members of this Committee who have a direct interest in these labs and want to make certain that they are treated fairly. The Committee certainly wants to engage in that. But I want to assure the gentleman this is an issue that will not be ignored, that this is an issue that we are going to address, and I appreciate his raising the topic with us today. I appreciate his willingness to withdraw his amendment at this time, and I assure him that he will have an opportunity to participate later on this year as we examine the whole question.

Mr. BARTON. And I would like to yield to the gentleman from New Mexico, one of our subcommittee chairmen, Mr. Schiff.

Mr. SCHIFF. I thank the gentleman for yielding, and I will be very brief.

First all, I have to say that I am busy today working in the BRAC process that exists with the military, and I have to say, I have seen the shortcomings and limitations of that process. So I have to say, I am not eager to support the creation of that process over to an area where it was unintended.

However, I must say, even though I have a National Laboratory in my district, I have no belief that the National Laboratories are somehow exempt from the need to look to economize with Government dollars and look for the most practical way to accomplish their missions. So I certainly join where the gentleman from Texas and the Chairman are going with this.

I would add just one word. I think, along with the hearings and the commitment that the Chairman has committed to, what we need to determine is what are the missions of the National Laboratories, particularly in the post-Cold War world? What do we want them to do? I think that ought to precede how you then determine how to consolidate or realign them under whatever process to get that done. I am drafting a bill which attempts to set out the missions for the National Laboratories and requires the Department of Energy to assign those missions and account to Congress, and would welcome working with the gentleman from Texas and other members of this Committee to get that done. It just seems to me that we should first lay out what the goals are, and then decide, are we efficiently meeting those goals?

I thank the gentleman for yielding and I yield back.

The CHAIRMAN. We will continue the discussion when we come back. Other members seek to be recognized.

The Chair declares a recess.

[Recess.]

The CHAIRMAN. The Committee will come to order.

Mr. BROWN. Mr. Chairman, before we get down to business, could I ask unanimous consent to include in the record a draft of a proposed amendment to the Committee rules, for consideration of the members?

The CHAIRMAN. Sure. I thank the gentleman.

[The draft proposed amendment to the Committee rules offered by Mr. Brown follows:]

PROPOSED NEW COMMITTEE RULE

47. During consideration of any measure or matter, neither the Chairman of the full Committee nor of any Subcommittee, or any Member acting as such, shall put the question on any question pending before the Committee or the Subcommittee after the bells have summoned the Members to attendance on the floor of the House.

The CHAIRMAN. All right. A quorum being present, we will proceed. Mr. Barton has withdrawn his amendment—oh, I'm sorry, we had more discussion to go on the Barton amendment, is that correct?

Mr. BARTON. Mr. Chairman, I think, if I still have time, I would like to yield to Mr. Tiahrt; if I don't—

The CHAIRMAN. Well, the gentleman's time has expired, but if Mr. Tiahrt was seeking recognition, I would be happy to recognize the gentleman from Kansas.

Mr. TIAHRT. Thank you, Mr. Chairman.

I just want to express my appreciation for your willingness to look into the labs. I think they have done a tremendous job over the years. They have really answered the call for this Nation, and it's important that we now look at how we can get the best and the most effectiveness out of the labs and expand what the Galvin Report has done. I met with Bob Galvin last week, had a wonderful discussion. He is somewhat frustrated that nothing has occurred from his report, and I think we ought to expand that beyond the nine major labs and do a wonderful job of getting the best for our resources.

The CHAIRMAN. Would the gentleman yield to the Chairman?

I, too, met with Mr. Galvin recently and I think he has some very, very interesting ideas for how we can proceed ahead toward utilizing the labs in their appropriate way and also finding ways to cut back on administration costs. Mr. Galvin is the one who said that we could save about 50 percent of the money that we now spend in the labs without touching one engineer or one scientist. And that strikes the Chairman as being something that we should be very interested in listening to.

Mr. TIAHRT. Yes. Coming out of the engineering community, that's exciting for me, too.

I also want to say that we are moving forward with legislation that will eliminate the Department of Energy as a cabinet-level agency. This will be a portion of that legislation, so I am anxious to see portions of it move forward.

The CHAIRMAN. Well, the gentleman can be assured that we will take it up.

Mr. Luther?

Mr. LUTHER. Thank you, Mr. Chairman. I just want to add my appreciation also for Mr. Barton bringing forward that kind of a proposal, and for the other support that I've heard and from you, Mr. Chairman.

As I understand it, even in the language of the proposal — and I understand it's been withdrawn—but the language of the proposal, Mr. Chairman and Mr. Barton, does not predetermine any particular kind of outcome. I think that's the strength in the kind of proposal that has been brought before us. It's really a reflection that we have to start looking at some of these things, look at potential changes; as you say, downsizing and other alternatives, some of the alternatives that you have suggested, Mr. Chairman.

So I just want to again commend Mr. Barton, and I know Mr. Tiahrt has worked on this issue extensively, too, and I certainly would look forward to working with them from our side of the aisle

and seeing if we can come up with some kind of a proposal that makes sense in this area.

So thank you very much, Mr. Chairman.

Mr. BROWN. Mr. Chairman?

The CHAIRMAN. The gentleman from California?

Mr. BROWN. Mr. Chairman, I want to also indicate my feelings for the importance of the proposal that Mr. Barton has made, and summarily, my commendation for the work that Mr. Galvin has done.

This work is going to have to continue, and it has to continue in several settings. Mr. Galvin's recommendations were excellent but probably didn't go as far as is necessary.

The fact is that I think we're close to a consensus that there has to be major downsizing and restructuring in energy, that to the fullest extent possible we should seek ways in which we can involve the private sector more effectively than we have. It may be that we need to establish a corporate structure which is relatively independent of Government but acts under some broad mandate as to how to best serve the public interest.

But the point I really want to make most is that this is an ongoing process. Even if we went to a strict BRAC kind of a commission for closing things, as most of you know, BRAC has been in existence for a number of years and proposes to continue in existence for what may end up being a decade or longer. That's not good enough for what we're doing in the Department of Energy.

We need continuing oversight by this Committee, and particularly the Energy Subcommittee, to make sure that what is taking place there accords with the national interest and is done as effectively as possible. This—I hate to say it again—but may be one of the most important functions of this Committee, to maintain this kind of oversight role over major operations of the Government.

I thank the Chairman.

The CHAIRMAN. I thank the gentleman.

Ms. LOFGREN. Mr. Chairman?

The CHAIRMAN. The gentlewoman from California?

Ms. LOFGREN. I just wanted to make a couple of brief comments on this. I don't have a National Lab in my district, but I certainly am impressed and do support the National Labs. I understand, having read the Galvin Report, that there are reforms that need to be made, and I don't disagree with those reforms. But I recall very well Mr. Galvin describing the National Labs as the "jewels," the "national jewels." So I am very concerned that whatever we do recognizes the immense value of the labs to the future of this country and to our economic future.

I am concerned—and I certainly credit the author of the withdrawn amendment for putting together an effort, and I understand that will be massaged later—but I would join with those who suggest that a BRAC-type commission is not what is required here. Not only have I not always been pleased with the BRAC Commission, as many of us have experienced, but I think BRAC was established because it was too difficult for a political body to take the steps that were necessary for the Nation to cut costs. I don't think the National Labs pose that same kind of problem. We don't have National Labs in districts throughout the country; we just have a

few, and I think those of us who are supportive of them, for the most part, are supportive not because they are in our districts but because of their immense value to the economy and future of the country, and I think that setup politically will make it possible for the Congress to move forward in a very orderly and thoughtful manner and will allow us to take the kind of steps that will improve efficiencies in the labs, while maintaining their very important role in the future of science and energy in our country.

So although I am not a member of the Energy Subcommittee, I look forward to their work, and I hope also that there will be a meaningful role for the full Committee because, although this is within the Energy Subcommittee, the value of the labs is overwhelming to the country, and I hope that the full Committee will have an opportunity to weigh-in in a meaningful way as this proceeds.

I thank the Chairman for giving me time to make these comments.

The CHAIRMAN. I thank the gentlelady. The fact is that a lot of National Labs are shared jurisdiction between both Mr. Rohrabacher's and Mr. Schiff's subcommittees, and it will be probably be a joint subcommittee hearing that will give, I think, a fairly broad segment of the committee a chance to listen and engage in that particular discussion.

Ms. LOFGREN. Great.

The CHAIRMAN. Are there other members who wish to be heard on this topic?

Mr. ROEMER. Mr. Chairman?

The CHAIRMAN. The gentleman from Indiana?

Mr. ROEMER. At the appropriate time I would like to offer an amendment on this same topic. And without commenting at this time on the Barton amendment, which the gentleman from Texas has decided to withdraw, I will withhold my comments on his approach until I offer the amendment.

The CHAIRMAN. I thank the gentleman.

The Chair would like to complete the roster of amendments that is presently there. If there are additional members who wish to comment on the withdrawal of the Barton amendment, that's open. If not, the gentleman does withdraw his amendment at this point?

Mr. BARTON. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Without objection.

The only remaining amendment on the amendment roster is Mr. Traficant. Again, I don't believe Mr. Traficant is in the room. The Chair will regard the roster, then, as having been complete.

The Chair understands that there are now members who wish to offer additional amendments beyond those that were noticed to the Committee.

Mr. OLVER. Mr. Chairman?

The CHAIRMAN. The gentleman from Massachusetts?

Mr. OLVER. Thank you, Mr. Chairman. I have an amendment at the desk.

The CHAIRMAN. The Clerk will distribute the amendment.

The gentleman is recognized.

[The amendment follows:]

AMENDMENT OFFERED BY MR. OLVER TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Page 16, lines 12 through 18, strike paragraph (3).

Page 17, after line 2, insert the following new subsection:

1 (e) EFFICIENCY STANDARDS.—The Secretary may
2 not issue final rules relating to Lighting and Appliance
3 Standards and Building Standards and Guidelines if—
4 (1) the Attorney General, in accordance with
5 section 325(o) of the Energy Policy and Conserva-
6 tion Act (42 U.S.C. 6295(o)), has determined that
7 the standards promulgated by such final rule are
8 likely to cause significant anticompetitive effects; or
9 (2) the Secretary has not performed an analysis
10 showing that the benefits of such standards out-
11 weigh the costs thereof, taking into consideration the
12 economic impact on consumers and manufacturers.

Mr. OLVER. Thank you, Mr. Chairman.

Mr. Chairman, the text of the bill which we have now adopted and from which we are working prohibits rulemaking in regard to energy conservation in household appliances. That, I think, is an unfortunate result, given that I think all of us understand that there have been many instances where rulemaking in household appliances has been conducted—hot water heaters, microwave ovens, for example, where major savings have been made in energy and billions of dollars have been saved by consumers in the cost of the energy thereby saved.

So my amendment here is one which allows rulemaking in relation to energy conservation to go on, the premise being that it should not be prohibited.

Now, I have redrafted this amendment, I think, really carefully so that it now says that the Department of Energy cannot promulgate any final rule which the Attorney General—and more specifically, the Antitrust Division of the Justice Department—believes is likely to cause significant anticompetitive effects.

The main controversy in this issue, at least as I understand it, has been a series of proposed standards for fluorescent light bulb ballast and for televisions. My amendment would effectively prevent DOE from finalizing the proposed standards for those products, while allowing them to go forward with other standards that did not involve an anticompetitive determination in this instance.

I think this is a fairly critical point. The Department of Justice is already required under the law to review proposed standards for possible anticompetitive effects, and we have a letter from them which you yourself cited, Mr. Chairman, which states that there are significant anticompetitive effects likely to occur in their rules in regard to fluorescent light bulb ballast and televisions. In fact, I have in my hand now the Department of Energy's withdrawal of their proposed rule—they are ready to go to the Federal Register—their withdrawal of their proposed rule in regard to the television sets, and I think they are about to withdraw—it's my understanding that they are about to withdraw their rule in relation to the fluorescent lighting ballasts.

My belief is that the language—that if the Department of Justice, the Antitrust Division, indicates that these would have anticompetitive effects, that they would not be able to promulgate, and that that should solve the problem we have, while allowing the Department of Energy to go forward in some cases where they have done extremely successful and very important work for the consumers along the way.

Now, I would point out one other thing; that is that the amendment as I have it would require a cost-benefit analysis by the Department in this process, which I think they usually already do, but it would require it. And that is, of course, something that we in this Committee, with your leadership, Mr. Chairman, have attempted to make certain that we have good cost-benefit analysis and good risk analysis, and obviously, with good science behind those items.

So I would hope that we might adopt something that would allow for rulemaking to go forward if it is not anticompetitive.

The CHAIRMAN. The gentleman's time has expired.

Are there other members seeking recognition on this amendment? Mr. Roemer?

Mr. ROEMER. Thank you, Mr. Chairman. I will try to be brief in supporting Mr. Olver's amendment.

I support it for two reasons. One, because I think the Olver amendment encourages efficient technologies. An example of that in this appliance efficiency standards, the Department has updated the standards to ensure that models coming into the market incorporate the best available efficiency technologies. According to a U.S. Department of Energy report, these standards have already saved U.S. consumers nearly $2 billion on their energy bills.

So I think the Olver amendment will help to not only get efficient technologies in the marketplace, but then save taxpayers and consumers on their energy bills.

Secondly, I think it is a question of fairness and competitiveness. We do not want to stop all certification and enforcement activities and thereby open our U.S. markets to foreign dumping of non-compliant products. Just yesterday they announced that the United States has now reached historic trade deficits; it was about $11.8 billion in the month of April. We want to do everything we can to make sure that we're not encouraging foreign dumping into these U.S. markets at this time, and fairness in terms of the standards.

So I would encourage my colleagues to support the Olver amendment.

The CHAIRMAN. Are there other members seeking recognition? Mr. Bartlett?

Mr. BARTLETT. Thank you very much.

Mr. Chairman, I think that I could support some of the intent of this amendment, but I have a major problem with permitting more rulemaking. I have no problem with the Government being involved in labeling and telling the consumer the efficiencies and so forth of the products that they're to buy. I think that the best judgment as to what is needed by the consumer is made by the consumer and not by a rulemaker who determines what will be offered to the consumer.

If the amendment could be structured so that it was permitting the role of the Government in providing more information, the kind that appears on the front of refrigerators and water heaters and so forth, I am strongly supportive of that. I am not supportive of giving the Government more authority in rulemaking, which takes away from the consumer his right to the choice of products that may be available to him. So I would like to oppose this amendment in the form in which it is now constructed.

Mr. ROEMER. Would the gentleman yield?

Mr. BARTLETT. Yes, sir.

Mr. ROEMER. I would just say that I am not in favor of excessive rulemaking and regulations either. I voted for the moratorium on regulations, for the Reduction in Paperwork and Relief Act. In this particular instance I want to point out a huge difference: it is the manufacturers that are seeking a way to get fair standards—not excessive standards in rulemaking, but fair standards—and when companies are part of that rulemaking process, as this amendment would allow, I think there is a fair balance achieved.

The CHAIRMAN. Would the gentleman yield to me on that point?

Mr. ROEMER. Yes, sir.

The CHAIRMAN. I thank the gentleman for yielding.

The industry is not seeking this. Some members of the industry are seeking this because they think they are going to get out of the command and control structure of the Government an unfair advantage in the marketplace. If you take the totality of the industry, they are vehemently opposed to the Olver type of approach because not only does industry recognize, but also the workforce recognizes, that this kind of big Government issue is in fact damaging to the overall marketplace and it is putting us in peril of losing out in global competition.

I have a letter here from the International Brotherhood of Electrical Workers who recognize full well what this means. They are saying that the Olver amendment could cost them thousands of jobs and they urge this Committee to vote against any amendment that would strike or weaken the provision that is in the bill. They recognize that this literally is anticompetitive and is something which will do great damage to the American industry.

Mr. OLVER. Mr. Chairman?

The CHAIRMAN. Yes, sir?

Mr. OLVER. Thank you for yielding on that.

It would appear that there is no way that one can redraft anything here and not have exactly the same memory scans in the minds of those who had opposed it in the first place. This is specifically not anticompetitive. It specifically says, ''if it is likely to be anticompetitive, it requires a determination that it would not be likely to be anticompetitive,'' or else the rule cannot go forward. They cannot make any rules if it would produce an anticompetitive result.

The letter by my good friends from the IBEW was written before the redrafting of the amendment, so really is not relevant to the situation of the language as it is.

Now, I do not understand, if I may ask the gentleman whose time I am using here, I don't understand what the problem here is if this amendment does not choose winners and losers, which it does not, because if it is doing so, then it would be determined as likely to be anticompetitive, which is exactly what has forced the two rules that were of such controversy off the table in any case. Then why should we not be able, if we're not in an anticompetitive kind of a situation, why should we not be able to provide the greatest efficiency of energy savings that also, as in the cases that I cited of hot water heaters and microwave ovens, have saved consumers billions of dollars, as has been cited?

Mr. BARTLETT. If I could reclaim my time—

Mr. OLVER. It's not a job issue here. Why shouldn't we be able, as a policy, to save energy and save our consumers significant amounts of dollars?

Mr. BARTLETT. If I could reclaim my time, you are making exactly my point. The consumers want to save dollars. If what you're talking about is labeling, that's not what you're talking about. You're talking about rulemaking. I don't think you have to tell our consumers that a product which is more efficient is going to save them dollars; I think they know that. I think all they have to know is which product is more efficient and they will by that product.

So I still stand in opposition to the amendment.

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from California?

Mr. BROWN. Mr. Chairman, I wish to speak in support of the Olver amendment, but I have some underlying concerns.

To begin with, and I might as well come out straight away, the underlying language which is being amended shouldn't be in the bill to begin with. It's not within our jurisdiction; it's within the jurisdiction of the Commerce Committee.

The CHAIRMAN. If the gentleman would yield, we do have jurisdiction over the Codes and Standards section of the bill, and that is what we are dealing with. So the money spent under Codes and Standards within our jurisdiction is perfectly within our jurisdiction to cover.

Mr. BROWN. Well, I humbly beg—and respectfully—to disagree.

The CHAIRMAN. It's a simple limitation language on a section where we control the funding.

Mr. BROWN. Well, you're referring to NIST, the Bureau of Standards?

The CHAIRMAN. Department of Energy, Codes and Standards under the Department of Energy. In this particular section we in fact have jurisdiction in that area.

Mr. BROWN. Well, the underlying point is that our jurisdiction is over research and development, not over regulation, and I think a point of order would lie against it.

However, let's not nit-pick about that particular point. As long as the provision is in the bill, I think it's an unwise provision. I think that it needs to be amended and that it should be amended in the direction that Mr. Olver is suggesting.

Now, there is one little flaw in addition that I hesitate to bring up, and that is that this Committee has held no hearings, we have had no witnesses, we don't know whether the IBEW—which I happen to belong to—really is opposed to the current language or not. They're not speaking for me, at least, if they say they are opposed to it. And we have no other input from the public, the interested groups who are knowledgeable and concerned about this as to how they feel about it.

Now, I have always tried to have this Committee establish a hearing record for any matter of significance which it goes into. We are not doing it in this case, for reasons which we all understand. Our schedule, the overriding importance of the higher priority things which we've taken up, have precluded us from having the normal amount of hearings on important authorizing legislation, so we just haven't. And I regret that very much. I think it's going to lead to some very bad legislation.

But for that reason—first, I don't think we have jurisdiction; second, we don't have a hearing record. I think that should not have been in here, but since it's in here, I would suggest that the amendment offered by Mr. Olver is a way of perfecting this amendment so that it can achieve a purpose which I happen to agree with. It's a very necessary purpose of allowing the public to have access to more energy-efficient lighting and appliance equipment and other kinds of things of that sort, and have it done in a way which will produce the best possible effects. The language preclud-

ing anything which would have an anticompetitive effect is well placed here. And we also need, of course, as the Chair himself has so often said, a sound cost-benefit analysis which is provided for in this language.

So I am very strongly in support of the Olver amendment.

Mr. ROHRABACHER. Mr. Chairman?

The CHAIRMAN. The gentleman from California?

Mr. ROHRABACHER. Move to strike the last word.

We went over this issue in subcommittee, and I will just be very brief. What we're talking about is banning products that don't meet standards. We're talking about not opening options to consumers, but closing options to consumers.

I am in favor, if anything else, in favor of informed consumer choice as an important part of our society. What this amendment favors is rulemaking, regulations, and controls by Government. We're not talking about access. The fact is, we're talking about restricting access to the market. And who does this hurt? Who are the ones who are most hurt by this approach? Well, the poorer people in our society are the ones who are hurt the most.

When you are saying that someone with less resources must choose the $500 refrigerator—which is the example I used in subcommittee—a $500 refrigerator because it is more fuel-efficient and in the long run will save them money, versus the $200 refrigerator or $250 refrigerator, which is less fuel- efficient but it meets their requirements, and the fact that they can afford to have a new refrigerator if it's $250, we are making a choice for that person if we say, "I'm sorry, you can't have a new refrigerator unless you're willing to spend the $500 up front so that you'll have long-term savings." I in my life have been in a situation where that would have made a difference as to whether or not I had a refrigerator or not. We are hurting the poor people in that regard and we are hurting American competitiveness because we are preventing American companies from servicing the needs and demands and consumer choices of those less affluent people in our society that do indeed make choices based on "I'm willing to pay less today and have it less fuel-efficient or energy-efficient"—

Mr. MINGE. Will the gentleman yield?

Mr. ROHRABACHER. Yes.

Mr. MINGE. It's my understanding that this amendment does not set up mandatory standards, but simply standards that are then used for purposes of consumer information and reference. Can you—

Mr. ROHRABACHER. The mandatory standards are already in place. In fact, we're not just talking about consumer information here. These are standards that are being talked about, and not just informing the public.

Mr. MINGE. So you're saying a refrigerator could not be built or could not be sold unless it conformed to these standards?

Mr. ROHRABACHER. That's correct. That's my understanding of this amendment, that we are actually setting standards. We're not talking about requiring information. If I'm mistaken, I'll be very happy to withdraw my remarks, but I understand—

The CHAIRMAN. If the gentleman would yield to me, the gentleman is absolutely correct, that under this particular provision of

law, appliances that do not meet the standard that has been defined by the Government are in fact banned from the marketplace.

Mr. ROHRABACHER. And thus, if we do have a certain— and probably this is why the Electrical Workers are upset with this—because there is a large segment of the consumer market in the United States that is not the high end of the market. These are people who really need to make some choices about—

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

Mr. ROHRABACHER. I certainly will.

Mr. OLVER. I thank the chairman of the Subcommittee for yielding.

I think that you mischaracterized the issue for poor people. The life cycle costs of that $200 item are much higher than the life cycle costs for the $500 item. In fact, it is the poor people—the poorer people—who are hurt most by that sort of a situation. The amount of savings that has been established for refrigerator standards has been quite large, in the very large numbers. If the gentleman is concerned particularly about poorer people, then we ought to be making certain that we deal with life cycle costs, not just the up front costs. We ought to be making certain that people understand that in its fullest form, and that the life cycle costs be taken into account, not only here but in a lot of different places. It's critical to take into account life cycle costs.

Mr. ROHRABACHER. Reclaiming my time, and I'll be very brief, it's just that I do not assume that the poorer people who are making these decisions are dumb. The fact is that I myself have been in these situations. Believe me, in times of my life I have been very poor. The fact is that poorer people may be willing to say, "In the long run this is going to cost me some money, but I need a refrigerator today," and basically—whether it's a refrigerator or a toaster or whatever it is—and you say, "I'm sorry, you can't buy one unless it's twice as costly this moment, even though in the long run I know you're going to appreciate the fact that you can't buy it today because in the long run it's going to save you money." People make those choices and should be able to make those choices.

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from Michigan, Mr. Ehlers?

Mr. EHLERS. Thank you, Mr. Chairman.

First of all, it's a pleasure to have an issue that I believe is not partisan, that we can debate on the merits.

The basic issue—and perhaps I need some clarification on this—but it was my understanding that the Department of Energy, in setting the standards to be used to measure the efficiency of appliances for labeling purposes, has established the standards and the procedures for measuring those efficiencies by rule. I would certainly—I think it's very important that we have the labeling that we currently have. It does a lot—

The CHAIRMAN. Would the gentleman yield?

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

The CHAIRMAN. Because if the gentleman was concerned about that issue, we have in fact put money into the Chairman's substitute to pay for the cost of the labeling, to make certain that the labeling goes forward and we have the labeling in place. What we're dealing with here are the mandatory standards that actually

say that you cannot bring a product to the marketplace that does not meet the standards.

Mr. EHLERS. Reclaiming my time, I understand that concern and I have sympathy with that concern. But my question really is, in setting the standards to be used for labeling, if we prohibit rulemaking and they are using rules to establish the standards by which these labels are to be determined—the efficiencies are to be determined—then we're working at odds with each other.

The CHAIRMAN. If the gentleman would yield again, that's the money that we have included in the bill. The money is in the bill so that they can continue to set the standards and so on that would be contained on the label. We have included the money for that. What we are prohibiting is for them to go forward with rulemaking that actually bans products from the marketplace.

Mr. BROWN. Will the gentleman yield to me briefly?

Mr. EHLERS. Yes, I will yield briefly.

Mr. BROWN. I do support the thrust of what I understand the gentleman to say, and I would like to point out that this is a more complicated situation than appears on the surface, and I will comment on this more when I offer my own amendment after Mr. Olver's is disposed of.

But historically what has happened here is that we had both States and the Federal Government doing regulations in this field, and setting standards. Industry objected to the multiplicity of State standards and wanted the Federal Government to set the standards. The States apparently sued and secured the right to issue standards again after the Federal Government in the '80s refused to issue regulations and standards. We now have a situation where the States are precluded from issuing standards. We haven't had the Federal Government issuing standards, and we need to resolve this in a more reasonable way.

Mr. EHLERS. Reclaiming my time, and addressing my remarks to the Chairman's comments, the issue is not the money. The issue is whether the Federal Government would still have the authority to set new standards as conditions change. It seems to me that we are in agreement in trying to restrict the ability to keep products off the market.

The CHAIRMAN. If the gentleman would yield, the answer to his question is yes, the Government would still have—

Mr. EHLERS. That's not, Mr. Chairman—reclaiming my time—on page 16, the way I read this, it says, "conduct of any rulemaking activities relating to determinations for or prescriptions of new or amended standards." That, it seems to me, fairly clearly prohibits the Department from setting any new standards. They could only enforce the current standards. And as measurement technology changes, I think they should have the ability to make new standards.

It seems to me that your purpose here is to prevent them from setting standards—pardon me, preparing rules—that prohibit certain products from reaching the market.

The CHAIRMAN. That's what we're doing, if the gentleman would yield—

Mr. EHLERS. Yes, but you're doing more than that, and that's my concern. I wish we could come up with some mutually agreeable

wording. I didn't realize that this issue would come before us again, and I probably should have discussed it beforehand.

The CHAIRMAN. Well, if the gentleman would yield, we thought we had worked this out because the gentleman had expressed a concern, and we did in fact include the money to allow the labeling to go forward so that that would be covered. The issue here is whether or not you are going to prohibit products from coming to the marketplace through rulemaking, and we think that that is not only clearly the intent, but clearly the language.

Mr. EHLERS. Reclaiming my time, I think the problem is not in trying to reach your objective. My concern is that it goes far beyond your objective. I would be delighted to work with the Chairman on coming up with appropriate wording before it reaches the floor and discuss it further with him at that time, but I did want to register my concern at this point.

The CHAIRMAN. Well, if the gentleman would yield further, and I appreciate him giving me this time, the problem is that if you go with the Olver amendment as a solution to this, the Olver amendment in fact suggests that the anticompetitive practices can continue.

Mr. OLVER. Would the Chairman yield?

The CHAIRMAN. The gentleman from Michigan controls the time.

Mr. EHLERS. Let me just make my final comment before others take time, and that is simply the letter that we have received from the International Brotherhood of Electrical Workers I find a bit distressing because if in fact the more efficient units are made abroad, and the less efficient units are made domestically, and they're worried about losing 4,000 manufacturing jobs, they're going to lose those anyway if the manufacturers don't modernize. And I hope our American manufacturers are starting to get into electronic ballast, or once again we'll lose to foreign competition.

Thank you.

The CHAIRMAN. The time of the gentleman has expired.

The gentlelady from Maryland?

Mrs. MORELLA. Thank you, Mr. Chairman.

I just wanted to express my concerns about the well-intentioned Olver amendment. Actually, my concerns deal with a subcommittee hearing that we're going to have on the Technology Subcommittee next Thursday. It is going to relate to standards, conformity assessment, and international trade. The hearing is going to focus on a National Research Council report on that issue. The report discusses the need for industry-led standards to make us more competitive in the new century.

In preparation for this upcoming hearing I have heard from many people in industry that industry has a great concern that DOE or any governmental agency should not be mandating how manufacturers improve efficiency of their products; rather, improvement of product efficiency should be, and is being, driven quite well by the market.

It seems that we haven't had a good track record with Government-created standards. Our international and industrial competitiveness has clearly been better enhanced when we allow for voluntary industry-led standards to lead the market, and I invite the gentleman to participate in that hearing.

Mr. BROWN. Would the gentlelady yield briefly to me?

Mrs. MORELLA. May I commend her on the hearing which she has planned on this subject? Of course, I can't help but make the snide comment that it would have been better to have that hearing before we adopted legislation in this area rather than afterwards.

Mrs. MORELLA. The timing has been so difficult, with so many things vying for the little time.

Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Are there additional members who wish to be recognized on this issue?

Mr. ROHRABACHER. Mr. Chairman, if Mrs. Morella would yield a moment to me?

Mrs. MORELLA. I would be happy to.

Mr. ROHRABACHER. Just to answer one argument that was made, very briefly. No, this will not condemn the United States to producing the least efficient appliances. The fact is that what we are saying today is that the market will service both those people that cannot afford the up front costs of more efficient appliances, because they are poorer people who cannot afford to pay the extra money up front, but certainly the marketplace takes care of the other end of the market as well. We have many, many producers of appliances that focus totally on upscale people, our middle class people, who will make long-run decisions. But there's no reason for us to freeze poor people out of here and say, "I'm sorry, you can't buy an appliance unless you are willing to spend twice as much money up front, because it saves you money in the long run."

I yield back to Mrs. Morella.

Mrs. MORELLA. I believe I have time remaining. I would yield to Mr. Ehlers.

Mr. EHLERS. Thank you very much.

Apparently I am simply not making my point clearly. The issue is, we want to be able to continue to provide accurate and timely information when we label appliances. My comment about the letter from the International Brotherhood was a commentary on United States manufacturers who once again, to follow the lead of the auto industry, continue to manufacture dinosaurs and let the new products be developed offshore and sold here, and drive our companies out of business.

In response to the Chairman of the Subcommittee on this issue, we discussed this; in fact, the refrigerator example is the one I gave in the Subcommittee as a personal example. The point is, most people buy refrigerators or other major appliances on time. If we provide proper information, the net cost of the payments plus the utility expenses should be less for the more expensive appliance, but they have to have that information accurately provided to them in order to determine that. We're not cutting people out of the market for buying refrigerators by any actions that have been taken. We're simply giving them the information that they need so that they can buy them wisely, and in many cases the more expensive product is cheaper not only in the long run, but also in monthly payments, which most of the poor people make. So it is beneficial to everyone. It's not a "rich v. poor" issue. It's wise use of consumer dollars that is the issue.

The point I'm making is, let's not adopt any wording that restricts the ability of the Department of Energy to provide accurate and timely consumer information. So the issue that I raised was purely about the wording of the language as it's in the bill, and saying let's make sure that we're careful and don't exclude the possibility of providing accurate information.

Thank you.

The CHAIRMAN. The time of the gentlelady has expired.

The gentlelady from Michigan?

Ms. RIVERS. Thank you, Mr. Chairman.

I really want to speak to this issue because one of the things that I've seen happen more and more and more in this Congress is sort of "legislation by revealed truth" where you just put forward an argument and you don't have to support it empirically; it just is.

This particular argument has not been buttressed with any empirical evidence. In fact, the document that I have from the Lawrence Berkeley Lab shows that in 1993, the average new refrigerator used 45 percent less energy than had previously, but there were more models available. In 1987 there were 856 models on the market; in 1993 there were 1,005, and the average cost of a refrigerator in 1987 was $587, which dropped to $541. In the six years that these standards have been in effect, consumer options have increased and cost has gone down. And please, if people are going to make arguments about how this regulatory system is a problem, please give specifics. According to the labs, that is not true.

Mr. OLVER. Would the gentlelady yield?

Ms. RIVERS. In a moment I will, yes.

The efficiency standards have proven themselves to be appropriate. Energy consumption has dropped, so they have met the needs that they started out to meet, which was to bring down energy consumption. They have dropped the average cost of the item, and the number of options for consumers has increased.

Secondly, the argument that gets made that we are being anticonsumer also ignores the fact that a significant number of appliances that are purchased in this country are not purchased directly by the consumer. They are purchased by contractors who are putting them in homes that they are selling, and for them, cost is the only issue. They are not looking for the same sorts of features that an individual consumer may well be looking for for themselves. But the consumer is purchasing their air conditioner, their stove, their refrigerator as part of a new home package, and the standards have helped in providing consumers with the things that they want.

So if people have specific evidence that suggests that this information from the Lawrence Berkeley Lab is incorrect in terms of consumer choice, in terms of average cost of a new refrigerator, and in terms of energy consumption, I would like to hear that.

Now, I promised to yield first to Mr. Olver.

Mr. Olver?

Mr. OLVER. I thank the gentlewoman for yielding.

I just want to go back. I do understand what the gentleman from Michigan is saying. I suppose that may be the problem for me, but it's very clear what the gentleman from Michigan is saying, and I am very grateful for the comment.

But I really want to say that the continuing assertion that this amendment is anticompetitive, I have to respond to that. The Department of Justice is already required under the law to review proposed standards for anticompetitive effect, but my amendment says further that if they determine that there is likely to be an anticompetitive effect, then the rule may not go forward. It is not possible to go forward. So there is no anticompetitive effect that is left in the language of my amendment, if I drafted it correctly. It's possible not to be drafted, but I think that is clearly the intent of it, and I think is clearly the language of it.

