Union Calendar No. 73

105TH CONGRESS
1ST SESSION

H. R. 1277

[Report No. 105–67, Parts I and II]

A BILL

To authorize appropriations for fiscal year 1998 and fiscal year 1999 for the civilian research, development, demonstration, and commercial application activities of the Department of Energy, and for other purposes.

JUNE 9, 1997

Reported from the Committee on Commerce with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 1997

Mr. CALVERT introduced the following bill; which was referred to the Committee on Science

APRIL 22, 1997

Reported with an amendment, referred to the Committee on Commerce for a period ending not later than June 6, 1997, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(e), rule X

[Strike out all after the enacting clause and insert the part printed in italic]

JUNE 5, 1997

Referral to the Committee on Commerce extended for a period ending not later than June 9, 1997

JUNE 9, 1997

Additional sponsors: Mr. BROWN of California, Ms. JACKSON-LEE of Texas, and Mr. FOLEY

JUNE 9, 1997

Reported from the Committee on Commerce with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in boldface roman]

[For text of introduced bill, see copy of bill as introduced on April 10, 1997]

A BILL

To authorize appropriations for fiscal year 1998 and fiscal year 1999 for the civilian research, development, demonstration, and commercial application activities of the Department of Energy, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Energy Civilian Research and Development Act of 1997".

SEC. 2. DEFINITIONS.

For purposes of this Act—

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

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

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

(4) the term "Secretary" means the Secretary of Energy.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) ENERGY SUPPLY RESEARCH AND DEVELOPMENT ACTIVITIES.—There are authorized to be appropriated to the Secretary for Energy Supply Research and Development operating expenses and capital equipment $2,838,719,000 for fiscal year 1998 and $2,847,812,000 for fiscal year 1999, of which—

(1) $272,820,000 for fiscal year 1998 (reduced by $15,000,000 to reflect the use of prior year balances) and $270,342,000 for fiscal year 1999 shall be for Solar and Renewable Resources Technologies, including—

(A) $2,150,000 for fiscal year 1998 and $2,150,000 for fiscal year 1999 for Solar Building Technology Research;

(B) $63,900,000 for fiscal year 1998 and $64,900,000 for fiscal year 1999 for Photovoltaic Energy Systems;

(C) $18,170,000 for fiscal year 1998 and $13,620,000 for fiscal year 1999 for Solar Thermal Energy Systems;

(D) $28,835,000 for fiscal year 1998 and $28,190,000 for fiscal year 1999 for Biopower/Biofuels Energy Systems;

(E) $29,500,000 for fiscal year 1998 and $18,140,000 for fiscal year 1999 for Wind Energy Systems;

(F) $2,800,000 for fiscal year 1998 and $500,000 for fiscal year 1999 for the National Renewable Energy Laboratory;

(G) $19,518,000 for fiscal year 1998 and $19,518,000 for fiscal year 1999 for Geothermal Electric Research and Development and Deployment;

(H) $1,000,000 for fiscal year 1998 for Hydropower;

(I) $44,500,000 for fiscal year 1998 and $36,500,000 for fiscal year 1999 for Electric Energy Systems and Storage, of which—

(i) $8,000,000 for fiscal year 1998 shall be for Electric and Magnetic Fields Research and Development;

(ii) $32,500,000 for fiscal year 1998 and $32,500,000 for fiscal year 1999 shall be for High-Temperature Superconductivity Research and Development; and

(iii) $4,000,000 for fiscal year 1998 and $4,000,000 for fiscal year 1999 shall be for Energy Storage Systems;

(J) $50,000,000 for fiscal year 1998 and $75,000,000 for fiscal year 1999 shall be for a Solar and Renewable Energy Science Initiative, to be managed by the Director of the Office of Energy Research, in consultation with the Assistant Secretary for Energy Efficiency and Renewable Energy on the goals and priorities of the initiative, for grants to be competitively awarded and subject to peer review for research related to solar and renewable energy; and

(K) $12,447,000 for fiscal year 1998 and $11,824,000 for fiscal year 1999 for Program Direction;

(2) $173,166,000 for fiscal year 1998 and $146,540,000 for fiscal year 1999 shall be for Nuclear Energy, including—

(A) $47,000,000 for fiscal year 1998 and $43,350,000 for fiscal year 1999 for Advanced Radioisotope Power Systems;

(B) $9,500,000 for fiscal year 1998 and $8,809,000 for fiscal year 1999 for Oak Ridge Landlord;

