

(B) report to the Secretary and the Congress on at least an annual basis assessing the performance of—

(i) the Department, in improving its management practices of Department laboratories through the reduction or elimination of unnecessary or counterproductive management burdens;

(ii) the Department laboratories, in reducing costs by a cumulative amount of at least \$1,400,000,000 between fiscal year 1996 and fiscal year 2000 through the elimination of unnecessary or counterproductive administrative practices and procedures; and

(iii) the Department, in meeting the goal of cutting employment of the Department laboratories by 15 percent over 5 years, using fiscal year 1994 personnel figures as the baseline; and

(C) provide recommendations regarding budget allocation for programs or Department laboratories.

(3) ADDITIONAL FUNCTIONS.—The Secretary may establish additional functions for the Board, or request additional review, comment, or recommendations from public members of the Board.

(4) FUNCTIONS LIMITATION.—The Federal Advisory Committee Act (5 U.S.C. App.), section 17 of the Federal Energy Administration Act (15 U.S.C. 776), and section 552b of title 5, United States Code, do not apply to the Board or its members.

(e) SUNSET.—This section terminates on September 30, 2005.

Page 3, after the item in the table of contents relating to section 312, insert the following:

Sec. 313. Department of Energy Laboratory Operations Board.

Amendment submitted by Mr. ROEMER:

Page 104, after line 5, insert the following new section:

SEC. 313. LABORATORIES EFFICIENCY IMPROVEMENT.

(a) ELIMINATION OF SELF-REGULATION.—Notwithstanding any other provision of law, the Department shall not be the agency of implementation, with respect to departmental laboratories, other than departmental defense laboratories, of Federal, State, and local environmental, safety, and health rules, regulations, orders, and standards.

(b) PERSONNEL REDUCTIONS.—

(1) REQUIREMENTS.—The aggregate number of individuals employed by all government-owned, contractor-operated departmental laboratories, other than departmental defense laboratories, shall be reduced, within 5 years after the date of the enactment of this Act, by at least one-third from the number so employed as of such date of enactment. At least 3 percent of such reduction shall be accomplished within 1 year, at least 6 percent within 18 months, at least 10 percent within 2 years, and at least 15 percent within 30 months.

(2) OBJECTIVES.—The Secretary shall ensure that the personnel reductions required by paragraph (1) are made consistent with, to the extent feasible, the following objectives:

(A) Termination of departmental laboratory research and development facilities that are not the most advanced and the most relevant to the programmatic objectives of the Department, when compared with other facilities in the United States.

(B) Termination of facilities that provide research opportunities duplicating those afforded by other facilities in the United States, or in foreign countries when United States scientists are provided access to such facilities to the extent necessary to accomplish the programmatic objectives of the Department.

(C) Relocation and consolidation of departmental laboratory research and development activities, consistent with the programmatic objectives of the Department, within laboratories with major facilities or demonstrable concentrations of expertise appropriate for performing such research and development activities.

(D) Reduction of management inefficiencies within the Department and the departmental laboratories.

(E) Reduction of physical infrastructure needs.

(F) Utilization of other resources for performing Department of Energy funded research and development activities, including universities, industrial laboratories, and others.

(c) REPORTS TO CONGRESS.—

(1) INITIAL REPORT.—Within 1 year after the date of the enactment of this Act, the Secretary shall transmit a report to the Congress that—

(A) identifies the extent to which Department and departmental laboratory staffs have been reduced as a result of the implementation of subsection (a) of this section; and

(B) explains the extent to which reductions required by subsection (b)(1) have been made consistent with the objectives set forth in subsection (b)(2).

(2) ANNUAL REPORTS.—The Secretary shall transmit to the Congress, along with each of the President's annual budget submissions occurring—

(A) after the report under paragraph (1) is transmitted; and

(B) before the full personnel reduction requirement under subsection (b) is accomplished, a report containing the explanation described in paragraph (1)(B) of this subsection.

(d) DEFINITIONS.—For purposes of this section—

(1) the term "departmental laboratory" means a Federal laboratory, or any other laboratory or facility designated by the Secretary, operated by or on behalf of the Department;

(2) the term "departmental defense laboratories" means the Lawrence Livermore National Laboratory, the Los Alamos National Laboratory, and the Sandia National Laboratories;

(3) the term "Federal laboratory" has the meaning given the term "laboratory" in section 12(d)(2) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(2)); and

(4) the term "programmatic objectives of the Department" means the goals and milestones of the Department, as set forth in departmental strategic planning documents and the President's annual budget requests.

Page 3, after the item in the table of contents relating to section 312, insert the following:

"Sec. 313. Laboratories efficiency improvement."