So I would hope that we could get away from the continued assertion here that this is protecting anticompetitive effects. The language of the amendment specifically—specifically—does not allow the promulgation of a rule if there is likely to be an anticompetitive effect, as determined by the Justice Department, which already is required to look at that but has no power to stop the rulemaking which this amendment would do.

The CHAIRMAN. The time of the gentlelady has expired, despite the fact that she's not in the room anymore.

[Laughter.]

The CHAIRMAN. Are there other members seeking to be heard?

[No response.]

The CHAIRMAN. If not, the Chair intends to close the debate with a statement.

The Chair would oppose this amendment. Just so we can clarify a couple of issues here, the International Brotherhood of Electrical Workers didn't make this contingent on something that might happen in the future. Let me read from the letter. They said, "Your Committee will soon be considering the Department of Energy Civilian Research and Development Act of 1995, H.R. 1816, which prohibits appropriations for this rulemaking. I urge you to vote against any amendment to strike or weaken this provision when it comes before the full Science Committee." This is precisely what we have before us, and it does not solve the anticompetitive issue. The Attorney General is limited in what he or she can do within the accordance of Section 325 of the Energy Policy and Conservation Act. So it is very narrowly scoped in terms of the anticompetitive effect.

It also says that the final rules are likely to cause significant anticompetitive effects—not just anticompetitive effects—and in fact, based upon the letter we have from the Department of Justice, the gentleman's amendment would still permit anticompetitive practices in microwave ovens, oil-fired water heaters, room air conditioners, and direct heating equipment. Under the gentleman's amendment the Justice Department would not be able to act in those particular areas.

So the gentleman's amendment still can be described as limiting competition, and in my view is wrong in that regard.

I think we also, though, need to look at the questions raised by Mr. Rohrabacher and others about whether or not the consumer, or whether or not the Government, should make these elections. The fact is that this is an amendment that comes from the "Government is all" theory, that the Government sees all, knows all, and so therefore can determine all. We believe that there are forces

in the marketplace, that consumers make good judgments, and that particularly people with very limited amounts of money to spend should be able to have choices of products that can be bought with those limited amounts of money.

This particular amendment will destroy the ability to move the industry in that direction, and I would urge the Committee to reject the amendment and stick with the Committee language.

The Chair will put the question on the amendment. The question is on the Olver amendment. Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of noes.]

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

Mr. OLVER. Mr. Chairman?

The CHAIRMAN. The gentleman from Massachusetts?

Mr. OLVER. In keeping with the Chairman's earlier request that we make these by division, I would ask for a division.

The CHAIRMAN. The gentleman asks for a division vote. The Chair will put the question.

Those in favor of this particular amendment will raise their hands. The Clerk will count.

[Show of hands.]

The CHAIRMAN. Does the Clerk have the number?

Those opposed will raise their hands.

[Show of hands.]

The CHAIRMAN. The Clerk will report.

The CLERK. Mr. Chairman, yes: 9, no: 27.

The CHAIRMAN. The amendment is not agreed to.

The gentleman from Massachusetts?

Mr. OLVER. Mr. Chairman, I don't intend to push for a roll call, but I would say that there have been enough comments here made by several people, including the ranking member and a couple of members on your side of the aisle, that suggest that we should try to come up with something else that meets some of the objections here that I recognize, for later action. So I will defer to that point.

The CHAIRMAN. I thank the gentleman for that, and we would hope that you would come up with something that would be workable. At the moment the Committee has agreed by a 3 to 1 margin to retain the language in the bill.

Are there additional amendments?

Mr. BROWN. Mr. Chairman, I have an amendment.

The CHAIRMAN. The gentleman from California has an amendment. The Chair reserves a point of order on the amendment.

The gentleman is recognized.

[The amendment follows:]

AMENDMENT OFFERED BY MR. BROWN TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Page 16, after line 18, insert the following:

1 Until additional Federal funds are made available for ac-
2 tivities described in paragraph (3), States shall not be pre-
3 empted from establishing Lighting and Appliance Stand-
4 ards and Building Standards and Guidelines.

Mr. BROWN. Mr. Chairman, I have indicated previously that there is a long history behind this matter of issuing standards for appliances, lights, lighting, and so forth. In the course of that development the States gave up their right to issue standards, more or less in accordance with the desires of industry to have uniform Federal standards.

The language which is now in the bill and which Mr. Olver sought to change unsuccessfully now precludes the Federal Government from issuing these standards. My amendment is aimed entirely at reestablishing the right of States—and my own State of California, for example, is very much interested in this—reestablishing the right of the States to establish lighting and appliance standards and building standards and guidelines.

Now, this in no way says the States have to do it. It allows the States the option. This is a States Rights amendment, as a matter of fact. I don't think it's going to be the best possible way to operate, but since we have precluded Federal action in this area, the States which used to occupy this field and are now precluded from doing so should be allowed to reenter the field of establishing lighting and appliance standards and building standards.

Now, I have a longer statement that explains a little bit more of the history of this, Mr. Chairman, but I think it is fairly straightforward and clear, and I would like to ask unanimous consent to insert my longer statement in the record, and I would ask the members of the Committee to support this amendment, giving the States back the rights they used to have but which were taken away when the Federal Government preempted this area, and which the Federal Government is not now going to exercise.

Thank you, Mr. Chairman

[The prepared statement of Mr. Brown follows:]

STATEMENT BY
THE HONORABLE GEORGE E. BROWN
ON HIS AMENDMENT ON STANDARDS

June 20, 1995

The bill before us today prohibits further Federal rulemaking on Lighting and Appliance Standards and Guidelines. Mr. Chairman, we've been down this path before.

In the late 1970s, several States moved to issue appliance standards, including my state of California. After industry protested the potential for non-uniform standards across the States, the Congress passed legislation to require national standards, and in return the States gave up their right to issue standards.

In the first years of the Reagan Administration, the Department of Energy objected to issuing such standards and developed the so-called "no standard standard" for appliances. After several States sued the Federal Government, the States regained the right to promulgate standards. This action compelled industry to again seek Federal standards and to pre-empt State action--and they succeeded. That is where we are today, and in current law, there is a prohibition on States from issuing such standards.

States and municipalities rely on these standards to address pollution problems, and utilities project future energy use assuming federal action on appliance standards. They are not of frivolous concern to the States.

The bill before us today stops all federal efforts on

appliance standards AND leaves in existing law the prohibition on State standards. Basically, the industry would eat their cake and have it too.

Also, the bill calls for an unfair application of federal power to pre-empt State action. There was a deal struck. I think that we should honor it.

My amendment simply allows the States to issue standards if they so choose, until such time as there are funds at the Federal level to issue national standards. I ask the Members of the Committee to support this amendment, and to honor the rights of the States to control commerce within their State boundaries. Thank you.

The CHAIRMAN. Are there additional members who wish to be heard?

The Chair will state that there is a close call with regard to the germaneness of this. The Chair has decided to allow the amendment to proceed, so I withdraw my reservation of point of order.

Are there additional members who wish to be heard on this amendment?

[No response.]

The CHAIRMAN. If not, would close the debate with a statement—the gentleman from Massachusetts?

Mr. OLVER. Mr. Chairman, a point of parliamentary inquiry. It is my understanding that under the rules of the House, at least for all actions on the floor of the House, that the person offering the amendment has the right to close debate.

The CHAIRMAN. The Committee bringing the bill—the Committee position is always the last position to speak on the floor of the House. The Committee carrying the legislation has the right to close the debate.

Mr. OLVER. Okay. Thank you, Mr. Chairman.

Mr. Chairman, I wish to speak on the amendment.

The CHAIRMAN. The gentleman is recognized.

Mr. OLVER. Mr. Chairman, the issue of States' Rights, of States being allowed to set standards in an issue like this, it seems to me what we have is, they have the right; they were preempted by Federal action, and now we are prohibiting the Federal Government from taking action. Now, when they had the right, they used these standards and did in fact use their own standards or the standards that were set by national action, by Federal action, as part of their planning for major issues like the Clean Air Act, the implementation and enforcement of the Clean Air Act and so forth and so on. So if we do not now — since the States under the language of the bill are precluded from taking any action on these kinds of standards, and the States have been also prohibited from doing so, they have no basis on which to continue to plan for actions connected with promulgations under the Clean Air Act, and I assume other acts as well. So it seems to me that this is an appropriate thing to do, to allow them—since we are now getting the Federal Government out of this issue to let the states do what they need to do, give them back the power that they had before Federal preemption.

The CHAIRMAN. Are there additional members who wish to be heard on the amendment?

[No response.]

The CHAIRMAN. The Chair would then intend to make a statement and close the debate.

This particular amendment, I think, would create a very troublesome situation in any kind of a global environment. Under this particular amendment, first of all, the Federal Government has not been precluded by any action of this committee from maintaining the standards. The standards that are presently in law would continue to be kept, and the Federal Government would continue to maintain those.

This would stop the Federal Government from doing what it now does, it would wipe out that provision of law and instead, turn all of it back to the states, which means that each state could have

a different standard, thereby assuring that every manufacturer would probably have to take their business out of this country. And it is a proposal that defies the direction in which the world is going.

I can't think of anything that could be more harmful to our ability to compete in a global marketplace than to decentralize the decision making with regard to standards in this way. And so this would be a destructive amendment in terms of the global enterprises that we would like our country, companies to maintain. And I think would be entirely destructive of the direction in which we have tried to go in terms of making our appliance manufacturers into world class competitors.

And with that, the Chair would put the question. Those in favor of this amendment will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of noes.]

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

Mr. BROWN. Division.

The CHAIRMAN. The gentleman from California requests a division on this amendment.

Those in favor of this amendment will raise their hands.

[Show of hands.]

The CHAIRMAN. Okay, does the Clerk have a count? Those opposed will raise their hands.

[Show of hands.]

The CHAIRMAN. The Clerk will report.

The CLERK. Mr. Chairman, yes, 9, no, 25.

The CHAIRMAN. The amendment is defeated.

Are there additional amendments that the members wish to offer? The gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I have an amendment at the desk, and would ask that it be distributed to the members.

The CHAIRMAN. The Clerk will distribute the amendment.

The gentleman is recognized.

[The amendment follows:]

AMENDMENT OFFERED BY MR. ROEMER TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Page 26, after line 10, insert the following new title:

LABORATORIES EFFICIENCY IMPROVEMENT

SEC. 201. SHORT TITLE.

This title may be cited as the "Department of Energy Laboratories Efficiency Improvement Act".

SEC. 202 PERSONNEL REDUCTIONS.

(a) REQUIREMENTS.—The aggregate number of individuals employed at all government-owned, contractor-operated departmental laboratories, other than departmental defense laboratories, shall be reduced, within 10 years after the date of the enactment of this Act, by at least one-third from the number so employed as of such date of enactment. At least 1 percent of such reduction shall

1 be accomplished within 1 year, at least 3 percent within
2 2 years, at least 6 percent within 3 years, at least 10 per-
3 cent within 4 years, and at least 15 percent within 5 years.
4 (b) OBJECTIVES.—The Secretary of Energy shall en-
5 sure that the personnel reductions required by subsection
6 (a) are made consistent with, to the extent feasible, the
7 following objectives:
8 (1) Termination of departmental laboratory re-
9 search and development facilities that are not the
10 most advanced and the most relevant to the pro-
11 grammatic objectives of the Department, when com-
12 pared with other facilities in the United States.
13 (2) Termination of facilities that provide re-
14 search opportunities duplicating those afforded by
15 other facilities in the United States, or in foreign
16 countries when United States scientists are provided
17 access to such facilities to the extent necessary to
18 accomplish the programmatic objectives of the De-
19 partment.
20 (3) Relocation and consolidation of depart-
21 mental laboratory research and development activi-
22 ties, consistent with the programmatic objectives of
23 the Department, within laboratories with major fa-
24 cilities or demonstrable concentrations of expertise

1 appropriate for performing such research and devel-
2 opment activities.
3 (4) Reduction of management inefficiencies
4 within the Department and the departmental labora-
5 tories.
6 (5) Reduction of physical infrastructure needs.
7 (6) Utilization of other resources for performing
8 Department of Energy funded research and develop-
9 ment activities, including universities, industrial lab-
10 oratories, and others.
11 SEC. 203 REPORTS TO CONGRESS.
12 (a) INITIAL REPORT.—Within 1 year after the date
13 of the enactment of this Act, the Secretary of Energy shall
14 transmit a report to the Congress that—
15 (1) identifies the extent to which Department of
16 Energy and departmental laboratory staffs have
17 been reduced as a result of the implementation of
18 section 202 of this Act; and
19 (2) explains the extent to which reductions re-
20 quired by section 203(a) have been made consistent
21 with the objectives set forth in section 203(b).
22 (b) ANNUAL REPORTS.—The Secretary of Energy
23 shall transmit to the Congress, along with each of the
24 President's annual budget submissions occurring—

1 (1) after the report under subsection (a) is
2 transmitted; and
3 (2) before the full personnel reduction require-
4 ment under section 203 is accomplished,
5 a report containing the explanation described in subsection
6 (a)(2) of this section.
7 SEC. 204 DEFINITIONS.
8 For purposes of this title—
9 (1) the term "departmental laboratory" means
10 a Federal laboratory, or any other laboratory or fa-
11 cility designated by the Secretary of Energy, oper-
12 ated by or on behalf of the Department of Energy;
13 (2) the term "departmental defense labora-
14 tories" means the Lawrence Livermore National
15 Laboratory, the Los Alamos National Laboratory,
16 and the Sandia National Laboratories;
17 (3) the term "Federal laboratory" has the
18 meaning given the term "laboratory" in section
19 12(d)(2) of the Stevenson-Wydler Technology Inno-
20 vation Act of 1980 (15 U.S.C. 3710a(d)(2)); and
21 (4) the term "programmatic objectives of the
22 Department" means the goals and milestones of the
23 Department of Energy, as set forth in departmental
24 strategic planning documents and the President's
25 annual budget requests.

Mr. ROEMER. Thank you, Mr. Chairman.

This is an amendment that follows up on a bill that I introduced, H.R. 1510, that would require the Department of Energy lab system to reduce the number of full-time employees by one-third. Now, there are some people in Congress that want to completely eliminate the Department of Energy. There are others that want to do nothing.

I think that in this bill, this is an appropriate vehicle to discuss and to deliberate and to vote on a reasonable, modest step in line with many of the Galvin report recommendations that does make a tough decision toward having the national laboratories, which I strongly support, play a role in the downsizing and efficiencies of reinventing Government.

I certainly believe that we need to work on defining what the mission is for the national laboratories, how we achieve greater efficiencies in defining those missions, and then in consolidating their operations as well. But I do not think that the underlying bill addresses this. And I think that we can address this issue today.

I know that the Chairman is probably going to argue that we have not had hearings on this. Mr. Barton talked about his particular proposal, the Base Closure Commission. I strongly oppose the Base Closure Commission idea. Congress started delegating this responsibility with the Base Closure Commission over to an independent panel in 1985, when it was first empaneled.

We then extended this in 1988, again in 1991, and again in 1993. And it's apropos that they're still meeting today. They are meeting as we speak, making recommendations. And many bases have not been closed. Many bases, we might not want to close. But Congress should shoulder that responsibility. We should not delegate that off to a Base Closure Commission. We should make some of these tough decisions.

I want to also say to the Committee that I have a national laboratory in South Bend, Indiana, the Notre Dame Radiation Laboratory is one of the U.S. Department of Energy run laboratories. There are roughly 8 major labs, 20 minor labs, with a combined annual budget of about $6 billion, and some 50,000 employees. And I think we in Congress should recommend that the national laboratories move toward their new missions, move toward a consolidation, move toward greater efficiencies, and that we just don't leave them immune from some of the cuts that we're recommending to the Department of Energy.

Along that line, Mr. Chairman, I would also say that this amendment is germane to the bill. It deals solely with the civilian DOE labs under the Committee's jurisdiction. This bill was introduced, or this amendment, as I stated before, was a bill that was referred solely to the jurisdiction of this committee. And it does not expand on the scope of the bill. And the bill does authorize appropriations for the contractors who pay the salaries and expenses of the personnel at the labs. This amendment places certain conditions on that funding, namely reductions through personnel.

So I would argue that we shouldn't delay because we have not had enough hearings. We shouldn't delay because there is an argument that this is not germane. It in fact is germane to the bill. And

we certainly should not exempt the Department of Energy's national laboratories.

Again, I was very interested in Mr. Galvin's recommendations. Many of the things that we say in this amendment do in fact take into account his recommendations. We have recommended the termination of departmental laboratories research and development facilities that are not the most advanced and relevant.

We do recommend, to the extent feasible, termination of facilities that provide research opportunities duplicating those afforded by other facilities in the United States. And we recommend farming out these duplicative research missions as well, too.

So I would strongly recommend my colleagues vote for this amendment, and make some of the tough decisions to downsize the national laboratories. And would yield back any time that I have remaining.

The CHAIRMAN. I thank the gentleman.

The gentleman from Kansas.

Mr. TIAHRT. Thank you, Mr. Chairman.

I appreciate the gentleman from Indiana, is it?

The CHAIRMAN. Indiana.

Mr. TIAHRT. Efforts to try to downsize laboratories. But I would have to rise in opposition to it, because I do not think it's quite as comprehensive an approach as was proposed by Mr. Barton, and is going to be proposed in legislation that we have to eliminate the Department of Energy.

The Energy Laboratory Facilities Commission, which will be developed under this legislation, is a seven-member commission appointed by the President. He would appoint the chairman. Two would be recommendations from the majority leader of the Senate, two from the Speaker of the House. And they would go through a process of laying out recommendations to Congress. And I just want to briefly go through that process, so that we understand what considerations they would be giving.

They would make recommendations for reconfiguration, privatization and closure, and even termination of programs, by looking at the programs. And some of the things they would take into consideration would be the reconfiguration, the elimination of duplication, seeking to achieve cost savings, but most important, I think, is they're going to define appropriate missions, going through each lab, defining what missions those labs would have.

They would then focus on those missions. They would tell what the impact of their decisions would have on the local community, the states and the counties. They would consider the number of participants in the program. They would estimate the cost savings and increases that would accrue through reconfiguration of Energy laboratories. They would consider how many, how this laboratory could generate revenues to offset costs, transfer of Energy to other parts of the Federal Government so that we could combine missions. And they would of course consider privatization.

I think it's a more comprehensive approach. And I admire the gentleman from Indiana trying to attack the problem. Because I do think we have a problem. These laboratories have risen to the occasion in the past. They've done a tremendous job, and we're very

proud. They are a jewel to this country. And we want to keep them in fine working order.

But I think this amendment does not do a sufficient job of addressing the problem, so I would rise in opposition to it.

Mr. ROEMER. Would the gentleman yield?

Mr. TIAHRT. I would be glad to yield.

Mr. ROEMER. I would just say to the gentleman from Kansas that almost everything that he said the Base Closure Commission would be assigned to do we have in this amendment. We're saying that already existing missions should be defined, redefined, consolidated, better efficiencies implemented, and personnel cuts made. We're not recommending that we create a Base Closure Commission to do that. We are saying we should do that here in Congress. We shouldn't delegate that.

Finally, how long will this process take? We created the Military Base Closure Commission in 1985. Are we going to now have this national laboratory base or mission closure commission around for 10 or 15 or 20 years? What's your time frame on making some of these decisions?

Mr. TIAHRT. Well, reclaiming my time, I'm not familiar with how it is in the Barton amendment, but in the amendment that we're proposing, it's 15 months, they will come with a recommendation. And upon 18 months, I believe it is, that the commission will then be dissolved. So it is a short time frame. And it's not completely like the BRAC Commission. But it does make a recommendation to Congress.

And I think what is important to me about that portion of it is that we are relying on the testimony of experts, of people similar to the calibre of Mr. Galvin. And I think that's important when we make very tough decisions. Because although some people have come from a scientific background, from an engineering background, from an industrial background, I don't feel confident that I have enough knowledge about the labs to make a good, comprehensive decision without the recommendations of experts. So that's why I think that it's important that we go with an Energy Laboratory Facilities Commission type arrangement.

I yield back the balance of my time.

The CHAIRMAN. I thank the gentleman.

The gentleman from Illinois.

Mr. DOYLE. Thank you, Mr. Chairman.

Mr. Chairman, I have an amendment to Mr. Roemer's amendment at the desk.

The CHAIRMAN. The Clerk will distribute the gentleman's amendment.

[The amendment follows:]

Amendment Offered by Mr. Doyle
to the amendment offered by Mr. Roemer

Page 4, line 11, insert "(other than a facility covered by Executive Order No. 12344, dated February 1, 1982, pertaining to the Naval nuclear propulsion program)" after "facility designated".

Mr. DOYLE. Thank you, Mr. Chairman.

What this amendment does is clarify that the important work that's done by the Department of Energy in the area of naval nuclear reactors will not be subject to the Roemer amendment. It restates the language in the Stevenson-Weidler Act covering the responsibility of the Department of Energy.

Mr. Chairman, I would yield the balance of my time back to Mr. Roemer for any comment he might have to my amendment.

The CHAIRMAN. Well, the gentleman, let me, the gentleman, Mr. Roemer, has had his time. What I would do is recognize the gentleman. He may yield to Mr. Roemer for a comment.

Mr. DOYLE. I yield to Mr. Roemer.

The CHAIRMAN. Okay. The gentleman yields to the gentleman from Indiana.

Mr. ROEMER. In reading the amendment, this is a friendly amendment, and there is no intention to close the gentleman's facility, and I would happily accept the amendment.

Mr. DOYLE. I thank the gentleman.

The CHAIRMAN. Without objection, then, the amendment will be included in the amendment of the gentleman from Indiana.

Are there additional members who wish to debate the amendment of the gentleman from Indiana?

Mr. BROWN. Mr. Chairman.

The CHAIRMAN. The gentleman from California.

Mr. BROWN. I have no desire to debate it, since I'm not a very good debater, but I would like to indicate my support for the amendment offered by the gentleman. I think it encourages a process which needs to take place, and which I believe is taking place to a considerable extent. But to have the Committee support this kind of an approach I think would be useful and give direction to the Administration as it proceeds.

And I yield back the balance.

The CHAIRMAN. I thank the gentleman.

Are there additional members? If not, the Chair is prepared to close the debate.

I appreciate what the gentleman from Indiana is attempting to do. My one concern is that as I read through the amendment, he simply says we should subtract one-third of the number of people who are presently employed by the labs. This would in fact allow a situation where the Department could decide to keep all the bureaucrats, keep all of the red tape and eliminate scientists and engineers.

Now, the fact is, the direction the Galvin report wants to go in this is to eliminate a lot of the overhead in the bureaucracy and keep the scientists and engineers in place. The drafting of this amendment does not permit that to happen. As the Chair has explained, we are going to have hearings. We are going to try to figure out a way to accomplish a reform of the labs. It seems to me what we want to do is stay in the kind of area where we are getting good science.

And the main complaint of the Galvin report, as I read it, and as I have heard Mr. Galvin state, is that he believes that the overhead is now too much, and it has been increasing, that in fact, this has been the direction the Department's been going. Under the

gentleman's amendment, the Department could continue to go in the direction of bureaucracy and overhead, and eliminate scientists and engineers. It seems to me that that's the antithesis of what we want to accomplish.

Mr. ROEMER. Would the gentleman yield?

The CHAIRMAN. Sure, I'll be happy to yield to the gentleman from Indiana.

Mr. ROEMER. As I recall, when Mr. Galvin was here testifying before our committee, he said to give the Department of Energy broad guidelines as to what should be cut, and then let them implement the cuts, not to micromanage their Department and say, you should cut, you know, this particular scientist or that particular bureaucrat. They are going to make the right decisions. I'm very supportive of the national laboratories. I've visited a number of them. And I think, and I trust, that they're going to make many of the right decisions to redefine the mission and consolidate their operations.

The CHAIRMAN. Well, I thank the gentleman for his trust. But the fact is that the Department, under a couple of administrations now, has headed in the wrong direction. And my fear is that by not giving them the appropriate guidance here that we may in fact undermine the ability of the Department and the labs to do the best thing.

As the Chair has stated, we intend to hold hearings on this matter. We intend to try to come up with a schematic that will in fact reform the labs and will reduce total employment in the labs in the end. But to arbitrarily say that that number is one-third, you know, as I say, Mr. Galvin, in a discussion with me the other day, indicated the number may be as much as one-half. To say that over the next 10 years all we're going to get to is a third, when the real number might be 50 percent, it seems to me locks the Committee in in a way which is not particularly wise.

Mr. ROEMER. Would the gentleman yield?

The CHAIRMAN. Sure.

Mr. ROEMER. I would say that, let's start today. Let's make a tough decision today. Let's start with a third, and then if Mr. Galvin comes back with a half, I'd be happy to follow through on that recommendation.

Mr. FAWELL. Would the gentleman yield?

The CHAIRMAN. Well, I appreciate—

Mr. ROEMER. Let's do something.

The CHAIRMAN. I appreciate the gentleman's remarks, and I know that he's sincere in attempting to get this done. But I believe that this amendment in this form at this time is unwise and does not accomplish the mission that the gentleman has outlined.

Mr. FAWELL. Would the gentleman yield?

The CHAIRMAN. Be happy to yield to the gentleman from Illinois.

Mr. FAWELL. I'm sorry that I've been flying around like a tse-tse fly trying to cover two committees that are in markup. I wasn't here to be a part of this debate. But I just thought, I join with my Chairman in his views here.

I think that we've already mandated cuts by all the cuts in the support of our various labs. They are a national treasure. And they indeed are going to have to wrestle with the substantive cuts that we have already mandated, and to do what they can do to adjust.

And obviously, there is going to be a lot of, there is going to be less personnel.

I think that a lot more study, a lot more review and analysis, is necessary before we rush off and do something like this. I agree with what little portion of the debate I've heard and—

Mr. ROEMER. Would the gentleman yield?

The CHAIRMAN. I thank the gentleman—

Mr. ROEMER. Would the gentleman from Illinois yield?

Mr. FAWELL.—I'd say let's have a little bit of caution here before we do things like this.

The CHAIRMAN. The Chairman controls the time. The Chairman thinks he has now allocated, has used most of his allocated time, and is prepared to put the question.

The question is on the Roemer amendment. Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of noes.]

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

Mr. ROEMER. I ask for a roll call vote.

The CHAIRMAN. The gentleman from Indiana requests a roll call vote. The Clerk will call the roll.

The CLERK. Mr. Walker?

The CHAIRMAN. No.

The CLERK. Mr. Walker votes no. Mr. Sensenbrenner?

Mr. SENSENBRENNER. No.

The CLERK. Mr. Sensenbrenner votes no. Mr. Boehlert? Mr. Fawell?

Mr. FAWELL. No.

The CLERK. Mr. Fawell votes no. Mrs. Morella?

Mrs. MORELLA. No.

The CLERK. Mrs. Morella votes no. Mr. Weldon of Pennsylvania?

Mr. WELDON OF PENNSYLVANIA. No.

The CLERK. Mr. Weldon votes no. Mr. Rohrabacher?

Mr. ROHRABACHER. No.

The CLERK. Mr. Rohrabacher votes no. Mr. Schiff? Mr. Barton? Mr. Calvert? Mr. Baker?

Mr. BAKER. No.

The CLERK. Mr. Baker votes no. Mr. Bartlett?

Mr. BARTLETT. No.

The CLERK. Mr. Bartlett votes no. Mr. Ehlers?

Mr. EHLERS. No.

The CLERK. Mr. Ehlers votes no. Mr. Wamp?

Mr. WAMP. No.

The CLERK. Mr. Wamp votes no. Mr. Weldon of Florida? Mr. Graham? Mr. Salmon?

Mr. SALMON. Yes.

The CLERK. Mr. Salmon votes yes. Mr. Davis?

Mr. DAVIS. No.

The CLERK. Mr. Davis votes no. Mr. Stockman?

Mr. STOCKMAN. No.

The CLERK. Mr. Stockman votes no. Mr. Gutknecht?

Mr. GUTKNECHT. No.

The CLERK. Mr. Gutknecht votes no. Mrs. Seastrand?

Mrs. SEASTRAND. No.
The CLERK. Mrs. Seastrand votes no. Mr. Tiahrt?
Mr. TIAHRT. No.
The CLERK. Mr. Tiahrt votes no. Mr. Largent?
Mr. LARGENT. No.
The CLERK. Mr. Largent votes no. Mr. Hilleary?
Mr. HILLEARY. No.
The CLERK. Mr. Hilleary votes no.
Mrs. Cubin? Mr. Foley?
Mr. FOLEY. Yes.
The CLERK. Mr. Foley votes yes. Mrs. Myrick?
Mrs. MYRICK. Yes.
The CLERK. Mrs. Myrick votes yes. Mr. Brown?
Mr. BROWN. Aye.
The CLERK. Mr. Brown votes yes. Mr. Hall? Mr. Traficant? Mr. Hayes?
Mr. HAYES. Yes.
The CLERK. Mr. Hayes votes yes. Mr. Tanner?
Mr. TANNER. No.
The CLERK. Mr. Tanner votes no. Mr. Geren? Mr. Roemer?
Mr. ROEMER. Aye.
The CLERK. Mr. Roemer votes yes. Mr. Cramer?
Mr. CRAMER. Yes.
The CLERK. Mr. Cramer votes yes. Mr. Barcia?
Mr. BARCIA. Yes.
The CLERK. Mr. Barcia votes yes. Mr. McHale?
Mr. MCHALE. Yes.
The CLERK. Mr. McHale votes yes. Ms. Harman? Ms. Johnson?
Ms. JOHNSON. Aye.
The CLERK. Ms. Johnson votes yes. Mr. Minge?
Mr. MINGE. Yes.
The CLERK. Mr. Minge votes yes. Mr. Olver?
Mr. OLVER. Yes.
The CLERK. Mr. Olver votes yes. Mr. Hastings? Ms. Rivers?
Ms. RIVERS. Yes.
The CLERK. Ms. Rivers votes yes. Ms. McCarthy?
Ms. MCCARTHY. No.
The CLERK. Ms. McCarthy votes no. Mr. Ward? Ms. Lofgren?
Ms. LOFGREN. No.
The CLERK. Ms. Lofgren votes no. Mr. Doggett? Mr. Doyle?
Mr. DOYLE. Yes.
The CLERK. Mr. Doyle votes yes. Ms. Jackson Lee?
Ms. JACKSON LEE. Aye.
The CLERK. Ms. Jackson Lee votes yes. Mr. Luther?
Mr. LUTHER. Yes.
The CLERK. Mr. Luther votes yes. Mr. Hastings is not recorded.
The CHAIRMAN. How is Mr. Graham recorded?
The CLERK. Mr. Graham is not recorded. Mr. Graham votes no.
Mr. HALL. How is Mr. Hall recorded?
The CLERK. Mr. Hall is not recorded.
Mr. HALL. I vote no.
The CLERK. Mr. Hall votes no.
The CHAIRMAN. Mr. Weldon of Florida?
The CLERK. Mr. Weldon is not recorded.

The CHAIRMAN. He votes no.

The CLERK. Mr. Weldon votes no.

The CHAIRMAN. Clerk will report.

The CLERK. Mr. Chairman, yes, 17, no, 23.

The CHAIRMAN. The amendment is not agreed to. The Committee will stand in recess to vote.

[Recess.]

Mr. GEREN. Mr. Chairman, did you gavel us to order?

The CHAIRMAN. I did gavel to order. I thought I had enough people in the room.

Mr. GEREN. Before someone objects to that, can I have unanimous consent to make a statement on the record? I don't care that I have a big audience.

Thank you, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized if he doesn't care about the size of his audience.

Mr. GEREN. Mr. Chairman, someone once told me there's nothing that focuses the attention like an impending execution. And I have a base on the base closing list. So I'm spending most of my day over there. And as a result of that, I missed the vote on the Roemer amendment. Had I been present, I would have voted for the Roemer amendment, and I'd like the record to reflect that.

The CHAIRMAN. The gentleman's statement will be recorded.

Mr. GEREN. Thank you.

The CHAIRMAN. The Chair believes that there are enough members back that we have a quorum.

Mr. TRAFICANT. Is that legitimate?

The CHAIRMAN. Well, we are assuming that they are in the vicinity, and therefore, we are hoping that maybe they would show up in the room so that we can count them for the purposes of a quorum.

Mr. BROWN. Mr. Chairman, may I make particular note that Mr. Traficant is present.

[Laughter.]

Mr. BROWN. That we should count him at least two or three times for that.

The CHAIRMAN. No, I am pleased to have Mr. Traficant here. I thanked him a couple times, I thanked him privately, I will thank him publicly for having voted with the Chairman to allow us to continue to proceed today. And I appreciate that very much.

Mr. BROWN. He supports you more than he ever did me, I'll tell you.

[Laughter.]

The CHAIRMAN. The Chair will ask again whether there are additional amendments.

Ms. LOFGREN. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will distribute the amendment of the gentlewoman.

[The amendment follows:]

AMENDMENT TO THE WALKER AMENDMENT IN THE NATURE OF A SUBSTITUTE

OFFERED BY MS. LOFGREN

Page 4, line 12, strike "$229,144,000" and insert in lieu thereof "$254,244,000"

Page 4, line 13, strike "$220,144,000" and insert in lieu thereof "$245,144,000"

Ms. LOFGREN. And after it is distributed, I'd ask unanimous consent that it be considered as read.

The CHAIRMAN. Well, let's get it in the hands of the members here.

The gentlewoman is recognized.

Ms. LOFGREN. Thank you, Mr. Chairman.

I—this amendment seeks to reclaim the $25 million that we deauthorized when we passed Mr. Foley's amendment to terminate the gas turbine modular helium reactor. I don't want to see our overall energy R&D effort punished because of our inability to set priorities right the first time.

This amendment reclaims the $25 million and applies it to the fusion program. If we keep the authorization level for fusion at its present level of $229 million, a cut of roughly 40 percent from the fiscal year 1995 level, we will do great damage to the domestic fusion program in this transition year as it adjusts to lower budget levels.

The Department of Energy must terminate contracts to meet the budget target, and the termination costs are going to overwhelm the money that would otherwise support the fusion laboratories devoted to basic research. You know, last week, the President's Council of Advisors on Science and Technology reaffirmed the tremendous long-term potential of fusion to provide a practical and pollution-free source of energy. And the Council stated that the most important priority of the fusion program in this transitory environment for all research and development is to maintain the domestic program in the United States.

