

Above everything else, the number one issue that we have to face as Members of the United States Congress and on this very amendment that is in front of us today is will we or will we not honor our treaty agreement with the native Americans. If you vote yes on this amendment, you once again walk away from the native Americans of this country. Vote "no" on DeFazio.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon [Mr. DEFAZIO].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 151, noes 275, not voting 8, as follows:

[Roll No. 484]

AYES—151

Abercrombie	Goodlatte	Poshard
Ackerman	Gordon	Rahall
Andrews	Green	Rangel
Barcia	Gutierrez	Reed
Barrett (WI)	Hamilton	Rivers
Becerra	Harman	Roemer
Bentsen	Hinchey	Rohrabacher
Berman	Hoyer	Roybal-Allard
Boehrlert	Jackson-Lee	Royce
Bonior	Jacobs	Rush
Borski	Johnson, E. B.	Sabo
Brown (FL)	Johnston	Salmon
Brown (OH)	Kaptur	Sanders
Bryant (TX)	Kennedy (MA)	Sawyer
Cardin	Kennelly	Schroeder
Chabot	Klecza	Schumer
Chapman	Klug	Scott
Clayton	LaFalce	Sensenbrenner
Coble	LaHood	Serrano
Coleman	Levin	Shaw
Collins (IL)	Lewis (GA)	Shays
Collins (MI)	Lipinski	Skaggs
Conyers	LoBiondo	Slaughter
Cooley	Lofgren	Smith (MI)
Costello	Lowe	Solomon
DeFazio	Luther	Souder
DeLauro	Maloney	Stark
Dellums	Manzullo	Stenholm
Deutsch	Markey	Stockman
Dingell	Matsui	Stokes
Doggett	McCarthy	Studds
Dooley	McDermott	Stupak
Duncan	McIntosh	Tanner
Durbin	Meehan	Thurman
Edwards	Meek	Torres
Engel	Menendez	Torricelli
Eshoo	Mfume	Towns
Evans	Miller (CA)	Tucker
Farr	Mineta	Upton
Fattah	Minge	Velazquez
Fields (LA)	Mink	Vento
Filner	Moran	Ward
Flake	Nadler	Waters
Ford	Neal	Watt (NC)
Frank (MA)	Ney	Waxman
Furse	Obey	Woolsey
Gejdenson	Owens	Wyden
Gephardt	Payne (VA)	Wynn
Geren	Pelosi	Zimmer
Gilchrest	Peterson (MN)	
Gilman	Petri	

NOES—275

Allard	Bass	Boucher
Archer	Bateman	Brewster
Armey	Beilenson	Browder
Bachus	Bereuter	Brown (CA)
Baesler	Bevill	Brownback
Baker (CA)	Bilbray	Bryant (TN)
Baker (LA)	Bilirakis	Bunn
Baldacci	Bishop	Bunning
Ballenger	Bliley	Burr
Barr	Blute	Burton
Barrett (NE)	Boehner	Buyer
Bartlett	Bonilla	Callahan
Barton	Bono	Calvert

Camp	Hefner	Oxley
Canady	Heineman	Packard
Castle	Herger	Pallone
Chambliss	Hillery	Parker
Chenoweth	Hilliard	Pastor
Christensen	Hobson	Paxon
Chrysler	Hoekstra	Payne (NJ)
Clay	Hoke	Peterson (FL)
Clement	Holden	Pickett
Clinger	Hyde	Pombo
Clyburn	Hostettler	Pomeroy
Coburn	Houghton	Porter
Collins (GA)	Hunter	Portman
Combest	Hutchinson	Pryce
Condit	Hyde	Quillen
Cox	Inglis	Quinn
Coyne	Istook	Radanovich
Cramer	Johnson (CT)	Ramstad
Crane	Johnson (SD)	Regula
Crapo	Johnson, Sam	Richardson
Creameans	Jones	Riggs
Cubin	Kanjorski	Roberts
Cunningham	Kasich	Rogers
Danner	Kelly	Ros-Lehtinen
Davis	Kennedy (RI)	Rose
de la Garza	Kildee	Roth
Deal	Kim	Roukema
DeLay	King	Sanford
Diaz-Balart	Kingston	Saxton
Dickey	Klink	Schaefer
Dicks	Knollenberg	Schiff
Dixon	Kolbe	Seastrand
Doolittle	Lantos	Shadegg
Dornan	Largent	Shuster
Doyle	Latham	Sisisky
Dreier	LaTourette	Skeen
Dunn	Laughlin	Skelton
Ehlers	Lazio	Smith (NJ)
Ehrlich	Leach	Smith (TX)
Emerson	Lewis (CA)	Smith (WA)
English	Lewis (KY)	Spence
Ensign	Lightfoot	Spratt
Everett	Lincoln	Stearns
Ewing	Linder	Stump
Fawell	Livingston	Talent
Fazio	Fazio	Tate
Fields (TX)	Lucas	Tauzin
Flanagan	Manton	Taylor (MS)
Foglietta	Martinez	Taylor (NC)
Foley	Martini	Tejeda
Forbes	Scott	Thomas
Fowler	Mascara	Thompson
Fox	McCollum	Thornberry
Franks (CT)	Fox	Thornton
Franks (NJ)	McDade	Tiahrt
Frelinghuysen	McHale	Torkildsen
Frisa	McHugh	Traficant
Funderburk	McInnis	Visclosky
Galleghy	McKeon	Volkmer
Ganske	McNulty	Vucanovich
Gekas	Metcalf	Waldholtz
Gibbons	Meyers	Walker
Gillmor	Mica	Walsh
Gonzalez	Miller (FL)	Wamp
Goodling	Molinar	Watts (OK)
Goss	Mollohan	Weldon (FL)
Graham	Montgomery	Weldon (PA)
Greenwood	Moorhead	Weller
Gunderson	Morella	White
Gutknecht	Murtha	Whitfield
Hall (TX)	Myers	Wicker
Hancock	Myrick	Williams
Hansen	Nethercutt	Wilson
Hastert	Neumann	Wise
Hastings (FL)	Norwood	Wolf
Hastings (WA)	Nussle	Young (AK)
Hayes	Oberstar	Young (FL)
Hayworth	Olver	Zeliff
Hefley	Ortiz	
	Orton	

NOT VOTING—8

Frost	McKinney	Scarborough
Hall (OH)	Moakley	Yates
Jefferson	Reynolds	

□ 1653

The Clerk announced the following pair: On this vote:

Mr. Yates for, with Mr. Scarborough against.

Mr. ROSE and Mr. DIXON changed their vote from "aye" to "no."

Messrs. DEUTSCH, CONYERS, LAHOOD, KLUG, RAHALL, GILCHREST, TOWNS, and GILMAN 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. CAMP) assumed the chair.

The SPEAKER pro tempore. The Chair will receive a message.

MESSAGE FROM THE PRESIDENT

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.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1996

AMENDMENT OFFERED BY MR. BARTON OF TEXAS
Mr. BARTON of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:
Amendment offered by Mr. BARTON of Texas: On page 24, after line 18, insert:

Sec. . Appropriations made available by the Energy and Water Development Act, 1995 (P.L. 103-316), for a medical treatment facility at the site of the terminated Superconducting Super Collider project shall be rescinded on the thirtieth day after the date of enactment of this Act if: (1) the withdrawal by the State of Texas of its application to the Department of Energy for a contribution to the completion of such facility remains in effect on such thirtieth day, and (2) prior to such thirtieth day, the Attorney General of the United States has determined that the United States has constitutional authority to rescind such appropriation.

In the fiscal year 1995 Energy and Water Development Appropriations Act, Congress permitted the Department of Energy to make \$65 million of previously appropriated funds available to the State of Texas for a one-time contribution for the construction of a medical treatment facility at the site of the terminated Superconducting Super Collider. The Committee understands that the State recently withdrew its application to the Department of Energy for the \$65 million grant. Accordingly, the Committee has included language to rescind the \$65 million, provided that: (1) the State's withdrawal of its application remains in effect thirty days after the enactment of this act, and (2) the Attorney General of the United States determines that the funds are subject to rescission.

Mr. BARTON of Texas (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 Texas?

There was no objection.

Mr. MYERS of Indiana. Mr. Chairman, I reserve a point of order on the amendment.

Mr. BARTON of Texas. Mr. Chairman, last year on August 10 before this

body, we had the same piece of legislation, the Energy and Water Appropriations bill.

At that point in time there was an amendment offered by the Senate to specifically set aside \$65 million as part of the settlement agreement with the State of Texas for the construction of the SSC to use to build a medical treatment center for cancer and research. I stood on this floor and supported that agreement, as did many other Members on both sides of the aisle.

At that time, there was some concern that the State might decide at a future point in time not to use the money for the building of the cancer treatment center, and I again said that that would not happen. To make a long story short, since August 1994 the State of Texas has, in fact, decided not to use the \$65 million to build and operate the cancer treatment center. They want to use the money for other purposes. I think that the only honorable thing to do, since I was a supporter of the agreement, is for me to offer an amendment to rescind that money, if it is constitutional to do so. That is what this amendment does.

I am told that a point of order can be made against it. The distinguished chairman of the subcommittee has reserved that point of order, so at the appropriate time, unfortunately, I will have to withdraw the amendment. However, I believe that we should put in the RECORD that we did intend for this money to be used to build a cancer treatment center. It was my purpose at the time to have the money spent for that reason. I still think that was the best use of those funds.

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

Mr. BARTON of Texas. I yield to the gentleman from Louisiana.

Mr. LIVINGSTON. Mr. Chairman, I just want to be sure that I understand the facts. I know that the gentleman for some 10 years was the most stalwart supporter of the super collider in the House of Representatives. I personally supported the super collider as well, and think that the House and the Congress as a whole made a terrible mistake when it turned its back on that productive science and chose not to go forward with what would have reaped great results for the American people.

However, Congress did decide to scrap the super collider as the project was well underway. There were facilities that were left, and there were moneys that were unexpended in the super collider account. If I am correct, Mr. Chairman, and I hope if I am not the gentleman would correct me, but as I understand it, the \$65 million left in the super collider account which, in order to mollify, in effect, the people of Texas for the loss of this project that was begun and then abandoned by the Congress, was expected to go into a cancer research facility.

Mr. BARTON of Texas. Mr. Speaker, that is correct.

□ 1700

Mr. LIVINGSTON. Then the State of Texas asked for the money, accepted the money, and was to use the money for the cancer research facility, but since that decision has been made and all agreements were expected to go forward, the State of Texas has unilaterally decided not to go forward with that facility. Is that correct?

Mr. BARTON of Texas. That is correct. As a part of the settlement agreement, there is an alternative settlement procedure that gives the State the right to do so. That alternative settlement agreement was not a part of the public record.

What is a part of the public record is, and it was unequivocal in the conference report, in the report language and in all the public comments, was that if the House and the Senate would agree, this \$65 million would in fact be used to build this cancer research and treatment center if it passed peer review, which it did.

Mr. LIVINGSTON. But if the gentleman would yield further, as I understand it, now that the State of Texas has decided to abandon its plans to go forward with the cancer research center, it still intends to use that \$65 million on other projects that the State of Texas deems worthwhile; is that correct?

Mr. BARTON of Texas. That is correct.

Mr. LIVINGSTON. But was that not the intention of the Congress when they decided to leave the \$65 million with the State of Texas after the super collider project collapsed?

Mr. BARTON of Texas. That is correct. In fact, we have a monologue by the gentleman from Indiana [Mr. MYERS], the chairman, last year on that very point. He asked the Department of Energy and they said specifically that they did not believe that they could authorize \$210 million unilaterally; that they felt like the most they could give to the State in cash was \$145 million, but they could support the \$65 million for the cancer treatment center if it passed peer review.

Mr. LIVINGSTON. If the gentleman would yield further, do I understand it is the gentleman's position that if the money is not to be used as a cancer research and treatment center, then indeed the money should be rescinded?

The CHAIRMAN. Does the gentleman from Indiana [Mr. MYERS] continue to reserve his point of order?

Mr. MYERS of Indiana. Mr. Chairman, I continue to reserve my point of order.

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

Mr. Chairman, as I understand it, now that the super collider project has fallen through and the State of Texas has decided unilaterally not to go forward with the cancer treatment and research center, that it is the position of the gentleman from Texas that the right thing would be to return that \$65

million to the U.S. Treasury; is that correct?

Mr. BARTON of Texas. If the gentleman would yield, it would be the intent of my amendment, if passed, to put the money back in Federal control, and let the authorizing committees in the House and the Senate reprogram the funds to the best purpose that they see fit. That would be the intent of my amendment.

Mr. LIVINGSTON. But because of House rules and the structure of the rule for this bill, the gentleman is not permitted to go forward with his amendment, or if he were to go forward, it could be struck on a point of order; is that correct?

Mr. BARTON of Texas. That is correct.

Mr. LIVINGSTON. At this point, there is nothing really that the gentleman can do except to clarify the record that it was not the intent of the Congress when this legislation first went through in fiscal year 1995 that the \$65 million would be used for anything other than the cancer treatment center.

Mr. BARTON of Texas. All I am trying to do is keep my word to the House of Representatives when I stood on the floor and said these funds would go for cancer treatment and research. I believe that. I still at this point in time think that was the most appropriate use, but our State leaders have decided otherwise. They have the legal authority to do so.

I would just hope that between now and the conference, the subcommittee chairman will work with the ranking member to work with the Attorney General to see if there might be some way yet to rescind these funds.

Mr. LIVINGSTON. I commend the gentleman on his position. I think he has been true to his word from the very beginning, from the inception of his support for the Super Collider project, throughout that project, and since then.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. LIVINGSTON. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, this subcommittee did support the SSC up to its final blow. It is not quite as simple as has been presented here today.

In settlement for the SSC, the Federal Government agreed to a two-pronged approach, which this subcommittee opposed for quite some time, not so much the cash settlement with Texas but the fact that that \$65 million is not left in the account, not at all. It was placed in escrow. It can be spent as far as this committee is concerned only for one purpose, the construction of the cancer treatment facility.

The subcommittee is not opposed to that by any means, but we did not feel that we should tie up the money. Texas should still have the right yet today to spend that money any way they wanted

to. So it is not quite like leaving the money there so it can be spent any way it wants to. It was committed.

When I was a trust officer some years ago, when something was put in trust, we had to fulfill that trust. We could not change that agreement by anyone.

We tried to say, just take the \$210 million and give it to Texas. DOE would not accept that. With an agreement with the authorities in Texas, they said the only way we can do this is to give the State of Texas \$145 million in cash, which they got, and then place \$65 million for this cancer center, for which we were told Texas probably would never vote.

They wanted to bypass the system in Texas to obligate the money; am I not correct on this point? Now I think there is a serious legal question. How do we correct the mistake—and I call it a mistake—that was made 2 years ago when this \$65 million was put into escrow.

This is the reason I must object today, until we find out what we can legally do. We do not want to hang it up here and leave it hanging again. Let's settle it once and for all how we approach this problem.

Mr. LIVINGSTON. Reclaiming my time, would the distinguished chairman of the subcommittee be inclined to at least address this issue in conference so that we get all the facts and understand really what happened there?

Mr. MYERS of Indiana. If the gentleman would continue to yield, in discussion with the gentleman from Texas [Mr. BARTON], we discussed that. Let's settle the legal question, whether we can do this as simply as we are trying to do it today, before we try to do it. If it gets settled before we go to conference, of course, we will agree with that.

Mr. BARTON of Texas. If the gentleman will yield further, I thank the subcommittee chairman and the full committee chairman.

Mr. Chairman, I submit material from last year's RECORD for this RECORD, as follows:

Senate amendment No. 35: Page 19, line 19, after "tract" insert: "Provided further, That of the amounts previously appropriated to orderly terminate the Superconducting Super Collider (SSC) project in the Energy and Water Development Appropriations Act, 1994, amounts not to exceed \$65,000,000 shall be available as a one-time contribution to the completion, with modification, of partially completed facilities at the project site if the Secretary determines such one-time contribution (i) will assist the maximization of the value of the investment made in the facilities and (ii) is in furtherance of a settlement of the claims that the State of Texas has asserted against the United States in connection with the termination of the SSC project: Provided further, That no such amounts shall be made available as a contribution to operating expenses of such facilities".

Mr. BOEHLERT. Mr. Speaker, the conference report before us today in effect approves the tentative agreement reached to settle the claims of Texas against the Department of Energy for shutdown of the superconducting super collider [SSC].

Much about this settlement disturbs me—and should disturb every Member of this body. Under the settlement, taxpayers will be forced to shell out more money for a dead project to pay off spurious claims by Texas—claims that were expressly rejected by this body in 1990.

Worse still, the agreement sets up a mock peer review process to provide additional funds to the States. The review process in the settlement has more in common with a shotgun wedding than with normal scientific merit evaluation.

Under the settlement, if the reviewers—whom Texas will have a say in selecting—do not approve the \$65 billion grant, the entire settlement is nullified. This sounds more like peer pressure than peer review. I hope no potential source of future funds for the linear accelerator is taken in by this unusual arrangement.

Finally, I'm concerned that the Department of Energy already seems to be sidling away from its initial statements that the settlement can be funded entirely from fiscal 1994 appropriations. I hope the Department proves more capable of living within cost estimates than it has in the past.

Still, despite all this, and despite the covert way the Department has proceeded, I will reluctantly go along with this settlement because I believe delaying the shutdown now will cost taxpayers even more money. There's a benefit to be gained simply in putting this entire episode behind us.