It was decided in the { Yeas ..... 147 negative ..... } Nays ..... 274

126.16

[Roll No. 703]

AYES—147

Ackerman Allard Armev Baldacci Barcia Becerra Beilenson Bentsen Berman Bevill Bishop Bonior Borski Boucher

Browder Brown (CA) Brown (FL) Brown (OH) Bryant (TX) Callahan Clayton Clyburn Coburn Coleman Collins (IL) Collins (MI) Condit

Conyers Costello Coyne Cramer Danner de la Garza Defazio DeLauro Dellums Deutsch Dicks Dingell Dixon Doyle

Durbin Engel Ensign Evans Everett Fattah Fazio Filner Flake Foglietta Ford Fox Franks (NJ) Frost Furse Gejdenson Gephardt Gibbons Gonzalez Green Gutierrez Hancock Hastings (FL) Hefner Hilliard Hinchey Horn Hoyer Jackson-Lee Jefferson Johnson (SD) Johnson, E. B. Johnston Kanjorski Kennedy (RI)

Kildee Klink LaFalce Lantos Levin Lewis (GA) Lowey Maloney Manton Martinez Mascara Matsui McCarthy McDermott McKinney McNulty Meek Mfume Miller (CA) Minge Montgomery Moran Nadler Oberstar Olver Ortiz Owens Pastor Payne (NJ) Payne (VA) Pelosi Peterson (FL) Peterson (MN) Pomeroy Poshard

Rahall Rangell Richardson Rivers Roberts Rose Roybal-Allard Rush Sabo Sanders Sawyer Schroeder Schumer Scott Serrano Skaggs Skelton Spratt Stearns Stokes Studds Stump Thompson Torres Towns Velazquez Vento Waters Watt (NC) Waxman Wise Woolsey Wyden Wynn Yates

NOES—274

Abercrombie Andrews Archer Bachus Baesler Baker (CA) Baker (LA) Ballenger Barr Barrett (NE) Barrett (WI) Bartlett Barton Bateman Bereuter Bilbray Bilirakis Biiley Blute Boehlert Boehner Bonilla Bono Brewster Brownback Bryant (TN) Bunn Bunning Burr Burton Buyer Calvert Camp Canady Cardin Castle Chabot Chambliss Chapman Chenoweth Christensen Chrysler Clement Clinger Coble Collins (GA) Combest Cooley Cox Crane Crapo Cremeans Cubin Cunningham Davis Deal DeLay Diaz-Balart Dickey Doggett Dooley Doolittle Dreier

Duncan Dunn Edwards Ehlers Ehrlich Emerson English Eshoo Ewing Farr Fawell Fields (TX) Flanagan Foley Forbes Fowler Frank (MA) Franks (CT) Frelinghuysen Frisa Funderburk Gallegly Ganske Gekas Geren Gilchrest Gillmor Gilman Goodlatte Goodling Gordon Goss Graham Greenwood Gunderson Gutknecht Hall (OH) Hall (TX) Hamilton Hansen Harman Hastert Hastings (WA) Hayes Hayworth Hefley Heineman Herger Hillery Hobson Hoekstra Hoke Holden Hostettler Houghton Hunter Hutchinson Hyde Inglis Istook Jacobs Johnson (CT) Johnson, Sam

Jones Kaptur Kasich Kelly Kennedy (MA) Kim King Kingston Kleczka Klug Knollenberg Kolbe LaHood Largent Latham LaTourrette Laughlin Lazio Leach Lewis (CA) Lewis (KY) Lightfoot Lincoln Linder Lipinski Livingston LoBiondo Lofgren Longley Lucas Luther Manzullo Markey Martini McCollum McCrery McDade McHale McHugh McInnis McIntosh McKeon Meehan Menendez Metcalf Meyers Mica Miller (FL) Mink Molinari Mollohan Moorhead Morella Murtha Myers Myrick Neal Nethercutt Neumann Ney Norwood Nussle Obey

Orton Scarborough Thornberry  
 Oxley Schaefer Thornton  
 Packard Seastrand Thurman  
 Pallone Sensenbrenner Tiahrt  
 Parker Shadegg Torikildsen  
 Paxon Shaw Torricelli  
 Petri Shays Traficant  
 Pickett Shuster Upton  
 Pombo Sisisky Visclosky  
 Porter Skeen Vucanovich  
 Portman Slaughter Waldholtz  
 Pryce Smith (MI) Walker  
 Quillen Smith (NJ) Walsh  
 Quinn Smith (TX) Wamp  
 Radanovich Smith (WA) Ward  
 Ramstad Solomon Watts (OK)  
 Reed Souder Weldon (FL)  
 Regula Spence Weldon (PA)  
 Riggs Stark Weller  
 Roemer Stenholm White  
 Rogers Stockman Whitfield  
 Rohrabacher Stupak Wicker  
 Ros-Lehtinen Talent Williams  
 Roth Tanner Wolf  
 Roukema Tate Young (AK)  
 Royce Tauzin Young (FL)  
 Salmon Taylor (MS) Zimmer  
 Sanford Taylor (NC)  
 Saxton Thomas

NOT VOTING—11

Bass Moakley Volkmer  
 Dornan Schiff Wilson  
 Fields (LA) Tejada Zeliff  
 Kennelly Tucker

So the substitute amendment was not agreed to.