Yesterday we discussed the importance of the domestic fusion program when Mr. Doggett's amendment was discussed, and several members expressed their concern over the large and certain devastating hurdles that the fusion community will face to continue progress in basic research with the level of funding provided in the bill.

The President's Council recommended level funding at $230 million and obviously will fall short of that. But $25 million could make a big difference. At an overall funding level of $230 million, as is currently authorized in the bill, the Department of Energy estimates that it will need to close one or more of its basic research laboratories at a university such as Princeton or MIT, or at a national laboratory such as Oak Ridge or Lawrence at Berkeley. Twenty-five million dollars could avert that disaster and allow the Department to successfully refocus the fusion program on basic research.

Let me stress that this amendment does not restore fusion to anywhere near the President's requested level of $366 million, which itself was less than the appropriated level in 1995. It also does not bring the level up to that recommended in the Doyle substitute, but it is a modest tide-over sum to the fusion, allow the fusion program to keep its doors open and to re-focus on the future.

I would also like to add that I believe the fusion program meets every one of the six criteria that that Chairperson has outlined as his goals for, or his criteria for evaluating research. It's long-term, it's non-commercial. It can't be funded by the private sector because of its long-term nature. It's revolutionary. Really in a lot of

ways, fusion is the big play. And if we succeed with fusion energy, our country and our world will be changed in ways that are almost unimaginable and certainly positive.

I would hate to see our efforts with research in fusion essentially terminated as a matter of this budget. And although I have a, certainly a bias to spend more money on research than I think the majority of the Committee does, this amendment doesn't change the overall amount within the budget. It merely utilizes the $25 million previously deleted from a different project.

I—several members have asked me which project this would go to. And as you'll see from the amendment, basically it is added to page four, line five, understanding that the entire fusion program is going to have to be reconfigured because of the overall amount of the cut. And I don't know how that reconfiguration will end up. I'm not a fusion scientist. But I do know that if we want fusion research to go forward, and not merely to be completely shut down, we need to provide some additional resources. Because what's in this budget, I understand, basically, is just enough to stop the program.

I would ask my colleagues to support this amendment, and thank you, Mr. Chairman, for recognizing me.

The CHAIRMAN. Are there other members who wish to be recognized?

Mr. ROHRABACHER. Mr. Chairman?

The CHAIRMAN. The gentleman from California, Mr. Rohrabacher.

Mr. ROHRABACHER. I oppose this amendment for a number of reasons.

But first of all, the gentleman, Mr. Foley, who gave us this extra $25 million by making his amendment yesterday, I noted at the time that was the only amendment that came through my subcommittee that was suggesting that we cut spending someplace for any other purpose rather than just taking that spending and spending it someplace else, taking that money and spending it someplace else. It was truly an attempt on Mr. Foley's part to reduce the budget deficit, rather than trying to redirect funds to one of his favorite programs, or to a program in his own district.

This amendment takes the nobility out of Mr. Foley's efforts. What it basically does is take the money that he saved, and I will have to say that I personally believe that we should have waited for the National Academy of Sciences to make the determination as to whether that was or was not a good expenditure or a reasonable expenditure of our funds. But now that we have decided to accept Mr. Foley's amendment, then just to redirect it into fusion goes against what I believe the spirit of Mr. Foley's amendment and what most people voted for.

Ms. LOFGREN. Would the gentleman yield?

Mr. ROHRABACHER. I certainly would.

Ms. LOFGREN. I would just like to clarify, I don't have a fusion lab in my district, I don't have a project in my district. To my knowledge, there are no companies doing this that are in my district. I am offering this amendment because I think fusion is important to our country. The lab is in Mr. Baker's district, not mine.

Mr. ROHRABACHER. Okay, well, I will accept that the first half of my analysis, that people were trying to save money to put money into their own districts, doesn't refer to you. But it is a pet program, it's something you really believe in. Pet programs are not necessarily programs that are wrong, it's just that we have certain priorities we're willing to make those priorities higher than the priority of balancing the budget. And that's true of all of us. I'm not just saying that about any member, any particular member. We all have programs which we hold in priority.

But in Mr. Foley's case, at the very least, I thought that we were going to have a situation where we'd have $25 million, a small step forward, at least, to help with our fight against the budget deficit. And this amendment would actually undermine that one little gain that we've made, that one little $25 million step forward. So I would oppose it.

Ms. LOFGREN. Would the gentleman yield for a further comment?

Mr. BROWN. Mr. Chairman?

Mr. ROHRABACHER. I certainly will.

Ms. LOFGREN. I appreciate that. I'd just like to note, without hopefully sounding acrimonious, that our Chairperson found $267 million, and that wasn't put to deficit reduction, that was spent. And I don't disagree with that. I mean, we are here to move our country forward in the area of research and essentially basic research and energy research. And I don't think this is out of keeping with what the Chairperson did as well.

Mr. ROHRABACHER. Reclaiming my time, I'll just say that I agree with your assessment. The Chairman did not take the 260 some million dollars that he managed, and most of the Members of this Committee are very grateful for his leadership in finding that extra money, even though you might now know it by some of the public comments that are being made.

But the fact is, this particular Member may well have appreciated if he would have applied that extra money to the deficit. However, that certainly doesn't reflect the mood of the vast majority of members of this Committee.

So your point is very well made. It's not acrimonious whatsoever. But I think that we do have to keep in mind that we are trying to balance the budget, and we do so whenever we can. And thank you very much, Mr. Chairman. I yield back the balance of my time.

The CHAIRMAN. The gentleman from California.

Mr. BROWN. Mr. Chairman, I rise to support the amendment of the gentlelady from California. But I am much, much more concerned about the nature of the dialogue that's taking place here. And with all due respect to my good friend, Mr. Rohrabacher from California, the terms that he has used are just out of never-never land. They're total fiction. There's no money being saved one way or another by this amendment. There's nothing being done to fight against the budget amendment here. And I honestly want my colleagues on the Committee to conduct their own investigation of this.

What you have is a situation here where the appropriators have already decided to appropriate more money than this Committee has authorized. Mr. Walker has perceived this. Whether he negotiated with them, or whatever term you want to use, he has rec-

ommended a substitute which adds to the authorization a part of the money, the additional money that the appropriators put in. Not all of it. He didn't go up to the full amount that the appropriators appropriated. And you might say that we could find that other hundred million dollars if we want to and apply it to some of these other programs, as Mr. Walker has indicated he did for the $267 million.

Now, in any event, if this money is not authorized, and as a result of that, the appropriators can't appropriate it for the fusion program or whatever program, that doesn't mean that it will go to the deficit. And I ask you to verify this from whatever sources you wish. Don't accept my views on it.

What happens is that in the Energy and Water Subcommittee, if they have a cap due to our having passed an authorization bill, which we're not going to do, but if we did, that would limit them. But if they are limited by what we authorize, they will merely move that money over and spend it for the water project.

Mr. LARGENT. Would the gentleman yield?

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

Mr. LARGENT. I would just say that there's a Member on your side of the aisle, as well as one on our side, that right now, as we speak, I just came from a meeting where we're trying to create a lock box just to prevent just such a thing.

Mr. BROWN. Correct.

Mr. LARGENT. And we are moving as quickly as we possibly can so that it happens sooner than later.

Mr. BROWN. Now, I admire that kind of an approach. And I probably won't support it, but if you really are serious—

[Laughter.]

Mr. BROWN. Well, I'm one of those big spending Democrats. I think we're cutting too much already.

If you're really serious about fighting against the budget, then you've got to take these opportunities and put them into a protective lock box. You are not doing that under the present circumstances. And I ask you to verify that from your own staff or wherever else you get good advice.

What will happen is that the appropriators will appropriate up to the full amount of their individual 602(b) allocation. They have done it historically. They will continue to do it. I've been watching them do it for a long, long time. And there's no way we can stop them from doing it with what we're doing here. So this talk about this money being saved, or about fighting the budget deficit for this, is fiction.

Now, I don't object to people engaging in fiction, except I don't want them to delude themselves by it. And you are deluding yourself if you think we're going to save money through this particular kind of an offering.

Mr. ROHRABACHER. Would the distinguished Ranking Member yield a moment?

Mr. BROWN. Of course I would.

Mr. ROHRABACHER. I think what we have to really ask ourselves is, are we indeed as irrelevant as the distinguished Ranking Member would, believes we are. And I think that we've heard this argument over and over again. And I agree with our distinguished

Chairman that if we conduct ourselves in a way to make ourselves irrelevant, we will be irrelevant.

And we should be doing the best we can, and I agree, and I applaud Mr. Largent and others who would try to create a lock box. Otherwise, why are we debating about these things? Why are we asking ourselves whether the money should be spent here or there, when in fact, just give it all up to the appropriators.

That's the way things worked when the majority, who is now the majority, was in power. But things have changed, and I have a feeling that if we work hard and we try to be responsible, we can indeed work the rules through so that decisions like this count. But we've got to act responsibly in the meantime.

Mr. BROWN. May I reclaim my time, just to respond?

Let me say to this that this argument of relevance touches me deeply. I have been working with Mr. Walker for many, many years to make this Committee more relevant. And I think he will agree that we have tried to do that.

Mr. ROHRABACHER. Yes, sir.

Mr. BROWN. One of the things we've never been able to do is to pass an authorization bill for energy R&D, for example. Mr. Walker's committed to doing that. And I concur with that commitment. But I want it to be a realistic authorization bill, and I don't want us to be debating it in terms which are really irrelevant to the true process.

The CHAIRMAN. Time of the gentleman has expired.

Are there other members who seek recognition on this amendment?

Mr. GEREN. Mr. Chairman?

The CHAIRMAN. Mr. Geren.

Mr. GEREN. Thank you, Mr. Chairman.

Mr. Brown made a point I wish to make, much more eloquently than could I. But absent a lock box provision, that Mr. Largent and Mr. Brewster and other members are advancing, no matter how noble Mr. Foley's amendment might have been, it's not going to accomplish its purpose. And we don't have that lock box provision in place. Even if we had it, it's unlikely it would apply to a committee action.

Thank you, Mr. Chairman.

Mr. OLVER. Mr. Chairman?

The CHAIRMAN. The gentleman from Massachusetts.

Mr. OLVER. Thank you. I would associate myself with the comments just made by the gentleman from Texas, and just point that even with this amendment that the cut in the nuclear fusion program, the fusion energy program in total, would remain one-third cut, a one-third cut in this research program in an area where the, where while the end results thus far have been perhaps disappointing, that often happens in research until the breakthrough comes. And the breakthrough in this instance, the potential gains are absolutely astronomical, compared really to the kinds of costs that have been put together.

So I would hope that we would, with this $25 billion, $25 million, excuse me, back in the program, and limit the cut in this program from the present fiscal year's level to only a one-third cut.

Thank you.

The CHAIRMAN. Are there other members that seek recognition?

If not, the Chairman will close the debate. First of all, Ms. Lofgren on this amendment stated her determination was to try to find additional money so that the termination costs of programs would not eat up the operating money. If you will look at our bill on page 26 you will find that we have unobligated funds in the Clean Coal Technology Program that may be used to pay the costs associated with termination of accounts throughout the bill. So that in fact, the full $229 million made available under our bill for fusion can be spent for programs, do not have to be spent for termination costs under our bill.

So that being the purpose behind the amendment, the purpose has been served already by the way in which we have constructed the bill. And you do not need this additional $25 million.

I would also say to the gentleman from California who stated that we don't get real savings from this particular $25 million, the Chairman did not agree with cutting the $25 million for the gas turbine reactor. I happen to believe that that's a valuable program, it's a good program. But the bottom line is, the Committee decided that I wasn't right, and several of us that had that opinion weren't right. And we stopped that program. When you stop a program outright, you actually save real money. That money is not going to be spent for that program.

What Ms. Lofgren then does is takes the money and puts it over into fusion, where I guarantee you they'll be able to spend the money. I mean, these are programs that over the last few years have spent $9 billion. We intend to allocate them another quarter of a billion dollars, and they will eat up the money very quickly over there.

So you won't get savings out of this. You'll get real spending as a result of this transfer of money. And you know, it seems to me that we've done a pretty good job of trying to keep our priorities in line. And you know, I do hope to keep us relevant. And I would say to the Ranking Minority member, who directed his criticism a little bit my way, that I have a copy of a letter he wrote to the Chairman of the Subcommittee on Energy and Water, in which he was telling the chairman over there to consider us irrelevant.

I've got to say, that's not very hopeful in the process that we are engaged in. Because we are attempting to make some changes here. And the fact is that the Chairman of the Subcommittee came to me just on the Floor a few minutes ago, expressing concern at what we had done about the gas turbine reactor, because he recognizes that that means, then, that the authorizing committee has not endorsed something that he also regards as important.

And—but the reality of it is, there has been a real decision made by this Committee that will have real consequences later on. And if all we're going to do is stick the money back in and spend it somewhere else, the consequence is not as great.

Mr. BROWN. Would the gentleman yield?

The CHAIRMAN. In my view, we ought to probably stick with the decision that the Committee made earlier.

Mr. BROWN. Is the gentleman indicating that my statement that the decision in spending this money will be made by the Appropria-

tions committee spending up to their 602(b) allocation? Are you indicating that I made a mistake in that statement?

The CHAIRMAN. No. What I'm saying to the gentleman is that we have been relevant in the process. The Committee had determined that they were going to spend considerably lower levels than what we thought were proper authorizations at one juncture in the process. Due to a meeting that the Speaker held, in which we then began some negotiations, we were actually able to move some of those accounts back up, which are reflected in some of what we're doing here. Ultimately, the appropriating committee makes that determination.

I've got to tell you, it makes my job of trying to do that a good bit more difficult when the Ranking Member of the Committee is writing to the Chairman, saying, don't give any undue deference to what this committee does.

Mr. BROWN. Would the gentleman yield to me again?

The CHAIRMAN. And so in my view, we ought to be trying to be, as relevant to the process as possible. That's the only point that I'm making.

Mr. BROWN. May I respond?

The CHAIRMAN. Sure, I'd be happy to yield to the gentleman.

Mr. BROWN. You know, I really appreciate the fact that the gentleman may be trying through what he calls his negotiating with the Appropriations Committee to get more relevance for us. I might be willing to support that approach if the Chairman would confide in me from time to time what it is he's trying to do. So far, he's never confided in me. And I have to take upon myself the responsibility in response to their request of telling the appropriators what I think is the sound policy to follow.

The gentleman knows that this is what's happened. It will continue to happen, I might say. And what is probably going to happen is, as a result of the confusion that you've sowed with the way you have presented this, we will never pass an authorization bill. It will never have any effect. And we will truly become irrelevant.

The CHAIRMAN. Well, the gentleman has his opinion. I certainly have mine. I think we have kind of sunk into the sea of irrelevancy in recent years. And we're trying to pull us back from that. And I would say to the gentleman that I have consulted certainly as much with him on these matters as I was consulted with when these negotiations went on in the past. And so the fact is that majorities sometimes have to govern.

Mr. BROWN. Perhaps the gentleman has admitted what he's doing.

Mr. SCHIFF. Mr. Chairman?

The CHAIRMAN. I will yield to the gentleman. The time of the Chairman has almost—I'm finishing debate here.

Mr. SCHIFF. Could I ask the Chairman one—yield to a question? Although of course the future of fusion research is itself debatable, the fact of the matter is, if we vote for the Lofgren amendment, we are still within our 602(b) allocation, is that correct?

The CHAIRMAN. The gentleman is correct. The gentleman is correct that that would still keep us within the cap that we're operating under. So that you can in fact vote in that direction. I'm simply saying that the statement made earlier that indicates that some-

how this won't achieve real savings, it will in terms of a gas turbine reactor because the fact is, this committee has made a determination that we're going to kill that program, and that could ultimately result in some real savings. That's the only point that I'm making.

Mr. OLVER. Mr. Chairman?

The CHAIRMAN. I yield to the gentleman.

Mr. OLVER. Thank you, Mr. Chairman.

May I ask then the Chairman a second question, that comes in part out of what the gentleman from New Mexico has just said? Is it also correct that even if we authorize this, this does not preclude the appropriators from not appropriating it? In other words—

The CHAIRMAN. Nothing we do—

Mr. OLVER.—we authorizing at this level does not define whether there will be expenditure to this level or not. We will have merely set—

The CHAIRMAN. We set caps.

Mr. OLVER. We set caps.

The CHAIRMAN. We set caps. That's what we do.

Mr. OLVER. So all we would be doing is saying that if the appropriators choose to appropriate more for this fusion program, so that the cut is no more than one-third in this program, that they would then have the opportunity to appropriate it.

The CHAIRMAN. Sure. The gentleman is correct. But the authorizers also have the responsibility to set caps that we think are reasonable and responsible. And you know, we believe that the $229 million or more than a quarter of a billion dollars that we've put into this budget for fusion is a—can maintain a reasonable and responsible program.

Mr. OLVER. Would the gentleman repeat that comment, because I—the way I heard it, would you repeat that whole comment?

The CHAIRMAN. I simply said that we think that the quarter of a billion dollars that we are spending on the fusion program allows us to have a reasonable and responsible program for our fusion future.

With that, the Chair will put the question. Those in favor of the amendment will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of noes.]

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

Ms. LOFGREN. Mr. Chairman, could we have a recorded vote on that, please?

The CHAIRMAN. The Chair called it for the gentlelady, but if she wants to vote and run the risk of—

Ms. LOFGREN. Oh, I misunderstood. I withdraw that—

Mr. SENSENBRENNER. Mr. Chairman, I'd like a recorded vote.

[Laughter.]

The CHAIRMAN. The gentlelady might have been better to listen, in that case.

[Laughter.]

The CHAIRMAN. The gentleman from Wisconsin asks for a recorded vote. The Clerk will call the roll.

The CLERK. Mr. Walker?

The CHAIRMAN. No.
The CLERK. Mr. Walker votes no. Mr. Sensenbrenner?
Mr. SENSENBRENNER. No.
The CLERK. Mr. Sensenbrenner votes no. Mr. Boehlert? Mr. Fawell?
Mr. FAWELL. No.
The CLERK. Mr. Fawell votes no. Mrs. Morella? Mr. Weldon of Pennsylvania?
Mr. WELDON of Pennsylvania. No.
The CLERK. Mr. Weldon votes no. Mr. Rohrabacher?
Mr. ROHRABACHER. No.
The CLERK. Mr. Rohrabacher votes no. Mr. Schiff? Mr. Barton?
Mr. BARTON. No.
The CLERK. Mr. Barton votes no. Mr. Calvert?
Mr. CALVERT. No.
The CLERK. Mr. Calvert votes no. Mr. Baker?
Mr. BAKER. No.
The CLERK. Mr. Baker votes no. Mr. Bartlett?
Mr. BARTLETT. No.
The CLERK. Mr. Bartlett votes no. Mr. Ehlers?
Mr. EHLERS. Yes.
The CLERK. Mr. Ehlers votes yes. Mr. Wamp?
Mr. WAMP. No.
The CLERK. Mr. Wamp votes no. Mr. Weldon of Florida?
Mr. WELDON of Florida. No.
The CLERK. Mr. Weldon votes no. Mr. Graham? Mr. Salmon?
Mr. SALMON. No.
The CLERK. Mr. Salmon votes no. Mr. Davis?
Mr. DAVIS. Yes.
The CLERK. Mr. Davis votes yes. Mr. Stockman?
Mr. STOCKMAN. No.
The CLERK. Mr. Stockman votes no. Mr. Gutknecht?
Mr. GUTKNECHT. No.
The CLERK. Mr. Gutknecht votes no. Mrs. Seastrand?
Mrs. SEASTRAND. No.
The CLERK. Mrs. Seastrand votes no. Mr. Tiahrt?
Mr. TIAHRT. No.
The CLERK. Mr. Tiahrt votes no. Mr. Largent?
Mr. LARGENT. No.
The CLERK. Mr. Largent votes no. Mr. Hilleary?
Mr. HILLEARY. No.
The CLERK. Mr. Hilleary votes no. Mrs. Cubin? Mr. Foley? Mrs. Myrick?
Mrs. MYRICK. No.
The CLERK. Mrs. Myrick votes no. Mr. Brown?
Mr. BROWN. Mr. Brown votes aye.
The CLERK. Mr. Brown votes yes. Mr. Hall? Mr. Traficant? Mr. Hayes?
Mr. HAYES. Yes.
The CLERK. Mr. Hayes votes yes. Mr. Tanner?
Mr. TANNER. Yes.
The CLERK. Mr. Tanner votes yes. Mr. Geren?
Mr. GEREN. Yes.
The CLERK. Mr. Geren votes yes. Mr. Roemer? Mr. Cramer?

Mr. CRAMER. Yes.
The CLERK. Mr. Cramer votes yes. Mr. Barcia?
Mr. BARCIA. Yes.
The CLERK. Mr. Barcia votes yes. Mr. McHale?
Mr. MCHALE. Yes.
The CLERK. Mr. McHale votes yes. Ms. Harman? Ms. Johnson?
Ms. JOHNSON. Yes.
The CLERK. Ms. Johnson votes yes. Mr. Minge?
Mr. MINGE. Yes.
The CLERK. Mr. Minge votes yes. Mr. Olver?
Mr. OLVER. Yes.
The CLERK. Mr. Olver votes yes. Mr. Hastings? Ms. Rivers?
Ms. RIVERS. Yes.
The CLERK. Ms. Rivers votes yes. Ms. McCarthy?
Ms. MCCARTHY. Yes.
The CLERK. Ms. McCarthy votes yes. Mr. Ward? Ms. Lofgren?
Ms. LOFGREN. Yes.
The CLERK. Ms. Lofgren votes yes. Mr. Doggett? Mr. Doyle?
Mr. DOYLE. Yes.
The CLERK. Mr. Doyle votes yes. Ms. Jackson Lee?
Ms. JACKSON LEE. Aye.
The CLERK. Ms. Jackson Lee votes yes. Mr. Luther?
Mr. LUTHER. No.
The CLERK. Mr. Luther votes no.

Mr. SCHIFF. Mr. Chairman? Mr. Chairman, I would like to change my pass to a yes.

The CLERK. Excuse me?
Mr. HALL. How is Mr. Hall recorded?
The CLERK. Mr. Hall is not recorded.
Mr. HALL. I vote yes.
The CHAIRMAN. Did you get Mr. Graham?
The CLERK. No, sir, I did not. Mr. Graham votes yes.
The CHAIRMAN. Clerk will report.
The CLERK. Mr. Chairman, yes votes 20, no votes 20.

The CHAIRMAN. The vote is tied, the amendment fails. The Chairman—gentleman from Ohio?

Mr. TRAFICANT. I'm here to make a deal.
[Laughter.]
Mr. TRAFICANT. Has the voting concluded, Mr. Chairman?

The CHAIRMAN. The vote has concluded. The gentleman is recognized.

Mr. TRAFICANT. Mr. Chairman, I ask unanimous consent that you vacate the previous order of closing the votes, allow the gentleman from Ohio to vote forthwith.

The CHAIRMAN. Well, the Chair would say to the gentleman that, you know, I tried to accommodate the minority yesterday, in, you know, the situation we had yesterday. We are proceeding here under regular business. I don't believe that we are acting in good faith if we continue to suggest anytime somebody walks in the room we are going to vacate votes and go ahead. I am prepared to move on to the gentleman's amendment. But I don't want to get in the pattern of vacating votes by unanimous consent.

Mr. TRAFICANT. Mr. Chairman? I could understand that. That is reasonable. I was testifying in Rules, got back here as soon as I can. I'm willing to accept the decision of the Chair.

But in the event that you have a tie vote like this, it is an unusual situation. And not asking to set precedent, could accept the position of the Chair. But just want to let it be known that it was not just a call made by somebody, the vote was close to get me down here.

The CHAIRMAN. No, I understand. And I am prepared to recognize the gentleman for his amendment, which we had passed over previously and so on and proceed on. But I must say to the gentleman, if we begin to accommodate this business of vacating votes, it will be a never ending process for whoever happens to be out of the room. And I don't think that's a proper way to proceed.

Mr. TRAFICANT. I can accept that, Mr. Chairman.

The CHAIRMAN. I recognize the gentleman.

Mr. TRAFICANT. I would ask now that my amendment be brought up out of order.

The CHAIRMAN. Okay—that's fine. Why don't we do that. I'm sorry, I didn't hear. I'm being talked at a from a variety of—what was the gentlemen's—

Mr. TRAFICANT. I withdraw my unanimous consent.

Mr. LUTHER. Mr. Chairman?

The CHAIRMAN. Mr. Luther from Minnesota.

Mr. LUTHER. Mr. Chairman, I would, for the purpose of allowing a member of the Committee to vote, I would move to reconsider.

The CHAIRMAN. The gentleman's motion is in order. Those in favor of the motion will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of noes.]

The CHAIRMAN. The gentleman—in the opinion of the Chair, the ayes have it. The motion is agreed to. The vote will be reconsidered.

Those in favor of the amendment by Ms. Lofgren will vote aye, those opposed will vote no. The Clerk will call the roll.

Mr. SCHIFF. Parliamentary inquiry, Mr. Chairman. Is this a vote on reconsideration? Or a—

The CHAIRMAN. It's a vote on the amendment.

Mr. SCHIFF. Thank you, Mr. Chairman.

The CLERK. Mr. Walker?

The CHAIRMAN. No.

The CLERK. Mr. Walker votes no. Mr. Sensenbrenner?

Mr. SENSENBRENNER. No.

The CLERK. Mr. Sensenbrenner votes no. Mr. Boehlert? Mr. Fawell? Mrs. Morella? Mr. Weldon of Pennsylvania?

Mr. WELDON of Pennsylvania. No.

The CLERK. Mr. Weldon votes no. Mr. Rohrabacher?

Mr. ROHRABACHER. No.

The CLERK. Mr. Rohrabacher votes no. Mr. Schiff?

Mr. SCHIFF. Yes.

The CLERK. Mr. Schiff votes yes. Mr. Barton? Mr. Calvert? Mr. Baker? Mr. Bartlett?

Mr. BARTLETT. No.

The CLERK. Mr. Bartlett votes no. Mr. Ehlers?
Mr. EHLERS. Yes.
The CLERK. Mr. Ehlers votes yes. Mr. Wamp?
Mr. WAMP. No.
The CLERK. Mr. Wamp votes no. Mr. Weldon?
Mr. WELDON OF FLORIDA. No.
The CLERK. Mr. Weldon votes no. Mr. Graham? Mr. Salmon? Mr. Davis?
Mr. DAVIS. Aye.
The CLERK. Mr. Davis votes yes. Mr. Stockman? Mr. Gutknecht?
Mr. GUTKNECHT. No.
The CLERK. Mr. Gutknecht votes no. Mrs. Seastrand? Mr. Tiahrt?
Mr. TIAHRT. No.
The CLERK. Mr. Tiahrt votes no. Mr. Largent?
Mr. LARGENT. No.
The CLERK. Mr. Largent votes no. Mr. Hilleary?
Mr. HILLEARY. No.
The CLERK. Mr. Hilleary votes no. Mrs. Cubin? Mr. Foley? Mrs. Myrick?
Mrs. MYRICK. No.
The CLERK. Mrs. Myrick votes no. Mr. Brown?
Mr. BROWN. Aye.
The CLERK. Mr. Brown votes yes. Mr. Hall?
Mr. HALL. Yes.
The CLERK. Mr. Hall votes yes. Mr. Traficant?
Mr. TRAFICANT. Aye.
The CLERK. Mr. Traficant votes yes. Mr. Hayes?
Mr. HAYES. Yes.
The CLERK. Mr. Hayes votes yes. Mr. Tanner?
Mr. TANNER. Yes.
The CLERK. Mr. Tanner votes yes. Mr. Geren? Mr. Roemer? Mr. Cramer?
Mr. CRAMER. Yes.
The CLERK. Mr. Cramer votes yes. Mr. Barcia?
Mr. BARCIA. Yes.
The CLERK. Mr. Barcia votes yes. Mr. McHale?
Mr. MCHALE. Yes.
The CLERK. Mr. McHale votes yes. Ms. Harman?
Ms. HARMAN. Yes.
The CLERK. Ms. Harman votes yes. Ms. Johnson?
Ms. JOHNSON. Yes.
The CLERK. Ms. Johnson votes yes. Mr. Minge?
Mr. MINGE. Yes.
The CLERK. Mr. Minge votes yes. Mr. Olver?
Mr. OLVER. Yes.
The CLERK. Mr. Olver votes yes. Mr. Hastings? Ms. Rivers?
Ms. RIVERS. Aye.
The CLERK. Ms. Rivers votes yes. Ms. McCarthy?
Ms. MCCARTHY. Yes.
The CLERK. Ms. McCarthy votes yes. Mr. Ward? Ms. Lofgren?
Ms. LOFGREN. Yes.
The CLERK. Ms. Lofgren votes yes. Mr. Doggett? Mr. Doyle?
Mr. DOYLE. Yes.

The CLERK. Mr. Doyle votes yes. Ms. Jackson Lee?
Ms. JACKSON LEE. Aye.
The CLERK. Ms. Jackson Lee votes yes. Mr. Luther?
Mr. LUTHER. No.
The CLERK. Mr. Luther votes no.
The CHAIRMAN. How is Mr. Baker recorded?
Mr. BAKER. No.
The CHAIRMAN. Mr. Baker wants to be recorded as no.
The CLERK. Mr. Baker votes no.
The CHAIRMAN. How is Mr. Graham recorded?
The CLERK. Mr. Graham, yes.
The CHAIRMAN. How is Mrs. Seastrand recorded?
The CLERK. Mrs. Seastrand is not recorded.
Mrs. SEASTRAND. No.
The CLERK. Mrs. Seastrand votes no.
The CHAIRMAN. How is Mr. Fawell recorded?
The CLERK. Mr. Fawell is not recorded. Mr. Fawell votes no.
The CHAIRMAN. Are there additional members that wish to be recorded?
Mr. HALL. Mr. Chairman, how am I recorded?
The CHAIRMAN. How is Mr. Hall recorded?
The CLERK. Mr. Hall is recorded as voting yes. You are recorded as voting yes, Mr. Hall?
Mr. HALL. That's correct. How is Mr. Barton recorded?
The CHAIRMAN. How is Mr. Barton recorded?
The CLERK. Mr. Barton is not recorded.
Mr. HALL. Mr. Barton votes no.
The CLERK. Mr. Barton votes no.
The CHAIRMAN. Clerk will report.
How is Mr. Stockman recorded?
The CLERK. Mr. Stockman is not recorded.
The CHAIRMAN. Mr. Stockman wishes to be recorded as no.
The CLERK. Mr. Stockman is recorded as no.
The CHAIRMAN. Clerk will report.
The CLERK. Mr. Chairman, yes—
The CHAIRMAN. How is Mr.—okay, how is Mr. Roemer recorded?
The CLERK. Mr. Roemer is not recorded.
Mr. ROEMER. Aye.
The CLERK. Mr. Roemer votes yes.
The CHAIRMAN. Roemer—how is Mr. Salmon recorded?
The CLERK. Mr. Salmon is not recorded.
Mr. SALMON. I vote no.
The CHAIRMAN. He votes no.
The CLERK. Mr. Salmon votes no.
The CHAIRMAN. The Clerk will again try to report.
[Laughter.]
The CLERK. Yes, 23, no, 20.
[The Clerk reported the tally incorrectly; the correct tally is: yes-22; no-19
The CHAIRMAN. The amendment is agreed to.
Are there other amendments? The gentleman from Ohio.
Mr. TRAFICANT. I have an amendment at the desk. I believe it has been circulated.
[The amendment follows:]

AMENDMENT TO H.R. 1816
OFFERED BY MR. TRAFICANT

Page 21, after line 21, insert the following new section:

1 SEC. 9. 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. The gentleman's amendment was a part of the package. The gentleman may describe his amendment.

Mr. TRAFICANT. Basically the standard language that has been placed into all the appropriations bills relative to this issue. And I think it's been explained and debated many times. It is in essence the sense of the Congress encouraging those who receive monies under this bill to do whatever possible to buy American-made goods and products.

The CHAIRMAN. The Committee will stand in recess.

[Recess.]

The CHAIRMAN. The Committee will come to order.

The gentleman from Ohio.

Mr. TRAFICANT. Mr. Chairman, I ask unanimous consent my amendment be withdrawn.

The CHAIRMAN. I appreciate that, and the gentleman has talked to me, and we will try to get a corrected version that will be acceptable to a broader base.

Mr. TRAFICANT. Thank you, Chairman.

The CHAIRMAN. Thank you.

Mr. DOYLE. Mr. Chairman?

The CHAIRMAN. The gentleman from Pennsylvania.

Mr. DOYLE. I have an amendment at the desk.

The CHAIRMAN. The Clerk will distribute the amendment.

The gentleman is recognized.

[The amendment follows:]

AMENDMENT OFFERED BY MR. DOYLE

TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE
OFFERED BY MR. WALKER

Page 2, strike lines 23 and 24, and insert in lieu thereof:

(2) Nuclear Energy, $260,448,000, of which—
(A) $257,738,000 shall be for operating

Page 3, line 16, strike "$369,645,000" and insert in lieu thereof "$329,645,000".

Page 4, line 3, strike ";" and insert in lieu thereof "; and".

Page 4, line 7, strike "; and" and insert in lieu thereof ".".

Page 4, strike lines 8 through 11.

Page 6, strike lines 4 through 7 and lines 11 through 14; and redesignate the subparagraphs accordingly.

Page 12, line 7, strike "$49,955,000" and insert in lieu thereof "$79,965,000".

Page 12, line 8, strike "$43,234,000" and insert in lieu thereof "$69,234,000".

Page 12, line 9, strike "$59,829,000" and insert in lieu thereof "$54,829,000".

Mrs. MORELLA. Mr. Chairman, may I ask for just a brief recognition?

The CHAIRMAN. The gentlelady is recognized.

Mrs. MORELLA. Thank you.

Mr. Chairman, I was at another committee meeting with the last vote, which dealt with the Lofgren amendment, which dealt with the substitution of monies for fusion. Had I been here, I would have voted in favor of it. I would like the record to show it.

The CHAIRMAN. The gentlelady's statement will be recorded. The gentleman from Pennsylvania.

Mrs. MORELLA. Thank you, Mr. Chairman.

Mr. DOYLE. Thank you, Mr. Chairman.