In addition, my two primary concerns have been addressed. In a letter that I will include in the RECORD, the Department has pleaded that this will be the last Federal money going to the SSC site and that termination costs should be held to the level already appropriated.

HOUSE OF REPRESENTATIVES,
Washington, DC, July 29, 1994.

Hon. HAZEL R. O'LEARY,
Secretary of Energy, U.S. Department of Energy, Washington, DC.

DEAR MADAM SECRETARY: I appreciated the briefing I received from the deputy secretary and our staff last week on the terms of agreement with Texas. I hope the lines of communication can remain open in the future.

I do continue to have several concerns about the agreement with Texas that I hope you can allay.

First, the agreement seems to set up a situation in which Texas could be coming back quickly to the federal government for additional funds to operate former Superconducting Super Collider (SSC) facilities. The grant to complete the Linear Accelerator (LINAC) with its unusual peer review provisions and the continuation of the planning grant to Texas—also awarded under unusual procedures—would seem to indicate that Texas still wishes to encumber the federal government in the future with projects unrelated to national scientific priorities. Has the Department agreed—either in the agreement or in any other documents or discussions—to any future funding of former SSC facilities? I believe it is imperative that the federal government sever all ties (except those concerning liability) with the SSC site.

Second, I remain concerned that the settlement costs could exceed the funding available from existing appropriations. The uncertainties associated with environmental cleanup at the site, the proposed elimination of contingency funds and the continuing threat of claims and litigation from local authorities in Texas raise questions about the adequacy of the \$735 million on hand to implement the settlement. And quite frankly, our experience with Department of Energy cost estimates is not good. How certain are

you that the settlement outlined in the terms of agreement can be paid for out of existing appropriations?

The Department's proposed settlement with Texas goes much further toward satisfying the state's unreasonable claims than I would prefer. Still, like you, I would prefer to put this whole sorry chapter behind us (And in bills like the one Congressman Boucher and I have drafted, providing for high energy and nuclear physics, we are indeed looking toward the future.) I hope you can offer me the reassurances I need to back the proposed settlement on the House floor. I look forward to hearing from you.

Sincerely,

SHERWOOD BOEHLERT,
Member of Congress.

THE SECRETARY OF ENERGY,
Washington, DC, August 8, 1994.

Hon. Sherwood Boehlert.

U.S. House of Representatives, Washington, DC.

DEAR CONGRESSMAN BOEHLERT: I was very pleased to receive the advice contained in your letter of July 28, 1994 that the briefing on the Department's settlement terms with Texas conducted by Under Secretary Curtis was helpful to you. I share your hope that our lines of communication remain open and constructive.

Turning to your specific questions, the Department has made no commitment for future Federal funding of former Superconducting Super Collider facilities. To the contrary, the \$65 million grant toward completion of the Lear Accelerator as a medical facility is described explicitly as a one-time contribution. The settlement terms clearly state that the Department is to have no continuing or additional obligation in financing this or any other former Superconducting Super Collider facility.

The full scope of termination activities includes costs of a settlement of the Texas reimbursement claim and the above-mentioned grant associated with Texas' future use of the Linear Accelerator. During negotiations with Texas, the Department has emphasized the importance of minimizing the prospect of requiring any additional appropriations for Super Collider activities. Based upon our current cost estimates and planning assumptions, the Department fully expects that all anticipated termination expenses—including settlement with Texas and a \$65 million one-time Federal contribution toward completion of the LINAC—can be accommodated with existed appropriated funds. We will work aggressively to achieve this goal through management efficiencies and, to the extent possible, changing the scope of termination activities.

Your letter notes concerns regarding the reliability of prior Department of Energy cost estimates regarding the Superconducting Super Collider project. I share those concerns. Therefore I must acknowledge that judgments about estimated costs of termination necessarily will be reassessed as our knowledge increases while project termination progresses. Nonetheless our actions are directed to the goal, which thus far seems an achievable one, of concluding all termination activities—including the settlement—from within the current appropriations of \$735 million.

In order to maximize our prospects of meeting our goals of funding all termination activities from within the \$735 million we are conducting a complete rebaselining in order to identify the management efficiencies and potential changes in scope of work described above. We will provide you a supplemental report on this work when it is concluded.

I hope this information will help allay the concerns that you have raised, and that they will enable you to conclude, as I have, that

these settlement terms are in the national interest and merit your support.

Sincerely,

HAZEL R. O'LEARY.

Mr. BARTON of Texas. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. KLUG

Mr. KLUG. 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. KLUG: Page 16, line 1 strike "\$2,596,700,000" and insert "\$2,576,700,000".

Mr. KLUG. My colleagues, this is an amendment to try to attempt to terminate the GTMHR program, which is a gas turbine nuclear reactor project. But let me, if I can, put two numbers in perspective.

Taxpayers have already spent more than \$900 million to develop this technology. This bill in front of us appropriates \$20 million under energy research supply activities to fund the project and if we continue to fund the project, the General Accounting Office estimates that we will spend nearly \$2.6 billion in additional funds.

It is always interesting to come to this floor to try to argue to terminate science projects, because we are invariably told that science projects are either are in two stages of development. It is early enough in the project where we do not know if the technology is going to pay off, so we cannot stop it, or we have invested so much money in the project over the years, cannot afford to terminate it so we still have to spend the money.

This amendment will simply eliminate the funding this year from the appropriations bill for \$20 million the amount appropriated to GTMHR. But let me make it clear to my colleagues immediately that this year's science authorization committee in full committee specifically struck all funding for this project.

Now, you know, you ask yourself why we did not go to the Committee on Rules and ask them to strike on a point of order since we have an appropriations today which has never been authorized. But we were told by the Committee on Rules that we could not do it that way. We had to fight it on the floor in order to kill it. But I think it is clear by the rules of the House, when the authorizing committee kills a program by a vote of 2 to 1, there is absolutely no way this program can stand.

Now, who wants this project killed? Let me start back with the Reagan administration which recommended it be killed; followed by the Bush administration which recommended the program be terminated; followed by the Clinton administration. The Senate

voted to kill it last Congress. The National Academy of Sciences twice rejected this technology; once in 1992 and once in 1994.

The National Taxpayers Union and the Citizens Against Government Waste, Friends of the Earth, U.S. PIRG and a number of other groups are all opposed to the technology.

And may I add that a number of my colleagues in particular have been very supportive in my attempts to kill this funding: My colleague, the gentleman from Wisconsin [Mr. OBEY] the distinguished ranking member of the committee, who we will hear from in a few minutes and, particularly, I would like to pay tribute to the gentleman from Florida [Mr. FOLEY], a freshman Congressman who led the fight in the authorizing committee, in fact, over the objections of his committee chairman, to defund this technology.

Mr. Chairman, where does the Department of Energy stand on this? This is from a letter written to the gentleman from Florida [Mr. FOLEY], June 20, 1995. The Energy Department,

... does not support continued funding for the gas turbine nuclear helium reactor. There are significant questions about the viability of this reactor type, including whether the fuel will retain fission products to the extent necessary for safety.

There is little utility interest in this technology and we believe that development of this reactor concept would require Federal expenditures in excess of \$1 billion over the next decade."

Again the General Accounting Office says \$2 billion.

Gas cooled reactor technology has been under development by the Federal Government for approximately 30 years without tangible benefits. The Department, therefore, proposes to terminate work on the gas turbine modular helium reactor.

Signed by Terry Lash, who works for Hazel O'Leary, who is the Secretary of Energy.

So we have the Reagan administration, the Bush administration, the Clinton administration, the Senate, the National Academy of Sciences, the authorizing committee. The bottom line is that nobody thinks this technology will work.

In fact, once upon a time there actually was a commercial project which attempted to use this technology. It was run in Colorado at Fort Saint Vrain. The reactor was closed down after 16 years after operating at a very impressive 14 percent of capacity.

I think it is abundantly clear that after 30 years of funding this technology, it is virtually impossible to find any support for it in the scientific community. As we saw last month, there is no support of it in our own Committee on Science. Our Committee on Science voted 2 to 1 to kill authorization for it.

Again, the Department of Energy, the Reagan administration, the Bush administration, and the Clinton administration all recommended this program be terminated. I urge my colleagues today, once and for all, to finally put this technology behind us.

Mr. OBEY. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, as the previous speaker indicated, this is a bipartisan amendment. It is being offered by the gentleman from Wisconsin [Mr. KLUG] and by myself, and the gentleman from Florida [Mr. FOLEY], and by the distinguished gentleman from Minnesota [Mr. LUTHER].

This amendment, as has already been indicated, cuts \$20 million in the bill for the gas turbine modular helium reactor. This program is a prime example of the continuation of corporate welfare for a mature segment of the nuclear industry for a program with questionable technology.

Mr. Chairman, as was pointed out, the Committee on Science recently voted 23 to 15 to kill the program, despite the support of the Chairman of that committee. No funds have been requested for this program by the President for 3 years in a row. That is fiscal 1994, 1995, and 1996. And yet somehow Congress finds room, within a brutal budget for working people, to allocate funds for this program.

Over the past 30 years, taxpayers have been asked to spend 900 million smackeroos on gas-cooled reactor programs. And what do we have to show for it? Absolutely zip.

Mr. Chairman, as was indicated previously, the only commercial version ever built was in Colorado. That operation had the worst operating record of any nuclear facility. It was shut down in 1990, after it operated at only 14 percent of capacity. And despite the claims of the proponents of this technology about a new design and 50 percent private sector match, the technology is still not proven.

The real question is simply whether we are going to continue to fund this program at an eventual cost of \$5.3 billion. I would hope not.

□ 1715

I would point out there has not been a nuclear power plant successfully licensed in this country since 1974. The nuclear industry itself is lukewarm to this particular type of reactor, and, third, even nuclear advocates admit that there are no utility orders for this type of plant based on this technology that would be placed before the year 2010. So it seems to me this is a little premature.

I would simply say that this Congress appears to be all too willing to cut Medicare, all too willing to cut education, all too willing to cut job training programs, all too willing to cut other science, all too willing to cut anything that benefits directly the working people of this country, but when it comes to hardware items, whether it is the F-22, which we do not need until the year 2014, whether it is this or whether it is several other reactor technologies in the bill, evidently the Congress feels comfortable in funding and providing funds for that. I think that represents misplaced priorities.

I would urge you to vote for this amendment. Turn down this project. Save some money, leave a few table scraps for programs that affect the welfare of working people.

This is a turkey. It is a boondoggle. It is unaffordable. It is not needed. We ought to kill it and kill it right now.

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

Mr. Chairman, I respect the gentleman's opinion. But let me put some actual facts.

First of all, it was said that the taxpayers were against this. This technology replaces \$1 billion per week in oil that we are purchasing, \$1 billion, and it is cleaner.

We say there is no benefit from this. There is 75 percent less nuclear heavy metal waste.

It was also mentioned that Colorado was a failure. It is because they used 25-year-old technology, mechanical technology. The system in Pennsylvania has been 86 percent efficient and produces 50 percent higher yield than any current nuclear operating plant that we have in existence. So there is benefit.

The private industry itself has put in over \$800 million into this program, and it is good science. Only the modular helium reactor has got these characteristics, that it is also meltdown-proof, one of the problems that many people were afraid of in early nuclear technologies, which was that there was going to be a meltdown. This system will not do that, Mr. Chairman.

Early demonstration plans in Pennsylvania and Colorado have proved the integrity of the basic science. As I mentioned, in Colorado they used 25-year-old technology, and that is why you have a pilot program is to determine the pluses and the minuses. We determined that it was a minus. So we established a system in Pennsylvania which proved very, very effective.

The effort in the 1990's focused on driving down the cost, combining the modular helium reactor with direct drive gas turbine for higher efficiency. Combined with higher thermal outputs, it made dramatic increases in the power outputs.

I could tell you the per module kilowatt-hour, but I will not. It has more than doubled it, more than any current nuclear facility, and that is important, we feel, also.

The \$20 million appropriation should be compared, as I mentioned, with \$1 billion spent by U.S. foreign oil each week.

Several years ago the National Academy expressed some concerns over the economic competitiveness of GTMHR. Since the increase in power and the increase in costs have been lowered, we expect another report.

Nuclear provides 20 percent of our power today, nuclear energy. There are some Members on the floor, and they have a right to that opinion, are against nuclear energy. We feel that the energy policy of this country has got to involve nuclear energy.

And I think it is fair to ask the question: What would you replace it with? Do you replace it with oil at \$1 billion a week? Do you replace it with hydro? Right now the environmentalists are trying to tear down dams because of salmon and fish and so on, and there is none left. Do you replace it with fossil fuels and coal, which is damaging to the environment? Of course, the answer is "no."

Twenty percent of our energy can be replaced with this system, and is, and it is a viable system.

Taxes and jobs and lower electricity costs: We heard about LIHEAP and that we are taking away the cost of supplementing because of energy costs for poor individuals in this country. Well, this reduces those energy rates for individuals not only in San Diego but across this Nation, and I think that is important also, Mr. Chairman.

Nuclear is part of a secure energy future. Can nuclear be improved? Yes, it can, and that is why we have these kinds of pilot programs.

If today's nuclear plants were as efficient as GTMHR, taxpayers would save about \$10 billion a year just because of the increased proficiency that has been proven.

The Committee on the Budget said "yes" on the GTMHR. It fulfills the 6 criteria for priority funding for essential science.

I would also like to say to my freshman colleagues, this system was specifically mentioned in the Kasich budget because of its importance and is in the balanced budget. It specifically addresses it because of its importance. The Kasich budget that you voted for includes this program.

I would like to ask you to vote against this amendment and support the turbine because it is the future of energy and the future of science.

Mr. BROWN of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment and in support of continuing the modest funding for this gas turbine modular helium reactor.

I recognize that, as the distinguished gentlemen from Wisconsin indicated, that there is a bipartisan effort to strike this \$20 million from the funding in this bill and hope that that will balance the Federal budget. I confess to having historic interest in this program and to indicate that there is bipartisan support for continuing with the program.

I note that Chairman WALKER and I both signed a "Dear Colleague" asking you to support this program, and when you get Chairman WALKER and me to agree, you cannot get any more bipartisan than that. And I suggest that our reasons for doing that are because we have been involved in supporting this program with good cause for the better part of the past generation. This is an evolving technology. It will not bear fruit overnight.

It has undergone several changes over the past decade. It has moved to

the use of helium gas, for example, as the coolant because helium is inherently safer than any other kind of available coolant systems. There have been a number of other changes to improve the efficiency of the system. It employs a number of unique characteristics which take a great deal of time to fully develop. The pelletized system for containing the plutonium, for example, is a complex technology in itself. But it is my opinion and that of Chairman WALKER and obviously of the gentleman from California, Mr. CUNNINGHAM, who spoke so eloquently and has obviously done his homework on this technology about its potential value, it is our view that with the fairly modest expenditure of funds that this can make a substantial contribution to the energy technologies of the future.

Now, there is some complaint this is long-range, as much of our research and development is. It does not compare in long range to the fusion program, for example, which I have been trying to nurse along for the last 30 years, and I am still told that in another 30 years it may produce a commercially feasible energy technology, and I believe that it will. But that is quite a long-range program, and, of course, the cost of fusion is at least 10 times or more, 10 to 20 times what we are spending on this program, which could pay off sooner and could provide an opportunity for export in this country, which I think would be extremely useful.

The company that is mainly involved in developing this technology has spent tens of millions of dollars of its own money over the past 20 years. It is involved in conversations or discussions with the Russians about the possibility of using this to assist them to replace the present Russian nuclear commercial reactor facilities, and I think this is a very interesting and rather promising possibility.

There are reasons why this Committee on Appropriations, the authorizing committee, have both supported this over the past decade or more. It has this kind of promise that I have indicated. It is worth nursing along.

While we are pressed for funds, obviously, this is included in the budget projections, as the gentleman from California [Mr. CUNNINGHAM] has indicated, because it is a promising technology and it is a relatively expensive energy technology compared to most of the others that we are promoting at this time.

So I ask you to support the committee, support those of us admittedly in the minority on the authorizing committee. This was a generational thing. The senior Members voted for it, but we are outnumbered by the junior Members who want to make their impact by cutting out something, and this was their target of choice.

I do not think this is the proper way to legislate and disregard the efforts that have gone on, as I say, for the last

15 or 20 years to support promising technologies of this sort.

Mr. HUNTER. Mr. Chairman, I move to strike the requisite number of words.

My colleagues, the distinguished gentleman who offered this amendment stated that there is no legitimate support for this reactor, but, in fact, there is, and I have a couple of letters, one here from Duke Power that says, "GTMHR represents breakthrough potential for nuclear power." Maybe its opponents do not want a breakthrough, but if there is no breakthrough, it is hard to explain where the world's electricity is going to come from in the next century.

The Nuclear Energy Institute similarly writes a letter of support, stating, "The nuclear industry also supports Federal funding for other advanced reactor technologies, such as the GTMHR. These technologies will have an important role in America's electricity supply, and the industry has invested more than \$10 million in R&D efforts to date on advanced nuclear energy technologies."

Now, my colleagues, we have got a lot of conservatives and a number of Members who are more liberal, alike, but who are concerned about government expenditures, who say, "Well, doggone it, why is private industry not paying for this R&D?" And I think the American nuclear society states it best when they explain why private industry is not coming forth with that money. It is because there is presently a chilling effect throughout this country and throughout industry on any type of reactor. When did we build the last reactor? How many decades ago was it we built the last reactor?

