for mammography screening for women 65 and over. The amendment was defeated, with all Republicans voting against it, and the reason they say we could not provide this screening for women: We do not have the money. At the same time, the Speaker is sitting with the AMA giving them $3 billion in a payoff so they would come out and support the bill. Let us get real.

APPOINTMENT OF CONFEREES IN LIEU OF CONFEREE ON S. 440, NATIONAL HIGHWAY SYSTEM DESIGNATION ACT OF 1995 AND S. 395, ALASKA POWER ADMINISTRATION ASSET SALE AND TERMINATION ACT

The SPEAKER pro tempore (Mr. SHARP). Without objection, the Chair appoints the following Members as conferees to fill the vacancies resulting from the resignation from the House of the gentleman from California [Mr. MINETA]: Mr. BORSKI, on S. 440; Mr. OBERSTAR, for consideration of House amendment No. 2 for the conference on S. 395.

There was no objection.

The SPEAKER pro tempore. The Clerk will notify the Senate of the change in conferees.

PERMISSION FOR CERTAIN COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING 5-MINUTE RULE

Mr. HEFLEY. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule:

The Committee on Banking and Financial Services, the Committee on Commerce, the Committee on International Relations, the Committee on the Judiciary, the Committee on Science, the Committee on Small Business, the Committee on Transportation and Infrastructure.

It is my understanding that the minority has been consulted and there is no objection to these requests.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

OMNIBUS CIVILIAN SCIENCE AUTHORIZATION ACT OF 1995

Mr. QUILLEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 234, and ask for its immediate consideration.

The Clerk read as follows:

H. RES. 234

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 2405) to authorize appropriations for fiscal years 1996 and 1997 for civilian science activities of the Federal Government, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Science. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered by title rather than by section. The first section and each title shall be considered as read. An amendment striking section 304(b)(3) shall be considered as adopted in the House and in the Committee of the Whole. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 6 of rule XXIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. QUILLEN] is recognized for 1 hour.

Mr. QUILLEN. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from California [Mr. BEILENSON], pending which I yield myself such time as I may consume.

During consideration of this resolution, all time yielded is for purposes of debate only.

(Mr. QUILLEN asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. QUILLEN. Mr. Speaker, House Resolution 234 is an open rule providing for the consideration of H.R. 2405, the Omnibus Civilian Science Authorization Act of 1995. The rule provides 1 hour of general debate, divided equally between the chairman and ranking minority member of the Committee on Science.

The rule provides that the bill be considered by title, rather than by section, and that the first section and each title be considered as read. Additionally, the rule provides for the automatic adoption of an amendment striking section 304(b)(3) related to rulemaking activities by the Department of Energy. The rule accords priority in recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD. Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, H.R. 2405 consolidates the following seven bills into one measure:

H.R. 1814 authorizing appropriations for the environmental research, development, and demonstration activities of the Environmental Protection Agency.

H.R. 1815, the National Oceanic and Atmospheric Administration Authorization Act, which covers the National Oceanographic Service, the Oceanic and Atmospheric Research Administration, the National Weather Service, and other important functions.

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

H.R. 1851, reauthorizing the U.S. Fire Administration, which coordinates the Nation's fire safety and emergency medical service activities, and educates the public on fire prevention and control.

H.R. 1852, the National Science Foundation Authorization Act.

H.R. 1870, the American Technology Advancement Act, which provides for the important technological invasions promoted by the Department of Commerce Technology Administration, and the National Institute of Standards and Technology.

H.R. 2043, the National Aeronautics and Space Administration Authorization Act, which will keep America at the forefront of space exploration and research.

Although the minority expressed some dissatisfaction with all of these bills, I would like to point out that each one was ordered reported by a voice vote, and reports were filed on each bill by the Committee on Science.

I salute the chairman, the gentleman from Pennsylvania, BOB WALKER, the ranking member, the gentleman from California, GEORGE BROWN, and all of the Members of the Committee on Science for their diligence and devotion in bringing this conference measure forward. I strongly support this bill, and this open rule will allow all Members to fully participate in the amendment process. I urge its adoption

Mr. Speaker, I include for the RECORD the following material:

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS

[As of October 10, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Open/Modified-open [2]	46	44	51	74
Modified Closed [3]	49	47	15	22
Closed [4]	9	9	3	4

THE AMENDMENT PROCESS UNDER SPECIAL RULES REPORTED BY THE RULES COMMITTEE,[1] 103D CONGRESS V. 104TH CONGRESS—Continued

[As of October 10, 1995]

Rule type	103d Congress		104th Congress	
	Number of rules	Percent of total	Number of rules	Percent of total
Total	104	100	69	100

[1] This table applies only to rules which provide for the original consideration of bills, joint resolutions or budget resolutions and which provide for an amendment process. It does not apply to special rules which only waive points of order against appropriations bills which are already privileged and are considered under an open amendment process under House rules.

[2] An open rule is one under which any Member may offer a germane amendment under the five-minute rule. A modified open rule is one under which any Member may offer a germane amendment under the five-minute rule subject only to an overall time limit on the amendment process and/or a requirement that the amendment be preprinted in the Congressional Record.

[3] A modified closed rule is one under which the Rules Committee limits the amendments that may be offered only to those amendments designated in the special rule or the Rules Committee report to accompany it, or which preclude amendments to a particular portion of a bill, even though the rest of the bill may be completely open to amendment.

[4] A closed rule is one under which no amendments may be offered (other than amendments recommended by the committee in reporting the bill).

SPECIAL RULES REPORTED BY THE RULES COMMITTEE, 104TH CONGRESS

[As of October 10, 1995]

H. Res. No. (Date rept.)	Rule type	Bill No.	Subject	Disposition of rule
H. Res. 38 (1/18/95)	O	H.R. 5	Unfunded Mandate Reform	A: 350–71 (1/19/95).
H. Res. 44 (1/24/95)	MC	H. Con. Res. 17	Social Security	A: 255–172 (1/25/95).
		H.J. Res. 1	Balanced Budget Amdt	
H. Res. 51 (1/31/95)	O	H.R. 101	Land Transfer, Taos Pueblo Indians	A: voice vote (2/1/95).
H. Res. 52 (1/31/95)	O	H.R. 400	Land Exchange, Arctic Nat'l. Park and Preserve	A: voice vote (2/1/95).
H. Res. 53 (1/31/95)	O	H.R. 440	Land Conveyance, Butte County, Calif	A: voice vote (2/1/95).
H. Res. 55 (2/1/95)	O	H.R. 2	Line Item Veto	A: voice vote (2/2/95).
H. Res. 60 (2/6/95)	O	H.R. 665	Victim Restitution	A: voice vote (2/7/95).
H. Res. 61 (2/6/95)	O	H.R. 666	Exclusionary Rule Reform	A: voice vote (2/7/95).
H. Res. 63 (2/8/95)	MO	H.R. 667	Violent Criminal Incarceration	A: voice vote (2/9/95).
H. Res. 69 (2/9/95)	O	H.R. 668	Criminal Alien Deportation	A: voice vote (2/10/95).
H. Res. 79 (2/10/95)	MO	H.R. 728	Law Enforcement Block Grants	A: voice vote (2/13/95).
H. Res. 83 (2/13/95)	MO	H.R. 7	National Security Revitalization	PQ: 229–100; A: 227–127 (2/15/95).
H. Res. 88 (2/16/95)	MC	H.R. 831	Health Insurance Deductibility	PQ: 230–191; A: 229–188 (2/21/95).
H. Res. 91 (2/21/95)	O	H.R. 830	Paperwork Reduction Act	A: voice vote (2/22/95).
H. Res. 92 (2/21/95)	MC	H.R. 889	Defense Supplemental	A: 282–144 (2/22/95).
H. Res. 93 (2/22/95)	MO	H.R. 450	Regulatory Transition Act	A: 252–175 (2/23/95).
H. Res. 96 (2/24/95)	MO	H.R. 1022	Risk Assessment	A: 253–165 (2/27/95).
H. Res. 100 (2/27/95)	O	H.R. 926	Regulatory Reform and Relief Act	A: voice vote (2/28/95).
H. Res. 101 (2/28/95)	MO	H.R. 925	Private Property Protection Act	A: 271–151 (3/2/95).
H. Res. 103 (3/3/95)	MO	H.R. 1058	Securities Litigation Reform	
H. Res. 104 (3/3/95)	MO	H.R. 988	Attorney Accountability Act	A: voice vote (3/6/95).
H. Res. 105 (3/6/95)	MO			A: 257–155 (3/7/95).
H. Res. 108 (3/7/95)	Debate	H.R. 956	Product Liability Reform	A: voice vote (3/8/95).
H. Res. 109 (3/8/95)	MC			PQ: 234–191 A: 247–181 (3/9/95).
H. Res. 115 (3/14/95)	MO	H.R. 1159	Making Emergency Supp. Approps	A: 242–190 (3/15/95).
H. Res. 116 (3/15/95)	MC	H.J. Res. 73	Term Limits Const. Amdt	A: voice vote (3/28/95).
H. Res. 117 (3/16/95)	Debate	H.R. 4	Personal Responsibility Act of 1995	A: voice vote (3/21/95).
H. Res. 119 (3/21/95)	MC			A: 217–211 (3/22/95).
H. Res. 125 (4/3/95)	O	H.R. 1271	Family Privacy Protection Act	A: 423–1 (4/4/95).
H. Res. 126 (4/3/95)	O	H.R. 660	Older Persons Housing Act	A: voice vote (4/6/95).
H. Res. 128 (4/4/95)	MC	H.R. 1215	Contract With America Tax Relief Act of 1995	A: 228–204 (4/5/95).
H. Res. 130 (4/5/95)	MC	H.R. 483	Medicare Select Expansion	A: 253–172 (4/6/95).
H. Res. 136 (5/1/95)	O	H.R. 655	Hydrogen Future Act of 1995	A: voice vote (5/2/95).
H. Res. 139 (5/3/95)	O	H.R. 1361	Coast Guard Auth. FY 1996	A: voice vote (5/9/95).
H. Res. 140 (5/9/95)	O	H.R. 961	Clean Water Amendments	A: 414–4 (5/10/95).
H. Res. 144 (5/11/95)	O	H.R. 535	Fish Hatchery—Arkansas	A: voice vote (5/15/95).
H. Res. 145 (5/11/95)	O	H.R. 584	Fish Hatchery—Iowa	A: voice vote (5/15/95).
H. Res. 146 (5/11/95)	O	H.R. 614	Fish Hatchery—Minnesota	A: voice vote (5/15/95).
H. Res. 149 (5/16/95)	MC	H. Con. Res. 67	Budget Resolution FY 1996	PQ: 252–170 A: 255–168 (5/17/95).
H. Res. 155 (5/22/95)	MO	H.R. 1561	American Overseas Interests Act	A: 233–176 (5/23/95).
H. Res. 164 (6/8/95)	MC	H.R. 1530	Nat. Defense Auth. FY 1996	PQ: 225–191 A: 233–183 (6/13/95).
H. Res. 167 (6/15/95)	O	H.R. 1817	MilCon Appropriations FY 1996	PQ: 223–180 A: 245–155 (6/16/95).
H. Res. 169 (6/19/95)	MC	H.R. 1854	Leg. Branch Approps. FY 1996	PQ: 232–196 A: 236–191 (6/20/95).
H. Res. 170 (6/20/95)	O	H.R. 1868	For. Ops. Approps. FY 1996	PQ: 221–178 A: 217–175 (6/22/95).
H. Res. 171 (6/22/95)	O	H.R. 1905	Energy & Water Approps. FY 1996	A: voice vote (7/12/95).
H. Res. 173 (6/27/95)	C	H.J. Res. 79	Flag Constitutional Amendment	PQ: 258–170 A: 271–152 (6/28/95).
H. Res. 176 (6/28/95)	MC	H.R. 1944	Emer. Supp. Approps	PQ: 236–194 A: 234–192 (6/29/95).
H. Res. 185 (7/11/95)	O	H.R. 1977	Interior Approps. FY 1996	PQ: 235–193 D: 192–238 (7/12/95).
H. Res. 187 (7/12/95)	O	H.R. 1977	Interior Approps. FY 1996 #2	PQ: 230–194 A: 229–195 (7/13/95).
H. Res. 188 (7/12/95)	O	H.R. 1976	Agriculture Approps. FY 1996	PQ: 242–185 A: voice vote (7/18/95).
H. Res. 190 (7/17/95)	O	H.R. 2020	Treasury/Postal Approps. FY 1996	PQ: 232–192 A: voice vote (7/18/95).
H. Res. 193 (7/19/95)	C	H.J. Res. 96	Disapproval of MFN to China	A: voice vote (7/20/95).
H. Res. 194 (7/19/95)	O	H.R. 2002	Transportation Approps. FY 1996	PQ: 217–202 (7/21/95).
H. Res. 197 (7/21/95)	O	H.R. 70	Exports of Alaskan Crude Oil	A: voice vote (7/24/95).
H. Res. 198 (7/21/95)	O	H.R. 2076	Commerce, State Approps. FY 1996	A: voice vote (7/25/95).
H. Res. 201 (7/25/95)	O	H.R. 2099	VA/HUD Approps. FY 1996	A: 230–189 (7/25/95).
H. Res. 204 (7/28/95)	MC	S. 21	Terminating U.S. Arms Embargo on Bosnia	A: voice vote (8/1/95).
H. Res. 205 (7/28/95)	O	H.R. 2126	Defense Approps. FY 1996	A: 409–1 (7/31/95).
H. Res. 207 (8/1/95)	MC	H.R. 1555	Communications Act of 1995	A: 255–156 (8/2/95).
H. Res. 208 (8/1/95)	O	H.R. 2127	Labor, HHS Approps. FY 1996	A: 323–104 (8/2/95).
H. Res. 215 (9/7/95)	O	H.R. 1594	Economically Targeted Investments	A: voice vote (9/12/95).
H. Res. 216 (9/7/95)	MO	H.R. 1655	Intelligence Authorization FY 1996	A: voice vote (9/12/95).
H. Res. 218 (9/12/95)	O	H.R. 1162	Deficit Reduction Lockbox	A: voice vote (9/13/95).
H. Res. 219 (9/12/95)	O	H.R. 1670	Federal Acquisition Reform Act	A: 414–0 (9/13/95).
H. Res. 222 (9/18/95)	O	H.R. 1617	CAREERS Act	A: 388–2 (9/19/95).
H. Res. 224 (9/19/95)	O	H.R. 2274	Natl. Highway System	PQ: 241–173 A: 375–39–1 (9/20/95).
H. Res. 225 (9/19/95)	MC	H.R. 927	Cuban Liberty & Dem. Solidarity	A: 304–118 (9/20/95).
H. Res. 226	O	H.R. 743	Team Act	A: 344–66–1 (9/27/95).
H. Res. 227 (9/21/95)	O	H.R. 1170	3-Judge Court	
H. Res. 228 (9/21/95)	O	H.R. 1601	Internatl. Space Station	A: voice vote (9/27/95).
H. Res. 230 (9/27/95)	C	H.J. Res. 108	Continuing Resolution FY 1996	A: voice vote (9/28/95).
H. Res. 234 (9/29/95)	O	H.R. 2405	Omnibus Science Auth	

Codes: O-open rule; MO-modified open rule; MC-modified closed rule; C-closed rule; A-adoption vote; D-defeated; PQ-previous question vote. Source: Notices of Action Taken, Committee on Rules, 104th Congress.

Mr. QUILLEN. Mr. Speaker, I reserve the balance of my time.

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Mr. BEILENSON. Mr. Speaker, I thank the gentleman from Tennessee [Mr. QUILLEN] for yielding the customary 30 minutes of debate time to me. I yield myself such time as I may consume.

Mr. Speaker, this is an open rule. We do not oppose it, although we do have serious concerns about the way that the bill has been considered and has been brought before us. We find it very disturbing, in fact, that the majority on the Committee on Rules is condoning the process by which the Committee on Science considers this bill and by which the House will take it up today.

Seven separate authorization bills, six of them major ones, were rolled into one major piece of legislation. These were traditionally considered individually and they should have been this time as well, we believe. Instead of having 6 or 7 hours of general debate, as would ordinarily be the case, we will

have only 1 hour of time, only for the most cursory type of debate on these seven separate pieces of legislation.

During the hearing process, we understand the legislation was often not made available so that Members could not ask about it and witnesses could not respond to specific legislative proposals. That meant that much of what the committee had recommended has no basis in the printed record of the committee's proceedings. Since H.R. 2405 was never reported by the committee, it is insulated from several points of order that apply only to committee-reported bills. That includes clause 5(a) of rule XXI, which prohibits an authorizing committee from reporting a bill that contains an appropriation of funds.

For example, Mr. Speaker, we understand that section 312 of the bill takes funds that have been previously appropriated for clean coal technology and permits them to be used to pay for termination costs of various programs zeroed out in title III. This section appears to permit a new purpose for funds that had been previously appropriated by the House.

Under the precedents of the House, this section appears to constitute an appropriation violative of clause 5(a) of rule XXI which prohibits an authorizing committee from reporting a bill that contains an appropriation of funds.

Mr. Speaker, if this bill had been reported by the Committee on Science, if it were being considered under the procedures the House would normally follow, a point of order would lie against section 312 of H.R. 2405.

Those are special concerns, and since most of us will recall that the current chairman of the Committee on Science, the distinguished gentleman from Pennsylvania [Mr. WALKER], when in the minority, was one of those who complained most vociferously and properly, at times, about using the Committee on Rules to protect bills that violated House rules.

The distinguished ranking member of the Committee on Science, the gentleman from California [Mr. BROWN], has called the process by which this bill is being considered unprecedented, unwarranted, and unwise, and we believe he is correct in so categorizing it.

As my colleagues know, Mr. BROWN is perhaps the perfect example of the type of policy specialist who has served the committee system in the House so well and so fairly for so many years in the past. We should be making the maximum use of his expertise in his warnings about this bill, about the way it has been and is being considered, and should not go unheeded.

That goes to the heart of the importance of the authorization process which gives the House the opportunity to consider broad policy issues after conscientious consideration after the committee hearing and markup process. Mr. BROWN has been speaking eloquently about the significance of this procedure and its proper use for many years, and we fear that we have not listened carefully enough to his warnings about the necessity for a deliberative authorization process, at least in this particular case.

Mr. Speaker, the 1 hour of general debate provided by this rule precludes all but the most cursory type of consideration. This is 1 hour of debate for six major bills that address such disparate programs as nuclear physics, space, the Weather Service, global climate change, fossil fuel energy research, environmental technologies, marine research, Department of Energy laboratories, and the National Science Foundation. They should, as I suggested earlier, have been taken up separately. We have to wonder if the majority planned this so that the programs which deserve more time and more thoughtful consideration, especially since they are being cut back so severely, would not get the attention they deserve.

Mr. Speaker, the ranking member, the gentleman from California [Mr. BROWN] testified before our committee about some other procedural concerns. In several instances the Committee on Science acted without benefit of testimony on matters entirely outside its jurisdiction; and, important to the omnibus structure of the bill, since this bill would go to four separate committees in the Senate, it certainly will not survive the process in this unprecedented omnibus form.

Mr. Speaker, the substance of the bill itself is disturbing to many of us. We hope that the concerns about the Federal Government's role in encouraging the important investments made by civilian research and development can be fully debated. This is an important debate, focusing as it does on the enormous cut of 33 percent for civilian R&D over the next 5 years.

The bill represents, sadly, the first step in dismantling the scientific infrastructure that supports our understanding of the environment; it cuts the programs that bring better science to bear on the environmental problems we have discussed so often this year and undoubtedly will continue to in years to come. The bill cuts NOAA's global climate change budget in half, almost certainly terminating some of the research to determine the validity of the global warning phenomenon. It imperils our efforts to ensure our Nation's future energy security and reduce our dangerous reliance on nonrenewable and foreign energy resources by cutting our investment in energy research and development so drastically. It effectively eliminates the National Science Foundation's research in social and behavioral sciences without the benefit of hearings or the opportunity for comments, and its cuts in NASA will, as the ranking member of the committee testified, adversely affect our future space program.

All in all, Mr. Speaker, this omnibus bill represents a massive disinvestment in our civilian research and development efforts at a time when it is precisely these programs that we should be strengthening.

So in conclusion, Mr. Speaker, we have many concerns about the way in which these several pieces of legislation are being brought before us today. We hope that under this open rule Members are able to sort out and vote intelligently on all of the many disparate matters that will come before us in this omnibus piece of legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. QUILLEN. Mr. Speaker, I have no requests for time.

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from California [Mr. BROWN], the ranking member of the committee.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Speaker, I thank the gentleman very much for yielding me this time.

Mr. Speaker, although it may be a little repetitious, I want to go over some of the factors which relate to this bill and which relate to the rule under which we are considering it.

Mr. Speaker, I am pleased that the chairman of the committee has requested an open rule for the consideration of H.R. 2405, and I indicated my pleasure during the hearing at the Committee on Rules. This continues a tradition of the Committee on Science, which sometimes, to the chagrin of other Members of the House, has requested open rules and debated bills rather lengthily here on the floor.

While all Members will have an opportunity to come to the floor and offer amendments by which the House as a whole can express its will, the opportunity in this case may be more theoretical than real. The Committee on Rules has chosen to honor the request of the chairman of the Committee on Science to bundle seven bills which were separately reported by the Committee on Science. While a few are relatively noncontroversial, many were reported only after many hours of debate and discussion in the committee.

Unfortunately, Members who are not on the Committee on Science have had very little time to digest this seven-course meal; and other critical activities which are likewise ongoing this week, like the markup of the budget reconciliation bill, are likely to further distract Members' attention away from this bill.

This is a shame, Mr. Speaker, because the policies in this bill will have an impact in every district in this Nation. H.R. 2405 reflects the Republican budget resolution, which reverses the policies of the last 50 years that have made the United States the undisputed world leader in science and technology. H.R. 2405 is another step in the most massive disinvestment of Federal support for research and technology since the end of World War II.

For some, the impacts will come soon, as researchers in Federal laboratories lose their jobs, as universities cut faculty and research programs, as graduate students in science and engineering find themselves without challenging work opportunities. But the greater impacts will be long-range, in the loss of economic opportunities, in the loss of our intellectual capital, in the diminution of our scientific and engineering enterprise, and in missed opportunities for improved environmental quality, energy security, and health care.

Mr. Speaker, I do not fault the gentleman from Pennsylvania [Mr. WALKER], the chairman of the Committee on Science, for rolling these bills together into a single omnibus bill, even though I think it will have the effect of diminishing the attention we can give to each agency. Indeed, I commend him for his efforts to elevate the authorization process for the civilian science agencies by emulating the defense authorization bill.

I might say parenthetically that over the past years, we have worked together in a constructive way to enhance the authorization process, and I give the chairman, the distinguished gentleman from Pennsylvania [Mr. WALKER], full credit for attempting, in what he is doing here, to continue to enhance that process. I doubt seriously that what we are doing will have that effect, and I want all of the Members of the House to consider whether or not this is the answer to the problem of enhancing the authorization process in the workings of the House.

Mr. Speaker, I would like to say first of all that the bill does not authorize all of civilian science, which would be desirable, in our opinion. Many important civilian science agencies, including the single largest civilian science agency, the National Institutes of Health, are not included in this bill. Therefore, the House cannot truly set priorities in the civilian science portfolio in this bill as the Armed Services Committee does with regard to military expenditures.

Second, the structure of the authorization and appropriation committees in the House and Senate are not as conducive to moving authorization bills for these programs as they are for moving a defense authorization and appropriation bill. In the House, for example, the appropriations for the programs in H.R. 2405 are assigned to four different subcommittees, each with many of the programs competing with these science programs for its 602(b) allocation. In the Senate, this bill will be referred to four different authorizing committees that historically have not been particularly active in passing authorizations. Although it is a little late to comment on it, the chairmen of some of these authorizing committees in the Senate were also chairmen of appropriation subcommittees and have too little motivation to go through the process of dealing with the funding of these programs twice.

This structure is very different from the single defense authorizing committee and the single defense appropriations committee with parallel jurisdiction in both the House and Senate. For that reason, I see little reason to believe that the Senate will act at all on this bill, despite the Chairman's commendable efforts to convince the Senate to act. In fact, if he desires, I would be more than happy to join him in trying to get bipartisan action in the Senate. But as I say, I am dubious that we can succeed in this.

Finally and most importantly, the defense authorization bill comes to the floor before the appropriations bill, and that has been worked out very carefully over the years and has the full support of the leadership in order to accomplish that. Despite the hard work that our committee has expended on the part of H.R. 2405, the fact is that it is largely irrelevant to the fiscal year 1996 appropriation process. The real funding decisions have already been made in the various appropriations bills. We will debate this bill and vote on amendments, but the debate will be largely symbolic, with little effect on the real world.

Mr. Speaker, to the extent that the House now conforms H.R. 2405 to the actions of the Appropriations Committee, the Committee on Science will be reduced to a rubber stamp. Indeed, the chairman of the committee has acknowledged the weakness of the authorizing process. He instituted a number of interesting new procedures this year to help ensure the committee's relevance to the budget process, but I question whether he has been entirely successful in this effort. In his other role as the vice chairman of the Budget Committee, the chairman of the Committee on Science first helped to establish his desired science budget policies in the budget resolution. The chairman then instructed the Committee on Science that the authorization levels for each agency needed to be within authorization caps mandated by the budget resolution, although no such caps could of course be found within the House budget resolution, a point that I made repeatedly during the deliberations in the subcommittees. Nonbinding report language, however, accompanying the House budget resolution was elevated to dogma for the Committee on Science.

Finally, when the Appropriations Committee began to mark up bills with numbers different from those that the chairman of the Committee on Science wanted, he hastily called markup sessions with the barest minimum of notice and opportunity to review the bill, and often without adequate hearings.

□ 1145

At the DOE bill markup, for example, the chairman announced that the old mandatory budget authorization caps that he had instructed the subcommittee's chairman would be binding on the subcommittee had been replaced, overnight, by new, higher budget resolution caps which remarkably permitted the committee to raise the authorization funding closer to levels that had been approved by the appropriators.

As the chairman will surely respond, the evidence of the committee's influence can be shown by the fact that most of the appropriations funding, with a few notable exceptions, are fairly close to the levels found in this bill that we will be taking up. But I think that a careful consideration of the facts above will show that the only influence exercised was that of the chairman, not of the collective membership of the committee.

Despite my high respect for the chairman, and my own efforts previously as chairman to influence appropriators, and it is not a sin to try and do that, this does not reflect, however, the action of the full committee. The individual members of the committee have little if any input into the fundamental policy decisions, most of which were made prior to any committee consideration. The chairman arbitrarily limited the committee scope of action and merely asked them to ratify decisions already made.

Whether the chairman's increased leverage over the appropriation process will be worth the loss of a collegial and democratic process at the Committee on Science level remains to be judged by history. Of course the usurpation of the responsibilities of the members of the authorizing committee, the Committee on Science in this case, by the Republican leadership, does not end at the committee's doors.

As we will witness in the reconciliation process this week, the Republican leadership will have no qualms about ditching the considered work product of any of the committees and substituting their own politically correct views, as with the Commerce Dismantling Act, or as in the case of the Committee on Agriculture. The leadership will bypass that committee entirely and write the farm reconciliation bill itself.

Mr. Speaker, in the light of these actions it is hardly surprising that some Members on both sides of the aisle have begun to question whether authorizing committees have any role in this new Congress. Unfortunately, we do nothing to advance an answer to that question today in our largely symbolic consideration of H.R. 2405.

Mr. QUILLEN. Mr. Speaker, I yield as much time as he may consume to the gentleman from Pennsylvania [Mr. WALKER], the distinguished chairman of the Committee on Science.

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in support of this open rule, and I thank the chairman of the Committee on Rules for his assistance in bringing H.R. 2405 to the floor. This bill is a compilation of seven traditional agency authorization bills the

Committee on Science is required to produce to meet its oversight and priority setting responsibilities. Consideration of this comprehensive bill is beneficial both from a practical and a programmatic viewpoint.

Combining these authorization bills under a single umbrella provides Congress with a clear means of considering civilian R&D in its entirety and provides an excellent forum for setting research priorities. Defense funding has traditionally been considered in an omnibus package, and by doing the same with civilian research funding the committee is elevating science as a priority to a more prominent standing within the authorization process.

The unification and rationalization of most of the Government's fundamental science functions in one vehicle demonstrates the advantage of coordinating these programs. It is a good illustration of the enormous potential of a consolidated Federal science infrastructure. So I do urge the support of this resolution to bring this rule to the floor.

I am disappointed in the previous discussion, because it takes what should be a policy concern and rather reduces it to a personality battle that the gentleman from California evidently has with the chairman. Most of what he discussed was what the chairman did in this.

The chairman of the Committee on Science cannot act without a majority of the members of the committee being with him, unlike the old days. when the gentleman's party ran the Committee on Science and ran the Congress, we operated with a proxy system where the chairman would sit there and vote other people's votes along the way, and would determine the course of policy by the use of an abhorrent system called proxy voting.

Today you actually have to have Members in the room and a majority of those Members have to support the actions that the chairman suggests or any person other than the chairman might suggest. So we are operating in a manner in Congress today which is entirely different, where Members actually cast their votes for real.

It is a strange new world, I know, to the people who for years operated in back rooms and then voted with proxies. But the fact is that this is the way in which policy can indeed get made, and get made I think in a beneficial way.

This particular bill was the subject of many days of hearings in subcommittees. It is a bill that the gentleman from California suggested had not had proper hearings. In all cases these were matters that were heard in subcommittee. The committee deliberated on these matters not only in subcommittee but in full committee. The decision to wrap them together in a bill brought to the floor was indeed a decision made with the idea of enhancing the stature of science.

To suggest that somehow this bill is diminishing the work of science I think does not reflect reality. In fact, it gets almost humorous when you look at the fact that we are dealing with the broad base of science for the first time. For the first time in the history of the House, we are dealing with the broad base of science as a comprehensive kind of program.

I am also amused, having seen some of the missives that the minority is sending out to the Members, that at the time that we are trying to raise the stature of the program to a national effort, something that the Nation should be proud of, the minority is sending out letters that are broken down State-by-State, district-by-district, appealing to the Members' pork barrel concerns.

If that does not undermine the ability to deal with these matters as a national concern, I do not know what does. Yet they come to the floor and suggest that somehow there is something happening here that diminishes science's concern. we probably ought to look at what they are doing.

I also heard them suggest that NIH is not included in this bill. No, it is not in this bill. NIH is not in the jurisdiction of our committee. Much as the gentleman from California and I might like to have it in the jurisdiction of our committee, it is not. We cannot bring it to the floor as a bill because we do not have the appropriate jurisdiction. I wish it were different, but it is not.

I guess the final thing I would make mention of is that the mention was made in the debate that we should not do the right thing because the Senate might not act. I mean, in general it has been discussed here that this is the right thing to do, to treat science as an issue that needs some comprehensive treatment, but we ought not do it because the Senate might not act.

William Penn, who founded the commonwealth which I am proud to help represent, once made the statement that right is right even if everyone is against it, and wrong is wrong even if everyone is for it. Sometimes in this body we ought to consider that. If it is the right thing to do, even if everyone is against it, maybe we ought to try it, and so on, because right is right, even if everyone is against it. Wrong is wrong, even if everyone is for it.

In this case we have the right bill, we have the right rule. I would suggest that we should support both the rule and ultimately the bill.

Mr. BEILENSON. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. BROWN], the distinguished ranking member of the committee.

Mr. BROWN of California. I thank the gentleman very much for yielding me the time.

Mr. Speaker, I have the very highest respect for the distinguished chairman of the Committee on Science, and I did not intend to personalize this discussion in the fashion that he seemed to indicate he thought I was trying to do. I was referring to his institutional role as chairman when I suggested some of the things that he has done in his institutional role as vice chairman of the Committee on the Budget, and in other roles that he plays.

He has continued to present this bill in his remarks just now as being justified because it allows us to deal in one bill with the broad base of science in a comprehensive way. Obviously he did not really mean that, because he further on in his remarks acknowledged that the entire field of the health sciences, which represents about a third of our civilian science, was not included. Of course it does not deal with the even larger broad base of science which is contained in the defense bill, which is about 55 percent of our total science expenditures.

So we cannot in this bill establish programs for the board base of science at the maximum we are talking about, perhaps 30 percent, of that broad base of Federal investments in research and development.

In that 30 percent that we deal with in this broad-based bill, we are setting a trend which differs completely from what is happening in the other two-thirds. In the case of the health sciences, basic research, we continue to increase that budget, not much. For next year it barely exceeds the cost-of-living increase, but it is an increase.

In the case of the 55 percent of the Federal R&D investments which are in the Defense Department, you would think with the declining threat to our national security, surely we would be leading the way by reducing our investments in military R&D. As a matter of fact, the military R&D programs continue essentially stable.

So in this key element, civilian research and development outside of the health field, we are proposing a one-third cut over the next several years in contradistinction to the other two-thirds of our Federal R&D investment. This, of course, is the very disturbing thing that bothers me.

The chairman has also indicated that we had, I gather, full and free debate on this bill and that we acted democratically in voting it out. Technically he is in error. This bill before us has never been before the Committee on Science. We have never had a chance to vote on it. It was not reported by the Committee on Science. If it had been, it would have been subject to a point of order, as the distinguished member of the Committee on Rules on the minority side pointed out.

What we did do is have a varying degree of debate over varying portions of this bill, and when these portions were voted out, as they were, then they were put together after the bill had left the committee and taken to the Committee on Rules and asked for their blessing, which they got. I do not disapprove of that. But by no means have we, as the chairman said, had full and free debate on this bill. Now if he had intended to say that we had free and full debate on most of the components

of this bill when they were reported out of the committee, I would of course agree with him, but not on the statement that he made here.

Now, as to whether or not we should be influenced by the Senate prospects, normally I would agree. We voted out in previous years a lot of bills which we knew from historical experience over a decade the Senate would not take up, but we knew it was right to vote them out. We voted them out and then we used every device that we could, including the obviously inadequate efforts of the then chairman, to get the Senate to consider these bills.

If the current chairman believes that there is a realistic chance, and I hope he is correct, then I would pledge my full support in going with him or doing anything I could, either opposing him or supporting him, as would do the most good, to get the Senate to act on this package or any version of it, to separate it and send it out and act on a separate portion.

The chairman has never approached me about that. I do not see from his performance during the first part of this year that he intends to ask for any help in doing that. I think that I have, based on the experience with similar problems, some right to advise him in all good conscience that I doubt if he is going to succeed. But if there is a chance, I would like to help him.

Mr. QUILLEN. Mr. Speaker, I reserve the balance of my time.

Mr. BEILENSON. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. TRAFICANT].

(Mr. TRAFICANT asked and was given permission to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, I have several amendments to the bill, one that I have been working on for many years.

I believe we have come to some language that might make it a part of law.

Let me start out by saying I wish the gentleman from Pennsylvania [Mr. WALKER] the best. I am familiar with the years I have been here of his steadfast determination, and I have really no complaints. On some of the policy issues that we might have, that is understandable. But I think we need a strong leader in this particular field. I would hope that the gentleman from California [Mr. BROWN] and the gentleman from Pennsylvania [Mr. WALKER] can get together for the best interests of our country.

The first one says, though, ''Look, we've got a big NASA here, it's not on the Moon anymore, it's lost a little bit of luster,'' and one of the reasons we have a rough time coming up and stabilizing the funding is not everybody has a piece of NASA like we do with the Pentagon.

The Traficant amendment says to the greatest extent practicable, when NASA is going on and developing new initiatives where it does not hurt NASA, they should look at communities diversely around our country and spread those opportunities of NASA around and get more of a constituency, if you will, and more of a support base.

□ 1200

Mr. WALKER. Mr. Speaker, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I want to tell the gentleman that we are prepared, when the gentleman offers that amendment, to take that amendment. I think it is an excellent addition. We are prepared on this side to take that amendment at the appropriate time.

Mr. TRAFICANT. Mr. Speaker, I appreciate that. The second amendment, I am not so sure. The third one is a straight Buy American language we have had in many, and I do not think that is a problem, but I think we come to an impasse on the second amendment.

Mr. Speaker, the second amendment deals with the issue of technology transfer.

The budget cuts are real. There has to be some cuts. R&D in America has taken some hits. But there has been a participatory joint R&D program with the private sector in NASA, and now we are coming up under new technology-transfer initiatives, unrestricted disclosure.

The Traficant amendment says when there is a joint R&D program, and in fact NASA is determining to, in fact, release certain undisclosed, unrestricted information, that at the request of the company, who is also a participant in the funding of it, that the NASA Administrator would not release into a period not to exceed 5 years.