Mr. Chairman, this amendment restores funding to the fossil energy programs, and finds offsetting cuts in other, lesser priority programs. Let me underscore the importance of the fossil energy programs at DOE.

These research and development efforts have sparked numerous advances in gas, oil and coal technologies, which have resulted in cleaner and more efficient combustion of fossil resources. Since the U.S. is dependent on these sources of energy for heating, driving and most everyday needs, and they are our most abundant sources of energy within our borders, I think that it is a good investment to improve the technology that utilizes these resources and become less reliant on unsteady foreign sources of power.

I offset the increases in the fossil account by eliminating lower priority initiatives at DOE, specifically, termination of construction of the Environmental Molecular Science Lab at Pacific Northwest Laboratory at a cost of $40 million. This lab was the subject of an unfavorable Inspector General's report published last month, which states that Pacific Northwest Laboratory received preferential treatment in the award of that contract.

My amendment also eliminates $35 million for funding the nuclear technology R&D, which is the remnant of the liquid metal reactor project that was terminated in the last Congress. And also, it calls for halting the construction of the Applied Science Center at Brookhaven National Lab, and other low priority improvements at BNL.

Mr. Chairman, this proposal was revenue neutral, and it put some money back in some areas that I think are critical to our research and development efforts. And I ask that the members vote for this amendment.

I yield back my time.

The CHAIRMAN. Well, if the gentleman would yield to the Chairman, I just want to clarify, do I understand that the gentleman is reducing $35 million for nuclear technology R&D in Mr. Fawell's district, is that correct?

Mr. DOYLE. I understand that's not correct. Some of it is at Argon West, which is in Idaho, and some at Argon East, in Illinois.

The CHAIRMAN. That's Mr. Fawell's district, and the other Argon facility would be, then, in Mr. Crapo's district. And the other money that you're taking at the Molecular Sciences Lab is in Mr. Hastings' district, is that correct?

Mr. DOYLE. I'm not certain whose district it's in, Mr. Chairman.

The CHAIRMAN. This is the Pacific Northwest Lab? Mr. Hastings—

Mr. DOYLE. Yes, McDermott's district.

The CHAIRMAN. Yes, Mr. Hastings' district.

Mr. DOYLE. Mr. McDermott's district, as I understand.

The CHAIRMAN. No, we've checked it. It's in Mr. Hastings' district. And the other money that you're taking is from Brookhaven, in Mr. Forbes' district, is that correct?

Mr. DOYLE. If that's where it's located, Mr. Chairman.

The CHAIRMAN. It's in, it happens to be in Mr. Forbes' —

Mr. DOYLE. Every facility in this country is located in someone's district. So I'll accept wherever you say it is. I don't know of any that aren't located in someone's district.

The CHAIRMAN. Well, I would say to the gentleman, if he'd continue to yield, it's a somewhat curious list. We manage to come up with low priority programs in all Republican districts in the gentleman's amendment. Virtually every one of the cuts he's talking about comes out of the district of a Republican member of the House of Representatives.

Mr. DOYLE. If the Chairman will yield, let me assure the Chairman that I did not, I did not look at whose districts these facilities were in. I am not aware what districts they were in. But let me say that two of the things that we're eliminating are new construction. And given the downsizing that's going on at DOE, it's highly unlikely that any new construction would or should take place at this time, Mr. Chairman. So that was my major concern, not whose district it was located in.

The CHAIRMAN. I thank the gentleman.

Mr. ROHRABACHER. Mr. Chairman?

The CHAIRMAN. The gentleman from California.

Mr. ROHRABACHER. May I follow up with a question? This is just a mere coincidence that all of these things happened? All of these suggestions that you're making for cuts happened in Republican districts?

Mr. DOYLE. Mr. Rohrabacher, I could just tell you that we targeted new construction projects that we think aren't, shouldn't take place and aren't going to take place in the downsizing. And the third thing we eliminated was eliminated in the last Congress. And yes, I will look you right in the eye and tell you that there was no thought given to whose districts these projects were in.

Mr. BROWN. Would the gentleman yield to me briefly?

Mr. DOYLE. Yes, I will yield.

Mr. ROHRABACHER. My time—

The CHAIRMAN. The gentleman from California, Mr. Rohrabacher, controls the time.

Mr. ROHRABACHER. But I will be very happy to yield to the Ranking Minority Member, the distinguished former Chairman, Mr. Brown.

Mr. BROWN. Well, I sense the line of questioning of the Chairman is intended to indicate that Mr. Doyle was picking on Republicans. I have to point out, in all fairness, that there are very few such facilities in Democratic districts at the present time. Most of them are in Republican districts.

The CHAIRMAN. Well—

Mr. ROHRABACHER. Reclaiming my time—

The CHAIRMAN. If the gentleman would yield to me, that's—

Mr. ROHRABACHER. Reclaiming my time, if I could, then I will yield to the Chairman.

The CHAIRMAN. Okay.

Mr. ROHRABACHER. And when you're taking that money from what we've now discovered to be Republican districts, in whose district are you suggesting that that money be invested?

Mr. DOYLE. There are no specific earmarks for the money. We increased coal R&D from $50 million to $80 million. We increased gas R&D from $43 million to $69 million. And we increased oil R&D from $60 million to $85 million, which I am certain will benefit several districts. And I might add that the Doyle substitute benefitted far more Republican districts than Democratic districts, too. So once again, I can tell you these proposals were developed without regard to the parties district.

Mr. ROHRABACHER. Is it not true that most of the fossil fuel research money that you're talking about will go to the Pittsburgh Energy Technology Center?

Mr. DOYLE. No. That's not true. It—the majority of the money will not go to the Pittsburgh Energy Technology Center. Parts of it will go to Pennsylvania, some will go to West Virginia. Some will go to Oklahoma. It will go to many regions in the states.

Mr. ROHRABACHER. So you're denying that, number one, you're saying it's just a coincidence that the money you're talking came from a, came from Republican districts, and that your own district really won't benefit?

Mr. DOYLE. Less than a quarter, less than a quarter million dollars will go directly into the 18th Congressional District in Pennsylvania. And that's what's in there now, anyway.

Mr. ROHRABACHER. Less than a quarter million dollars with your amendment?

Mr. DOYLE. Yes, sir.

Mr. ROHRABACHER. Oh. Mr. Chairman, I would be very happy to yield to the Chairman the balance of my time.

Mr. Chairman, I would be very happy to yield my time.

The CHAIRMAN. I thank the gentleman for yielding.

Well, this has been represented to us that the reason for this is because it was all construction projects. There's not new construction, for instance, in Mr. Fawell's district. It is not new construction in the Environmental Molecular Sciences Lab in the Pacific Northwest. The walls are actually up there, they're putting in equipment in that particular instance. We are talking about an environmental compliance program in the case of the other project, the Pacific Northwest Lab. And it's an environmental compliance, the problem that we're dealing with at Brookhaven.

So we are not talking in these projects about new construction programs. And it just strikes me as being curious—

Mr. DOYLE. If the gentleman will yield—

The CHAIRMAN.—substantial portion of the money that is now going to go to these others is actually going to end up in Mr. Doyle's district and Mr. Mollohan's district. You know, maybe this is strange, but—

Mr. DOYLE. Will the gentleman yield? That's simply not true.

Mr. ROHRABACHER. I would yield to Mr. Doyle.

Mr. DOYLE. Thank you. The liquid metal reactor projects, the portion that's in Mr. Fawell's district, was terminated in the last Congress. The—the new construction we talked about, one of the facilities is one year into its construction. And the other lab, the one we highlighted at Pacific Northwest, was the subject of an unfavorable Inspector General report. The money that's going directly into the 18th Congressional District is practically minuscule compared to what we're restoring in these energy R&D accounts.

Mr. ROHRABACHER. Mr. Chairman, I would be very happy to yield to you the balance of my time.

The CHAIRMAN. I thank the gentleman for yielding back.

I have a substitute amendment at the desk. The Clerk will distribute the amendment.

[The amendment follows:]

AMENDMENT OFFERED BY MR. WALKER
TO THE AMENDMENT OFFERED BY MR. DOYLE

Strike the item relating to page 2, lines 23 and 24, page 3, line 16, page 4, line 3, page 4, line 7, page 4, lines 8 through 11, page 6, lines 4 through 7 and 11 through 14, page 12, line 8, and page 12, line 11.

In the item relating to page 12, line 7, insert "for operating" after "$49,955,000"; and strike "$79,965,000" and insert in lieu thereof "$40,422,000 for operating, none of which shall be available for the Pittsburgh Energy Technology Center".

The CHAIRMAN. This particular amendment is offered in the spirit that I think the previous amendment, the underlying amendment has been offered. If in fact we're going to play political games and, you know, take, decide that we're going to take money out of Republican districts in order to distribute it to Democrat districts, then it seems to me that we can expect that we will begin to target in on particular programs that Members are interested in.

I don't think that's the right procedure. I don't think we ought to be earmarking spending programs. I don't think we ought to be earmarking cuts. You know, I think that these kinds of amendments ought to be seen in terms of the general good of science and technology, and in this particular case, it seems to me that probably the best thing would be for both amendments to be withdrawn, and to proceed forward.

But if we're going to have these kinds of games played with regard to things that are important to the general variety of amendments, then I think we can expect that there is going to be an answer from the majority on—

Mr. LARGENT. Would the Chairman yield?

The CHAIRMAN. I'd be happy to yield to the gentleman from Oklahoma.

Mr. LARGENT. I'd just like to say that, I think my time's more valuable than to spend it on petty things like this. And I would just tell you that I'm personally offended that my Chairman would impugn the integrity of my friend, who I think came to the table with a genuine amendment. He didn't know whose district the stuff was in. He just felt like he was reprioritizing the way we spend our money. And that's what this Committee's supposed to be about.

And to spend my time doing stupid stuff like this, I think we're all too busy for that. So I think we should just vote on the amendment. If you're against it, say so, and let's vote.

The CHAIRMAN. Well, I thank the gentleman. The point is that I think we did have a distinct feeling of knowing exactly how the amendment was drafted. It was drafted purposely aimed at a couple of people, and that those people did feel as though this was aimed in their direction.

Now, I'd like to think that it was just mere coincidence that it worked out that way. I'm not for certain it was. I'm sorry that the gentleman regards it as petty. But I think some of the Members who can't be in the room at the present time do in fact deserve some protection from us, too, when politics is being played on these matters.

Mr. LARGENT. Would the Chairman yield? I would just say that some of this, I think, is a result of having been here too long, and making assumptions about people that haven't been here as long. And I think that that's wrong.

The CHAIRMAN. Well, I thank the gentleman for that. I think in this particular case, though, that we may be dealing with something other than mere—

Mr. DOYLE. Will the gentleman yield, please?

The CHAIRMAN. Sure, I'd be happy to yield to the gentleman.

Mr. DOYLE. Yes. I'd just like to restate for the record that if one would take a look at the Doyle substitute that was offered, it benefitted many districts. And I couldn't even tell you whose district.

Mr. Chairman, I thought what we were supposed to do, and I learned this at subcommittee, that if we were going to propose increases in one area, we needed to find offsets in other areas.

I can assure the Chairman, and I will assure every Member on this Committee, that when we looked for offsets, we gave no regard to what district they were in, who they benefitted or who they hurt. We looked for projects that we thought were of a lesser priority.

And I'm disappointed that anybody would feel that I would have any other motivation to that. I'm one of the new Members on this Committee. I don't think I have a track record of being a partisan person. And I've certainly taken no actions, to my knowledge, on this Committee or anywhere else since becoming a member of this House that would indicate that I would play that type of politics.

So I can only tell you in the sincerest form that my amendment was intended to find the necessary offsets to fund what I feel are critical shortages in the fossil R&D program. And I thought these projects that I found as offsets were of a lower priority. And I hope the Members of this Committee will accept this amendment in the spirit that it was offered.

The CHAIRMAN. Well, I thank the gentleman. And if the Chair is wrong with regard to how these were done, the Chair would apologize to the gentleman from Pennsylvania.

However, the fact remains that the impact of the gentleman's amendment is fairly severe for some Members who feel as though this is being aimed their way. I submit to the gentleman that maybe the appropriate thing would be if he has just learned that his amendment has had very significant political impact, maybe the gentleman would be willing to withdraw his amendment. I would certainly be willing to withdraw my amendment at that point.

Mr. WELDON OF PENNSYLVANIA. Would the Chairman yield? I was going to suggest, I have the highest respect and regard for our colleague from Pennsylvania, as I do for our Chair, and would hope that we wouldn't get caught up in one-upmanship in terms of amendments. I would hope that we can work this out, and would suggest that both Members withdraw their amendments, and let us perhaps go back and try to rework this before—

Mr. DOYLE. Will the gentleman yield?

The CHAIRMAN. The Chairman's time has expired. I'll be happy to yield to the gentleman from California.

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

The CHAIRMAN. The gentleman is recognized.

Mr. BROWN. Mr. Chairman, I did not like this last exchange. And I think it's not befitting the Chair to engage in the kind of tactics that he was using here. I will say to him furthermore that the words he used in describing the motives of the gentleman from Pennsylvania have come perilously close to violating the rules of the House and could be taken down if they in fact did. We are not permitted to impugn the motives of other Members. And the Chair's remarks, as I say, came perilously close to doing that.

Now, that's unnecessary. The Chair has the votes if he wishes to defeat the amendment. He does not need to engage in game-playing. And I have told the Chairman before confidentially, and I will

tell him now publicly, that that kind of tactic is what exacerbates the feelings on the part of some Members on both sides, quite obviously.

And I would like to help him to achieve a style of procedure which will avoid that kind of difficulty in the future. And I would seriously suggest that instead of Mr. Doyle's withdrawing his amendment that we expeditiously proceed to a vote on it, and determine what the will of the Committee is.

Mr. ROEMER. Mr. Chairman, can I be recognized, Mr. Chairman?

The CHAIRMAN. Mr. Roemer.

Mr. ROEMER. Mr. Chairman, I think on this Committee we have been, in the first few months of the Committee's work, we've been very fortunate to have established a great deal of bipartisanship. We worked together on a risk assessment bill, at times disagreeing on process and substance. But we worked together, we finally reported a bill out with bipartisan support. We worked together on a hydrogen bill, very important to the Chairman. We had some disagreements over some language, but we reported that out in a bipartisan way. And I would hope that we could return to that kind of bipartisanship.

By doing the markup that we've had for the last three days, we've heard a lot of criticism back and forth, the Democrats don't have any amendments that will cut spending. Well, we've offered those. And we've been beat. I offered one a couple of hours ago. We were beat. We got some bipartisan support on that. But we'll take that when we lose fair and square.

But when Mr. Doyle offers an amendment with good intention, that has an offset, and we've been accused then of not having offsets in our amendments, and he comes forward with an amendment that he feels is helpful to fair allocation of resources, I think that it's very unfair to categorize his intentions in the way that the Chair categorized those. And I would hope that, again, we would return to this bipartisanship, this comity and this cooperation that we've exhibited in this Committee many times in the past.

Mr. DOYLE. Will the gentleman yield?

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

Mr. DOYLE. Yes. I guess as a new member of this Committee, I just don't understand what the process is supposed to be. If we're to offer offsets before we can propose spending and other line items, how is it possible to offer an offset that isn't affecting some member's district? Is the Chairman's instructions that I should look to offsets only in Democratic districts, when I'm proposing spending increase, or be accused of playing political gamesmanship?

I thought the idea on the Committee is to establish spending priorities. And what I tried to do is find areas that I thought were a lower priority, and divert the money to areas that I thought was a higher priority. Now, if the Members of this Committee don't agree with that, then obviously they should vote against this amendment. Those that do agree that this is a good tradeoff will obviously vote for it.

But I think it would be wrong to assume that every time any Member of this Committee offers a spending priority and then offsets it with a spending cut, that the first thing we do is check

whose Congressional district it's in. Because it's obviously in somebody's Congressional district. And if it doesn't happen to be of that person's party, I don't think we ought to assume that it's partisanship.

Mr. ROEMER. Reclaiming my time, I would just conclude, Mr. Chairman, by saying that we have a valuable freshman member who came forward with a substitute that increased spending in many of these same, identical areas. He kept within the bounds of our balanced budget coalition amendment. But he didn't have offsets.

Now he comes up with offsets, and he's criticized for that. So I would applaud the new member for his efforts, and again encourage the bipartisanship.

Mr. TRAFICANT. Mr. Chairman?

The CHAIRMAN. The gentleman from Ohio.

Mr. TRAFICANT. Yes, I want to just offer a little observation here. I as an old quarterback marveled over the ability of Steve Largent as a receiver. And I'd like to say this, I think he's showing the foundation of a great legislator. I think the question is, did Mike Doyle do this on purpose to hurt a Republican. And I'll say this about our Chairman, if our Chairman felt this, I like the political directness of the way he challenged the issue.

Question is, and I know Mike, I don't think that's the reason why Mike did it, and I'd just like to focus on the issue. We have been moving towards and away from fossil energy research development. Our Nation is blessed with tremendous fossil energy resources, and quite frankly, I don't think we do enough with it. And I think we continue to be dependent on other foreign energy resources. That's part of the problem.

Personally, I'm going to support Representative Doyle's amendment. But I wouldn't be as upset as everybody, as they might be, over the political retaliation of this Chairman. I'd rather have a person that directly looks in the eye, tell you what he's thinking, so you don't have to figure him out.

So in any regard, I hope, though, that we would now look at this amendment in its matters of priority. Are we going to in fact give more of an opportunity for fossil energy R&D and that is the thrust of the Doyle amendment. I yield back my time.

The CHAIRMAN. I thank the gentleman for his statement.

Mr. ROHRABACHER. Mr. Chairman?

The CHAIRMAN. Well, the gentleman from California has already been recognized.

Mr. ROHRABACHER. No, I have not, not on your—

The CHAIRMAN. On my amendment, that's true. The Chair — okay, the Chair will recognize the gentleman from California.

Mr. ROHRABACHER. Just so our freshmen Members can get this in a little perspective, as well as on both sides of the aisle, what we have here is an amendment that adds to a general account, the general account of oil and gas research. But it is taken from specific programs. Your offset is not taken from general accounts.

Thus, you have made a decision, rather than making a decision that you could say, we are going to add to the general account of oil and gas, and we're going to offset it by taking from nuclear

physics, fusion, general sciences, etc., you instead decided to do specific programs.

Now, I'm not sure who exactly is advising you. But when you take from specific programs rather than from general accounts, and those specific programs just happen to be in Republican districts, it's sometimes, and being an aggressive person that you are, you are very aggressive and a good spokesman for your cause, sometimes it might lead people who've been here for a while, to conclude that those who are advising you as to where to cut and where to add maybe have some partisan motivation.

Now, maybe you do not. And maybe the people who advised you that, well, these are the specific programs. Don't take out of general accounts. Don't take it out of general accounts. Take it out of a specific. And here are the specifics, because they'll be the least controversial. Maybe they had something in mind. We recognize that as something that would give us alarm. There's a warning flag that goes up when you're adding into a general account that basically concerns your region and your area, and taking it out of specific accounts that hurt, that basically hurt Republican districts.

Now, I'm not saying that I would have the same response as the Chairman. But at least the Chairman is being right up front, and being very, saying, this appeared to be a political maneuver, and we're sorry if that is a false analysis, or an incorrect analysis. But I can say, there was legitimate reason for that concern.

Mr. DOYLE. Will the gentleman yield?

Mr. ROHRABACHER. I certainly will.

Mr. DOYLE. And I appreciate your explanation. I don't know that it's against the rules to do the offsets the way we did the offsets. I mean, I—

Mr. ROHRABACHER. Not against the rules, just indicates intent, that's all.

Mr. DOYLE. Okay, and let me just reiterate for this gentleman and the Committee that the intent was not to target anyone's Congressional district.

Mr. ROHRABACHER. And just to reclaim my time, in order to accomplish that in the future, the way to really reinforce that position is to basically go from a general, if you're adding to a general account, you detract from a general account, rather than trying to hit specific programs. And that way, no will indeed think that you can possibly have any other motive than that what you're expressing.

Mr. SCHIFF. Will the gentleman yield?

Mr. DOYLE. Thank you for that advice.

Mr. SCHIFF. Mr. Chairman?

Mr. BROWN. Would the gentleman yield to me briefly?

Mr. ROHRABACHER. Mr. Schiff asked, but yes, I will be very happy to yield to the ranking member.

Mr. BROWN. Let me say first of all that I agree with the advice that the gentleman gave about getting down to too-specific accounts. Unfortunately, the gentleman has belied that by the report accompanying his own bill, which has 50 pages of extremely detailed accounts which are categorized according to whether they're politically acceptable.

Mr. ROHRABACHER. I don't know about that.

Mr. BROWN. Let me say that that is my categorization.

Mr. ROHRABACHER. That is your characterization.

Mr. BROWN. And therefore, for you to engage in 50 pages of detailed direction as to which specific programs should be targeted for reduction or elimination, and advise Mr. Doyle that he shouldn't, seems to me to be somewhat anomalous.

Mr. ROHRABACHER. Well, reclaiming my time just to say that, I am the chairman and as the Chairman of the Subcommittee, I was trying to do my job. And in subcommittee, I certainly left it open for Mr. Doyle and everybody else to make any kind of changes they wanted to make. And I would yield to Mr. Schiff.

Mr. SCHIFF. Very briefly, Mr. Subcommittee Chairman, I want to say first for the reasons you've given, I certainly understand, and I think our colleague, Congressman Doyle, could understand why the radar screen of our Committee Chairman went up in the fashion that it did. However, I want to say I've worked with Mr. Doyle in our Subcommittee, and I accept his statement that in fact there was no intent to target Republican districts here, and it was an attempt at prioritization of these states.

Having said that, I am not persuaded with respect, by his prioritization, I intend to vote no on both the Chairman's substitute and the Doyle amendment when offered. Thank you.

Mr. ROHRABACHER. Reclaiming my time, I will just say that I accept Mr. Doyle's suggestion that he had no intent of being political, and I think that we are all going to learn to work together much better.

The CHAIRMAN. The time of the gentleman has expired.

Let the Chair say also that if in fact this is, he has unfairly characterized anything that Mr. Doyle has done, he apologizes. He withdraws his amendment by unanimous consent. Do I hear objection?

I do not. The amendment is withdrawn.

Mr. DOYLE. I thank the Chairman.

The CHAIRMAN. The gentleman from Pennsylvania, Mr. McHale.

Mr. MCHALE. Thank you, Mr. Chairman.

Mr. Chairman, parliamentary inquiry. We're now back on the underlying Doyle amendment?

The CHAIRMAN. That's correct.

Mr. MCHALE. Mr. Chairman, if we could, I'd like to move beyond the motive that has been the subject of discussion for the last 15 or 20 minutes. I would gladly yield all or part of my time to Members on either side of the aisle who might provide to me a defense of the programs targeted for lower priority by Mr. Doyle.

Some brief comments have been made with regard to those programs. I frankly don't feel that I'm in a position to cast an informed vote. I would like to hear a comparative analysis from any informed source as to the prioritization presented by Mr. Doyle versus the existing programs that would be diminished.

Mr. DOGGETT. Would the gentleman yield?

Mr. MCHALE. I certainly will.

Mr. DOGGETT. I would just add to that, getting any kind of justification that we can as to why we should still have more new construction at a time we're downsizing. Because it seemed to me that the thrust of Mr. Doyle's amendment was to discontinue a lot of

new construction, since we know we're having problems paying for what we've already got constructed.

And it seems to me someone who believes that we ought to keep this construction up at a time of downsizing ought to speak up and defend it and explain it. Otherwise, Mr. Doyle's amendment seems to—

Mr. MCHALE. I thank the gentleman, and reclaiming my time, and if I might, Mr. Doyle, I see you're about to make a request, and I'll yield to you in just a moment. In fairness to those who feel that these programs were improperly targeted, is there someone present on either side of the aisle who can defend the programs that were diminished by Mr. Doyle's proposed amendment?

Mr. BAKER. Will the gentleman yield?

Mr. MCHALE. I certainly will.

Mr. BAKER. The question of Mr. Doyle through this time, has Mr. Crapo been notified that this attack on his project is taking place right now?

Mr. DOYLE. If the gentleman will yield, once again, Mr. Baker, I had no concept when we made these cuts, my question wasn't, ''whose district is it in, pick up the phone and call them''. We have made hundreds of millions of dollars of cuts in these budgets. And I didn't get any phone calls when the cuts come in my district. And I suspect you didn't either, sir. I never approached it in that fashion.

So, no, I didn't call Mr. Crapo. It would never occur to me to call him.

Mr. BAKER. Reclaiming my time on your time, I think the gentleman's question is well asked. Somebody ought to have been informed, so they could be here to inform us about these projects, not just for us to guess. I do know Mr. Crapo's nuclear project is very important to him. We've been fighting off attacks on them for three days.

Mr. MCHALE. Mr. Chairman, reclaiming my time, if I might invite for Mr. Doyle a simple explanation of how he chose these projects, and why he believes that his alternative is superior.

Mr. DOYLE. What I was told in Subcommittee, and what I'm learning here during this process is that if we were going to try to, and I was told part of the purpose of this Committee was to set priorities, and that if we wanted to see money shifted to something that we thought was of a higher priority that we were not permitted to do that without first offsetting the thing so it's revenue neutral.

In the case of this Environmental Molecular Science Lab, I have a report here, an audit, from the Department of Energy's environmental—it talks about this particular lab. On page seven, the recommendation is, ''We recommend that the Director, Office of Energy Resource, immediately assess all practical alternatives to determine if there are less costly but effective alternatives to constructing a new laboratory''.

It just seemed to us that in the downsizing that's taking place at DOE, and with talk of abolishing the Department of Energy, that the likelihood that we're going to fund new construction would seem to be of a lower priority than some of the other things we're doing in the Department of Energy.

So it wasn't with the intent to say, okay, let's see whose district this is in. I mean, we're talking about in the Chairman's mark initially a 20 percent cut from fiscal year 1995, and in the Doyle substitute, a 10 percent cut over fiscal year 1995. These are cuts that probably affect all of our districts. I know the cuts affect my district. And you know, I don't know that any of us got phone calls from the Chairman or anyone else for that matter when these cuts were made initially in the Chairman's mark.

So to suggest that before one can offer a proposal in offset that he must first contact whatever Members are affected would suggest that that would be how you determined it. And since we didn't approach it that way, it never occurred to me to notify anyone.

All I can tell you is, we looked for low priority projects, and we think new construction at DOE should be a low priority at this time.

Mr. MCHALE. Reclaiming my time, Mr. Chairman, to the extent that I have any, is there any rebuttal presented by those who are advocates for these projects that would contradict—

The CHAIRMAN. Would the gentleman yield to me?

Mr. MCHALE. I'm trying to be fair, here, now. I understand, gentlemen, that the ideal spokesperson may not be in the room. But is there anyone who would be prepared to present a defense?

The CHAIRMAN. Will the gentleman yield to me?

Mr. MCHALE. I certainly will, Mr. Chairman.

The CHAIRMAN. The gentleman waved around the report from, on the Environmental Molecular Sciences Lab. The fact is, the Administration requested $50 million for that project. We cut that by 20 percent. And because we do believe that we need—

Mr. DOYLE. Let's cut it all the way.

The CHAIRMAN. We do believe that what we need to have is, you know, a review based upon what the IG said. We think that our program fits with the profile that the IG laid out. Because we're not talking about new construction at this point. The walls are already up. We're talking about taking advantage of what we've put in place by putting the equipment into the building.

Now, you know, if you want to lose your entire investment, that may be a good approach. But I'm not so certain that that's right. There's no new construction involved in the Fawell project. As I said before, the other project at the Northwest Lab is environmental compliance. Maybe that's low priority for, along the way. I don't know. And Brookhaven up in the New York area, it's an environmental compliance issue, which also, for people who live on Long Island, may be a rather important thing.

So you know, I—

Mr. DOYLE. If the gentleman would yield—

Mr. MCHALE. Mr. Chairman, parliamentary inquiry, if I may. Do I have any time remaining?

The CHAIRMAN. Mr. McHale controls the time.

Mr. MCHALE. Mr. Chairman, do I have any time remaining?

The CHAIRMAN. No, your time has expired.

Mr. MCHALE. I thank the Chair.

Mr. FAWELL. Mr. Chairman?

The CHAIRMAN. Mr. Fawell, who has a project here.

Mr. FAWELL. I've been running around and flitting around like a tse-tse fly today, trying to stay long enough to understand what's going on. And I'm, I regret that I have not had the opportunity, nor was I aware that this kind of an amendment was forthcoming.

But it does appear to, for instance, have quite a detrimental effect upon what I believe is a very worthwhile and an extremely important process involving advanced nuclear reactor technology, which is being conducted at Argon, Illinois, and also at Argon in Idaho. Now, there was a sizeable cut in this program last year.

But even DOE, which is not necessarily friendly toward nuclear energy, recognized that the pyro processing, the ability to be able to take the actinides out of nuclear waste, and indeed end up with next to nothing in nuclear waste in what is left, would decay in maybe 100 years rather than 100,000 years, that it has the potential of solving our problems of plutonium and other actinides in the waste insofar as nuclear, all of our nuclear reactors are concerned. It has tremendous potential. And it appears as though this amendment is coming in and I'm not sure of the full effect.

But if as little study was done in regard to all of what your amendment pertains to, as it was in regard to advanced nuclear technology, then I fear for the effects of an amendment like this.

May I suggest that you think about doing something like this on the Floor after you've had time to really make a study and certainly after all of us who are involved have more of an ability to be able to intelligently debate the question.

Mr. DOYLE. Will the gentleman yield?

Mr. FAWELL. Yes, I'd be pleased to yield.

Mr. DOYLE. It's my understanding that the $35 million funding for the nuclear technology R&D is in a program that was cancelled, terminated, last year in the Congress in the Energy and Water Appropriations Committee. And if I might further add, Mr. Chairman, as I read from these reports—

Mr. FAWELL. If I may reclaim my time, I did express that to you already. But DOE said that there was one aspect of that, in regard to the actinide recycling of nuclear waste, which was valuable research, they did not want to have that eliminated. It was not eliminated. The actual test reactor and what pertains to that was terminated.

But this portion of advanced nuclear reactor research has been retained. And it is the feeling of even the Department of Energy, which is not high, generally speaking, on nuclear power, that this is extremely valuable and gives us a potential for solving the nuclear waste problems which of course are so very significant.

So it, but I don't blame the gentleman. You haven't had the time to really understand the ramifications. And that debate that took place last year was a very important one. Many of us remember all the terms of it. But I reiterate, that even the Department of Energy which suggested the termination did insist that this aspect of it remain because of its importance.

Mr. WELDON of Pennsylvania. Mr. Chairman?

The CHAIRMAN. The gentleman's time has expired. The gentleman from Pennsylvania, Mr. Weldon.

Mr. WELDON of Pennsylvania. Mr. Chairman, pleading ignorance in the discussion of how these projects were arrived at, I'd like to

ask our colleague from Pennsylvania, who I have the highest respect for, what I need to understand, I think, is how you prioritized where these cuts were going to occur. Let me ask you, for instance, and I'm sure you didn't do this, but your staff had to, why if you're picking on construction projects did you not touch the project, $52 million in Ms. Eshoo's district, or the two projects in Mr. Dellums' district that are both construction involving the advanced life source project and the human genome project at an amount of $8.3 million?

There had to be some reasoning you used to determine the construction projects that you want to eliminate. And what we're saying is, give us the criteria you used. I mean, you just couldn't have went down the list and said, well, I'll pull this one. There had to be some criteria that allowed you to pick one construction versus another one.

And that's I'd like to hear, and I think that's what the Members want to hear. How did you determine which ones you're taking the money from? If you want to eliminate them all, that's one thing. Because then you'd be consistent. But if you selectively pick this one and not that one, that then leads Members to say, how did your staff come up with these determinations as to where to cut? And I'll yield to the gentleman.

Mr. DOYLE. Thank you. I appreciate it.

Once again, I can only reiterate to you that when we talked about doing funding offsets, we asked ourselves the question, what is lower priority at DOE? What shouldn't we be doing so that we can do something else?

Mr. WELDON of Pennsylvania. Do you have something in writing? Do you have something in writing from DOE that says that the projects that you're using as offsets are of a higher priority than the ones that I've mentioned from projects that happen to be in Democrat Members' districts?

Mr. DOYLE. I would just state to the gentleman that the, with the liquid metal reactor project, we relied on the fact that it was terminated last year, and from this Department's report.

Mr. WELDON of Pennsylvania. No, I mean these other ones I'm talking about.

Mr. DOYLE. Excuse me, sir. I'm trying to respond to you, Curt.

In the cases of the Pacific Northwest Laboratory, we picked that out because it was the subject of an unfavorable Inspector General's report, which was just published last month, which said that that laboratory received preferential treatment and award of a contract. And I'd also like to respond to what the Chairman said when he said, this isn't new construction. I'd like to read right form this Brookhaven National Lab—

Mr. WELDON of Pennsylvania. Well, I would appreciate you answering me, and not the Chairman, because he can do it on his own time.

Mr. DOYLE. Okay, I'd like to tell you why I picked it out.

Mr. WELDON of Pennsylvania. Prioritization is what I'm—

Mr. DOYLE. It's a proposed addition to the Department of Applied Science Building that will provide approximately 12,000 square feet of laboratory, office and support space. The addition will be a two story structure with an underground passageway.

And then it goes on to say that it will have space for offices, darkroom and bathrooms, and that the second floor will be for library and a lunch room. And it's new construction. And what we basically did, is just said, that's a lower priority. Now, if the question is, did we go through every single new construction project that we could find through all these reams of paper, no, we didn't do that. We needed to find offsets to put the increases, and we needed to balance what we were looking—

Mr. WELDON of Pennsylvania. Reclaiming my time, my understanding is there were only two requests for new construction in the bill.

Mr. DOYLE. But I would say there's only three offsets.

Mr. WELDON of Pennsylvania. I would say this to the gentleman. I work on the Armed Services Committee. And I know the gentleman would never propose an amendment, for instance, to zero out a project in, say, Jack Murtha's district, without talking to Jack Murtha. That's just inconceivable to me as a nine-year member of Congress. And well, I understand—

Mr. DOYLE. Will the gentleman yield?