Let me just quote what is stated by the American Nuclear Society, a group which incidentally very strongly supports this reactor. They say, "The United States no longer holds a position of competitive leadership within the international commercial nuclear industry, due, in large part, to a web of disincentives imposed upon nuclear energy technologies, including tax laws discouraging collaborative research and development among corporations." We cannot deny that. That exists today. That is why private industry is not coming forth. "Nuclear plant liability coverage requirements far in excess of other industries, despite demonstrably lower risks to public safety." We cannot deny, in fact, that exists, that liability exists. That chills the industry and deters private industry from investing. "Trade policies prohibiting sale of nuclear energy equipment," that does exist. "Failure of governmental agencies to fulfill mandates for spent fuel storage and waste management, which creates overwhelming economic uncertainties for potential investors," my colleagues, all of those things exist in the private sector, and that is why, if we are going to meet this challenge for a reactor technology which does not melt down and

which greatly reduces waste, we are going to have to spend some government dollars, and we, as conservatives and liberals and moderates in this body, have to accept and understand that.

Let me just say, the gentleman from California [Mr. BROWN], who just spoke, was very eloquent on that point. We have a common interest in this body in following this technology.

So, if you just want to be anti-nuclear, vote for this amendment. But if you want to approach and continue development in a rational manner, to meet the two great challenges, that is, meltdown and, second, waste disposal problems, with respect to nuclear reactors, then please vote to reject this amendment.

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

Mr. HUNTER. I am happy to yield to the gentleman from California.

□ 1730

Mr. BILBRAY. Mr. Chairman, I appreciate the gentleman from California [Mr. HUNTER], my colleague. I think those of us that were involved in the nuclear debate back in the 1970's would recognize that waste production was the major concern at that time, and if that nuclear could have come before America and said, "We will not only produce nuclear wastes, we will consume waste," then I think there would be a whole lot of different discussion by those of us who were involved in the debate at that time. This technology not only has the capability of avoiding those pitfalls, but it also has the ability of consuming a waste problem that has been totally ignored by this body at this time, and that is the fact that there is going to be over 100 metric tons of plutonium, military-grade plutonium between Russia and the United States; that all we are talking about right now is putting it in the ground and hoping, hoping that somebody does not know it is there, and use it for operations we do not care about.

I think one of the concerns we need to recognize is that this technology, it not only consumes waste, it not only produces power, but there is this national defense issue that I think we got to talk about. They will say, "Why doesn't the private sector do this?" I will tell my colleagues we cannot walk away from our obligation to address the plutonium issue, not only in the United States, but across the globe. We have 100 metric tons that this technology can address so that it would not be used against the people of the United States.

The CHAIRMAN. The time of the gentleman from California [Mr. HUNTER] has expired.

(By unanimous consent, Mr. HUNTER was allowed to proceed for 1 additional minute.)

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

Mr. HUNTER. I yield to the gentleman from California.

Mr. BILBRAY. I think there is an issue there, and I would ask everybody that would love to vote for this amendment to recognize that if they want to try to kill this technology in this research, then be ready to go back to their district and say, "I don't think the issue of our military-grade plutonium, the hundred tons that is going to exist between Russia and the United States, is an issue that we really need to worry about right now." This technology takes a problem and creates an answer to it, and for those of us that have been involved in environmental issues, we use a term called appropriate technology, and this is the appropriate technology for the use of an existing system, and it is probably the best example, Mr. Chairman, of military conversion.

I say to my colleagues, "Let's take that military equipment, the plutonium, and let's convert it into power so the civilian use can help our economic prosperity built on past military expenditures."

The CHAIRMAN. The time of the gentleman from California [Mr. HUNTER] has expired.

(By unanimous consent, Mr. HUNTER was allowed to proceed for 1 additional minute.)

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

Mr. HUNTER. I yield to the gentleman from California.

Mr. PACKARD. Mr. Chairman, I will be very brief. I simply want to commend the committee chairman, the gentleman from Indiana [Mr. MYERS] and the gentleman from Alabama [Mr. BEVILL] for a very good bill, and on this issue I strongly urge the Members to resist the amendment and rise in support of the bill language.

Mr. HUNTER. Mr. Chairman, I thank the gentleman from California, and I also commend the chairman and ranking member for their excellent work. Please oppose this amendment. The committee put together a responsible mark here, and this is specifically included in the balanced-budget resolution. It is within that resolution.

Mr. LUTHER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today as a co-sponsor of this amendment. Recently, along with the gentleman from Florida [Mr. FOLEY] I was part of the bipartisan effort that has been referred to here in the House Committee on Science which eliminated a \$25 million authorization for this particular project. Now I stand before my colleagues to urge my colleagues to support this amendment which would eliminate the appropriations for the same project.

I respect the motives of the supporters of this particular program, but I believe it should be terminated because, based on all of the available information, it is too unlikely to become a competitive energy resource for the Congress to justify a request for more

taxpayer dollars. The scientific community in this country has rejected the claims of the supporters of this project. Studies by the National Academy of Sciences, the Department of Energy and the Electric Power Research Institute have pointed out that this technology is expensive, inefficient, potentially unsafe, and a poor option for the disposition of excess plutonium.

Funding for this program is also opposed by the National Taxpayers Union and Citizens Against Government Waste.

Last November, Mr. Chairman, the voters in my State of Minnesota and across the country sent a message to the U.S. Congress. They said the time has come for us to balance our budget by establishing priorities and making tough decisions. Like all programs, a case can be made for this particular program. But this program has been rejected by the administration, the scientific community, the U.S. Senate, the House Committee on Science. It is simply not a high enough priority to justify further expenditure of taxpayer dollars with the budget crisis that we face in this country.

When I came to Congress, people warned me, "Be careful about what you start here because once a program is begun, it just keeps on going and going. You can never stop it here."

I believe that this particular project is a classic example of that kind of self-perpetuation. But today we can disprove that admonition. We can stop this project today on the House floor.

Quite simply, Mr. Chairman, I leave my colleagues with this thought. If we cannot cut this program, what program can we cut in this Congress? I urge my colleagues to make the tough decision and show the American people that Washington can change, that we can prioritize and that we can cut programs. A vote in support of this amendment is a bipartisan vote to change the way Washington operates and a step toward restoring the confidence people have in government.

Mr. FAZIO of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the sponsors of this amendment to terminate the gas turbine-modular helium reactor [GT-MHR] program appear not to appreciate the environmental benefits provided by nuclear power and the particularly unique environmental advantages of the GT-MHR technology. To exploit the benefits of nuclear power, the development of advanced nuclear technologies needs to be continued with the objective of achieving higher efficiencies, enhanced safety characteristics, lower costs, greater proliferation resistance, and less environmental impact.

The GT-MHR is the only foreseeable option that offers an improvement in these characteristics. Today, over 20 percent of the Nation's electricity is being produced by nuclear power which is displacing, on a yearly basis, 600 mil-

lion tons of carbon dioxide, 5 million tons of sulfur dioxide, and 2 million tons of nitrogen oxides. However, 70 percent of the electrical power is being provided by burning fossil fuels—mostly coal, some natural gas, and some oil. Combustion of these fuels results in the production of significant environmental pollution—greenhouse gases such as carbon dioxide, acid rain gases such as sulfur dioxide, and smog effluents such as nitrogen oxides.

Concern for environmental quality is placing an increased emphasis on development of electricity generation options which avoid the environmental impact of burning fossil fuels. Nuclear power has stalled in the United States because of concerns with uncertain safety, marginal economics, waste disposal, and proliferation resistance. The GT-MHR is designed to mitigate or to resolve these concerns. The GT-MHR has: First, the highest safety of any nuclear power system; second, the lowest cost of any alternative system; third, the least waste of any nuclear system; and fourth, the highest proliferation resistance of any nuclear power system. It couples a high-efficiency gas turbine to the passively safe modular helium reactor developed specifically in response to our requests for a simpler, safe nuclear power system.

It achieves a 50 percent improvement in generation efficiency over present nuclear systems. This efficiency improvement plus the physics characteristics of the modular helium reactor result in a 75 percent reduction in heavy metal radioactive waste generation and a 50 percent reduction in thermal discharges per kilowatt hour produced. These environmental advantages coupled with the absence of emissions make the GT-MHR a clear choice to reduce the environmental impact of burning fossil fuels.

The unique safety, economic, and environmental characteristics of the GT-MHR system are the reasons why its development was undertaken in the first place. We have made a significant investment and have made major progress in this technology. In the absence of an energy policy which indicates otherwise, now is not the time to abandon this technology and discard our investment. We are on the threshold of realizing the promise of the high temperature reactor technology. I urge my colleagues' support to defeat this amendment, and I hope we can make valid the investment that this committee and this Congress have made for a number of years. We have eliminated many of the alternatives. It seems to me we should stay the course on those that show the most promise.

Mr. BARTLETT of Maryland. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to express my strong opposition to the amendment. When a similar amendment was introduced by the gentleman from Florida [Mr. FOLEY] during the Committee on

Science markup, I strongly opposed it then, and I strongly oppose it today.

Today, nuclear energy produces about 20 percent of our electricity. This is the largest producer next to coal. World electricity demand is expected to triple over the course of the next century and I feel it would be extremely short-sighted to eliminate this program when we are going to need a means to meet the world's increasing electricity demands.

Living in a country which now consumes \$1 billion in foreign oil imports each week, I think it is imperative to explore other energy options.

The GT-MHR is one of the most promising next generation nuclear reactors. As a scientist, let me tell you why I am supportive of this reactor. It combines a meltdown-proof reactor and advanced gas turbine technology in a powerplant that can provide 50 percent more electrical power per unit of thermal energy than other reactors.

The current design dramatically lowers the production of radioactive wastes and thermal emissions which results in a new kind of powerplant that is efficient and safe provider of low-cost electricity.

Mr. Chairman, this is a prime example of the kind of technology we need to pursue and I urge a no vote on the amendment.

Mr. MINGE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have an important announcement for the American people. Pork-barrel politics is alive and well in Washington.

My colleagues may have thought that the change which took place last November would bring an end to politics as usual. But that is not the case when it comes to bringing home the pork. True, we are making significant efforts to cut overall spending to balance the budget—and I support those efforts. But despite the deep spending cuts, members of the Appropriations Committee have managed to slip wasteful, unauthorized and unrequested projects into this spending bill for the benefit of local or special interests back home.

As a cochair of the Porkbusters Coalition, I rise today in strong support of the Klug amendment to cut the \$20 million in this bill which is earmarked for researching an impractical nuclear technology referred to as the gas turbine-modular helium reactor. The GT-MHR is a prime example of what the Federal Government ought not to be funding. This \$20 million appropriation was not requested by the President in his budget and has not been authorized by the Science Committee. In fact, as a member of the Science Committee, I participated in a bipartisan vote to eliminate the GT-MHR. This wasteful boondoggle was also opposed by the Reagan and Bush administrations. In addition, several expert organizations are opposed to funding the GT-MHR including the National Academy of Sciences, the Electric Power Research

Institute, and the Department of Energy.

Mr. Chairman, over the past 30 years, American taxpayers have seen nearly 900 million of their hard-earned dollars wasted on this inefficient reactor technology without any tangible benefit. Incredibly, the General Accounting Office has estimated that it will take another \$5.3 billion to complete the GT-MHR. I ask my colleagues: Do you think your constituents would approve of throwing more of their money into this black hole of waste? I think not.

I urge my colleagues to take the high ground and suppress efforts such as this to pull a fast one on the American people. If we are insistent on cutting spending, it should begin with cutting the wasteful pork projects which are squandering taxpayer dollars. Support the Klug amendment to cut the GT-MHR.

□ 1745

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there has been a good deal of misinformation out here about GT-MHR, and I would like to at least clarify a point on a couple of things.

First of all, it was stated by someone that the vote in the authorizing committee to kill the GT-MHR was a two-to-one vote. In fact, that is not true. The vote was 23 to 15. A switch of four votes would have in fact passed the program in the committee. So it was nowhere close to a two-to-one vote in that committee.

Second, it has been stated that administrations for the past several years have not requested this program. Well, I have here the 1991 request from the Department of Energy. In fact, it was requested in 1991. It was only appropriated about half the level it was requested, but there had been in fact requests in the past.

This is also a program I would say that has been authorized. Back in 1992, when the Public Law 102-486 was passed, the Energy Policy Act of 1992, Congress specifically went on record saying "The goals of the program established under subsection (a) shall include—to complete necessary research and development on high temperature gas-cooled reactor technology—by September 30th, 1998." We specifically said we ought to go forward with this program in the Energy Policy Act only a couple of years ago.

So the Committee on Appropriations is acting not on a pork-barrel program. They are acting on a direct authorized program, done by the Congress of the United States and our energy policy.

Finally, there is a real myth being perpetrated here on the floor that somehow we are going to save money in 1996 by passing this amendment. The fact is not a dime will be saved by passing this amendment. The amendment purports to save \$20 million in this fiscal year. The fact is that there is a legal obligation of the Federal Govern-

ment to pay the closeout costs of the project. The closeout costs for the project are going to approximate the same \$20 million. So we end up with an amendment that absolutely saves no money and would require the same money to be spent in 1996 to terminate a program that in a matter of a couple of years, after several hundred million dollars' worth of spending, will be complete.

You tell me what the sense is on that. You cannot come to the floor and suggest that there are rational ways of doing these things if what you are proposing is irrational. It's absolutely irrational to come to the floor, claim you are going to save money when there are no savings, and in fact cancel out a program in which we have invested hundreds of millions of dollars. I have to tell you, I think what we ought to do is go forward with this.

Finally, let me state that one of the best reasons for proceeding ahead here is what this could mean to us in terms of global competition in the years just ahead. This is a reactor concept which, if it proves feasible, can be done in small factory fabricatable designs that are of modular construction. Now, what you have is then an opportunity to produce electricity in increments of 300 megawatts or less. This is what utilities say that they need in order to meet steadily growing marginal demands.

But the most important factor here is this has an enormous potential for export into developed markets such as Japan. It is needed in smaller, less capital intensive bites for less developed power grids such as those in the Far East and in Eastern Europe. So here is a technology that we have a chance to sell into the global marketplace.

Also, this is something where Russians have expressed an interest in a joint venture with us, in large part because this can destroy all weapons grade useful plutonium in a once-through fuel cycle. Ninety-five percent destruction of PU-239 is involved in this particular technology.

So it seems to me that what we have here is an opportunity to really be economical in what we are doing, support good science, and, in the end, end up with a product that takes us into the global marketplace. That seems like a pretty good bargain for the amount of money we are proposing to spend.

Mr. Chairman, I would suggest we vote against this amendment.

Mr. FILNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today as part of a strong bipartisan opposition to this amendment which would delete the funding for the GT-MHR Development Program.

I have heard the opponents to this program argue that it is a pork project, that it is an example of corporate welfare. They have said that this pork has cost the taxpayers \$900 million. Well, let us set the record straight. Approxi-

mately \$900 million has been appropriated from taxpayers' money to be spent on high temperature gas cooled reactor technology. But this expenditure has been a sound public investment for the following reasons. We have had in fact a sound public investment for these reasons:

Number one, an amount substantially equal to the taxpayers' \$900 million has also been invested by private industry in the high-temperature gas-cooled reactor technology. This is the kind of government and industry partnership we want for research and development to advance promising technologies.

These funds together have permitted the design, development, and construction of two demonstration plants, permitted the gas-cooled reactor to be selected by the Department of Energy as a new production reactor, and provided the brood technology base which allows a GT-MHR project to proceed.

Second, much of the taxpayers' \$900 million has gone to our national laboratories who are involved in research and development. At present, there are four prime contractors and several subcontractors involved in this technology. GT-MHR research and development is being performed throughout the country by several government laboratories and private companies. The prime beneficiary is our country.

Third, the breakthrough achieved by the GT-MHR provides high prospects—higher I am told than ever before—that there will be an investment payoff. Its safety, low cost, low environmental impact, and high proliferation resistance make it an ideal candidate for helping to meet the future electricity requirements which will provide jobs, an export product, and a technology to reduce our dependence on foreign oil.

The gas-cooled reactor was one of the two technologies selected in an exhaustive evaluation for development as a new production reactor and was evaluated to be the most cost-effective alternative. The project was deferred at the end of the cold war because of a lack of immediate need. However, the Department of Energy is now in position of having to identify a new tritium supply source and is in the process of spending significant additional taxpayers' dollars re-looking at tritium production alternatives. Why is this effort being performed again when it was evaluated less than 10 years ago? This is the kind of thing that should be examined to avoid wasting taxpayers' dollars.

The GT-MHR breakthrough is a result of the foresight which went into past congressional actions on this technology, but it is imperative that the research and development be seen through to completion. To stop it now would really be a waste of the investment. Worse yet, another country may step forward and capitalize on our investment. We cannot let that happen. I urge a "no" vote on this amendment.

Mr. SPRATT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think it would be useful to start by correcting a few statements that have been made here on the floor that are just not supported by fact. It has been stated that the Electric Power Research Institute has decided that this technology is not worth pursuing. I have here a fairly thick study by the Electric Power Research Institute done by Commonwealth Edison, Duke Engineering, Yankee Atomic Energy Electric, here is the conclusion in the executive summary. This is a 1991 study:

In conclusion, the utility review team recognizes that the high temperature gas reactor design offers a viable potential nuclear option to the power industry for the next century potential and deserves continuing development. This endorsement is consistent with previous opinions expressed by the utility industry and more recently by the endorsement of the Advance Reactor Corporation in the January 10, 1990, report, and the corporation's ad hoc committee on DOE's advanced reactor development plan.