Now, before everybody panics over this, if the NASA Administrator who still has the discretion would believe that it is not as significant as the concern of the company, that may only be a short period of time. But the Traficant bill says in order for it to be a 5-year holding back of this release of this information that there would have to be a 50-percent contribution in the private sector. I think language could be worked out here.

Let me say this. American industry needs some protection here. They are coming up and ask to spend more and more of their dollars in R&D, and the long-range R&D is going to be coming from overseas. Let us be careful.

Mr. Speaker, the Traficant language says when our economy can be endangered, the private sector entities would be endangered by that disclosure, that they have a right to request this action, and it could be granted. The Traficant language says that the Administrator, on the request of a private sector entity, shall delay for a period not to exceed 5 years the unrestricted public disclosure of technical data in the possession of or under the control of the Administrator that has been generated in the performance of experimental, developmental, or research activities or programs funded jointly by the administration and the private sector entity.

Further on in there it does state for it to be the maximum of 5 years there has to be a cost-sharing factor of 50 percent. It still leaves open the discretion, it still gives that opportunity, and let me say this:

Those industries that would be adversely affected by premature disclosure of any sensitive research information must get some consideration. This technology-transfer amendment would require NASA to notify Congress as well annually of all determinations that withhold sensitive data from premature disclosure.

Mr. Speaker, I think it is time we provide American industry with some assurances that their sensitive research efforts will be protected, not be compromised. I believe there is language that makes sense, and I am hoping that we can come to some common ground. I believe this is an important issue in technology transfer.

Mr. BEILENSON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. QUILLEN. Mr. Speaker, I, too, yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. HEFLEY). Pursuant to House Resolution 234 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2405.

The Chair designates the gentleman from Georgia [Mr. KINGSTON] as Chairman of the Committee of the Whole, and requests the gentleman from Connecticut [Mr. SHAYS] to assume the chair temporarily.

□ 1204

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2405) to authorize appropriations for fiscal years 1996 and 1997 for civilian science activities of the Federal Government, and for other purposes, with Mr. SHAYS (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to House Resolution 234, the bill is considered as having been read the first time.

Under the rule, the gentleman from Pennsylvania [Mr. WALKER] and the gentleman from California [Mr. BROWN] each will be recognized for 30 minutes.

The Chair recognizes the gentleman from Pennsylvania [Mr. WALKER].

Mr. WALKER. Mr. Chairman, I yield myself 12 minutes.

Mr. Chairman, I am pleased to bring to the floor today H.R. 2405, the Omnibus Science Authorization Act of 1995. This legislation represents the work of the Science Committee begun last winter with the authorization hearings and culminating in the reporting of seven separate authorization bills.

Authorizations totaling $21.5 billion for the core research activities of seven agencies are provided in H.R. 2405. Those agencies are: the National Science Foundation, the National Aeronautics and Space Administration, the Department of Energy, the National Oceanic and Atmospheric Administration, the Environmental Protection Agency, the technology programs of the Department of Commerce, and the United States Fire Administration. This amount represents a reduction of $2.4 billion from spending at current levels, but increase spending on targeted basic research.

We are considering these authorizations as seven titles in one bill in an attempt to bring to the House a comprehensive civilian science spending and policy bill. Considering these bills as a whole, rather than as separate pieces, clearly illustrates the themes of emphasizing basic research and fundamental science that the Committee on Science has stressed over the past 9 months.

First, the committee believes that a strong basic research foundation is essential to the future of our Nation. Basic budget realities dictate that we follow this course. We do not have the luxury, and it is not a wise use of resources to continue steering taxpayer dollars in the direction of applied research which can, and should, be market-driven and conducted by the private sector.

Second, the committee took seriously the mandate to achieve a balanced budget by the year 2002. We recognize that as important as this Nation's science and research efforts are to our future, every sector of the government, including science, must make sacrifices so that the economy can be improved for all of our citizens.

Opponents of this measure will tell you that they did not feel bound by the limits set by the House Budget Committee. I can assure you, Mr. Chairman, that the majority of the members of the committee took those limits very seriously, and made the tough choices that were necessary for us as authorizers to contribute fully to the budget and appropriations process. We approached the task of trimming spending from those programs which have outlived their usefulness and from those which may have proven their worth, but which, we believe, can get along with less of an increase than had been requested by the administration. We also followed several criteria: Research should be focused on long-term, noncommercial research, leaving economic feasibility and commercialization to the marketplace; Federal funding research and development should not be carried out beyond demonstration of technical feasibility; revolutionary new ideas that make possible the impossible should be pursued; the Federal Government should avoid funding research in areas that are receiving or could receive funding from the private sector; government-owned laboratories should confine their in-house research to areas in which they have no peer; and research and development programs should be tightly focused on the agency's stated mission.

The chairmen of the four subcommittees will each be describing the sections of the bill for which they are responsible, but I want to touch on several provisions which I believe to be significant and which demonstrate that the Science Committee's decision that we should make the difficult decisions responsibly.

The 2-year authorization for the National Science Foundation provides for 3-percent growth in the research activities account which funds the real work of the foundation in the second year, while freezing salaries and expenses of the bureaucracy. We have directed that the agency streamline its bureaucracy by at least one directorate, and we have funded other accounts at, or more than, the President's request.

Understand that. We put the emphasis in this agency on basic research. What we said was it was high time that we begin trimming bureaucracy in government in favor of doing real programs. This puts the money in programs and tells the agency that they have got to take some money out of bureaucracy.

Two weeks ago the House passed an authorization for the construction of the international space station H.R. 2405 authorizes the remainder of NASA's budget for fiscal year 1996 at $11.5 billion, and refocuses NASA's priorities towards basic research, human exploration, and space science. And, we have begun the process of getting NASA out of the business of operating mature systems, such as the space shuttle, and utilizing new funding resources in programs like Mission to Planet Earth by tapping the private sector's expertise.

The committee's authorization for the Department of Energy's civilian energy research and development programs cuts $960 million from the current year total of $5.21 billion. Within that cut, however, we protect and enhance basic research. By eliminating corporate subsidies and low-priority programs, and streamlining the bureaucracy, we have been able to increase funding for life sciences research, basic energy sciences, and high energy and nuclear physics.

A strong EPA research and development program is critical to providing the needed information needed to make reasonable regulations. We have preserved that essential research mission by eliminating program which duplicate research conducted by other agencies and eliminating corporate technology subsidies.

In the area of technology, we have reasserted our strong commitment to the priority of the core scientific work of the National Institute of Standards and Technology, yet another example of where we have been able to refocus an agency to its primary mission.

The U.S. Fire Administration, which oversees the important fire training and prevention programs, has been funded at $28 million for each of the next 2 years, nearly the entire request that the President made of us.

In closing, Mr. Chairman, I thank the four subcommittee chairs—Mr. SENSENBRENNER, Mrs. MORELLA, Mr. ROHRABACHER, Mr. SCHIFF—and the vice chairman of our committee, Mr. EHLERS, for their hard work and dedication to this process. I also want to commend all the other members of the committee or both sides of the aisle who assisted in moving this legislation through committee and to the floor. H.R. 2405 is a bill which is fiscally responsible, yet keeps the U.S. science enterprise health and vital. I urge support of the legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. BROWN of California. Mr. Chairman, I yield myself 5 minutes initially.

Mr. Chairman, I rise today in strong opposition to H.R. 2405 and in opposition to the overall direction that the Republican leadership has laid out for our Nation's research and development program. If there is any doubt about what the future holds for American science and technology, my colleagues should pay close attention to the debate over this bill.

But I would like to say just parenthetically, Mr. Chairman, that, unless we have an awful lot of Members assiduously sitting in their offices watching the television screen, that we currently have on the floor less than 10 Members. So, we are not going to have a vigorous exchange of views, which is conducive to broad-scale understanding of the policy issues involved here.

Now in part the reason for that is that most of the Members have said to themselves: Why should I go down and listen to a debate over a package of authorization bills when we have already passed the appropriations bills and these actions that we take probably will be of little consequence? The action that we take today, the importance of that action, is not based upon whether we pass the authorization bill or not. As a matter of fact, this debate is about the ideas which are contained here which are of vital importance to the future of our country. It is about how research and development can be brought into the mainstream of economic policy. It is about whether we will make the investments today to contribute to our economic growth in the future.

□ 1215

I also want to make sure that this is not and should not be a partisan debate. Indeed, research and development has been one of the strongest areas of bipartisan agreement between the two parties over the past 50 years. Many of the programs that have been targeted in this bill are the results of such bipartisan agreement. Many of them are programs that were initiated by the past two Republican administrations. I strongly supported those programs then, and I will continue to do so today.

As a matter of fact, I participated in the effort to convince these past two Republican administrations that this was the correct direction to move in, and those arguments were successful because they came not just from Democrats but from Republicans, from the business community, from the research community, and from many others.

Mr. Chairman, what is different today than in the past is the extremism that has made its way into the thinking of the Republican leadership and the Republican planning process. The decisions that have been presented to us by this bill have nothing to do with whether science is good or science is bad, but whether it passes the ideological litmus test of the Republican leadership.

Thus, I again stress that this should not be a partisan debate, but the issue has, much to my regret, been politicized. It would be profoundly misleading to call H.R. 2405 an authorization bill for science programs. Rather, it is a deauthorization bill. It is a first step toward the most significant postwar reduction in science funding ever proposed.

Mr. Chairman, I have a chart here which I think will illustrate the point very well. On this chart, as Members can see, the bottom line is that it shows a 33-percent decline in R&D over the next 5 years, R&D in those areas represented in this bill, which, as I indicated earlier, actually is only about a one-third of the total R&D investment of the Federal Government. But these are the components that are included in the bill, and as Members can see, after the year 2000, the next 5 years, these are all drastically declining.

I wish I had the chart, we had the information, as to what is happening with the other two-thirds of R&D: the military, health, and certain smaller portions such as agriculture. These are continuing to either slightly increase or to remain relatively stable. Therefore, the first question that comes to my mind is what is so bad about the science programs within the jurisdiction of the Committee on Science that they have to take a one-third cut while the other two-thirds are not.

Mr. Chairman, the Republican budget resolution which was adopted earlier this year included this 33-percent reduction in science programs within our committee over the next 5 years. The bill before us today is the first installment in that planned disinvestment. It is ironic that the Republican plan requires that in order to pay for a tax cut, we must sacrifice the very things that we know lead to long-term economic growth.

Mr. Chairman, I am not just trying to parrot a catch phrase here. In developing alternative bills in the committee to the Republican bills, we recognized that it was imperative to do so within the framework of a budget philosophy that would balance the budget within 7 years. We did that. We did not choose to make the tax cut within our budget; we adopted the philosophy of the conservative coalition budget, which calls for balancing in the 7-year period, but does not provide for the tax cut which is in the Republican budget.

As a consequence, we were able to provide in our alternative, which the Members will get a chance to vote on, funding for all these programs at a somewhat higher level; not as much as the President proposes, certainly not as much as we spent last year, but not as severe a cut as we see in the figures before us on this chart.

Mr. Chairman, over the past several decades there has been widespread agreement among economists that between a quarter and a half of all improvements in economic growth is attributable to technology development; the technology is represented by these programs, as a matter of fact, and not necessarily so much the technology developed in the military programs, which are generally rather special purpose. R&D is an investment in the Nation's future. Although deficit reduction will remain the foremost national priority, this is only one element of improving the national economy. Deficit reduction by itself, valuable as it is, could slow the economy, unless accompanied by investments such as those in research and development and certain other specific infrastructure investments. It is highly illustrative to look at what reductions in this bill hit the hardest.

I would like to show the next chart at this point. In this chart, we are able to see the differences between the cuts received below 1995 or increases for the various categories, including, as I have referred to earlier, the defense and the health sciences, the first two. These, as you can see, receive an increase in funding above the 1995 level.

All of the rest of these are cut in various degrees. Commerce is notable for the fact that it takes the largest cut. Interior takes the second largest cut, and the fact is that the Committee on Commerce programs have been found to be not politically correct by the Republican leadership, and they have, of course, suffered the consequences.

Mr. Chairman, there is no question that these major cuts have been focused on programs which involve technology partnership with the private sector. In the opinion of the Republican leadership, this is not good science and, therefore, they are going to cut it to the bone, or eliminate it if they possibly can. We will have some further discussion of that a little later on.

Of all of our expenditures in R&D, those that involve cooperation with the private sector, those which basically were programs that came out of the 1988 trade bill and the advanced technology programs of that trade bill, are the ones which will make America more productive and will help us to come out of the slump that we are in. There is a similar agenda for environmental research and development. The fact is that that is being drastically cut. Much of the energy research is being cut, because it is considered to be applied.

Mr. Chairman, I will present one more chart here to give the broad picture. The real reason that there is an advanced technology program in the 1988 trade bill is because we found that other nations of the world were taking global market shares and we were not, and that there was a direct relationship between this and the amount they were investing in research and development.

This chart gives us an illustration of what will be the comparison between us and Japan between now and the year 2000, based upon budgets and plans already announced in Japan, compared with the Republican budget resolution, which is the same picture as I showed before: a one-third decrease in these programs. In Japan they are proposing a doubling of their investment.

Mr. Chairman, it takes a few years for these kinds of investments to pay off. Our investments during the period after World War II is what gave us the leadership in the world in terms of competitiveness. It was our failure to maintain that rate of growth, while Japan and Europe, as well as other Asian countries, continued to increase theirs. That began to disturb our balance of trade. We hope that we will not have the bad sense to continue to follow the path laid out here, because I can assure the Members that it will be devastating to our economic future.

Mr. Chairman, I will not belabor the remainder of the remarks here. I have previously asked approval to put them in the RECORD, and we will have further discussion of them as we proceed with the debate.

We now spend about 2.4 percent of the GNP on R&D. Japan spends nearly 3 percent and in July of this year announced a national plan to double this by the year 2000. This will be in stark contrast to the Republican plan to decrease our civilian research by over 30 percent during the same period.

I know that we will hear many arguments during the course of this debate that seek to rationalize these reductions. Most of them are based on nothing more than sloganeering—by calling R&D by other names such as ''corporate welfare'', ''applied research'', ''bureaucratic overlap'', and so on.

In particular, Republicans have repeatedly justified their reductions by claiming that these undesirable areas of research have been cut

in order to fund basic research. There is even a claim that this bill increases basic research. Nothing can be farther from the truth. The fact of the matter is that this bill cuts basic research below fiscal year 1995 levels and dramatically below the request level. The Republican claim is only possible if one actually redefines the term ''basic research'' in some way other than the current convention used by the OMB, the administration, and the science agencies. The only area of basic research that is being increased is NIH which is not in this bill.

Clearly, the distortion is intended to assure the University community that their research will be protected. The fact of the matter is that it is impossible to inflict a 33-percent reduction in R&D over the next 5 years and not cut basic research. Indeed, it cannot even be done this year.

The distinction between basic and applied research is, of course, convenient for budget cutting purposes but it is meaningless as a public policy and reveals a profound lack of understanding on the part of the Republicans of what basic research really is and how basic and applied research is related.

We will also hear today that the research that is being eliminated can and should be done by the private sector. Privately owned companies are completely oriented toward maximizing a return on investment. Research that may take years to mature has become an increasingly poor investment for most companies. The Republican assertion that the private sector will somehow step in to take up the slack is sadly out of touch with reality.

On May 22 of this year, the Wall Street Journal reported the disturbing news of a sharp decline in industrial research and development over the past 4 years. Spending among AT&T, GE, IBM, Kodak, Texaco, and XEROX—giants in the high-technology industry—declined by 30 percent since 1990. This is all associated with the emerging corporate imperative to achieve a favorable short-term return on the stockholders' investment. Federal R&D policy simply cannot ignore this reality and must adjust to it with the type of Government-industry partnerships that were conceived by the Bush and Clinton administrations.

I will close by stating my intention to offer a substitute to this bill at some point later in the process. Although this will no doubt be called the Brown substitute or the Democratic substitute I want to be clear on the fact that this substitute is nonpartisan in every conceivable way. Indeed, my substitute is a simple attempt to maintain at some minimal level the investments in R&D that have had wide bipartisan support in the past. The bulk of my substitute is, in fact, the result of initiatives begun during Republican administrations.

Indeed it was only in February 1992 when all 20 Republican members of the Science Committee, including the present majority leadership, set forth their independent views and estimates for the Budget Committee strongly advocating a 2-percent real increase in civilian R&D. Their submittal stated:

> Surely, a 2% real increase in civilian R&D can be accommodated within a $1.5 trillion budget pie. To not make this investment would be irresponsible and ultimately lead to catastrophe.

They were right then and could well make the same case today.

I will ask my colleagues on both sides of the aisle to join me in supporting this substitute.

Mr. Chairman, I reserve the balance of my time.

Mr. WALKER. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. SENSENBRENNER], chairman of the Subcommittee on Space and Aeronautics of the Committee on Science.

Mr. SENSENBRENNER. Mr. Chairman, let me begin by commending the gentleman from Pennsylvania for his leadership of the Committee on Science during this 104th Congress. Because we must balance the budget and restore financial discipline to the Federal Government, all discretionary accounts are experiencing new fiscal pressures. Consequently, we must prioritize programs and discontinue those functions that the private sector can take over from Washington. Under the gentleman from Pennsylvania's leadership, all of us on the Science Committee have worked to accomplish this task and focus our civil science expenditures on those activities which only the Government can perform and which have the largest long-term benefits to the country. H.R. 2405 meets these goals by focusing on basic research and fulfills the responsibility Congress has to ensure that tax dollars are spent wisely.

Mr. Chairman, American science is undergoing a profound change. Government set up the modern scientific establishment right after World War II and the organization of the scientific enterprise reflects its cold war origins. Since that time, we've always worked to increase the science budget. As a consequence, many activities that would defy our traditional definitions of proper scientific activity have been funded by the Federal Government, including corporate welfare and questionable behavioral disciplines. Recently in the weekly research journal, Science, two social scientists experienced in Federal funding of science wrote that ''the social contract currently governing U.S. science is an obstacle to needed changes in science policy. This policy cannot realistically justify large science budgets. The situation demands more than a defense of the status quo—if faced constructively, it is an opportunity to develop a sounder social contract, to develop an ecology in which science can thrive.''

H.R. 2405 is the first step in developing this new contract. We elevate science's profile in the Federal Government by considering Federal civil science activities as whole, as this bill does, rather than as a collection of separate and unconnected programs. Similarly, H.R. 2405 will help us better integrate science into the very fabric of society by encouraging greater public-private partnerships to achieve our scientific goals. For example, title II of the bill, which authorizes funding for NASA, includes funding and authority for unique government-industry cooperation to develop new space launch vehicles that place industry in the leading role. Similarly, title II begins privatizing certain functions of NASA that the private sector is providing, such as airborne microgravity experiments. By taking these steps, we can better leverage Federal and private dollars in pursuit of the national interest, saving taxpayer resources in the short and long term.

By passing H.R. 2405, Congress will send the message that we are serious about balancing the budget and that we are going to do so intelligently by focusing on those programs with the greatest need for Federal dollars and the greatest benefit to the Nation. H.R. 2405 is an important step in the process of ensuring the long-term health of the scientific enterprise by cutting out fat and waste while improving our commitment to basic research. Please join us in passing this bill.

Mr. BROWN of California. Mr. Chairman, I yield 5 minutes to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

□ 1230

Ms. JACKSON-LEE. Mr. Speaker, I thank the gentleman from California [Mr. BROWN] for yielding me this time, and I certainly adhere to some of the instructive remarks that he has made.

Mr. Speaker, I think we come to this issue hoping for a bipartisan approach, for who can be against research and development that basically is the underpinnings of the work of the 21st century. Certainly it has been the hallmark of this Republican Congress that has been controlled by this party for a couple of months that in everything, small is better. Many productive and useful activities of this Government have been cast aside in the blinding light of that irrational ideology. If the United States is going to continue, however, its preeminent role in technology and commerce, then we must not allow the decimation of our scientific establishment.

Basic science research has been the driving engine in the prosperity of our country for the past 50 years. Why only yesterday, two of America's most prominent physicists won the Nobel Prize. With the more than obvious beneficial results of such investments as federally funded research, it is incomprehensible to me that my Republican colleagues are so eager to cut one of the best returns on investment we can make.

Mr. Speaker, numerous studies have indicated that up to one-half of all U.S. economic growth is directly attributable to the introduction of new technology. I entreat my colleagues that this is in fact an important debate, and that we should come to the House Floor in droves, for this talks about where this country will be in the 21st century. Do we want to slash and cut research and development that has been the very backbone of many of the discoveries in this world?

It has been stated by the Republican majority that this bill is cutting R&D spending by only 12 percent, while actually raising the overall level of basic research by 1 percent. What they have not said is that based upon the budget resolution which the Republican Party led the fight for, there will be a 33 percent decline in Federal research funding from now until the year 2000. The recipients of this precipitous decline include NASA, NSF, DOE, the principal torch-bearers in our R&D advancement.

These same Republican colleagues say that they are supportive of basic science, cutting only what they deem to be applied. Well, based upon the facts, I have serious reservations concerning the definitions of both basic and increase. Using OMB definitions, H.R. 2405 does indeed cut fiscal year 1996 spending on basic research, which has been basically what has driven this country.

Federal R&D investment has been the backbone, because private sector companies have stopped their long-term R&D investment. We realize that if we are to continue in this manner, if we are to have a future for our children, the elementary school children, the secondary school children and our colleges, the Government must play a part in research and development. There is nothing wrong with that.

Yes, we must bring the budget down, and we have an alternative that I hope we will be able to support that responds to bringing the budget deficit down, but does not steer us away from research and development, creating jobs for America in the 21st century.

In closing, let me say that I want to remind my Republican colleagues of their former President, our former President, the advice that President Ronald Reagan gave us. He said, ''America has always been greatest when we dare to be great.'' Let us be great with R&D, and let us make sure that we keep support of a very important opportunity in our country.

Mr. PETE GEREN of Texas. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE. I yield to the gentleman from Texas.

Mr. PETE GEREN of Texas. Mr. Chairman, I thank my friend for yielding time to me.

Mr. Chairman, the Basic Research Subcommittee developed the provisions of titles I and VII of H.R. 2405, which authorize the activities of the National Science Foundation and the United States Fire Administration, respectively. These are small agencies with a disproportionate impact on the well being of the Nation.

The National Science Foundation plays a key role in developing and sustaining America's unparalleled academic research enterprise. It is the only Federal agency with the sole mission to support basic science and engineering research and education in the Nation's schools, colleges, and universities. Its programs support individual faculty members, postgraduate research fellows and graduate students; the operation of national research facilities; the modernization of scientific instruments and research facilities; and science education at all levels of instruction.

Although NSF represents only 4 percent of the Federal R&D budget, the agency provides one quarter of all Federal support for academic basic research. This support makes major contributions to disciplinary research, including, for example, more than 40 percent of Federal funding for mathematics research and one-third of the funding for both the Earth sciences and the nonmedical biological sciences.

In addition, NSF is an important participant in multiagency research efforts in areas of strategic importance to America's technological strength. For example, NSF provides approximately 30 percent of the total funding for the High Performance Computing and Communications Program. This major Federal-university-industry research initiative provides the technical underpinnings for the emergence of the National Information Infrastructure.

Finally, NSF plays a large role in precollege and undergraduate science and mathematics education. The foundation supports programs of model curriculum development, teacher preparation and enhancement, and informal science education.

A direct linkage exists between these wide-ranging research and education activities and the long-term economic health and well being of our country. These programs generate the new knowledge and produce the human capital needed to fuel a technologically-based economy. Ultimately, the success of NSF's programs are reflected in such concrete ways as the productivity of the Nation's workforce.

The NSF authorization in H.R. 2405 attempts to maintain the core research and education programs of the foundation in a difficult budget climate. I share the commitment of many of my colleagues to achieve a balanced budged over the next 7 years and realize that even the most valuable Federal programs, such as NSF's research activities, must bear some of the pain of achieving this goal.

Although the bill lowers funding from fiscal year 1995 levels, it is an allocation that provides relatively gentle treatment for NSF in a year in which many Federal science and technology programs authorized by the Science Committee have experienced severe cuts. In addition, some funding increases are provided by the bill in the second year that will bring the NSF research directorates back to the fiscal year 1995 funding levels.

The bill also addresses the question of how to ensure a wise allocation of resources in stringent budget times. A requirement is included for NSF to develop and submit to Congress annually a clear statement of the agency's goals. The annual multi-year plan is intended to highlight expected areas of program emphasis, including research initiatives under development, and contain criteria and procedures for assessing progress toward defined goals. A related requirement calls for the development and periodic updating of a plan for new construction of NSF's national research facilities, such as telescopes, and upgrades to existing national facilities. These two requirements will assist Congress in determining priorities to ensure that the resources allocated to NSF are used for maximum benefit.

The other major provision of H.R. 2405 which was the product of the Basic Research Subcommittee is title VII, which authorizes the U.S. Fire Administration. This agency has long enjoyed bipartisan support in Congress because of its vital mission to improve the safety of all our citizens. The agency supports training, research, and public education efforts which have advanced public awareness of fire safety practices, and have improved the effectiveness of fire services and home fire safety devices. Much has been accomplished, but the record of fire death rates and property loss in the Nation reveals that much remains to be done.

The bill authorizes funding for the important programs of the U.S. Fire Administration at a level very close to the President's request. This is a significant accomplishment because of the severe downward budget pressures on all Federal agencies and activities. In light of the current budget climate, I am pleased that the committee has developed a bill that will sustain the important programs of the Fire Administration.

Mr. Chairman, I want to acknowledge the open and collegial approach taken by the chairman of the Basic Research Subcommittee, Mr. SCHIFF, in developing titles I and VII of H.R. 2405, and am pleased to join him in commending these measures to the House for its favorable consideration.

Mr. WALKER. Mr. Chairman, I yield 6 minutes to the gentleman from New Mexico [Mr. SCHIFF], chairman of the subcommittee on Basic Research.

(Mr. SCHIFF asked and was given permission to revise and extend his remarks.)

Mr. SCHIFF. Mr. Chairman I rise in support of H.R. 2405.

I would like to thank my chairman, BOB WALKER, for his tireless efforts on behalf of science as evidenced by this omnibus science bill before the House today. This legislation for the first time attempts to focus the House's attention at one time on most of the civilian research and development programs supported by the Federal Government.

I also want to thank the ranking minority member, Mr. BROWN and my subcommittee ranking member, Mr. GEREN, for their hard work in bringing this bill through the Science Committee.

Beginning in February of this year, the Science Committee and its subcommittees have held a number of budget and oversight hearings and markups on the separate pieces of legislation that have been rolled into this omnibus bill. The process has been very fair and thoughtful, and the result is good legislation which reauthorizes many important programs while staying within the budgetary constraints established by the budget resolution. This legislation demonstrates that

Congress' dual responsibilities of balancing the budget and supporting important Federal research and development programs are not mutually exclusive—indeed, they are supportive because they force us to become more efficient and to prioritize.

I am proud of the role my Subcommittee on Basic Research has contributed in creating this legislation. Responsible for the authorization of the National Science Foundation and the Federal Emergency Management Administration's [FEMA] fire programs, the subcommittee worked on a bipartisan basis to complete 2-year authorization bills, H.R. 1852 and H.R. 1851, respectively.

The Basic Research Subcommittee's legislation was incorporated into H.R. 2405 as titles I and VII. I would like to focus my remarks on those two titles.

The National Science Foundation [NSF] is the principal supporter of fundamental research and education conducted at colleges and universities in the fields of mathematics, science, and engineering. The NSF accomplishes this through grants and contracts to more than 2,000 colleges, universities, and other research institutions in all areas of the United States. The NSF accounts for approximately 25 percent of all Federal support to academic institutions for basic research. As chairman of the Science Committee and vice-chairman of the Budget Committee, Mr. WALKER has voiced his strong support for basic research. I share these views, and title I of H.R. 2405 reflects this strong support.

In addition to budget authorizations for fiscal years 1996 and 1997, there are provisions in this bill on prohibition of lobbying activities, financial disclosure of high-level employees, protecting Reservist and National Guard personnel recalled to active duty, and assigning to the White House Office of Science and Technology Policy the task of finding ways to further reduce indirect costs.

I would like to point out that in these difficult fiscal times, NSF was affected very little by the budget resolution in fiscal year 1996. In fact, the budget resolution's assumptions provide for growth in the research and related accounts at NSF of 3 percent per year after 1996, which is reflected in title I of this bill for fiscal year 1997.

It is important to state here that the science community needs to recognize that the majority in both the House and the Senate, are supportive of basic research. Members understand that basic research is essential, that it is an appropriate Federal activity, and that it is an economic driver. The Science Committee is acutely aware of the importance of basic research, and so worked to preserve funding even as other Federal programs have been cut to meet aggregate budget requirements.

I would now like to address title VII of H.R. 2405. This is the part of the legislation which authorizes the United States Fire Administration [USFA] and includes funding for the National Fire Academy [NFA]. The USFA performs a vital function for our country, one that saves lives and property. H.R. 2405 incorporates the funding levels reported by the subcommittee and full committee which are sufficient to enable this agency to accomplish its mission.

Like the NSF, and USFA was affected very little when one consider the tight fiscal constraints under which we are operating. The authorized level is about 3 percent lower than the administrations' request, and we have preserved all of the essential functions and activities of the USFA and the Fire Academy.

Before closing, I would like to discuss the titles over which my subcommittee did not have jurisdiction, but which are equally important. Title II of the bill is the reauthorization of the National Aeronautics and Space Administration [NASA], minus funding for the space station, which has been reauthorized in separate legislation previously passed by the House. H.R. 2405 makes much needed reforms in the way NASA operates, primarily by refocusing its mission on basic research, space science, and human exploration of space.

The NASA provisions of this legislation require the agency to develop plans to privatize the space shuttle. This effort could save taxpayers more than a billion dollars over the next 5 years. At the same time, the bill continues NASA's next generation reusable launch vehicle program. This very important program will help to develop a commercially viable launch vehicle that will ensure U.S. leadership in space transportation. A subscale model of such a vehicle is currently being tested in New Mexico. The Delta Clipper or DC–X has been successfully launched several times and shows amazing promise. Given the future significance of space commercialization and space transportation, I am hopeful and optimistic that this program will be pursued vigorously and successfully.

Title III reauthorizes the civilian research and development programs of the Department of Energy [DOE]. These programs include some extremely important research that will help to enable this Nation move toward energy independence. Research programs in solar and renewable energy, nuclear energy and fusion, and advanced fossil fuels extraction methods are important for national security as well as economic security. Advances in these areas and others will help the United States to become free from relying on foreign sources of oil.

Another DOE-sponsored activity covered under this title is human genome research, ongoing at Los Alamos National Laboratory in New Mexico and at other sites. This research, which includes mapping the human genetic code, may be the key to the discovery of a cure for cancer and other devastating diseases.

As a Member who represents a State with two world-class national laboratories involved in energy research, I personally hope that funding levels for the programs in this section will be increased while staying within a balanced budget as we continue through the budget process. But, I am confident that title III of H.R. 2405 preserves the essential energy research and development programs necessary to move this Nation forward.

Titles IV and V of the bill authorize the National Oceanic and Atmospheric Administration's [NOAA] and the Environmental Protection Agency's [EPA] research and development programs and provide for the continuation of important programs within NOAA's atmospheric and ocean research activities and EPA's air and water quality research activities, while staying within the constraints of the budget resolution.

Finally, title VI of H.R. 2405 provides for continuation of the essential research activities of the National Institute of Standards and Technology [NIST] and the Office of Technology Administration within the Department of Commerce. NIST provides technical assistance to industry through the development of measurements and standards as well as a wide range of technology services such as standard reference materials and data, information on national and international standards, laboratory accreditation, equipment calibration, and evaluation of inventions. The NIST laboratories conduct essential basic research on infrastructural technologies such as new measurement methods.

In the likely event that the Department of Commerce, the current Cabinet-level home for NIST, is eliminated, NIST needs to be preserved either as an independent agency or housed in some other Cabinet-level department. While the Congress is not likely to create another Federal agency because of budget constraints, I think we should further explore the concept of a Department of Science to house NIST and all other Federal civilian science activities. By consolidating these programs into one agency we will ultimately save money and eliminate bureaucracies.

Chairman WALKER, thank you again for all of your hard work on this bill. I urge my colleagues to support its passage.

Mr. BROWN. Mr. Chairman, I yield 3½ minutes to the gentlewoman from California [Ms. LOFGREN].

Ms. LOFGREN. Mr. Chairman, I rise to oppose the bill H.R. 2405, the so-called Omnibus Civilian Science Authorization Act of 1995, as it exists now. The bill has a grandiose title to mask its pernicious effects on the Nation's research and development system. We will hear again and again in this debate how the majority supports research, especially basic research. Would that their rhetoric was matched by their legislative language.

Otto von Bismarck once warned that those who liked laws and sausages should watch neither one being made. This bill offers a stellar example of this principle. The legislation we consider here is not the product of in-depth consideration by the Science Committee. It is, rather, a large muddle made up of a jumble of small messes—slapped together authorization bills for agencies under our jurisdiction to create the unwieldy morass we are about to debate. If the component titles were more than the product of little thought and even less deliberation, this might be acceptable. H.R. 2405, however, is in the unenviable position of being less than the sum of its parts.

The value of science and technology to the Nation and its people has, for the last 50 years, been an area where both parties have shared a common vision. Many economists credit innovation with up to half of U.S. economic growth. Both parties have also agreed that the Federal Government played a critical role in maintaining American leadership in these vital areas. The Federal Government has been an early adopter of new technologies; ask Cray Supercomputer how long it took their market to broaden beyond the Department of Energy and the Department of Defense. The Government joined with industry to improve existing technologies or to adapt them to new needs. After the war, the Government injected vast new resources into the Nation's universities and reaped a network of laboratories and a supply of talent that is the envy of the world.

Until now. H.R. 2405 marks wholesale retreat from this bipartisan consensus. The majority cry is, ''Less will be more.'' That's unlikely. The cost of maintaining leadership is not shrinking, it is rising. Indeed, in some fields we have admitted that we cannot afford to maintain progress with our resources alone.

Mr. Chairman, there will be an amendment in the nature of a substitute offered to correct the shortsightedness that permeates H.R. 2405. The substitute recognizes that every element of Federal activity will be squeezed in the effort to balance the budget, but that reducing investment in future productivity is the worst of all possible ways to do this. The substitute will authorize less spending than that actually spent in fiscal year 1995. It is less than the President requested for fiscal year 1996. But it is above the level authorized in H.R. 2405.

Historians mark the zenith of the Confederacy as the day Pickett's soldiers charged into the teeth of Union cannon on Cemetery Ridge on July 3, 1863. At least they died with guns blazing and on the attack. With H.R. 2405, the majority furls our flag and skulks from the field. We should not be surprised if history records the end of American scientific and technological leadership with the passage of this bill.

Mr. Chairman, I urge a vote in favor of the substitute to H.R. 2405.

□ 1245

Mr. WALKER. Mr. Chairman, I yield 7 minutes to the gentleman from California [Mr. ROHRABACHER], chairman of the Subcommittee on Energy and Environment.

Mr. ROHRABACHER. Mr. Chairman, simply put, this bill is good for science and good for the taxpayer. Titles III, IV, and V concern agencies under the jurisdiction of the Subcommittee on Energy and Environment which I chair.

The authorization does not mindlessly cut programs across the board, which President Clinton insisted on doing in the continuing resolution. Rather, it follows the priorities laid out in the budget resolution passed by the House in May and puts us on the path to a balanced budget. It preserves funding for fundamental scientific research, while obtaining most of it and most of its budget savings from three major areas, that is, the bureaucracy, market development, and promotion programs, and corporate welfare.

If my colleagues have been reading their mail, they have been reading some misleading statements in the last few days. There have been claims of extremist cuts in research that could lead to all kinds of disastrous consequences. But, of course, there are no specifics included, no details of actual cuts. That is because there are so few specifics to back up these charges.

Instead of name-calling, as Al Smith used to say, let us look at the record. Fact: In the Department of Energy title, basic energy sciences, we see that it has been increased by $100 million over the fiscal year 1995 levels. At hearings held before my Subcommittee on Energy and Environment in February, every director of a major national laboratory testified in person or in writing that the scientific facilities initiative was their number one research priority for fiscal year 1996. It is fully funded in this bill.

Fact: The $1 billion general science and research account is reduced from the fiscal year 1995 levels by exactly 1 percent. How awesome it is that we want to take it down by 1 percent while we are trying to balance the budget.

Fact: Reducing an account called energy supply research and development, or another one, energy conservation research and development, does not mean that we are reducing funds for scientific research.

For example, there are administrative slush funds at DOE that are used to pay for each program's own policy gurus and to hire, get this, to hire expensive outside public relations firms to promote their programs. They are listed under what? That is right, research and development.