Mr. WELDON of Pennsylvania. No, not yet. While I understand that maybe you didn't know where they were, when you zero out a project in someone's district, usually you'll at least have a prioritization process that you use, especially when it appears on the surface, and I'm admitting my ignorance in this area, that all that you're proposing to take from are in Republican districts, and yet I found out just here in the last five minutes that three projects in Democrats districts that are of the same general tone in terms of construction are not touched at all.

That's the problem. If you can give me that justification, and I think if you can prove it to the Members, perhaps—

Mr. FAWELL. Will the gentleman yield?

Mr. DOYLE. Will the gentleman yield? I would just say to you that I'm a new member of Congress that didn't come down here with that type of an agenda. It doesn't occur to me to find out whose district this is in. Cuts are being made in everybody's district.

Mr. WELDON of Pennsylvania. Reclaiming my time, do you think your staff considered that at all?

Mr. FAWELL. Will the gentleman yield?

Mr. WELDON of Pennsylvania. No, I'm not yielding to you. I'm asking the gentleman.

Mr. DOYLE. Are you asking me if—

Mr. WELDON of Pennsylvania. Do you think that your staff—

Mr. DOYLE.—what my staff's motivation to cut up the Republican district?

Mr. WELDON of Pennsylvania. No, I didn't say that. Don't put words in my mouth. I'm asking you if you think your staff looked at where these projects were.

Mr. DOYLE. Well, obviously they didn't, because—

Mr. WELDON of Pennsylvania. Okay, thank you.

Mr. DOYLE.—I sat here and gave the wrong districts, my staff told me this was in McDermott's district, and we were corrected that it wasn't in Mr. McDermott's district. We thought it was in a Democratic district, to be truthful with you.

Mr. FAWELL. Now will the gentleman yield?

Mr. WELDON of Pennsylvania. I yield to the gentleman from Illinois.

Mr. FAWELL. I will say this, that I don't think you have to feel that you have to clear it with any particular Member. But, you know, you will get the other side, and you'll get perhaps not as objective a reply, but at least you'll have some more practical knowledge of what the particular projects are with which you are dealing.

Don't be afraid of the fact that you'll, by going to someone else, you will get the wrong kind of knowledge. It helps when you just let someone know that, this is what I'm doing and I'd like to have your input. You might, you might have information that will be very helpful.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HAYES. Mr. Chairman?

The CHAIRMAN. The gentleman from Louisiana.

Mr. HAYES. I just can't let this go by. I don't really give a damn about the science of it, but I love the politics.

[Laughter.]

Mr. HAYES. What I want to do is pick up on the—and then I'll yield to Mr. Largent—is pick up on it. Now, look what nonsense all of us are speaking or thinking here. Now, you mean to tell me that the Pacific Northwest had a bunch of assassinations or elections I missed, because I thought Washington State had a Governor named Lowery who's a Democrat.

So if somebody's targeting somebody, then you targeted a Democrat. If Mr. Dellums was spared, it occurred to me that there's a gubernatorial figure who's running for President, I think he is a Republican seeking the Presidential nomination. And I know damned well my friend Tom Ridge is still the Governor of Pennsylvania, that my Chairman's trying to terminate his program in.

So if you absolutely believe the politics drives it, then you have bizarre consequences when you look at who the CEO of the states are. And maybe Mr. Largent has the most accurate answer when he realizes, we think so much in the terms of the past in our districts, that we forget the mood of the country is they vote for Republican and Democratic governors, while they may vote for Republican and Democratic Members of Congress in the same geography. And they're going to get rid of every damned one of us if this is on C-SPAN.

[Laughter, applause.]

Mr. LARGENT. If the gentleman would yield, I'll just yield back my time, because I was going to say something facetious about that this is the best reason that we need to have term limits.

[Laughter.]

Mr. BROWN. Would the gentleman yield to me briefly?

Mr. HAYES. I certainly would, Mr. Brown.

Mr. BROWN. Mr. Chairman, I find this entire dialogue to be a travesty. And I suspect many others here also feel the same way about it. We could have voted this bill out some time ago if we hadn't engaged in the kind of dialogue that we have here.

Now, it is particularly reprehensible in light of the fact that we have a 50-page report in this bill before us which contains a micromanagement of every aspect of this bill, contrary to our own rules. Now, our rules state that no legislative report filed by the Committee on any measure or matter shall contain language which has the effect of specifying the use of Federal resources more explicitly than that specified in the measure or matters ordered reported.

That is the, is directly violated by the 50-page report that we have here. Now, if it is important that every item be identified by Congressional districts, I'm going to demand that this 50 pages have every micromanaged project in it identified by Congressional district, if that's relevant. I don't think it is. But that has been the tenor of the discussion that's been taking place here. As I said before, it borders perilously on a violation of the rules of the House, which forbid the impugning of the motives of another member.

Now, I feel that this direction is as has been indicated by Mr. Hayes, holding this Committee and the House which we are a portion of up to public ridicule. And I very strongly urge that we desist from this kind of operation and proceed to conduct our business in some reasonable form.

The CHAIRMAN. I thank the gentleman. Mr. Ehlers.

Mr. EHLERS. Mr. Chairman, I hope everyone will forgive me, but I'd like to discuss the substance of the amendment.

[Laughter.]

Mr. EHLERS. There's already been a fair amount said about the offsets that have been used and pointing out that these are indeed good projects and should not be cut. But I would like to address where the amendment proposes to add additional funds. It's clear that the person who has offered the amendment, the person who has offered the amendment, the gentleman from Pennsylvania, is partial to research in energy areas relating to fossil fuels. That emerged also in the Subcommittee discussions that we had of this.

As I pointed out there, I don't really shed any crocodile tears for the needs of the fossil energy industry to have money from the Federal Government for research. The petroleum industry alone, and that's just part of the fossil energy industry, the petroleum industry alone had annual revenues of $448 billion in 1993, according to the DOE report on this issue. The profit from that industry, in just that part of the fossil energy industry, was $25 billion.

Now, I point out the revenues are roughly one-third of the entire Federal budget. And I believe it's roughly equivalent to the discretionary portion of the Federal budget. The profit far exceeds the amount of money we're talking about in the Department of Energy. And it seems to me that there's no need whatsoever to add additional funds for fossil fuel research, energy research. And certainly I object to the attempt to add additional money there. It seems to me that we have provided ample funds in that area. And the area that is being offset still can make good use of the funds there, probably better use than the fossil energy needs. And therefore, I urge defeat of the amendment.

Thank you.

The CHAIRMAN. Any further Members to be heard? Or do we have objection to going ahead with a vote at the present time? I

see Mr. Doggett's not here at the moment. Is that going to be a problem for us to go ahead with a vote?

[Laughter.]

Ms. JACKSON LEE. Mr. Chairman? I only, I have one sentence, which is to appreciate your withdrawing your amendment, and simply hope, that as has been said, that we will give this a fair hearing and a vote of up or down. So I guess I'm agreeing with you that we can vote now.

The CHAIRMAN. Well, we can proceed to the vote. I would prefer, having withdrawn my amendment, that the other amendment be withdrawn, since we don't know. But—okay, he has come in.

All right, since we have Members in the room, we'll go ahead and vote. All those in favor of the Doyle amendment will say yes.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of noes.]

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

Mr. DOYLE. Could I have a roll call vote, Mr. Chairman?

The CHAIRMAN. Very well, we'll have a roll call vote. The Clerk will call the roll.

The CLERK. Mr. Walker?

The CHAIRMAN. No.

The CLERK. Mr. Walker votes no. Mr. Sensenbrenner?

Mr. SENSENBRENNER. No.

The CLERK. Mr. Sensenbrenner votes no. Mr. Boehlert? Mr. Fawell?

Mr. FAWELL. No.

The CLERK. Mr. Fawell votes no. Mrs. Morella?

Mrs. MORELLA. No.

The CLERK. Mrs. Morella votes no. Mr. Weldon of Pennsylvania?

Mr. WELDON of Pennsylvania. No.

The CLERK. Mr. Weldon votes no. Mr. Rohrabacher?

Mr. ROHRABACHER. No.

The CLERK. Mr. Rohrabacher votes no. Mr. Schiff?

Mr. SCHIFF. No.

The CLERK. Mr. Schiff votes no. Mr. Barton? Mr. Calvert?

Mr. CALVERT. No.

The CLERK. Mr. Calvert votes no. Mr. Baker?

Mr. BAKER. No.

The CLERK. Mr. Baker votes no. Mr. Bartlett?

Mr. BARTLETT. No.

The CLERK. Mr. Bartlett votes no. Mr. Ehlers?

Mr. EHLERS. No.

The CLERK. Mr. Ehlers votes no. Mr. Wamp?

Mr. WAMP. No.

The CLERK. Mr. Wamp votes no. Mr. Weldon of Florida? Mr. Graham? Mr. Salmon?

Mr. SALMON. No.

The CLERK. Mr. Salmon votes no. Mr. Davis?

Mr. DAVIS. No.

The CLERK. Mr. Davis votes no. Mr. Stockman?

Mr. STOCKMAN. No.

The CLERK. Mr. Stockman votes no. Mr. Gutknecht?

Mr. GUTKNECHT. No.

The CLERK. Mr. Gutknecht votes no. Mrs. Seastrand? Mr. Tiahrt?
Mr. TIAHRT. No.
The CLERK. Mr. Tiahrt votes no. Mr. Largent?
Mr. LARGENT. Yes.
The CLERK. Mr. Largent votes yes. Mr. Hilleary?
Mr. HILLEARY. No.
The CLERK. Mr. Hilleary votes no. Mrs. Cubin? Mr. Foley?
Mr. FOLEY. No.
The CLERK. Mr. Foley votes no. Mrs. Myrick?
Mrs. MYRICK. No.
The CLERK. Mrs. Myrick votes no. Mr. Brown?
Mr. BROWN. Aye.
The CLERK. Mr. Brown votes yes. Mr. Hall? Mr. Traficant?
Mr. TRAFICANT. Aye.
The CLERK. Mr. Traficant votes yes. Mr. Hayes?
Mr. HAYES. Yes.
The CLERK. Mr. Hayes votes yes. Mr. Tanner?
Mr. TANNER. Yes.
The CLERK. Mr. Tanner votes yes. Mr. Geren? Mr. Roemer?
Mr. ROEMER. Aye.
The CLERK. Mr. Roemer votes yes. Mr. Cramer?
Mr. CRAMER. Yes.
The CLERK. Mr. Cramer votes yes. Mr. Barcia?
Mr. BARCIA. Yes.
The CLERK. Mr. Barcia votes yes. Mr. McHale?
Mr. MCHALE. Yes.
The CLERK. Mr. McHale votes yes. Ms. Harman?
Ms. HARMAN. Yes.
The CLERK. Ms. Harman votes yes. Ms. Johnson?
Ms. JOHNSON. Aye.
The CLERK. Ms. Johnson votes yes. Mr. Minge?
Mr. MINGE. Yes.
The CLERK. Mr. Minge votes yes. Mr. Olver?
Mr. OLVER. Yes.
The CLERK. Mr. Olver votes yes. Mr. Hastings?
Mr. HASTINGS. Yes.
The CLERK. Mr. Hastings votes yes. Ms. Rivers?
Ms. RIVERS. Yes.
The CLERK. Ms. Rivers votes yes. Ms. McCarthy?
Ms. MCCARTHY. Yes.
The CLERK. Ms. McCarthy votes yes. Mr. Ward?
Mr. WARD. Yes.
The CLERK. Mr. Ward votes yes. Ms. Lofgren?
Ms. LOFGREN. Yes.
The CLERK. Ms. Lofgren votes yes. Mr. Doggett?
Mr. DOGGETT. Yes.
The CLERK. Mr. Doggett votes yes. Mr. Doyle?
Mr. DOYLE. Yes.
The CLERK. Mr. Doyle votes yes. Ms. Jackson Lee?
Ms. JACKSON LEE. Aye.
The CLERK. Ms. Jackson Lee votes yes. Mr. Luther?
Mr. LUTHER. Yes.
The CLERK. Mr. Luther votes yes.

The CHAIRMAN. How is Mr. Weldon of Florida recorded?
The CLERK. Pardon me?
The CHAIRMAN. How is Mr. Weldon of Florida recorded?
The CLERK. Mr. Weldon is not recorded.
The CHAIRMAN. He votes no.
The CLERK. Mr. Weldon votes no.
The CHAIRMAN. Are there additional Members?
Clerk will report. How is Mr. Hall recorded?
The CLERK. Mr. Hall is not recorded.
Mr. HALL. Aye. Thank you, Mr. Chairman.
The CHAIRMAN. Clerk will report.
The CLERK. Mr. Chairman, the roll call vote, yes, 23, no, 21.
The CHAIRMAN. The amendment is agreed to. The Committee stands in recess.
[Recess.]
The CHAIRMAN. The Committee will come to order.
Mr. LARGENT. Mr. Chairman, I'd like to make a motion to reconsider the last vote.
The CHAIRMAN. The gentleman from Oklahoma moves to reconsider the previous vote. Those in favor of reconsideration will say aye.
[Chorus of ayes.]
The CHAIRMAN. Those opposed will say no.
[Chorus of noes.]
The CHAIRMAN. In the opinion of the Chair, the ayes have it.
Mr. BROWN. Roll call, Mr. Chairman.
The CHAIRMAN. Clerk will call the roll.
Mr. BROWN. Yes, this is on the motion to reconsider. Parliamentary inquiry, Mr. Chairman.
The CHAIRMAN. Gentleman will state it.
Mr. BROWN. The Chair has called for a vote on the motion to reconsider, not on the underlying amendment.
The CHAIRMAN. That's correct.
Mr. BROWN. Thank you.
The CLERK. Mr. Walker?
The CHAIRMAN. Aye.
The CLERK. Mr. Walker votes aye. Mr. Sensenbrenner?
Mr. SENSENBRENNER. Aye.
The CLERK. Mr. Sensenbrenner votes aye. Mr. Boehlert? Mr. Fawell?
Mr. FAWELL. Aye.
The CLERK. Mr. Fawell votes aye. Mrs. Morella? Mr. Weldon of Pennsylvania?
Mr. WELDON of Pennsylvania. Aye.
The CLERK. Mr. Weldon votes aye. Mr. Rohrabacher?
Mr. ROHRABACHER. Aye.
The CLERK. Mr. Rohrabacher votes aye. Mr. Schiff?
Mr. SCHIFF. Aye.
The CLERK. Mr. Schiff votes aye. Mr. Barton? Mr. Calvert? Mr. Baker?
Mr. BAKER. Aye.
The CLERK. Mr. Baker votes aye. Mr. Bartlett?
Mr. BARTLETT. Aye.
The CLERK. Mr. Bartlett votes aye. Mr. Ehlers?

Mr. EHLERS. Aye.
The CLERK. Mr. Ehlers votes aye. Mr. Wamp?
Mr. WAMP. Aye.
The CLERK. Mr. Wamp votes aye. Mr. Weldon of Florida?
Mr. WELDON of Florida. Aye.
The CLERK. Mr. Weldon votes aye. Mr. Graham? Mr. Salmon?
Mr. SALMON. Aye.
The CLERK. Mr. Salmon votes aye. Mr. Davis?
Mr. DAVIS. Aye.
The CLERK. Mr. Davis votes aye. Mr. Stockman?
Mr. STOCKMAN. Aye.
The CLERK. Mr. Stockman votes aye. Mr. Gutknecht?
Mr. GUTKNECHT. Aye.
The CLERK. Mr. Gutknecht votes aye. Mrs. Seastrand? Mr. Tiahrt?
Mr. TIAHRT. Aye.
The CLERK. Mr. Tiahrt votes aye. Mr. Largent?
Mr. LARGENT. Aye.
The CLERK. Mr. Largent votes aye. Mr. Hilleary?
Mr. HILLEARY. Aye.
The CLERK. Mr. Hilleary votes aye. Mrs. Cubin?
Mrs. CUBIN. Aye.
The CLERK. Mrs. Cubin votes aye. Mr. Foley?
Mr. FOLEY. Aye.
The CLERK. Mr. Foley votes aye. Mrs. Myrick?
Mrs. MYRICK. Aye.
The CLERK. Mrs. Myrick votes aye. Mr. Brown?
Mr. BROWN. No.
The CLERK. Mr. Brown votes no. Mr. Hall? Mr. Traficant? Mr. Hayes?
Mr. HAYES. No.
The CLERK. Mr. Hayes votes no. Mr. Tanner?
Mr. TANNER. No.
The CLERK. Mr. Tanner votes no. Mr. Geren? Mr. Roemer? Mr. Cramer?
Mr. CRAMER. No.
The CLERK. Mr. Cramer votes no. Mr. Barcia?
Mr. BARCIA. No.
The CLERK. Mr. Barcia votes no. Mr. McHale?
Mr. MCHALE. Pass.
The CLERK. Ms. Harman? Ms. Johnson?
Ms. JOHNSON. No.
The CLERK. Ms. Johnson votes no. Mr. Minge?
Mr. MINGE. No.
The CLERK. Mr. Minge votes no. Mr. Olver?
Mr. OLVER. No.
The CLERK. Mr. Olver votes no. Mr. Hastings? Ms. Rivers?
Ms. RIVERS. No.
The CLERK. Ms. Rivers votes no. Ms. McCarthy? Mr. Ward? Ms. Lofgren?
Ms. LOFGREN. No.
The CLERK. Ms. Lofgren votes no. Mr. Doggett? Mr. Doyle?
Mr. DOYLE. No.
The CLERK. Mr. Doyle votes no. Ms. Jackson Lee?

Ms. JACKSON LEE. Nay.
The CLERK. Ms. Jackson Lee votes no. Mr. Luther?
Mr. LUTHER. No.
The CLERK. Mr. Luther votes no.
The CHAIRMAN. How is Mr. Ward recorded?
The CLERK. Mr. Ward is not recorded.
Mr. WARD. No.
The CLERK. Mr. Ward votes no.
The CHAIRMAN. How is Mr. McHale recorded?
The CLERK. Mr. McHale is not recorded?
Mr. DOGGETT. Mr. Chairman?
The CHAIRMAN. Mr. Doggett?
Mr. DOGGETT. How am I recorded?
The CHAIRMAN. How is Mr. Doggett recorded?
The CLERK. Mr. Doggett is not recorded.
Mr. DOGGETT. I vote no.
Ms. HARMAN. Mr. Chairman?
The CHAIRMAN. Ms. Harman.
Ms. HARMAN. How am I recorded?
The CHAIRMAN. How is Ms. Harman recorded?
The CLERK. Ms. Harman is not recorded.
Ms. HARMAN. I vote no.
The CLERK. Ms. Harman votes no.
Ms. JACKSON LEE. Mr. Chairman?
The CHAIRMAN. Ms. Jackson Lee.
Ms. JACKSON LEE. Yes, how am I recorded?
The CLERK. Ms. Jackson Lee is recorded as voting no.
Ms. JACKSON LEE. Thank you.
The CHAIRMAN. Clerk will report.
The CLERK. Mr. Chairman, yes, 21, no, 17.
The CHAIRMAN. The motion to reconsider is therefore approved. The vote is on the Doyle amendment. Those in favor will say aye.
[Chorus of ayes.]
The CHAIRMAN. Those opposed will say no.
[Chorus of noes.]
The CHAIRMAN. In the opinion of the Chair, the noes have it.
Mr. BROWN. Roll call, Mr. Chairman.
The CHAIRMAN. The gentleman asks for a roll call. The Clerk will call the roll.
The CLERK. Mr. Walker?
The CHAIRMAN. No.
The CLERK. Mr. Walker votes no. Mr. Sensenbrenner?
Mr. SENSENBRENNER. No.
The CLERK. Mr. Sensenbrenner votes no. Mr. Boehlert? Mr. Fawell?
Mr. FAWELL. No.
The CLERK. Mr. Fawell votes no. Mrs. Morella? Mr. Weldon of Pennsylvania?
Mr. WELDON of Pennsylvania. No.
The CLERK. Mr. Weldon votes no. Mr. Rohrabacher?
Mr. ROHRABACHER. No.
The CLERK. Mr. Rohrabacher votes no. Mr. Schiff?
Mr. SCHIFF. No.

The CLERK. Mr. Schiff votes no. Mr. Barton? Mr. Calvert? Mr. Baker?

Mr. BAKER. No.

The CLERK. Mr. Baker votes no. Mr. Bartlett?

Mr. BARTLETT. No.

The CLERK. Mr. Bartlett votes no. Mr. Ehlers?

Mr. EHLERS. No.

The CLERK. Mr. Ehlers votes no. Mr. Wamp? Mr. Weldon of Florida? Mr. Graham?

Mr. WELDON of Florida. No.

The CLERK. Thank you. Mr. Weldon votes no. Mr. Graham? Mr. Salmon?

Mr. SALMON. No.

The CLERK. Mr. Salmon votes no. Mr. Davis?

Mr. DAVIS. No.

The CLERK. Mr. Davis votes no. Mr. Stockman?

Mr. STOCKMAN. No.

The CLERK. Mr. Stockman votes no. Mr. Gutknecht?

Mr. GUTKNECHT. No.

The CLERK. Mr. Gutknecht votes no. Mrs. Seastrand? Mr. Tiahrt?

Mr. TIAHRT. No.

The CLERK. Mr. Tiahrt votes no. Mr. Largent?

Mr. LARGENT. No.

The CLERK. Mr. Largent votes no. Mr. Hilleary?

Mr. HILLEARY. No.

The CLERK. Mr. Hilleary votes no. Mrs. Cubin?

Mrs. CUBIN. No.

The CLERK. Mrs. Cubin votes no. Mr. Foley?

Mr. FOLEY. No.

The CLERK. Mr. Foley votes no. Mrs. Myrick?

Mrs. MYRICK. No.

The CLERK. Mrs. Myrick votes yes. Mr. Brown?

Mr. BROWN. Yes.

The CLERK. Mr. Brown votes yes. Mr. Hall?

Mr. HALL. Yes.

The CLERK. Mr. Hall votes yes. Mr. Traficant? Mr. Hayes?

Mr. HAYES. Yes.

The CLERK. Mr. Hayes votes yes. Mr. Tanner?

Mr. TANNER. Yes.

The CLERK. Mr. Tanner votes yes. Mr. Geren? Mr. Roemer? Mr. Cramer? Mr. Barcia?

Mr. BARCIA. Yes.

The CLERK. Mr. Barcia votes yes. Mr. McHale?

Mr. MCHALE. Yes.

The CLERK. Mr. McHale votes yes. Ms. Harman?

Ms. HARMAN. Yes.

The CLERK. Ms. Harman votes yes. Ms. Johnson?

Ms. JOHNSON. Aye.

The CLERK. Ms. Johnson votes yes. Mr. Minge?

Mr. MINGE. Yes.

The CLERK. Mr. Minge votes yes. Mr. Olver? Mr. Hastings? Ms. Rivers?

Ms. RIVERS. Yes.

The CLERK. Ms. Rivers votes yes. Ms. McCarthy? Mr. Ward?
Mr. WARD. Yes.
The CLERK. Mr. Ward votes yes. Ms. Lofgren? Mr. Doggett?
Mr. DOGGETT. Yes.
The CLERK. Mr. Doggett votes yes. Mr. Doyle?
Mr. DOYLE. Yes.
The CLERK. Mr. Doyle votes yes. Ms. Jackson Lee?
Ms. JACKSON LEE. Aye.
The CLERK. Ms. Jackson Lee votes yes. Mr. Luther?
Mr. LUTHER. Yes.
The CLERK. Mr. Luther votes yes.
The CHAIRMAN. How is Mr. Boehlert recorded?
The CLERK. Mr. Boehlert is not recorded.
Mr. BOEHLERT. I vote no.
The CLERK. Mr. Boehlert votes no.
The CHAIRMAN. How is Mrs. Morella recorded?
The CLERK. Mrs. Morella is not recorded.
Mrs. MORELLA. No.
The CLERK. Mrs. Morella votes no.
The CHAIRMAN. How is Ms. Lofgren recorded?
The CLERK. Ms. Lofgren is not recorded.
Ms. LOFGREN. Aye.
The CLERK. Ms. Lofgren votes aye.
The CHAIRMAN. How is Mr. Cramer recorded?
The CLERK. Mr. Cramer is not recorded.
Mr. CRAMER. Yes.
The CLERK. Mr. Cramer votes aye.
The CHAIRMAN. How is Mr. Olver recorded?
The CLERK. Mr. Olver is not recorded.
Mr. OLVER. Yes.
The CLERK. Mr. Olver votes yes.
The CHAIRMAN. Any other Members seek to be recorded?
Clerk will report.
The CLERK. Mr. Chairman, yes, 18, no, 23.
The CHAIRMAN. The amendment is not agreed to.

Are there any further amendments? Hearing none, the question is on the Walker substitute as amended. All those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed, no.

[Chorus of noes.]

The CHAIRMAN. In the opinion of the Chair, the ayes have it. The motion to reconsider is laid upon the table. Or, I'm sorry, the question now is on H.R. 1816, as amended by the Walker substitute. Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of noes.]

The CHAIRMAN. In the opinion of the Chair, the ayes have it. The ayes have it, the motion to reconsider is laid upon the table.

Mr. Hayes?

Mr. HAYES. Thank you, Mr. Chairman. I move the Committee report the bill, H.R. 1816, as amended. Furthermore, I move to instruct the staff to prepare the legislative report, to make technical

and conforming adjustments, and that the Chairman takes all necessary steps to bring the bill before the House for consideration.

The CHAIRMAN. The question is on the motion. All those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed, say no.

[Chorus of noes.]

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

Mr. BROWN. Mr. Chairman?

The CHAIRMAN. Mr. Brown.

Mr. BROWN. I request three days in which to file supplemental, minority, dissenting or additional views.

The CHAIRMAN. The question is on the motion.

Mr. BROWN. I request unanimous consent.

The CHAIRMAN. Unanimous consent, so ordered, without objection.

Mr. Ehlers.

Mr. EHLERS. Mr. Chairman, I move pursuant to Clause 1 of 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, pardon me, 1816, or a similar Senate bill.

The CHAIRMAN. Question is on the motion. Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of noes.]

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

I ask unanimous consent that the Committee adopts the part of the legislative report on H.R. 1816, the summary charts, which the Members have before them.

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

The CHAIRMAN. The gentleman reserves the right to object.

Mr. BROWN. And under my reservation, I ask to proceed in order to explain the reasons for the objection.

The CHAIRMAN. The gentleman is recognized.

Mr. BROWN. Mr. Chairman, as I pointed out previously, Committee Rule 21(b) provides in part that, and I quote, no legislative report filed by the Committee on any measure or matter reported by the Committee shall contain language which has the effect of specifying the use of Federal resources more explicitly, inclusively or exclusively, than that specified in the measure or matter as ordered reported.

As the Chairman knows, this provision was adopted at the beginning of this Congress at the initiative of the majority, I might say, in part to avoid earmarks in the Committee's legislative report that have not been approved by a majority of the Committee. But in addition, the intention was to ensure that the Committee report faithfully represents the will of the majority of the Committee. The report should not contain policy or program directions or spending cuts or increase that the Members have not approved.

Mr. Chairman, the staff have prepared a 50-page detailed chart, which I have before me, and I think all the Members do, that gets into incredible levels of micromanagement, far beyond the detail

that the Committee has approved in this bill. And in fact, in far greater detail than anything the Committee has ever approved in its past practice. It is not micromanagement, it is nanomanagement, which is a higher level yet than micromanagement.

Furthermore, it keeps changing. The staff table is different than the one circulated to the Subcommittee, and different than the one that was circulated to the Members in advance of this markup. It has been changed to reflect in part the Chairman's substitute, and apparently contains totally new program directions that this Committee has never discussed.

Mr. Chairman, in the light of the discussion with regard to Mr. Doyle's earlier amendment, I point out that nowhere in this 50 pages, in all of the increases and cuts, is there any indication of the Congressional district to which it applies. And I would kind of resent the fact that the Chairman would apply a standard to amendments offered in this Committee which he doesn't apply to the work of his own staff, and which has prepared a much more comprehensive list of additions and cuts than any amendment has.

Mr. Chairman, I recognize that you have the right to put this to a vote of the Committee. But I want the Members to know that if they approve this staff table, they will be approving literally hundreds of policy and program decisions about which they have absolutely no information. On the other hand, if the Members desire to delegate their policy making authority to the staff, I invite them to vote for the Chairman's motion to include the staff table in this Committee report.

However, Mr. Chairman, I cannot in good conscience give my consent to a unanimous consent request to do that. And I therefore object.

The CHAIRMAN. I move the chart be adopted as a part of the legislative report of 1816. Those in favor of the motion will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of noes.]

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

Mr. BROWN. Roll call, Mr. Chairman.

The CHAIRMAN. Gentleman request a roll call vote. Those in favor will vote aye, and those opposed will vote no. The Clerk will call the roll.

The CLERK. Mr. Walker?

The CHAIRMAN. Aye.

The CLERK. Mr. Walker votes yes. Mr. Sensenbrenner? Mr. Boehlert?

Mr. BOEHLERT. Aye.

The CLERK. Mr. Boehlert votes yes. Mr. Fawell?

Mr. FAWELL. Aye.

The CLERK. Mr. Fawell votes yes. Mrs. Morella?

Mrs. MORELLA. Yes.

The CLERK. Mrs. Morella votes yes. Mr. Weldon of Pennsylvania?

Mr. WELDON OF PENNSYLVANIA. Yes.

The CLERK. Mr. Weldon votes yes. Mr. Rohrabacher?

Mr. ROHRABACHER. Yes.

The CLERK. Mr. Rohrabacher votes yes. Mr. Schiff?

Mr. SCHIFF. Yes.

The CLERK. Mr. Schiff votes yes. Mr. Barton? Mr. Calvert? Mr. Baker?

Mr. BAKER. Aye.

The CLERK. Mr. Baker votes yes. Mr. Bartlett?

Mr. BARTLETT. Yes.

The CLERK. Mr. Bartlett votes yes. Mr. Ehlers?

Mr. EHLERS. Yes.

The CLERK. Mr. Ehlers votes yes. Mr. Wamp? Mr. Weldon of Florida?

Mr. WELDON. Yes.

The CLERK. Mr. Weldon votes yes. Mr. Graham? Mr. Salmon?

Mr. SALMON. Yes.

The CLERK. Mr. Salmon votes yes. Mr. Davis?

Mr. DAVIS. Yes.

The CLERK. Mr. Davis votes yes. Mr. Stockman?

Mr. STOCKMAN. Yes.

The CLERK. Mr. Stockman votes yes. Mr. Gutknecht?

Mr. GUTKNECHT. Yes.

The CLERK. Mr. Gutknecht votes yes. Mrs. Seastrand? Mr. Tiahrt?

Mr. TIAHRT. Yes.

The CLERK. Mr. Tiahrt votes yes. Mr. Largent?

Mr. LARGENT. Aye.

The CLERK. Mr. Largent votes yes. Mr. Hilleary?

Mr. HILLEARY. Yes.

The CLERK. Mr. Hilleary votes yes. Mrs. Cubin?

Mrs. CUBIN. Yes.

The CLERK. Mrs. Cubin votes yes. Mr. Foley?

Mr. FOLEY. Yes.

The CLERK. Mr. Foley votes yes. Mrs. Myrick?

Mrs. MYRICK. Yes.

The CLERK. Mrs. Myrick votes yes. Mr. Brown?

Mr. BROWN. No.

The CLERK. Mr. Brown votes no. Mr. Hall?

Mr. HALL. No.

The CLERK. Mr. Hall votes no. Mr. Traficant? Mr. Hayes? Mr. Tanner? Mr. Geren? Mr. Roemer? Mr. Cramer?

Mr. CRAMER. No.

The CLERK. Mr. Cramer votes no. Mr. Barcia?

Mr. BARCIA. No.

The CLERK. Mr. Barcia votes no. Mr. McHale?

Mr. MCHALE. No.

The CLERK. Mr. McHale votes no. Ms. Harman?

Ms. HARMAN. No.

The CLERK. Ms. Harman votes no. Ms. Johnson?

Ms. JOHNSON. No.

The CLERK. Ms. Johnson votes no. Mr. Minge?

Mr. MINGE. No.

The CLERK. Mr. Minge votes no. Mr. Olver? Pardon me?

Mr. OLVER. No.

The CLERK. Mr. Olver votes yes. Mr. Hastings? Ms. Rivers?

Ms. RIVERS. No.

The CLERK. Ms. Rivers votes no. Ms. McCarthy? Mr. Ward?

Mr. WARD. No.

The CLERK. Mr. Ward votes no. Ms. Lofgren?

Ms. LOFGREN. No.

The CLERK. Ms. Lofgren votes no. Mr. Doggett?

Mr. DOGGETT. No.

The CLERK. Mr. Doggett votes no. Mr. Doyle?

Mr. DOYLE. No.

The CLERK. Mr. Doyle votes no. Ms. Jackson Lee?

Ms. JACKSON LEE. No.

The CLERK. Ms. Jackson Lee votes no. Mr. Luther?

Mr. LUTHER. No.

The CLERK. Mr. Luther votes no.

The CHAIRMAN. Are there further Members that need to be recorded?

Mr. TANNER. Mr. Chairman, I passed on the first time, I want to be recorded as voting no.

The CHAIRMAN. Mr. Tanner votes no.

The CLERK. Mr. Tanner votes no.

The CHAIRMAN. The Clerk will report.

The CLERK. Mr. Chairman, yes, 21, no, 17.

The CHAIRMAN. The motion is agreed to. This concludes our markup on the measure H.R. 1816, the Department of Energy Civilian Research and Development Act of 1995.

[Whereupon, at 5:41 p.m., the Committee was adjourned.]

[Additional material follows:]

COMMITTEE ON SCIENCE
FULL COMMITTEE MARKUP: JUNE 20, 1995

AMENDMENT ROSTER

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

--Motion to report the Walker Substitute, as amended: Adopted by voice vote.
--Motion to include tables/charts in the legislative report to be filed on the bill: Adopted by a roll call vote - Y-21; N-17.