By the same token, it has been said here on the floor that this program was terminated by the Reagan administration and terminated by the Bush administration.

In fact, the high-temperature gas-cooled reactor was one of two candidates for the new production reactor that would have gone to Savannah River or Idaho National Engineering Laboratory for the next tritium production source.

In fact the NPR team, the new production reactor team at the Department of Energy, headed by Dominique Mineta, had settled upon this particular design, the high-temperature modular gas-cooled reactor, for the new tritium production source, when Admiral Watkins as the Secretary of Energy decided that we did not need to incur the expense of building a new production reactor.

Why? Because that fall, in late September 1991, the Bush administration had entered into an agreement with the Soviet Union for the drawdown of nuclear weapons, and we had far more tritium generated as a result of that drawdown than we needed and there was no urgent immediacy or need for tritium. Indeed, we do not need any until the next century. That was the reason that the Bush administration did not go forward with the high temperature gas reactor at that time.

For the statement here on the floor that that administration canceled it, has nothing to do with the merits of this program, and it does have merits. It had merits, first of all, still for the Department of Energy as a tritium production source. Indeed, the Department of Energy, while they are not pursuing this as their primary source, did single it out and did say themselves, their Energy Research Committee, said a couple of years ago, this concept has the

highest probability for success if we choose a second generation reactor.

Furthermore, they said that this concept, the high-temperature gas-cooled reactor, presents an opportunity for significant advantages in the level of safety over current commercial reactor experience.

Mr. Chairman, it has been stated here on the floor that this particular design has inherent safety features. It is worth taking those one by one to show the House and the committee why it is worth pursuing this particular technology.

First of all, the fuel particles, these uranium kernels, are encased in a ceramic coating that is pyrolytic, that is fired, that is made of silicone and carbon, and, as a result, the uranium is in an impermeable, impervious case. Consequently, once it is irradiated, it gives off heat, but it does not give off fissionable products. So you do not get the inner area of the reactor contaminated with fissionable products, with radionuclides. These are still contained in the ceramic case of the fuel particle.

Second, to the extent that any of these radionuclides do escape, they are captured by a graphite matrix that is part of the fuel assembly. They absorb them.

Third, the reactor itself has a helium moderator or coolant. Rather than using light water or regular water, it uses helium. Helium is inert. It does not chemically react with the reactor itself or with the fuel elements of the fuel assembly. And, unlike water, it does not boil. This gives it another passive safety feature.

Finally, the fuel core is arranged so that there is a negative temperature coefficient. As the temperature goes up, radioactivity of the core goes down.

All of these are passive safety features. Why is it important? Because this reactor is safe without depending upon the operator's interaction.

Mr. CHAIRMAN. The time of the gentleman from South Carolina [Mr. SPRATT] has expired.

(By unanimous consent, Mr. SPRATT was allowed to proceed for 2 additional minutes.)

Mr. SPRATT. Mr. Chairman, the important inherent safety features of this reactor means that it does not depend for its safety on an alert, astute operator, who is wide awake. Nor does it depend upon backup systems and a power system to supply these systems.

□ 1800

It is passively and inherently safe by its own design. This particular system has been endorsed and supported by a number of people who believe that nuclear power still has a role to play in this country. One of those is Duke Power Co., which is a prominent electric utility in my own district. And the head or chairman emeritus of that company, Bill Lee, wrote us all a letter, wrote the chairman of this committee a letter. I would just like to read what the chairman of that committee said.

People in the utility industry, this is Bill Lee talking, who look ahead, want the improvements in nuclear power that are represented by this technology. The electric utility industry supports the light water technology for its immediate potential benefits, but most people in the industry recognize that breakthrough potential of the gas turbine modular helium reactor and believe that these breakthroughs must be pursued and that it is the proper role of our Government for our Nation's longer term energy competitiveness to underwrite them.

In my opinion, it is essential that this technology be continued along with the advanced light water reactor. If it is not, I fear we will be buying much of our nuclear power generating equipment in the next century from abroad. This would mean the loss of an industry larger than the commercial airplane market, and it would be sad indeed for the U.S. economy, U.S. jobs and the U.S. standard of living.

Mr. Chairman, I urge the defeat of this amendment.

Mr. MARKEY. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I rise in support of the amendment because I wanted to be part of this historic debate. The gentleman from Wisconsin [Mr. KLUG] has put together, in my opinion, the historic trifecta, Reagan, Bush, and Clinton, all supporting the position of the gentleman from Wisconsin; in addition, the National Taxpayers Union, the Friends of the Earth, and the National Academy of Sciences, a combination of truly all-star proportions, all gathered together to kill one technology.

Now, why does this technology deserve to be killed? Very simply, it is the second generation of the same technology. And it is not basic research that we are talking about, it is applied research. That is, it is the point at which they are building this monstrosity for commercial purposes.

Now, ordinarily if you are talking about a nascent industry, one that is just beginning to get off the ground, it would be one thing; and we can debate out here what the proper role is of the Federal Government in subsidizing a new industry. This, however, is one of the oldest industries in the United States and one of the two or three wealthiest industries.

We are talking about the electric utility industry of the United States. Every one of us, all 275 million Americans, has a wire that goes into our home. And every one of us has an electric utility that every time we turn on a light bulb or have our toast pop up, gets ready to send us another bill to charge us for. This multi-hundred-billion dollar a year industry makes an enormous amount of money from doing that. We are grateful to them for the wonderful service which they provide for us and do not really begrudge them

the incredible profits which this industry receives.

However, when they then turn to the very same 275 million people, as taxpayers, and say, by the way, we do not want to actually pay for the next generation of our electric utility generating capacity; we would like you, the taxpayers, to put up the money for that as well, well, this is the point at which the American taxpayer and Adam Smiths all begin to spin wondering what is going on with the capitalist system.

As we know, this technology is competing with oil and gas and geothermal and conservation and the new wheeling technologies and interconnection capacities which are reducing the need for electricity inside of our country or generating them in 20 and 30 megawatt size plants, using the new laws which we passed in 1992 to wheel that power to where it is needed around the country.

Now, the problem with the technology is that it goes back to an earlier era, the late 1970's and the early 1980's. During that period of time, the electric utility industry testified before Congress that we would need 500 more 1,000-megawatt nuclear power plants by the year 2000 or else we would face blackouts of electricity across the country. And that was, I am sure, their sincere testimony before the Congress in the late 1970's and early 1980's. It resulted in a lot of this basic research at least being invested in.

Well, it is 15, 20 years later. We did not build a single new nuclear power plant in our country during that period of time. We have electricity surpluses across the country because we have, because of the law changes, so many smaller independent generators of electricity who are using the wires to produce electricity using nonnuclear sources.

So as we hit the middle of the 1990's, we have a fundamental question to ask ourselves. Should we, as the Representatives of the taxpayers of the United States, be subsidizing the very wealthiest mature industry in the United States in applied research, as we build the reactor for them, when in fact the most that we can elicit from these electric utility executives are letters of support for us to spend taxpayers money?

The capitalist system demands that in the free market that private sector companies, especially those as well-to-do as the electric utilities of this country, make the investment in the new technologies. If they do not, they must step aside and allow these newer, smaller generators of electricity to continue to do the job for our country which they have over the past several years.

The gentleman from Wisconsin has an amendment which must be embraced, if capitalist, free market principles are to endure in the electricity marketplace of our country. I hope

that all understand the importance of this amendment.

Mr. FOLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of this amendment. Let me quote the Bangor Daily News in their editorial calling it a nuclear turkey: "What's tougher than the hide on a M-1 tank, more resilient than the hungriest garden pest and harder to shake than a bad reputation? Time's up. The answer is: a nuclear turkey."

"Most taxpayers remember the mo-hair subsidies that annually clipped them for millions before Congress recently found the courage to pull the plug."

"Today the target is the gas turbine modular helium reactor, a nuclear turkey that deserves to be carved from the federal budget."

Taxpayers have been paying \$900 million for this technology.

The gentleman from Massachusetts [Mr. MARKEY] made some nice points. He suggested that, if the nuclear and electric companies are so supportive of this, send a check. Send a check to support this technology. Do not just send a letter. The American public who is paying for this technology is paying over and over and over again for a system that clearly does not work.

You read all the documentation. I can read you editorial after editorial, the Oregonian, the San Francisco Chronicle, the Atlanta Constitution. All have weighed in on this subject. All have looked at the expert testimony. All have read the reports from the National Academy of Sciences. All have read the documentation.

Now, the gentleman from California, Mr. BROWN, suggested that it was only new Members of Congress that wanted to eliminate this technology. Let me correct the record, because three subcommittee chairman of the Committee on Science voted to end this project: the gentleman from New Mexico [Mr. SCHIFF], the gentlewoman from Maryland [Mrs. MORELLA], the gentleman from Wisconsin [Mr. SENSENBRENNER]; all subcommittee chairmen stood up and voted against this appropriation.

This is not an antinuclear amendment. I recognize and support the important role of nuclear technology in the Nation's energy needs. In my home State, nearly one-third of the electricity is provided by nuclear facilities. But what I am interested in is cutting funding for things that simply are never going to occur in my lifetime.

Now, the chairman of the Committee on Science suggests that we cannot cut this today because it is going to cost us 20 million more dollars to terminate the program.

Let me give you a letter from the Department of Energy that suggests it will require an additional 1 billion of expenditures to bring this project to fruition.

I will take that bet. I will spend \$20 million to get out of this boondoggle before I will spend \$1 billion to find out if it works.

Let me say to you in the hallways of this Congress, those listening on their TV sets around our Nation, as a freshman Republican, I came here to make a difference. I came here to cut things that are wasteful spending. If we are to meet the priorities of this Nation, we are going to have to start looking at things like this and saying no to projects like this.

I ask those private utilities again if they like this technology so much, send a check. Bring a check for us.

Let me also suggest to the committee, we had a vote. It may have been 23 to 15, but in my book of politics, 23 to 15 wins; 23 to 15 wins. When I ran for office, I was telling people every vote counts. People have won offices by one vote. So I think 23 to 15 is a fairly significant victory in the committee, the authorizing committee, for this project.

The appropriation is unauthorized. We won in committee, and we are here on the floor to ask the appropriations process of this Chamber to agree with us.

We know the Senate will agree with us because they voted on killing this project before. We know the President's budget. The last three Presidents, as has been mentioned, have not authorized this. Again, the vast majority of my colleagues on the Committee on Science supported the efforts of the gentleman from Minnesota [Mr. LUTHER], the gentleman from Wisconsin [Mr. KLUG], the gentleman from Wisconsin [Mr. OBEY], and myself to terminate this project.

Times have changed. Today we see a new coalition of Members on both sides of the aisle. These coalitions are taking the will of the American people into consideration on every single spending bill.

This amendment will keep the taxpayers from having to continue being high risk financiers for private corporations.

If this program holds the potential that its proponents claim, then let the private sector fund it. Stop ripping dollars out of the constituents hard-earned taxpayer monies for wasteful pork.

I urge every Member that comes to this floor to vote to do what is right for the American people and kill this boondoggle once and for all.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of this amendment. My colleagues, when the National Taxpayers Union, the Sierra Club, the Council of Citizens Against Government Waste, the Cato Institute, Ralph Nader, the National Academy of Sciences and the House authorizing committee all agree, I would submit that we have to pay careful attention.

This diverse group has concluded that the gas turbine modular helium reactor, a proposed gas-cooled nuclear fission reactor in San Diego, fails the

important test of scientific merit, environmental safety, and cost effectiveness. And yet, unless we act today, this project will continue to receive significant Federal support.

How much will taxpayers be saddled with before this project is completed?

The General Accounting Office says the project will cost \$5.3 billion, and taxpayers will have to pick up half of that tab. Adopting this amendment will save taxpayers \$20 million next year and more than \$2.5 billion when all is said and done.

Two years ago the Senate voted to cut off funding for the reactor. Now is the time for this body, once and for all, to do the right thing.

At a time, my colleagues, when we are told that we must make massive cuts in Medicare that are going to affect thousands and thousands of people in my district and all of our districts and when we are going to be cutting student loans and when we will be cutting a whole range of education programs, it would be a shameful abdication of our responsibilities not to stop this wasteful spending.

I urge a yes vote on this amendment.

□ 1815

Mr. BROWN of Ohio. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the gas turbine modular helium reactor fails to meet the basic test of spending Americans' hard-earned tax dollars: Does it work? The only commercial version of this reactor closed after 16 years of operation and never achieved more than 14 years of capacity. Based on this failure, the National Academy of Sciences determined the reactor has low market potential and endorses its elimination. Even worse, as has been pointed out on the floor, the gas turbine is a budget-buster. Eliminating it will save \$20 million now in fiscal year 1996 and \$2.5 billion later.

Several opponents of this amendment, proponents of this boondoggle, have said it does not really save \$20 million now. The fact is, every time there is a huge budget-busting engineering project on this floor, whether it is Super collider, whether it is the space station, whether it is this reactor, the proponents of these boondoggles always argue "It will not save any money today," and they do not talk about how much money it will save in the future. That cost savings, that \$2.5-billion cost saving in the long run, is what is so important.

Additionally, the gas turbine modular helium reactor, Mr. Chairman, is a potential environmental hazard. The reactor does not have a containment structure to prevent an accidental environmental catastrophe in the event of a problem. The gentleman from Massachusetts [Mr. MARKEY] called the support for this by Presidents Reagan, Bush, and Clinton, as a trifecta.

On this day, Mr. Chairman, of the baseball All Star game, I would use a

slightly different metaphor. As six Cleveland Indians represent murderers' row in the American League this year in the All Star team, I would say that our murderers' row of Presidents Reagan, Bush, and Clinton, the National Taxpayers Union, Friends of the Earth, and Citizens Against Government Waste underscores the public opposition to this huge hunk of pork.

Mr. Chairman, I urge House support of the amendment.

Mr. BEVILLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment, and in support of the subcommittee. This is a project that this subcommittee is familiar with. We have supported it over the years. We hear all these things about the National Academy of Sciences, criticizing this technology and actually the last word on the GT-MHR from NAS was a letter to Senator BRADLEY dated December 10, 1993. The National Academy of Sciences' committee chairman notes and points out, "The National Academy committee did not examine and therefore could not evaluate the gas turbine reactor."

Then we hear about the Department of Energy's opposition to this project. The Department of Energy—we consider them the experts and we listen to them. Unfortunately, many times we have regretted listening to them. We have the Clinch River breeder reactor, which is a hole in the ground in Tennessee, because we followed DOE's advice. They said this is a great project. We put \$1 billion in it, or so, and then DOE decided they had something else better and the project was terminated.

Then they start the gas centrifuge plant, and the same thing happened. Then the mirror fusion, and again, the same thing. They get us to start these projects and then they come in and tell us they found something better. We just keep going.

Therefore, do not get carried away with what the Department of Energy says. I think there is more reliable information from people who actually deal with nuclear power and who so enthusiastically support this source of energy—the public utilities who use nuclear power.

Here is a letter from a friend of mine from the State of Alabama who has been involved with nuclear power ever since it came into being. He served as president of Southern Company Nuclear that handles all of Southern Companies' nuclear power plants in Georgia, Alabama, and northern Florida. He says,

One of the most promising technologies for the future is the gas turbine engineering reactor program, which has been supported by the nuclear industry and by the Congress for a number of years. It is an extremely safe and efficient technology . . . and it creates less waste for disposition. With a program such as this, if it was terminated, it would be extremely difficult if not impossible to renew our investment. Valuable technology would be lost if we discontinue it.

Duke Power Co. Chairman Emeritus, another person who knows what they are talking about, who deals with these matters every day says, "The cost of the gas turbine is very small when compared to its potential benefits. The gas turbine is a dramatically different helium reactor from that considered by the National Academy of Science." He states that; "The gas reactor represents a breakthrough potential for nuclear power."

These are people that deal with nuclear power and are sold on this project. So, I urge my colleagues to vote against this amendment and support the subcommittee's recommendation. This project has a future. It is long-range research. We are not talking about a large amount of money, as the former chairman of the Committee on Science and present ranking member, Mr. BROWN of California, has pointed out.

Japan and other countries are quick in pursuit of this project. They are putting money into it. They are working on it. They are very supportive of it. We support this research and urge Members to support the subcommittee and the full Committee on Appropriations of the House by voting against this amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the King-Foley-Luther-Obey amendment to cut \$20 million to terminate the gas turbine modular helium reactor, the gas-cooled reactor. The fact is that before I came to the Congress of the United States I spent over 10 years building up an energy company. That energy company worked in oil, in gas, electricity. It worked in a range of renewable energies, from solar energy to conservation energy.

We ought to have a very simple energy policy in this country which is, "Cheaper is better." If we followed that rule, we would be pumping not billions of dollars into this ridiculous technology, but we would be putting money into energy conservation. We would recognize that we could dramatically reduce the amount of administering that this country needs. We could dramatically reduce our balance of trade problems with all the countries around the world, where we have such tremendous difficulties these days. We could increase our own independence if we had a simple policy, if we got away from the kind of corporate welfare that this is the best single example of that exists in the budget of the United States.