Programs to subsidize new heat pumps for the world's largest air conditioner manufacturers are also listed under basic research and development. Programs to subsidize the purchase of alternative fuel vehicles are funded under what heading? You guessed it, research and development.

In these budgets, the titles are intended to mislead rather than to explain. Do not let anybody tell you that we are cutting basic research.

Fact: Almost none of the massive increases called for by the Clinton administration budget request, and none of them since 1993 for the Department of Energy under this bill's jurisdiction, involve fundamental scientific research. These hikes that President Clinton has been calling for in spending are for market development and promotion programs and for politically inspired programs such as the climate change action plan.

The NOAA authorization has been subject to even more misleading lobbying. Contrary to what you may have heard, H.R. 2405 provides for a 25-percent increase in NOAA's weather satellite program, so this vital needed information and the information gathering program can remain on target.

The National Weather Service modernization program is fully funded. That means that lifesaving doppler radar will be installed on schedule.

Keep in mind that NOAA's budget has increased by over 50 percent in the last 5 years. What we are proposing is that over a 5-year period this growth would come out to be just 30 percent. That is not draconian.

But there are some cuts in this area. For example, we save $300 million without affecting NOAA's core mission. We accomplish this by eliminating congressional add-ons, eliminating costly procedures for closing old Weather Service offices, and by privatizing the fleet and eliminating the NOAA core corps.

You will hear this called that we are cutting NOAA research. What we are doing instead is saving the taxpayers the $2 billion that it would cost to modernize the NOAA fleet, which should have been privatized in the first place. Cutting NOAA research? Nothing could be further from the truth.

The NOAA fleet is operated by the NOAA Navy, an anachronistic corps of civilians dressed up in Navy officer's uniforms, receiving military pay and military retirement benefits. This is a throwback to World War I when the mapping of the U.S. coastline was considered a military, not a civilian job. Private charters are itching for the chance to provide the vessels for needed research at lower cost, and we should give them this chance and save the taxpayers some money.

Our mark on EPA has also been under attack, but we have taken great pains to see that the EPA title provides full funding for research that is relevant to EPA's mission. For example, we increased the funding for air quality research.

We get our savings, however, when we are talking about the EPA, by cutting and by looking at politically inspired programs like the environmental technologies initiative which

was put forward by this administration, and the Clinton climate change action plan. Among other things, this program seeks to find out what would happen to fish if global warming is actually a reality. Well, all we ask and all we are trying to fund is the core mission, the research and development core mission of the EPA which we are not touching.

Mr. Chairman, I urge my colleagues to support sound science and a balanced budget by passing H.R. 2405, and for my colleagues to take a close look at some of these charges of what is actually being proposed in our legislation. We protect basic research and development by taking out the frills, taking out nonsensical programs that are not research related.

Mr. BROWN of California. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut [Ms. DELAURO].

Ms. DELAURO. Mr. Chairman, I rise today in strong opposition to H.R. 2405, the omnibus antiscience and anticompetitiveness bill. This is a reckless bill, a shortsighted approach to national priority setting that endangers America's role in the global economy both today and in the future.

As a representative from the Third District of Connecticut, I have the honor of representing one of our Nation's research jewels. Yale University, located in my hometown of New Haven, boasts one of the most advanced scientific research facilities in the world. The work done at Yale and at colleges and universities across America provides an absolutely essential component of our Nation's economic competitiveness by conducting federally funded basic research and applied science.

The knowledge gained by these efforts teams cutting edge scientific breakthroughs with practical applications that point the way toward America's future economic progress. America's economic competitors around the world know well the value of investing in civilian research and development. American jobs in every State in the Union rely on international competitiveness.

Yet the United States invests a smaller percentage of its R&D dollars on civilian research and development than does nearly any of our economic competitors. Mexico, the Philippines, Japan, Argentina, Canada, Italy, Germany, Taiwan, Korea, France, and Britain all surpass America in their investment in civilian research and development.

How can America ensure our future economic competitiveness with this shortsighted approach? The fact that we will still rank slightly ahead of the formerly Communist Czech Republic stands as little consolation for the working men and women of this country whose hard work produces goods and services that are suffering from increased competition from our economic rivals.

We must stand tall for intelligent scientific policy. As the President of the California Institute of Technology recently wrote, ''Without first class science, we can look toward only to a second class economy and second class standard of living.'' Vote no on H.R. 2405.

Mr. WALKER. Mr. Chairman, I yield 5 minutes to the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, with the beginning of this Congress, the Science Committee, under the leadership of the gentleman from Pennsylvania, has engaged in a new process which strives to put us, as an authorizing committee, at the table with the Appropriations Committee and the Budget Committee in the setting of public policy and in directing how our Federal moneys are spent.

As a result, the committee has been exercising our policy setting responsibilities with a strong voice in the funding process. The gentleman from Pennsylvania, as chairman of the committee, has asked all the subcommittee Chairs to produce authorization bills which reflect the House-passed budget resolution, moving us to a balanced budget in 7 years.

We needed to do this because otherwise the committee's authorization might not have been considered credible or realistic in our work product. As difficult as it has been, the committee is being guided by the same budgetary limitations affecting the Appropriations Committee. Accordingly, these budget limitations have forced us to prioritize our Federal spending, resulting in a limitation of our ability to fund every worthwhile program.

H.R. 2405, the Omnibus Civilian Science Authorization Act, reflects the need to prioritize our Nation's scientific research funding under tight fiscal limitations which moves us to a balanced Federal budget. It also incorporates as title VI, the committee-passed version of H.R. 1870, the American Technology Advancement Act of 1995, which provides for the authorization of programs within the technology administration, especially the laboratory functions of the National Institute of Standards and Technology [NIST].

Mr. Chairman, I believe NIST is a well-run agency with a well-defined mission. NIST's mission to promote economic growth by working with industry to develop technology, measurements, and standards is integral to our Nation's competitiveness in the global marketplace. Title VI of H.R. 2405 sends out the strong signal that the core scientific work being done at the NIST laboratories must be a priority.

In addition, NIST's construction account must also be maintained as another priority. Without the necessary renovation and construction of facilities, NIST will simply not be able to adequately fulfill its basic mission in the future. The bill before us today reinforces this priority with its funding of NIST construction and modernization of its laboratories.

Title VI of H.R. 2405 provides fiscal year 1996 authorizations for the Under Secretary for Technology, for the NIST core programs, and for construction of research facilities. It also contains language permitting NIST to perform important administrative functions. These include: expanding NIST's ability to continue hiring the best and the brightest scientists; permanently extending the NIST personnel demonstration project; increasing the cap on the NIST Postdoctoral Fellows Program; providing authority to give excess scientific equipment to secondary schools; and creating authority for a NIST metro shuttle for employees, among others.

I commend the chairman for his efforts in bringing this bill to the floor and I will support its passage.

□ 1300

Mr. BROWN of California. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas [Mr. HALL], the ranking member of the Subcommittee on Space and Aeronautics.

(Mr. HALL of Texas asked and was given permission to revise and extend his remarks.)

Mr. HALL of Texas. Mr. Chairman, I thank the gentleman from California [Mr. BROWN] for yielding this time to me, and of course I rise in support of the Nation's several space programs, and there are many reasons why I take this position. Basically it is because I have seen the benefit that our spending on space exploration has delivered to our citizens over the past 37 years. Communications satellites, weather satellites that are so important in this year of the hurricanes, advanced materials that have led to improved hip and joint replacements, technologies developed for the space program that have absolutely revolutionized medical diagnostic and monitoring devices and so forth; the list is absolutely endless, and I am convinced that our continued investment in the space program will deliver equally impressive returns in the future.

As we debate H.R. 2045, the Omnibus Civilian Science Authorization Act of 1995, I would like to urge my fellow Members to make sure that we do nothing today to hurt the Nation's civil space program. We have tough decisions to make in the midst of difficult budgetary times. However, we should resist the temptation to be penny-wise and pound-foolish when it comes to one of America's most important investments in the future: Our investment in the space program.

As the former chairman of the Space Subcommittee, I have long pushed NASA to streamline its activities and be the best steward it can be of the taxpayers' money. I believe that NASA has responded to the challenge. Many Members may be unaware that NASA—with help from both Congress and the administration—has cut its funding plans by some 35 percent since 1993. In many ways, NASA has led the way in delivering a quality product at the lowest possible cost.

However, I believe that we have cut NASA just about as much as we can. To make any more cuts to NASA's budget runs the risk of unraveling all of the progress we have made and jeopardizing the projects that are so important to America's future: projects in aeronautics, in science, in space technology, and so forth. I do not believe we want to make that mistake.

Why do I feel so strongly about the space program? It is because I have seen the benefit that our spending on space exploration has delivered to our citizens over the last 37 years. Communications satellites, weather satellites—so important in this ''year of the hurricanes'', advanced materials that have led to improved hip and joint replacements, technologies developed for the space program that have revolutionized medical diagnostic and monitoring devices, and so forth. The list is endless, and I am convinced that our continued investment in the space program will deliver equally impressive returns in the future.

One need only look at the space station program and the research that is planned for that orbiting facility to realize that we are on the verge of an exciting era in research and development. As many of you may know, I am personally very interested in the potential for important advances in medical research that may come from experiments conducted on the space station.

When I was chairman of the Space Subcommittee, I held a series of hearings over the last 3 years on the potential benefits of space-based biomedical research. The testimony we received from some of the premier medical experts in the country—people like Dr. Michael DeBakey and Dr. Charles LeMaistre, as well as some of the most promising, up-and-coming researchers, was truly impressive, and I invite Members to review the hearing record.

We have worked hard to ensure that NASA and the National Institutes of Health develop good collaborative research activities, and that effort is bearing fruit. At a time when every family in America, on average, has someone that has been touched by the dreaded disease of cancer, we should not turn our back on any possible avenue of progress. I think that the space program has much to offer in our fight against the diseases that afflict our citizens—young and old, men and women—and we should not turn away in a misguided attempt to save a few dollars. Space is an investment in our future and that of our children. I urge my fellow Members to support the space program.

Mr. BROWN of California. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Tennessee [Mr. TANNER].

(Mr. TANNER asked and was given permission to revise and extend his remarks.)

Mr. TANNER. Mr. Chairman, I wish I could be more optimistic in remarks I have to make about H.R. 2405. It claims to trim corporate welfare, while maintaining support for university-based research.

The rhetoric accompanying this bill claims that by maintaining funding at the National Science Foundation we are preserving our core investment in university-based research. At least in my State of Tennessee, the facts present a far different picture.

According to a National Science Foundation report, in Tennessee NSF provides only 5 percent of the Federal obligations to universities, while the Department of Energy provides 18 percent of the Federal funds going to Tennessee.

The 22-percent cut to the Oak Ridge National Laboratory means less Federal spending at Tennessee universities. In my conversations with officials at the University of Tennessee, cuts to the Oak Ridge Lab translate directly into cuts in Tennessee's research budget and access to research facilities. These cuts result in the College of Engineering losing one-third of its research funding, the Center of Biotechnology stands to lose almost three-quarters of a million dollars, and reductions to the Energy, Environment, and Resource Center could eliminate $6 million in research funds alone. Now these cuts, hiding behind the jargon of corporate welfare, directly impact university research in my State.

I would now like to talk about title VI, the provisions regarding the National Institute of Standards and Technology. This bill provides no authorization and no funding for the Advanced Technology Program and the Manufacturing Extension Partnership at NIST. The elimination of these two programs sends the strongest signal possible to our business community that we simply do not care about the harsh realities they face today. It is a matter of fact that corporate research focus today is short-term and risk-adverse and our small and medium-sized manufacturers in this country face international competition on every street corner in America. As Michael Schrage, research associate at MIT put it, what is being advocated in this portion of the bill are ''science and technology policies that would have been deemed simplistic during the country's agrarian heyday.''

This bill would eliminate government-industry partnerships which enjoy widespread support among the private sector, professional associations, and the university community. The actions of the Committee on Science on title VI are not based on one private-sector witness or professional association person appearing before the Subcommittee on Technology who advocated eliminating those programs.

Our major corporations are cutting research funding and focusing on short-term goals in response to the pressures of Wall Street. For example, a recent article in the New York Times of September 26, 1995, reported on the break-up of the AT&T laboratories, due to diminishing corporate interest on the brilliant breakthrough discoveries that might lead to an entirely new generation of products. In this global economy blindly eliminating government-industry partnerships which promote private-sector investment in long-term research and development with no immediate payback such as the market forces might demand is not only short-sighted in our opinion but dangerous.

In closing may I say that Members here today should realize we are not talking about simply cuts in numbers of bureaucrats or the elimination of wasteful government programs. We are all for that. We are talking about cutting basic research at both Federal labs and universities, and cutting successful long-term industry-government partnerships.

This is the real-time, life-size embodiment of the old axiom, penny-wise and pound-foolish. Under the cover of political rhetoric I am afraid we are doing something very dangerous to our country.

Mr. WALKER. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. WELDON].

Mr. WELDON of Florida. Mr. Chairman, I just would like to make a couple of general comments. I am going to speak later during the discussion regarding NASA, but I have been listening this morning about how we do not want to cut, we do not want to cut, and every single time we had a bill come up on this floor where there is any reductions in spending, that is the theme, and that is why we have this tremendous problem.

Mr. Chairman, we have got about a $5 trillion debt. We are going to spend $270 billion paying interest on the debt in 1996. Imagine how much we could spend on basic science research, on NASA, on other important seed corn programs, if we did not have to pay all this interest on the debt, and this minority, when it was the majority, was never able to make any of these tough decisions, and that is why they are the minority today, and, if we do not deal with this problem and make the tough decisions, as the chairman of the full committee, the gentleman from Pennsylvania [Mr. WALKER], has done, then we are going to be bankrupt. Our children are going to inherit bankruptcy.

Five trillion dollars of debt, $180,000 for every man, woman, and child; that is the problem we are dealing with. This bill preserves important programs. I support the bill.

Mr. BROWN of California. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Chairman, I met several times with leadership on the other side, and let me say this:

This bill leaves the sole discretion to the Administrator to make decisions about whether or not they should delay the information to be in fact published.

Under title II the Traficant amendment says instead of ''may delay upon the request of a private sector entity'' ''shall delay.'' It can only be a 1-day delay.

There is some concern coming out that if, in fact, some chief executive of a company is friends with the Administrator, that that company is going to be favorably treated. Let me say this:

Under the open-ended language of this bill with full disclosure, with full

sole discretion available to the Administrator, my God, those types of things can happen overnight.

I think this is an industry-friendly amendment.

Mr. Chairman, I have only taken a minute because I want the staff to review this language. I think it makes the bill better.

Mr. BROWN of California. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from California [Mr. BROWN] is recognized for 2 minutes.

Mr. BROWN of California. Mr. Chairman, as we indicated at the beginning of this debate, it is quite possible that this authorization bill, packaged as it is, may never see the light of the President's signature, and the significance of what we are doing really is to explore some of the policy issues and some of the semantic issues which are involved in this debate.

For example, on the Republican side they have said rather consistently that this bill is friendly to basic research, and they confess that they are cutting certain things that they call corporate welfare. This is a wonderful position to be in from a p.r. position because everybody likes basic research and nobody likes corporate welfare. So they are going to cut corporate welfare.

Now the corporate welfare they are cutting are the programs which were adopted and enacted under the last Republican administration to show that this Government wanted to be partners with American industry and to assist them. I can remember the debates we had with President Bush's science adviser and with his Cabinet members about how this could best be done. I remember the discussions with Admiral Watkins, for example, the last Secretary of Energy, about the importance of the Department of Energy making their resources available to the private sector, to the corporations, to pursue research that would have a payoff in the short and middle term, what the distinguished chairman calls corporate welfare. Now this was not Admiral Watkins' view of it. Similarly in the Department of Commerce, where they were authorized to have an Advanced Technology Program and a Manufacturing Extension Program, they wanted to cooperate with industry in doing that. They did not consider it corporate welfare, and these are the programs which, of course, are taking the brunt of these one-third cuts which we have shown in the graphs are going to take place.

Mr. WALKER. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. WALKER] is recognized for 3 minutes.

Mr. WALKER. Mr. Chairman, we have heard a lot today about extremism and the idea that one-third cuts are extreme. I would like to read one quote to my colleagues that I think is an interesting quote in that regard. It says:

> I'm also in the belief that any agency of Government can be cut probably by at least a third without seriously impairing the overall results.

That was said on September 7, 1995, about a month ago, and it was said by none other than the ranking member of the Committee on Science.

Now either one-third cuts are extreme or they can be done without impairing the overall results. I do not know which it is, but the fact is that those kinds of issues are what we are dealing with, but we have not gone through and cut by one-third with a meat ax. We have been very, very careful about how we cut things because we wanted to make certain that, as we cut programs, we cut out a lot of the fat of Government.

Now what my colleagues just heard is people standing up here and defending this whole idea of corporate welfare, that somehow if Republican administrations put it in place for the big Fortune 500 companies, that should be justification enough for us to keep it.

Wrong. None of those Republican administrations balanced the budget, not a one of them, and we were criticized day in and day out on the House floor for the fact that Ronald Reagan and George Bush were not balancing the budget.

Mr. Chairman, this Congress has come here to balance the budget. How are we going to do so if we do not do something about adjusting priorities? And that is exactly what we are doing. Is that going to be at the expense of science? No.

My colleagues saw some charts here on the floor indicating that our spending is going down while Japan is going up. Well, at least they did admit that the Japan upward line was proposed, but the fact is this country spends in R&D more than Japan, France, Italy, Great Britain, and Germany combined. All of them combined do not spend as much as we do in R&D.

So what we have got to get going is getting the right kind of priority out of R&D. Can we do that? I think we can.

Here is a pretty good article out of Science magazine, news and comment. It is talking about how Japan is behind us for instance in the human genome research. It makes the point that Japan, for all of their spending, is not doing a very good job in some instances. We think what we ought to do is prioritize the money in this Government so we do a better job of spending it, and we cannot do a better job of spending science money by calling corporate welfare science and then spending lots of money on it.

Mr. Chairman, it is high time that we stop the Fortune 500 companies from coming in here and getting the Government to do the things that they could spend their own money on. The fact is the General Accounting Office on one of these big technology programs, the ATP program, the Advanced Technology Program, said that 80 percent of the money would have or might have been done by the companies if the Government had not provided the money. That tells us the right thing.

We support basic research; that is what needs to be done.

Mr. HOYER. Mr. Chairman, I rise today in opposition to H.R. 2405, the Omnibus Science Research Authorization Act of 1995. While the bill contains provisions which I support, I believe the bill cuts deeply into the Federal science research and development budget. I recognize that there must be cuts in many of these programs, however this bill clearly lessens our ability to excel in achieving the highest quality research and development. Now more than ever, we need to stay the course. The research performed and gained from these agencies and the entities they support are crucial to the vitality of our Nation.

Science plays a key role in the economic and technological development of our Nation. As an important player in the global economy, we must ensure that we are unrelenting in our efforts to remain competitive. The reductions contained in this bill are shortsighted and make unnecessary cuts to vital research and development programs. Therefore, it is important that we oppose this measure which makes cuts to prevent us from achieving our goal.

The bill authorizes $21.5 billion in fiscal year 1996 for several science programs and agencies. Its authorization level is $3 billion less than fiscal year 1995, and $3.6 billion less than the administration's request. It makes cuts in various agencies which provide critical research and information which benefit the Nation.

The bill provides $54 million less than the fiscal year 1995 and $228 million less than the administration's request for the National Science Foundation. While this may be a small cut, it represents the first time the National Science Foundation has received decreased funding. The National Science Foundation provides excellent support for research in the physical and mathematical sciences at universities. Moreover, it plays a significant role in ensuring that universities such as the University of Maryland and Johns Hopkins University maintain a standard of excellence in research which is internationally recognized. At a time when the reponsibilities and activities of the National Science Foundation are increasing, it does not make sound sense to make big cuts to its budget.

The bill authorizes a total of $1.7 billion for fiscal year 1996 for the National Oceanic and Atmospheric Administration [NOAA]. This represents $297 million less than the fiscal year 1995 funding and $476 million less than the administration's request. Mr. Chairman, this is particularly disturbing given that NOAA is presently in the middle of their efforts to modernize and restructure the National Weather Service.

The bill authorizes $4.3 billion in fiscal year 1996 civilian research, development, demonstration, and commercial application activities for the Energy Department. This is a decrease of $1.4 billion from the administrations request and $1.1 billion less than the fiscal year 1995 funding level. It is clear that as our fossil fuels and other resources become scarce, these programs are increasingly important.

As I stated previously, there are provisions in the bill which I support. I want to thank Congresswoman HARMAN and my colleague from

Maryland, Mr. BARTLETT, for their efforts to restore funding for the Mission to Planet Earth Program. I also want to thank the chairman and the committee for accepting the Harman-Bartlett amendment during the full committee markup of the NASA authorization bill.

Mission to Planet Earth produces practical benefits and long-term understanding of the environment. The centerpiece of Mission to Planet Earth is the Earth Observing System [EOS]. EOS will help us understand the causes of natural disasters and how to respond to them. The importance of the EOS Program becomes clearer when we look at the record number of hurricanes we have experienced this year. EOS will allow us to dramatically improve weather forecasts and improve agricultural and natural resources productivity. EOS will generate the facts needed to make objective decisions about the environment.

I am also pleased with the $28 million funding level for the U.S. Fire Administration and the National Fire Academy in fiscal years 1996 and 1997. This small investment in our Nation's fire safety and emergency medical activities provides the American people with the finest public education, fire prevention and control, and research into fire suppression in the world.

No one doubts the data which ranks the United States below many other industrialized countries in fire safety. The funds in this bill will enable the National Fire Academy to continue to provide the best training in the world to our Nation's first responders.

There are more than 340 Members of this body in the bipartisan Fire Services Caucus. We all must continue to support the U.S. Fire Administration, which provides the backbone of our Nation's fire safety and protection services.

Today, it is my intention to support the Brown substitute which provides sufficient levels of funding to keep our science programs on track. Not only does the Brown substitute provide sufficient operating levels for the National Science Foundation, NOAA, and the Department of Energy's research and development program, it authorizes higher levels for Mission to Planet Earth and the U.S. Fire Administration. the Brown substitute moves us in the direction we ought to be going with our science budget. The research and development we perform today will lead to a better quality of life for us all tomorrow. Therefore, I would urge my colleagues to oppose the committee bill and support the Brown substitute.

Ms. HARMAN. Mr. Chairman, I rise today to voice my support for a strong, balanced civil space program, and in particular for NASA's Mission to Planet Earth Program.

Title II of H.R. 2405 contains a bipartisan amendment which I offered at full committee with my colleague Mr. BARTLETT of Maryland. That amendment, which was adopted by voice in the Science Committee, restored $274 million of the $323 which had been cut from Mission to Planet Earth. The amendment was budget neutral and required a corresponding general reduction at NASA to pay for the increased Mission to Planet Earth authorization.

The intent of both Mr. BARTLETT and myself, as well as the language of the amendment, is unambiguous—the amendment authorized an additional $274 million for Mission to Planet Earth, but placed certain conditions on the obligation or expenditure of such additional funds. No conditions or limits were placed on the actual authorization or appropriations.

The most important obligation or expenditure condition was a requirement that the NASA Administrator report to Congress on a plan for implementing the recommendations of a recently completed National Academy of Sciences review of the Mission to Planet Earth Program.

The National Academy's report, which was released last month, validates the committee's actions of authorizing the additional $274 million. In particular, the report recommends that the Earth Observing System's PM–1 and Chem-1 missions be implemented without delay—an important endorsement in light of earlier committee report language which advocated delaying the missions to realize savings. Additionally, the National Academy found that the scientific basis of Mission to Planet Earth is fundamentally sound, and that any further budgetary reductions would severely damage the program.

Mr. Chairman, Mission to Planet Earth's scientific and economic benefits are numerous. In addition to providing invaluable information on global change, the program's scientific data will help us better understand the effects of El Nino conditions on our Nation's farms, and will further the developing science of risk assessment.

I urge my colleagues to support NASA's Mission to Planet Earth, as an integral part of a civil space program which balances human space flight with science, aeronautics, and technology.

Mr. TANNER. Mr. Chairman, I wish I could be more optimistic in my remarks, but I cannot. H.R. 2405, the Omnibus Civilian Science Authorization Act of 1995 claims to trim corporate welfare, while maintaining support for university-based research. But it does not. H.R. 2405 cuts civilian R&D Programs by 12 percent in fiscal year 1996, the first step in the majority's plan to cut Federal R&D spending by 33 percent over the next 7 years. The rhetoric accompanying H.R. 2405 claims that by maintaining funding at the National Science Foundation we're preserving our core investment in university-based research.

At least in my State of Tennessee, the facts present a different picture. According to an NSF report, in Tennessee NSF provides only 5 percent of the Federal obligations to universities, while the Department of Energy provides 18 percent of Federal funds. Cuts to DOE's Health, Environment and Safety account and to Energy R&D will impact universities and colleges across the State—at Fisk University, Middle Tennessee State University, Tennessee State University, Tennessee Technological University, the University of Memphis, the University of Tennessee, and Vanderbilt University.

The 22 percent cut to the Oak Ridge National Lab also means less Federal spending at Tennessee Universities. In my conversations with officials at the University of Tennessee, cuts to Oak Ridge translate directly into cuts to the University of Tennessee's research budget and access to research facilities. These cuts could result in the College of Engineering losing one-third of its research funding, the Center of Biotechnology stands to lose almost three-quarters of a million dollars, and reductions to the Energy, Environment and Resource Center could eliminate $6 million in research funds for the University of Tennessee. These cuts, hiding behind jargon of corporate welfare, directly impact university research. And although we have been told that NSF will grow by 10 percent over the next 7 years, according to the University of Tennessee this will not make up the difference—there will simply be more competition for less funds.

I would now like to address the provisions in title VI of H.R. 2405 regarding the National Institute of Standards and Technology [NIST]. This bill provides no authorization and no funding for the Advanced Technology program and the Manufacturing Extension Partnership [MEP] at NIST. The elimination of the ATP and the MEP sends a strong signal to the business community that we don't care about the harsh economic realities they face today. Corporate research focus is short-term and risk adverse and our small and medium-sized manufactures face international competitors on every street corner in America. As Michael Schrage, research associate at MIT put it, what's being advocated are ''science and technology policies that would have been deemed simplistic during the country's agrarian heyday.''

We are eliminating government/industry partnerships which enjoy widespread support among the private sector, professional associations, and the university community. What has the Science Committee based it's actions on? Not the hearing record. Not one private sector witness or professional association appearing before the Technology Subcommittee has advocated eliminating those programs. Our major corporations are cutting research funding and focusing on short term goals in response to the pressures of Wall Street. For example, a recent article in the New York Times (26 September 1995) reported on the break-up of the AT&T lab, due to diminishing corporate interest on the brilliant breakthrough discoveries that might lead to an entirely new generation of products.

We should not be blindly eliminating government/industry partnerships which promote private sector investment in long-term, high-risk research that is vital to our economic future.

In closing, Members here today should realize that what we're talking about aren't simply cuts in numbers of bureaucrats or the elimination of wasteful Government programs—we're cutting basic research at both Federal labs and at universities, and we're cutting successful industry/Government partnerships.

We should not be penny-wise and pound foolish. Under the cover of political rhetoric, we're in danger of indiscriminately chopping research and undermining a system that has for decades produced the best scientists and engineers in the world.

I am all for fiscal conservativism and deficit reduction, but the need to cut the deficit is no excuse for setting aside common sense and good judgment.

I urge my colleagues to support the conservative substitute for H.R. 2405.

Mr. HAYES. Mr. Chairman, I rise today in strong support for the amendment by my colleague from Alaska and Chairman of the House Resources Committee, which strikes section 422(b) of H.R. 2405, thereby preventing passage of the bill with a shortsighted and under-funded Sea Grant program.

During the full committee mark up on H.R. 1175, the Sea Grant Authorization Bill, in the Science Committee, I and other members received assures from the Chair that we would be consulted as the process moved forward to

address concerns with the low funding levels advocated by the Chairman's mark. I reluctantly supported reporting the bill for consideration on the floor with the understanding that we would work together to resolve the situation. The presence of the same language in H.R. 2405 raises serious questions about whether the Science Committee ever had any true intention of working with me or other Members to properly raise funding levels.

The appropriators on both sides of the Capitol have made a commitment to and recognized the importance of the Sea Grant program by designating over $50 million. The Resources Committee version of H.R. 1175 similarly orders the priorities of the program in a responsible manner and reasonably authorizes $53 million. The provisions of H.R. 2405, however, do not realize the contributions that Sea Grant makes to research and outreach on matters critical to the survival of coastal communities. The Science Committee's $36 million is not satisfactory.

The Sea Grant Program has been a highly acclaimed and successful research program to advance our cognizance of marine sciences and subsequently apply that knowledge to assist coastal communities in better managing their marine resources. Since 1968, Louisiana Sea Grant, for example, has been instrumental in helping people living and working in coastal Louisiana to improve marine conservation through research, education, and advisory services. By addressing vital economic, environmental, and resource management issues, Louisiana Sea Grant has facilitated the effective implementation of many Federal and State conservation policies to preserve our marine and fisheries resources in the Gulf of Mexico, while at the time protecting our important economic industries that depend on those same resources.

Louisiana Sea Grant's advisory and extension services were especially crucial in facilitating Gulf-wide workshops to better inform shrimpers about appropriate compliance with turtle excluder devise [TED] regulations as required by the National Marine Fisheries Service to enforce the Endangered Species Act. While, like most shrimpers, I question the legitimacy of the science justifying the rule itself, the shrimping community unanimously praised these meetings as productive.

Moreover, Sea Grant's research and education efforts will also assist us in improving our understanding the causes of Vibro vulnificus and could be an integral component in our fight to preserve the Gulf Coast oyster industry. By recognizing causes of Vibrio, timely data can be distributed to the public to prevent the misinformation about at-risk consumer populations.

H.R. 2405's $36 million will not satisfactorily enable Sea Grant to perform all of these functions. I understand and expect that Chairman YOUNG will expeditiously bring H.R. 1175 to the floor for full and fair debate of the higher authorization numbers. For the long-term sustainability of our marine resources, I commend my colleague from Alaska and again urge Members to support the Young amendment.

Mr. Chairman, I rise today in strong support for the amendment by my colleague from Pennsylvania, Mr. DOYLE, which increases the amounts in conservation and fossil fuel research and development accounts in H.R. 2405 up to the levels contained within the fiscal year 1996 Interior Appropriations conference report.

In my home State of Louisiana, the downturn in the oil and gas boom of the 1980's has devastated our economy. We are only now starting to recover. The research efforts of the Department of Energy, in cooperation and partnership with universities across our State, are and will continue to be critical to the future hope of ailing Gulf Coast businesses which still depend on oil and gas for significant portions of their income.

Embodied in the Doyle amendment, we have an opportunity to provide needed additional dollars for research for purposes of determining potential strategies for increasing our dwindling domestic energy resources. At the same time, Mr. DOYLE recognizes the House's obligation to balance the Federal budget and does so by following the path of the appropriators for fiscal year 1996 spending. In his remarks during the full Committee mark up on the Department of Energy R and D Bill, H.R. 1815, Chairman WALKER when referring to the premise behind his substitute amendment stated that ''if we found, in the course of the on-going process, that additional monies were going to be made available in energy accounts, that in fact the Committee should be given a chance to act on those additional monies.'' The Doyle amendment accomplishes precisely that objective. In fact, as my colleagues are well aware, the House Interior Appropriations Bill included higher fiscal year 1996 figures which acknowledge the importance of a Federal presence in research and development of fossil fuels and energy conservation.

The conservation and fossil programs provide near-term and long-term benefits in the development of innovative technologies to reduce energy use, commercialize new energy efficient products, make exploration and extraction of energy sources cheaper and more efficient, and promote national energy security.

John Henry, the first Secretary of the Smithsonian Institution, once said that ''science is the pursuit above all which impresses us with the capacity of man for intellectual and moral progress and awakens the human intellect to aspiration for higher condition of humanity.''

It is in this spirit that I urge my colleagues to adopt the Doyle amendment and to demonstrate our commitment to invest in the improvement of the condition of every American through this vital energy research.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered under the 5-minute rule by titles, and the first section and each title shall be considered read.

An amendment striking section 304(b)(3) of the bill is adopted.

During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition to a Member who has caused an amendment to be printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will designate section 1.

The text of section 1 is as follows:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Omnibus Civilian Science Authorization Act of 1995''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

TITLE I—NATIONAL SCIENCE FOUNDATION

Sec. 101. Short title.
Sec. 102. Definitions.

Subtitle A—National Science Foundation Authorization

Sec. 111. Authorization of appropriations.
Sec. 112. Proportional reduction of research and related activities amounts.
Sec. 113. Consultation and representation expenses.
Sec. 114. Reprogramming.
Sec. 115. Further authorizations.

Subtitle B—General Provisions.

Sec. 121. Annual report.
Sec. 122. National research facilities.
Sec. 123. Eligibility for research facility awards.
Sec. 124. Administrative amendments.
Sec. 125. Indirect costs.
Sec. 126. Research instrumentation and facilities.
Sec. 127. Financial disclosure.
Sec. 128. Educational leave of absence for active duty.
Sec. 129. Prohibition of lobbying activities.
Sec. 130. Science Studies Institute.
Sec. 131. Educational impact.
Sec. 132. Divisions of the Foundation.
Sec. 133. Limitation on appropriations.
Sec. 134. Eligibility for awards.

TITLE II—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Subtitle A—General Provisions

Sec. 201. Short title.
Sec. 202. Findings.
Sec. 203. Definitions.

Subtitle B—Authorization of Appropriations

Chapter 1—Authorizations

Sec. 211. Human space flight.
Sec. 212. Science, aeronautics, and technology.
Sec. 213. Mission support.
Sec. 214. Inspector General.
Sec. 215. Total authorization.
Sec. 216. Additional authorization and corresponding reduction.
Sec. 217. Limited availability.

Chapter 2—Restructuring the National Aeronautics and Space Administration

Sec. 221. Findings.
Sec. 222. Asset-based review.

Chapter 3—Limitations and Special Authority

Sec. 231. Use of funds for construction.
Sec. 232. Availability of appropriated amounts.
Sec. 233. Reprogramming for construction of facilities.
Sec. 234. Consideration by committees.
Sec. 235. Limitation on obligation of unauthorized appropriations.
Sec. 236. Use of funds for scientific consultations or extraordinary expenses.
Sec. 237. Limitation on transfer to Russia.

Subtitle C—Miscellaneous Provisions

Sec. 241. Commercial space launch amendments.
Sec. 242. Office of Air and Space Commercialization authorization.
Sec. 243. Requirement for independent cost analysis.
Sec. 244. National Aeronautics and Space Act of 1958 amendments.
Sec. 245. Procurement.
Sec. 246. Additional National Aeronautics and Space Administration facilities.
Sec. 247. Purchase of space science data.
Sec. 248. Report on Mission to Planet Earth.

Sec. 249. Shuttle privatization.
Sec. 250. Aeronautical research and technology facilities.
Sec. 251. Launch voucher demonstration program amendments.
Sec. 252. Privatization of microgravity parabolic flight operations.
Sec. 253. Eligibility of awards.
Sec. 254. Prohibition of lobbying activities.
Sec. 255. Limitation on appropriations.
Sec. 256. Unitary Wind Tunnel Plan Act of 1949 amendments.

TITLE III—DEPARTMENT OF ENERGY

Sec. 301. Short title.
Sec. 302. Definitions.
Sec. 303. Authorization of appropriations.
Sec. 304. Funding limitations.
Sec. 305. Limitation on appropriations.
Sec. 306. Merit review requirements for awards of financial assistance.
Sec. 307. Policy on capital projects and construction.
Sec. 308. Further authorizations.
Sec. 309. High energy and nuclear physics.
Sec. 310. Prohibition of lobbying activities.
Sec. 311. Eligibility for awards.
Sec. 312. Termination costs.

TITLE IV—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Sec. 401. Short title.
Sec. 402. Definitions.

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TITLE VI—TECHNOLOGY

Subtitle A—Technology Administration

Sec. 601. Short title.
Sec. 602. Authorization of appropriations.
Sec. 603. National Institute of Standards and Technology Act amendments.
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Sec. 605. Personnel.
Sec. 606. Fastener Quality Act amendments.
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TITLE VII—UNITED STATES FIRE ADMINISTRATION

Sec. 701. Short title.
Sec. 702. Authorization of appropriations.
Sec. 703. Fire safety systems in Army housing.
Sec. 704. Successor fire safety standards.
Sec. 705. Termination or privatization of functions.
Sec. 706. Report on budgetary reduction.