No.	Sponsor	Description	Results
1.	Mr. Walker	Amendment in the Nature of a Substitute - (Original text for the purpose of amendment.)	--Unanimous consent request - agreed to
2.	Mr. Doyle	Amendment in the Nature of a Substitute	--Defeated by a roll call vote: Y-18; N-27
3.	Mr. Doggett	En bloc amendment to cut the light water reactor	--Withdrawn
4.	Mr. Foley	En bloc amendment to cut the gas cooled reactor	--Adopted by a roll call vote: Y-23; N-15
5.	Mr. Baker	Reallocates money for the International Thermonuclear Experimental Reactor (ITER)	--Withdrawn
6.	Mr. Davis	En bloc amendment to cut environmental management and increase transportation energy conservation	--Withdrawn
7.	Mr. Doggett	Maintains programs at the National Institute for Petroleum and Energy Research	--Defeated by a roll call vote: Y-17; N-18
8.	Mr. Largent	Multi-state consortium language	--Withdrawn
9.	Mr. Doggett	New paragraph (43) -- International Thermonuclear Experimental Reactor	--Defeated by a roll call vote: Y-14; N-26

No.	Sponsor	Description	Results
10(a).	Mr. Doyle	New Sec. 8 -- Alternative Authorization	--Defeated by a voice vote
10(b).	Mr. Doyle	New Section 8 -- Alternative Authorization	--Withdrawn
11.	Mr. Traficant	Buy American	--Withdrawn
12.	Mr. Barton	Creates a new Title II--Energy Laboratory Facilities	--Withdrawn
13.	Mr. Tanner	En bloc amendment to allocate funds to the Energy R&D, General Science, and Fossil Energy & Conservation programs	--Vote #1: Defeated by a roll call vote: Y-12; N-21 --Unanimous consent to reconsider the vote on the Tanner amendment - agreed to --Vote #2: Defeated by a roll call vote: Y-20; N-26
14.	Mr. Olver	En bloc amendment - also inserts a new subsection (e) Efficiency Standards	--Defeated by a division vote: Y-9; N-27
15.	Mr. Brown	Amendment inserts language on Lighting and Appliance Standards and Building Standards and Guidelines	--Defeated by a division vote: Y-9; N-25
16.	Mr. Roemer	Amendment inserts the following new title: Laboratories Efficiency Improvement	--Defeated, as amended, by a roll call vote: Y-17; N-23
16.(a)	Mr. Doyle	Amendment to the Amendment offered by Mr. Roemer	--Unanimous consent request to incorporate this amendment into the Roemer amendment - agreed to

No.	Sponsor	Description	Results
17.	Ms. Lofgren	En bloc amendment	--Adopted by voice vote --RCV requested by Mr. Sensenbrenner - Defeated: Y-20; N-20 --Unanimous consent request to reconsider the RCV - agreed to --Adopted by a roll call vote: Y-22; N-19
18.	Mr. Doyle	En bloc amendment to restore funds to the fossil energy program	--Adopted by a roll call vote: Y-23; N-21
18.(a)	Mr. Walker	Amendment offered by Mr. Walker to the Doyle Amendment	--Withdrawn --Motion by Mr. Largent to reconsider the amendment offered by Mr. Doyle - Adopted by a roll call vote: Y-21; N-17 --Vote #2 on the Amendment Offered by Mr. Doyle - Defeated by a roll call vote: Y-18; N-23

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. WALKER

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

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "Department of Energy
3 Civilian Research and Development Act of 1995".

4 SEC. 2. DEFINITIONS.

5 For purposes of this Act—
6 (1) the term "CERN" means the European Or-
7 ganization for Nuclear Research;
8 (2) the term "Department" means the Depart-
9 ment of Energy;
10 (3) the term "Large Hadron Collider project"
11 means the Large Hadron Collider project at CERN;
12 (4) the term "major construction project"
13 means a civilian research, development, demonstra-
14 tion, or commercial application project whose con-
15 struction costs are estimated to exceed
16 $100,000,000 over the life of the project;
17 (5) the term "Secretary" means the Secretary
18 of Energy;
19 (6) the term "substantial construction project"
20 means a civilian research, development, demonstra-

1 tion, or commercial application project whose con-
2 struction costs are estimated to exceed $10,000,000,
3 but not to exceed $100,000,000, over the life of the
4 project; and
5 (7) the term "substantial equipment acquisi-
6 tion" means the acquisition of civilian research, de-
7 velopment, demonstration, or commercial application
8 equipment at a cost estimated to exceed
9 $10,000,000 for the entire acquisition.
10 SEC. 3. AUTHORIZATION OF APPROPRIATIONS.
11 (a) ENERGY SUPPLY RESEARCH AND DEVELOPMENT
12 ACTIVITIES.—There are authorized to be appropriated to
13 the Secretary for fiscal year 1996 for Energy Supply Re-
14 search and Development operating, capital equipment, and
15 construction the following amounts:
16 (1) Solar and Renewable Energy,
17 $235,451,000, of which—
18 (A) $235,331,000 shall be for operating
19 and capital equipment; and
20 (B) $120,000 shall be for construction of
21 Project GP–C–002, General Plant Projects, Na-
22 tional Renewable Energy Laboratory.
23 (2) Nuclear Energy, $295,448,000, of which—
24 (A) $292,738,000 shall be for operating
25 and capital equipment, including, subject to sec-

1 tion 4(b), $25,000,000 for the Gas Turbine-
2 Modular Helium Reactor, and, subject to sec-
3 tion 4(d), $14,000,000 for the AP600 light
4 water reactor;
5 (B) $1,000,000 shall be for construction of
6 Project GPN–102, General Plant Projects, Ar-
7 gonne National Laboratory-West, Idaho; and
8 (C) $1,700,000 shall be for completion of
9 construction of Project 95–E–207, Modifica-
10 tions to Reactors, Experimental Breeder Reac-
11 tor-II, Sodium Processing Facility, Argonne
12 National Laboratory-West, Idaho.
13 (3) Environment, Safety, and Health,
14 $128,433,000 for operating and capital equipment.
15 (4) Biological and Environmental Research,
16 $369,645,000, of which—
17 (A) $313,550,000 shall be for operating
18 and capital equipment;
19 (B) $3,500,000 shall be for construction of
20 Project GPE–120, General Plant Projects, Var-
21 ious Locations;
22 (C) $5,700,000 shall be for construction of
23 Project 94–E–339, Human Genome Labora-
24 tory, Lawrence Berkeley Laboratory;

1 (D) $4,295,000 shall be for completion of
2 construction of Project 94–E–338, Structural
3 Biology Facility, Argonne National Laboratory;
4 (E) $2,600,000 shall be for completion of
5 construction of Project 94–E–337, ALS Struc-
6 tural Biology Support Facilities, Lawrence
7 Berkeley Laboratory; and
8 (F) $40,000,000 shall be for construction
9 of Project 91–EM–100, Environmental Molecu-
10 lar Sciences Laboratory, Pacific Northwest
11 Laboratory.
12 (5) Fusion Energy, $229,144,000, of which—
13 (A) $220,144,000 shall be for operating
14 and capital equipment for Magnetic Fusion En-
15 ergy;
16 (B) $4,800,000 shall be for operating and
17 capital equipment for Inertial Fusion Energy;
18 (C) $1,000,000 shall be for construction of
19 Project GPE–900, General Plant Projects, Var-
20 ious Locations; and
21 (D) $3,200,000 shall be for construction of
22 Project 96–E–310, Elise Project, Lawrence
23 Berkeley Laboratory.
24 (6) Basic Energy Sciences, $827,981,000, of
25 which—

1 (A) $805,412,000 shall be for operating
2 and capital equipment, including $60,000,000
3 for the Scientific Facilities Initiative;
4 (B) $4,500,000 shall be for construction of
5 Project GPE–400, General Plant Projects, Var-
6 ious Locations;
7 (C) $12,883,000 shall be for construction
8 of Project 96–E–305, Accelerator and Reactor
9 Improvements and Modifications;
10 (D) $3,186,000 shall be for completion of
11 construction of Project 89–R–402, 6–7 GeV
12 Synchrotron Radiation Source, Argonne Na-
13 tional Laboratory; and
14 (E) $2,000,000 shall be for construction of
15 Project 87–R–405, Combustion Research Facil-
16 ity, Phase II, Sandia National Laboratories-
17 Livermore.
18 (7) Advisory and Oversight Program Direction,
19 $6,200,000 for operating.
20 (8) Policy and Management—Energy Research,
21 $2,200,000 for operating.
22 (9) Multiprogram Energy Laboratories—Facili-
23 ties Support—
24 (A) $15,539,000 shall be for operating and
25 capital equipment;

(B) $8,740,000 shall be for construction of Project GPE–801, General Plant Projects, Various Locations;

(C) $2,740,000 shall be for construction of Project 95–E–310, Multiprogram Laboratory Rehabilitation, Phase 1, Pacific Northwest Laboratory;

(D) $1,500,000 shall be for construction of Project 95–E–303, Electrical Safety Rehabilitation, Pacific Northwest Laboratory;

(E) $3,270,000 shall be for completion of construction of Project 95–E–302, Applied Science Center, Phase 1, Brookhaven National Laboratory;

(F) $2,500,000 shall be for construction of Project 95–E–301, Central Heating Plant Rehabilitation, Phase 1, Argonne National Laboratory;

(G) $2,038,000 shall be for construction of Project 94–E–363, Roofing Improvements, Oak Ridge National Laboratory;

(H) $440,000 shall be for completion of construction of Project 94–E–351, Fuel Storage and Transfer Facility Upgrade, Brookhaven National Laboratory;

(I) $800,000 shall be for construction of Project 96–E–332, Building 801 Renovations, Brookhaven National Laboratory;

(J) $2,400,000 shall be for completion of construction of Project 96–E–331, Sanitary Sewer Restoration, Phase I, Lawrence Berkeley Laboratory;

(K) $1,200,000 shall be for construction of Project 96–E–330, Building Electrical Service Upgrade, Phase I, Argonne National Laboratory;

(L) $2,480,000 shall be for construction of Project 95–E–309, Loss Prevention Upgrade-Electrical Substations, Brookhaven National Laboratory;

(M) $1,540,000 shall be for construction of Project 95–E–308, Sanitary System Modifications, Phase II, Brookhaven National Laboratory;

(N) $1,000,000 shall be for construction of Project 95–E–307, Fire Safety Improvements, Phase III, Argonne National Laboratory;

(O) $1,288,000 shall be for completion of construction of Project 93–E–324, Hazardous

1 Materials Safeguards, Phase I, Lawrence
2 Berkeley Laboratory;
3 (P) $1,130,000 shall be for completion of
4 construction of Project 93–E–323, Fire and
5 Safety Systems Upgrade, Phase I, Lawrence
6 Berkeley Laboratory; and
7 (Q) $2,411,000 shall be for construction of
8 Project 93–E–320, Fire and Safety Improve-
9 ments, Phase II, Argonne National Laboratory.
10 Notwithstanding subparagraphs (A) through (Q),
11 the total amount authorized under this paragraph
12 shall not exceed $39,327,000.
13 (10) Technical Information Management Pro-
14 gram, $14,394,000, of which—
15 (A) $12,894,000 shall be for operating and
16 capital equipment; and
17 (B) $1,500,000 shall be for construction of
18 Project 95–A–500, Heating, Venting, and Air
19 Conditioning Retrofits, Oak Ridge.
20 (11) Environmental Management,
21 $644,971,000, of which—
22 (A) $617,129,000 shall be for operating
23 and capital equipment;
24 (B) $339,000 shall be for completion of
25 construction of Project 92–E–601, Melton Val-

1 ley Liquid Low-Level Waste Collection and
2 Transfer System Upgrade, Oak Ridge National
3 Laboratory;
4 (C) $4,000,000 shall be for construction of
5 Project 88–R–830, Bethel Valley Liquid Low-
6 Level Waste Collection and Transfer System
7 Upgrade, Oak Ridge National Laboratory;
8 (D) $2,255,000 shall be for construction of
9 Project GPN–103, Oak Ridge Landlord Gen-
10 eral Plant Projects;
11 (E) $730,000 shall be for construction of
12 Project GPN–102, Test Reactor Area Landlord
13 General Plant Projects, Idaho National Engi-
14 neering Laboratory;
15 (F) $1,900,000 shall be for construction of
16 Project 95–E–201, Test Reactor Area Landlord
17 Fire and Life Safety Improvements, Idaho Na-
18 tional Engineering Laboratory;
19 (G) $2,040,000 shall be for construction of
20 Project GPE–600, General Plant Projects,
21 Waste Management, Non-Defense, Various Lo-
22 cations;
23 (H) $300,000 shall be for construction of
24 Project 94–E–602, Bethel Valley Federal Facil-

1 ity Agreement Upgrades, Oak Ridge National
2 Laboratory;
3 (I) $4,048,000 shall be for construction of
4 Project 93–E–900, Dry Cast Storage, Idaho
5 National Engineering Laboratory;
6 (J) $787,000 shall be for construction of
7 Project 91–E–602, Rehabilitation of Waste
8 Management Building 306, Argonne National
9 Laboratory; and
10 (K) $671,000 shall be for completion of
11 construction of Project 88–R–812, Hazardous
12 Waste Handling Facility, Lawrence Berkeley
13 Laboratory.
14 (b) GENERAL SCIENCE AND RESEARCH ACTIVI-
15 TIES.—There are authorized to be appropriated to the
16 Secretary for fiscal year 1996 for General Science and Re-
17 search Activities operating, capital equipment, and con-
18 struction the following amounts:
19 (1) High Energy Physics, $680,137,000, of
20 which—
21 (A) $554,191,000 shall be for operating
22 and capital equipment, including $15,000,000
23 for the Scientific Facilities Initiative;

1 (B) $12,146,000 shall be for construction
2 of Project GPE–103, General Plant Projects,
3 Various Locations;
4 (C) $9,800,000 shall be for construction of
5 Project 96–G–301, Accelerator Improvements
6 and Modifications, Various Locations;
7 (D) $52,000,000 shall be for construction
8 of Project 94–G–305, B-Factory, Stanford Lin-
9 ear Accelerator Center; and
10 (E) $52,000,000 shall be for construction
11 of Project 92–G–302, Fermilab Main Injector,
12 Fermi National Accelerator Center.
13 (2) Nuclear Physics, $316,873,000, of which—
14 (A) $239,773,000 shall be for operating
15 and capital equipment, including $25,000,000
16 for the Scientific Facilities Initiative;
17 (B) $3,900,000 shall be for construction of
18 Project GPE–300, General Plant Projects, Var-
19 ious Locations;
20 (C) $3,200,000 shall be for construction of
21 Project 96–G–302, Accelerator Improvements
22 and Modifications, Various Locations; and
23 (D) $70,000,000 shall be for construction
24 of Project 91–G–300, Relativistic Heavy Ion
25 Collider, Brookhaven National Laboratory.

1 (3) Program Direction, $9,500,000.

2 (c) FOSSIL ENERGY RESEARCH AND DEVELOP-
3 MENT.—There are authorized to be appropriated to the
4 Secretary for fiscal year 1996 for Fossil Energy Research
5 and Development operating, capital equipment, and con-
6 struction the following amounts:

7 (1) Coal, $49,955,000 for operating.

8 (2) Oil Technology, $43,234,000 for operating,
9 including maintaining programs at the National In-
10 stitute for Petroleum and Energy Research.

11 (3) Gas, $59,829,000 for operating.

12 (4) Program Direction and Management Sup-
13 port, $45,535,000 for operating.

14 (5) Capital Equipment, $476,000.

15 (6) Construction of Project GPF–100, General
16 Plant Projects for Energy Technology Centers,
17 $1,994,000.

18 (7) Cooperative Research and Development,
19 $7,557,000.

20 (8) Fossil Energy Environmental Restoration,
21 $12,370,000.

22 (d) ENERGY CONSERVATION RESEARCH AND DEVEL-
23 OPMENT.—There are authorized to be appropriated to the
24 Secretary for fiscal year 1996 for Energy Conservation

1 Research and Development operating and capital equip-
2 ment the following amounts:
3 (1) Buildings Sector, $55,074,000.
4 (2) Industry Sector, $55,110,000.
5 (3) Transportation Sector, $112,123,000.
6 (4) Technical and Financial Assistance (Non-
7 Grants), $7,813,000.
8 SEC. 4. FUNDING LIMITATIONS.
9 (a) FISCAL YEAR 1996 APPROPRIATIONS.—None of
10 the funds authorized by this Act may be used for the fol-
11 lowing programs, projects, and activities:
12 (1) Solar Buildings Technology Research.
13 (2) Solar International Program.
14 (3) Solar Technology Transfer.
15 (4) Solar Program Support.
16 (5) Hydropower.
17 (6) Space Power Reactor Systems.
18 (7) Nuclear Energy Facilities.
19 (8) Soviet-Designed Reactor Safety.
20 (9) Russian Replacement Power Initiative.
21 (10) Civilian Radioactive Waste Research and
22 Development.
23 (11) Tokamak Physics Experiment.
24 (12) Advanced Neutron Source.
25 (13) Energy Research Analysis.

1 (14) Energy Research Laboratory Technology
2 Transfer.
3 (15) University and Science Education.
4 (16) Technology Partnerships.
5 (17) In-House Energy Management.
6 (18) Direct Liquefaction.
7 (19) Indirect Liquefaction.
8 (20) Systems for Coproducts.
9 (21) High Efficiency-Integrated Gasification
10 Combined Cycle.
11 (22) High Efficiency-Pressurized Fluidized
12 Bed.
13 (23) Technical and Economic Analysis.
14 (24) International Program Support.
15 (25) Coal Technology Export.
16 (26) Gas Delivery and Storage.
17 (27) Gas Utilization.
18 (28) Fuel Cells Climate Change Action Plan.
19 (29) Fuels Conversion, Natural Gas, and Elec-
20 tricity.
21 (30) Clean Coal Technology Program.
22 (31) Buildings Sector Implementation and De-
23 ployment.
24 (32) Industry Sector Municipal Solid Wastes.

1 (33) Industry Sector Implementation and De-
2 ployment.
3 (34) Alternative Fuels Utilization.
4 (35) Transportation Sector Implementation and
5 Deployment.
6 (36) Utility Sector Integrated Resource Plan-
7 ning.
8 (37) International Market Development.
9 (38) Inventions and Innovation Program.
10 (39) Municipal Energy Management.
11 (40) Information and Communications.
12 (41) Policy and Management—Energy Con-
13 servation.
14 (b) FISCAL YEAR 1996 OBLIGATION AND EXPENDI-
15 TURE.—None of the funds authorized by this Act may be
16 available for obligation or expenditure for the Gas Tur-
17 bine-Modular Helium Reactor until—
18 (1) the National Academy of Sciences has com-
19 pleted a review of the technical feasibility and eco-
20 nomic potential of such reactor, and has reported to
21 the Committee on Science of the House of Rep-
22 resentatives and the Committee on Energy and Nat-
23 ural Resources of the Senate; or
24 (2) December 15, 1995,

1 whichever occurs first. The Department shall fund such
2 review, and necessary contract support and work nec-
3 essary to maintain technical continuity of the Gas Tur-
4 bine-Modular Helium Reactor, with funds authorized by
5 this Act, not to exceed $3,800,000.

6 (c) PRIOR FISCAL YEAR OBLIGATION AND EXPENDI-
7 TURE.—No funds may be available for obligation or ex-
8 penditure with respect to the following:

9 (1) University of Nebraska Medical Center
10 Transplant Center.

11 (2) Oregon Health Sciences University.

12 (3) Conduct of any rulemaking activities relat-
13 ing to determinations for or prescriptions of new or
14 amended standards with respect to Lighting and Ap-
15 pliance Standards and Building Standards and
16 Guidelines, including the promulgation or issuance
17 of notices of proposed rulemakings, proposed rules,
18 or final rules.

19 (d) LIGHT WATER REACTOR MATCHING FUNDS.—
20 Funds appropriated for the AP600 light water reactor
21 pursuant to section 3(a)(2)(A) shall be available only to
22 the extent that matching private sector funds are provided
23 for such project, and subject to the condition that such
24 Federal funds shall be repaid to the United States out

1 of royalties on the first commercial sale of such reactor
2 design.

3 SEC. 5. LIMITATION ON APPROPRIATIONS.

4 (a) EXCLUSIVE AUTHORIZATION FOR FISCAL YEAR
5 1996.—Notwithstanding any other provision of law, no
6 sums are authorized to be appropriated for fiscal year
7 1996 for Energy Supply Research and Development, Gen-
8 eral Science and Research, Fossil Energy Research and
9 Development, or Energy Conservation Research and De-
10 velopment activities of the Department unless such sums
11 are specifically authorized to be appropriated by this Act.

12 (b) SUBSEQUENT FISCAL YEARS.—No sums are au-
13 thorized to be appropriated for any fiscal year after fiscal
14 year 1996 for any civilian research, development, dem-
15 onstration, or commercial application program, project, or
16 activity of the Department unless such sums are specifi-
17 cally authorized to be appropriated by Act of Congress
18 with respect to such fiscal year.

19 SEC. 6. MERIT REVIEW REQUIREMENT FOR AWARDS OF FI-
20 NANCIAL ASSISTANCE.

21 (a) MERIT REVIEW REQUIREMENT.—The Secretary
22 may not award financial assistance to any person for civil-
23 ian research, development, demonstration, or commercial
24 application activities, including related facility construc-

1 tion, unless an objective merit review process is used to
2 award the financial assistance.
3 (b) REQUIREMENT OF SPECIFIC MODIFICATION OF
4 MERIT REVIEW PROVISION.—
5 (1) IN GENERAL.—A provision of law may not
6 be construed as modifying or superseding subsection
7 (a), or as requiring that financial assistance be
8 awarded by the Secretary in a manner inconsistent
9 with subsection (a), unless such provision of law—
10 (A) specifically refers to this section;
11 (B) specifically states that such provision
12 of law modifies or supersedes subsection (a);
13 and
14 (C) specifically identifies the person to be
15 awarded the financial assistance and states that
16 the financial assistance to be awarded pursuant
17 to such provision of law is being awarded in a
18 manner inconsistent with subsection (a).
19 (2) NOTICE AND WAIT REQUIREMENT.—No fi-
20 nancial assistance may be awarded pursuant to a
21 provision of law that requires or authorizes the
22 award of the financial assistance in a manner incon-
23 sistent with subsection (a) until—

1 (A) the Secretary submits to the Congress
2 a written notice of the Secretary's intent to
3 award the financial assistance; and
4 (B) 180 days has elapsed after the date on
5 which the notice is received by the Congress.
6 (c) DEFINITIONS.—For purposes of this section:
7 (1) The term "objective merit review process"
8 means a thorough, consistent, and independent ex-
9 amination of requests for financial assistance based
10 on preestablished criteria and scientific and technical
11 merit by persons knowledgeable in the field for
12 which the financial assistance is requested.
13 (2) The term "financial assistance" means the
14 transfer of funds or property to a recipient or sub-
15 recipient to accomplish a public purpose of support
16 or stimulation authorized by Federal law. Such term
17 includes grants, cooperative agreements, and
18 subawards but does not include cooperative research
19 and development agreements as defined in section
20 12(d)(1) of the Stevenson-Wydler Technology Inno-
21 vation Act of 1980 (15 U.S.C. 3710a(d)(1)), nor
22 any grant that calls upon the National Academy of
23 Sciences, the National Academy of Engineering, the
24 Institute of Medicine, or the National Academy of
25 Public Administration to investigate, examine, or ex-

1 periment upon any subject of science or art and to
2 report on such matters to Congress or any agency
3 of the Federal Government.

4 SEC. 7. POLICY ON CAPITAL PROJECTS AND CONSTRUC-
5 TION.

6 (a) REQUIREMENT OF PRIOR AUTHORIZATION.—(1)
7 No funds are authorized to be appropriated to the Sec-
8 retary for any substantial construction project, substantial
9 equipment acquisition, or major construction project un-
10 less a report on such project or acquisition has been pro-
11 vided to Congress in accordance with subsection (b).

12 (2) The Secretary may not obligate any funds for any
13 substantial construction project, substantial equipment ac-
14 quisition, or major construction project unless such project
15 or acquisition has been specifically authorized by statute.

16 (3) This subsection may not be amended or modified
17 except by specific reference to this subsection.

18 (b) REPORTS TO CONGRESS.—(1) Within 180 days
19 after the date of the enactment of this Act, the Secretary
20 shall submit to the Congress a report that identifies all
21 construction projects and acquisitions of the Department
22 described in subsection (a) for which the preliminary de-
23 sign phase is completed but the construction or acquisition
24 is not completed. Such report shall include—

1 (A) an estimate of the total cost of completion
2 of the construction project or acquisition, itemized
3 by individual activity and by fiscal year; and
4 (B) an identification of which construction
5 projects or acquisitions have not been specifically au-
6 thorized by statute.
7 The Secretary shall annually update and resubmit the re-
8 port required by this paragraph, as part of the report re-
9 quired under section 15 of the Federal Nonnuclear Energy
10 Research and Development Act of 1974 (42 U.S.C. 5914).
11 (2) The Secretary shall, after completion of the pre-
12 liminary design phase of a major construction project,
13 submit to the Congress a report containing—
14 (A) an estimate of the total cost of construction
15 of the facility;
16 (B) an estimate of the time required to com-
17 plete construction;
18 (C) an estimate of the annual operating costs of
19 the facility;
20 (D) the intended useful operating life of the fa-
21 cility; and
22 (E) an identification of any existing facilities to
23 be closed as a result of the operation of the facility.

1 SEC. 8. FURTHER AUTHORIZATIONS.

2 Nothing in this Act shall preclude further authoriza-
3 tion of appropriations for civilian research, development,
4 demonstration, and commercial application activities of
5 the Department of Energy for fiscal year 1996: *Provided,*
6 That authorization allocations adopted by the Conference
7 Committee on House Concurrent Resolution 67, and ap-
8 proved by Congress, allow for such further authorizations.

9 SEC. 9. HIGH ENERGY AND NUCLEAR PHYSICS.

10 (a) LARGE HADRON COLLIDER PROJECT.—

11 (1) NEGOTIATIONS.—The Secretary, in con-
12 sultation with the Director of the National Science
13 Foundation and the Secretary of State, shall enter
14 into negotiations with CERN concerning United
15 States participation in the planning and construction
16 of the Large Hadron Collider project, and shall en-
17 sure that any agreement incorporates provisions to
18 protect the United States investment in the project,
19 including provisions for—

20 (A) fair allocation of costs and benefits
21 among project participants;

22 (B) a limitation on the amount of United
23 States contribution to project construction and
24 an estimate of the United States contribution to
25 subsequent operating costs;

1 (C) a cost and schedule control system for
2 the total project;
3 (D) a preliminary statement of costs and
4 the schedule for all component design, testing,
5 and fabrication, including technical goals and
6 milestones, and a final statement of such costs
7 and schedule within 1 year after the date on
8 which the parties enter into the agreement;
9 (E) a preliminary statement of costs and
10 the schedule for total project construction and
11 operation, including technical goals and mile-
12 stones, and a final statement of such costs and
13 schedule within 1 year after the date on which
14 the parties enter into the agreement;
15 (F) reconsideration of the extent of United
16 States participation if technical or operational
17 milestones described in subparagraphs (D) and
18 (E) are not met, or if the project falls signifi-
19 cantly behind schedule;
20 (G) conditions of access for United States
21 and other scientists to the facility; and
22 (H) a process for addressing international
23 coordination and cost sharing on high energy
24 physics projects beyond the Large Hadron
25 Collider.

1 (2) OTHER INTERNATIONAL NEGOTIATIONS.—
2 Nothing in this Act shall be construed to preclude
3 the President from entering into negotiations with
4 respect to international science agreements.
5 (b) REPORT TO CONGRESS.—Before January 1,
6 1996, the Secretary, in consultation with the Director of
7 the National Science Foundation and with the high energy
8 and nuclear physics communities, shall prepare and trans-
9 mit to the Congress a strategic plan for the high energy
10 and nuclear physics activities of the Department, assum-
11 ing a combined budget of $950,000,000 for all activities
12 authorized under section 3(b) for fiscal year 1997, and
13 assuming a combined budget of $900,000,000 for all ac-
14 tivities authorized under section 3(b) for each of the fiscal
15 years 1998, 1999, and 2000. The report shall include—
16 (1) a list of research opportunities to be pur-
17 sued, including both ongoing and proposed activities;
18 (2) an analysis of the relevance of each research
19 facility to the research opportunities listed under
20 paragraph (1):
21 (3) a statement of the optimal balance among
22 facility operations, construction, and research sup-
23 port and the optimal balance between university and
24 laboratory research programs;

1 (4) schedules for the continuation, consolida-
2 tion, or termination of each research program, and
3 continuation, upgrade, transfer, or closure of each
4 research facility; and
5 (5) a statement by project of efforts to coordi-
6 nate research projects with the international commu-
7 nity to maximize the use of limited resources and
8 avoid unproductive duplication of efforts.
9 SEC. 10. PROHIBITION OF LOBBYING ACTIVITIES.
10 None of the funds authorized by this Act shall be
11 available for any activity whose purpose is to influence leg-
12 islation pending before the Congress.
13 SEC. 11. ELIGIBILITY FOR AWARDS.
14 (a) IN GENERAL.—The Secretary shall exclude from
15 consideration for awards of financial assistance made by
16 the Department after fiscal year 1995 any person who re-
17 ceived funds, other than those described in subsection (b),
18 appropriated for a fiscal year after fiscal year 1995, from
19 any Federal funding source for a project that was not sub-
20 jected to a competitive, merit-based award process. Any
21 exclusion from consideration pursuant to this section shall
22 be effective for a period of 5 years after the person re-
23 ceives such Federal funds.
24 (b) EXCEPTION.—Subsection (a) shall not apply to
25 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.

3 SEC. 12. TERMINATION COSTS.

4 Unobligated funds previously appropriated for the
5 Clean Coal Technology program may be used to pay costs
6 associated with the termination of Energy Supply Re-
7 search and Development, General Science and Research,
8 Fossil Energy Research and Development, and Energy
9 Conservation Research and Development programs,
10 projects, and activities of the Department.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. DOYLE TO H.R. 1816

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

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "Energy Research and
3 Development Act of 1995".

4 SEC. 2. FINDINGS.

5 The Congress finds that—

6 (1) Federal support of research and develop-
7 ment in general, and energy research and develop-
8 ment in particular, has played a key role in the
9 growth of the United States economy since World
10 War II through the production of new knowledge,
11 the development of new technologies and processes,
12 and the demonstration of such new technologies and
13 processes for application to industrial and other
14 uses;

15 (2) Federal support of energy research and de-
16 velopment is especially important because such re-
17 search and development contributes to solutions for

1 national problems in energy security, environmental
2 restoration, and economic competitiveness;
3 (3) the Department of Energy has successfully
4 promoted new technologies and processes to address
5 problems with energy supply, fossil energy, and en-
6 ergy conservation through its various research and
7 development programs;
8 (4) while the Federal budget deficit and pay-
9 ments on the national debt must be addressed
10 through cost-cutting measures, investments in basic
11 research and research and development on key en-
12 ergy issues must be maintained;
13 (5) within the last two years, the Department
14 of Energy has made great strides in managing its
15 programs more efficiently and effectively;
16 (6) significant savings should result from these
17 measures without hampering the Department's core
18 missions; and
19 (7) the Strategic Realignment Initiative and
20 other such efforts of the Department should be con-
21 tinued.
22 SEC. 3. DEFINITIONS.
23 For purposes of this Act—
24 (1) the term "Department" means the Depart-
25 ment of Energy; and

1 (2) the term "Secretary" means the Secretary
2 of Energy.

3 SEC. 4. ENERGY CONSERVATION.

4 There are authorized to be appropriated to the Sec-
5 retary for fiscal year 1996 for energy conservation re-
6 search, development, and demonstration—

7 (1) $62,700,000 for energy conservation in
8 buildings;

9 (2) $121,700,000 for energy conservation by in-
10 dustry;

11 (3) $185,700,000 for energy conservation in the
12 transportation sector;

13 (4) no funds for energy conservation by utili-
14 ties;

15 (5) $36,400,000 for technical and financial as-
16 sistance; and

17 (6) $7,000,000 for policy and management ac-
18 tivities.

19 SEC. 5. FOSSIL ENERGY.

20 There are authorized to be appropriated to the Sec-
21 retary for fiscal year 1996 for fossil energy research, de-
22 velopment, and demonstration—

23 (1) $114,900,000 for coal;

24 (2) $81,700,000 for petroleum;

25 (3) $116,300,000 for gas;

1 (4) no funds for the Fossil Energy Cooperative
2 Research and Development Program;
3 (5) $2,000,000 for fuels;
4 (6) $64,000,000 for program direction and
5 management;
6 (7) $3,000,000 for plant and capital improve-
7 ments; and
8 (8) $16,400,000 for environmental restoration.
9 SEC. 6. HIGH ENERGY AND NUCLEAR PHYSICS.
10 (a) AUTHORIZATIONS.—There are authorized to be
11 appropriated to the Secretary for fiscal year 1996 for high
12 energy and nuclear physics activities of the Department—
13 (1) $665,000,000 for high energy physics ac-
14 tivities;
15 (2) $321,100,000 for nuclear physics activities;
16 and
17 (3) $9,000,000 for program direction.
18 (b) REPORT TO CONGRESS.—Before May 1, 1996,
19 the Secretary, after consultation with the high energy and
20 nuclear physics communities, shall prepare and transmit
21 to the Congress a strategic plan for the high energy and
22 nuclear physics activities of the Department, assuming a
23 combined budget of $900,000,000 for all activities author-
24 ized under this section for each of the fiscal years 1997,
25 1998, 1999, and 2000. The report shall include—

1 (1) a list of research opportunities to be pur-
2 sued, including both ongoing and proposed activities;
3 (2) an analysis of the relevance of each research
4 facility to the research opportunities listed under
5 paragraph (1):
6 (3) a statement of the optimal balance among
7 facility operations, construction, and research sup-
8 port and the optimal balance between university and
9 laboratory research programs;
10 (4) schedules for the continuation, consolida-
11 tion, or termination of each research program, and
12 continuation, upgrade, transfer, or closure of each
13 research facility; and
14 (5) a statement by project of efforts to coordi-
15 nate research projects with the international commu-
16 nity to maximize the use of limited resources and
17 avoid unproductive duplication of efforts.
18 SEC. 7. SOLAR AND RENEWABLE ENERGY.
19 There are authorized to be appropriated to the Sec-
20 retary for fiscal year 1996 for solar and renewable energy
21 research, development, and demonstration—
22 (1) $263,000,000 for solar energy;
23 (2) $30,000,000 for geothermal energy;
24 (3) $25,000,000 for hydrogen energy;
25 (4) $500,000 for hydropower;

1 (5) $34,700,000 for electric energy systems;
2 and
3 (6) $5,200,000 for energy storage systems.
4 SEC. 8. NUCLEAR ENERGY.
5 (a) AUTHORIZATIONS.—There are authorized to be
6 appropriated to the Secretary for fiscal year 1996 for nu-
7 clear energy research, development, and demonstration—
8 (1) $161,000,000 for nuclear energy, including
9 $49,740,000 for the Advanced Light Water Reactor
10 program;
11 (2) $69,700,000 for the termination of certain
12 facilities; and
13 (3) $25,400,000 for isotope support.
14 (b) PROHIBITIONS.—None of the funds authorized in
15 this Act for any fiscal year may be used for the Soviet
16 Design Reactor Safety Initiative or the Russian Replace-
17 ment Power Initiative.
18 (c) NATIONAL ACADEMY OF SCIENCES REPORT.—
19 The Secretary shall enter into an agreement with the Na-
20 tional Academy of Sciences for such Academy to conduct
21 a study of the Gas Turbine-Modular Helium Reactor, and
22 report the results of such study to the Congress by Decem-
23 ber 31, 1995. Such study shall consider the technical fea-
24 sibility and economic potential of such reactor design.