Why should we be writing a taxpayer check to the richest industry in this country? The fact of the matter is that what we need is the kind of wheeling capabilities that allow us to trade energy among different utilities all across America that in and of itself will bring down our cost of electricity

and increase our capability dramatically. Those are the kinds of areas that we ought to be concentrating in.

Mr. Chairman, if we want to create greater energy independence, put money into basic research. However, this notion of applied research funded by taxpayers is absolutely outrageous. It does nothing to help out our country. All it does is line the pockets of a specific industry.

If we look at the actual technologies that are going into this particular thing, we have a proven failure. Colorado's Fort St. Vrain reactor, the world's only commercial version of this technology, has had one of the worst operating records of any nuclear facility and has consistently operated at a very low capacity. Both the National Academy of Sciences and the Electric Power Research Institute have concluded that the reactor is not commercially viable.

Therefore, why do we pick this particular technology to pump \$1 billion into? Nobody can give us a reason. I know it has to be located in somebody's congressional district, but that is no reason to override the authorizing committee. That is no reason to override the best judgment of three Presidents, no reason to do anything other than finally kill this program, put the funds that are necessary into where this country can gain its efficiencies, can gain its independence, can do things that will help out ordinary citizens in their electrical utility needs.

There are a great many areas where we should be putting our money into research. Just because we are opposed to this kind of boondoggle does not mean that we should oppose the basic research budgets of this country. Our country needs vital investments in basic research, so we can have that kind of independence that America has always striven for. This is not basic research, Mr. Chairman. This is money to line the pockets of particular utilities that have already made this investment, and now want the taxpayer to bail them out. Let us not bail out the utility industry, let us bail out the American taxpayer and support the Obey-Foley amendment.

Mr. MYERS of Indiana. Mr. Chairman, I move to strike the requisite number of words.

First off, Mr. Chairman, I would ask the gentleman, are his children and grandchildren going to have power, the electric energy we are using now to cool this building? The light water reactor has been the workhorse for the past 40 years for the Department of Energy, the only reactor we have. What is going to be the power source for our children and grandchildren? This is what we are looking to now. Sure, it is looking down the road a ways, but do we want safe, available power? Then this gas-cooled, yes, helium-cooled, but it is a gas turbine, an entirely different reactor than most of the Members have been describing here today.

First off, Mr. Chairman, I would say to the gentleman from Florida [Mr. FOLEY] and the gentleman from Massachusetts [Mr. KENNEDY], who mentioned the utilities putting their money up. There is more than \$800 million spent by the utility companies, the utility consortium, they have put in \$800 million of their own money so far, and they are still supporting it, as has been expressed here. It was said it cost over \$2 billion, \$2.6 billion, to continue the research. That would be a new power reactor which would be the reactor to destroy high level fuel. That has nothing to do with that, it would be entirely owned by government, entirely paid for by government. It is a different reactor entirely.

It has been estimated to us that this gas turbine modular helium reactor can be completed, all the research, all the development, and the certification can be completed for about \$2 billion. The question here is, Mr. Chairman, are we going to have a new reactor or are we going to continue with the old workhorse, the light water reactor.

It has been stated here about the National Academy of Sciences. A letter by the chairman of the national committee says, "The National Academy Committee did not examine and therefore could not evaluate the gas turbine reactor," only the old reactor, which was the high temperature gas reactor.

The one test they did in 1992, they only tested HTGR, which is an earlier version, not the modern one we are discussing here now. In 1994 the discussion there was about using HTGR to destroy plutonium. Again, it was decided it was not the efficient way, because the gas reactor could be used. However, if you were interested in destroying plutonium, as has been earlier said, this gas turbine can destroy 95 percent of plutonium, compared to about 50 percent with the light water reactor.

This is a reactor that can be used. It is of utility interest. That has been already discussed here. There has been one letter that no one has discussed. Many will remember Eddy Teller, Dr. Teller. He just sent us a letter, and I will just quote a couple of things, and he was kind of the father and knows more about nuclear industry and nuclear research than anybody else that I know of in the country:

Of all the nuclear technologies, the GT-MHR is a promising and essential step to the ultimate reactors which will some day be deep under ground and have no moving parts The research and development of the gas turbine reactor is promising and I strongly recommend the continuation of its funding by the House.

In closing, it has been discussed about Fort St. Vrain in Colorado. Yes, it operated I think for 17 years, but here again, it is like comparing a Model T to the modern vehicles we have today. It was the first generation. It did have some problems. However, the problem was not with the reactor itself, the problem was in the cooling system. They could not keep the bear-

ings and all of the cooling system working. It had a very low availability.

However, at the same time, Peach Bottom I, which was a gas reactor, had an 85-percent availability. Therefore, Members only looked at one, did they not, Fort St. Vrain in Colorado? The Public Service Company of Colorado sent us a letter saying it would be a serious mistake for the Department of Energy to turn its back on this superior technology. Mr. Chairman, it is easy to cut the money out, but if Members want to have a new source of reactor that is reliable, safe, then we have to start looking for the 21st century, and this is the reactor we should look to.

Mr. Chairman, I urge a "no" vote on this amendment.

Mr. KLUG. 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 Wisconsin?

There was no objection.

Mr. KLUG. Mr. Chairman, I just want to make two points. The National Academy of Sciences in a report from this year says the basic HMHTGR design has been available for many years and has not been commercially successful. Let me reiterate the point made by the gentleman from Wisconsin [Mr. OBEY], the gentleman from Minnesota [Mr. LUTHER], and the gentleman from Florida [Mr. FOLEY]. If money talks, then in this case the utility industry has fundamentally walked.

□ 1800

Nothing in this amendment prevents any private utility company in the United States from going ahead with this design. It simply says, after \$900 million, \$2 billion more to finish the project, we have had enough of it.

It used to be called the MHTGR. It is now called the GTMHR, which is an interesting anagram. But, Mr. Chairman, I suggest that any way you spell it, it ultimately is a waste of billions of dollars and fundamentally it is a radioactive boondoggle and I urge a "yes" on the amendment.

Mr. ROEMER. Mr. Chairman, world electricity demands are expected to triple in the next century—we will need nuclear power to meet this need. We need technologies that reduce our dependence on foreign energy sources—we now consume \$1 billion in foreign oil imports each week.

The Gas Turbine-Modular Helium Reactor produces only two-thirds of the high-level waste and one-third of the heavy metal waste as current reactors. Contrary to opponents' claims, the National Academy of Sciences has never evaluated this project. The 1988 study opponents of this project are waving around was for a completely different design of gas-cooled reactor.

The direct-drive turbine system of this reactor make it far more efficient than traditional steam-driven reactors. The GT-MHR could be meltdown-proof modular technology, creating a safe as well as efficient reactor technology.

And contrary to opponents' assertions, the project enjoys wide support from the utility industry.

The GT-MHR will also create economical production of hydrogen, and can destroy over 90 percent of surplus weapons-grade plutonium by using it as fuel to provide electrical energy. Development of new and advanced energy sources requires government support. Continued government support of this technology will create the technical base needed for industry to assume complete development.

Mr. Chairman, this is an important technological investment, and I urge my colleagues to oppose this amendment which would end the GT-MHR program.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. KLUG].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 306, noes 121, not voting 7, as follows:

[Roll No. 485]

AYES—306

Allard	Deal	Hamilton
Andrews	DeFazio	Hancock
Bachus	DeLauro	Hastings (FL)
Baesler	Dellums	Hefley
Baldacci	Deutsch	Heineman
Barcia	Dickey	Heger
Barr	Dicks	Hilleary
Barrett (NE)	Dingell	Hilliard
Barrett (WI)	Dixon	Hinchey
Barton	Doggett	Hobson
Bass	Doolley	Hoekstra
Becerra	Dornan	Hoke
Beilenson	Doyle	Holden
Bentsen	Duncan	Horn
Bereuter	Dunn	Hostettler
Berman	Durbin	Hoyer
Bishop	Edwards	Hutchinson
Blute	Ehrlich	Istook
Boehlert	Engel	Jackson-Lee
Boehner	English	Jacobs
Bonilla	Ensign	Johnson (CT)
Bonior	Eshoo	Johnson (SD)
Bono	Evans	Johnston
Borski	Farr	Jones
Brewster	Fattah	Kanjorski
Browder	Fields (LA)	Kaptur
Brown (FL)	Fields (TX)	Kasich
Brown (OH)	Flake	Kelly
Brownback	Foglietta	Kennedy (MA)
Bryant (TN)	Foley	Kennedy (RI)
Bryant (TX)	Forbes	Kennelly
Bunning	Ford	Kildee
Burr	Fowler	King
Camp	Fox	Kingston
Castle	Frank (MA)	Klecza
Chabot	Franks (CT)	Klink
Chambliss	Franks (NJ)	Klug
Chapman	Frelinghuysen	Kolbe
Christensen	Frisa	LaFalce
Chrysler	Funderburk	LaHood
Clay	Furse	Lantos
Clayton	Ganske	Largent
Clyburn	Gejdenson	Latham
Coble	Gephardt	LaTourrette
Coburn	Geren	Laughlin
Collins (GA)	Gibbons	Leach
Collins (IL)	Gillmor	Levin
Collins (MI)	Gilman	Lewis (CA)
Combust	Goodlatte	Lewis (GA)
Condit	Gordon	Lewis (KY)
Conyers	Goss	Lincoln
Cooley	Graham	Linder
Costello	Green	Lipinski
Coyne	Greenwood	LoBiondo
Crane	Gunderson	Lofgren
Cremeans	Gutierrez	Longley
Cubin	Gutknecht	Lowe
Danner	Hall (OH)	Luther

Maloney	Payne (VA)
Manton	Pelosi
Manzullo	Peterson (MN)
Markey	Petri
Martinez	Pomeroy
Martini	Porter
Mascara	Portman
McCarthy	Poshard
McCrery	Pryce
McDermott	Quinn
McHale	Radanovich
McHugh	Rahall
McInnis	Ramstad
McNulty	Rangel
Meehan	Reed
Meek	Richardson
Menendez	Rivers
Metcalfe	Roberts
Meyers	Ros-Lehtinen
Mfume	Roth
Miller (CA)	Roukema
Miller (FL)	Roybal-Allard
Minge	Royce
Mink	Rush
Molinari	Sabo
Moran	Salmon
Morella	Sanders
Myrick	Sanford
Nadler	Sawyer
Neal	Saxton
Nethercutt	Scarborough
Neumann	Schiff
Ney	Schroeder
Norwood	Schumer
Nussle	Scott
Oberstar	Seastrand
Obey	Sensenbrenner
Olver	Serrano
Ortiz	Shadegg
Orton	Shaw
Owens	Shays
Pallone	Shuster
Paxon	Sisisky
Payne (NJ)	Skaggs

NOES—121

Abercrombie	Filner	Packard
Ackerman	Flanagan	Parker
Archer	Gallely	Pastor
Armey	Gekas	Peterson (FL)
Baker (CA)	Gilchrest	Pickert
Baker (LA)	Gonzalez	Pombo
Ballenger	Goodling	Quillen
Bartlett	Hall (TX)	Regula
Bateman	Hansen	Riggs
Bevill	Harman	Roemer
Bilbray	Hastert	Rogers
Bilirakis	Hastings (WA)	Rohrabacher
Bliley	Hayes	Rose
Boucher	Hayworth	Schaefer
Brown (CA)	Hefner	Skeen
Bunn	Houghton	Skelton
Burton	Hunter	Smith (TX)
Buyer	Hyde	Solomon
Callahan	Inglis	Spence
Calvert	Jefferson	Spratt
Canady	Johnson, E.B.	Stearns
Chenoweth	Johnson, Sam	Tauzin
Clement	Kim	Taylor (MS)
Clinger	Knollenberg	Taylor (NC)
Coleman	Lazio	Tejeda
Cox	Lightfoot	Thomas
Cramer	Livingston	Thornberry
Crapo	Lucas	Thornton
Cunningham	Matsui	Toricelli
Davis	McCollum	Traficant
de la Garza	McDade	Vucanovich
DeLay	McIntosh	Walker
Diaz-Balart	McKeon	Walsh
Doolittle	Mica	Weller
Dreier	Mineta	Wicker
Ehlers	Mollohan	Wise
Emerson	Montgomery	Wolf
Everett	Moorhead	Young (AK)
Ewing	Murtha	Young (FL)
Fawell	Myers	
Fazio	Oxley	

NOT VOTING—7

Cardin	Moakley	Yates
Frost	Reynolds	
McKinney	Stark	

Mrs. CHENOWETH, Mr. WELLER, and Mr. BUNN of Oregon changed their vote from "aye" to "no."

Messrs. HANCOCK, SAXTON, BROWDER, and HERGER changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment, amendment No. 23.

The CHAIRMAN pro tempore (Mr. LAHOOD). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY: On page 16, line 1, insert "(less \$18,000,000)", before "to remain".

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, I wonder if the gentleman from Wisconsin [Mr. OBEY] would consider limiting the time on his amendment equally divided between yourself and myself, say, at 20 past 7 for this amendment?

Mr. OBEY. Half an hour, with three speakers on each side?

Mr. MYERS of Indiana. I would like to equally divide a half hour, but make the time certain and equally divided, yes.

Mr. OBEY. Surely. I have no objection.

Mr. MYERS of Indiana. Mr. Chairman, I ask unanimous consent for such a request.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The CHAIRMAN pro tempore. The Chair understands that the amendment and all amendments thereto will be debated for 30 minutes, divided evenly between both sides. The gentleman from Wisconsin is recognized for 15 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the House for their support on the last vote, and I would ask that they continue that support for the next two amendments.

This amendment simply cuts \$18 million from the nuclear technology research and development program.

Mr. Chairman, last year the Congress voted decisively to kill the advanced liquid metal reactor program. It was judged to be too costly at \$3.3 billion, and the technology too questionable to continue.

The Department of Energy, which has never been able to end a program on its own, sought and received approval from the subcommittee to reprogram \$21 million to terminate this program. After receiving approval for this reprogramming, the department reneged on its commitment, terminated only a few people with buyouts, and sought \$37 million more in fiscal 1996 to continue to pay the people affected while searching for a new mission for them.

One part of DOE claimed the concept of nuclear fuel reprocessing technology may be a potential treatment for DOE spent fuel, but internal documents from another entity of DOE show that there is no consensus within the department on the use of this technology and, in fact, DOE's waste managers have developed plans for spent fuel which do not involve reprocessing.

In fact, their preference is to obtain approval to haul spent fuel in canisters and dispose of it directly in a repository.

Opponents of my amendment are sending around a Dear Colleague saying that this program will actually save taxpayers' dollars. But, in fact, the National Academy of Science's report yesterday, on page 412, states that the pyro processing approach would require substantial additional engineering development and construction of major new facilities, and I am quoting now,

including what would amount to a sizable liquid metal reactor fuel reprocessing plant to provide feed material, and it would produce a waste form that has not been characterized at all for long-term deposition, and it would probably be unsuitable for emplacement in Yucca Mountain. All of this is, it strikes our panel.

They went on to say,

As a prescription for long delays and big investments in pursuit of a program for which satisfactory approaches are much closer at hand.

It would, therefore appear that the jury is still out, at minimum, on the position of the National Academy of Sciences on the issue of electro refining of spent nuclear fuel. It would also appear that the agenda of those who advocate this funding is to keep alive the possibility of reviving the advanced liquid metal reactor program or a hybrid of it.

What is really going on here is that the Department of Energy is seeking funds to keep Argonne National Labs in Idaho and Chicago going until somebody figures out a new mission for them.

The Department of Energy was singled out for elimination in the House budget, but the inability of this committee to recommend the termination of this tiny program, I think, is a perfect illustration of the difficulty that people seem to have in going from the general to the specific, when it comes to budget cutting.

How on Earth are we to take seriously all of the rhetoric about the necessity to abolish the Energy Department, if you cannot even abolish this tiny little program which most unbiased people recognize is a waste of money and a turkey?

Now, what made matters worse is that the committee added \$8 million to the original subcommittee mark at the time we met in full committee at the request of the distinguished gentleman from Illinois [Mr. FAWELL].

Now, I have great respect for the gentleman, and I have great respect for

the people whom he is trying to defend. But I can recall many an occasion when he has come to this floor saying we should be knocking out congressional pork in other peoples' districts. Well, this is, to me, an example of congressional pork which has no justification. It is an agency and a program in search of a mission. We ought to save this money.

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

□ 1900

Mr. MYERS of Indiana. Mr. Chairman, I yield 6 minutes to the gentleman from Illinois [Mr. FAWELL].

Mr. FAWELL. Mr. Chairman, it is too bad the time is a bit short, but, Mr. Chairman, I certainly rise in opposition to the Obey amendment. This amendment would zero out an appropriation of \$18 million for what I believe is an extremely important ongoing environmental nuclear waste reduction research program being conducted by the Department of Energy in Illinois and Idaho. This environmental nuclear waste treatment program was funded at \$25.7 million in fiscal year 1995, the current year. The administration and the Department of Energy requested funding this year at approximately \$36 million. The House Committee on Science and the Subcommittee on Energy and Environment of that committee have both authorized funding for that amount in fiscal year 1996, so there is no question about authorization here. The House energy water appropriation bill wrestled with this. They have a long background and knowledge obviously of what they are talking about, and they cut the appropriation down to \$18 million from the \$36 million that had been authorized, a 50-percent reduction so that there has been some cutting that has taken place.