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The CHAIRMAN. Are there any amendments to section 1?

Mr. SCHIFF. Mr. Chairman, I move to strike the last word as to title I, for the purpose of engaging in a brief colloquy with the chairman of the committee, the gentleman from Pennsylvania [Mr. WALKER].

In section 134 entitled ''Eligibility for Awards,'' it states: ''The director shall exclude any person who receives an earmark.'' I have been asked by several universities as to what the definition of ''any person'' is. Could the chairman please clarify how he interprets this language?

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. SCHIFF. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I would certainly interpret ''person'' narrowly to mean only an awardee institution and not its affiliates or subcontractors. Similarly, we would not view contracts that receive funding under the Federal acquisition regulation procedures for noncompetitive procurements as ''not subjected to a competitive, merit-based award process.''

Mr. SCHIFF. Further on that section, Mr. Chairman, if a university receives an earmark and refuses it, would this section prohibit them from receiving future funding?

Mr. WALKER. Mr. Chairman, I would like to point out we used the words ''received funds.'' If we had used the term ''awarded funds,'' then we would have had a problem; however, should the university never receive the funds because they refused to accept them, then this section would not apply.

Mr. SCHIFF. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. The Clerk will designate title I. The text of title I is as follows:

TITLE I—NATIONAL SCIENCE FOUNDATION

SEC. 101. SHORT TITLE.

This title may be cited as the ''National Science Foundation Authorization Act of 1995''.

SEC. 102. DEFINITIONS.

For purposes of this title—

(1) the term ''Director'' means the Director of the Foundation;

(2) the term ''Foundation'' means the National Science Foundation;

(3) the term ''institution of higher education'' has the meaning given such term in section 1201(a) of the Higher Education Act of 1965;

(4) the term ''national research facility'' means a research facility funded by the Foundation which is available, subject to appropriate policies allocating access, for use by all scientists and engineers affiliated with research institutions located in the United States; and

(5) the term ''United States'' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

Subtitle A—National Science Foundation Authorization

SEC. 111. AUTHORIZATION OF APPROPRIATIONS.

(a) FINDINGS.—The Congress finds that—

(1) the programs of the Foundation are important for the Nation to strengthen basic research and develop human resources in science and engineering, and that those programs should be funded at an adequate level;

(2) the primary mission of the Foundation continues to be the support of basic scientific research and science education and the support of research fundamental to the engineering process and engineering education; and

(3) the Foundation's efforts to contribute to the economic competitiveness of the United States should be in accord with that primary mission.

(b) FISCAL YEAR 1996.—There are authorized to be appropriated to the Foundation $3,126,000,000 for fiscal year 1996, which shall be available for the following categories:

(1) Research and Related Activities, $2,226,300,000, which shall be available for the following subcategories:

(A) Mathematical and Physical Sciences, $632,200,000.

(B) Engineering, $311,600,000.

(C) Biological Sciences, $293,300,000.

(D) Geosciences, $408,800,000.

(E) Computer and Information Science and Engineering, $249,500,000.

(F) Social, Behavioral, and Economic Sciences, $111,300,000.

(G) United States Polar Research Programs, $156,000,000.

(H) United States Antarctic Logistical Support Activities, $62,600,000.

(I) Critical Technologies Institute, $1,000,000.

(2) Education and Human Resources Activities, $600,000,000.

(3) Major Research Equipment, $70,000,000.

(4) Academic Research Facilities Modernization, $100,000,000.

(5) Salaries and Expenses, $120,000,000.

(6) Office of Inspector General, $4,500,000.

(7) Headquarters Relocation, $5,200,000.

(c) FISCAL YEAR 1997.—There are authorized to be appropriated to the Foundation $3,171,400,000 for fiscal year 1997, which shall be available for the following categories:

(1) Research and Related Activities, $2,286,200,000.

(2) Education and Human Resources Activities, $600,000,000.

(3) Major Research Equipment, $55,000,000.

(4) Academic Research Facilities Modernization, $100,000,000.

(5) Salaries and Expenses, $120,000,000.

(6) Office of Inspector General, $5,000,000.

(7) Headquarters Relocation, $5,200,000.

SEC. 112. PROPORTIONAL REDUCTION OF RESEARCH AND RELATED ACTIVITIES AMOUNTS.

If the amount appropriated pursuant to section 111(b)(1) is less than the amount authorized under that paragraph, the amount authorized for each subcategory under that paragraph shall be reduced by the same proportion.

SEC. 113. CONSULTATION AND REPRESENTATION EXPENSES.

From appropriations made under authorizations provided in this title, not more than $10,000 may be used in each fiscal year for official consultation, representation, or other extraordinary expenses at the discretion of the Director. The determination of the Director shall be final and conclusive upon the accounting officers of the Government.

SEC. 114. REPROGRAMMING.

(a) $500,000 OR LESS.—In any given fiscal year, the Director may transfer appropriated funds among the subcategories of Research and Related Activities, so long as the net funds transferred to or from any subcategory do not exceed $500,000.

(b) GREATER THAN $500,000.—In addition, the Director may propose transfers to or from any subcategory exceeding $500,000. An explanation of any proposed transfer under this subsection must be transmitted in writing to the Committee on Science of the House of Representatives, and the Committees on Labor and Human Resources and Commerce, Science, and Transportation of the Senate. The proposed transfer may be made only when 30 calendar days have passed after transmission of such written explanation.

SEC. 115. FURTHER AUTHORIZATIONS.

Nothing in this title shall preclude further authorization of appropriations for the National Science Foundation 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.

Subtitle B—General Provisions

SEC. 121. ANNUAL REPORT.

Section 3(f) of the National Science Foundation Act of 1950 (42 U.S.C. 1862(f)) is amended to read as follows:

''(f) The Foundation shall provide an annual report to the President which shall be submitted by the Director to the Congress at the time of the President's annual budget submission. The report shall—

''(1) contain a strategic plan, or an update to a previous strategic plan, which—

''(A) defines for a three-year period the overall goals for the Foundation and specific goals for each major activity of the Foundation, including each scientific directorate, the education directorate, and the polar programs office; and

''(B) describe how the identified goals relate to national needs and will exploit new opportunities in science and technology;

''(2) identify the criteria and describe the procedures which the Foundation will use to assess progress toward achieving the goals identified in accordance with paragraph (1);

''(3) review the activities of the Foundation during the preceding year which have contributed toward achievement of goals identified in accordance with paragraph (1) and summarize planned activities for the coming three years in the context of the identified goals, with particular emphasis on the Foundation's planned contributions to major multi-agency research and education initiatives;

''(4) contain such recommendations as the Foundation considers appropriate; and

''(5) include information on the acquisition and disposition by the Foundation of any patents and patent rights.''.

SEC. 122. NATIONAL RESEARCH FACILITIES.

(a) FACILITIES PLAN.—The Director shall provide to Congress annually, as a part of the report required under section 3(f) of the National Science Foundation Act of 1950, a plan for the proposed construction of, and repair and upgrades to, national research facilities. The plan shall include estimates of the cost for such construction, repairs, and upgrades, and estimates of the cost for the operation and maintenance of existing and proposed new facilities. For proposed new construction and for major upgrades to existing facilities, the plan shall include funding profiles by fiscal year and milestones for major phases of the construction. The plan shall include cost estimates in the categories of construction, repair, and upgrades for the year in which the plan is submitted to Congress and for not fewer than the succeeding 4 years.

(b) LIMITATION ON OBLIGATION OF UNAUTHORIZED APPROPRIATIONS.—No funds appropriated for any project which involves construction of new national research facilities or construction necessary for upgrading the capabilities of existing national research facilities shall be obligated unless the funds are specifically authorized for such purpose by this title or any other Act which is not an appropriations Act, or unless the total estimated cost to the Foundation of the construction project is less than $50,000,000. This subsection shall not apply to construction projects approved by the National Science Board prior to June 30, 1994.

SEC. 123. ELIGIBILITY FOR RESEARCH FACILITY AWARDS.

Section 203(b) of the Academic Research Facilities Modernization Act of 1988 is amended by striking the final sentence of paragraph (3) and inserting in lieu thereof the following: ''The Director shall give priority to institutions or consortia that have not received such funds in the preceding 5 years, except that this sentence shall not apply to previous funding received for the same multiyear project.''.

SEC. 124. ADMINISTRATIVE AMENDMENTS.

(a) NATIONAL SCIENCE FOUNDATION ACT OF 1950 AMENDMENTS.—The National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.) is amended—

(1) by redesignating the subsection (k) of section 4 (42 U.S.C. 1863(k)) that was added by section 108 of the National Science Foundation Authorization Act of 1988 as subsection (l);

(2) in section 5(e) (42 U.S.C. 1864(e)) by amending paragraph (2) to read as follows:

''(2) Any delegation of authority or imposition of conditions under paragraph (1) shall be promptly published in the Federal Register and reported to the Committees on Labor and Human Resources and Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.'';

(3) by inserting ''be entitled to'' between ''shall'' and ''receive'', and by inserting '', including traveltime,'' after ''Foundation'' in section 14(c) (42 U.S.C. 1873(c));

(4) by striking section 14(j) (42 U.S.C. 1873(j)); and

(5) by striking ''Atomic Energy Commission'' in section 15(a) (42 U.S.C. 1874(a)) and inserting in lieu thereof ''Secretary of Energy''.

(b) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1976 AMENDMENTS.—Section 6(a) of the National Science Foundation Authorization Act, 1976 (42 U.S.C. 1881a(a)) is amended by striking ''social,'' the first place it appears.

(c) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1988 AMENDMENTS.—(1) Section 117(a)(1)(B)(v) of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1881b(1)(B)(v)) is amended to read as follows:

''(v) from schools established outside the several States and the District of Columbia by any agency of the Federal Government for dependents of its employees.''.

(2) Section 117(a)(3)(A) of such Act (42 U.S.C. 1881b(3)(A)) is amended by striking ''Science and Engineering Education'' and inserting in lieu thereof ''Education and Human Resources''.

(d) EDUCATION FOR ECONOMIC SECURITY ACT AMENDMENTS.—Section 107 of Education for Economic Security Act (20 U.S.C. 3917) is repealed.

(e) TECHNICAL AMENDMENT.—The second subsection (g) of section 3 of the National Science Foundation Act of 1950 is repealed.

SEC. 125. INDIRECT COSTS.

(a) MATCHING FUNDS.—Matching funds required pursuant to section 204(a)(2)(C) of the Academic Research Facilities Modernization Act of 1988 (42 U.S.C. 1862c(a)(2)(C)) shall not be considered facilities costs for purposes of determining indirect cost rates.

(b) REPORT.—The Director of the Office of Science and Technology Policy, in consultation with other relevant agencies, shall prepare a report analyzing what steps would be needed to—

(1) reduce by 10 percent the proportion of Federal assistance to institutions of higher education that are allocated for indirect costs; and

(2) reduce the variance among indirect cost rates of different institutions of higher education,

including an evaluation of the relative benefits and burdens of each option on institutions of higher education. Such report shall be transmitted to the Congress no later than December 31, 1995.

SEC. 126. RESEARCH INSTRUMENTATION AND FACILITIES.

The Foundation shall incorporate the guidelines set forth in Important Notice No. 91, dated March 11, 1983 (48 Fed. Reg. 15754, April 12, 1983), relating to the use and operation of Foundation-supported research instrumentation and facilities, in its notice of Grant General Conditions, and shall examine more closely the adherence of grantee organizations to such guidelines.

SEC. 127. FINANCIAL DISCLOSURE.

Persons temporarily employed by or at the Foundation shall be subject to the same financial disclosure requirements and related sanctions under the Ethics in Government Act of 1978 as are permanent employees of the Foundation in equivalent positions.

SEC. 128. EDUCATIONAL LEAVE OF ABSENCE FOR ACTIVE DUTY.

In order to be eligible to receive funds from the Foundation after September 30, 1995, an institution of higher education must provide that whenever any student of the institution who is a member of the National Guard, or other reserve component of the Armed Forces of the United States, is called or ordered to active duty, other than active duty for training, the institution shall grant the member a military leave of absence from their education. Persons on military leave of absence from their institution shall be entitled, upon release from military duty, to be restored to the educational status they had attained prior to their being ordered to military duty without loss of academic credits earned, scholarships or grants awarded, or tuition and other fees paid prior to the commencement of the military duty. It shall be the duty of the institution to refund tuition or fees paid or to credit the tuition and fees to the next semester or term after the termination of the educational military leave of absence at the option of the student.

SEC. 129. PROHIBITION OF LOBBYING ACTIVITIES.

None of the funds authorized by this title shall be available for any activity whose purpose is to influence legislation pending before the Congress, except that this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

SEC. 130. SCIENCE STUDIES INSTITUTE.

(a) AMENDMENT.—Section 822 of the National Defense Authorization Act for Fiscal 1991 (42 U.S.C. 6686) is amended—

(1) by striking ''Critical Technologies Institute'' in the section heading and in subsection (a), and inserting in lieu thereof ''Science Studies Institute'';

(2) in subsection (b) by striking ''As determined by the chairman of the committee referred to in subsection (c), the'' and inserting in lieu thereof ''The'';

(3) by striking subsection (c), and redesignating subsections (d), (e), (f), and (g) as subsections (c), (d), (e), and (f), respectively;

(4) in subsection (c), as so redesignated by paragraph (3) of this subsection—

(A) by inserting ''science and'' after ''developments and trends in'' in paragraph (1);

(B) by striking ''with particular emphasis'' in paragraph (1) and all that follows through the end of such paragraph and inserting in lieu thereof ''and developing and maintaining relevant informational and analytical tools.'';

(C) by striking ''to determine'' and all that follows through ''technology policies'' in paragraph (2) and inserting in lieu thereof ''with particular attention to the scope and content of the Federal science and technology research and develop portfolio as it affects interagency and national issues'';

(D) by amending paragraph (3) to read as follows:

''(3) Initiation of studies and analysis of alternatives available for ensuring the long-term strength of the United States in the development and application of science and technology, including appropriate roles for the Federal Government, State governments, private industry, and institutions of higher education in the development and application of science and technology.'';

(E) by inserting ''science and'' after ''Executive branch on'' in paragraph (4)(A); and

(F) by amending paragraph (4)(B) to read as follows:

''(B) to the interagency committees and panels of the Federal Government concerned with science and technology.'';

(5) in subsection (d), as so redesignated by paragraph (3) of this subsection, by striking ''subsection (d)'' and inserting in lieu thereof ''subsection (c)''; and

(6) by amending subsection (f), as so redesignated by paragraph (3) of this subsection, to read as follows:

''(f) SPONSORSHIP.—The Director of the Office of Science and Technology Policy shall be the sponsor of the Institute.''.

(b) CONFORMING USAGE.—All references in Federal law or regulations to the Critical Technologies Institute shall be considered to be references to the Science Studies Institute.

SEC. 131. EDUCATIONAL IMPACT.

(a) FINDINGS.—The Congress finds that—

(1) Federal research funds made available to institutions of higher education often create incentives for such institutions to emphasize research over undergraduate teaching and to narrow the focus of their graduate programs; and

(2) National Science Foundation funds for Research and Related Activities should be spent in the manner most likely to improve the quality of undergraduate and graduate education in institutions of higher education.

(b) EDUCATIONAL IMPACT.—(1) The impact that a grant or cooperative agreement by the National Science Foundation would have on undergraduate and graduate education at an institution of higher education shall be a factor in any decision whether to award such grant or agreement to that institution.

(2) Paragraph (1) shall be effective with respect to any grant or cooperative agreement awarded after September 30, 1996.

(c) REPORT.—The Director shall provide a plan for the implementation of subsection (b) of this section, no later than December 31, 1995, to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Labor and Human Resources of the Senate.

SEC. 132. DIVISIONS OF THE FOUNDATION.

(a) AMENDMENT.—Section 8 of the National Science Foundation Act of 1950 (42 U.S.C. 1866) is amended by inserting ''The Director may appoint, in consultation with the Board, not more than 6 Assistant Directors to assist in managing the Divisions.'' after ''time to time determine.''.

(b) REPORT.—By November 15, 1995, the Director shall transmit to the Congress a report on the reorganization of the National Science Foundation required as a result of the amendment made by subsection (a).

SEC. 133. 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 the activities for which sums are authorized by this title unless such sums are specifically authorized to be appropriated by this title.

(b) SUBSEQUENT FISCAL YEARS.—No sums are authorized to be appropriated for any fiscal year after fiscal year 1996 for the activities for which sums are authorized by this title unless such sums are specifically authorized to be appropriated by an Act of Congress with respect to such fiscal year.

SEC. 134. ELIGIBILITY FOR AWARDS.

(a) IN GENERAL.—The Director shall exclude from consideration for awards of financial assistance made by the Foundation 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 of 5 years after the person receives such Federal funds.

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

The CHAIRMAN. Are there any amendments to title I?

AMENDMENT OFFERED BY MR. BROWN OF CALIFORNIA

Mr. BROWN of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of California: Page 10, strike line 1 through line 7.

Mr. BROWN of California. Mr. Chairman, this is not a matter of monumental importance. I will not belabor it at all if the majority is willing to accept the amendment, which merely strikes section 115 on page 10. I should explain that it has no effect in law or anything else, as far as I can tell.

In the debate over the bill that this involves, the National Science Foundation, there was some discussion in the committee that the appropriators had already appropriated more money than this bill provided. I think the chairman of the committee, in his wisdom, said that he would concede that, and that if we wanted to authorize more money, we could do it later on. This reflects that understanding.

It says: ''Nothing in this title shall preclude further authorization of appropriations for the National Science Foundation,'' and then it has a proviso that the authorization allocations adopted by the conference committee on House Concurrent Resolution 67 and approved by Congress should allow for further authorization.

Mr. Chairman, to begin with, the first line is of no effect, because we know we can authorize any time we can get the House to approve it, which means generally getting the action through the Committee on Rules, to the floor, and getting the floor to accept it, and then the Senate to accept it and the President to sign it. We can do that any time. It does not have to be set forth in this bill.

Mr. SCHIFF. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentleman from New Mexico.

Mr. SCHIFF. Mr. Chairman, as the gentleman knows, at the time that language was inserted into the bill we were at different points in the budget process. I think where we are now, in view of the fact of where we are now, I think the gentleman's amendment is well taken. We are prepared to accept it.

Mr. BROWN of California. I appreciate that, Mr. Chairman.

Let me conclude by making one further remark. ''The proviso that authorization allocations adopted by the conference Committee on the Budget resolution allows for it.'' Now, we all know there is nothing in the budget resolution that pertains to authorization. It pertains only to appropriations. Therefore, to have this language in here, which implies that something in the budget amendment would relate to authorizations for the National Science Foundation is a fiction, so that is not necessary either. I am happy to accept the gentleman's willingness to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. BROWN].

The amendment was agreed to.

The CHAIRMAN. Are there further amendments to title I?

If not, the Clerk will designate title II.

The text of title II is as follows:

TITLE II—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Subtitle A—General Provisions

SEC. 201. SHORT TITLE.

This title may be cited as the ''National Aeronautics and Space Administration Authorization Act, Fiscal Year 1996''.

SEC. 202. FINDINGS.

The Congress makes the following findings:

(1) The National Aeronautics and Space Administration has failed to request sufficient funds to perform all missions it has proposed in annual budget requests. For fiscal year 1996, the budget requested is $140,000,000 below the amount required to fulfill program commitments made by the fiscal year 1995 budget approved by Congress. The request for fiscal year 1996 proposes continued underfunding of the requirements of the National Aeronautics and Space Administration by $439,000,000 for fiscal year 1997,

$847,000,000 for fiscal year 1998, $1,189,000,000 for fiscal year 1999, and $1,532,000,000 for fiscal year 2000.

(2) In order to close the gap between projected program requirements and the underfunding requested, the National Aeronautics and Space Administration should aggressively pursue actions and reforms directed at reducing institutional costs, including management restructuring, facility consolidation, procurement reform, personnel base downsizing, and convergence with other defense and private sector systems.

(3) While institutional reforms, restructurings, and downsizing hold the promise of comporting the projected needs of the National Aeronautics and Space Administration with funding levels requested by the Administration, such reforms provide no guarantee against cancellation of missions in the event reform efforts fail to achieve cost reduction targets.

(4) The National Aeronautics and Space Administration must reverse its current trend toward becoming an operational agency, and return to its proud history as the Nation's leader in basic scientific air and space research.

(5) Commercial space activity is in a delicate state of growth but has the potential to eclipse Federal space activity in its economic return to the Nation if not stifled.

(6) The United States is on the verge of creating and using new technologies in microsatellites, information processing, and space launch that could radically alter the manner in which the Government approaches its space mission.

(7) The overwhelming preponderance of the Federal Government's requirements for routine, nonemergency manned and unmanned space transportation can be most effectively, efficiently, and economically met by a free and competitive market in privately developed and operated launch services.

(8) In formulating a national space transportation service policy, the National Aeronautics and Space Administration should aggressively pursue reverse contracting opportunities to support the private sector development of advanced space transportation technologies including reusable space vehicles, single-stage-to-orbit vehicles, and manner space systems.

(9) International cooperation in space exploration and science activities serves the United States national interest—

(A) when it—

(i) reduces the cost of undertaking missions the United States Government would pursue unilaterally;

(ii) enables the United States to pursue missions that it could not otherwise afford to pursue unilaterally; or

(iii) enhances United States capabilities to use and develop space for the benefit of United States citizens; and

(B) when it does not—

(i) otherwise harm or interfere with the ability of United States private sector firms to develop or explore space commercially;

(ii) interfere with the ability of Federal agencies to use space to complete their missions;

(iii) undermine the ability of United States private enterprise to compete favorably with foreign entities in the commercial space arena; or

(iv) transfer sensitive or commercially advantageous technologies or knowledge from the United States to other countries or foreign entities except as required by those countries or entities to make their contribution to a multilateral space project in partnership with the United States, or on a quid pro quo basis.

(10) The National Aeronautics and Space Administration and the Department of Defense can cooperate more effectively in leveraging their mutual capabilities to conduct joint space missions that improve United States space capabilities and reduce the cost of conducting space missions.

SEC. 203. DEFINITIONS.

For purposes of this title—

(1) the term ''Administrator'' means the Administrator of the National Aeronautics and Space Administration; and

(2) the term ''institution of higher education'' has the meaning given such term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

Subtitle B—Authorization of Appropriations

CHAPTER 1—AUTHORIZATIONS

SEC. 211. HUMAN SPACE FLIGHT.

(a) AUTHORIZATIONS.—There are authorized to be appropriated to the National Aeronautics and Space Administration for fiscal year 1996 for Human Space Flight the following amounts:

(1) For Space Shuttle Operations, $2,341,800,000.

(2) For Space Shuttle Safety and Performance Upgrades, $837,000,000.

(3) For Payload and Utilization Operations, $315,000,000.

(4) For Russian Cooperation, $100,000,000.

(b) CONSTRUCTION OF FACILITIES.—(1) Of the funds authorized to be appropriated under subsection (a)(2), $5,000,000 are authorized for modernization of the Firex Systems, Pads A and B, Kennedy Space Center.

(2) Of the funds authorized to be appropriated under subsection (a)(2), $7,500,000 are authorize for replacement of the Chemical Analysis Facility, Kennedy Space Center.

(3) Of the funds authorized to be appropriated under subsection (a)(2), $4,900,000 are authorized for replacement of the Space Shuttle Main Engine Processing Facility, Kennedy Space Center.

SEC. 212. SCIENCE, AERONAUTICS, AND TECHNOLOGY.

(a) AUTHORIZATIONS.—There are authorized to be appropriated to the National Aeronautics and Space Administration for fiscal year 1996 for Science, Aeronautics, and Technology the following amounts:

(1) For Space Science, $1,995,400,000, of which—

(A) $1,167,600,000 are authorized for Physics and Astronomy, of which $51,500,000 shall be for the Gravity Probe B, except that no funds are authorized for the Space Infrared Telescope Facility; and

(B) $827,800,000 are authorized for Planetary Exploration, of which $30,000,000 shall be for the New Millennium Spacecraft, including $5,000,000 for the National Aeronautics and Space Administration's participation in Clementine 2 (Air Force Program Element 0603401F Advanced Spacecraft Technology).

(2) For Life and Microgravity Sciences and Applications, $293,200,000.

(3) For Mission to Planet Earth, $1,013,100,000, of which $21,500,000 shall only be for activities described in section 248(b)(7)(A), except that no funds are authorized for the Consortium for International Earth Science Information Network (except as provided in section 217) or the Topex Poseidon Follow-On mission. Funds authorized by this paragraph may not be expended to duplicate private sector or other Federal activities or to procure systems to provide data unless the Administrator certifies to Congress that no private sector or Federal entity can provide suitable data in a timely manner. Notwithstanding any other provision of law, funds in excess of those authorized by this paragraph may not be obligated for Mission to Planet Earth.

(4) For Space Access and Technology, $639,800,000 of which—

(A) $193,000,000 are authorized for Advanced Space Transportation;

(B) $10,000,000 are authorized to be made available for defraying the costs of converting or redesigning commercially inconsistent elements of former Federal facilities or to take actions required for conformance with Federal laws or regulations relating to commercial space transportation infrastructure, to remain available until expended;

(C) $20,000,000 shall be for continuing the Launch Voucher Demonstration Program authorized under section 504 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993(15 U.S.C. 5803); and

(D) $33,900,000 are authorized for the Small Spacecraft Technology Initiative, except that funds for such Initiative may not be expended to duplicate private sector activities or to fund any activities that a private sector entity is proposing to carry out for commercial purposes. No funds are authorized under this paragraph for the Partnership for Next Generation Vehicle.

(5) For Aeronautical Research and Technology, $826,900,000, of which—

(A) $354,700,000 are authorized for Research and Technology Base activities;

(B) $245,500,000 are authorized for High Speed Research;

(C) $133,,000,000 are authorized for Advanced Subsonic Technology, except that no funds are authorized for concept studies for Advanced Traffic Management and Affordable Design and Manufacturing;

(D) $40,200,000 are authorized for High-Performance Computing and Communications; and

(E) $48,100,000 are authorized for Numerical Aerodynamic Simulation.

(6) For Mission Communication Services, $461,300,000.

(7) For Academic Programs, $102,200,000.

(b) CONSTRUCTION OF FACILITIES.—(1) Of the funds authorized to be appropriated under subsection (a)(3), $17,000,000 are authorized for construction of the Earth Systems Science Building, Goddard Space Flight Center.

(2) Of the funds authorized to be appropriated under subsection (a)(5), $5,400,000 are authorized for modernization of the Unitary Plan Wind Tunnel Complex, Ames Research Center.

(3) Of the funds authorized to be appropriated under subsection (a)(2), $3,000,000 are authorized for the construction of an addition to the Microgravity and Development Laboratory, Marshall Space Flight Center.

SEC. 213. MISSION SUPPORT.

There are authorized to be appropriated to the National Aeronautics and Space Administration for fiscal year 1996 for Mission Support the following amounts:

(1) For Safety, Reliability, and Quality Assurance, $37,600,000.

(2) For Space Communication Services, $319,400,000.

(3) For Construction of Facilities, including land acquisition, $152,600,000, of which—

(A) $6,300,000 shall be for restoration of Flight Systems Research Laboratory, Ames Research Center;

(B) $3,000,000 shall be for restoration of chilled water distribution system, Goddard Space Flight Center;

(C) $4,800,000 shall be for replacing chillers, various buildings, Jet Propulsion Laboratory;

(D) $1,100,000 shall be for rehabilitation of electrical distribution system, White Sands Test Facility, Johnson Space Center;

(E) $4,200,000 shall be for replacement of main substation switchgear and circuit breakers, Johnson Space Center;

(F) $1,800,000 shall be for replacement of 15kV load break switches, Kennedy Space Center;

(G) $9,000,000 shall be for rehabilitation of Central Air Equipment Building, Lewis Research Center;

(H) $4,700,000 shall be for restoration of high pressure air compressor system, Marshall Space Flight Center;

(I) $6,800,000 shall be for restoration of Information and Electronic Systems Laboratory, Marshall Space Flight Center;

(J) $1,400,000 shall be for restoration of canal lock, Stennis Space Center;

(K) $2,500,000 shall be for restoration of primary electrical distribution systems, Wallops Flight Facility;

(L) $30,000,000 shall be for repair of facilities at various locations, not in excess of $1,500,000 per project;

(M) $30,000,000 shall be for rehabilitation and modification of facilities at various locations, not in excess of $1,500,000 per project;

(N) $2,000,000 shall be for minor construction of new facilities and additions to existing facilities at various locations, not in excess of $750,000 per project;

(O) $10,000,000 shall be for facility planning and design not otherwise provided for; and

(P) $35,000,000 shall be for environmental compliance and restoration.

(4) For Research and Program Management, including personnel and related costs, travel, and research operations support, $2,094,800,000.

SEC. 214. INSPECTOR GENERAL.

There are authorized to be appropriated to the National Aeronautics and Space Administration for Inspector General, $17,300,000 for fiscal year 1996.

SEC. 215. TOTAL AUTHORIZATION.

Notwithstanding any other provision of this subtitle, the total amount authorized to be appropriated to the National Aeronautics and Space Administration under this title shall not exceed $11,547,400,000 for fiscal year 1996.

SEC. 216. ADDITIONAL AUTHORIZATION AND CORRESPONDING REDUCTION.

(a) AUTHORIZATION.—In addition to amounts authorized by section 212(a)(3), there are authorized to be appropriated to the National Aeronautics and Space Administration for fiscal year 1996 for Mission to Planet Earth $274,360,000, to be derived from amounts otherwise authorized by this title.

(b) OPERATING PLAN.—The Administrator shall, within 30 days after the later of—

(1) the date of the enactment of this Act; and

(2) the date of the enactment of the Act making appropriations for the National Aeronautics and Space Administration for fiscal year 1996,

transmit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate an operating plan which identifies which amounts will be transferred pursuant to subsection (a).

(c) LIMITATION ON OBLIGATION AND EXPENDITURE.—None of the funds authorized by subsection (a) shall be available for obligation or expenditure until—

(1) the National Academy of Sciences has conducted a comprehensive review of the Mission to Planet Earth program as part of its study of the United States Global Change Research Program;

(2) the Administrator has reported to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan for implementing the study's recommendations and a formal request for all or part of such funds; and

(3) 90 legislative days have passed after the report is transmitted under paragraph (2).

SEC. 217. LIMITED AVAILABILITY.

Nothing in this title shall interfere with the rights of any parties under contracts. Nothing in this title shall preclude the Consortium for International Earth Science Information Network from receiving a contract awarded following a full and open competition.

CHAPTER 2—RESTRUCTURING THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SEC. 221. FINDINGS.

The Congress finds that—

(1) the restructuring of the National Aeronautics and Space Administration is essential to accomplishing the space missions of the United States while simultaneously balancing the Federal budget;

(2) to restructure the National Aeronautics and Space Administration rapidly without reducing mission content and safety requires objective financial judgment;

(3) no effort has been undertaken by the National Aeronautics and Space Administration to perform a formal economic review of its missions and the Federal assets that support them;

(4) therefore it is premature and unwarranted to attempt closing any National Aeronautics and Space Administration field center until an asset-based review of United States space missions and capabilities to support them is performed; and

(5) cost savings from the closing of National Aeronautics and Space Administration field centers are speculative and potentially injurious to mission goals, unless derived from an asset-based analysis.

SEC. 222. ASSET-BASED REVIEW.

(a) REQUEST FOR PROPOSALS.—Not later than 30 days after the date of the enactment of this Act, the Administrator shall publish in the Commerce Business Daily a request for proposals to perform a National Aeronautics and Space Administration asset-based review.

(b) QUALIFIED PROPOSALS.—Qualified proposals to perform the asset-based review under this section shall be from United States persons whose primary business is corporate financial strategy, investment banking, accounting, or asset management. All proposals shall, at a minimum, propose to review, for each capital asset owned by the National Aeronautics and Space Administration—

(1) its primary function or purpose in relationship to a program, mission, or activity of the National Aeronautics and Space Administration;

(2) the existence of other capital assets which duplicate or overlap with such function or purpose;

(3) the Federal and non-Federal users thereof; and

(4) its necessity to carry out a program, mission, or activity of the National Aeronautics and Space Administration.

(c) REPORT.—The contractor selected to perform the asset-based review under this section shall complete such review and transmit to the Administrator and the Congress, no later than July 31, 1996, a report containing, at a minimum—

(1) for each National Aeronautics and Space Administration field center facility—

(A) a list of capital assets that should be permanently retired or disposed of;

(B) a list of capital assets that may be transferred to non-Federal institutions and corporations, if the transfer of such asset is cost effective; and

(C) a list of capital assets essential to the conduct of National Aeronautics and Space Administration programs, missions, or activities, and a justification for retaining the asset;

(2) for each National Aeronautics and Space Administration program element—

(A) a list of capital assets essential to the conduct of the program element; and

(B) a plan for achieving the most cost-effective consolidation and efficient use of necessary capital assets to support such program element, including the use of non-Federal assets where appropriate; and

(3) for each National Aeronautics and Space Administration capital asset—

(A) the total annual cost of maintaining and operating such capital asset, including Federal employee and contractor costs;

(B) the depreciated cost, replacement cost, and salvage value; and

(C) the most cost-effective strategy for maintaining, replacing, upgrading, or disposing of the capital asset, as appropriate.

(d) IMPLEMENTATION.—The Administrator shall consider the results of the asset-based review conducted under this section, and based on the Administrator's recommendations, the President shall propose to Congress legislation required to implement those recommendations no later than September 30, 1996.

(e) CLOSING OF FIELD CENTERS.—The Administrator shall not close any National Aeronautics and Space Administration field center until after the asset-based review report is transmitted under subsection (c), and may only close field centers that would become obsolete as a result of the implementation of the Administrator's recommendations, and may do so only after enactment of legislation implementing those recommendations.

CHAPTER 3—LIMITATIONS AND SPECIAL AUTHORITY

SEC. 231. USE OF FUNDS FOR CONSTRUCTION.

(a) AUTHORIZED USES.—Funds appropriated under sections 211(a), 212(a), and 213 (1) and (2), and funds appropriated for research operations support under section 213(4), may be used for the construction of new facilities and additions to, repair of, rehabilitation of, or modification of existing facilities at any location in support of the purposes for which such funds are authorized.

(b) LIMITATION.—None of the funds pursuant to subsection (a) may be expended for a project, the estimated cost of which to the National Aeronautics and Space Administration, including collateral equipment, exceeds $500,000, until 30 days have passed after the Administrator has notified the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of the nature, location, and estimated cost to the National Aeronautics and Space Administration of such project.

(c) TITLE TO FACILITIES.—If funds are used pursuant to subsection (a) for grants to institutions of higher education, or to nonprofit organizations whose primary purpose is the conduct of scientific research, for purchase or construction of additional research facilities, title to such facilities shall be vested in the United States unless the Administrator determines that the national program of aeronautical and space activities will best be served by vesting title in the grantee institution or organization. Each such grant shall be made under such conditions as the Administrator shall determine to be required to ensure that the United States will receive therefrom benefits adequate to justify the making of that grant.

SEC. 232. AVAILABILITY OF APPROPRIATED AMOUNTS.

To the extent provided in appropriations Acts, appropriations authorized under chapter 1 may remain available without fiscal year limitation.

SEC. 233. REPROGRAMMING FOR CONSTRUCTION OF FACILITIES.

(a) IN GENERAL.—Appropriations authorized under any paragraph of section 211(b), 212(b), or 213(3)—

(1) may be varied upward by 10 percent in the discretion of the Administrator; or

(2) may be varied upward by 25 percent, to meet unusual cost variations, after the expiration of 15 days following a report on the circumstances of such action by the Administrator to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

The aggregate amount authorized to be appropriated under sections 211(b), 212(b) and 213(3) shall not be increased as a result of actions authorized under paragraphs (1) and (2) of this subsection.

(b) SPECIAL RULE.—Where the Administrator determines that new developments in the national program of aeronautical and space activities have occurred; and that such developments require the use of additional funds for the purposes of construction, expansion, or modification of facilities at any location; and that deferral of such action until the enactment of the next National Aeronautics and Space Administration Authorization Act would be inconsistent with the interest of the Nation in aeronautical and space activities, the Administrator may use up to $10,000,000 of the amounts authorized under section 211(b), 212(b), or 213(3) for each fiscal year for such purposes. No such funds may be obligated until a period of 30 days has passed after the Administrator has transmitted to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives a written report describing the nature of the construction, its costs, and the reasons therefor.

SEC. 234. CONSIDERATION BY COMMITTEES.