1 SEC. 9. CIVILIAN WASTE; ENVIRONMENT, SAFETY, AND
2 HEALTH.

3 There are authorized to be appropriated to the Sec-
4 retary for fiscal year 1996 for research, development, and
5 demonstration—

6 (1) $700,000 for civilian waste; and

7 (2) $143,900,000 for environment, safety, and
8 health.

9 SEC. 10. LONG-TERM INITIATIVES.

10 (a) AUTHORIZATIONS.—There are authorized to be
11 appropriated to the Secretary for fiscal year 1996—

12 (1) $429,500,000 for biological and environ-
13 mental research activities;

14 (2) $275,000,000 for fusion energy research,
15 development, and demonstration, including a fusion
16 research program using the Tokamak Fusion Test
17 Reactor, except that no funds authorized by this Act
18 for fiscal year 1996 or 1997 may be used for con-
19 struction of the Tokamak Physics Experiment; and

20 (3) $761,000,000 for basic energy sciences re-
21 search activities.

22 (b) REPORT TO CONGRESS.—Before May 1, 1996,
23 the Secretary, after consultation with the relevant sci-
24 entific communities, shall prepare and transmit to the
25 Congress a report detailing a strategic plan for the oper-

1 ation of facilities that are provided funds authorized by
2 subsection (a)(3). The report shall include—
3 (1) a list of such facilities, including schedules
4 for continuation, upgrade, transfer, or closure of
5 each facility;
6 (2) a list of proposed facilities to be provided
7 funds authorized by subsection (a)(3), including
8 schedules for the construction and operation of each
9 facility;
10 (3) a list of research opportunities to be pur-
11 sued, including both ongoing and proposed activities,
12 by the research activities authorized by subsection
13 (a)(3); and
14 (4) an analysis of the relevance of each facility
15 listed in paragraphs (1) and (2) to the research op-
16 portunities listed in paragraph (3).

17 SEC. 11. SUPPORT PROGRAMS FOR ENERGY SUPPLY RE-
18 SEARCH AND DEVELOPMENT.

19 There are authorized to be appropriated to the Sec-
20 retary for fiscal year 1996 for support programs for En-
21 ergy Supply Research and Development—
22 (1) $1,400,000 for Energy Research Analyses;
23 (2) $40,000,000 for Laboratory Technology
24 Transfer;

1 (3) $7,700,000 for advisory and oversight ac-
2 tivities;
3 (4) $25,000,000 for the Multi-Program Energy
4 Laboratory program;
5 (5) $4,000,000 for policy and management of
6 Energy Supply Research and Development;
7 (6) $2,000,000 for policy and management of
8 the energy research programs;
9 (7) $20,000,000 for University and Science
10 Education programs;
11 (8) $10,000,000 for the Technology Informa-
12 tion Management Program;
13 (9) $2,000,000 for the Technology Partnership;
14 (10) $15,000,000 for In-House Energy Man-
15 agement; and
16 (11) $642,000,000 for Civilian Environmental
17 Restoration and Waste Management.
18 SEC. 12. LIMITATION.
19 None of the funds authorized by this Act shall be
20 used at the Idaho National Engineering Laboratory after
21 June 1, 1996, with the exception of funds authorized by
22 sections 9 and 11(11).
23 SEC. 13. ADDITIONAL AUTHORIZATIONS.
24 There are authorized to be appropriated to the Sec-
25 retary for each of the fiscal years 1997, 1998, 1999, and

1 2000 $4,342,000,000 for carrying out the activities au-
2 thorized by this Act.

3 SEC. 14. SENSE OF CONGRESS.

4 It is the sense of the Congress that $100,000,000
5 previously appropriated for the Clean Coal Technology
6 Program should be returned to the Treasury, and that
7 $220,000,000 of funds previously appropriated for activi-
8 ties for which funds are authorized by this Act, and allo-
9 cated for a specific location by the Congress, should also
10 be returned to the Treasury.

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL

SUBJECT: H.16: Doyle Amend in Nature of Sub. # 2

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					—
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				7	
2264	52002	Mr. Barton, R-TX				8	
1034	51986	Mr. Calvert, R-CA				9	
1724	51880	Mr. Baker, R-CA				X	
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				14	
115	52635	Mr. Salmon, R-AZ				15	
415	51492	Mr. Davis, R-VA				16	
417	56565	Mr. Smithson, R-TX				17	
425	52472	Mr. Gutknecht, R-MN				18	
1216	53601	Mrs. Seastrand, R-CA				19	
1319	56216	Mr. Tiahrt, R-KS				20	
410	52211	Mr. Largent, R-OK				21	
114	56831	Mr. Hilleary, R-TN				22	
1114	52311	Mrs. Cubin, R-WY				23	
506	55792	Mr. Foley, R-FL				24	
509	51976	Mrs. Myrick, R-NC				25	
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. Green, D-TX					—
407	53915	Mr. Roemer, D-IN			4		
236	54801	Mr. Cramer, D-AL					—
1410	58171	Mr. Barcia, D-MI			5		
217	56411	Mr. McHale, D-PA			6		
325	58220	Ms. Harman, D-CA			7		
1123	58885	Ms. Johnson, D-TX			8		
1415	52331	Mr. Minge, D-MN			9		
1027	55535	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	55072	Ms. Lofgren, D-CA			15		
126	54865	Mr. Doggett, D-TX			16		
1218	52135	Mr. Doyle, D-PA			17		
1520	53816	Ms. Jackson Lee, D-TX			18		
1419	52271	Mr. Luther, D-MN				26	
		TOTAL			18	27	

Attest: D. Schwartz (Clerk)

AMENDMENT TO H.R. 1816
OFFERED BY MR. DOGGETT

Page 3, line 10, strike "$234,541,000" and insert in lieu thereof "$220,541,000".

Page 3, line 11, strike "$231,841,000" and insert in lieu thereof "$217,841,000".

Page 3, lines 14 through 16, strike ", and, subject to section 4(d), $14,000,000 for the AP600 light water reactor".

Page 15, after line 23, insert the following new paragraph:

1 (43) Light Water Reactors.

Page 16, line 22, through page 17, line 4, strike subsection (d).

AMENDMENT OFFERED BY MR. FOLEY TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Page 2, line 23, strike "$295,448,000" and insert in lieu thereof "$270,448,000".

Page 2, line 24, strike "$292,738,000" and insert in lieu thereof "$267,738,000".

Page 2, line 25 through page 3, line 2, strike ", subject to section 4(b), $25,000,000 for the Gas Turbine-Modular Helium Reactor, and".

Page 15, after line 13, insert the following new paragraph:

1 (42) Gas Turbine-Modular Helium Reactor.

Page 15, line 14, through page 16, line 5, strike subsection (b).

Page 16, lines 6 and 19, redesignate subsections (c) and (d) as subsections (b) and (c), respectively.

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL

SUBJECT: HR 1816: Foley Amend. in nature of Sub. (4a)

Rm.	Phone	Name	Present	Absent	Yes	No	Not Voting
2369	52411	Mr. Walker, R-PA				1	
2332	55101	Mr. Sensenbrenner, R-WI			1		
2246	53665	Mr. Boehlert, R-NY					—
2159	53515	Mr. Fawell, R-IL					—
106	55341	Mrs. Morella, R-MD			2		
2452	52011	Mr. Curt Weldon, R-PA			3		
2338	52415	Mr. Rohrabacher, R-CA				2	
2404	56316	Mr. Schiff, R-NM			4		
2264	52002	Mr. Barton, R-TX					—
1034	51986	Mr. Calvert, R-CA				3	
1724	51880	Mr. Baker, R-CA				4	
322	52721	Mr. Bartlett, R-MD				5	
1717	53831	Mr. Ehlers, R-MI				6	
423	53271	Mr. Wamp, R-TN			5		
216	53671	Mr. Dave Weldon, R-FL					—
1429	55301	Mr. Graham, R-SC					—
115	52635	Mr. Salmon, R-AZ			6		
415	51492	Mr. Davis, R-VA				7	
417	56565	Mr. Stockman, R-TX					—
425	52472	Mr. Gutknecht, R-MN			7		
1216	53601	Mrs. Seastrand, R-CA			8		
1319	56216	Mr. Tiahrt, R-KS			9		
410	52211	Mr. Largent, R-OK			10		
114	56831	Mr. Hilleary, R-TN			11		
1114	52311	Mrs. Cubin, R-WY			12		
506	55792	Mr. Foley, R-FL			13		
509	51976	Mrs. Myrick, R-NC			14		
2300	56161	Mr. Brown, D-CA				8	
2236	56673	Mr. Hall, D-TX				(X)	
2446	55261	Mr. Traficant, D-OH					—
2432	52031	Mr. Hayes, D-LA					—
1127	54714	Mr. Tanner, D-TN				9	
2448	55071	Mr. Geren, D-TX				10	
407	53915	Mr. Roemer, D-IN				11	
236	54801	Mr. Cramer, D-AL				12	
1410	58171	Mr. Bascia, D-MI					—
217	56411	Mr. McHale, D-PA					—
325	58220	Ms. Harman, D-CA					—
1123	58885	Ms. Johnson, D-TX				13	
1415	52331	Mr. Minge, D-MN			15		
1027	55335	Mr. Olver, D-MA				14	
1039	51313	Mr. Hastings, D-FL			16		
1116	56261	Ms. Rivers, D-MI			17		
1232	54535	Ms. McCarthy, D-MO			18		
1032	55401	Mr. Ward, D-KY			19		
118	53072	Ms. Lofgren, D-CA			20		
126	54865	Mr. Doggett, D-TX			21		
1218	52135	Mr. Doyle, D-PA			22		
1520	53816	Ms. Jackson Lee, D-TX					—
1419	52271	Mr. Luther, D-MN			23		
		TOTAL			23	15	

Attest: [signature] (Clerk)

AMENDMENT TO H.R. 1816
OFFERED BY MR. BAKER OF CALIFORNIA

Page 5, line 3, insert ", of which not more than $75,173,000 shall be for Development and Technology Operating Expense, and not more than $90,059,000 shall be for Confinement Systems Operating Expense" after "Magnetic Fusion Energy".

AMENDMENT TO H.R. 1816

OFFERED BY MR. DAVIS

Page 9, line 11, strike "$624,323,000" and insert in lieu thereof "$614,323,000".

Page 9, line 12, strike "$607,253,000" and insert in lieu thereof "$597,253,000".

Page 13, line 16, strike "$106,731,000" and insert in lieu thereof "$116,731,000, including $10,000,000 for alternative fuels utilization programs".

Page 15, line 13, strike paragraph (35).

Page 15, lines 14 through 23, redesignate paragraphs (36) through (42) as paragraphs (35) through (41), respectively.

AMENDMENT OFFERED BY MR. DOGGETT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Page 12, lines 8 through 10, strike ", including maintaining programs at the National Institute for Petroleum and Energy Research".

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL

SUBJECT: HR 1816: Doggett Amend. in nature of Sub. (7c

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					—
2159	55515	Mr. Fawell, R-IL				3	
106	55341	Mrs. Morella, R-MD					—
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. Burton, R-TX					—
1034	51986	Mr. Calvert, R-CA				7	
1724	51880	Mr. Baker, R-CA					—
322	52721	Mr. Bartlett, R-MD					—
1717	53831	Mr. Ehlers, R-MI				8	
423	53271	Mr. Wamp, R-TN				9	
216	53671	Mr. Dave Weldon, R-FL				10	
1429	55301	Mr. Graham, R-SC				11	
115	52635	Mr. Salmon, R-AZ					—
415	51492	Mr. Davis, R-VA				12	
417	56565	Mr. Stockman, R-TX				13	
425	52472	Mr. Gutknecht, R-MN				14	
1216	53601	Mrs. Seastrand, R-CA					—
1319	56216	Mr. Tiahrt, R-KS				15	
410	52211	Mr. Largent, R-OK				16	
114	56831	Mr. Hilleary, R-TN				17	
1114	52311	Mrs. Cubin, R-WY					—
506	55792	Mr. Foley, R-FL				(X)	
509	51976	Mrs. Myrick, R-NC					—
2300	56161	Mr. Brown, D-CA			1		
2236	56673	Mr. Hall, D-TX					—
2446	55261	Mr. Traficant, D-OH					—
2432	52031	Mr. Hayes, D-LA					—
1127	54714	Mr. Tanner, D-TN			2		
2448	53071	Mr. Gonzalez, D-TX					—
407	55915	Mr. Roemer, D-IN			3		
236	54801	Mr. Cramer, D-AL			4		
1410	58171	Mr. Barcia, D-MI			5		
217	56411	Mr. McHale, D-PA			6		
325	58220	Ms. Harman, D-CA			7		
1123	58885	Ms. Johnson, D-TX					—
1415	52331	Mr. Minge, D-MN					—
1027	55335	Mr. Olver, D-MA			(X)		
1039	51313	Mr. Hastings, D-FL			(X)		
1116	56261	Ms. Rivers, D-MI			8		
1232	54535	Ms. McCarthy, D-MO			9		
1032	55401	Mr. Ward, D-KY			10		
118	53072	Ms. Lofgren, D-CA			11		
126	54865	Mr. Doggett, D-TX			12		
1218	52135	Mr. Doyle, D-PA			13		
1520	53816	Ms. Jackson Lee, D-TX			14		
4419	52271	Mr. Luther, D-MN			15		
		TOTAL			17	18	

Attest: B Schwartz (Clerk)

AMENDMENT TO H.R. 1816
OFFERED BY MR. LARGENT

Page 12, line 22, insert ", and supporting, consistent with section 6, a multi-state consortium dedicated to integrated petroleum environment and energy research to develop objective, cost-benefit analyses, for the appropriate technology required for effective fossil energy production and supply, on a 50 percent cost-share basis" after "Petroleum and Energy Research".

AMENDMENT OFFERED BY MR. DOGGETT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Page 15, after line 13, insert the following new paragraph:

1 (42) International Thermonuclear Experimental
2 Reactor.

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL (9)

SUBJECT: HR 1816: Doggett amend. to Amend. in Nature of

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					—
2159	53515	Mr. Fowell, R-IL				3	
106	55341	Mrs. Morella, R-MD				4	
2452	52011	Mr. Cox Weldon, R-PA				5	
2338	52415	Mr. Rohrabacher, R-CA				(X)	
2404	56316	Mr. Schiff, R-NM				6	
2264	52002	Mr. Barton, R-TX					—
1034	51986	Mr. Calvert, R-CA				7	
1724	51880	Mr. Baker, R-CA				(X)	
322	52721	Mr. Bunning, R-MD					—
1717	53831	Mr. Hilleary, R-MI				8	
423	53271	Mr. Weldon, R-TN				9	
216	53671	Mr. Dana Weldon, R-FL				10	
1429	55301	Mr. Graham, R-SC				11	
115	52635	Mr. Salmon, R-AZ					—
415	51492	Mr. Davis, R-VA				12	
417	56565	Mr. Smithson, R-TX					—
425	52472	Mr. Gutknecht, R-MN				13	
1216	53601	Mrs. Seastrand, R-CA					—
1319	56216	Mr. Tiahrt, R-KS				14	
410	52211	Mr. Largent, R-OK				15	
114	56831	Mr. Hilleary, R-TN				(X)	
1114	52311	Mrs. Cubin, R-WY					—
506	55792	Mr. Foley, R-FL				16	
509	51976	Mrs. Myrick, R-NC				17	
2300	54161	Mr. Brown, D-CA					—
2236	56673	Mr. Hall, D-TX			(X)		
2446	55261	Mr. Traficant, D-OH					—
2432	52031	Mr. Hayes, D-LA					—
1127	54714	Mr. Tanner, D-TN			1		
2448	55071	Mr. Gonzalez, D-TX			2		—
407	53915	Mr. Bateman, D-IN				18	
236	54801	Mr. Cramer, D-AL			3		
1410	58171	Mr. Barcia, D-MI			4		
217	56411	Mr. McHale, D-PA				19	
325	58220	Ms. Harman, D-CA				20	
1123	58885	Ms. Johnson, D-TX			5		
1415	52331	Mr. Minge, D-MN			6		
1027	55555	Mr. Olver, D-MA				21	
1039	51313	Mr. Hastings, D-FL				22	
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				23	
126	54865	Mr. Doggett, D-TX			10		
1218	52135	Mr. Doyle, D-PA			11		
1520	53816	Ms. Jackson Lee, D-TX			12		
4419	52271	Mr. Luther, D-MN			13		
		TOTAL			14	26	

Attest: Patricia Schwartz (Clerk)

AMENDMENT OFFERED BY MR. DOYLE

TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

OFFERED BY MR. WALKER

On Page 22, strike lines 1 through 8 and substitute the following Section:

SEC. 8. ALTERNATIVE AUTHORIZATION.

(a) In General. -- Notwithstanding any other provision of this Act, if the concurrent 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, the total amount authorized by this Act shall be increased by the amount equal to $497,000,000 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.

(b) Application of Increase. -- Any amount appropriated pursuant to subsection (a) shall be used as follows:

(1) The first $100 million shall be allocated to solar and geothermal research and development;

(2) The next $100 million shall be allocated to coal, oil, and gas research and development;

(3) The next $100 million shall be allocated to building, industrial, and transportation energy conservation research and development activities;

(4) The next $18 million shall be allocated to the Environment, Health, and Safety program;

(5) The next $42 million shall be allocated to the Laboratory Technology Transfer and

Technology Partnership programs;

(6) The next $40 million shall be allocated to fusion research and development activities;

(7) The next $59 million shall be allocated to the Biological and Environmental Research program; and

(8) The remaining $38 million shall be allocated to fossil and conservation research and development activities.

AMENDMENT TO H.R. 1816
OFFERED BY MR. DOYLE

On Page 21, strike lines 14 through 21 and substitute the following Section:

SEC. 8. ALTERNATIVE AUTHORIZATION.

(a) In General. -- Notwithstanding any other provision of this Act, if the concurrent 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, the total amount authorized by this Act shall be increased by the amount equal to $758,000,000 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.

(b) Application of Increase. -- Any amount appropriated pursuant to subsection (a) shall be used as follows:

(1) 47 percent shall be for Energy Supply Research and Development;

(2) 2 percent shall be for General Science and Research Activities;

(3) 25 percent shall be for Fossil Energy Research and Development; and

(4) 26 percent shall be for Energy Conservation Research and Development.

AMENDMENT OFFERED BY MR. TRAFICANT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Page 26, after line 10, insert the following new section:

1 SEC. 13. 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.

AMENDMENT TO H.R. 1816

OFFERED BY MR. BARTON OF TEXAS

Page 21, after line 21, insert the following new title:

TITLE II—ENERGY LABORATORY FACILITIES

SEC. 201. ENERGY LABORATORY FACILITIES COMMISSION.

(a) ESTABLISHMENT.—There is established an independent commission to be known as the "Energy Laboratory Facilities Commission", for the purpose of reducing the number of energy laboratories and programs at those laboratories, through reconfiguration, privatization, and closure.

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

(c) APPOINTMENT.—

(1) IN GENERAL.—The Commission shall be composed of 7 members appointed by the President, by and with the advice and consent of the Senate. The President shall transmit to the Senate the nominations for appointment to the Commission not later than 3 months after the date of the enactment of this Act.

1 (2) CONSULTATION.—In selecting individuals
2 for nominations for appointments to the Commis-
3 sion, the President should consult with—
4 (A) the Speaker of the House of Rep-
5 resentatives concerning the appointment of 2
6 members; and
7 (B) the majority leader of the Senate con-
8 cerning the appointment of 2 members.
9 (3) CHAIRPERSON.—At the time the President
10 nominates individuals for appointment to the Com-
11 mission, the President shall designate one such indi-
12 vidual who shall serve as Chairperson of the Com-
13 mission.
14 (d) TERMS.—The term of each member of the Com-
15 mission shall expire on the termination of the Commission
16 under subsection (l).
17 (e) MEETINGS.—Each meeting of the Commission,
18 other than meetings in which classified information is to
19 be discussed, shall be open to the public.
20 (f) VACANCIES.—A vacancy in the Commission shall
21 be filled in the same manner as the original appointment.
22 (g) PAY AND TRAVEL EXPENSES.—
23 (1) BASIC PAY.—Except as otherwise provided
24 in this section, members of the Commission shall re-

1 ceive no compensation for service on the Commis-
2 sion.
3 (2) TRAVEL EXPENSES.—Members shall receive
4 travel expenses, including per diem in lieu of subsist-
5 ence, in accordance with sections 5702 and 5703 of
6 title 5, United States Code.
7 (h) DIRECTOR.—
8 (1) IN GENERAL.—The Commission shall, with-
9 out regard to section 5311(b) of title 5, United
10 States Code, appoint a Director who—
11 (A) has not served as a civilian employee
12 of the Department of Energy during the 2-year
13 period preceding the date of such appointment;
14 (B) has not been an employee of an energy
15 laboratory during the 5-year period preceding
16 the date of such appointment; and
17 (C) has not been an employee of a contrac-
18 tor operating an energy laboratory during the
19 5-year period preceding the date of such ap-
20 pointment.
21 (2) PAY.—The Director shall be paid at the
22 rate of basic pay payable for level IV of the Execu-
23 tive Schedule under section 5315 of title 5, United
24 States Code.
25 (i) STAFF.—

1 (1) APPOINTMENT BY DIRECTOR.—Subject to
2 paragraphs (2) and (3), the Director, with the ap-
3 proval of the Commission, may appoint and fix the
4 pay of additional personnel.
5 (2) APPLICABILITY OF CERTAIN CIVIL SERVICE
6 LAWS.—The Director may make such appointments
7 without regard to the provisions of title 5, United
8 States Code, governing appointments in the competi-
9 tive service, and any personnel so appointed may be
10 paid without regard to the provisions of chapter 51
11 and subchapter III of chapter 53 of that title relat-
12 ing to classification and General Schedule pay rates,
13 except that an individual so appointed may not re-
14 ceive pay in excess of the annual rate of basic pay
15 payable for level IV of the Executive Schedule under
16 section 5315 of title 5, United States Code.
17 (3) SUPPORT FROM OTHER AGENCIES.—Upon
18 request of the Director, the head of a Federal agen-
19 cy may detail any of the personnel of that agency to
20 the Commission to assist the Commission in carry-
21 ing out its duties under this title.
22 (4) SUPPORT FROM COMPTROLLER GENERAL.—
23 The Comptroller General of the United States shall
24 provide assistance, including the detailing of employ-

1 ees, to the Commission in accordance with an agree-
2 ment entered into with the Commission.
3 (j) OTHER AUTHORITY.—
4 (1) TEMPORARY AND INTERMITTENT SERV-
5 ICES.—The Commission may procure by contract, to
6 the extent funds are available, the temporary or
7 intermittent services of experts or consultants pursu-
8 ant to section 3109 of title 5, United States Code.
9 (2) AUTHORITY TO LEASE SPACE AND ACQUIRE
10 CERTAIN PROPERTY.—The Commission may lease
11 space and acquire personal property to the extent
12 funds are available. To the extent practicable, the
13 Commission shall use suitable real property available
14 under the most recent inventory of real property as-
15 sets published by the Resolution Trust Corporation
16 under section 21A(b)(11)(F) of the Federal Home
17 Loan Bank Act (12 U.S.C. 1441a(b)(12)(F)).
18 (k) FUNDING.—There are authorized to be appro-
19 priated to the Commission such funds as are necessary
20 to carry out its duties under this title. Such funds shall
21 remain available until expended.
22 (l) TERMINATION.—The Commission shall terminate
23 not later than 30 days after the date on which it transmits
24 its final recommendations under section 202(f)(4).

1 SEC. 202. PROCEDURE FOR MAKING RECOMMENDATIONS
2 FOR LABORATORY FACILITIES.
3 (a) SELECTION CRITERIA.—In making recommenda-
4 tions for the reconfiguration, privatization, and closure of
5 energy laboratories and termination of programs at such
6 laboratories under this section, the Secretary and the
7 Commission shall—
8 (1) give strong consideration to the closure or
9 reconfiguration of energy laboratories;
10 (2) eliminate duplication of effort by energy
11 laboratories and reduce overhead costs as a propor-
12 tion of program benefits distributed through an en-
13 ergy laboratory;
14 (3) seek to achieve cost savings for the overall
15 budget for such laboratories;
16 (4) define appropriate missions for each energy
17 laboratory, and ensure that the activities of each
18 such laboratory are focused on its mission or mis-
19 sions;
20 (5) consider the program costs and program
21 distributions on a State and county basis, including
22 real and personal property costs associated with
23 each energy laboratory considered;
24 (6) consider the number of participants in pro-
25 grams conducted through an energy laboratory and
26 staff resources involved;

1 (7) estimate the cost savings and increases that
2 would accrue through the reconfiguration of energy
3 laboratories;
4 (8) consider the potential of each energy labora-
5 tory to generate revenues or to offset costs;
6 (9) consider the transfer of energy laboratories
7 to other Federal agencies; and
8 (10) consider the privatization of the energy
9 laboratories as an alternative to closure or reconfig-
10 uration.
11 (b) RECOMMENDATIONS.—
12 (1) PUBLICATION AND TRANSMITTAL.—Not
13 later than 3 months after the date of the enactment
14 of this Act, the Secretary shall publish in the Fed-
15 eral Register and transmit to the congressional en-
16 ergy committees and to the Commission a list of the
17 energy laboratories that the Secretary recommends
18 for reconfiguration, privatization, and closure.
19 (2) SUMMARY OF SELECTION PROCESS.—The
20 Secretary shall include, with the list of recommenda-
21 tions published and transmitted pursuant to para-
22 graph (1), a summary of the selection process that
23 resulted in the recommendation for each energy lab-
24 oratory, including a justification for each rec-
25 ommendation.

1 (c) EQUAL CONSIDERATION OF LABORATORIES.—In
2 considering energy laboratories for reconfiguration, privat-
3 ization, and closure, the Secretary shall consider all such
4 laboratories equally without regard to whether a labora-
5 tory has been previously considered or proposed for recon-
6 figuration, privatization, or closure by the Secretary of
7 Energy.

8 (d) AVAILABILITY OF INFORMATION.—The Secretary
9 shall make available to the Commission and the Comptrol-
10 ler General of the United States all information used by
11 the Secretary in making recommendations under this sec-
12 tion.

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

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

21 (3) Within 90 days after the date of the enactment
22 of this Act, the Director of the Office of Management and
23 budget shall enter into a contract with an independent fi-
24 nancial consulting firm for an audit of the energy labora-
25 tories and their programs, facilities, and assets. Such

1 audit shall assess the commercial potential of the energy
2 labs and their programs and make recommendations on
3 how the Government could best realize such potential. The
4 audit shall be completed and transmitted to the Commis-
5 sion, the Secretary, and the congressional energy commit-
6 tees within 6 months after the contract is entered into
7 under this subsection.

8 (f) REVIEW AND RECOMMENDATIONS BY THE COM-
9 MISSION.—

10 (1) PUBLIC HEARINGS.—After receiving the
11 recommendations from the Secretary pursuant to
12 subsection (b), the Commission shall provide an op-
13 portunity for public comment on the recommenda-
14 tions for a 30-day period.

15 (2) INITIAL REPORT.—Not later than 1 year
16 after the date of the enactment of this Act, the
17 Commission shall publish in the Federal Register an
18 initial report containing the Commission's findings
19 and conclusions based on a review and analysis of
20 the recommendations made by the Secretary and the
21 audit conducted pursuant to subsection (e), together
22 with the Commission's recommendations for recon-
23 figuration, privatization, and closure of energy lab-
24 oratories. In conducting such review and analysis,

1 the Commission shall consider all energy labora-
2 tories.
3 (3) DEVIATION FROM RECOMMENDATIONS.—In
4 making its recommendations, the Commission may
5 make changes in any of the recommendations made
6 by the Secretary if the Commission determines that
7 the Secretary deviated substantially from the criteria
8 described in subsection (a) in making recommenda-
9 tions. The Commission shall explain and justify in
10 the report any recommendation made by the Com-
11 mission that is different from the recommendations
12 made by the Secretary.
13 (4) FINAL REPORT.—After providing a 30-day
14 period for public comment following publication of
15 the initial report under paragraph (2), and after full
16 consideration of such public comments, the Commis-
17 sion shall, within 15 months after the date of the
18 enactment of this Act, transmit to the Secretary and
19 the congressional energy committees a final report
20 containing the recommendations of the Commission.
21 (5) PROVISION OF CERTAIN INFORMATION.—
22 After transmitting the final report under paragraph
23 (4), the Commission shall promptly provide, upon re-
24 quest, to any Member of Congress information used
25 by the Commission in making its recommendations.

1 (g) ASSISTANCE FROM COMPTROLLER GENERAL.—
2 The Comptroller General of the United States shall—
3 (1) assist the Commission, to the extent re-
4 quested, in the Commission's review and analysis of
5 the recommendations made by the Secretary pursu-
6 ant to subsection (b); and
7 (2) not later than 6 months after the date of
8 the enactment of this Act, transmit to the congres-
9 sional energy committees and to the Commission a
10 report containing a detailed analysis of the rec-
11 ommendations of the Secretary and the selection
12 process.

13 SEC. 203. RECONFIGURATION, PRIVATIZATION, AND CLO-
14 SURE OF ENERGY LABORATORIES.

15 (a) IN GENERAL.—Subject to subsection (b), the
16 Secretary shall—
17 (1) reconfigure, within 1 year after the date of
18 the transmittal of the final report under section
19 202(f)(4), all energy laboratories recommended for
20 reconfiguration by the Commission in such report;
21 (2) provide for and complete the privatization,
22 within 18 months after the date of the transmittal
23 of the final report under section 202(f)(4), of all en-
24 ergy laboratories recommended for privatization by
25 the Commission in such report; and

1 (3) except as necessary to achieve the privatiza-
2 tion of an energy laboratory under paragraph (2),
3 close, within 1 year after the date of the transmittal
4 of the final report under section 202(f)(4), all en-
5 ergy laboratories recommended for closure by the
6 Commission in such report.
7 (b) CONGRESSIONAL DISAPPROVAL.—
8 (1) IN GENERAL.—The Secretary may not carry
9 out any reconfiguration, privatization, or closure of
10 an energy laboratory recommended by the Commis-
11 sion in the report transmitted pursuant to section
12 202(f)(4) if a joint resolution is enacted, in accord-
13 ance with the provisions of section 207, disapproving
14 the recommendations of the Commission before the
15 earlier of—
16 (A) the end of the 45-day period beginning
17 on the date on which the Commission transmits
18 the report; or
19 (B) the adjournment of Congress sine die
20 for the session during which the report is trans-
21 mitted.
22 (2) For purposes of paragraph (1) of this sub-
23 section and subsections (a) and (c) of section 207,
24 the days on which either House of Congress is not
25 in session because of an adjournment of more than

1 three days to a day certain shall be excluded in the
2 computation of a period.

3 SEC. 204. IMPLEMENTATION OF RECONFIGURATION, PRI-
4 VATIZATION, AND CLOSURE ACTIONS.

5 (a) IMPLEMENTATION.—In reconfiguring,
6 privatizing, or closing an energy laboratory under this
7 title, the Secretary shall—

8 (1) take such actions as may be necessary to
9 reconfigure, privatize, or close the energy laboratory;

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

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

19 (b) MANAGEMENT AND DISPOSAL OF PROPERTY.—

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

1 (A) the authority of the Secretary to utilize
2 excess property under section 202 of the Fed-
3 eral Property and Administrative Services Act
4 of 1949 (40 U.S.C. 483);
5 (B) the authority of the Secretary to dis-
6 pose of surplus property under section 203 of
7 that Act (40 U.S.C. 484);
8 (C) the authority of the Secretary to grant
9 approvals and make determinations under sec-
10 tion 13(g) of the Surplus Property Act of 1944
11 (50 U.S.C. App. 1622(g)); and
12 (D) the authority of the Secretary to deter-
13 mine the availability of excess or surplus real
14 property for wildlife conservation purposes in
15 accordance with the Act of May 19, 1948 (16
16 U.S.C. 667b).
17 (2) EXERCISE OF AUTHORITY.—
18 (A) IN GENERAL.—Subject to subpara-
19 graph (C), the Secretary shall exercise the au-
20 thority delegated to the Secretary pursuant to
21 paragraph (1) in accordance with—
22 (i) all regulations in effect on the date
23 of the enactment of this Act governing the
24 utilization of excess property and the dis-
25 posal of surplus property under the Fed-

1 eral Property and Administrative Services
2 Act of 1949; and
3 (ii) all regulations in effect on the
4 date of the enactment of this Act govern-
5 ing the conveyance and disposal of prop-
6 erty under section 13(g) of the Surplus
7 Property Act of 1944 (50 U.S.C. App.
8 1622(g)).
9 (B) REGULATIONS.—The Secretary, after
10 consulting with the Administrator of General
11 Services, may issue regulations that are nec-
12 essary to carry out the delegation of authority
13 required by paragraph (1).
14 (C) LIMITATION.—The authority required
15 to be delegated by paragraph (1) to the Sec-
16 retary by the Administrator of General Services
17 shall not include the authority to prescribe gen-
18 eral policies and methods for utilizing excess
19 property and disposing of surplus property.
20 (c) WAIVER.—The Secretary may reconfigure, pri-
21 vatize, or close energy laboratories under this title without
22 regard to any provision of law restricting the use of funds
23 for reconfiguring, privatizing, or closing such energy lab-
24 oratories included in any appropriations or authorization
25 Act.