Now the Obey amendment would zero out this nuclear waste reduction program altogether, and apparently, and I want to stress this point on the mistaken conclusion that it represents continued funding for the Department of Energy's advanced liquid metal reactor IFR program, which was terminated by Congress last year, I think mistakenly, at a cost of something like \$330 million over 4 years; but this is not the ALMRIFR program, an advanced nuclear research program aimed at developing a new and safe nuclear reactor which recycled and consumed its own nuclear waste, which I felt was good, but that is gone. It is terminated; it is in the process of termination at a cost, as I said, of \$330 million.

Now the environmental nuclear waste treatment program here, which is the subject of this amendment, involves research on an electrometallurgical process that is aimed at decreasing the toxicity and the volume of over 2,700 metric tons of more than 150 different types of nuclear waste stored at the various DOE sites

around this Nation in Idaho, Washington, Tennessee, South Carolina, and other places. In fact, Congress last year specifically reaffirmed the importance of this nuclear waste research program precisely because of its applications to help solve current problems with the storage and treatment of nuclear waste. I want to reemphasize it has got nothing to do with the program that was terminated last year.

Is this research supported by the sciences? Yes. The National Academy of Sciences does support continued funding of this research saying that it represents, and I quote, promising technology for treating a variety of Department of Energy spent fuels, end of quote. Indeed further funding of this research is predicated on the continued approval of the National Academy of Sciences, and I have the most recent report from the National Academy of Sciences, which came this day, which deals with the electrometallurgical process that we are talking about here in regard to the treatment of spent fuels, and their quotes, and I set this forth as a quote: "Notwithstanding the above," and they went over disadvantages and concerns, "it is desirable that this process technology based at Argonne National Laboratory be kept viable as a problem-solving research program." This is specifically in regard to the electrometallurgical process, and I believe that the gentleman from Wisconsin was talking about a National Academy's report of yesterday.

The safe disposal of more than 2,700 metric tons of nuclear waste is a dire responsibility of the Federal Government. It will not go away. We are not doing anything about being able to store this properly, and now we have reticence, I gather by some, to do something about the problem of treatment. We need places in which to store spent nuclear waste, and we need the technology to electrometallurgically treat these wastes in order to lessen their volumes and toxicity as well as to assure their safe disposal.

Now I want to emphasize this:

The committees of jurisdiction, both authorizing and appropriations, the administration, the Department of Energy, the National Academy of Sciences all have recommended continued funding of this research, and I believe it is good science. I certainly urge my colleagues to vote no on the Obey amendment.

Mr. OBEY. Mr. Chairman I yield 5 minutes to the distinguished gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Chairman, just so everyone can understand what it is that we are debating out here on the floor, this is basically a baby breeder reactor. The name has been changed to protect the guilty, but it is just the next generation of the breeder reactor, that whole debate we had about the Clinch River Breeder Reactor and all of that. I say to my colleagues, "If you remember, this miracle technology is

going to produce electricity too cheap to meter, and it is also going to solve our reprocessing problem, if such existed."

The problem with it was that it created two problems. One, it, in fact, cost more than anyone had ever imagined that it could cost to generate electricity; and, second, it blew a hole right through our nonproliferation policy because, as we began the process of constructing a technology to reprocess plutonium, we were sending a signal to North Korea, and Iran, and Iraq, and Libya, and every other country around the world that was contemplating the use of this technology to extract nuclear-weapons-grade fuel and telling them, "Don't listen to what we say. Don't in any way believe that we are sermonizing on the subject. Just look at this huge amount of money that we are willing to spend on the same technology that we are telling you that you should not in fact invest in."

So the \$18 million which the gentleman from Wisconsin seeks to cut out of this budget goes right to the heart of this debate. One, we should not be subsidizing once again private-sector technology which is supposed to ultimately reuse this spent fuel for other purposes. That would be wrong. Eighteen million dollars for the nuclear utility industry would be about \$100,000 in electric utility per year. If they think it is such a wonderful technology for a hundred thousand bucks apiece, the wealthiest industry in America should be able to finance it.

But second, we all have to ask whether or not our 20-year-old policy of turning our back to this reprocessing technology which blows a hole into our nonproliferation regime is something we want to destroy. Now they can use this new term of pyral processing, but, if we are pyromaniacs here, we are basically going to burn up 18 million bucks and burn up our nonproliferation policy simultaneously out here on the floor this evening. The vote, the correct vote, is to insure that the private sector funds this if in fact it is deemed to be worthy as a generator of a new era of nuclear powerplant fuel, and second, we should understand that the \$18 million we spend absolutely makes us look like hypocrites on the world stage, and we try to convince North Korea and others that the nonproliferation regime of the United States has any credibility.

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

Mr. MARKEY. I yield to the gentleman from Missouri.

Mr. VOLKMER. It is 18 million this year. How much next year, the following year, and the following year?

Mr. MARKEY. It is a pile as high as the Moon because ultimately this technology will never produce any final product which was an unfortunate experience which we had with the Clinch River Breeder Reactor. It never resulted in a final product.

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

Mr. MARKEY. I yield to the gentleman from Illinois.

Mr. FAWELL. I simply want to point out the gentleman said this is private-sector technology. We are talking about spent nuclear fuel that the public owns and creates. This is Department of Energy spent nuclear fuel which is spread all over this Nation at public sites. The private entities have nothing to do with this metallurgical processing of waste products. It has got nothing to do with any physical reactors.

I say to the gentleman, you have got all your information wrong.

Mr. MARKEY. Reclaiming my time, I do not have my information wrong. In fact, as the gentleman knows, the DOE has not even decided whether or not they want to use this technology at all. The gentleman is substituting his own scientific judgment for that of the Department of Energy.

Moreover, we are not even talking about the reprocessing of the spent fuel from the 40 years of the cold war. So what is at the heart, as the gentleman knows, is the plan to reuse this fuel in a civilian context. It is a source of fuel that could be used. The Clinch River Breeder Reactor was originally intended for that purpose. This technology ultimately has the same purpose. It is nothing more than a second generation of that same objective.

So, the DOE says that it will, in fact, cost \$85 billion if we do reprocessing for spent fuel from civilian reactors. Eighty-five billion dollars is the number of the Department of Energy. There is no way we are going to spend that kind of money. This is a civilian pork barrel project that blows a hole through our nonproliferation policy.

Mr. MYERS of Indiana. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. EHLERS], who was a practicing scientist. A lot of us have been quoting scientific facts here today from what we have read, but our colleague is one of the few scientists we have in Congress.

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

Mr. EHLERS. Mr. Chairman, in the middle of the desert and underneath a mountain in the western United States we were building or trying to build a repository for nuclear waste. It is commonly known as Yucca Mountain. We have already collected billions and billions of dollars from the consumers in this country, consumers of electric power, in order to pay for that waste storage facility and the problems that arise from it in the future. And we are talking about billions and billions of dollars for that purpose alone.

The question is can we perhaps improve the operation of that facility, can we perhaps save some money by not simply dumping things in there, but rather processing them first, categorizing the waste, putting the short-lived waste in one type of container, putting the long-lived waste in another type of container?

One of the advantages of the project that is before us is that it is an attempt to separate waste into the high-activity, long-life waste and the high-activity, short-life waste, and, if we can do that, I would expect that to result, result in a substantial savings to the American taxpayers who are currently paying for the Yucca Mountain facility.

Getting rid of nuclear waste is a very complex business. If it were easy, it would have been done long ago, and I hope that in fact we do manage to resolve this problem and deal with nuclear wastes in a safe, sane, and less costly fashion in the future.

I do not claim to be an expert on the technology that is under discussion here in this particular amendment, but I will certainly say this is not a nuclear reactor, and certainly it does not deal with purely the private sector's waste. In fact, it is aimed primarily at the nuclear wastes that are produced by the Federal Government and its facilities at Hanford and elsewhere.

I think we ought to continue this. I agree with the report. That is we have a pre-publication copy of the report from the National Research Council. You have heard the Congressman from Illinois read a section from that a few moments ago.

□ 1915

They recommend that even though there are substantial concerns at this point, it is desirable to continue working on this process and keep it viable until we determine whether or not it in fact will assist us in disposing of our nuclear wastes at a lower cost.

I agree with that conclusion. I believe we should continue this project. We should try to determine whether or not it will work, because if it does work, the payoff is large.

The report goes on to say if this does not prove out, we should not hesitate to terminate it. I am sure if this does not prove to be a valid technology, the maker of the motion and those speaking in favor of the motion will be back next year or the year after, waving this language at us and saying "See, it did not work. Let's cut it out."

My response is if in fact that does happen and the National Research Council agrees with the conclusion it does not work, all of us should vote to cut it out. But at this point it looks like a promising, useful approach to dealing with nuclear waste, and I urge defeat of the amendment and continuation of the project until we determine precisely whether or not it will or will not work.

Mr. OBEY. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I would simply like to make four points once again. After the Congress voted to end the advanced liquid metal reactor program, the agency asked Congress for money to terminate that program and to begin to lay off people at the labs associated with that program.

After they got permission from the Congress to do it, the agency then decided they wanted to change their mind. They asked for \$37 million to continue employing 900 people at these labs who were going to be doing work on that project. They asked to continue to employ them rather than to terminate them. Yet they do not have any new mission. That seems to me to be a very big waste of money.

Second, DOE claims that reprocessing technology might be a treatment that can be used for disposing of spent fuel. But the fact is that internal documents in that very same agency show that there is no consensus within that agency on the subject, and they show that in fact their planners are proceeding ahead under the assumption that their plans for dealing with spent fuel will not involve reprocessing.

Third, I will read once again from the report of the National Academy of Sciences released just yesterday entitled "Plutonium Disposition Reactor Related Options," page 412. It says, "The pyro processing approach would require substantial additional engineering development and construction of major new facilities, and it would produce a waste form that has not been characterized at all for long-term disposition, and it would probably be unsuitable for emplacement in Yucca Mountain," which has just been mentioned.

They go on to say, "All of this strikes our panel as a prescription for long delays and big investments in pursuit of a problem for which satisfactory approaches are much closer at hand."

In plain English, it seems to me that says Don't waste the money.

Now, the last point I would simply make is that if you voted for the budget resolution which called for the abolition of the Energy Department, then you have no logical choice, it seems to me, but to vote to end this program. Why on Earth should the country believe that you are serious about abolishing the Department of Energy if you cannot even vote to abolish a program which the Energy Department itself decided they had to close down and asked permission from the Congress in fact to do so? So if you voted for the budget resolution, which called for the abolition of that department, then how on Earth can you not follow through by voting to abolish some of the tiny programs which that department runs, programs which obviously right now are just spinning their wheels, spending money in search of a mission?

Mr. Chairman, I urge Members to defend the taxpayer rather than a piece of pork. I urge Members to vote for this amendment.

Mr. MYERS of Indiana. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, let us be blunt and call a spade a spade. There are two kinds of people supporting this amendment. One is what I call the "Screaming Greenies," the Green

Peace group that goes out there and has been trying to sink the nuclear power industry in this country for years. Thank God they did not.

Then you have the other kind that are kind of political and they want to go after the gentleman from Illinois [Mr. FAWELL] because he is a noted pork buster.

Mr. Chairman, there is nothing in this amendment dealing with pork whatsoever. There is nothing in here that this gentleman put in this bill. It has been there. This is an ongoing program.

If you want to cut something, here is \$900 billion in cuts, which I have given to every appropriator in this House and every Member of Congress. You can take it page by page, and you can cut, cut, cut, cut. We want to see these amendments offered on the floor. They are real cutting amendments. It is how we can really balance the budget and bring back some fiscal responsibility to this body.

Please, I ask all Republicans, vote "no" on this, and you fiscally responsible Democrats, you do the same thing. Let us defeat this amendment.

Mr. MYERS of Indiana. Mr. Chairman, I yield 2 minutes to the gentleman from Idaho [Mr. CRAPO].

Mr. CRAPO. Mr. Chairman, once again I stand in strong opposition to the efforts to eliminate some of the critical nuclear research that is necessary for our country's nuclear energy programs. We fought these kinds of battles repeatedly, but I think it is important that we recognize, as we did in previous years, that the National Academy of Sciences has recognized this technology as critical, and the reports that have been talked about today do not correctly reflect the information that has come out of the National Research Council and their testing.

In fact, as the gentleman from Illinois has already indicated, today's report states that notwithstanding the above information in the report, it is desirable that the process technology here that we are talking about based at national laboratories be kept viable as a problem solving resource. We must recognize that, according to the DOE, this research can significantly reduce the amount of high level waste in spent nuclear fuel. This offers us the potential key for the safe treatment of our spent nuclear fuel.

Funding for nuclear technology research and development was requested by the Clinton administration and the Department of Energy and authorized by the House Committee on Science. At these amounts, we are already seeing significant reductions for budget balancing purposes. Now we must follow the strong science in this country and support continuing nuclear research.

We have a problem in this country in dealing with spent nuclear fuel and nuclear waste. We have a scientific opportunity to find the solution, to unlock the problems and to get past the road-

blocks that are facing us in the handling of our spent nuclear fuel, its storage and treatment.

This technology is critical. The scientists in the country say it is needed, the Clinton administration says it is needed, the Department of Energy says that it is needed, the authorizing committee says that it is needed. It is time that we stop undercutting the nuclear research in this country and move forward to the kinds of solutions that are critical to the handling of these issues.

Mr. MYERS of Indiana. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. FAWELL].

Mr. FAWELL. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I think it is awfully important to understand that in this case there is no National Taxpayers' Union opposition to what we are doing here. There is no Citizens Against Government Waste opposition to what we are doing here. This has been authorized by the authorizing subcommittee, by the House Committee on Science itself, and then when it came over to the appropriators they did their job in cutting. I felt they cut too much, because it went down to \$18 million.

So the job has been done. It has gone through the process. You have a National Academy of Sciences report that deals with electrometallurgical processing, and the gentleman from Wisconsin is talking about one that deals with plutonium disposition options. We are not talking about plutonium disposition options. We are talking about a metallurgical process on spent fuel that the public, that the DOE, has created.

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

Mr. Chairman, the argument during the last amendment that successfully reduced by \$20 million research for a reactor for the next century was the fact that, first, the President had not requested it, second, that the Department of Energy did not favor it and, third, it was not authorized.

This program meets all three of those criteria. The President requested \$37.3 million, it is authorized, and DOE has strongly supported the program. So if you are going to be consistent, the 300 of you voted a while ago to cut funds for those reasons or some other reasons, now you have no other choice but to vote for this because it meets the three criteria you spelled out during the last amendment.

Mr. Chairman, one of our greatest threats today is nuclear waste. This is an attempt to, and hopefully it will, find a solution to the problem. I ask for a strong vote of no on their amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 155, noes 266, not voting 13, as follows:

[Roll No. 486]

AYES—155

Abercrombie	Hamilton	Payne (NJ)
Ackerman	Harman	Pelosi
Andrews	Hefley	Peterson (MN)
Baesler	Hefner	Petri
Baldacci	Hilleary	Pomeroy
Barcia	Hinchee	Rahall
Barrett (WI)	Hobson	Ramstad
Bass	Holden	Rangel
Becerra	Hostettler	Reed
Beilenson	Jacobs	Rivers
Berman	Johnson (SD)	Roemer
Bishop	Johnson, Sam	Rose
Blute	Johnston	Roth
Bonior	Kanjorski	Roukema
Borski	Kaptur	Roybal-Allard
Browder	Kennedy (MA)	Sabo
Brown (FL)	Kennedy (RI)	Sanders
Brown (OH)	Kildee	Sanford
Chabot	Klecicka	Sawyer
Chapman	Klug	Schroeder
Christensen	LaFalce	Schumer
Clayton	Lantos	Scott
Clyburn	Levin	Sensenbrenner
Collins (GA)	Lewis (GA)	Serrano
Collins (MI)	LoBiondo	Shays
Condit	Lofgren	Skelton
Conyers	Lowe	Slaughter
Danner	Luther	Spratt
DeFazio	Maloney	Stenholm
Dellums	Manton	Stokes
Deutsch	Markey	Studds
Dingell	Martinez	Stupak
Dixon	Matsui	Tanner
Doggett	McCarthy	Thompson
Doyle	McDermott	Torkildsen
Duncan	McHale	Torres
Edwards	McNulty	Towns
Engel	Meehan	Tucker
Eshoo	Menendez	Velazquez
Farr	Mfume (CA)	Vento
Fattah	Miller (CA)	Visclosky
Fields (LA)	Minge	Volkmer
Foglietta	Mink	Ward
Furse	Moran	Waters
Ganske	Nadler	Watt (NC)
Gephardt	Neal	Waxman
Geren	Neumann	Williams
Gonzalez	Ney	Woolsey
Goodling	Oberstar	Wyden
Gordon	Obey	Wynn
Green	Olver	Zimmer
Hall (OH)	Orton	

NOES—266

Allard	Camp	Dornan
Archer	Canady	Dreier
Armey	Castle	Dunn
Bachus	Chambliss	Durbin
Baker (CA)	Chenoweth	Ehlers
Baker (LA)	Chrysler	Ehrlich
Ballenger	Clay	Emerson
Barr	Clinger	English
Barrett (NE)	Coble	Ensign
Bartlett	Coburn	Evans
Barton	Coleman	Everett
Bateman	Collins (IL)	Ewing
Bentsen	Combest	Fawell
Bereuter	Cooley	Fazio
Bevill	Costello	Fields (TX)
Bilbray	Cox	Filner
Bilirakis	Coyne	Flake
Bliley	Cramer	Flanagan
Boehlert	Crane	Foley
Bonilla	Crapo	Forbes
Bono	Creameans	Ford
Boucher	Cubin	Fowler
Brewster	Cunningham	Fox
Brownback	Davis	Frank (MA)
Bryant (TN)	de la Garza	Franks (CT)
Bryant (TX)	Deal	Franks (NJ)
Bunn	DeLauro	Frelinghuysen
Bunning	DeLay	Frisa
Burr	Diaz-Balart	Funderburk
Burton	Dickey	Gallegly
Buyer	Dicks	Gejdenson
Callahan	Dooley	Gekas
Calvert	Doolittle	Gibbons