Notwithstanding any other provision of law—

(1) no amount appropriated to the National Aeronautics and Space Administration may be used for any program for which the President's annual budget request included a request for funding, but for which the Congress denied or did not provide funding;

(2) no amount appropriated to the National Aeronautics and Space Administration may be used for any program in excess of the amount actually authorized for the particular program by October 1; and

(3) no amount appropriated to the National Aeronautics and Space Administration may be used for any program which has not been presented to the Congress in the President's annual budget request or the supporting and ancillary documents thereto,

unless a period of 30 days has passed after the receipt by the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of notice given by the Administrator containing a full and complete statement of the action proposed to be taken and the facts and circumstances relied upon in support of such proposed action. The National Aeronautics and Space Administration shall keep the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate fully and currently informed with respect to all activities and responsibilities within the jurisdiction of those committees. Except as otherwise provided by law, any Federal department, agency, or independent establishment shall furnish any information requested by either committee relating to any such activity or responsibility.

SEC. 235. LIMITATION ON OBLIGATION OF UNAUTHORIZED APPROPRIATIONS.

(a) REPORTS TO CONGRESS.—Not later than 30 days after the later of the date of enactment of an Act making appropriations to the National Aeronautics and Space Administration for fiscal year 1996 and the date of enactment of this Act, the Administrator shall submit a report to Congress and to the Comptroller General which specifies—

(1) the portion of such appropriations which are for programs, projects, or activities not authorized under chapter 1 of this subtitle, or which are in excess of amounts authorized for the relevant program, project, or activity under this title; and

(2) the portion of such appropriations which are authorized under this title.

(b) FEDERAL REGISTER NOTICE.—The Administrator shall, coincident with the submission of the report required by subsection (a), publish in the Federal Register a notice of all programs, projects, or activities for which funds are appropriated but which were not authorized under this title, and solicit public comment thereon regarding the impact of such programs, projects, or activities on the conduct and effectiveness of the national aeronautics and space program.

(c) LIMITATION.—Notwithstanding any other provision of law, no funds may be obligated for any programs, projects, or activities of the National Aeronautics and Space Administration for fiscal year 1996 not authorized under this title until 30 days have passed after the close of the public comment period contained in the notice required in subsection (b).

SEC. 236. USE OF FUNDS FOR SCIENTIFIC CONSULTATIONS OR EXTRAORDINARY EXPENSES.

Not more than $30,000 of the funds appropriated under section 212 may be used for scientific consultations or extraordinary expenses, upon the authority of the Administrator.

SEC. 237. LIMITATION ON TRANSFERS TO RUSSIA.

(a) LIMITATION.—No funds authorized to be appropriated to the National Aeronautics and Space Administration for fiscal year 1996 may be paid or otherwise transferred to Russia unless—

(1) the payment or transfer is authorized by this title;

(2) the payment or transfer is made in exchange for goods or services that have been provided to the National Aeronautics and Space Administration in accordance with a written agreement between the National Aeronautics and Space Administration and Russia;

(3) the Government of the Russian Federation agrees to provide a monthly report to the National Aeronautics and Space Administration during the term of such written agreement, that fully accounts for the disposition of the funds paid or transferred, including information with respect to the preceding month on—

(A) the amount of the funds received, and the date of receipt;

(B) the amount of the funds converted from United States currency, the currency into which the funds have been converted, and the date and rate of conversion;

(C) the amount of non-United States currency, and of United States currency, that is disbursed to any contractor or subcontractor, the identity of such contractor or subcontractor, and the date of disbursement; and

(D) the balance of the funds not disbursed as of the date of the report;

(4) Russia has provided all monthly reports with respect to which an agreement was made pursuant to paragraph (3); and

(5) the President, before such payment or transfer and annually upon submission of the President's budget request for fiscal years after fiscal year 1996, has certified to the Congress that—

(A) the presence of any troops of the Russian Federation or the Commonwealth of Independent States; and

(B) any action by the Russian Federation or the Commonwealth of Independent States, in Estonia, Latvia, Lithuania, or any other independent state of the former Soviet Union do not violate the sovereignty of those independent states.

(b) DEFINITION.—For purposes of this section, the term ''Russia'' means the Government of the Russian Federation, the Russian Space Agency, or any agency or instrumentality of the Government of the Russian Federation or the Russian Space Agency.

Subtitle C—Miscellaneous Provisions

SEC. 241. COMMERCIAL SPACE LAUNCH AMENDMENTS.

(a) AMENDMENTS.—Chapter 701 of title 49, United States Code, is amended—

(1) in the table of sections—

(A) by amending the item relating to section 70104 to read as follows:

''70104. Restrictions on launches, operations, and reentries.'';

(B) by amending the item relating to section 70108 to read as follows:

''70108. Prohibition, suspension, and end of launches, operation of launch sites and reentry sites, and reentries.'';

and

(C) by amending the item relating to section 70109 to read as follows:

''70109. Preemption of scheduled launches or reentries.'';

(2) in section 70101—

(A) by inserting ''microgravity research,'' after ''information services,'' in subsection (a)(3);

(B) by inserting '', reentry,'' after ''launching'' both places it appears in subsection (a)(4);

(C) by inserting '', reentry vehicles,'' after ''launch vehicles'' in subsection (a)(5);

(D) by inserting ''and reentry services'' after ''launch services'' in subsection (a)(6);

(E) by inserting '', reentries,'' after ''launches'' both places it appears in subsection (a)(7);

(F) by inserting '', reentry sites,'' after ''launch sites'' in subsection (a)(8);

(G) by inserting ''and reentry services'' after ''launch services'' in subsection (a)(8);

(H) by inserting ''reentry sites,'' after ''launch sites,'' in subsection (a)(9);

(I) by inserting ''and reentry site'' after ''launch site'' in subsection (a)(9);

(J) by inserting ''reentry vehicles,'' after ''launch vehicles'' in subsection (b)(2);

(K) by striking ''launch'' in subsection (b)(2)(A);

(L) by inserting ''and reentry'' after ''commercial launch'' in subsection (b)(3);

(M) by striking ''launch'' after ''and transfer commercial'' in subsection (b)(3); and;

(N) by inserting ''and development of reentry sites,'' after ''launch-site support facilities,'' in subsection (b)(4);

(3) in section 70102—

(A) by inserting ''from Earth'' after ''and any payload'' in paragraph (3);

(B) by redesignating paragraphs (10) through (12) as paragraphs (14) through (16), respectively;

(C) by inserting after paragraph (9) the following new paragraphs:

''(10) 'reenter' and 'reentry' mean to return or attempt to return, purposefully, a reentry vehicle and its payload, if any, from Earth orbit, from exo-atmospheric flight, or from outer space to Earth.

''(11) 'reentry services' means—

''(A) activities involved in the preparation of a reentry vehicle and its payload, if any, for reentry; and

''(B) the conduct of a reentry.

''(12) 'reentry site' means the location on Earth to which a reentry vehicle is intended to return (as defined in a license the Secretary issues or transfers under this chapter).

''(13) 'reentry vehicle' means a vehicle designed to return from Earth orbit or outer space to Earth, or a reusable launch vehicle designed to return from outer space or exoatmospheric flight to Earth, substantially intact.''; and

(D) by inserting ''or reentry services'' after ''launch services'' each place it appears in paragraph (15), as so redesignated by subparagraph (B) of this paragraph;

(4) in section 70103(b)—

(A) by inserting ''AND REENTRIES'' after ''LAUNCHES'' in the subsection heading;

(B) by inserting ''and reentries'' after ''space launches'' in paragraph (1); and

(C) by inserting ''and reentry'' after ''space launch'' in paragraph (2);

(5) in section 70104—

(A) by amending the section designation and heading to read as follows:

''§ 70104. Restrictions on launches, operations, and reentries'';

(B) by inserting ''or reentry site, or reenter a reentry vehicle,'' after ''operate a launch site'' each place it appears in subsection (a);

(C) by inserting ''or reentry'' after ''launch or operation'' in subsection (a)(3) and (4);

(D) in subsection (b)—

(i) by striking ''launch license'' and inserting in lieu thereof ''license'';

(ii) by inserting ''or reenter'' after ''may launch''; and

(iii) by inserting ''or reentering'' after ''related to launching''; and

(E) in subsection (c)—

(i) by amending the subsection heading to read as follows: ''PREVENTING LAUNCHES AND REENTRIES.—'';

(ii) by inserting ''or reentry'' after ''prevent the launch''; and

(iii) by inserting ''or reentry'' after ''decides the launch'';

(6) in section 70105—

(A) by inserting ''or reentry site, or reentry of a reentry vehicle,'' after ''operation of a launch site'' in subsection (b)(1); and

(B) by striking ''or operation'' and inserting in lieu thereof '', operation, or reentry'' in subsection (b)(2)(A);

(7) in section 70106(a)—

(A) by inserting ''or reentry site'' after ''observer at a launch site''; and

(B) by inserting ''or reentry vehicle'' after ''assemble a launch vehicle'';

(8) in section 70108—

(A) by amending the section designation and heading to read as follows:

''§ 70108. Prohibition, suspension, and end of launches, operation of launch sites and reentry sites, and reentries'';

and

(B) in subsection (a)—

(i) by inserting ''or reentry site, or reentry of a reentry vehicle,'' after ''operation of a launch site''; and

(ii) by inserting ''or reentry'' after ''launch or operation'';

(9) in section 70109—

(A) by amending the section designation and heading to read as follows:

''§ 70109. Preemption of scheduled launches or reentries'';

(B) in subsection (a)—

(i) by inserting ''or reentry'' after ''ensure that a launch'';

(ii) by inserting '', reentry site,'' after ''United States Government launch site'';

(iii) by inserting ''or reentry date commitment'' after ''launch date commitment'';

(iv) by inserting ''or reentry'' after ''obtained for a launch'';

(v) by inserting '', reentry site,'' after ''access to a launch site'';

(vi) by inserting '', or services related to a reentry,'' after ''amount for launch services''; and

(vii) by inserting ''or reentry'' after ''the scheduled launch''; and

(C) in subsection (c), by inserting ''or reentry'' after ''prompt launching'';

(10) in section 70110—

(A) by inserting ''or reentry'' after ''prevent the launch'' in subsection (a)(2); and

(B) by inserting ''or reentry site, or reentry of a reentry vehicle,'' after ''operation of a launch site'' in subsection (a)(3)(B);

(11) in section 70111—

(A) by inserting ''and reentry services'' after ''launch services'' in subsection (a)(1)(B);

(B) by inserting ''or reentry services'' after ''or launch services'' in subsection (a)(2);

(C) by inserting ''or reentry'' after ''commercial launch'' both places it appears in subsection (b)(1);

(D) by inserting ''or reentry services'' after ''launch services'' in subsection (b)(2)(C);

(E) by striking ''or its payload for launch'' in subsection (d) and inserting in lieu thereof ''or reentry vehicle, or the payload of either, for launch or reentry''; and

(F) by inserting '', reentry vehicle,'' after ''manufacturer of the launch vehicle'' in subsection (d);

(12) in section 70112—

(A) by inserting ''or reentry'' after ''one launch'' in subsection (a)(3);

(B) by inserting ''or reentry services'' after ''launch services'' in subsection (a)(4);

(C) by inserting ''or reentry services'' after ''launch services'' each place it appears in subsection (b);

(D) by striking '', Space, and Technology'' in subsection (d)(1);

(E) by inserting ''OR REENTRIES'' after ''LAUNCHES'' in the heading for subsection (e); and

(F) by inserting ''or reentry site or a reentry'' after ''launch site'' in subsection (e);

(13) in section 70113(a)(1) and (d)(1) and (2), by inserting ''or reentry'' after ''one launch'' each place it appears;

(14) in section 70115(b)(1)(D)(i)—

(A) by inserting ''reentry site,'' after ''launch site,''; and

(B) by inserting ''or reentry vehicle'' after ''launch vehicle'' both places it appears;

(15) in section 70117—

(A) by inserting ''or reentry site or reenter a reentry vehicle'' after ''operate a launch site'' in subsection (a);

(B) by inserting ''or reentry'' after ''approval of a space launch'' in subsection (d);

(C) by amending subsection (f) to read as follows:

''(f) LAUNCH NOT AN EXPORT; REENTRY NOT AN IMPORT.—A launch vehicle, reentry vehicle, or payload that is launched or reentered is not, because of the launch or reentry, an export or import, respectively, for purposes of a law controlling exports or imports.''; and

(D) in subsection (g)—

(i) by striking ''operation of a launch vehicle or launch site,'' in paragraph (1) and inserting in lieu thereof ''reentry, operation of a launch vehicle or reentry vehicle, or operation of a launch site or reentry site,'';

(ii) by striking ''or'' at the end of paragraph (1);

(iii) by inserting ''reentry,'' after ''launch,'' in paragraph (2);

(iv) by striking the period at the end of paragraph (2) and inserting in lieu thereof ''; or''; and

(v) by adding at the end the following new paragraph:

''(3) any amateur and similar small rocket activities, as defined by the Secretary by regulation.'';

(16) in section 70119, by inserting the following after paragraph (2):

''There are authorized to be appropriated to the Secretary of Transportation $6,000,000 to carry out this chapter for fiscal year 1996. None of the funds authorized by this section may be expended for policy development or analysis activities not directly related to the Secretary's regulatory responsibilities under this chapter.''.

(b) ADDITIONAL AMENDMENTS.—(1) Section 70105 of title 49, United States Code, is amended—

(A) by inserting ''(1)'' before ''A person may apply'' in subsection (a);

(B) by striking ''receiving an application'' both places it appears in subsection (a) and inserting in lieu thereof ''accepting an application in accordance with criteria established pursuant to subsection (b)(2)(D)'';

(C) by adding at the end of subsection (a) the following new paragraph:

''(2) In carrying out paragraph (1), the Secretary may establish procedures for certification of the safety of a launch vehicle, reentry vehicle, or safety system, procedure, service, or personnel that may be used in conducting licensed commercial space launch or reentry activities.'';

(D) by striking ''and'' at the end of subsection (b)(2)(B);

(E) by striking the period at the end of subsection (b)(2)(C) and inserting in lieu thereof ''; and'';

(F) by adding at the end of subsection (b)(2) the following new subparagraph:

''(D) regulations establishing criteria for accepting or rejecting an application for a license under this chapter within 60 days after receipt of such application.''; and

(G) by inserting '', or the requirement to obtain a license,'' after ''waive a requirement'' in subsection (b)(3).

(2) The amendment made by paragraph (1)(B) shall take effect upon the effective date of final regulations issued pursuant to section 70105(b)(2)(D) of title 49, United States Code, as added by paragraph (1)(F) of this subsection.

(3) Section 70102(5) of title 49, United States Code, is amended—

(A) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(B) by inserting before subparagraph (B), as so redesignated by subparagraph (A) of this paragraph, the following new subparagraph:

''(A) activities directly related to the preparation of a launch site or payload facility for one or more launches;''.

(4) Section 70103(b) of title 49, United States Code, is amended—

(A) in the subsection heading, as amended by subsection (a)(4)(A) of this section, by inserting ''AND STATE SPONSORED SPACEPORTS'' after ''AND REENTRIES''; and

(B) in paragraph (1), by inserting ''and State sponsored spaceports'' after ''private sector''.

(5) Section 70105(a)(1) of title 49, United States Code, as amended by subsection (b)(1) of this section, is amended by inserting at the end the following: ''The Secretary shall submit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a written notice not later than 7 days after any occurrence when a license is not issued within the deadline established by this subsection.''.

(6) Section 70111 of title 49, United States Code, is amended—

(A) in subsection (a)(1), by inserting after subparagraph (B) the following:

''The Secretary shall establish criteria and procedures for determining the priority of competing requests from the private sector and State governments for property and services under this section.'';

(B) by striking ''actual costs'' in subsection (b)(1) and inserting in lieu thereof ''additive costs only''; and

(C) by inserting after subsection (b)(2) the following new paragraph:

''(3) The Secretary shall ensure the establishment of uniform guidelines for, and consistent implementation of, this section by all Federal agencies.''.

(7) Section 70112 of title 49, United States Code, is amended—

(A) in subsection (a)(1), by inserting ''launch, reentry, or site operator'' after ''(1) When a'';

(B) in subsection (b)(1), by inserting ''launch, reentry, or site operator'' after ''(1)A''; and

(C) in subsection (f), by inserting ''launch, reentry, or site operator'' after ''carried out under a''.

SEC. 242. OFFICE OF AIR AND SPACE COMMERCIALIZATION AUTHORIZATION.

There are authorized to be appropriated to the Secretary of Commerce for the activities of the Office of Air and Space Commercialization, $457,000 for fiscal year 1996.

SEC. 243. REQUIREMENT FOR INDEPENDENT COST ANALYSIS.

The Chief Financial Officer for the National Aeronautics and Space Administration shall be responsible for conducting independent cost analyses of all new projects estimated to cost more than $5,000,000 and shall report the results annually to Congress at the time of the submission of the President's budget request. In developing cost accounting and reporting standards for carrying out this section, the Chief Financial Officer shall, to the extent practicable and consistent with other laws, solicit the advice of expertise outside of the National Aeronautics and Space Administration.

SEC. 244. NATIONAL AERONAUTICS AND SPACE ACT OF 1958 AMENDMENTS.

(a) DECLARATION OF POLICY AND PURPOSE.—Section 102 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451) is amended—

(1) by striking subsection (e) and redesignating subsections (f) through (h) as subsections (e) through (g), respectively; and

(2) in subsection (g), as so redesignated by paragraph (1) of this subsection, by striking ''(f), and (g)'' and inserting in lieu thereof ''and (f)''.

(b) REPORTS TO THE CONGRESS.—Section 206(a) of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2476(a)) is amended—

(1) by striking ''January'' and inserting in lieu thereof ''May''; and

(2) by striking ''calendar'' and inserting in lieu thereof ''fiscal''.

(c) DISCLOSURE OF TECHNICAL DATA.—Section 303 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2454) is amended—

(1) in subsection (a)(C), by inserting ''or (c)'' after ''subsection (b)''; and

(2) by adding at the end the following new subsection:

''(c)(1) The Administration may delay for a period not to exceed 5 years the unrestricted public disclosure of technical data in the possession of, or under the control of, the Administration that has been generated in the performance of experimental, developmental, or research activities or programs funded jointly by the Administration and the private sector.

''(2) Within 1 year after the date of the enactment of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1996, the Administrator shall issue regulations to carry out this subsection. Paragraph (1) shall not take effect until such regulations are issued.

''(3) Regulations issued pursuant to paragraph (2) shall include—

''(A) guidelines for a determination of whether data is technical data within the meaning of this subsection;

''(B) a requirement that a determination described in subparagraph (A) that particular data is technical data shall be reported to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate;

''(C) provisions to ensure that technical data is available for dissemination within the United States to United States persons and entities in furtherance of the objective of maintaining leadership or competitiveness in civil and governmental aeronautical and space activities by the United States industrial base; and

''(D) a specification of the period or periods for which the delay in unrestricted public disclosure of technical data is to apply to various categories of such data, and the restrictions on disclosure of such data during such period or periods, including a requirement that the maximum 5-year protection under this subsection shall not be provided unless at least 50 percent of the funding for the activities or programs is provided by the private sector.

''(4) Along with the initial publication of proposed regulations under paragraph (2), the Administrator shall include a list of those experimental, developmental, or research activities or programs conducted by, or funded in whole or in part by, the Administration that may result in products or processes of significant value in maintaining leadership or competitiveness in civil and governmental aeronautical and space activities by the United States industrial base. Such list shall be updated biannually.

''(5) For purposes of this subsection, the term 'technical data means any recorded information, including computer software, that is or may be directly applicable to the design, engineering, development, production, manufacture, or operation of products or processes that may have significant value in maintaining leadership or competitiveness in civil and governmental aeronautical and space activities by the United States industrial base.''.

SEC. 245 PROCUREMENT.

(a) PROCUREMENT DEMONSTRATION PROGRAM.—

(1) IN GENERAL.—The Administrator shall establish within the Office of Space Access and Technology a program of expedited technology procurement for the purpose of demonstrating how innovative technology concepts can rapidly be brought to bear upon space missions of the National Aeronautics and Space Administration.

(2) PROCEDURES AND EVALUATION.—The Administrator shall establish procedures for actively seeking from persons outside the National Aeronautics and Space Administration innovative technology concepts, relating to the provision of space hardware, technology, or service to the National Aeronautics and Space Administration, and for the evaluation of such concepts by the National Aeronautics and Space Administration's Advisory Council against mission requirements.

(3) REQUIREMENT.—At least 1 percent of amounts authorized to be appropriated under section 212(a)(4) shall be used for innovative technology procurements that are determined under paragraph (2) of this subsection to meet mission requirements.

(4) SPECIAL AUTHORITY.—In order to carry out this subsection the Administrator shall recruit and hire for limited term appointments persons from outside the National Aeronautics and Space Administration with special expertise and experience related to the innovative technology concepts with respect to which procurements are made under this subsection.

(5) SUNSET.—This subsection shall cease to be effective 10 years after the date of its enactment.

(b) TECHNOLOGY PROCUREMENT INITIATIVE.—

(1) IN GENERAL.—The Administrator shall coordinate National Aeronautics and Space Administration resources in the areas of procurement, commercial programs, and advanced technology in order to—

(A) fairly assess and procure commercially available technology from the marketplace in the most efficient manner practicable;

(B) achieve a continuous pattern of integrating advanced technology from the commercial sector, and from Federal sources outside the National Aeronautics and Space Administration, into the missions and programs of the National Aeronautics and Space Administration;

(C) incorporate private sector buying and bidding procedures, including fixed price contracts, into procurements; and

(D) provide incentives for cost-plus contractors of the National Aeronautics and Space Administration to integrate commercially available technology in subsystem contracts on a fixed-price basis.

(2) CERTIFICATION.—Upon solicitation of any procurement for space hardware, technology, or services that are not commercially available, the Administrator shall certify, by publication of a notice and opportunity to comment in the Commerce Business Daily, for each such procurement action, that no functional equivalent, commercially, available space hardware, technology, or service exists and that no commercial method of procurement in available.

SEC. 246. ADDITIONAL NATIONAL AERONAUTICS AND SPACE ADMINISTRATION FACILITIES.

The Administrator shall not construct or enter into a new lease for facilities to support National Aeronautics and Space Administration programs unless the Administrator has certified to the Congress that the Administrator reviewed existing National Aeronautics and Space Administration and other federally owned facilities, including military facilities scheduled for closing or reduction, and found no such facilities appropriate for the intended use.

SEC. 247. PURCHASE OF SPACE SCIENCE DATA.

(a) IN GENERAL.—To the maximum extent possible, the National Aeronautics and Space Administration shall purchase from the private sector space science data. Examples of such data include scientific data concerning the elemental and mineralogical resources of the moon and the planets, Earth environmental data obtained through remote sensing observations, and solar storm monitoring.

(b) COMPETITIVE BIDDING.—(1) Contracts for the purchase of space data under this section shall be awarded in a process of full, fair, and open competitive bidding.

(2) Submission of cost data, either for the purposes of supporting the bid of fulfillment of the contract, shall not be required of bidders.

(3) Conformance with military specifications (Milspec) or National Aeronautics and Space Administration specifications systems with respect to the design, construction, or operation of equipment used in obtaining space science data under contracts entered

into under this section shall not be a requirement for a commercial provider bidding to provide such services.

(4) Contracts under this section shall not provide for the Federal Government to obtain ownership of data not specifically sought by the Federal Government.

SEC. 248. REPORT OF MISSION TO PLANET EARTH.

(a) REQUIREMENT.—The Administrator shall, within 6 months after the date of the enactment of this Act, transmit to the Congress a report on Mission to Planet Earth.

(b) CONTENTS.—The plan required by subsection (a) shall include—

(1) an analysis of Earth observation systems of other countries and the ways in which the United States could benefit from such systems, including by eliminating duplication of effort;

(2) an analysis of how the Department of Defense's airborne and space sensor programs could be used in Mission to Planet Earth;

(3) a plan for infusing advanced technology into the Mission to Planet Earth program, including milestones and an identification of available resources;

(4) a plan to solicit proposals from the private sector on how to innovatively accomplish the most critical research on global climate change;

(5) an integrated plan for research in the Scientific Research and Mission to Planet Earth enterprises of the National Aeronautics and Space Administration;

(6) a plan for developing metrics and milestones to quantify the performance of work on Mission to Planet Earth; and

(7) an analysis of how the United States Government can—

(A) most effectively utilize space-based and airborne Earth remote sensing data, services, distribution, and applications provided by the United States private sector to meet Government goals for Mission to Planet Earth; and

(B) evaluate and foster commercial data sources, commercial archiving services, commercial applications, and commercial distribution of Mission to Planet Earth data.

SEC. 249. SHUTTLE PRIVATIZATION

(a) POLICY AND PREPARATION.—The Administrator shall prepare for an orderly transition from the Federal operation, or Federal management of contracted operation, of space transportation systems to the Federal purchase of commercial space transportation services for all nonemergency launch requirements, including human, cargo, and mixed payloads. In those preparations, the Administrator shall take into account the need for short-term economies, as well as the goal of restoring the National Aeronautics and Space Administration's research focus and its mandate to promote the fullest possible commercial use of space. As part of those preparations, the Administrator shall plan for the potential privatization of the Space Shuttle program.

(b) REQUEST FOR PROPOSALS.—Within 30 days after the date of the enactment of this Act, the Administrator shall publish in the Commerce Business Daily a request for proposals to achieve a single prime contract for the space shuttle program. The request for proposals shall include—

(1) a timetable and milestones for selecting a single prime contractor not later than September 30, 1996;

(2) criteria for selection of the single prime contractor;

(3) the annual target cost to be achieved by the single prime contractor;

(4) proposed terms and conditions of the single prime contract, including fee and incentives for achieving the target cost, and for savings below the target cost; and

(5) a requirement that each proposal be accompanied by a plan by the proposer to privatize the space shuttle program.

(c) PRIVATIZATION PLANS.—The Administrator shall forward all privatization plans received pursuant to subsection (b)(5) to the Congress not later than 30 days after the deadline for submitting proposals under subsection (b).

(d) LIMITATION ON USE OF FUNDS.—None of the funds authorized by this title shall be used to plan or prepare for Federal Government, or federally contracted, operation of the Space Shuttle beyond the year 2012, nor for studying, designing, or developing upgrades to the Shuttle whose sole purpose is to extend the operational life of the Space Shuttle system beyond 2012. Nothing in this title shall preclude the Federal, or federally contracted, operation of the Space Shuttle through the year 2012, or the privatized operation of the Space Shuttle after the year 2012.

SEC. 250. AERONAUTICAL RESEARCH AND TECHNOLOGY FACILITIES.

Notwithstanding any other provision of law, no funds may be obligated for fiscal year 1996 for Aeronautical Research and Technology programs of the National Aeronautics and Space Administration in excess of amounts authorized by this title, except to the extent that the Administrator receives from non-Federal sources full reimbursement of such excess amounts through payment of costs associated with research at the aeronautical research and technology facilities of the National Aeronautics and Space Administration.

SEC. 251. LAUNCH VOUCHER DEMONSTRATION PROGRAM AMENDMENTS.

Section 504 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1993 (15 U.S.C. 5803) is amended—

(1) in subsection (a)—

(A) by striking ''the Office of Commercial Programs within''; and

(B) by striking ''Such program shall not be effective after September 30, 1995.'';

(2) by striking subsection (c); and

(3) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

SEC. 252. PRIVATIZATION OF MICROGRAVITY PARABOLIC FLIGHT OPERATIONS.

(a) FINDING.—The Congress finds that no national security or mission critical justification exists for the National Aeronautics and Space Administration to maintain its own fleet of aircraft to provide a short duration microgravity environment via parabolic flight.

(b) PRIVATIZATION OF FLIGHT OPERATIONS.—(1) The Administrator shall privatize all parabolic flight aircraft operations conducted by or for the National Aeronautics and Space Administration in support of microgravity research, astronaut training, and other functions, through issuance of one or more long-term, renewable, block purchase contracts for the performance of such operations by United States private sectors providers.

(2) Within 30 days after the date of the enactment of this Act, the Administrator shall issue a request for proposals to provide services as described in paragraph (1). The Administrator shall coordinate the process of review of such proposals, and shall oversee the transfer of such operations to the private sector.

(3) Within 6 months after the issuance of a request for proposals under paragraph (2), the Administrator shall award one or more contracts for microgravity parabolic flight services, and shall cease all National Aeronautics and Space Administration-operated parabolic aircraft flights, and shall thereafter procure all microgravity parabolic flight services from private sector providers. National Aeronautics and Space Administration experimenters, and National Aeronautics and Space Administration-funded experimenters, who would otherwise use National Aeronautics and Space Administration-owned or operated microgravity parabolic flight aircraft, shall be issued vouchers for the procurement of microgravity parabolic flight services from the private sector.

SEC. 253. ELIGIBILITY FOR AWARDS.

(a) IN GENERAL.—The Administrator shall exclude from consideration for awards of financial assistance made by the National Aeronautics and Space Administration 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 of 5 years after the person receives such Federal funds.

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

SEC. 254. PROHIBITION OF LOBBYING ACTIVITIES.

None of the funds authorized by this title shall be available for any activity whose purpose is to influence legislation pending before the Congress, except that this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

SEC. 255. 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 the activities for which sums are authorized by this title unless such sums are specifically authorized to be appropriated by this title.

(b) SUBSEQUENT FISCAL YEARS.—No sums are authorized to be appropriated for any fiscal year after fiscal year 1996 for the activities for which sums are authorized by this title unless such sums are specifically authorized to be appropriated by Act of Congress with respect to such fiscal year.

SEC. 256. UNITARY WIND TUNNEL PLAN ACT OF 1949 AMENDMENTS.

The Unitary Wind Tunnel Plan Act of 1949 is amended—

(1) in section 101 (50 U.S.C. 511) by striking ''transsonic and supersonic'' and inserting in lieu thereof ''transonic, supersonic, and hypersonic''; and

(2) in section 103 (50 U.S.C. 513)—

(A) by striking ''laboratories'' in subsection (a) and inserting in lieu thereof ''laboratories and centers'';

(B) by striking ''supersonic'' in subsection (a) and inserting in lieu thereof ''transonic, supersonic, and hypersonic''; and

(C) by striking ''laboratory'' in subsection (c) and inserting in lieu thereof ''facility''.

The CHAIRMAN. Are there any amendments to title II?

AMENDMENT OFFERED BY MS. DUNN OF WASHINGTON

Ms. DUNN of Washington. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. DUNN: Page 29, line 18, insert '', of which at least $2,000,000 is reserved for research and early detection systems for breast and ovarian cancer and other women's health issues'' after ''$293,200,000''.

Ms. DUNN of Washington. Mr. Chairman, my amendment will set aside $2 million out of the $293 million authorized for life and microgravity sciences and applications in this bill for research and for early detection systems for breast and ovarian cancer and other women's issues.

Mr. Chairman, because of the unique microgravity environment space provides for research, new and effective approaches to diagnosing and treating breast and ovarian cancer tumors are being investigated in space labs in ways not possible on Earth. The low gravity of space allows cancer cells, actual human cancer cells, to be grown in a 3-dimensional form replicating those to be found in the human body. Developing technology to help eradicate breast cancer is not a new direction for NASA, but one that needs to be spotlighted as a continuing basis.

For example, technology that NASA has developed for the Hubbell space telescope is being applied at this time to digital mammography techniques that the National Cancer Institute hopes will lead to better treatments of breast cancer through even earlier detection. Right now, NASA and the National Cancer Institute have identified two technologies that hold promise for direct digital mammography with high resolution and a wide field of view that is necessary for early detection. They are now in the process of testing these diagnostic systems.

These advanced sensors and signal processors could boost the resolution of a mammogram and allow physicians to detect cancer soon after its onset.

Mr. SENSENBRENNER. Mr. Chairman, will the gentlewoman yield?

Ms. DUNN of Washington. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, we are prepared to accept this amendment. The amendment reserves $2 million of the life and microgravity science budget program specifically for research on the development of early detection systems for breast and ovarian cancers and other women's health issues. Since it is my understanding that NASA has been working toward the aims of the gentlewoman's amendment, and since this reservation of funds would not adversely impact other planned life sciences research by NASA, I would accept the amendment of my colleague, the gentlewoman from Washington, and commend it to my colleagues.

In fact, NASA and the National Institutes of Health have been engaged under 18 separate cooperative research agreements in a variety of fields. Our bill fully funds the $4.2 million already planned for cancer-related research under these NASA–NIH agreements. NASA has developed, using the Hubbell space telescope technologies, a revolutionary new detection system for the early identification of breast cancer. The system uses charged coupled devices developed by NASA for converting light from faint, distant stars into digital imagery. The same sensitive imaging technology is being used to conduct nonsurgical biopsies on women who may or may not have breast cancer, without leaving a scar. This is another example of how spinoffs from the space program are applied to solve very real problems on Earth, and is one of the reasons why the taxpayers' investment in the space program pays dividends, not only in terms of finances, but also in terms of alleviating human suffering and detecting diseases early enough so they can be cured.

Ms. DUNN of Washington. Reclaiming my time, Mr. Chairman, I thank the gentleman. On behalf of the one in eight women who will be diagnosed with breast cancer this year, and the 46,000 women who die every year from this disease, and on behalf of those women who are diagnosed with ovarian cancer, who suffer from osteoporosis and other women's health diseases, I thank the gentleman for his acceptance of my amendment, and ask my colleagues to support this amendment.

Mr. BROWN of California. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I rise for the purpose of adding my support for the gentlewoman's proposal. I think it is meritorious and deserves the unanimous support of the House.

Mr. Chairman, if I may indulge very briefly under my time on a slightly different subject, my distinguished colleague on the other side, the gentleman from Pennsylvania [Mr. WALKER], mentioned my comments regarding cutting any agency by 33 percent, and he felt this represented some inconsistency on my part in discussing the 33-percent reductions in this bill. There are some slight differences here in that I was stating that a department could reduce its budget, and I was really being guided by the example of NASA. I know the gentleman will be familiar with this.

NASA began in 1991 to reduce its budget, and has succeeded in making the kind of a budget reduction that we are talking about here, roughly one-third over the next 5 years. it is being asked to take even more than that. The point here is that this did not come out of the muscle of research and development. A good part of that came by reducing the overhead of the agency here in Washington, making some other changes, including the kind urged on the Republican side to privatize or to contract for services, and under this combination of circumstances, namely, reducing the waste, fraud and abuse, and corporate overhead at the headquarters, and restructuring programs to put more in the private sector, you can make these reductions. Unfortunately, those are not the kind of reductions called for in this bill. As a consequence, I still feel that they are extreme.

I did not use that in the sense of implying that anybody is an extremist who supports extreme cuts in the budget. I am just trying to point out the factuality of the situation. These cuts are larger, they impact R&D more, and they fall outside the scope of my own remark about how much budget cutting you could do if you include all the factors involved.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Washington, [Ms. DUNN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

Page 79, after line 16, insert the following new section:

SEC. 257. USE OF ABANDONED AND UNDERUTILIZED BUILDINGS, GROUNDS, AND TO FACILITIES.

(a) IN GENERAL.—In meeting the needs of the National Aeronautics and Space Administration for additional facilities, the Administrator whenever feasible, shall select abandoned and underutilized buildings, grounds, and facilities in depressed communities that can be converted to National Aeronautics and Space Administration facilities at a reasonable cost, as determined by the Administrator.

(b) DEFINITIONS.—For purposes of this section, the term ''depressed communities'' means rural and urban communities that are relatively depressed, in terms of age of housing, extent of poverty, growth of per capita income, extent of unemployment, job lag, or surplus labor.

Page 3, after the item in the table of contents relating to section 256, insert the following:

Sec. 257. Use of abandoned and underutilized building, grounds, and facilities.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, this amendment deals with the fact that we provide for an opportunity, whenever feasible, that the administrator shall select abandoned facilities, underutilized buildings and grounds in depressed communities that can be converted to NASA facilities at a reasonable cost. Under the amendment, the term ''depressed community'' means both rural and/or urban communities.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, we are prepared to accept the gentleman's amendment, with

the modification that he had just described, by stating that the administrator, whenever feasible, shall select the abandoned and underutilized buildings. I believe the modified amendment makes a significant contribution to this bill, and I am glad that this side is able to work out the problems and to support his amendment.

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from California.

Mr. BROWN of California. Mr. Chairman, in the case of the amendments of the gentleman from Ohio [Mr. TRAFICANT], I follow one general rule. If the gentleman can successfully persuade the Republicans to accept them, they must be good amendments, and I therefore go along with this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SCOTT

Mr. SCOTT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCOTT:

Page 31, line 13, strike ''$826,900,000'' and insert in lieu thereof ''$860,300,000''

Page 31, strike line 18 through line 22, and insert in lieu thereof the following:

(C) $163,400,000 are authorized for Advanced Subsonic Technology;

□ 1330

Mr. SCOTT. Mr. Chairman, I am delighted to speak while everyone is in a cooperative mood.