¶126.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the foregoing amendment submitted by Mr. ROEMER:

It was decided in the { Yeas ..... 135  
 negative ..... 286

¶126.18 [Roll No. 704]

AYES—135

Allard Hamilton Ney  
 Andrews Hancock Norwood  
 Ballenger Harman Obey  
 Barcia Hayworth Owens  
 Barr Heineman Oxley  
 Barrett (WI) Hobson Parker  
 Barton Hoekstra Peterson (MN)  
 Brownback Hoke Petri  
 Burr Holden Pomeroy  
 Burton Hostettler Portman  
 Callahan Inglis Poshard  
 Camp Istook Pryce  
 Cardin Jacobs Radanovich  
 Castle Johnson (SD) Ramstad  
 Chenoweth Johnson, Sam Reed  
 Christensen Kanjorski Roemer  
 Clayton Kaptur Rohrabacher  
 Coble Kasich Roth  
 Coburn Kennedy (RI) Royce  
 Collins (GA) Kleczka Sabo  
 Combust Klink Salmon  
 Condit Klug Sanford  
 Conyers LaHood Scarborough  
 Cooley Largent Schroeder  
 Costello Latham Shadegg  
 Cox Laughlin Shays  
 Coyne Lincoln Smith (MI)  
 Cremeans Linder Smith (WA)  
 Cubin LoBiondo Souder  
 Danner Longley Stark  
 Deal Lowey Stearns  
 Doggett Luther Stenholm  
 Doyle Mascara Stockman  
 Ensign McHale Stump  
 Everett McIntosh Stupak  
 Flanagan Meehan Talent  
 Foley Metcalf Tauzin  
 Fox Miller (FL) Taylor (MS)  
 Frank (MA) Minge Thornberry  
 Franks (NJ) Mink Upton  
 Funderburk Montgomery Vento  
 Geren Myers Visclosky  
 Gilchrist Myrick Vucanovich  
 Goss Neal Waters  
 Greenwood Neumann Watts (OK)

NOES—286  
 Abercrombie Frelinghuysen Murtha  
 Ackerman Frisa Nadler  
 Archer Frost Nethercutt  
 Arme Furse Nussle  
 Bachus Gallegly Oberstar  
 Baesler Ganske Olver  
 Baker (CA) Gejdenson Ortiz  
 Baker (LA) Gekas Orton  
 Baldacci Gephardt Packard  
 Barrett (NE) Gibbons Pallone  
 Bartlett Gillmor Pastor  
 Bateman Gilman Paxon  
 Becerra Gonzalez Payne (NJ)  
 Beilenson Goodlatte Payne (VA)  
 Bentsen Goodling Pelosi  
 Bereuter Gordon Peterson (FL)  
 Berman Graham Pickett  
 Bevill Green Pombo  
 Bilbray Gunderson Porter  
 Bilirakis Gutierrez Quillen  
 Bishop Gutknecht Quinn  
 Bilely Hall (OH) Rahall  
 Blute Hall (TX) Rangel  
 Boehlert Hansen Richardsson  
 Boehner Hastert Riggs  
 Bonilla Hastings (FL) Rivers  
 Bonior Hastings (WA) Roberts  
 Bono Hayes Rogers  
 Borski Hefley Ros-Lehtinen  
 Boucher Hefner Rose  
 Brewster Herger Roukema  
 Browder Hilleary Roybal-Allard  
 Brown (CA) Hilliard Rush  
 Brown (FL) Hinchey Sanders  
 Brown (OH) Horn Sawyer  
 Bryant (TN) Houghton Saxton  
 Bryant (TX) Hoyer Schaefer  
 Bunn Hunter Schumer  
 Bunning Hutchinson Scott  
 Buyer Hyde Seastrand  
 Calvert Jackson-Lee Sensenbrenner  
 Canady Jefferson Serrano  
 Chabot Johnson (CT) Shaw  
 Chambliss Johnson, E. B. Shuster  
 Chapman Johnston Skaggs  
 Chrysler Jones Skeen  
 Clay Kelly Skelton  
 Clement Kennedy (MA) Slaughter  
 Clinger Kildee Smith (NJ)  
 Clyburn Kim Smith (TX)  
 Coleman King Solomon  
 Collins (IL) Kingston  
 Collins (MI) Knollenberg  
 Cramer Kolbe  
 Crane LaFalce  
 Crapo Lantos  
 Cunningham LaTourette  
 Davis Lazio  
 de la Garza Leach  
 DeFazio Levin  
 DeLauro Lewis (CA)  
 DeLay Lewis (GA)  
 Dellums Lewis (KY)  
 Deutsch Lightfoot  
 Diaz-Balart Lipinski  
 Dickey Livingston  
 Dicks Lofgren  
 Dingell Lucas  
 Dixon Maloney  
 Dooley Manton  
 Doolittle Manzullo  
 Dreier Markey  
 Duncan Martinez  
 Dunn Martini  
 Durbin Matsui  
 Edwards McCarthy  
 Ehlers McCollum  
 Ehrlich McCrery  
 Emerson McDade  
 Engel McDermott  
 English McHugh  
 Eshoo McNinnis  
 Evans McKeon  
 Ewing McKinney  
 Farr McNulty  
 Fattah Meek  
 Fawell Menendez  
 Fazio Meyers  
 Fields (TX) Mfume  
 Filner Mica  
 Flake Miller (CA)  
 Foglietta Molinaro  
 Forbes Mollohan  
 Ford Moorhead  
 Fowler Moran  
 Franks (CT) Morella