Gilchrest	Lipinski	Rush
Gillmor	Livingston	Salmon
Gilman	Lucas	Saxton
Goodlatte	Manzullo	Scarborough
Goss	Martini	Schaefer
Graham	Mascara	Schiff
Greenwood	McCollum	Seastrand
Gunderson	McCrery	Shadegg
Gutierrez	McDade	Shaw
Gutknecht	McHugh	Shuster
Hall (TX)	McInnis	Sisisky
Hancock	McIntosh	Skaggs
Hansen	McKeon	Skeen
Hastert	Meek	Smith (MI)
Hastings (FL)	Metcalf	Smith (NJ)
Hastings (WA)	Meyers	Smith (TX)
Hayes	Mica	Smith (WA)
Hayworth	Miller (FL)	Solomon
Heineman	Mineta	Souder
Herger	Molinari	Spence
Hilliard	Mollohan	Stearns
Hoekstra	Montgomery	Stockman
Hoke	Moorhead	Stump
Horn	Morella	Talent
Houghton	Murtha	Tate
Hoyer	Myers	Tauzin
Hunter	Myrick	Taylor (MS)
Hutchinson	Nethercutt	Taylor (NC)
Hyde	Norwood	Tejeda
Inglis	Nussle	Thomas
Istook	Ortiz	Thornberry
Jackson-Lee	Owens	Thornton
Johnson (CT)	Packard	Thurman
Johnson, E. B.	Pallone	Tiahrt
Jones	Parker	Torricelli
Kasich	Pastor	Traficant
Kelly	Paxon	Upton
Kennelly	Payne (VA)	Vucanovich
Kim	Peterson (FL)	Waldholtz
King	Pickett	Walker
Kingston	Pombo	Walsh
Klink	Porter	Wamp
Knollenberg	Portman	Watts (OK)
Kolbe	Poshard	Weldon (FL)
LaHood	Pryce	Weldon (PA)
Largent	Quillen	Weller
Latham	Quinn	White
LaTourette	Radanovich	Whitfield
Laughlin	Regula	Wicker
Lazio	Richardson	Wilson
Leach	Riggs	Wise
Lewis (CA)	Roberts	Wolf
Lewis (KY)	Rogers	Young (AK)
Lightfoot	Rohrabacher	Young (FL)
Lincoln	Ros-Lehtinen	Zeliff
Linder	Royce	

NOT VOTING—13

Boehner	Jefferson	Reynolds
Brown (CA)	Longley	Stark
Cardin	McKinney	Yates
Clement	Moakley	
Frost	Oxley	

□ 1947

The Clerk announced the following pair:

On this vote:

Ms. McKinney for, with Mr. Yates against.

Messrs. EVANS, PETERSON of Florida, DE LA GARZA, and ENSIGN changed their vote from "aye" to "no."

Mr. MFUME changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. MYERS of Indiana. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is my understanding there has been a discussion and an agreement from the minority that this last vote will be the last vote for the evening, but we will have some colloquies with Members who have some expression here of the intent of legislation.

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

Mr. MYERS of Indiana. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would tell the gentleman, I certainly hope so.

Mr. MYERS of Indiana. Is that my understanding of the agreement we have?

Mr. OBEY. Mr. Chairman, if the gentleman will yield, that certainly would be my hope and expectation. We are being asked to go into a markup at this point at 8 p.m., and it seems to me if we are going to have an appropriation subcommittee markup we should not have to be in two places at the same time, so I see no reason for us to continue the session this evening.

Mr. MYERS of Indiana. Mr. Chairman, we will have the colloquies and the Committee will rise. There will be no more votes this evening, if it can be avoided.

AMENDMENT OFFERED BY MR. SKAGGS

Mr. SKAGGS. 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. SKAGGS: On page 19, line 7, strike "\$5,265,478,000" and in lieu thereof insert "\$5,411,478,000".

Mr. MYERS of Indiana. Mr. Chairman, on this amendment I reserve a point of order.

Mr. SKAGGS. Let me just reassure my colleagues, Mr. Chairman, even though we have called this up as an amendment, this will not involve a vote.

Mr. Chairman, I expect that the distinguished gentleman from Indiana [Mr. MYERS] may insist on his point of order. I appreciate the opportunity to have made these arguments on behalf of this issue.

Mr. Chairman, this amendment would add a modest amount, \$146 million, in order to partially correct a serious mistake in this bill.

That mistake is a reduction in funding for the Energy Department's environmental management program—the program to clean up the enormous mess at the various nuclear weapons facilities—a reduction of more than \$740 million. In making that reduction, the committee's leadership was taking its lead from the authorizing committee, which cut the authorization for these programs in order to increase spending for missile defenses—the "Star Wars" programs—by a like amount.

In this respect, the priorities in the defense authorization bill were exactly wrong. We shouldn't repeat the mistake. We need to clean up our room before we spend our allowance to buy new toys.

Through its environmental management programs, the Energy Department carries out the work of cleaning up the Rocky Flats site in Colorado, and the other facilities where America developed and built the nuclear weapons that enabled us to win the cold war.

The costs of this cleanup are part of the costs of that victory.

They have to be paid. There is nothing speculative about the environmental and safety problems at Rocky Flats, or Savannah River, or the Hanford Reservation, or any of the other sites. While the benefits that might come from spending more than the Defense Department proposes for the Star Wars programs are at best speculative, there is nothing speculative about the health, safety, and environmental benefits from cleaning up Rocky Flats and the other sites. Nor about the serious risks posed to worker and public health and safety unless funding is at least partly restored.

Much has been done already. The Office of Environmental Management has already safeguarded more than 20 metric tons of weapons-usable plutonium; prevented explosives in tanks of high-level wastes; treated more than 4 billion gallons of contaminated water; and removed or stabilized enough contaminated soil to fill trucks stretching from Alabama to Los Angeles. But more—much, much more—remains to be done.

Progress has been made recently in improving the efficiency of the clean-up. For example, the administration expects to save a billion dollars by privatizing some operations, to let market forces push costs down, and by changing contract incentives to reward efficiency and costs savings, reducing work forces, and focusing research and development on the areas of most pressing needs. But these improved efficiencies cannot make up for the excessive cuts that would be made by this bill.

The effects of this bill's underfunding are more severe because they come down on top of reductions self-imposed by DOE and rescissions adopted for fiscal 1995 funds. Last year, we cut these programs by more than \$89 million below the fiscal 1994 level, providing \$124.7 million less than the administration had said was needed for fiscal 1995. Compared to the nearly \$6.58 billion requirement for fiscal 1996 contemplated in its previous budget submission, the Department this year has requested only \$6 billion in the actual fiscal 1996 budget submitted this year. That reduction, more than \$557 million, reflects an enormous internal effort by the Department to search out and implement savings and efficiencies on its own.

Unless it's amended, this bill would fall another \$742.5 million below what DOE says it needs to do the job. That's why I am urging the House to adopt this amendment and to provide more funding than is now in the bill.

Even with this increase, the bill will not provide all that's necessary for this vital work in the next fiscal year. In fact, even with the amendment's increase the bill will fall short of the administration's request by nearly \$600 million. But adoption of the amendment will at least partially close the gap, and I urge its adoption.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. SKAGGS. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, what the gentleman speaks he speaks firsthand, because Rocky Flats in his State is one of the worst in the country as far as environmental clean-up. The committee has been well aware of the problem there. We have been trying to clean that up for the last several years. We finally, I think, are making more progress today.

However, the committee has realized that almost a \$1 billion increase each year occurs in the environmental restoration and the clean-up, and it is a very serious problem this committee and the country faces, but we have not had much success that the gentlemen has been addressing here as far as DOE is concerned.

What we have done, without prejudice to the future, we have said, "Look, you have to improve the efficiency and effectiveness of your clean-up." This is what we are trying to do here. We will work very closely with the gentleman to make sure we do get the most bang for our buck.

Mr. SKAGGS. Mr. Chairman, I understand and share the Chairman's interest in promoting greater efficiency in this area, DOE. As the gentleman knows, the department has taken some important steps itself. I hope the chairman would agree with me that while greater efficiency is desirable, that these programs meet an important responsibility and that we need to continue to provide necessary resources.

Mr. MYERS of Indiana. We certainly do.

Mr. SKAGGS. I hope we can work together on this in connection with the 1997 legislation.

Mr. MYERS of Indiana. The committee makes that commitment to all Members.

Mr. SKAGGS. With that in mind, Mr. Chairman, rather than putting the chairman to the point of order, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

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

Mr. Chairman, I would like to engage my colleague, the gentleman from Indiana [Mr. MYERS], the chair of the Subcommittee on Energy and Water Development of the Committee on Appropriations, in a colloquy regarding H.R. 1905.

Specifically, I rise to inquire about title 3 for the Department of Energy in general science and research activities, subheading for nuclear physics. It is my understanding that the \$304.5 million will be appropriated for fiscal year 1996. Of those dollars, I understand that is the intention of the committee to support the university-based accelerators under the nuclear physics account within the funds available.

Furthermore, I understand that it is the intention of the committee to support the Bates Linear Accelerator Center in Middleton, MA, again within the available funds. Is this understanding correct?

Mr. MEYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. TORKILDSEN. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, the gentleman is correct. The committee continues to support university-based research in high physics, recognizing that much of the research is done by universities. But even maybe more importantly, it supports the development and teaching of scientists for the future, so it really serves two purposes. The committee has been a long supporter and will continue. The gentleman is correct, we are continuing that support.

Mr. TORKILDSEN. Mr. Chairman, I thank the gentleman, and I want to thank the chairman of the appropriations subcommittee for clarifying this very important point.

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

Mr. Chairman, I do rise for the purpose of entering into a colloquy with the gentleman from Indiana [Mr. MYERS].

Mr. Chairman, as I understand it, H.R. 1905 provides \$425 million for the nuclear waste program, which is a reduction from past levels. The committee report on H.R. 1905 states this funding level is insufficient to aggressively pursue site characterization activities at Yucca Mountain, and that the Appropriations Committee will be unable to provide resources to match the project's ambitious funding profile for the coming years.

The committee report also directs DOE to concentrate available resources on the development and implementation of a national interim storage program. I would ask the gentleman if this is correct, if I am reading this right.

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Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. SCHAEFER. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. The gentleman is correct. This committee has supported long-term storage. At this time we have continued to support the characterization of the site in Nevada known as Yucca Mountain, while recognizing our contractual responsibility as well as our moral responsibility to accept the nuclear waste that is now at 71 locations with 109 reactors around the country where much of the storage is outside in dry storage. We recognize we have to do something about meeting that obligation we have by accepting that storage of the nuclear fuel, spent fuel, from these reactors. That has to be accomplished by 1998. The only way we can see being able to do that is to focus on interim storage.

Mr. SCHAEFER. Reclaiming my time, I appreciate the gentleman's

comments. The committee report also directs DOE to downgrade, suspend or terminate its activities at Yucca Mountain. It is my understanding that the energy and water development appropriations bill does not force DOE to abandon site characterization work at Yucca Mountain and that DOE has testified in hearings before the Energy and Power Subcommittee that the funding level for the nuclear waste disposal program in H.R. 1905 is adequate to both develop a Federal interim storage facility and maintain site characterization activity at Yucca Mountain, although site characterization activity would be slow down.

Is it the gentleman's view that H.R. 1905 would permit continued site characterization at Yucca Mountain, although at a slower pace than in the past?

Mr. MYERS of Indiana. If the gentleman would yield further, the committee has of course worked with your subcommittee very closely on this issue. You have visited this mountain more recently than we have. It is exactly the criteria that we developed in this appropriation that while we are not trying to prejudice any future decision, the aggressive program we have had in the last year especially would have to be slowed down. Site characterization of some type will continue, but we just do not have the dollars to do both the aggressive characterization by the drilling in the mountain that we would have and still find the interim site.

Mr. SCHAEFER. Reclaiming my time, the committee report on H.R. 1905 also states the Department should anticipate enactment of expanded authority to accept waste for interim storage and should refocus the civilian radioactive waste program accordingly. I want to assure the gentleman from Indiana that the Committee on Commerce will soon take up the legislation to direct DOE to develop an interim storage site. I thank the gentleman for engaging in this colloquy.

Mr. MYERS of Indiana. I thank the gentleman for bringing the issue up and look forward to working with him in the future development of a site for our nuclear waste.

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

Mr. Chairman, I represent the First District of Kentucky, which includes the Land Between the Lakes. LBL is a 170,000-acre national recreation and environmental education area managed by the Tennessee Valley Authority. LBL supports a \$400 million regional tourism industry and provides high-quality recreation and environmental opportunities to over 2 million visitors a year.

Mr. Chairman, TVA has been working to create a new public and private partnership to increase the rate of return from LBL. User fees are being collected from the public, and the need for Federal subsidies is expected to de-

crease as management builds more efficiencies into the LBL system.

As reported by the Committee on Appropriations, the recommended Federal contribution to LBL is \$3.1 million, a reduction of \$3 million from the budget request of \$6.1 million. Although I appreciate the serious budgetary constraints under which the committee is operating, I fear that this reduced level of funding will frustrate TVA's ability to manage a smooth transition to LBL self-sufficiency.

In the past, TVA has used stewardship account funds to support functions of LBL. To the extent that TVA is able to realize reductions, savings, or efficiencies, I presume the committee will allow TVA the flexibility to allocate available resources so that stewardship funds could be used from LBL if necessary.

I would just like to enter into a colloquy with the chairman and ask him if he agrees with that understanding.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. WHITFIELD. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. This is exactly the position the committee took. We have long supported TVA but we realize with the limited resources you spoke of, we just cannot continue all of these. But we would be glad to work with the Tennessee Valley Authority and the Congressmen from that area, both Tennessee and Kentucky, because this is a problem we have to address but that we are not expecting to be addressed and solved overnight. We will be glad to work with the gentleman.

Mr. WHITFIELD. I appreciate the hard work that the committee has done and commend the chairman for trying to balance the needs of the public versus the resources that we are working with. I appreciate your working with TVA and allowing them some flexibility on these funds.

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

Mr. Chairman, at the outset, let me express as one member of the Subcommittee on Energy and Water Development of the Committee on Appropriations my appreciation to the gentleman from Indiana [Mr. MYERS], the chairman of the subcommittee, and the gentleman from Alabama [Mr. BEVILL], the ranking member, for their help in including in the fiscal year 1996 Energy and Water appropriations bill \$250,000 in funds for the Sonoma County, California Vernal Pools Task Force. These funds which I sought along with my colleague the gentlewoman from California [Ms. WOOLSEY] will enable completion of the second phase of a preservation plan for Vernal Pools which are a very sensitive and fragile form of ecosystem and wetlands.

As the subcommittee chairman knows, the Vernal Pools Task Force was established at my initiative in 1991 before my sabbatical from Congress and its primary goal is simplification of the Army Corps of Engineers permit-

ting process for areas that do not contain high-quality vernal pools. In Public Law 102-580, the 102d Congress directed the Secretary of the Army to provide technical assistance to the task force in drafting a plan for the development and preservation of high-quality seasonal wetlands on the Santa Rosa plain.

The task force has now completed the first phase of developing an application to the Army Corps of Engineers general permit, namely, identifying the areas to be considered potential high-quality sites. Specifically at this point, I would like to express my understanding of actions that the subcommittee encourages the Vernal Pools Task Force to undertake with respect to modifying its operations in a number of areas and then ask the subcommittee chairman if he concurs in those expectations.

First of all, approximately one-half of the current task force consists of representatives of Federal and State agencies. The involvement of the agencies as voting members of the task force has inhibited development of a plan that is community-driven. To rectify this, it may be preferable for Federal and State officials to serve in an advisory manner and not to have a vote on the task force.

Second, the committee understands that a large amount of land under consideration by the task force is agricultural in nature and in use, yet the agricultural community does not have sufficient representation on the task force. We would encourage three additional members be added to represent the agricultural community as determined by the Sonoma County Farm Bureau.

Third, the task force does not currently include a representative from my congressional office representing California's First District. The task force should include one nonvoting representative each from the First and Sixth Congressional District offices.

And finally, we believe that affected property owners should have a mechanism to appeal any task force decision to list their property as high-quality wetlands. Before completion of phase II with the funds appropriated by the subcommittee, all owners of property designated as high-quality wetlands should be notified of the pending designation and the task force should develop an appeals process for affected property owners.

So at this point, Mr. Chairman, I would like to yield to the gentleman from Indiana [Mr. MYERS], the subcommittee chairman, again commend him for his fine work in drafting this complex and important piece of legislation, and ask the gentleman if I am correct that the committee views these actions as appropriate.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. RIGGS. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, the gentleman from California

[Mr. RIGGS] is correct. Under his strong leadership before, when the gentleman was here the first term, he became a leader in this field and much of what has been accomplished so far is because of the gentleman's endeavor and hard work. He continues to do the same job as a member of this subcommittee. We work closely with the gentleman and continue, as we have in the past, and the gentleman is correct in what we are trying to do.