Mr. Chairman, I appreciate the opportunity to offer this amendment to restore $33.4 million in fund cuts from NASA's advanced subsonic technology request, which is one of the main components of NASA's aeronautics activity. Although I acknowledge and support the need to cut government spending where appropriate in order to meet our budget responsibilities, such a cut to NASA's aeronautics program is extremely counterproductive to our shared goals of creating a stronger economy and a stronger America.

Mr. Chairman, the aeronautics industry is responsible for this country's greatest positive balance of trade, $30 billion, and without the research and support of NASA the U.S. aeronautics research would not be competitive in the global marketplace. It was, in fact, the purpose for which Congress created NASA in the first place.

Mr. Chairman, it is important to remember that Congress created NASA's predecessor, the National Advisory Committee on Aeronautics, the NACA, for the purpose of regaining America's competitiveness in aviation at a time of European dominance. Despite the early lead the country enjoyed as a result of the Wright Brothers' flight in 1903, by 1917 the Europeans had become the major force in aviation.

NACA established NASA Langley in Hampton, VA, as a research center to provide the United States with the competitive edge it had lost to the Europeans by providing long-term research and some of the first successful public-private partnerships that helped the United States to regain its preeminence in aeronautics. Now, at a time when the Europeans are in high gear supporting research and development of the Airbus, we are poised to shoot ourselves in the foot again by cutting the very program that kept the United States aeronautics program competitive. We are on a fast track to the back seat status we suffered in 1917.

Mr. Chairman, this amendment, while not restoring all of the funds cut in NASA's very modest request, will enable these programs to continue at a responsible level, so that we can effectively continue our long-term research in fuel economy, in increased safety, reduced sonic boom, improved design, and reduced environmental impacts. Much of this research is considered high-risk, high-reward research, the very kind of research that private companies who have to be concerned about their quarterly profits are least likely to invest in until the research looks promising on a short-term basis. Considering the state of the national economy, we can ill-afford to reduce earned investment in long-term research in the aeronautics industry. NASA aeronautics works and is deserving for our continued support and attention.

Mr. Chairman, the House appropriations subcommittee, the Senate appropriations and authorizing committees have all fully funded this program. The committee bill is the only one to cut the advanced subsonic program by $34.4 million. We should not contribute to the loss of U.S. preeminence in aeronautics. I urge the Members of both sides of the aisle to continue to support aeronautics and this country's economy by supporting this amendment.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, regretfully, the gentleman from Virginia [Mr. SCOTT] has fallen under the sway of what I call Washington math. He is claiming that this bill cuts the advanced subsonics program by an amount of money. It does not. This bill increases this program by 6 percent. The gentleman from Virginia wants to increase it by more. That is his prerogative. However, under the discretionary spending cap that was passed in 1993 by the Clinton budget, whenever we increase a discretionary spending account, we are supposed to reduce other discretionary spending accounts, and this amendment does not do that. It is just a plusing up of the advanced subsonic program without an offset anywhere else in NASA.

Now, apparently the amendment of the gentleman from Virginia [Mr. SCOTT] wants to pump that whole issue of what to cut off to the NASA Administrator. What our committee has attempted to do is to run NASA on as tight a budget as possible. We are sick and tired of cost overruns at NASA. All of the accounts that we have put in this bill are under the new faster, better, cheaper NASA, and there really is not much play around for the Administrator to offset these other programs without underfunding them, and that is going to require stretch-outs and cost overruns in these other programs in the long run.

The gentleman from Virginia, if his amendment were to be responsible, should have identified where the offsets were, rather than leaving that decision being made to the executive branch. The fact of the matter remains that this bill increases the advanced subsonic program by 6 percent. It has been the determination of the Committee on Science that that is enough. I would hope that the House would accept the committee position and reject the amendment of the gentleman from Virginia for the reasons that I have stated.

Mr. BROWN of California. Mr. Chairman, I rise in support of the amendment of the gentleman from Virginia.

Mr. Chairman, I feel very strongly about the importance of this amendment for a number of reasons which I will try to categorize. For one thing, it reflects a primary opportunity to discuss really whether we think that money spent to encourage and aid industry in their work is corporate welfare. I think we all know that over the past decade or so, the threat to the American aerospace industry's once virtual monopoly of long-distance air carriers comes from places like France where the European Airbus received something like $2 billion a year in outright subsidies from their government, and in other countries of the world, including potentially our Asian competitors where they do not hesitate to not only direct the direction of research and development in air transportation as other things, but to fund it quite handsomely.

Now, what the gentleman from Virginia [Mr. SCOTT] is proposing is a modest increase in the amount contained in this account for aircraft research, subsonic research, not up to the level of the President's request, but certainly more than is contained in this bill, even though this bill has what is essentially a cost-of-living increase, as the gentleman mentioned, about a 6-percent increase over 1995.

Mr. Chairman, what is happening is that the international competition in this field is increasing. If we are to walk away from that and say to France and to Japan and to other countries, you go ahead and continue to subsidize and with each additional $1 billion, you can take an additional *x* percent of the global market and we are just going to walk away from that and let you have it. That is essentially what we are saying.

Now, is that what the experts in this country have suggested? I am going to

just quote from the findings of the National Research Council which has reviewed this situation recently, and it says as follows: ''NASA should emphasize the development of advanced aeronautical technology in the following order: Advanced subsonic aircraft.'' That is the first priority. That is what this amendment is directed at. Then, ''high-speed supersonic aircraft. Second NASA should work with aircraft manufacturers, the airline industry, and the FAA to bring about major improvements in the utility and safety of the global air traffic management system.''

Another part of the language in this bill, which the gentleman's amendment would strike, prohibits NASA from continuing to cooperate with the FAA on air traffic management. That in itself is justification for the gentleman's amendment. It has nothing to do with the dollar amount.

Again, quoting from the National Research Council: ''The magnitude of NASA's civil aeronautics budget should be increased.''

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. BROWN. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, if all of this is so important, how come you could not identify where to offset this increase in other NASA accounts? The amendment is silent on that.

Mr. BROWN of California. Mr. Chairman, the amendment is deliberately silent on this because we think that the caps imposed upon the subcommittee by the chairman have no basis in law and certainly no merit. The budget language was nothing to do with it, so there is no need for an offset.

Mr. SENSENBRENNER. If the gentleman will yield further, maybe that is the difference between a Congress that ran up a $5 trillion debt and a Congress that wants to balance the budget.

Mr. BROWN of California. Well, Mr. Chairman, the gentleman from Wisconsin [Mr. SENSENBRENNER] has already acknowledged that it was under the Republicans that the budget got out of balance.

Mr. SENSENBRENNER. Mr. Chairman, if the gentleman will yield further, the Republicans have not controlled this House for 40 years and Congress has the power of the purse, unless someone changed the Constitution when we were not looking.

Mr. BROWN of California. Well, Mr. Chairman, the response to that, the rebuttal, is that the Republican President could have vetoed the Democratic Congress on these bills if he wished to, and he chose not to.

Mr. SENSENBRENNER. Will the gentleman yield further?

Mr. BROWN of California. Absolutely.

Mr. SENSENBRENNER. As a matter of fact, the Republican President did veto spending bills and got overridden by Congress.

Mr. BROWN of California. Including a lot of Republicans who obviously must have voted to override them.

Now, this detracts a little from the point that we are trying to make. In this amendment, we have a confrontation with the philosophy that is involved in most of these cuts, namely that they are corporate welfare.

The CHAIRMAN. The time of the gentleman from California [Mr. BROWN] has expired.

(By unanimous consent, Mr. BROWN of California was allowed to proceed for 1 additional minute.)

Mr. BROWN of California. Mr. Chairman, just for the purpose of making a adequate summary, I would say that this is a confrontation of ideology. It is also a matter which threatens the economic future of this country, because the export of aircraft, transcontinental airplanes, represents the largest or the next-to-the-largest favorable-balance-of-trade item in the American economy. Do we want to continue to have that eroded under the pious hope that the private aircraft companies in this country can make up for those billions of dollars in subsidies that are coming from the governments of these other countries, or do we want to do something recommended by the industry, recommended by the scientific community, recommended by anyone who has any expertise in this area, that we do our best to remain competitive in the global economy? This amendment would help us to do that.

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

Mr. Chairman, this is an interesting amendment, and the gentleman from California [Mr. BROWN] has defined it, I think, well. He said that the idea of putting caps on spending has no merit, and that what they are arguing is that there is absolutely no merit to the idea of capping budgets and thereby to try to reduce spending.

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from California.

Mr. BROWN of California. Mr. Chairman, the gentleman has misstated my position. The gentleman from Pennsylvania [Mr. WALKER] knows that I voted for a balanced budget amendment that balances the budget in 7 years and contains all of the discipline necessary to do that. The gentleman did not like that particular budget, so now he is accusing me of not supporting caps. I think that is unjust.

Mr. WALKER. Mr. Chairman, reclaiming my time, the gentleman voted for a balanced budget, but he has steadily come to the floor and refused to do anything to enforce the balanced budget that the House actually passed. The gentleman voted for a balanced budget that did not pass. We voted for a balanced budget that did pass.

What you have to do in order to bring about a balanced budget is not just take credit for having passed this wonderful vote that you can go back home and tell the people, I voted for a balanced budget. You have to actually enforce it. You have to actually do something to cut the spending to make the balanced budget work.

That is what caps are all about. Caps are all about doing the enforcement necessary to actually balance the budget. The gentleman chafes under that .

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, I seem to recall in the 1993 budget agreement which was passed by a single party in Congress and signed by President Clinton, there was a discretionary spending cap which meant that if one account at any discretionary spending area was increased, there had to be a dollar-for-dollar offset in other accounts. Now, this amendment that has been proposed by the gentleman from Virginia [Mr. SCOTT] does not even pass the test that was imposed by President Clinton 2 years ago, because there is no offset there.

□ 1345

Mr. WALKER. Sure. The point is that what they want to do is they just want to go on spending as though spending was not a problem; that you can have balanced budgets but, oh, by the way, spend for everything imaginable.

I have been watching some of the things on television where other committees are having their deliberations, and guess what? Every ranking member talks about how we ought not to have any caps on their spending. They have got a very important area, does not matter what it is, just keep spending the money, so we come to the floor here and we hear about spending the money.

This is a particularly interesting one that the gentleman from Virginia has brought forward, because the fact is that in high speed research where you are doing the actual work toward developing the next generation of aircraft, we increase the budget. We increase the budget by as much as the President wanted to increase the budget. So we are doing the leading edge research, but what the gentleman from Virginia is proposing is that we ought to do work in subsonic research.

Just so we get the terminology so people can understand it, subsonic research is the planes that we already fly. All these planes fly at speeds below the speed of sound. So it is the planes that we already know how to build and know how to fly, and they want to increase the research dollars in that area.

What we are suggesting is that maybe industry could help us do the research in those areas where they already are building the airplanes. There are multi-billion-dollar Fortune 500 companies that are involved in doing this work. We are suggesting that maybe they ought to share in some of

that research, while the Federal Government picks up the tab, an increasing tab, if you will, for those things in the high speed research areas.

It seems to me that that makes some sense. If you are going to balance the budget, let us have some shared resources. Let us have the Federal Government do the work of actually doing the fundamental work that business and industry probably cannot pick up because there is no market share in that. But where there is a market share, maybe we can have a shared program.

We are not suggesting wiping out the money for subsonic research. All we are doing is suggesting that some of the money could be cut back and the industry could come in and share part of the burden. Good heavens, that does not seem like an extreme or radical notion.

These are big companies. They are paying big dividends. They have the ability to do some of these kinds of things, particularly if the gentleman from California is correct that that is where the increase in the market is going to be for the future. Any good businessman I know wants to be a part of increasing the market for the future. Good heavens, what we are proposing here is giving them their opportunity to do it their own way, to put some of their own resources in it to make certain that we are driven in the direction that allows them to exploit that market.

The Democrats who simply believe that Government always is the right solution to everything cannot accept the fact that these kinds of partnerships are good things for the country. So what we have here is an amendment that suggests increasing the amount of money that goes to this program at the detriment to virtually everything else in the NASA budget, and in the end the real drive here is to spend infinitely more money overall for NASA. Defeat the amendment.

Mr. TRAFICANT. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from California [Mr. BROWN], the distinguished ranking member.

Mr. BROWN of California. Mr. Chairman, the Members on the other side have made some interesting statements which I think deserve to be responded to. This last dialogue, for example, which indicates that there has been increased funding for supersonic research and development and that is justified, apparently that is good research or whatever they choose to dignify it with as a name in order to get it in the budget. But the subsonic research, which is essential to our competitive posture in the world, that is bad science or corporate welfare, whichever way they choose to define it, and they use both terms.

The fact is that supersonic air transport has been conventional for the last generation. The Concorde is a supersonic transport, and it has been flying for a generation. The United States had a competing supersonic transport and decided not to proceed with it because based upon economic analysis, it would go bankrupt. We were somewhat more subjected to the rigors of the market because we were not subsidizing our supersonic transport like the French are funding theirs, subsidizing theirs.

So the argument that it is OK to fund the supersonic transport but not the subsonic, when the basic market is in the subsonic and nobody is ever going to make much money off the supersonic, it seems to me to be a little naive. It means we are going to waste one hell of a lot of money on something that the French do not want to waste money on because they have already lost too much money, but we do not want to put money into the area where the French are stealing our market, and it is a big market. That is not common sense. I think that we ought to consider that as we look at this amendment before us.

The argument actually really does get us involved in fantasy land to some degree, and it is also illustrated by the constant referral to the fact that the gentleman from California is some sort of a nut who does not believe in fiscal discipline and cannot enforce caps. The fact is that those nuts who think like I do over in the Senate have already voted the amount of money that we are requesting here. They have set their caps at considerably above the caps——

POINT OF ORDER

Mr. SENSENBRENNER. Mr. Chairman, point of order. I believe it is against the rules to refer to proceedings in the other body.

The CHAIRMAN. The gentleman should avoid characterization of Members of the other body.

Mr. BROWN of California. Is the gentleman specifically referring to my use of the term ''those nuts in the other body''? I will refrain from using that term.

The CHAIRMAN. The gentleman will refrain.

Mr. BROWN of California. The gentlemen in the other body have already adopted a cap——

Mr. SENSENBRENNER. Point of order, Mr. Chairman. The gentleman cannot do that, either.

The CHAIRMAN. The gentleman will refrain from referring to Members of the other body.

Mr. BROWN of California. Would the Chair instruct me as to how we should refer to the Members of the Senate?

The CHAIRMAN. The gentlemen should not refer to Members of the Senate.

Mr. BROWN of California. That is an almost insurmountable handicap to my argument here.

Mr. Chairman, I would like to point out that in some magical way, the authorization and appropriation bills which we will be called upon to consider in conference already have the amount of money in it. The gentleman from Virginia [Mr. SCOTT] referred to that earlier when he made his presentation. I forget how he got away with it, but he pointed out that that money was there.

The other side is arguing that it is both illegal, immoral, and probably fattening for us to do the same thing. I am a little chagrined to have that kind of a characterization made. If the gentleman would like to explain to me how what we want to do here is immoral and illegal but what is happening on the other side, if I can get away with that term, is perfectly all right, even though it has what we are trying to do in it here.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Virginia [Mr. SCOTT].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. SCOTT. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 139, noes 281, not voting 12, as follows:

[Roll No. 701]

AYES—139

Abercrombie
Ackerman
Baldacci
Barcia
Bateman
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Cramer
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Green
Hall (OH)
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hoke
Horn
Houghton
Hoyer
Jackson-Lee
Jefferson
Johnson, E. B.
Johnston
Kennedy (MA)
Kennedy (RI)
Kildee
Lantos
Levin
Lewis (GA)
Lofgren
Maloney
Manton
Markey
Martinez
Matsui
McDermott
McHale
McKinney
Meek
Mfume
Miller (CA)
Mink
Mollohan
Moran
Nadler
Neal
Oberstar
Olver
Ortiz
Owens
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Rahall
Rangel
Reed
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Scott
Serrano
Sisisky
Skaggs
Spratt
Stokes
Studds
Thompson
Thornton
Towns
Velazquez
Vento
Visclosky
Volkmer
Ward
Watt (NC)
Waxman
Wise
Woolsey
Wyden
Wynn
Yates

NOES—281

Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert

Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Coyne
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Diaz-Balart
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kim
King
Kingston
Kleczka
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lowey
Lucas
Luther
Manzullo
Martini
Mascara
McCarthy
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Montgomery
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Orton
Oxley
Packard
Pallone
Parker
Paxon
Peterson (MN)
Petri
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Schumer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stark
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—12

Chapman
Dickey
Dornan
Fields (LA)
Kennelly
Moakley
Murtha
Tejeda
Torres
Tucker
Waters
Wilson

□ 1414

The Clerk announced the following pair:

On this vote:

Mr. Moakley for, with Mr. Dornan against.

Mrs. SMITH of Washington, Mr. COYNE, and Mr. GILMAN changed their vote from ''aye'' to ''no.''

Ms. MCKINNEY and Messrs. NADLER, LANTOS, and HOKE changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. YOUNG OF ALASKA

Mr. YOUNG of Alaska. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. YOUNG of Alaska: No. 19: Page 79, after line 16, insert the following new section:

SEC. 257. CLARIFICATION OF MAJOR FEDERAL ACTION.

The licensing of a launch vehicle or launch site operator by the Secretary of Transportation and any amendment, extension, or renewal thereof, shall not be considered a major Federal action significantly affecting the quality of the human environment for purposes of section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

Page 3, in the table of contents for subtitle C of title II, insert the following after the item relating to section 256:

''Sec. 257. Clarification of major Federal action.''.

□ 1415

Mr. MILLER of California. Mr. Chairman, I reserve a point of order against the amendment offered by the gentleman from Alaska [Mr. YOUNG].

The CHAIRMAN. A point of order is reserved.

The Chair recognizes the gentleman from Alaska [Mr. YOUNG] for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, I do hope my good friend on the committee will not raise the point of order.

The background for this amendment, the National Environmental Protection Act, requires involvement of Federal agencies when activities constitute a major Federal action. Commercial Space Transportation Act requires the Department of Transportation to license launch vehicles and launch site operators. Department of Transportation, DOT, has determined licensing among constituents, alone constituents, major Federal action. It is acting as middleman in interpretation of NEPA requirements. Little or no Federal funding involved in the manufacturing, and structure and operation of launch sites or launch-like sites.

Problem: DOT's interpretation of NEPA has increased regulatory burden and cost of compliance with NEPA.

If I may continue, the problems are that DOT's interpretation of NEPA has increased regulatory burden and costs of compliance with NEPA. DOT requires extensive paperwork which is duplicative of the NEPA requirements.

I want to stress that. This duplicates what is already put in place by NEPA.

DOT has determined that it is a decisionmaker regarding whether environmental assessment is adequate or more costly. Time and money environmental impact statement is required.

Now I have a solution. This is what my amendment does:

Solution that eliminates DOT as the middleman or the interpreter of NEPA requirements. No NEPA requirements will be waivered.

I want to stress that, my good friend from California. State governments and other Federal agencies will interpret NEPA requirements. The result will be streamlined regulatory process industry, more efficient, better able to compete with international marketplace.

Mr. Chairman, this is a good amendment, and there is really nothing wrong with it. If my colleagues want to discuss the merits of it, let us discuss the merits, but what has happened, we have an agency here that has put itself in a position to interpretation when it is already in place with NEPA, and this is one of the reasons we have such a problem today in being competitive and so much disruption for the general public. It is why should two agencies be involved in something when we waive nothing, when NEPA sets down the requirements, when we have DOT saying this is what they interpret what NEPA interprets? It is an example of overgoverning what we are attempting to do, and in no way does this weaken, nor does it take away, a right of any group, or a right of a State or a committee to participate in the process.

It is a good amendment, Mr. Chairman, and I urge the passage of the amendment.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from California [Mr. MILLER] insist on his point of order?

Mr. MILLER of California. Mr. Chairman, I press my point of order that this amendment is not germane to the bill being amended and, therefore, violates clause 7 of rule XVI of the House rules, the general rule of germaneness.

As the gentleman has pointed out in his arguments on behalf of his amendment, this is about amending or providing an exemption to the National Environmental Policy Act and not about the facilities of the authorizations under this act or under this title, and, therefore, I believe it to be a nongermane amendment and, therefore, out of order for consideration at this time.

The CHAIRMAN. Are there any other Members who wish to be heard on the point of order?

Mr. YOUNG of Alaska. Mr. Chairman, I regret that the gentleman from California [Mr. MILLER] raised the point of order. It may be, in fact, subject to a point of order. But this amendment is an example of what should be done.

No one gave DOT the authority to which they are proving today. By duplicating what NEPA is doing, to slow

up the process of issuing a launch site or launch vehicle; now that is an example of, I must say so, of why this Congress has allowed the agencies to run this country and why the people are upset. And if we cannot, in fact, and if the gentleman from Illinois would like to speak to me, I will speak to him, too, if in fact we cannot interpret what is in reality wrong in this Government by this body, then we are not doing our jobs, and I would withdraw the amendment.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Alaska?

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT OFFERED BY MS. JACKSON-LEE

Ms. JACKSON-LEE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE: Page 32, following line 5, insert the following new paragraph:

(8) For High-Performance Computing and Communications, in addition to amounts authorized by paragraph (5), $35,000,000, of which $22,000,000 shall be available for Information Infrastructure Technology and Applications.

Ms. JACKSON-LEE. Mr. Chairman, I would hope that again we can come to the table on this issue in a bipartisan manner when we talk about children and having them access the superhighway.

Mr. Chairman, my amendment to section 212 of H.R. 2405 raises the authorization of appropriations for NASA's High Performance Computing and Communications Program by $35 million in order to bring the level back to the President's request. Most of this increase is designated for the newest portion of the HPCC Program that supports educational applications of computing and networking, the Information Infrastructure Technology and Applications component, which is referred to as IITA.

IITA funds quality educational tools and curriculum projects in all 50 States. Through this activity NASA has provided ''800'' number dial-up access to the Internet for 850 teachers in schools across the country. If there is anything that I have heard in my district in Houston, it is in the school system and their fear of being left out of this high technoloby. This program was designed to assist teachers in discovering how to use the Internet to improve classroom instruction and to provide opportunities for teachers' own professional development.

In addition to assisting teachers in gaining network access, IITA funds a wide variety of educational development and demonstration projects. I would like to highlight a few of these projects to indicate their nature and scope.

At the Antelope Valley, CA, school district, an electronic multimedia student workbook is being designed for physically disabled students that can be read over the Internet using World Wide Web browsers.

At Lincoln Elementary School in Grand Forks, ND, a teacher is working with his students to put information about volcanos on the Internet as part of a larger, multischool project to develop Earth science lessons for the fifth- to eighth-grade levels.

In Texas a project developed by the Johnson Space Center deployed via the Texas Educational Network and used by K–12 teachers all over the State of Texas helps Texas teachers find educational materials on the Internet. This is a widely utilized concept that I think we would be terribly undermining the 21st century education of our children to not provide for it.

Finally, NASA's IITA program provides support to science museums which work with local teachers to develop improved science curriculum products related to a museum's assets and to gain access to instructional materials available via the Internet. In addition, some museums use resources provided by NASA's IITA program to improve the kinds of science information available to museum visitors by incorporating the most recent science data into exhibits and displays. A good example of this is the Houston museum's exhibit using the Comet Shoemaker-Levy 9's collision with Jupiter last year.

It is clear that NASA's IITA program supports many valuable educational programs that benefit students throughout the Nation. The extensive use of the Internet allows many of the newly developed materials to be readily available. We have constantly talked about what is wrong on the Internet; let's talk about what is right on the Internet. What is right on the Internet is that our children are accessing good educational tools involving them in science and preparing our children to be competitive in this global market.

What have been the accusations against the educational system in this United States? It has been that we have been short on math and science. This access to the Internet clearly allows this opportunity to be able to be sophisticated and competitive in this global market.

This week the Committee on Science has joined the Committee on Economic and Educational Opportunities to hold hearings on the impact of technology on education in the 21st century. It is widely accepted that technology can be a powerful tool for overcoming many of the shortcomings underlying the poor performance of America's schools. As we debate this bill today, in one of our hearing rooms students are demonstrating examples of some of the latest computer and network-based instructional materials.

I find it ironic that we would leave them out and not have them included, if you will, while we are listening to them in the Committee on Science hearings. It is important to include teachers and students. It is important to support the IITA program. This amendment does that. This amendment cries out for bipartisan support, recognizing the importance of technology and recognizing, to put it in, I guess, a child's words, ''Let us see something good and interact with something good on the Internet.''

I would ask that my colleagues support me in this amendment and support our children for the 21st century.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment offered by the gentlewoman from Texas [Ms. JACKSON-LEE].

Mr. Chairman, this is the second budget-busting amendment that we have heard from the other side. It even violates the principles of offsets contained in the 1993 Clinton budget bill, $35 million more for an earmarked program that the gentlewoman from Texas [Ms. JACKSON-LEE] wants to spend it on with no offset whatsoever, either in NASA or outside of NASA. This means that the Administrator of NASA is going to have to figure out where to find this $35 million. The author of the amendment does not come up and say where to find the $35 million. She punts that whole issue over to the administration, and that is an abdication of congressional responsibility.

Now is the Administrator supposed to take this money out of the Johnson Space Flight Center? Is he supposed to take this money out of mission control for bringing the space station up into orbit? That is not specific, and an Administrator of NASA would have to do that.

I think that the amount of money that is in this bill which was agreed to by the Committee on Appropriations and passed by the House of Representatives is an adequate amount for this program. We should not have an extra $35 million increase for NASA without saying where it is going to come out of, and I would urge that the committee reject this amendment.

☐ 1430

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

Mr. Chairman, I do not think there is any question that it is important that children have access to information, and there is no question about whether they can get it through the Internet or some other forms. I think what is important is to find out that they have the ability to get on-line, and not be afraid of computers.

Mr. Chairman, what they are doing in Wichita, in fact this week I was able to visit a charter school called the Dodge Edison school, where Dr. Larry Reynolds, in control of his budget, has provided computers not only for his students, but computers that can be

checked out into their home, where they can tie into the Edison intermail, electronic mail, where they can learn about their ideas, they can communicate with the teachers, they can do their homework, they can look at what is on the schedule. All through the computerized system, they are learning the principles of using a computer that are absolutely necessary for the Internet, but it is not paid for by Federal tax dollars, it is paid for by local tax dollars, where it is a very important issue to them, so they have taken the resources and they have channeled them. I do not think it is necessary for them to take Federal tax dollars.

Ms. JACKSON-LEE. Mr. Chairman, will the gentleman yield?

Mr. TIAHRT. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE. Mr. Chairman, I thank the gentleman for his comments. I am glad that he was able to see certainly some very vital activity in his home district. What I would offer to say to the gentleman in countering, and I think these numbers fall within the Senate budget resolution, so we are in keeping with the spirit of our intentions. In many places across the country, and I know the gentleman comes from an area different from my community—an urban area, but many places across the country, including some rural areas, have real difficulty in using local funds for high-technology educational needs.

Obviously, we realize that we must be in partnership. This small effort acts as a partnership to local funds in some school districts and communities that cannot afford these kinds of services, and they would, therefore, eliminate or diminish the opportunity for those children to participate in the Internet information system.

Mr. TIAHRT. Mr. Chairman, reclaiming my time, it is a question of priorities, which I think is what the gentlewoman did say here. Even in our rural areas we have the information network of Kansas, where we have tied together through electronic means the school systems, but it is done, again, without Federal tax dollars. I think what would better secure the future for these children is balancing the budget so they have a strong economy to grow into. That is why I oppose this amendment.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. TIAHRT. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, this helps point out the reason why it is sometimes good to bring these bills to the floor in a comprehensive way. The gentlewoman made her whole argument based upon the fact that we need to have access of children to computers. I think the gentleman and I agree with that. The problem that she pointed out was the access to the Internet and all of these kinds of things, as though this were the only money in the Federal Government was spending in computers.

The fact is we just passed title I of this bill. If we go back to page 7, where the National Science Foundation authorization is, we will find on that page that we are spending $249 million on computer work. That is the place where the Internet was created, was by the National Science Foundation. This is the place where we are funding those kinds of activities, to assure that children are going to have access in the future.

The point is that when we have duplicative programs in government, there are times when we can reduce some because we are willing to fund others. That is exactly what is happening in this bill. We have $249 million being spent in the National Science Foundation in the computer area. The gentlewoman objects to a cut in some of the areas within NASA's budget that do exactly the same kind of work.

I would simply suggest that perhaps this is a place where, when we are trying to balance the budget, that it makes sense to end some duplication and do it the right way. I thank the gentleman for yielding.

Mr. TIAHRT. In closing, Mr. Chairman, I would like to say Dr. Larry Reynolds has done a good job of establishing priorities at Dodge Edison school and he is teaching his children how to use the computer. They are very friendly with it, they are becoming more and more so, as are their parents. That is the biggest obstacle to getting people involved in the system, to overcome fear of computers. It is a matter of priorities. I think balancing the budget is also important. That is why I oppose this amendment.

Mr. BROWN of California. Mr. Chairman, I move to strike the requisite number of words.

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from Texas [Ms. JACKSON-LEE]. Again, this is in some sense a repetition of some of the arguments, at least, that we went through in connection with the former amendment to increase funding for aerospace research, subsonic aeronautics research.

The figure to which we seek to increase this is the same amount as the Senate, the other body, has already appropriated. They had no problem with caps in this matter, and I do not see any particular reason why that bugaboo should be used in this situation. It is not a budget buster. There is nothing in the budget resolution that applies to this bill in any way, shape, or form, as the gentleman knows. But they choose to use that kind of language in the hope, apparently, that it will have effect of emphasis in reasserting their particular views with regard to whether a particular item is good science or corporate welfare or something of that sort.

Mr. Chairman, I think we all recognize that the problem of improving the availability of computer resources in education is a matter of considerable importance. It has been indicated that much is being done at the State level already, and that is true. A great deal is being done in California, and the communication companies, the private communication companies, are spending hundreds of millions of dollars to provide access, to provide fiber optics to the classroom, and to provide for other kinds of things.

This money here is not intended to duplicate that. This money is to provide for additional funding for the kind of research that NASA does in terms of improving software and improving the technologies themselves that make computers more effective as an educational tool.

Some of us have been working to try to move into this new era of computers for at least a decade or longer, and there has been considerable success. We are proud of that success. Does that mean that we should now begin to cut the money that we have been investing? It is not the same, incidentally, as the money that NSF is spending, despite the contention that this account has been cut because it does exactly the same thing that NSF is doing.

If Members would check with NSF, they would find that they would deny that they are doing the same thing as NASA is. If they are, I would join in cutting their budget for that purpose. However, this is an extremely important issue. It is one that needs help, financial help, to establish those things that the private sector is not going to do. It would indicate our commitment to the kind of educational goals that every President has set forth for the last 20 years. I think it is a very good amendment.

Mr. Chairman, I rise in support of the amendment from the gentlelady from Texas to increase the authorization for educational applications in the NASA High Performance Computing and Communications Program. In her statement on the amendment, Ms. JACKSON-LEE pointed out the irony in the need to defend a program cut by the Committee on Economic and Educational Opportunities and by the Science Committee, which advances educational technologies, while the committee is simultaneously holding hearings and demonstrations to highlight the ways technology can improve the effectiveness of the Nation's schools.

There is no significant debate about whether the application of the latest information technologies can improve teaching and learning. The main question is how to spur the deployment of the technologies as broadly as possible and integrate them into the curriculum in the most effective ways. No one disputes that we have a long way to go in overcoming the many barriers to achieving the promise of educational technology. Certainly further experimentation is needed to understand what works best and how to replicate best practices on a large scale.

The NASA Information Infrastructure Technology Applications component of the High Performance Computing and Communications Program is specifically targeted at developing

and demonstrating computer and network-based instructional tools and in assisting teachers in the use of new technologies. It supports cooperative, cost-shared efforts among schools, universities, industry, and NASA laboratories, with participation by institutions in every State. The expertise which NASA's scientists and engineers bring is particularly valuable in tailoring new information technologies to educational uses.

Unfortunately in the quest to slash Federal programs, the majority has not spared education programs. Technology is certainly not a silver bullet that will instantly transform our schools. But the promise of technology is manifest, as is being effectively demonstrated today by school kids in the Science Committee's hearing room. Greater—not reduced—efforts are warranted to deploy technology more broadly.

Cutting programs that contribute to educational technology development and its effective use will only harm and delay the improvement of K–12 education, putting further off the time when America's schoolchildren may obtain a truly world-class education. I strongly support the amendment to restore funding for NASA's educational technology efforts and urge its passage.

Ms. JACKSON-LEE. Mr. Chairman, will the gentleman yield?

Mr. BROWN of California. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE. Mr. Chairman, I would like to make an inquiry to the gentleman from California [Mr. BROWN], because I think there have been many who have spent long years in this area, but maybe not as long as the gentleman has, having had the opportunity to work closely with the private sector as the Government has tried to be a partner in their efforts.

It is my understanding, even though this is maybe an extended issue on this particular amendment, that usually when the dollars go down in research and development in Government, we find that industry follows suit. Even though we have had some outstanding leadership in the private sector, if we are to make equal across the Nation children's opportunities to access Internet and to apply the science of computerization, the application of such, this program is vital to doing so, and I ask the gentleman for a response.

Mr. BROWN of California. Mr. Chairman, the gentlewoman is absolutely correct. What we are doing in funding this particular program is vital to the further utilization, the development of a market, if you could use that term, for increased communication activities through the schools. Education is considered to be a major market.

However, what I am afraid of is that the opposition to this stems from a feeling that the role of the Federal Government is not to assist education. I went through this in 1981, when President Reagan submitted his first budget, and NSF had some very interesting things in this area being done. They were totally eliminated. The grounds were not that they were not important, but it was not an appropriate role for the Federal Government.

Mr. TRAFICANT. Mr. Chairman, I move to strike the requisite number of words.

Ms. JACKSON-LEE. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE. Mr. Chairman, I will not take up the full time. I thank the gentleman for yielding to me.

Mr. Chairman, I simply want to conclude by acknowledging to my colleagues that we have a great opportunity as we move toward the 21st century. Let us not leave our children out, our teachers, and our educational system. Let us equalize the access to this very important tool. I would ask for support of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas [Ms. JACKSON-LEE].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Ms. JACKSON-LEE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 144, noes 276, not voting 12, as follows:

[Roll No. 702]

AYES—144

Ackerman
Becerra
Beilenson
Bentsen
Berman
Bevill
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Chapman
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Coyne
Cramer
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Doyle
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Green
Gutierrez
Hall (OH)
Hall (TX)
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Hoyer
Jackson-Lee
Jefferson
Johnson, E. B.
Johnston
Kennedy (MA)
Kennedy (RI)
Kildee
Kleczka
Lantos
Levin
Lewis (GA)
Lofgren
Lowey
Maloney
Manton
Markey
Martinez
Matsui
McCarthy
McDermott
McKinney
Meek
Menendez
Mfume
Miller (CA)
Mink
Mollohan
Moran
Nadler
Neal
Oberstar
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Pelosi
Peterson (FL)
Rahall
Rangel
Reed
Richardson
Rivers
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skelton
Stenholm
Stokes
Studds
Tanner
Thompson
Thornton
Torricelli
Towns
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Wyden
Wynn
Yates

NOES—276

Abercrombie
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Costello
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Danner
Davis
Deal
DeLay
Diaz-Balart
Dickey
Dooley
Doolittle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson (SD)
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Luther
Manzullo
Martini
Mascara
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
McNulty
Meehan
Metcalf
Meyers
Mica
Miller (FL)
Minge
Molinari
Montgomery
Moorhead
Morella
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Oxley
Packard
Parker
Paxon
Payne (VA)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stockman
Stump
Stupak
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Traficant
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—12

Dornan
Fields (LA)
Kennelly
Leach
Moakley
Murtha
Tejeda
Torres
Tucker
Volkmer
Wilson
Woolsey

□ 1459

The Clerk announced the following pair:

On this vote:

Mr. Moakley for, with Mr. Dornan against.

So the amendment was rejected.

The result of the vote was announced as above recorded.

□ 1500

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: Page 64, line 14, through page 67, line 2, amend subsection (c) to read as follows:

(c) DISCLOSURE OF TECHNICAL DATA.—Section 303 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2454) is amended—

(1) in subsection (a)(C), by inserting ''or (c)'' after ''subsection (b)''; and

(2) by adding at the end the following new subsection:

''(c)(1) The Administrator, on the request of a private sector entity, shall delay for a period of at least one day, but not to exceed 5 years the unrestricted public disclosure of technical data in the possession of, or under the control of, the Administration that has been generated in the performance of experimental, developmental, or research activities or programs funded jointly by the Administration and such private sector entity.