NOT VOTING—11

Bass Moakley Volkmer  
 Dornan Schiff Wilson  
 Fields (LA) Tejada Zeliff  
 Kennelly Tucker

So the amendment was not agreed to. The Committee rose informally to receive a message from the President. The SPEAKER pro tempore, Mr. BONILLA, assumed the Chair.

¶126.19 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 Committee resumed its sitting; and after some further time spent therein,

¶126.20 CALL IN COMMITTEE

Mr. KINGSTON, Chairman, announced that the Committee, having had under consideration said bill, finding itself without a quorum, directed the Members to record their presence by electronic device, and the following-named Members responded—

¶126.21 [Roll No. 705]

Abercrombie Clement Forbes  
 Ackerman Clinger Ford  
 Allard Clyburn Fowler  
 Andrews Coble Fox  
 Archer Coburn Franks (CT)  
 Arme Coleman Franks (NJ)  
 Bachus Collins (GA) Frelinghuysen  
 Baesler Collins (IL) Frisa  
 Baker (CA) Collins (MI) Funderburk  
 Baker (LA) Combust Furse  
 Baldacci Conyers Gallegly  
 Ballenger Cooley Ganske  
 Barcia Costello Gejdenson  
 Barr Cox Geren  
 Barrett (NE) Coyne Gilchrist  
 Barrett (WI) Cramer Gillmor  
 Bartlett Crane Gilman  
 Barton Crapo Gonzalez  
 Bateman Cremeans Goodlatte  
 Becerra Cubin Goodling  
 Beilenson Cunningham Gordon  
 Bentsen Danner Goss  
 Bereuter Davis Graham  
 Berman de la Garza Green  
 Bevill Deal Greenwood  
 Bilbray DeFazio Gunderson  
 Bilirakis DeLauro Gutierrez  
 Bishop DeLay Gutknecht  
 Bilely Dellums Hall (OH)  
 Blute Deutsch Hall (TX)  
 Boehlert Diaz-Balart Hamilton  
 Boehner Dickey Hancock  
 Bonilla Dicks Hansen  
 Bonior Dingell Harman  
 Bono Dixon Hastert  
 Borski Doggett Hastings (FL)  
 Boucher Doolittle Hastings (WA)  
 Brewster Doyle Hayes  
 Browder Dreier Hayworth  
 Brown (CA) Duncan Hefley  
 Brown (FL) Dunn Heineman  
 Brown (OH) Durbin Herger  
 Brownback Edwards Hilleary  
 Bryant (TN) Ehlers Hilliard  
 Bryant (TX) Ehrlich Hinchey  
 Bunn Emerson Hobson  
 Bunning Engel Hoekstra  
 Burr English Hoke  
 Burton Ensign Holden  
 Buyer Eshoo Horn  
 Callahan Evans Hostettler  
 Camp Everrett Houghton  
 Canady Ewing Hoyer  
 Cardin Farr Hutchinson  
 Castle Fattah Hyde  
 Chabot Fawell Inglis  
 Chambliss Filner Jackson-Lee  
 Chenoweth Flake Jacobs  
 Christensen Flanagan Johnson (CT)  
 Chrysler Foglietta Johnson (SD)  
 Clayton Foley Johnson, E. B.