1 SEC. 205. ACCOUNT.

2 (a) ESTABLISHMENT.—There is hereby established
3 on the books of the Treasury an account to be known as
4 the "Energy Laboratory Facility Closure Account" which
5 shall be administered by the Secretary as a single account.

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

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

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

18 (3) proceeds received from the transfer or dis-
19 posal of any property at an office reconfigured,
20 privatized, or closed under this section.

21 (c) USE OF FUNDS.—The Secretary may use the
22 funds in the Account only for the purposes described in
23 section 204(a).

24 (d) REPORTS.—

25 (1) IN GENERAL.—Not later than 60 days after
26 the end of each fiscal year in which the Secretary

1 carries out activities under this title, the Secretary
2 shall transmit a report to the congressional energy
3 committees of the amount and nature of the deposits
4 into, and the expenditures from, the Account during
5 such fiscal year and of the amount and nature of
6 other expenditures made pursuant to section 204(a)
7 during such fiscal year.
8 (2) UNOBLIGATED FUNDS.—Unobligated funds
9 shall be held in the Account until transferred by law.
10 SEC. 206. REPORTS ON IMPLEMENTATION.
11 As part of the budget request for each fiscal year in
12 which the Secretary is authorized to carry out activities
13 under this title, the Secretary shall transmit to the con-
14 gressional energy committees—
15 (1) a schedule of the reconfiguration, privatiza-
16 tion, and closure actions to be carried out under this
17 title in the fiscal year for which the request is made
18 and an estimate of the total expenditures required
19 and cost savings to be achieved by each such recon-
20 figuration, privatization, or closure and of the time
21 period in which these savings are to be achieved in
22 each case; and
23 (2) a description of the energy laboratories to
24 which functions are to be transferred as a result of
25 such reconfigurations, privatizations, and closures.

1 SEC. 207. CONGRESSIONAL CONSIDERATION OF COMMIS-
2 SION REPORT.

3 (a) TERMS OF THE RESOLUTION.—For purposes of
4 section 203(b), the term "joint resolution" means only a
5 joint resolution which is introduced within the 10-day pe-
6 riod beginning on the date on which the Commission
7 transmits the report to the Congress under section
8 202(f)(4), and—

9 (1) which does not have a preamble;

10 (2) the matter after the resolving clause of
11 which is as follows: "That Congress disapproves the
12 recommendations of the Energy Laboratory Facili-
13 ties Commission as submitted on _____", the blank
14 space being filled in with the appropriate date; and

15 (3) the title of which is as follows: "Joint reso-
16 lution disapproving the recommendations of the En-
17 ergy Laboratory Facilities Commission.".

18 (b) REFERRAL.—A resolution described in subsection
19 (a) that is introduced in the House of Representatives
20 shall be referred to the Committee on National Security
21 and the Committee on Science of the House of Represent-
22 atives. A resolution described in subsection (a) introduced
23 in the Senate shall be referred to the Committee on Armed
24 Services and the Committee on Energy and Natural Re-
25 sources of the Senate.

1 (c) DISCHARGE.—If the committee to which a resolu-
2 tion described in subsection (a) is referred has not re-
3 ported such resolution (or an identical resolution) by the
4 end of the 20-day period beginning on the date on which
5 the Commission transmits the report to the Congress
6 under section 202(f)(4), such committee shall be, at the
7 end of such period, discharged from further consideration
8 of such resolution, and such resolution shall be placed on
9 the appropriate calendar of the House involved.
10 (d) CONSIDERATION.—
11 (1) IN GENERAL.—On or after the third day
12 after the date on which the committee to which such
13 a resolution is referred has reported, or has been
14 discharged (under subsection (c)) from further con-
15 sideration of such a resolution, it is in order (even
16 though a previous motion to the same effect has
17 been disagreed to) for any Member of the respective
18 House to move to proceed to the consideration of the
19 resolution (but only on the day after the calendar
20 day on which such Member announces to the House
21 concerned the Member's intention to do so). All
22 points of order against the resolution (and against
23 consideration of the resolution) are waived. The mo-
24 tion is highly privileged in the House of Representa-
25 tives and is privileged in the Senate and is not de-

1 batable. The motion is not subject to amendment, or
2 to a motion to postpone, or to a motion to proceed
3 to the consideration of other business. A motion to
4 reconsider the vote by which the motion is agreed to
5 or disagreed to shall not be in order. If a motion to
6 proceed to the consideration of the resolution is
7 agreed to, the respective House shall immediately
8 proceed to consideration of the joint resolution with-
9 out intervening motion, order, or other business, and
10 the resolution shall remain the unfinished business
11 of the respective House until disposed of.
12 (2) DEBATE.—Debate on the resolution, and on
13 all debatable motions and appeals in connection
14 therewith, shall be limited to not more than 2 hours,
15 which shall be divided equally between those favoring
16 and those opposing the resolution. An amendment to
17 the resolution is not in order. A motion further to
18 limit debate is in order and not debatable. A motion
19 to postpone, or a motion to proceed to the consider-
20 ation of other business, or a motion to recommit the
21 resolution is not in order. A motion to reconsider the
22 vote by which the resolution is agreed to or dis-
23 agreed to is not in order.
24 (3) QUORUM CALL.—Immediately following the
25 conclusion of the debate on a resolution described in

1 subsection (a) and a single quorum call at the con-
2 clusion of the debate if requested in accordance with
3 the rules of the appropriate House, the vote on final
4 passage of the resolution shall occur.
5 (4) APPEALS FROM DECISION OF CHAIR.—Ap-
6 peals from the decisions of the Chair relating to the
7 application of the rules of the Senate or the House
8 of Representatives, as the case may be, to the proce-
9 dure relating to a resolution described in subsection
10 (a) shall be decided without debate.
11 (e) CONSIDERATION BY OTHER HOUSE.—
12 (1) IN GENERAL.—If, before the passage by one
13 House of a resolution of that House described in
14 subsection (a), that House receives from the other
15 House a resolution described in subsection (a), then
16 the following procedures shall apply:
17 (A) The resolution of the other House shall
18 not be referred to a committee and may not be
19 considered in the House receiving it except in
20 the case of final passage as provided in sub-
21 paragraph (B)(ii).
22 (B) With respect to a resolution described
23 in paragraph (1) of the House receiving the res-
24 olution—

1 (i) the procedure in that House shall
2 be the same as if no resolution had been
3 received from the other House; but
4 (ii) the vote on final passage shall be
5 on the resolution of the other House.
6 (2) CONSIDERATION AFTER DISPOSITION BY
7 OTHER HOUSE.—Upon disposition of the resolution
8 received from the other House, it shall no longer be
9 in order to consider the resolution that originated in
10 the receiving House.
11 (f) RULES OF THE SENATE AND HOUSE.—This sec-
12 tion is enacted by Congress—
13 (1) as an exercise of the rulemaking power of
14 the Senate and House of Representatives, respec-
15 tively, and as such it is deemed a part of the rules
16 of each House, respectively, but applicable only with
17 respect to the procedure to be followed in that
18 House in the case of a resolution described in sub-
19 section (a), and it supersedes other rules only to the
20 extent that it is inconsistent with such rules; and
21 (2) with full recognition of the constitutional
22 right of either House to change the rules (so far as
23 relating to the procedure of that House) at any time,
24 in the same manner, and to the same extent as in
25 the case of any other rule of that House.

1 SEC. 208. DEFINITIONS.

2 For purposes of this title:

3 (1) The term "Account" means the Energy
4 Laboratory Facility Closure Account established in
5 section 205(a).

6 (2) The term "Commission" means the Energy
7 Laboratory Facilities Commission.

8 (3) The term "congressional energy commit-
9 tees" means the Committee on Armed Services of
10 the Senate, the Committee on National Security of
11 the House of Representatives, the Committee on
12 Science of the House of Representatives, and the
13 Committee on Energy and Natural Resources of the
14 Senate.

15 (4) The term "energy laboratory" means the
16 Lawrence Livermore National Laboratory, the Los
17 Alamos National Laboratory, the Sandia National
18 Laboratories, the Argonne National Laboratory, the
19 Brookhaven National Laboratory, the Idaho Na-
20 tional Engineering Laboratory, the Lawrence Berke-
21 ley Laboratory, the Oak Ridge National Laboratory,
22 the Pacific Northwest Laboratory, the National Re-
23 newable Energy Laboratory, the Ames Laboratory,
24 the Bates Linear Accelerator Laboratory, the Bettis
25 Atomic Power Laboratory, the Continuous Electron
26 Beam Accelerator Facility, the Energy Technology

1 Engineering Center, the Environmental Measure-
2 ments Laboratory, the Fermi National Accelerator
3 Laboratory, the Inhalation Toxicology Research In-
4 stitute, the Knolls Atomic Power Laboratory, the
5 Laboratory of Radiobiology and Environmental
6 Health, the Morgantown Energy Technology Center,
7 the National Renewable Energy Laboratory, the
8 New Brunswick Laboratory, the Oak Ridge Institute
9 for Science and Education, the Pittsburgh Energy
10 Technology Center, the Princeton Plasma Physics
11 Laboratory, the Savannah River Ecology Labora-
12 tory, the Savannah River Technology Center, the
13 Specific Manufacturing Capability Facility, or the
14 Stanford Linear Accelerator Facility.
15 (5) The term "Secretary" means the Secretary
16 of Energy.

AMENDMENT OFFERED BY TAUNER

TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1816
OFFERED BY MR. WALKER

On Page 2, line 17, strike "$235,451,000" and insert in lieu thereof "$250,451,000".

On Page 2, line 18, strike "$235,331,000" and insert in lieu thereof "$250,331,000".

On Page 12, line 7, strike "$49,955,000" and insert in lieu thereof "$69,955,000".

On Page 12, line 8, strike "$43,234,000" and insert in lieu thereof "$58,234,000".

On Page 12, line 11, strike "$59,829,000" and insert in lieu thereof "$74,829,000".

On Page 13, line 3, strike "$55,074,000" and insert in lieu thereof "$65,074,000".

On Page 13, line 4, strike "$55,110,000" and insert in lieu thereof "$65,110,000".

On Page 13, line 5, strike "$112,123,000" and insert in lieu thereof "$132,123,000".

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL

SUBJECT: HR 1816: TANNER AMENDMENT (13) - Vote #1

Rm.	Phone	Name	Present	Absent	Yes	No	Not Voting
2369	52411	Mr. Walker, R-PA				1	
2352	55101	Mr. Sensenbrenner, R-WI				2	
2246	53665	Mr. Boehlert, R-NY					—
2159	53515	Mr. Fawell, R-IL				3	
106	55341	Mrs. Morella, R-MD					—
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					—
1034	51986	Mr. Calvert, R-CA				7	
1724	51880	Mr. Baker, R-CA					—
322	52721	Mr. Bartlett, R-MD					
1717	53831	Mr. Ehlers, R-MI				8	
423	53271	Mr. Wamp, R-TN				9	
216	53671	Mr. Dave Weldon, R-FL				10	—
1429	55301	Mr. Graham, R-SC				11	
115	52635	Mr. Salmon, R-AZ				12	
415	51492	Mr. Davis, R-VA				13	
417	56565	Mr. Stockman, R-TX					—
425	52472	Mr. Gutknecht, R-MN				14	
1216	53601	Mrs. Seastrand, R-CA				15	
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					—
506	55792	Mr. Foley, R-FL				19	
509	51976	Mrs. Myrick, R-NC				20	
2300	56161	Mr. Brown, D-CA					—
2236	56673	Mr. Hall, D-TX			1		—
2446	55261	Mr. Traficant, D-OH					—
2432	52031	Mr. Hayes, D-LA					—
1127	54714	Mr. Tanner, D-TN			2		
2448	55071	Mr. Geren, D-TX			3		
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					—
325	58220	Ms. Harman, D-CA			7		
1123	58885	Ms. Johnson, D-TX					—
1415	52331	Mr. Minge, D-MN					—
1027	55335	Mr. Olver, D-MA			8		
1039	51313	Mr. Hastings, D-FL			9		
1116	56261	Ms. Rivers, D-MI					—
1232	54535	Ms. McCarthy, D-MO					—
1032	55401	Mr. Ward, D-KY			10		
118	53072	Ms. Lofgren, D-CA					—
126	54865	Mr. Doggett, D-TX			11		—
1218	52135	Mr. Doyle, D-PA			12		
1520	53816	Ms. Jackson Lee, D-TX					—
1419	52271	Mr. Luther, D-MN				21	
		TOTAL			12	21	

Attest: Patricia Schwartz (Clerk)

Vote #2

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL

SUBJECT: HR 1816: Revote on Tanner Amend.

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					—
2159	53515	Mr. Fawell, R-IL				(X)	
106	55341	Mrs. Morella, R-MD				(X)	
2452	52011	Mr. Curt Weldon, R-PA				3	
2338	52415	Mr. Rohrabacher, R-CA				4	
2404	56316	Mr. Schiff, R-NM				5	
2264	52002	Mr. Barton, R-TX				6	
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				(X)	
1114	52311	Mrs. Cubin, R-WY					—
506	55792	Mr. Foley, R-FL				21	
509	51976	Mrs. Myrick, R-NC				22	
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			3		
1127	54714	Mr. Tanner, D-TN			4		
2448	55071	Mr. Geren, D-TX			5		
407	53915	Mr. Roemer, D-IN			6		
236	54801	Mr. Cramer, D-AL			7		
1410	58171	Mr. Barcia, D-MI			8		
217	56411	Mr. McHale, D-PA			9		
325	58220	Ms. Harman, D-CA			10		
1123	58885	Ms. Johnson, D-TX			11		
1415	52331	Mr. Minge, D-MN			12		
1027	55335	Mr. Olver, D-MA			13		
1039	51313	Mr. Hastings, D-FL			14		
1116	56261	Ms. Rivers, D-MI			15		
1232	54535	Ms. McCarthy, D-MO			16		
1032	55401	Mr. Ward, D-KY			17		
118	53072	Ms. Lofgren, D-CA			18		
126	54865	Mr. Doggett, D-TX					—
1218	52135	Mr. Doyle, D-PA			19		
1520	53816	Ms. Jackson Lee, D-TX			20		
1419	52271	Mr. Luther, D-MN				23	
		TOTAL			20	26	

Attest: Patricia Schwartz (Clerk)

AMENDMENT OFFERED BY MR. OLVER TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Page 16, lines 12 through 18, strike paragraph (3).

Page 17, after line 2, insert the following new subsection:

1 (e) EFFICIENCY STANDARDS.—The Secretary may
2 not issue final rules relating to Lighting and Appliance
3 Standards and Building Standards and Guidelines if—
4 (1) the Attorney General, in accordance with
5 section 325(o) of the Energy Policy and Conserva-
6 tion Act (42 U.S.C. 6295(o)), has determined that
7 the standards promulgated by such final rule are
8 likely to cause significant anticompetitive effects; or
9 (2) the Secretary has not performed an analysis
10 showing that the benefits of such standards out-
11 weigh the costs thereof, taking into consideration the
12 economic impact on consumers and manufacturers.

AMENDMENT OFFERED BY MR. BROWN TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Page 16, after line 18, insert the following:

1 Until additional Federal funds are made available for ac-
2 tivities described in paragraph (3), States shall not be pre-
3 empted from establishing Lighting and Appliance Stand-
4 ards and Building Standards and Guidelines.

AMENDMENT OFFERED BY MR. ROEMER TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Page 26, after line 10, insert the following new title:

LABORATORIES EFFICIENCY IMPROVEMENT

SEC. 201. SHORT TITLE.

This title may be cited as the "Department of Energy Laboratories Efficiency Improvement Act".

SEC. 202 PERSONNEL REDUCTIONS.

(a) REQUIREMENTS.—The aggregate number of individuals employed at all government-owned, contractor-operated departmental laboratories, other than departmental defense laboratories, shall be reduced, within 10 years after the date of the enactment of this Act, by at least one-third from the number so employed as of such date of enactment. At least 1 percent of such reduction shall

1 be accomplished within 1 year, at least 3 percent within
2 2 years, at least 6 percent within 3 years, at least 10 per-
3 cent within 4 years, and at least 15 percent within 5 years.
4 (b) OBJECTIVES.—The Secretary of Energy shall en-
5 sure that the personnel reductions required by subsection
6 (a) are made consistent with, to the extent feasible, the
7 following objectives:
8 (1) Termination of departmental laboratory re-
9 search and development facilities that are not the
10 most advanced and the most relevant to the pro-
11 grammatic objectives of the Department, when com-
12 pared with other facilities in the United States.
13 (2) Termination of facilities that provide re-
14 search opportunities duplicating those afforded by
15 other facilities in the United States, or in foreign
16 countries when United States scientists are provided
17 access to such facilities to the extent necessary to
18 accomplish the programmatic objectives of the De-
19 partment.
20 (3) Relocation and consolidation of depart-
21 mental laboratory research and development activi-
22 ties, consistent with the programmatic objectives of
23 the Department, within laboratories with major fa-
24 cilities or demonstrable concentrations of expertise

appropriate for performing such research and development activities.

(4) Reduction of management inefficiencies within the Department and the departmental laboratories.

(5) Reduction of physical infrastructure needs.

(6) Utilization of other resources for performing Department of Energy funded research and development activities, including universities, industrial laboratories, and others.

SEC. 203 REPORTS TO CONGRESS.

(a) INITIAL REPORT.—Within 1 year after the date of the enactment of this Act, the Secretary of Energy shall transmit a report to the Congress that—

(1) identifies the extent to which Department of Energy and departmental laboratory staffs have been reduced as a result of the implementation of section 202 of this Act; and

(2) explains the extent to which reductions required by section 203(a) have been made consistent with the objectives set forth in section 203(b).

(b) ANNUAL REPORTS.—The Secretary of Energy shall transmit to the Congress, along with each of the President's annual budget submissions occurring—

1 (1) after the report under subsection (a) is
2 transmitted; and
3 (2) before the full personnel reduction require-
4 ment under section 203 is accomplished,
5 a report containing the explanation described in subsection
6 (a)(2) of this section.
7 SEC. 204 DEFINITIONS.
8 For purposes of this title—
9 (1) the term "departmental laboratory" means
10 a Federal laboratory, or any other laboratory or fa-
11 cility designated by the Secretary of Energy, oper-
12 ated by or on behalf of the Department of Energy;
13 (2) the term "departmental defense labora-
14 tories" means the Lawrence Livermore National
15 Laboratory, the Los Alamos National Laboratory,
16 and the Sandia National Laboratories;
17 (3) the term "Federal laboratory" has the
18 meaning given the term "laboratory" in section
19 12(d)(2) of the Stevenson-Wydler Technology Inno-
20 vation Act of 1980 (15 U.S.C. 3710a(d)(2)); and
21 (4) the term "programmatic objectives of the
22 Department" means the goals and milestones of the
23 Department of Energy, as set forth in departmental
24 strategic planning documents and the President's
25 annual budget requests.

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL (16)

SUBJECT: HR 1816: Amend. by Mr. Roemer

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					—
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					—
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				(X)	
1429	55301	Mr. Graham, R-SC				(X)	
115	52635	Mr. Salmon, R-AZ			1		
415	51492	Mr. Davis, R-VA				11	
417	56565	Mr. Stockman, R-TX				12	
425	52472	Mr. Gutknecht, R-MN				13	
1216	53601	Mrs. Seastrand, R-CA				14	
1319	56216	Mr. Tiahrt, R-KS				15	
410	52211	Mr. Largent, R-OK				16	
114	56831	Mr. Hilleary, R-TN				17	
1114	52311	Mrs. Cubin, R-WY					—
506	55792	Mr. Foley, R-FL			2		
509	51976	Mrs. Myrick, R-NC			3		
2300	56161	Mr. Brown, D-CA			4		
2236	56673	Mr. Hall, D-TX				(X)	
2446	55261	Mr. Traficant, D-OH					—
2432	52031	Mr. Hayes, D-LA			5		
1127	54714	Mr. Tanner, D-TN				18	
2448	53071	Mr. Geren, D-TX					—
407	53915	Mr. Roemer, D-IN			6		
236	54801	Mr. Cramer, D-AL			7		
1410	58171	Mr. Barcia, D-MI			8		
217	56411	Mr. McHale, D-PA			9		
325	58220	Ms. Harman, D-CA					—
1123	58885	Ms. Johnson, D-TX			10		
1415	52331	Mr. Minge, D-MN			11		
1027	55335	Mr. Olver, D-MA			12		
1039	51313	Mr. Hastings, D-FL			(X)		
1116	56261	Ms. Rivers, D-MI			13		
1232	54535	Ms. McCarthy, D-MO				19	
1032	55401	Mr. Ward, D-KY					—
118	53072	Ms. Lofgren, D-CA				20	
126	54865	Mr. Doggett, D-TX					—
1218	52135	Mr. Doyle, D-PA			14		
1520	53816	Ms. Jackson Lee, D-TX			15		
1419	52271	Mr. Luther, D-MN			16		
		TOTAL			17	23	

Attest: Patricia Schwartz (Clerk)

Amendment Offered by Mr. Doyle
to the amendment offered by Mr. Roemer

Page 4, line 11, insert "(other than a facility covered by Executive Order No. 12344, dated February 1, 1982, pertaining to the Naval nuclear propulsion program)" after "facility designated".

AMENDMENT TO THE WALKER AMENDMENT IN THE NATURE OF A SUBSTITUTE

OFFERED BY MS. LOFGREN

Page 4, line 12, strike "$229,144,000" and insert in lieu thereof "$254,244,000"

Page 4, line 13, strike "$220,144,000" and insert in lieu thereof "$245,144,000"

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL (17)

SUBJECT: HR 1816: Amend. to Walker Amend. by Ms. Lofgren

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					—
2159	53515	Mr. Fawell, R-IL				3	
106	55341	Mrs. Morella, R-MD					—
2452	52011	Mr. Curt Weldon, R-PA				4	
2338	52415	Mr. Rohrabacher, R-CA				5	
2404	56316	Mr. Schiff, R-NM			X		
2264	52002	Mr. Barton, R-TX				6	
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			1		
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			2		
417	56565	Mr. Stockman, R-TX				13	
425	52472	Mr. Gutknecht, R-MN				14	
1216	53601	Mrs. Seastrand, R-CA				15	
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					—
506	55792	Mr. Foley, R-FL					—
509	51976	Mrs. Myrick, R-NC				19	
2300	56161	Mr. Brown, D-CA			3		
2236	56673	Mr. Hall, D-TX			X		
2446	55261	Mr. Traficant, D-OH					—
2432	52031	Mr. Hayes, D-LA			4		
1127	54714	Mr. Tanner, D-TN			5		
2448	55071	Mr. Geren, D-TX			6		
407	53915	Mr. Roemer, D-IN					—
236	54801	Mr. Cramer, D-AL			7		
1410	58171	Mr. Barcia, D-MI			8		
217	56411	Mr. McHale, D-PA			9		
325	58220	Ms. Harman, D-CA					—
1123	58885	Ms. Johnson, D-TX			10		
1415	52331	Mr. Minge, D-MN			11		
1027	55335	Mr. Olver, D-MA			12		
1039	51313	Mr. Hastings, D-FL					—
1116	56261	Ms. Rivers, D-MI			13		
1232	54535	Ms. McCarthy, D-MO			14		
1032	55401	Mr. Ward, D-KY					—
118	53072	Ms. Lofgren, D-CA			15		
126	54865	Mr. Doggett, D-TX					—
1218	52135	Mr. Doyle, D-PA			16		
1520	53816	Ms. Jackson Lee, D-TX			17		
1419	52271	Mr. Luther, D-MN				20	
		TOTAL			20	20	

Attest: Patricia Schwartz (Clerk)

COMMITTEE ON SCIENCE - 104TH CONGRESS ROLL CALL

SUBJECT: HR 1816: Lofgren #2

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					—
2159	53515	Mr. Fawell, R-IL				X	
106	55341	Mrs. Morella, R-MD					—
2452	52011	Mr. Curt Weldon, R-PA				3	
2338	52415	Mr. Rohrabacher, R-CA				4	
2404	56316	Mr. Schiff, R-NM			1		
2264	52002	Mr. Barton, R-TX				X	
1034	51986	Mr. Calvert, R-CA					—
1724	51880	Mr. Baker, R-CA				X	
322	52721	Mr. Bartlett, R-MD				5	
1717	53831	Mr. Ehlers, R-MI			2		
423	53271	Mr. Wamp, R-TN				6	
216	53671	Mr. Dave Weldon, R-FL				7	
1429	55301	Mr. Graham, R-SC			X		
115	52635	Mr. Salmon, R-AZ				X	
415	51492	Mr. Davis, R-VA			X		
417	56565	Mr. Stockman, R-TX				X	
425	52472	Mr. Gutknecht, R-MN				8	
1216	53601	Mrs. Seastrand, R-CA				X	
1319	56216	Mr. Tiahrt, R-KS				9	
410	52211	Mr. Largent, R-OK				10	
114	56831	Mr. Hilleary, R-TN				11	
1114	52311	Mrs. Cubin, R-WY					—
506	55792	Mr. Foley, R-FL					—
509	51976	Mrs. Myrick, R-NC				12	
2300	56161	Mr. Brown, D-CA			3		
2236	56673	Mr. Hall, D-TX			4		
2446	55261	Mr. Traficant, D-OH			5		
2432	52031	Mr. Hayes, D-LA			6		
1127	54714	Mr. Tanner, D-TN			7		
2448	55071	Mr. Green, D-TX					—
407	53915	Mr. Roemer, D-IN			X		
236	54801	Mr. Cramer, D-AL			8		
1410	58171	Mr. Barcia, D-MI			9		
217	56411	Mr. McHale, D-PA			10		
325	58220	Ms. Harman, D-CA			11		
1123	58885	Ms. Johnson, D-TX			12		
1415	52331	Mr. Minge, D-MN			13		
1027	55335	Mr. Olver, D-MA			14		
1039	51313	Mr. Hastings, D-FL					—
1116	56261	Ms. Rivers, D-MI			15		
1232	54535	Ms. McCarthy, D-MO			16		
1032	55401	Mr. Ward, D-KY					—
118	53072	Ms. Lofgren, D-CA			17		
126	54865	Mr. Doggett, D-TX					—
1218	52135	Mr. Doyle, D-PA			18		
1520	53816	Ms. Jackson Lee, D-TX			19		
1419	52271	Mr. Luther, D-MN				13	
		TOTAL			19	19	

Attest: Patricia Schwartz (Clerk)

AMENDMENT OFFERED BY MR. DOYLE

TO THE AMENDMENT IN THE NATURE OF A SUSBTITUTE
OFFERED BY MR. WALKER

Page 2, strike lines 23 and 24, and insert in lieu thereof:

(2) Nuclear Energy, $260,448,000, of which—
(A) $257,738,000 shall be for operating

Page 3, line 16, strike "$369,645,000" and insert in lieu thereof "$329,645,000".

Page 4, line 3, strike ";" and insert in lieu thereof "; and".

Page 4, line 7, strike "; and" and insert in lieu thereof ".".

Page 4, strike lines 8 through 11.

Page 6, strike lines 4 through 7 and lines 11 through 14; and redesignate the subparagraphs accordingly.

Page 12, line 7, strike "$49,955,000" and insert in lieu thereof "$79,965,000".

Page 12, line 8, strike "$43,234,000" and insert in lieu thereof "$69,234,000".

Page 12, line 10, strike "$59,829,000" and insert in lieu thereof "$94,829,000".

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL

SUBJECT: HR 1816: Amend. by Mr. Doyle (18)

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					—
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				7	
2264	52002	Mr. Barton, R-TX					—
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				(18)	
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			1		
114	56831	Mr. Hilleary, R-TN				18	
1114	52311	Mrs. Cubin, R-WY					—
506	55792	Mr. Foley, R-FL				19	
509	51976	Mrs. Myrick, R-NC				20	
2300	56161	Mr. Brown, D-CA			2		
2256	56673	Mr. Hall, D-TX			(X)		
2446	55261	Mr. Traficant, D-OH			3		
2432	52031	Mr. Hayes, D-LA			4		
1127	54714	Mr. Tanner, D-TN			5		
2448	55071	Mr. Green, D-TX					—
407	53915	Mr. Roemer, D-IN			6		
236	54801	Mr. Cramer, D-AL			7		
1410	58171	Mr. Barcia, D-MI			8		
217	56411	Mr. McHale, D-PA			9		
325	58220	Ms. Harman, D-CA			10		
1123	58885	Ms. Johnson, D-TX			11		
1415	52331	Mr. Minge, D-MN			12		
1027	55335	Mr. Olver, D-MA			13		
1039	51313	Mr. Hastings, D-FL			14		
1116	56261	Ms. Rivers, D-MI			15		
1232	54535	Ms. McCarthy, D-MO			16		
1032	55401	Mr. Ward, D-KY			17		
118	53072	Ms. Lofgren, D-CA			18		
126	54865	Mr. Doggett, D-TX			19		
1218	52135	Mr. Doyle, D-PA			20		
1520	53816	Ms. Jackson Lee, D-TX			21		
1419	52271	Mr. Luther, D-MN			22		
		TOTAL			23	21	

Attest: Patricia DeLauratis (Clerk)

AMENDMENT OFFERED BY MR. WALKER
TO THE AMENDMENT OFFERED BY MR. DOYLE

Strike the item relating to page 2, lines 23 and 24, page 3, line 16, page 4, line 3, page 4, line 7, page 4, lines 8 through 11, page 6, lines 4 through 7 and 11 through 14, page 12, line 8, and page 12, line 11.

In the item relating to page 12, line 7, insert "for operating" after "$49,955,000"; and strike "$79,965,000" and insert in lieu thereof "$40,422,000 for operating, none of which shall be available for the Pittsburgh Energy Technology Center".

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL

SUBJECT: Motion to reconsider Doyle Amendment

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					—
2159	53515	Mr. Fawell, R-IL			3		
106	55341	Mrs. Morella, R-MD					—
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					—
1034	51986	Mr. Calvert, R-CA					—
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					—
2446	55261	Mr. Traficant, D-OH					—
2432	52031	Mr. Hayes, D-LA				2	
1127	54714	Mr. Tanner, D-TN				3	
2448	53071	Mr. Geren, D-TX					—
407	53915	Mr. Roemer, D-IN					—
236	54801	Mr. Cramer, D-AL				4	
1410	58171	Mr. Barcia, D-MI				5	
217	56411	Mr. McHale, D-PA				(X)	—
325	58220	Ms. Harman, D-CA				(X)	—
1123	58885	Ms. Johnson, D-TX				6	
1415	52531	Mr. Minge, D-MN				7	
1027	55335	Mr. Olver, D-MA				8	—
1039	51313	Mr. Hastings, D-FL					—
1116	56261	Ms. Rivers, D-MI				9	
1232	54535	Ms. McCarthy, D-MO					—
1032	55401	Mr. Ward, D-KY				(X)	—
118	53072	Ms. Lofgren, D-CA				10	
126	54865	Mr. Doggett, D-TX				(X)	—
1218	52135	Mr. Doyle, D-PA				11	
1520	53816	Ms. Jackson Lee, D-TX				12	
1419	52271	Mr. Luther, D-MN				13	
		TOTAL			21	13	

Attest: _____ (Clerk) 21 17

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL

SUBJECT: Amendment by Mr. Doyle - Vote #2

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				(X)	—
2159	53515	Mr. Fawell, R-IL				3	
106	55341	Mrs. Morella, R-MD				(X)	—
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					—
1034	51986	Mr. Calvert, R-CA					—
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			3		
1127	54714	Mr. Tanner, D-TN			4		
2448	55071	Mr. Green, D-TX					—
407	53915	Mr. Roemer, D-IN					—
236	54801	Mr. Cramer, D-AL			(X)		—
1410	58171	Mr. Barcia, D-MI			5		
217	56411	Mr. McHale, D-PA			6		
325	58220	Ms. Harman, D-CA			7		
1123	58885	Ms. Johnson, D-TX			8		
1415	52531	Mr. Minge, D-MN			9		
1027	55535	Mr. Olver, D-MA			(X)		—
1039	51313	Mr. Hastings, D-FL					—
1116	56261	Ms. Rivers, D-MI			10		—
1232	54535	Ms. McCarthy, D-MO					—
1032	55401	Mr. Ward, D-KY			11		
118	53072	Ms. Lofgren, D-CA			(X)		—
126	54865	Mr. Doggett, D-TX			12		
1218	52135	Mr. Doyle, D-PA			13		
1520	53816	Ms. Jackson Lee, D-TX			14		
1419	52271	Mr. Luther, D-MN			15		
		TOTAL			18	23	

Attest: Patricia Johnson (Clerk)

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL

SUBJECT: 1816: Motion to Include Tables/Chart

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			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			7		
2264	52002	Mr. Barton, R-TX					—
1034	51986	Mr. Calvert, R-CA					—
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					—
216	53671	Mr. Dave Weldon, R-FL			11		
1429	55501	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				X	—
2448	55071	Mr. Geren, D-TX					—
407	53915	Mr. Roemer, D-IN					—
236	54801	Mr. Cramer, D-AL				3	
1410	58171	Mr. Barcia, D-MI				4	
217	56411	Mr. McHale, D-PA				5	
325	58220	Ms. Harman, D-CA				6	
1123	58885	Ms. Johnson, D-TX				7	
1415	52331	Mr. Minge, D-MN				8	
1027	55535	Mr. Olver, D-MA				9	
1039	51313	Mr. Hastings, D-FL					—
1116	56261	Ms. Rivers, D-MI				10	
1232	54535	Ms. McCarthy, D-MO					—
1032	55401	Mr. Ward, D-KY				11	
118	53072	Ms. Lofgren, D-CA				12	
126	54865	Mr. Doggett, D-TX				13	
1218	52135	Mr. Doyle, D-PA				14	
1520	53816	Ms. Jackson Lee, D-TX				15	
1419	52271	Mr. Luther, D-MN				16	
		TOTAL			21	17	

Attest: [signature] (Clerk)