Mr. RIGGS. Mr. Chairman, I thank the gentleman for his very kind remarks.

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

Mr. Chairman, I would like to enter into a colloquy with the gentleman from Indiana [Mr. MYERS]. I first want to compliment the gentleman and his staff for this fine bill, particularly in light of the fiscal situation with which we are faced, and the yeoman's job the gentleman has done today just staying with it and I know we will continue tomorrow.

Of great importance to Arkansas, and many other states in the Southwest United States, is the McClellan-Kerr navigation project on the Arkansas River. Grain, steel, lumber and finished products are shipped and received on this inland navigation system.

The surface level of the Mississippi River is expected to decline to 95 feet above sea level, roughly 15 feet lower than the original design elevation at the confluence of the river and the McClellan-Kerr project. Without corrective action, not even empty tows could go either way on the river. They would be resting on the bottom with no water for navigation.

Delays and unreliable service due to these low water levels will adversely impact industry as far west as Texas and Colorado and as far north as Iowa and Nebraska. As the President of Century Tube Corp. of my hometown of Pine Bluff, AR, Robert Pfautz, indicated in a letter last month,

We have experienced river closing in the past which lasted several weeks and caused us to take emergency actions to keep our production lines running at significant cost and possible plant shutdowns. If barges are unable to enter into the Arkansas River from the Mississippi, then we are forced to offload steel at ports on the Mississippi and transport the steel by truck to our plant. This process is very expensive.

Shortage of water not only stops traffic on the river, it also causes people to initially choose more reliable and expensive transportation during certain times of the year.

In 1993, the Army Corps of Engineers finalized a study that detailed the necessity of the construction of lock and dam at the confluence of the Mississippi and the entrance to the McClellan-Kerr project. The other alternative was dredging. Dredging, which is a process that digs land from the bottom of the river to ensure that water levels are maintainable, costs between \$6 million and \$7 million every year.

I might add that the disposal of the dredged material is an environmental issue. At this time, there are few places we can dispose of this material, as it may risk 2,400 acres of hardwood-wetland wildlife habitat.

The highlights of the important of the Montgomery Point Lock and Dam thus are twofold. By constructing this lock and dam, we can provide industry with a less expensive means of transporting its good in and out of the Midwest and the Southwest United States.

Mr. Chairman, the gentleman from Indiana [Mr. MYERS], in his bill, indicates his recognition that this is a problem and has included \$5.4 million to begin land acquisition for the planning and construction of roads and facilities for the Montgomery Point Lock and Dam.

For the past 5 years, Mr. Chairman, as you know, language has been included expressing congressional intent that this project be built. Unfortunately, the Corps, despite Congress' intent to move on this project, has not seen fit to act.

Mr. Chairman, I would ask the gentleman from Indiana [Mr. MEYERS] if it is his intent to direct the Army Corps of Engineers to undertake the activities in fiscal year 1996 as outlined in this bill's accompanying report, thereby enabling Century Tube of Pine Bluff, farmers, and other shippers to use this critical waterway year round.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. DICKEY. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, the gentleman from Arkansas [Mr. DICKEY] has very accurately described the conditions on the McClellan-Kerr Waterway and it is a very severe problem and we are well aware of that. We have been trying to tell the Corps that we intend it to be built. We have had some difficulty getting it started, but we will work you and the Corps to make sure that they do fulfill the intent of Congress.

We thank the gentleman for his diligence. Perseverance is not lacking in his character.

Mr. DICKEY. Mr. Chairman, also patience and tolerance is not lacking in the gentleman's qualifications either. Let me ask the gentleman one other question. Does this action that he is directing constitute the start of the construction process?

Mr. MYERS of Indiana. Mr. Chairman, we think it is, yes. We will be working with the Corps to make sure that is carried out, and with the gentleman, I am sure.

AMENDMENT OFFERED BY MR. HOKE

Mr. HOKE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOKE: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 505. The Secretary of Energy shall transmit a report to the Congress each time

the Secretary authorizes the payment of travel expenses of the Secretary or other employees of the Department of Energy in excess of an aggregate of \$5,246,200 for fiscal year 1996. Such report shall describe the amount authorized, the purposes for which such funds were originally allocated, and the travel expenses for which they are used.

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. MYERS of Indiana. Mr. Chairman, I reserve a point of order on this amendment.

The CHAIRMAN. The gentleman reserves a point of order.

The amendment as offered by the gentleman from Ohio [Mr. HOKE] goes to title V.

Mr. HOKE. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. Without objection the gentleman from Ohio withdraws the amendment.

There was no objection.

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

Mr. Chairman, I rise to engage the gentleman from Indiana in a colloquy. Mr. Chairman, as you know, I recently submitted for the RECORD this amendment which was designed to restore some degree of sanity to the official travel policies at the Department of Energy. I want to take a moment just to discuss the reasoning behind the amendment.

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Some months ago I began an investigation of the Secretary of Energy's proclivity to spend generously on herself and her aides in the course of what has been called or billed as "official travel." Through a preliminary inquiry into the agency's activities, it is apparent that Secretary O'Leary has already transferred in excess of \$400,000 from nuclear accounts, including accounts used by scientists and technicians in the department's nuclear safeguards and security programs by pay for this travel.

Although the Secretary claims that her use of official funds is not out of the ordinary, the facts paint an entirely different picture. According to a recent L.A. Times article, the Secretary believes in traveling in business and first class more often than not, and she spent approximately \$815 per trip, for a total of nearly \$50,000 on her domestic travels alone. That does not include the costs associated with those who are traveling with her, her staff, which has included as many as 10 people, nor does that take into account the Secretary's overseas junkets, which include bank-busting visits to Russia, to Italy and to France.

It is truly shocking and without precedent that the Department of Energy seems to become a travel service for the Secretary of Energy. In fact,

she has recently demanded that program offices responsible for safeguarding our Nation's nuclear deterrent cough up additional funds to pay for an August trip to South Africa.

The onset of this travel investigation has coincided with the resignation of the No. 2 official in the dependent and with rumors of other top-level officials leaving the department.

As we can all no doubt recall, the President campaigned in 1992 on a pledge his administration would be free from even the taint of inappropriate activity.

In light of all of these recent developments and because I am mindful of the fact my amendment may constitute legislating on an appropriations bill, I do not intend to offer it later today on part 5. However, I do intend to revisit the issue in the very near future, for that reason, I would like to yield for your thoughts and comments on this important issue.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. HOKE. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. I thank the gentleman for bringing up this issue. The committee is well aware of the press coverage and the accusations of extravagant, if not unnecessary, spending on travel.

We have reduced the administrative resources for the Department of Energy this year. They have done their part. We will be watching this very closely. Also, we appreciate you working with the committee. We will be watching it very closely. I assure you of that.

Mr. HOKE. I do appreciate the chairman's offer and expression of support on that.

Mr. MYERS of Indiana. Thank you for drawing our attention to that.

Mr. HOKE. I know gentleman from Kansas also wanted to add some thoughts on this.

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

Mr. HOKE. I yield to the gentleman from Kansas.

Mr. TIAHRT. I know we have some limited time. We do not have time to talk about how the Secretary averages more on a 3-day trip than the next person in the Cabinet averages on a 5-day trip. We really do not have time to talk about the time when the Secretary went to Boston and spent \$337 per night in a hotel when the head of the EPA was just there subsequently and only spent \$83 per night. We do not have time to talk about how the Secretary of the Department of Energy always travels with 7 or more, as an average, aides. We do not have time to talk about upgrading costs when she took a trip from Chicago to London along with members of her staff, and the upgrades alone cost \$10,265 to the taxpayer.

What really is kind of bothering me about this is it is being charged not to just this budget but also to the future. We are borrowing this money. We are going to go out and borrow this money.

On July 4, I had a nephew born, Keenan Tiahart. He was born July 4, 1995, and because of spending like this that goes to the debt, he is going to have to pay \$197,000 in taxes just to pay the interest on the debt. So we are charging it to his account and to my children's account and to the next generation's account.

So it is a little bit difficult. We do not want to micromanage this. But I am not sure what we are going to have to do, whether we have to shame the Secretary of the Department of Energy to travel on the same budget the rest of us travel on. Why does she have to be excessive on the taxpayers' dollars?

I wanted to say I understand why you cannot offer this because of the way the rules are written, but I think that we should have some sanity in the way of traveling. I appreciate Chairman MYERS watching the Secretary.

I know that I had an amendment that I was going to offer. I am not going to offer it because he has done a good job of reducing the Administration's budget, forcing the Secretary of Energy to travel differently.

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

I just wanted to, before I yield to the gentleman from Ohio, I would just like to say I think Chairman MYERS has done a good job of taking one step forward in seeing we reduce the administrative budget by about approximately 20 percent.

All the corporations across the United States have reduced, and I think it has made them more efficient. If you talk to the corporations, you will find out that by downsizing, they have become more efficient.

So I think this is a good step in the right direction. That is why I am not offering my amendment. I understand the rules, you know, that we cannot micromanage and we cannot put this onto the appropriations bill. I think we are taking the right steps to downsize.

I have a bill that will eliminate the Department of Energy. I think we are in line towards even that goal. So we are taking the right steps as a Congress, and I just want to commend Chairman MYERS.

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

Mr. TIAHRT. I yield to the gentleman from Ohio.

Mr. HOKE. The fact is we have got a problem at the Department of Energy with travel, and it is not just a small problem, because what it does do is it takes money away from the accounts that safeguard our nuclear energy program, and it is spending it in a way that is very difficult, to say the least, to understand by Members of Congress who are charged with oversight of the Department of Energy.

I will give you one other example of this, because I think it is instructive, because I think it is important that our colleagues know that there is a real problem. It is a genuine problem, and it is a problem that we want the

Department of Energy and the Secretary of that department to take seriously and to get under control and to do it now.

As you know, government officials are permitted to claim up to 100 percent of the maximum per diem in special or unusual circumstances. However, Secretary O'Leary has sought reimbursement for expenses in excess of the maximum per diem on 61 of the 71 occasions when she stayed at a hotel in the United States. She appears to believe that the special or unusual circumstances are the rule when she travels.

Now, she has transferred \$400,000 from other program accounts to finance this travel. She has just returned from a trip to Paris, Florence, and Baku. She is currently in Russia for the 8th time, and she is soon going to be off to South Africa. It is enough. Enough is enough, Mr. Chairman, and we want this kind of extravagant travel to stop, and we want the money to be stopped being taken from the accounts and wasted on the travel account.

Mr. TIAHRT. Reclaiming my time, I wanted to note, I want you to know this goes beyond just the travel budget. We have instances pointed out by Vice President GORE in his National Performance Review that the Department of Energy, in their environmental management area, has missed 20 percent of their milestones, which means they are behind schedule. They are 40 percent inefficient. It could cost us \$70 billion over the next 30 years. I think Vice President GORE's National Performance Review is clear we need to do something about the management practices at the Department of Energy.

Mr. MYERS of Indiana. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I hope the Secretary was watching C-SPAN in Russia and got the message firsthand.

We are about to finish here the committee's business this day. On behalf of the committee, I want to thank the professional staff here as well as our staff members for the patience and understanding and cooperation today.

Tomorrow will be chapter 2, and we expect to finish by noon tomorrow, noon someplace, anyway, but we have a few more amendments tomorrow, but with the understanding and cooperation, we can finish it. Be here at 10 o'clock sharp, tomorrow morning.

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

Mr. MYERS of Indiana. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Chairman, I was listening to the latest discussion by the gentleman from Ohio and the gentleman from Kansas.

Sitting here, it just struck me, if we are really talking about saving money, and I am not taking up with the Secretary of Energy, Secretary O'Leary, the amounts, or urge the amounts that have been set out. I am not taking up for her. But what was interesting for

me to hear that we are running up the big deficit by Secretary O'Leary charging hotel rooms and airplane flights and everything else and just, well, an hour ago, everybody had a chance to save \$18 million. I do not think Secretary O'Leary has spent \$18 million.

Mr. MYERS of Indiana. She is not home yet.

Mr. VOLKMER. She has not spent \$18 million. We could have saved \$18 million. They did not want to save that.

Mr. MYERS of Indiana. Mr. Chairman, today's business for the committee is finished at this point.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BARR) having assumed the chair, Mr. LAHOOD, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1905), making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1977, DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

Mr. SOLOMON, from the Committee on Rules, submitted a privileged report (Rept. No. 104-182) on the resolution (H. Res. 185) providing for consideration of the bill (H.R. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT TO CONGRESS CONCERNING EMIGRATION LAWS AND POLICIES OF ROMANIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 104-93)

The SPEAKER pro tempore (Mr. BARR) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

On May 19, 1995, I determined and reported to the Congress that Romania is in full compliance with the freedom of emigration criteria of sections 402 and 409 of the Trade Act of 1974. This action allowed for the continuation of most-favored-nation (MFN) status for Romania and certain other activities without the requirement of a waiver.

As required by law, I am submitting an updated Report to Congress con-

cerning emigration laws and policies of Romania. You will find that the report indicates continued Romanian compliance with U.S. and international standards in the area of emigration policy.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 11, 1995.

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SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BARR). Under the Speaker's announced policy of May 12, 1995, and under a previous order of the House, the following Members are recognized for 5 minutes each.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON THE BUDGET REGARDING CURRENT LEVELS OF SPENDING AND REVENUES FOR FISCAL YEARS 1995-1999

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. KASICH] is recognized for 5 minutes.

Mr. KASICH. Mr. Speaker, on behalf of the Committee on the Budget and pursuant to sections 302 and 311 of the Congressional Budget Act, I am submitting for printing in the CONGRESSIONAL RECORD and updated report on the current levels of on-budget spending and revenues for fiscal year 1995 and for the 5-year period fiscal year 1995 through fiscal year 1999.

This report is to be used in applying the fiscal year 1995 budget resolution (H. Con. Res. 218), for legislation having spending or revenue effects in fiscal years 1995 through 1999.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE BUDGET,
Washington, DC, July 10, 1995.

Hon. NEWT GINGRICH,
Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: To facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal year 1995 and for the 5-year period fiscal year 1995 through fiscal year 1999.

The term "current level" refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature as of June 30, 1995.

The first table in the report compares the current level of budget authority, outlays, and revenues with the aggregate levels set by H. Con. Res. 218, the concurrent resolution on the budget for fiscal year 1995. This comparison is needed to implement section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 1995 because appropriations for those years have not yet been considered.

The second table compares the current levels of budget authority, outlays, and new entitlement authority of each direct spending committee with the "section 602(a)" allocations for discretionary action made under H. Con. Res. 218 for fiscal year 1995 and for fiscal years 1995 through 1999. "Discretionary action" refers to legislation enacted after

adoption of the budget resolution. This comparison is needed to implement section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 602(a) discretionary action allocation of new budget authority or entitlement authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a). The section 602(a) allocations printed in the conference report on H. Con. Res. 218 (H. Rept. 103-490) were revised to reflect the changes in committee jurisdiction as specified in the Rules of the House of Representatives adopted on January 4, 1995.

The third table compares the current levels of discretionary appropriations for fiscal year 1995 with the revised "section 602(b)" suballocations of discretionary budget authority and outlays among Appropriations subcommittees. This comparison is also needed to implement section 302(f) of the Budget Act, since the point of order under that section also applies to measures that would breach the applicable section 602(b) suballocation. The revised section 602(b) suballocations were filed by the Appropriations Committee on September 21, 1994.

The aggregate appropriate levels and allocations reflect the adjustments required by section 25 of H. Con. Res. 218 relating to additional funding for the International Revenue Service compliance initiative.

Sincerely,

JOHN R. KASICH,
Chairman.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET STATUS OF THE FISCAL YEAR 1995 CONGRESSIONAL BUDGET ADOPTED IN H. CON. RES. 218—REFLECTING ACTION COMPLETED AS OF JUNE 30, 1995

(On-budget amounts, in millions of dollars)

	Fiscal year	
	1995	1995-1999
Appropriate Level (as set by H. Con. Res. 218):		
Budget authority	1,238,705	6,892,705
Outlays	1,217,605	6,767,805
Revenues	977,700	5,415,200
Current Level:		
Budget authority	1,233,103	(¹)
Outlays	1,216,173	(¹)
Revenues	978,218	5,383,557
Current Level over(+)/ under(-) Appropriate Level:		
Budget authority	-5,602	(¹)
Outlays	-1,432	(¹)
Revenues	518	-31,643

¹ Not applicable because annual appropriations Acts for Fiscal Years 1997 through 1999 will not be considered until future sessions of Congress.

BUDGET AUTHORITY

Enactment of measures providing more than \$5.602 billion in new budget authority for FY 1995 (if not already included in the current level estimate) would cause FY 1995 budget authority to exceed the appropriate level set by H. Con. Res. 218.

OUTLAYS

Enactment of measures providing new budget or entitlement authority that would increase FY 1995 outlays by more than \$1.432 billion (if not already included in the current level estimate) would cause FY 1995 outlays to exceed the appropriate level set by H. Con. Res. 218.

REVENUES

Enactment of any measures producing any net revenue loss of more than \$518 million in FY 1995 (if not already included in the current level estimate) would cause FY 1995 revenues to fall below the appropriate level set by H. Con. Res. 218.

Enactment of any measure producing any net revenue loss for the period FY 1995 through FY 1999 (if not already included in