''(2) Within 1 year after the date of the enactment of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1996, the Administrator shall issue regulations to carry out this subsection. Paragraph (1) shall not take effect until such regulations are issued.

''(3) Regulations issued pursuant to paragraph (2) shall include—

''(A) guidelines for a determination of whether data is technical data within the meaning of this subsection;

''(B) provisions to ensure that technical data is available for dissemination within the United States to United States persons and entities in furtherance of the objective of maintaining leadership or competitiveness in civil and governmental aeronautical and space activities by the United States industrial base; and

''(C) a specification of the period or periods for which the delay in unrestricted public disclosure of technical data is to apply to various categories of such data, and the restrictions on disclosure of such data during such period or periods, including a requirement that the maximum 5-year protection under this subsection shall not be provided unless at least 50 percent of the funding for the activities or programs is provided by the private sector.

''(4) Along with the initial publication of proposed regulations under paragraph (2), the Administrator shall include a list of those experimental, developmental, or research activities or programs conducted by, or funded in whole or in part by, the Administration that may result in products or processes of significant value in maintaining leadership or competitiveness in civil and governmental aeronautical and space activities by the United States industrial base. Such list shall be updated biannually.

''(5) The Administrator shall annually report to the Congress all determinations made under paragraph (1).

''(6) For purposes of this subsection, the term 'technical data' means any recorded information, including computer software, that is or may be directly applicable to the design, engineering, development, production, manufacture, or operation of products or processes that may have significant value in maintaining leadership or competitiveness in civil and governmental aeronautical and space activities by the United States industrial base.''.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, we are prepared to accept the gentleman's amendment on this side. We feel it makes a constructive addition to the bill.

Mr. TRAFICANT. With that, Mr. Chairman, I ask that the amendment be passed without prejudice.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

The CHAIRMAN. Are there any other amendments to title II?

Mrs. SEASTRAND. Mr. Chairman, I move to strike the last word to engage in a colloquy with the gentleman from Pennsylvania [Mr. WALKER].

Mr. Chairman, I would just like to ascertain from the gentleman from Pennsylvania the intention and authorization amount of section 212 of this Omnibus Civilian Science Authorization Act. Is is true that $10 million of H.R. 2405 is authorized for converting commercially inconsistent elements of former Federal space launch facilities for conformance with Federal regulations relating to commercial space transportation?

Mr. WALKER. If the gentlewoman will yield, that is correct.

Mrs. SEASTRAND. Is it also the intention that the purpose of this authorization is to encourage commercialization of space launches, which will lead NASA and private high technology industries to rely on a more affordable and efficient private sector to provide space launching services?

Mr. WALKER. Again, the gentlewoman is correct in her interpretation.

Mrs. SEASTRAND. Last, is it the intention of this authorization to allow those States developing legitimate commercial spaceports to compete for these funds via a bidding process through NASA?

Mr. WALKER. That is the intention of the language. I would certainly feel that that is what NASA will engage in in terms of practices with regard to this.

Mrs. SEASTRAND. Mr. Chairman, I thank the chairman of the committee. I appreciate the time and effort and the intelligent organization that he contributed to this legislation. I wholeheartedly support it.

The CHAIRMAN. Are there any other amendments to title II?

AMENDMENT OFFERED BY MR. WELDON OF FLORIDA

Mr. WELDON of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WELDON of Florida: Page 74, after line 23, insert the following new subsection:

(e) SAFE OPERATION.—

In reviewing proposals for moving to a single prime contractor the Administrator shall give priority to continued safe operation of space transportation systems.

(Mr. WELDON of Florida asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Florida. Mr. Chairman, my amendment is a very simple amendment. As NASA goes through the procedures of looking into the issue of selecting a single prime contractor for the operation of our Nation's space shuttle, my amendment clarifies that their priority should be making sure that we have consistent safe operation of our space shuttle.

This past August I toured Kennedy Space Center. Then again last week I had the privilege of having the chairman of the Subcommittee on Space and Aeronautics join me at Kennedy Space Center, and talk with the people who put that space shuttle together and make sure that it will fly safely, and talk to the people who are down there at the ground level tightening the bolts, making sure that this system is going to function and function properly so that it can return our astronauts safely back to Earth.

Mr. Chairman, I discovered that there are three things that they consider to be most important in this program, and, that is, safety, safety, safety. They want to make sure that as our space program continues on into the future, that our space shuttle will be safe and will continue to run safely. I feel that my amendment clarifies the language in this bill to make sure that our space program continues to be the world's leader.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Florida. I yield to the gentleman from Wisconsin, the distinguished subcommittee chairman.

Mr. SENSENBRENNER. Mr. Chairman, we are pleased to accept this amendment. I believe that the gentleman from Florida has made an extremely valuable contribution to this bill.

Obviously safety cannot be compromised with the space shuttle, because if we should have another disaster, America is out of manned space exploration for a generation. That is why I believe that mandating the Administrator of NASA to place safety first and going to a single prime contractor, as is proposed by the gentleman from Florida, puts the horse before the cart, and that is really important if we are to have a viable space program for generations to come.

Mr. WELDON of Florida. I thank the gentleman.

Mr. Chairman, I rise in support of the bill before us.

No, this is not a perfect bill. In fact, I have discovered since my election to Congress, that

there are few perfect bills. However, the bill before us is a good bill and takes some very important steps that move our country in the right direction.

These are difficult budgetary times. We have already imposed upon our children a national debt of $5 trillion dollars.

It is for our children and their children that we must make prudent decisions about those endeavors we can and cannot afford. Only by doing this can we ensure a brighter future for them.

We must separate those endeavors that we must pursue from those that may be worthy activities but are not critical to our children's future, are too expensive for us to pursue at this time, or should be undertaken by the private sector. This bill does this. This bill makes tough decisions. It sets priorities. It will ensure a brighter future for our Nation.

I would like to take this opportunity to discuss one aspect of this bill—NASA. The NASA provisions are responsible and meet our national requirements. They ensure a vibrant space program with clear direction.

Overall, the bill provides $11.5 billion for NASA programs in 1996. This is $597 million under the administration's request. I am very pleased that this reduction will not impact the space station or space shuttle programs. These two programs are essential to our Nation's continued international leadership in space and they are funded at levels nearly identical to the President's request.

Multiyear funding for the space station was provided in H.R. 1601, which passed the House by voice vote on September 28, 1995. It was funded at the administration's request. Thus, the bill before us does not include funding for the space station, but is fully consistent with H.R. 1601.

The bill before us ensures a sound space shuttle program by fully funding space shuttle operations at the administration's budget request. The President requested $3.231 billion and H.R. 2405 provides $3.178 billion. The entire $53 million reduction from NASA's requested budget comes from completing the closure of the luka facility and will have no negative consequences on space shuttle operations.

For mission support, another key component of shuttle operations, H.R. 2405 provides $2.1 billion, this is $108 million below the President's request. The administrator of NASA has said that this savings is achievable because of those who have taken advantage of buyouts offered by the agency. No additional reductions will be required to achieve this budget target.

The bill includes language requested by NASA that enables NASA to explore the possibility of moving portions of the operation of the space shuttle under a single prime contract. As the Vice-Chairman of the Space Subcommittee I will closely monitor NASA's activities in this respect. I will not allow the safety of space shuttle operations to be compromised.

I will make sure that any move to a single prime contract by the Clinton administration does not compromise the integrity of our space shuttle program.

Finally, I am pleased that the bill includes provisions to strengthen commercial space endeavors. The bill expands the Commercial Space Launch Act to include the full range of space transportation activities. H.R. 2405 also takes significant steps in funding the development of the next reusable launch vehicle. These are very important steps in our Nation's future.

The United States once held 100 percent of the world's commercial space launch market. Today, this has slipped to about 30 percent. The provisions in this bill relating to commercial space launches will help us regain a larger share of this expanding market.

I want to thank Chairman WALKER for his leadership in the areas of science, research and development, and space exploration. We must excel in these areas in order to continue pushing the envelop on advanced technology. This bill does this and at the same time cuts out the waste, inefficiencies, and inappropriate uses of scarce Federal dollars.

H.R. 2405 is a targeted, well-focused bill. It ensures a brighter future for our children.

I urge all Members of the Congress to support this bill.

Mr. ROHRABACHER. Mr. Chairman, will the gentleman yield?

Mr. WELDON of Florida. I yield to the distinguished gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, I would just like to take this opportunity to congratulate the gentleman from Florida [Mr. WELDON] on the leadership he has been providing on this vital part of America's space effort. The shuttle at this moment is a piece of technology that we depend upon.

The gentleman from Florida [Mr. WELDON] has been making it his job to make sure that America gets the best use out of this technology. He is focusing today on safety but he has provided leadership in a number of areas concerning the shuttle. I would just like to congratulate him and rise in support of his amendment.

Mr. WELDON of Florida. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. WELDON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HOKE

Mr. HOKE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOKE: Page 76, line 16, strike ''30'' and insert in lieu thereof ''60''.

Page 76, line 18, insert ''which meet the microgravity flight needs of the National Aeronautics and Space Administration,'' after ''to provide services''.

Page 76, line 21, insert ''as specified in paragraph (3)'' after ''to the private sector''.

Page 76, line 25, strike '', and'' and insert in lieu thereof ''to a microgravity flight provider certified by the Federal Aviation Administration, and, except as provided in paragraph (4),''.

Page 77, after line 9, insert the following new paragraphs:

(4) The Administrator may, as necessary to ensure the continuity of National Aeronautics and Space Administration operations, continue to operate parabolic aircraft flights for up to 3 months after a contract is awarded under paragraph (3). If the Administrator continues operations pursuant to this paragraph, the Administrator shall concurrently transmit to the Congress an explanation of the reasons for such action.

(5) Six months after the National Aeronautics and Space Administration ceases all parabolic aircraft flights under paragraph (3), the Administrator shall transmit a report to Congress on the effectiveness of privatization under this section.

Mr. HOKE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

(Mr. HOKE asked and was given permission to revise and extend his remarks.)

Mr. HOKE. Mr. Chairman, this amendment is straightforward and I believe that it has been accepted by both sides of the aisle.

My intention with this amendment is not to hamper efforts generally with respect to privatization and downsizing but to ensure that when we do initiate these actions, they are undertaken in a thoughtful, credible, step-by-step manner, and in this particular case do not cripple NASA's ability to continue with its world-class microgravity research.

In short, this amendment guards against any gaps in large microgravity aircraft research by permitting the agency to operate its microgravity support planes for up to 3 months after a viable private contractor has received FAA certification, should such a contractor exist and be awarded a contract. I repeat, this does not allow the administrator to prevent privatization in any way. Rather, it only serves to guard against gaps in the research.

To my knowledge, no thorough study has yet been conducted which demonstrates a critical need to privatize NASA's microgravity aircraft against NASA's will and better judgment. In fact, both NASA and the Aerospace Safety Advisory Panel, the organization established after the Apollo 1 launchpad fire to review proposals just like the one in the bill, have asked Congress to proceed slowly and deliberately. ASAP further warns that:

> under the proposed scenario, the lives of astronauts in training, as well as those of the researchers and air crew on board could be at risk . . . It must be recognized that microgravity flying . . . requires the precise performance of maneuvers close to operational and structural limits. It takes years for a pilot to gain the experience necessary to fly such complex maneuvers. In addition, specially trained and experienced maintenance and inspection teams are required to ensure that the aircraft is safe prior to flight operations. To our knowledge there is no private enterprise conducting operations similar to NASA large aircraft microgravity flight operations anywhere in the world. The costs involved in purchasing and modifying the appropriate aircraft plus the time needed to obtain the required flight operations expertise can be an expensive and herculean undertaking in itself.

Clearly these are strong cautionary words, and therefore, I would prefer to have the privatization happen contingent upon a positive review of its feasibility. Failing that, I believe that some study must be made of how his privatization has progressed. Thus, I am asking

that NASA take a review of this several months after privatization has gone into effect.

Privatization where possible is a goal we should all desire, but we need to be sure that it is done in a rational and reasonable way. Because microgravity research is so important not just to scientists, but to our Nation's industrial, biomedical, chemical, and manufacturing sectors, privatization should be done cautiously and with our full understanding of its implications. That is why my amendment asks for a study to be conducted after privatization has begun to review the performance of private contractors offering microgravity aircraft services to NASA.

In the interest of time, I ask for the assistance of the chairman and ranking member of the Science Committee in keeping a close eye on the NASA's privatization efforts and to make correction of NASA policies.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. HOKE. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, we are pleased to accept this amendment. I commend the gentleman from Ohio [Mr. HOKE] for offering it.

The amendment addresses the concerns of NASA, specifically that it provides the agency with a 3-month overlap of zero G operations by both NASA aircraft as well as aircraft operated by a prime contractor. This will ensure that there will be no hiatus in zero G capability during the transition period, and this means that there will be no impact in the training schedule of the astronauts.

Privatization of this program by NASA means that now private corporations will have the opportunity to compete for a contract to provide this service to the agency. There are at this time companies that are prepared to enter competition and who are investing considerable amounts of time and capital to lay the groundwork for this effort. This legislation provides the opportunity to the private sector to demonstrate their ability to provide this service more efficiently, and this amendment allows sufficient overlap between the existing Federal operation and its private counterpart to ensure that there is no gap in this important function.

Mr. HOKE. I thank the chairman for accepting the amendment.

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

Mr. HOKE. I yield to the gentleman from California.

Mr. BROWN of California. Mr. Chairman, I have reviewed the gentleman's amendment in great detail, and applying the same high standards as I did to the other gentleman from Ohio on this side of the aisle, I would like to say that as long as your amendment meets the rigorous standards of the Republican leadership of the committee, I am happy to support it.

Mr. HOKE. I thank the ranking member very much and will keep that in mind. I appreciate having worked with him when he was the chairman of the committee.

Mr. Chairman, I include for the RECORD a letter from the chairman of the Aerospace Safety Advisory Panel, as follows:

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION,
Washington, DC, October 5, 1995.

Hon. MARTIN R. HOKE,
House of Representatives, Cannon Building, Washington, DC.

DEAR CONGRESSMAN HOKE: The Aerospace Safety Advisory Panel appreciates very much your confidence in its work and is must pleased to respond to your letter of September 11, 1995, requesting our assessment of the provision in H.R. 2043 mandating the privatization of NASA's microgravity flight operations.

The Panel was previously made aware that such a provision had been included in the Bill and has begun some preliminary investigation into the potential impact to safety of NASA microgravity aircraft operations. Our subcommittee on aircraft operations under the leadership of VADM Robert F. Dunn (retired) will be the cognizant Panel representative for this study. Since our investigation is in the preliminary stage we hesitate to offer a definitive comment at this time. It should be noted that any time there is a major change in modus of operations of such magnitude, the impact to safety must be a prime concern. Our first recommendation would be to proceed slowly and deliberately because under the proposed scenario, the lives of the astronauts in training, as well as those of the researchers and air crew on board could be at risk. Thorough investigation and weighing of all hazards and risk factors must take precedence over other considerations.

It must be recognized that microgravity flying, especially when utilizing large aircraft such as NASA's KC–135 or DC–9, requires the precise performance of maneuvers close to operational and structural limits. It takes years for a pilot to gain the experience necessary to fly such complex maneuvers. In addition, specially trained and experienced maintenance and inspection teams are required to ensure that the aircraft is safe prior to flight operations. To our knowledge there is no private enterprise conducting operations similar to NASA's large aircraft microgravity flight operations anywhere in the world. The costs involved in purchasing and modifying the appropriate aircraft plus the time needed to obtain the required flight operations expertise can be an expensive and herculean undertaking in itself.

Since the aircraft involved are used to support other NASA programs in addition to the microgravity flight operations, NASA must first address a number of major considerations before a comprehensive assessment can be made:

1. What exactly is meant by the term ''privatization''?
2. How would ''privatization'' benefit NASA's microgravity research programs?
3. Would the existing microgravity aircraft simply be turned over to a commercial entity for flight operation or would they have to purchase and certify new aircraft?
4. What priorities would be given to allow NASA to continue to support the needed astronaut training, Space Shuttle operations and basic microgravity research programs?
5. What are the economic benefits?
6. Where would the experienced pilots, flight crews and ground maintenance personnel come from?
7. What are the legal and liability aspects of ''privatizing'' this operation?

The above notwithstanding, the Panel recognizes the imperative to bring about efficiencies without compromising safety and is committed to assist NASA in that endeavor. In that light, it is our recommendation the provision of H.R. 2043 directing the privatization of NASA's microgravity flight operations be stricken from the Bill for this year and that NASA and the Panel be permitted to conduct the appropriate investigations into the safety, legal and economic aspects of the effort prior to the next legislative session.

Sincerely,

PAUL M. JOHNSTONE
Chairman, Aerospace Safety Advisory Panel.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. HOKE].

The amendment was agreed to.

The CHAIRMAN. Are there any other amendments to title II?

If not, the clerk will designate title III.

The text of title III is as follows:

TITLE III—DEPARTMENT OF ENERGY

SEC. 301. SHORT TITLE.

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

SEC. 302. DEFINITIONS.

For purposes of this title—

(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 development, demonstration, or commercial application protect 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. 303. 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 304(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 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) $8,740,000 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 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.

(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 Project, 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. 304. FUNDING LIMITATIONS.

(a) FISCAL YEAR 1996 APPROPRIATIONS.—None of the funds authorized by this title 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) Hydropowder.

(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) 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.

(c) LIGHT WATER REACTOR MATCHING FUNDS.—Funds appropriated for the AP600 light water reactor pursuant to section 303(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. 305. 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 the activities for which sums are authorized by this title unless such sums are specifically authorized to be appropriated by this title.

(b) SUBSEQUENT FISCAL YEARS.—No sums are authorized to be appropriated for any fiscal year after fiscal year 1996 for the activities for which sums are authorized by this title unless such sums are specifically authorized to be appropriated by Act of Congress with respect to such fiscal year.

SEC. 306. 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 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 assistance 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 a 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. 307. 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 to 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 this paragraph, as part of the report required 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. 308. FURTHER AUTHORIZATIONS.

Nothing in this title 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. 309. 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 allocation 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 after 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 Collider.

(2) OTHER INTERNATIONAL NEGOTIATIONS.—Nothing in this title 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 303(b) for fiscal year 1997, and assuming a combined budget of $900,000,000 for all activities authorized under section 303(b) for each of the fiscal years 1998, 1999, and 2000. The report shall include—

(1) a list of research opportunities to be purchased 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 communities to maximize the use of limited resources and avoid unproductive duplication of efforts.

SEC. 310. PROHIBITION OF LOBBYING ACTIVITIES.

None of the funds authorized by this title shall be available for any activity whose purpose is to influence legislation pending before the Congress, except that this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

SEC. 311. 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 of 5 years after the person receives such Federal funds.

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

SEC. 312. 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.

AMENDMENT OFFERED BY MR. ROEMER

Mr. ROEMER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. ROEMER: Page 104, after line 5, insert the following new section:

SEC. 313. LABORATORIES EFFICIENCY IMPROVEMENT.

(a) ELIMINATION OF SELF-REGULATION.—Notwithstanding any other provision of law, the Department shall not be the agency of implementation, with respect to departmental laboratories, other than departmental defense laboratories, of Federal, State, and local environmental, safety, and health rules, regulations, orders, and standards.

(b) PERSONNEL REDUCTIONS.—

(1) REQUIREMENTS.—The aggregate number of individuals employed by all government-owned, contractor-operated departmental laboratories, other than departmental defense laboratories, shall be reduced, within 5 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 3 percent of such reduction shall be accomplished within 1 year, at least 6 percent within 18 months, at least 10 percent within 2 years, and at least 15 percent within 30 months.

(2) OBJECTIVES.—The Secretary shall ensure that the personnel reductions required by paragraph (1) are made consistent with, to the extent feasible, the following objectives:

(A) Termination of departmental laboratory research and development facilities that are not the most advanced and the most relevant to the programmatic objectives of the Department, when compared with other facilities in the United States.

(B) Termination of facilities that provide research opportunities duplicating those afforded by other facilities in the United States, or in foreign countries when United States scientists are provided access to such facilities to the extent necessary to accomplish the programmatic objectives of the Department.

(C) Relocation and consolidation of departmental laboratory research and development activities, consistent with the programmatic objectives of the Department, within laboratories with major facilities or demonstrable concentrations of expertise appropriate for performing such research and development activities.

(D) Reduction of management inefficiencies within the Department and the departmental laboratories.

(E) Reduction of physical infrastructure needs.

(F) Utilization of other resources for performing Department of Energy funded research and development activities, including universities, industrial laboratories, and others.

(c) REPORTS TO CONGRESS.—

(1) INITIAL REPORT.—Within 1 year after the date of the enactment of this Act, the Secretary shall transmit a report to the Congress that—

(A) identifies the extent to which Department and departmental laboratory staffs have been reduced as a result of the implementation of subsection (a) of this section; and

(B) explains the extent to which reductions required by subsection (b)(1) have been made consistent with the objectives set forth in subsection (b)(2).

(2) ANNUAL REPORTS.—The Secretary shall transmit to the Congress, along with each of the President's annual budget submissions occurring—

(A) after the report under paragraph (1) is transmitted; and

(B) before the full personnel reduction requirement under subsection (b) is accomplished, a report containing the explanation described in paragraph (1)(B) of this subsection.

(d) DEFINITIONS.—For purposes of this section—

(1) the term ''departmental laboratory'' means a Federal laboratory, or any other laboratory or facility designated by the Secretary, operated by or on behalf of the Department;

(2) the term ''departmental defense laboratories'' means the Lawrence Livermore National Laboratory, the Los Alamos National Laboratory, and the Sandia National Laboratories;

(3) the term ''Federal laboratory'' has the meaning given the term ''laboratory'' in section 12(d)(2) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(2)); and

(4) the term ''programmatic objectives of the Department'' means the goals and milestones of the Department, as set forth in departmental strategic planning documents and the President's annual budget requests.

Page 3, after the item in the table of contents relating to section 312, insert the following:

''Sec. 313. Laboratories efficiency improvement.''.

Mr. ROEMER. Mr. Chairman, my amendment is an amendment that is fairly simple and straightforward and easy to explain. It will help balance the budget by requiring that the national laboratories participate in fair, even cuts, as many of the other items in this bill are experiencing. It does it in a fair way. It exempts the defense laboratories, such as Sandia, Los Alamos, and Livermore. It does impact the energy laboratories. This bill is about eliminating real corporate welfare. It is saying, in fact, that the Government, the taxpayer, should not be footing the bill for the AT&Ts and the Motorolas and the Intels and all the big corporations in the United States that have the ability to have their own laboratories, to have their own research, we should not be putting all kinds of our tax dollars forward in these areas. We should be asking the national laboratories to participate in fair deficit reduction.

Mr. Chairman, this is reform. This is repositioning and retooling the national laboratories in 1995 to move into the next century. This is asking that the national laboratories not be exempt from any kind of pain in cuts. If we are debating on this House floor cuts in Head Start programs, in Medicare, if we are debating cuts in agriculture programs, certainly the national laboratories should be part of this restructuring.

I come to this, Mr. Chairman, as a strong supporter of the national laboratories. These are in fact resources, valuable resources for our science and research and development community, but there can be better efficiencies. There can be better ways to do this research than currently under the environment of the last 40 and 50 years.

My amendment, Mr. Chairman, does two things, two simple things: First of all it eliminates self-regulation by the DOE labs in meeting Federal, State and local environmental health and safety regulations. This was maybe the prime recommendation by Mr. Bob Galvin, the former CEO of Motorola in the Galvin Report, saying that while the Federal labs should continue to

have to abide by health and safety regulations, they should not do it from Washington, DC., with scores of bureaucrats, and with a labyrinth bureaucracy.

□ 1515

That is what this Congress supposedly is trying to do, is come up with new ideas to cut out the layers of red tape and bureaucracy. That is what Mr. Galvin recommended as a former CEO of Motorola. Let us get rid of that and have the laboratories abide by those regulations, but do it in a businesslike fashion, do it from their laboratories and their States and at the local level, not from Washington, DC., with a big building here in Washington, DC., doing the self-regulating. That is the first thing that this amendment does.

Second, the Department of Energy will be required to downsize the number of full-time employees, again exempting the Defense Department labs by one-third over a period of 5 years.

Mr. Chairman, this is a measure that was heartily endorsed by the Council on Competitiveness. Now, the Council on Competitiveness is a proresearch, proscience group that actually recommended in our hearings that we cut back in an 18-month period by 33 percent, not in a 5-year period as recommended in my legislation. They recommended it, although they are proresearch, they are proscience, they are pro-national laboratories. They said you could accomplish this in 18 months.

In order to make sure that we get a fair restructuring, adequate efficiency in our national laboratories, we have given the national laboratories 5 years to meet this goal.

Mr. Chairman, this is a bipartisan amendment. It is offered by myself and the gentleman from Wisconsin [Mr. KLUG]. It is an effort on the part of a Republican and a Democrat to lead a new direction on balancing the budget, not the status quo that some Members on my side of the aisle have advocated over the years: Well, let us do nothing about the deficit, let us let the deficit be where it is, and we will be content to have a $4.8 trillion deficit.

But it also does not reflect some of the extremism that we see sometimes on the other side of the aisle, that the balanced budget amendment, the balanced budget should be achieved simply by cutting programs for children, cutting programs for senior citizens and not having the national laboratories participate in this tough, tough environment to move toward a balanced budget in a fair way.

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

Mr. Chairman, I will speak my own mind on this, which should not be the first, because I happen to agree with my colleague that this amendment is a good amendment, and I will be supporting it.

But I do realize that there are a number of people on this side of the aisle who do not agree with that opinion, and I will by yielding to them as soon as they arrive here.

Let me say I agree that at the labs, just like everywhere else, we should be setting down guidelines as to how they can reduce their own costs and how they can reduce the costs to the Federal Government of maintaining this laboratory system.

I think that the amendment before us today is thoughtful. It is one that will actually achieve its goal, and it is one I think the author should be commended for.

Mr. WAMP. Mr. Chairman, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from Tennessee.

Mr. WAMP. Mr. Chairman, I thank the gentleman for yielding.

I wanted to come in my subcommittee chairman's absence and rise in support of the bill offered by the chairman, the gentleman from New Mexico [Mr. SCHIFF], H.R. 2142, which actually sets new priorities for our national Federal laboratory system.

While I very much respect my colleague from Indiana and know that everything he does is well-intentioned, and I think he is one of the brightest stars on this side of the aisle, but in this case it is the wrong approach to how we make our Federal laboratory system more efficient. It does not take into consideration the priorities that need to be set for where we spend our money in these critical areas. It would be like coming into a plant and saying you are all of the same worth and everyone is going to have to be reduced over time by these figures regardless of your productivity, regardless of your efficiency, regardless of what time you come to work and what time you leave.

What we need to do, as Bob Galvin, through the Galvin Commission actually identified, is redefine the role of our Federal laboratory system and come up with a whole new mission in the post-cold-war era of what our laboratories should actually do, and we need to make them more efficient.

Secretary O'Leary has actually enacted quite a few cuts in the programs of the Department of Energy, including the laboratories over time. Maybe some of them do not go far enough, and I think this side of the aisle will make sure that they go further.

But I think that while your approach is well-intentioned, it is the wrong approach at the wrong time.

I think another amendment will be heard later today that just says let us sell off all the laboratories except three, which again is a meat-ax approach to a very delicate thing. Our laboratories in this country are essential to our international competitiveness, and I know the gentleman from Indiana knows that and recognizes that.

So I think our intent would be the same, but your approach I cannot agree with.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. ROHRABACHER. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I say ''thank you'' to the chairman for his support for this amendment, and to the gentleman from Tennessee who just spoke, I share a great deal of admiration for him. He was at many of the hearings where we debated the future of our national laboratories, and I would say this, he quoted from the Galvin report.

Certainly a major part of my amendment is taken directly from the Galvin report in terms of terminating the self-regulation by DOE of the national laboratories and doing it more efficiently, doing it like businesses do it.

I would say, second, the gentleman represents Oak Ridge, which is one of the best national laboratories we have. My amendment does not say we are going to cut Oak Ridge by 33 percent. In fact, what the effect of my amendment might be is to say Oak Ridge is a great laboratory, it is doing things very well. We may move some work from other national laboratories to Tennessee in order to increase our efficiencies and to do things better with the group of scientists that are currently doing a great job there. It does not mandate closures.

Mr. ROHRABACHER. Reclaiming my time, the gentleman is suggesting his amendment only mandates that we make tough choices rather than what those choices will be?

Mr. ROEMER. I would say the distinguished chairman said it more succinctly than I said it in the last 2 minutes. We should not delegate our tough choices to a committee or to a commission to make the choices to close national laboratories. We are elected to represent the people and the taxpayers. We should make those choices right here right now.

AMENDMENT OFFERED BY MR. RICHARDSON AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. ROEMER

Mr. RICHARDSON. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. RICHARDSON as a substitute for the amendment offered by Mr. ROEMER: Page 104, after line 5, insert the following new section:

SEC. 313. DEPARTMENT OF ENERGY LABORATORY OPERATIONS BOARD.

(a) DEFINITIONS.—

For purposes of this section—

(1) the term ''Department'' means the Department of Energy;

(2) the term ''laboratory'' means—

(A) a laboratory, as defined in section 12(d)(2) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(2)), or

(B) a Federal laboratory, as defined in section 4 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3703);

but such term does not include defense laboratories, and

(3) the term ''Secretary'' means the Secretary of Energy.

(b) LABORATORY OPERATIONS BOARD.—

(1) ESTABLISHMENT AND MEMBERSHIP.—The Secretary shall establish a Department of

Energy Laboratory Operations Board (in this section referred to as the ''Board''). The Board shall consist of at least 12 members divided equally between Federal and public members.

(2) FEDERAL MEMBERS.—The Secretary shall appoint Federal members from among the senior management of the Department on the basis of their responsibilities with respect to the operation of Department laboratories, including research and development, policy, or administration responsibilities.

(3) PUBLIC MEMBERS.—The Secretary shall appoint public members from institutions of higher education, industry, or government on the basis of their experience or accomplishments in research and development, policy, or administration.

(4) TERMS OF MEMBERSHIP.—The Secretary shall appoint each member for a term of 6 years, except that terms shall be staggered to provide continuity.

(5) GOVERNANCE OF THE BOARD.—The Board shall be chaired by one of the public members so designated by the Secretary.

(c) PURPOSE AND GOAL OF THE BOARD.—

(1) PURPOSE.—The purpose of the Board is to provide advice regarding the strategic direction for Department laboratories, the coordination of budget and policy issues affecting laboratory operations, and effective laboratory management.

(2) GOAL.—The primary goal of the Board is to facilitate productive and cost-effective use of Department laboratories.

(d) FUNCTIONS OF THE BOARD.—

(1) IN GENERAL.—The functions of the Board shall include—

(A) helping to sharpen the mission focus of Department laboratories;

(B) assisting the Department in timely resolution of issues and problems across laboratories;

(C) facilitating application of best business practices in laboratory management, including reduction of unnecessary or counterproductive management burdens;

(D) developing recommendations for the Secretary regarding the size, mission, or scope of laboratories and laboratory activities in view of changes in Federal policy or resources, including funding; and

(E) providing advice and recommendations to the Secretary with respect to—

(i) management improvement initiatives to reduce the burden of Department oversight, to clarify lines of control and accountability, and to secure higher levels of research and development performance at lower cost;

(ii) cost-containment generally, including application of best business practices, and more efficient use of resources to comply with Federal and other administrative and regulatory requirements;

(iii) strategic direction for the laboratories, including validation of strategic plans, programmatic and management issues, and coordination of the laboratories as a system;

(iv) development and implementation of a Laboratory Mission Plan for the Department laboratories to ensure that activities of each Department laboratory are optimally focussed on the missions of the Department; and

(v) departmental efforts to integrate its basic and applied research programs and to integrate Department laboratory research programs with research and development programs of industry, other government agencies, and institutions of higher education.

(2) PUBLIC MEMBERS ONLY.—A subcommittee of the Board consisting of its public members shall—

(A) analyze issues affecting Department laboratories to provide the basis for independent views;

(B) report to the Secretary and the Congress on at least an annual basis assessing the performance of—

(i) the Department, in improving its management practices of Department laboratories through the reduction or elimination of unnecessary or counterproductive management burdens;

(ii) the Department laboratories, in reducing costs by a cumulative amount of at least $1,400,000,000 between fiscal year 1996 and fiscal year 2000 through the elimination of unnecessary or counterproductive administrative practices and procedures; and

(iii) the Department, in meeting the goal of cutting employment of the Department laboratories by 15 percent over 5 years, using fiscal year 1994 personnel figures as the baseline; and

(C) provide recommendations regarding budget allocation for programs or Department laboratories.

(3) ADDITIONAL FUNCTIONS.—The Secretary may establish additional functions for the Board, or request additional review, comment, or recommendations from public members of the Board.

(4) FUNCTIONS LIMITATION.—The Federal Advisory Committee Act (5 U.S.C. App.), section 17 of the Federal Energy Administration Act (15 U.S.C. 776), and section 552b of title 5, United States Code, do not apply to the Board or its members.

(e) SUNSET.—This section terminates on September 30, 2005.

Page 3, after the item in the table of contents relating to section 312, insert the following:

Sec. 313. Department of Energy Laboratory Operations Board.

Mr. RICHARDSON (during the reading). Mr. Chairman, I ask unanimous consent the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

(Mr. RICHARDSON asked and was given permission to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Chairman, let me just make it clear what my amendment does and why I think it is a preferable choice to what my colleague from Indiana is doing.

My amendment would, first of all, establish a laboratory operations board for the purposes of providing attention to the reform that is needed at the DOE national laboratories. But what my amendment would do is cut lab personnel by 15 percent, not 30 percent. What my amendment would do is strip about $1.4 billion in excess costs in the DOE labs.

My amendment would apply to what the gentleman from Indiana [Mr. ROEMER] is doing to the civilian labs. What is happening right now at the Department of Energy is cost cutting is already going and taking place. It happened at Los Alamos Laboratories just this last weekend when I had close to 500 of my personnel that are being laid off.

I think that, in the interests of good science, we should not, as politicians, be making these decisions. These should be scientific decisions.

The amendment offered by the gentleman from Indiana [Mr. ROEMER] would lay off close to 14,000 people out of the DOE lab system, scientists, engineers, technical experts.

The Department of Energy can live with my amendment. What my amendment does is simply implement and recognize the cost cutting that already is going on at DOE.

Mr. Chairman, today the Royal Swedish Academy of Sciences announced a Nobel Prize for physics. They went to two scientists who performed the research at Department of Energy national labs, Martin Perl, for his work at Stanford linear accelerator center; Frederick Reines, for work at Los Alamos. The Royal Swedish Academy also announced the 1995 Nobel Prizes in chemistry will go to two researchers who received their funding support from DOE. These four awards bring to 64 the number of Nobel Prizes from the United States, resulting from research supported by DOE.

What my amendment does is acknowledge the good work of the gentleman from Indiana [Mr. ROEMER] and the gentleman from Wisconsin [Mr. KLUG], but it is not a meat cleaver. Mine is 15 percent.

This is being implemented by the Department of Energy. It is moving ahead. The language in my bill has a number of commissions that work with the DOE to ensure that we do reduce spending at the labs.

Mr. Chairman, if we are going to be at the vanguard of science and transfer of technology and energy and shifting many of these labs from defense to civilian research, let us not cut it by 30 percent, 25 percent less than the administration budget. I think we are talking about people that lose their jobs but also the Nation's research and science capability.

My amendment, at 15 percent over 5 years, is something that the scientific community and the Department of Energy can live with. The 30 percent, 30 percent, you are literally going to be closing down some laboratories. You are going to be laying off 14,000 people. I have an estimate of 20,000 people, but I will accept the figure of the gentleman from Indiana [Mr. ROEMER] or someone's figure that it is 14,000.

The goal of the gentleman from Indiana is to enhance efficiency of these labs. But I think his approach is wrong. This amendment is a meat cleaver when what you need is a scalpel.

So I want to also apologize to the Committee on Science for coming forth with this amendment at the last minute, but this is too broad a meat-ax approach, and I would hope that Members on both sides of the aisle recognize that there is an honest effort at cutting, at reducing waste, at continuing a 5-year trend of reducing spending at the labs, but doing it in a way that can be absorbed.

Mr. Chairman, I would just simply like to state that this amendment is consistent with the Galvin report. The Galvin report did not say cut the labs, the civilian side, by a third. They basically said that the labs had to find new

missions and reinforce old missions. They said there should be the defense labs, and there should be the civilian labs, and some of the defense labs should also do other research than nuclear weapons.

Theirs was a serious report, but to reinforce this amendment as the reason for supporting the Galvin report, I do not think is good science. I do not think it is good government.

I would urge my colleagues to support the substitute.

The CHAIRMAN. The time of the gentleman from New Mexico [Mr. RICHARDSON] has expired.

(At the request of Mr. BROWN of California and by unanimous consent, Mr. RICHARDSON was allowed to proceed for 1 additional minute.)

Mr. BROWN of California. Mr. Chairman, will the gentleman yield?

Mr. RICHARDSON. I yield to the gentleman from California.

Mr. BROWN of California. Mr. Chairman, I thank the gentleman for yielding.

I take this time not so much to discuss his amendment, but I was intrigued by his citation of the two outstanding scientists in the laboratories of the Department of Energy who won the Nobel Prize in physics. Of course, these are not the first scientists who have distinguished themselves in either the laboratories or in research funding from the Department of Energy.

One that I wanted to mention because he is a Californian is Dr. Sherry Roland at the University of California at Irvine, who won the Nobel Prize in chemistry just within the last few days because of the pioneering work that he did on atmospheric chemistry relating to the depletion of ozone. In the event that some of my friends on the other side still think that this ozone depletion theory is still the fantasy of some cockamamie environmentalist, the Nobel Prize committee did not think so and awarded him the Nobel Prize in chemistry for that research.

May I just conclude by saying that I appreciate the gentleman offering this amendment.

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to both of the amendments. I think we are making a bad mistake here on the floor to adopt what is essentially an amendment taking the Department of Energy's position. The gentleman from New Mexico offers it, I know, in good faith, but essentially what he is doing is locking in what the department of Energy has already decided to do in terms of restructuring the labs. It is simply the Department of Energy's approach taken forward.

□ 1530

The gentleman from Indiana [Mr. ROEMER] does take an approach here which I believe the language is unclear as to exactly what the effects would be, but the language of his amendment says that the aggregate number of individuals employed at all Government-owned, contractor-operated, departmental laboratories, other than the defense ones, would be affected, which sounds to me like it could be interpreted, as someone interpreted earlier, as being a one-third cut from every laboratory.

Now, as my colleagues know, we can interpret it both ways, but it is certainly possible to put that interpretation on the language that we have before us and with absolutely no discretion about how that is going to be done. I think that is a bad approach.

Now earlier today we have members of the minority coming to the floor complaining about the fact we have taken all these terrific cuts in science. Mr. Chairman, the fact is that when the gentleman from Indiana [Mr. ROEMER] tells us about the fact that we somehow should cut here, the cuts have already been made. We have cut $1.1 billion out of these accounts. We have left it to the Department to begin the process of trying to figure out how to apportion those cuts in a way that makes sense, but we did the job. We cut $1.1 billion out of these accounts, so these are cuts over and above the $1.1 billion of money that has already been cut, and let us understand we are cutting money out of programs that most people regard as a national asset for this country. We have had very little testimony to indicate that we do not have in the national laboratories assets of great importance to our future.

The gentleman from Indiana a few moments ago referred to the Oak Ridge Laboratory as being a stellar laboratory that maybe we would put more things into. That is fine if he can identify the good ones. I wonder if he can tell us what the bad ones are that are going to be eliminated so that we can put the money into Oak Ridge. I wonder can the gentleman tell us what the ones are that are going to get cut. He has identified the good one that is going to get more money under his amendment; what are some of the bad ones out there that are going to end up being eliminated under the gentleman's amendment?

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I would say to the distinguished gentleman from Pennsylvania [Mr. WALKER] that it is up to the discretion of the Secretary of Energy to make that decision. Certainly we should say that there have to be cuts and we should not pass that on, and I would say to the gentleman, if he would further yield, that it could be that one of my—I have a facility in my district that may end up losing jobs and go to Tennessee. So I am certainly willing to do that in the efforts of deficit reduction.

Mr. WALKER. Reclaiming my time, so in other words the gentleman was incorrect when he said that Oak Ridge would be protected because the Secretary would have the discretion to cut Oak Ridge; is that right?

Mr. ROEMER. If the gentleman would yield, I did not say Oak Ridge would be protected. I said a hypothetical that Oak Ridge was a stellar laboratory and, in fact, in gaining greater efficiencies they may move some of the facilities——

Mr. WALKER. Mr. Chairman, if we can identify the stellar laboratories, which ones are not stellar?

Mr. ROEMER. Mr. Chairman, I am sure the gentleman from Tennessee [Mr. WAMP] would identify Oak Ridge as a stellar laboratory. The problem around here, Mr. WALKER, is everybody thinks they have a stellar one, so we do not cut anybody's anything around here, and what I am saying is we got to make some tough choices——

Mr. WALKER. OK, and the gentleman, I do not think, has supported us along the way with a $1.1 billion cut we have already made in these programs. I do not remember the gentleman voting for the bill that had that $1.1 billion cut in it.

Mr. ROEMER. I have opposed many of the gentleman's cuts in Head Start programs for children and Medicare for senior citizens.

Mr. WALKER. No, those are not in our committee.

Mr. ROEMER. B–2 cuts, CIA cuts; I voted for a host of cuts. We disagree on where we should cut.

Mr. WALKER. No, the accounts that include the national laboratories have been cut by $1.1 billion under our bill. Now I do not remember the gentleman supporting that, and the gentleman's amendment is an add-on beyond the $1.1 billion that has already been cut in those accounts.

Now can the gentleman tell me that he is in support of the $1.1 billion that we have already cut?

Mr. ROEMER. I am in support of making rational, fair cuts in science as I am in the B–2 bomber, but I am not going to sit here and engage in a colloquy with the gentleman from Pennsylvania as to which national laboratory should be shut down.

Mr. WALKER. The gentleman is perfectly willing to suggest that he knows laboratories that should not be affected by this because he regards them as stellar, but he is not going to engage in the tough decision then of where the cuts are going to be made, and the point is, I would say to the gentleman, that we have a lot of very good facilities all over the country.

Now he made reference to the Galvin report. So does the Department of Energy. The Department of Energy is not following the Galvin report, neither is the gentleman. I mean everybody seems to take the Galvin report and do with it whatever they want. As my colleagues know, they find that this language and that language and decide that the Galvin report justifies anything they decide they want to do.

The Galvin report is very clear with its recommendation. The Galvin report

suggests the privatization scheme over a 10-year period by going to a private corporation that would run the labs for a period of time so that what we could do is ultimately sort out what the good ones and the bad ones were, and we would sort them out based upon the marketplace.

The gentleman is taking a totally different approach. First of all, it is not 10 years, it is 5 years for his approach. Second, he does not allow the kind of process that the Galvin Commission recommended, and so to refer to the Galvin Commission report as being the basis for this amendment I just think is totally wrong based upon what the Galvin report did.

I would say the same is true of the gentleman from New Mexico's amendment. He refers to that and yet offers an amendment that essentially does what the Department of Energy has already decided to do, and that does not take into account the Galvin Commission either.

When the Department of Energy testified before our committee, they said that they took the alternative approach offered by Galvin rather than the main recommendation.

Mr. Chairman, I think maybe we ought to take the opinion of some experts here and not begin dismantling with four amendments what most people regard as a national treasure in our science establishment. If the gentleman wants to cut another third below the $1.2 billion that we have put in place, that can be the gentleman's decision, and some members may decide to go along with it, but I think we ought to be making sensible decisions, decisions based upon sound policy choices rather than taking an approach that is embodied in the gentleman's amendment.

Mr. ROEMER. Mr. Chairman, I ask unanimous consent for an additional 2 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROEMER. Mr. Chairman, I would just ask the gentleman from Pennsylvania [Mr. WALKER] if Mr. Galvin did not support the termination of self-regulation in his recommendations to Congress.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. ROEMER. I yield to the gentleman from Pennsylvania.

Mr. WALKER. Sure. There are a number of——

Mr. ROEMER. That is what I was citing in the Galvin report.

Mr. WALKER. There are a number of reforms that the Galvin Commission recommended, but their main recommendation, their chief recommendation, was, as you begin the business of paring down the laboratories, to do it based upon a private-sector kind of approach, and not a private sector, not just taking the labs and privatizing them immediately because of the bureaucratic overhead in them at the present time. They cannot be sustained in the private sector, and we will lose them.

The Galvin Commission has a very specific recommendation in that regard. I think we ought to follow the recommendation of the experts. We think that that should be done within a cost-cutting regime, and we are willing to cut money out of DOE, but we are not willing to dismantle the agency in ways that I personally regard as irresponsible.

Mr. ROEMER. I would just respectfully disagree with the gentleman. The gentleman says that he is cutting $1.1 billion out of our science budget. The gentleman has come up with a monetary figure. We have told the Secretary of Energy that it should be a percent in terms of the national laboratories not being exempt. There is not a huge difference in arriving at $1.1. billion, or $1 billion, or $1.7 billion as opposed to our recommendation to the committee.

Mr. WALKER. Our $1.1 billion is based upon going through program by program and looking at what we think can be sustained in terms of cuts over a period of time. We took the sensible approach to it. Certainly the Secretary, in dealing with that $1.1 billion, can decide that they want to spend less money in the national labs, and that may be one of the approaches that they want to take. We do not prevent them from doing that, but we do not mandate a system that goes down through and says at least 3 percent of the reduction has to be in 1 year, 6 percent within 18 months, 10 percent within 2 years, 15 percent within 30 months.

I mean that is not giving any latitude. That is in fact taking an approach that may or may not produce the results that assure that the national labs remain as a strong science asset for the country.

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

Mr. Chairman, I rise to respectfully oppose the gentleman from New Jersey's amendment to essentially do an across-the-board cut in national laboratory staff of one-third. I want to say at the outset that there are two national laboratories in New Mexico, but these two national laboratories fall jurisdictionally more on the military side of funding and would not be affected by the gentleman's bill, and I emphasize that to point out that my particular State would not be affected by the bill if it does become law. However, I want to emphasize that I think it is a mistake to come forward with the idea of a one-third across-the-board cut.

I would say that my colleague from New Mexico, Mr. RICHARDSON's, amendment is a better approach if we have to act in this bill. However, I believe that both are unnecessary. It is my view, Mr. Chairman, that every agency, and every program, funded by the Federal Government does indeed have an obligation to look to see how it can operate more efficiently, more effectively, and in a better way for the taxpayers, and nobody is exempt from that, not the national laboratories, including the national laboratories that are in New Mexico, as far as that goes, but an across-the-board cut is not based upon any finding of there is a more efficient way of doing things.

It is true that the Galvin Commission estimated that perhaps the national laboratories could be reduced by one-third in personnel, but he was talking about specific personnel in specific places, and even then only if certain management changes were made from the point of view of the Department of Energy. So it is a process that we should work at deliberately and identify those positions which might be reduced and not be arbitrary about it for the national laboratories or any other program.

I want to say also that in the Committee on Science we are working on this issue. I have a bill introduced, H.R. 2142, which attempts to set out missions for the national laboratory and an obligation upon the Secretary of Energy to refine those missions, to assign them to appropriate laboratories to avoid duplication of process where it is not necessary and to try to achieve maximum efficiency.

There are other bills that would set up, for example, a military BRAC type of closure board to examine national laboratories for closure. I do not agree with those bills, but at least a closure board would be looking individually at laboratories and would not be an across-the-board cut either.

I think an across-the-board cut is bad policy. I think we can stay within a bald budget, which is our necessary economic goal, without doing so, and I would, therefore, urge rejection of the Roemer amendment.

Mr. RICHARDSON. Mr. Chairman, I ask unanimous consent to strike the requisite number of words.

The CHAIRMAN. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

(Mr. RICHARDSON asked and was given permission to revise and extend his remarks.)

Mr. RICHARDSON. Mr. Chairman, let me put in perspective what we are doing here.

The gentleman from Indiana's amendment cuts the civilian labs by 33 percent. My amendment cuts by 15 percent but is consistent with the Department of Energy's cost-cutting measures.

Now I do not think Members of Congress would want to get on record against reductions and, perhaps, wastes that already are taking place, and I would like to just simply read some of the labs that would be affected under Mr. ROEMER's amendment.

Argonne National Laboratory, University of Chicago; Brookhaven National Laboratory, Upton, NY; Idaho

National Engineering Laboratory; Laurence Berkeley Laboratory at the University of California; Oak Ridge National Laboratory; the Pacific Northwest Laboratory; Ames Laboratory; Continuous Electron Beam Accelerator Facility; Fermi National Accelerator Laboratory; National Renewable Energy Laboratory; Oak Ridge Institute for Science and Education; Princeton Plasma Physics Lab; Savannah River Tech Center; Stanford Linear Accelerator Center; Bettis Atomic Power Lab; Energy Technology Engineering Center; Environmental Measurements Lab; Inhalation Toxicology Research Institute; Knolls Atomic Power Lab; Lab of Biomedical and Environmental Sciences; Lab of Radiology and Environmental Health; National Institute for Petroleum and Energy Research; New Brunswick Labs; and Savannah River Ecology Lab.

□ 1545

What I just want to do, Mr. Chairman, is say this. My amendment is consistent with what DOE is doing. They do not want to cut 15 percent, but we, through the strong efforts of many on the majority and minority, are saying ''We do not have the money anymore. You have to do more with less.''

If we go beyond the 15 percent, we are cutting science, we are cutting the future. I agree with the chairman, the gentleman from New Mexico [Mr. SCHIFF], and the gentleman from Pennsylvania [Mr. WALKER], we should not be doing 30 or 15 percent. We are not scientists. I think we have to make good science decisions with good budget decisions.

My amendment is supported by the administration. I hope that is not the kiss of death with everybody here, but if they vote against my amendment at 15 percent, Members are voting against even cutting what the labs are already doing. I know this is an authorization effort, and it requires a lot more study. I think this Committee on Science has done a good job. The bill of the gentleman from New Mexico [Mr. SCHIFF], I support it, too. However, I am here sort of as a fireman to try to stop a cut by one-third that some very respected Members of Congress are offering that are going to cut 14,000 jobs, and that I do not think is good science.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. RICHARDSON. I yield to the gentleman from Indiana.

Mr. ROEMER. Mr. Chairman, I have always had a great deal of respect for my good friend, the gentleman from New Mexico. I did not know it was possible to get 10 minutes to speak on his same amendment. He has a lot more power than I gave him credit for. I have even more respect for him.

However, the point that the gentleman is making by reading the list of national laboratories is one of the points that I make, in that not every one of those is going to be affected. There could be two of those that are affected by cutting out different personnel and making better efficiencies in our national laboratories that even you admit should be done.

The second point is we are all proud of the Nobel Prize winners that are being announced, and so many of them from America. So many of these Nobel Prize winners are also from our private laboratories and our private universities. This bill seeks a better partnership and cooperation with our laboratories and universities, the University of Chicago and other schools.

Mr. ROHRABACHER. Mr. Chairman, will the gentleman yield?

Mr. RICHARDSON. I yield to my good friend, the gentleman from California.

Mr. ROHRABACHER. Mr. Chairman, the gentleman is saying that what he is presenting to us is the position of President Clinton?

Mr. RICHARDSON. I am offering an amendment, Mr. Chairman, at the request of the Department of Energy that says we can live with 15 percent over 5 years. We are going to be doing that as part of the mandates by Congress, but if we go beyond that, at 30 percent, then we are cutting science, we are cutting 14,000 people. It is a meat-axe approach.

Mr. ROHRABACHER. If the gentleman will continue to yield, Mr. Chairman, I would ask, his figures are consistent with the President's request?

Mr. RICHARDSON. The President is 25 percent higher. The President's budget request is 25 percent higher. What my amendment does is cut it by a certain percentage; as I said, 15.

Mr. ROHRABACHER. What the gentleman is saying is we should be supportive of his position because his numbers are closer to what the President would request on this item?

Mr. RICHARDSON. Let me say that I am told that Secretary O'Leary has agreed to 10 percent, and I believe the 15 percent is a goal that most likely can be achieved, by balanced budget provisions or otherwise.

Mr. ROHRABACHER. Mr. Chairman, those of us who are not in support of the President's position would be opposed to the gentleman's amendment.

Mr. WAMP. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we are having a healthy discussion this afternoon about the role of the national laboratories. We need to have this discussion, and actually I think this first amendment here is going to flesh out a lot of the feelings and points that Members need to make with respect to this issue, and probably avoid a lot of discussion in the later amendments. I want to back up just for a moment, though, because I have become so sensitive since I became a Member of Congress to how the use of words can confuse people.

I want to go back to what our distinguished chairman of the Committee on Science, the gentleman from Pennsylvania [Mr. WALKER], said in the well just a few minutes ago when he was talking about Bob Galvin's recommendations and the Galvin report when he used the word privatization.

I just want to point out that the word ''corporatization'' is what Bob Galvin used time and time again in the Galvin report. Privatization has a different meaning to a whole lot of different people. I do not want anyone thinking that the Republican chairman of the Committee on Science recommended privatizing our national laboratories based on his use of that word a few minutes ago. Corporatization is a different approach. It is not selling off the laboratories. That is not what Galvin said.

Let the record be clear, that is not what the chairman of the committee, the gentleman from Pennsylvania, just said. I want that pointed out. There are so many people that take words and use them, that the ''Republican majority is trying to privatize.'' No, corporatization means private contractors manage. We have that right now across the country. It is more efficient, wherever it can be properly applied. Let us not abuse the word privatization.

Mr. Chairman, I do want to identify myself with the comments from the distinguished chairman of the Subcommittee on Basic Research of the Committee on Science, the gentleman from New Mexico [Mr. SCHIFF], on his bill, H.R. 2142, which I do support, which redefines the missions of our Federal laboratory system in the post-cold war era. I support that concept, and it really does not line up with the proposals that are before us in these next three amendments.

Mr. KLUG. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Richardson amendment. Let us make it very clear, there is a clear distinction, I think, obviously to anybody who looks at the choice in these amendments, between the amendment offered by my friend and colleague, the gentleman from Indiana [Mr. ROEMER], and myself, and the gentleman from New Mexico [Mr. RICHARDSON]. The amendment of the gentleman from Indiana says the Department of Energy will cut 30 percent. The amendment of the gentleman from New Mexico [Mr. RICHARDSON] says we will set up a committee that may recommend that we may cut 15 percent, if the Secretary thinks it is a good idea.

So we have a clear choice. It is pretty easy. Either you think the DOE labs should be shrunk and you want to make a 30-percent cut, or you think we need another commission. That is the one thing Washington has more of than we have national energy labs at this point.

We have had two studies done on the DOE labs in the last year. The first, the Galvin Commission, which we have talked about, says in one of its earliest conclusions, ''The National Labs

should be downsized.'' That is what the commission we set up to review the DOE labs said. That is the conclusion, downsize the DOE labs.

A few minutes ago the gentleman from New Mexico [Mr. RICHARDSON] shrunk in horror when he said, ''You know, the result of this could be that we may close one of them if we force them to close 30 percent.'' What a horrible idea. They are scattered across the country.

What else did Galvin say? It says, ''The existing budget of the National Laboratory system exceeds that required to perform its agenda in the areas of national security, energy, environment, and fundamental science.'' In other words, we have more labs than we have work to do at the laboratories. That is the very condition and the very conclusion, downsize because we do not have enough work to do.

''It is unrealistic for these institutions to attempt to retain their current size by laying claims to new missions.'' In other words, if we do not have enough work to do at the laboratories already and we have excess laboratories, we will just think of new things for them to do. One of the new things, frankly, is to get involved in industrial policy and advanced technology.

To the credit of the gentleman from Pennsylvania [Mr. WALKER], I think he has been absolutely right on point on this issue, that when the Federal Government is involved in science, it should be involved in basic science. One of the things he has done, and sent a very strong message in this bill and his other work in the committee, is to get away from applied science and industrial policy and to get us into basic research.

If what we are going to do is to stay with basic research, we should define what that research mission is. If we are keeping labs alive essentially by creating industrial policy, that is a fundamental mistake. I am not making that up, the Galvin Commission came to the same conclusion: ''Through downsizing, there may be opportunities in the future to convert one or more multi-program laboratories into institutions dedicated to only one primary mission.''

The bottom line in all of this, Mr. Chairman, is the fact that we now have a series of laboratories stretching across the country largely created to help do defense research during the cold war. As that nuclear mission has shrunk, we only have two or three key laboratories, including that of the gentleman from New Mexico [Mr. SCHIFF] in his district, doing military-related research.

Unfortunately for a number of those other laboratories, we do not have missions for them today. I think the amendment of the gentleman from Indiana [Mr. ROEMER] and myself is exactly right, that when we do not have a mission, we should force the Secretary of Energy to make difficult decisions about which of those labs to keep open and which of those labs to close. Before we have to do that, fundamentally we have to decide what the core mission is going to be of the Department of Energy laboratories, so we can say ''This lab does this, this lab does this, and this lab no longer has any business.''

Mr. Chairman, we have to, I think, at the end of the cold war, make very difficult decisions about defense programs. We have made difficult decisions about which DOE labs belong in continuing to do that defense mission, but fundamentally we have to cut 30 percent of the spending, because we have to force closure of the labs, and in contrast to my colleague, the gentleman from New Mexico, I do not think that is a horror story. Frankly, I think for this Congress that will be a success story.

Mr. RICHARDSON. Mr. Chairman, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from New Mexico.

Mr. RICHARDSON. Mr. Chairman, I would just like to state, first of all, the Galvin Commission said nothing about cutting the labs by a third. I do not believe the chairman of the Committee on Science is supporting the gentleman's amendment, nor is the minority. I think the decision should be made on science, on production, and on cost cutting. My amendment at 15 percent achieves all of those goals. I just want to point that out for the RECORD.

I want the gentleman to affirm whether I am correct. Does the Galvin Commission support the gentleman's amendment?

Mr. KLUG. I do not think the Galvin Commission said whether it was a 15-percent or 30-percent cut. They recommended redefining the mission of the laboratories and appropriately downsizing. I agree with my colleague, the gentleman from Indiana [Mr. ROEMER] that we should be much more aggressive rather than timid in this area.

Mr. ROEMER. Mr. Chairman, will the gentleman yield?

Mr. KLUG. I yield to the gentleman from Indiana.

Mr. ROEMER. Actually, Mr. Chairman, what the Galvin report said, I would say to the gentleman from New Mexico [Mr. RICHARDSON], was we should corporatize or privatize a host of laboratories. We are not in favor of that. The gentleman from Wisconsin, [Mr. KLUG], and I are saying they are a valuable resource.

Mr. KLUG. Reclaiming my time, actually, I am in favor of privatizing, but as an intermediate step.

Mr. ROEMER. I am sorry for stepping ahead to the gentleman's next amendment, but I am not in favor of that, and I think we should maintain those as a national resource and asset.

Mr. TIAHRT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to start by saying that the gentleman from New Mexico [Mr. RICHARDSON] is probably a better advocate for the Secretary of State than he is for the Secretary of the Department of Energy.

I do think that there is a significant difference between these two amendments, as was pointed out by the gentleman from Wisconsin. On one hand, one requires a recommendation or a report, and that is the Richardson amendment. The other one, the so-called Roemer amendment, does require action.

I think that the downsizing is a topic that has often plagued the private sector in America. In my own area, Wichita, KS, where the Boeing Co. has recently gone from 24,000 employees to 15,000 employees, that is a significant downsizing. Other companies like IBM, they have also had to face downsizing. What has occurred through the process is the establishment of priorities: What is the company in business for, what is important to the stockholders, and how can they best serve those stockholders.

I think that the Roemer amendment does drive priorities by forcing a downsizing. I think that downsizing and the priorities establishment is something that has been lacking.

I want to say Secretary O'Leary is, I think, on the right track to some degree, which is demonstrated in the Richardson amendment when it talks about the functions of the Board, on page 3, is to help sharpen the mission focus of the Department laboratories. That is a very good thing to do.

However, the so-called Roemer amendment would be more effective in doing that because it does drive action for the reductions of 33 percent, so I think that most of us would prefer action over recommendations, and that is why I rise in opposition to the Richardson amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico [Mr. RICHARDSON] as a substitute for the amendment offered by the gentleman from Indiana [Mr. ROEMER].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. RICHARDSON. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 2(c) of rule XXIII, the Chair may reduce to 5 minutes the minimum time for electronic voting, if ordered, on the underlying Roemer amendment.

The vote was taken by electronic device, and there were—ayes 147, noes 274, not voting 11, as follows:

[Roll No. 703]

AYES—147

Ackerman	Bentsen	Browder
Allard	Berman	Brown (CA)
Armey	Bevill	Brown (FL)
Baldacci	Bishop	Brown (OH)
Barcia	Bonior	Bryant (TX)
Becerra	Borski	Callahan
Beilenson	Boucher	Clay

Clayton
Clyburn
Coburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doyle
Durbin
Engel
Ensign
Evans
Everett
Fattah
Fazio
Filner
Flake
Foglietta
Ford
Fox
Franks (NJ)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Gonzalez
Green
Gutierrez
Hancock
Hastings (FL)
Hefner
Hilliard
Hinchey
Horn
Hoyer
Jackson-Lee
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kennedy (RI)
Kildee
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lowey
Maloney
Manton
Martinez
Mascara
Matsui
McCarthy
McDermott
McKinney
McNulty
Meek
Mfume
Miller (CA)
Minge
Montgomery
Moran
Nadler
Oberstar
Olver
Ortiz
Owens
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pomeroy
Poshard
Rahall
Rangel
Richardson
Rivers
Roberts
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Skaggs
Skelton
Spratt
Stearns
Stokes
Studds
Stump
Thompson
Torres
Towns
Velazquez
Vento
Waters
Watt (NC)
Waxman
Wise
Woolsey
Wyden
Wynn
Yates

NOES—274

Abercrombie
Andrews
Archer
Bachus
Baesler
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bateman
Bereuter
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brewster
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Calvert
Camp
Canady
Cardin
Castle
Chabot
Chambliss
Chapman
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Dickey
Doggett
Dooley
Doolittle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
English
Eshoo
Ewing
Farr
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Frank (MA)
Franks (CT)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Geren
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Gordon
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (MA)
Kim
King
Kingston
Kleczka
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lucas
Luther
Manzullo
Markey
Martini
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
Meehan
Menendez
Metcalf
Meyers
Mica
Miller (FL)
Mink
Molinari
Mollohan
Moorhead
Morella
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Obey
Orton
Oxley
Packard
Pallone
Parker
Paxon
Petri
Pickett
Pombo
Porter
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Reed
Regula
Riggs
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Sisisky
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stark
Stenholm
Stockman
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thornberry
Thornton
Thurman
Tiahrt
Torkildsen
Torricelli
Traficant
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wolf
Young (AK)
Young (FL)
Zimmer

NOT VOTING—11

Bass
Dornan
Fields (LA)
Kennelly
Moakley
Schiff
Tejeda
Tucker
Volkmer
Wilson
Zeliff

□ 1621

Mrs. MALONEY, Ms. HARMAN, and Messrs. DOGGETT, KENNEDY of Massachusetts, MOLLOHAN, THORNTON, and PARKER changed their vote from ''aye'' to ''no.''

Messrs. HANCOCK, ALLARD, and STEARNS changed their vote from ''no'' to ''aye.''

So the amendment offered as a substitute for the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. ROEMER].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. ROEMER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 135, noes 286, not voting 11, as follows:

[Roll No. 704]

AYES—135

Allard
Andrews
Ballenger
Barcia
Barr
Barrett (WI)
Barton
Brownback
Burr
Burton
Callahan
Camp
Cardin
Castle
Chenoweth
Christensen
Clayton
Coble
Coburn
Collins (GA)
Combest
Condit
Conyers
Cooley
Costello
Cox
Coyne
Cremeans
Cubin
Danner
Deal
Doggett
Doyle
Ensign
Everett
Flanagan
Foley
Fox
Frank (MA)
Franks (NJ)
Funderburk
Geren
Gilchrest
Goss
Greenwood
Hamilton
Hancock
Harman
Hayworth
Heineman
Hobson
Hoekstra
Hoke
Holden
Hostettler
Inglis
Istook
Jacobs
Johnson (SD)
Johnson, Sam
Kanjorski
Kaptur
Kasich
Kennedy (RI)
Kleczka
Klink
Klug
LaHood
Largent
Latham
Laughlin
Lincoln
Linder
LoBiondo
Longley
Lowey
Luther
Mascara
McHale
McIntosh
Meehan
Metcalf
Miller (FL)
Minge
Mink
Montgomery
Myers
Myrick
Neal
Neumann
Ney
Norwood
Obey
Owens
Oxley
Parker
Peterson (MN)
Petri
Pomeroy
Portman
Poshard
Pryce
Radanovich
Ramstad
Reed
Roemer
Rohrabacher
Roth
Royce
Sabo
Salmon
Sanford
Scarborough
Schroeder
Shadegg
Shays
Smith (MI)
Smith (WA)
Souder
Stark
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tauzin
Taylor (MS)
Thornberry
Upton
Vento
Visclosky
Vucanovich
Waters
Watts (OK)

NOES—286

Abercrombie
Ackerman
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Barrett (NE)
Bartlett
Bateman
Becerra
Beilenson
Bentsen
Bereuter
Berman
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TN)
Bryant (TX)
Bunn
Bunning
Buyer
Calvert
Canady
Chabot
Chambliss
Chapman
Chrysler
Clay
Clement
Clinger
Clyburn
Coleman
Collins (IL)
Collins (MI)
Cramer
Crane
Crapo
Cunningham
Davis
de la Garza
DeFazio
DeLauro
DeLay
Dellums
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Dooley
Doolittle
Dreier
Duncan
Dunn
Durbin
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Evans
Ewing
Farr
Fattah
Fawell
Fazio
Fields (TX)
Filner
Flake
Foglietta
Forbes
Ford
Fowler
Franks (CT)
Frelinghuysen
Frisa
Frost
Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Graham
Green
Gunderson
Gutierrez
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Hefner
Herger
Hilleary
Hilliard
Hinchey
Horn
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Jackson-Lee
Jefferson
Johnson (CT)
Johnson, E. B.
Johnston
Jones
Kelly
Kennedy (MA)
Kildee
Kim
King
Kingston
Knollenberg
Kolbe
LaFalce
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lipinski
Livingston
Lofgren
Lucas
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHugh
McInnis
McKeon
McKinney
McNulty
Meek
Menendez
Meyers
Mfume
Mica
Miller (CA)
Molinari
Mollohan
Moorhead
Moran
Morella
Murtha
Nadler
Nethercutt
Nussle
Oberstar
Olver

Ortiz
Orton
Packard
Pallone
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pombo
Porter
Quillen
Quinn
Rahall
Rangel
Regula
Richardson
Riggs
Rivers
Roberts
Rogers
Ros-Lehtinen
Rose
Roukema
Roybal-Allard
Rush
Sanders
Sawyer
Saxton
Schaefer
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shaw
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Solomon
Spence
Spratt
Stokes
Studds
Tanner
Tate
Taylor (NC)
Thomas
Thompson
Thornton
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Velazquez
Waldholtz
Walker
Walsh
Wamp
Ward
Watt (NC)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zimmer

NOT VOTING—11

Bass
Dornan
Fields (LA)
Kennelly
Moakley
Schiff
Tejeda
Tucker
Volkmer
Wilson
Zeliff

☐ 1631

Mr. MARKEY changed his vote from ''aye'' to ''no.''

Mr. SAM JOHNSON of Texas, Mrs. LOWEY, and Messrs. STOCKMAN, PORTMAN, NORWOOD, UPTON, BURTON of Indiana, and COOLEY changed their vote from ''no'' to ''aye''.

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

MESSAGE FROM THE PRESIDENT

The SPEAKER pro tempore (Mr. BONILLA) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

☐ 1635

OMNIBUS CIVILIAN SCIENCE AUTHORIZATION ACT OF 1995

The Committee resumed its sitting.

The CHAIRMAN. Are there further amendments to title III?

AMENDMENT OFFERED BY MR. WALKER

Mr. WALKER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALKER: Page 90, line 16, strike ''$49,955,000'' and insert ''$121,265,000.''

Page 90, line 17, strike ''$43,234,000'' and insert ''$55,714,000.''

Page 90, line 20, strike ''$59,829,000'' and insert ''$112,186,000.''

Page 90, line 22, strike ''$45,535,000'' and insert ''$66,597,000.''

Page 90, line 23, strike ''$476,000'' and insert ''$1,701,000.''

Page 91, line 3, strike ''$1,994,000'' and insert ''$2,304,000.''

Page 91, line 5, strike ''$7,557,000'' and insert ''$6,295,000.''

Page 91, line 7, strike ''$12,370,000'' and insert ''$14,919,000.''

Page 91, after 7, insert the following new paragraph:

(9) Fuels Conversion, Natural Gas, and Electricity, $2,687,000.

Page 91, line 13, strike ''$55,074,000'' and insert ''$88,645,000.''

Page 91, line 14, strike ''$55,110,000'' and insert ''$109,518,000.''

Page 91, line 15, strike ''$112,123,000'' and insert ''$176,568,000.''

Page 91, line 17, strike ''$7,813,000'' and insert ''$31,600,000.''

Page 91, after line 17, insert the following:

(5) Policy and Management—Energy Conservation, $7,666,000.

(e) FISCAL YEAR 1997.—There are authorized to be appropriated to the Secretary for fiscal year 1997 for operating, capital equipment, and construction, the following amounts:

(1) Energy Supply Research and Development Activities, $2,600,000,000.

(2) General Science and Research Activities, $950,000,000.

(3) Fossil Energy Research and Development, $220,950,000.

(4) Energy Conservation Research and Development, $230,120,000.

Page 93, strike lines 3 and 4 and lines 21 and 22; and redesignate the subparagraphs accordingly.

Page 103, line 24, strike ''Unobligated'' and insert in lieu thereof ''Subject to further appropriations, unobligated''.

Mr. WALKER (during the reading). Mr. Chairman, I ask unanimous consent the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALKER. Mr. Chairman, this amendment essentially is an attempt to bring about where the authorization bill is in the energy area in line with where the Interior appropriations conference report has come in terms of numbers. So what we do in this particular amendment is align the 1996 authorization levels for fossil energy and energy conservation R&D with the levels contained in the 1996 Interior appropriations conference report. I think that solves the problems of a couple of Members who wanted to make certain that our authorization bill, if it passed, did not interfere with the arrangements that have already been made with regard to the fossil energy accounts in the present appropriations bill.

But beyond that, it needs to be understood that one of the reasons why we accepted somewhat higher levels than the original authorization bill called for in Interior appropriations was because there was a problem in terms of close-out costs and a number of other anomalies in the process that gave them a 1-year problem. So as a result, when the House committee came forward with its report, that is, the appropriations subcommittee, what they did was indicated that they would then look at a plan for downsizing these accounts over the years in the future.

I quote from page 80 of that report: ''Those would be in line or be consistent with the recommendations of the authorization committee of jurisdiction as adopted by the House.''

So it was our feeling that this whole arrangement is based upon the fact that, yes, for this year we are going to have to have numbers consistent with close-out costs and a number of other items.

But as we look out toward the next year, then we have to make certain that we get these accounts on a glide path toward a balanced budget by the year 2002.

So this amendment also contains 1997 spending figures which are consistent with the amounts of money that presently are in the authorization bill for 1996. In other words, what we have done is we have accepted the Interior appropriations numbers for this year, and then we have moved the bills' authorized amounts to next year, which means there would be a reduction next year over what is being spent this year, but it would still be considerably above what the budget recommendation called for. We think it does establish a glide path toward a balanced budget.

So I would say to my colleagues that if what you want to do is assure that in these authorized accounts we do get ourselves on the road toward a balanced budget and assure that we are going to get to a balanced budget by the year 2002, what you want to do is support this amendment. It does two things: Yes, for the moment it raises the authorized levels to the appropriated levels to conform our bill with what is coming along in the appropriations accounts, but for the future what it does is it assures we are on the glide path to a balanced budget beginning with the amounts that are put in the bill for next year.

I would urge you to accept this amendment, to assure that we do two things: make certain that we have sufficient authorization to cover the appropriations for this year; but, second, to assure that next year we are on the glide path toward a balanced budget.

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

Mr. Chairman, I am sympathetic to the amendment offered by the gentleman from Pennsylvania, and I know he offers the amendment in an effort to make this bill a more acceptable bill and more in conformity with actions already taken by the Committee on Appropriations.

But let me indicate, in all honesty, some of my reservations about this, and they are probably nitpicking. We proposed earlier a couple of amendments which were aimed at doing essentially the same thing in other categories where the authorization is below the appropriation. The chairman, in his eloquence, and he is very eloquent, defended to the death the logic of maintaining our authorization in this bill substantially below both the House- and the Senate-appropriated numbers.