(C) $3,217,000 for fiscal year 1998 and $3,217,000 for fiscal year 1999 for Test Reactor Area Landlord;

(D) $2,000,000 for fiscal year 1998 for Advanced Test Reactor Fusion Irradiations;

(E) $6,000,000 for fiscal year 1998 and $6,000,000 for fiscal year 1999 for University Nuclear Science and Reactor Support;

(F) $70,535,000 for fiscal year 1998 and $60,000,000 for fiscal year 1999 for Termination Costs;

(G) $20,854,000 for fiscal year 1998 and $11,807,000 for fiscal year 1999 for Isotope Support; and

(H) $14,060,000 for fiscal year 1998 and $13,357,000 for fiscal year 1999 for Program Direction;

(3) $77,160,000 for fiscal year 1998 (reduced by $3,535,000 reflecting the use of prior year balances) and $76,828,000 for fiscal year 1999 shall be for Uranium Programs;

(4) $107,870,000 for fiscal year 1998 and $100,237,000 for fiscal year 1999 shall be for Environment, Safety, and Health;

(5) $367,538,000 for fiscal year 1998 and $378,564,000 for fiscal year 1999 shall be for Biological and Environmental Research, including—

(A) $157,037,000 for fiscal year 1998 and $161,748,000 for fiscal year 1999 for Life Sciences;

(B) $100,954,000 for fiscal year 1998 and $103,983,000 for fiscal year 1999 for Environmental Processes;

(C) $66,435,000 for fiscal year 1998 and $68,428,000 for fiscal year 1999 for Environmental Remediation;

(D) $43,112,000 for fiscal year 1998 and $44,405,000 for fiscal year 1999 for Medical Applications and Measurement Sciences; and

(E) $1,000,000 for fiscal year 1998 and $1,000,000 for fiscal year 1999 for the United States-Mexico Foundation for Science for research on biosciences and the environment,

except that, notwithstanding subparagraphs (A) through (E), the total amount which may be appropriated under this paragraph shall not exceed the overall sums stated at the beginning of this paragraph;

(6) $240,000,000 for fiscal year 1998 and $240,000,000 for fiscal year 1999 shall be for Fusion Energy Sciences, of which $5,000,000 for fiscal year

1998 and $5,000,000 for fiscal year 1999 shall be for General Plasma Science;

(7) $659,812,000 for fiscal year 1998 and $678,888,000 for fiscal year 1999 shall be for Basic Energy Sciences, including—

(A) $391,047,000 for fiscal year 1998 and $402,060,000 for fiscal year 1999 for Materials Sciences, of which not to exceed $5,000,000 for each such fiscal year may be used for the High Flux Beam Reactor at Brookhaven National Laboratory;

(B) $199,933,000 for fiscal year 1998 and $205,931,000 for fiscal year 1999 for Chemical Sciences;

(C) $41,371,000 for fiscal year 1998 and $42,612,000 for fiscal year 1999 for Engineering and Geosciences; and

(D) $27,461,000 for fiscal year 1998 and $28,285,000 for fiscal year 1999 for Energy Biosciences;

(8) $140,907,000 for fiscal year 1998 and $145,134,000 for fiscal year 1999 shall be for Computational and Technology Research, including—

(A) $117,490,000 for fiscal year 1998 and $121,014,000 for fiscal year 1999 for Mathematical, Information, and Computational Sciences;

(B) $15,829,000 for fiscal year 1998 and $16,304,000 for fiscal year 1999 for Laboratory Technology Research; and

(C) $7,588,000 for fiscal year 1998 and $7,816,000 for fiscal year 1999 for Advanced Energy Projects;

(9) $1,500,000 for fiscal year 1998 and $1,500,000 for fiscal year 1999 shall be for Energy Research Analysis;

(10) $29,070,000 for fiscal year 1998 and $27,434,000 for fiscal year 1999 shall be for Energy Research-Energy Supply Program Direction;

(11) $682,387,000 for fiscal year 1998 and $682,387,000 for fiscal year 1999 shall be for Environmental Restoration and Waste Management (Non-Defense), including—

(A) $457,625,000 for fiscal year 1998 and $457,625,000 for fiscal year 1999 for Environmental Restoration;

(B) $153,004,000 for fiscal year 1998 and $153,004,000 for fiscal year 1999 for Waste Management; and

(C) $71,758,000 for fiscal year 1998 and $71,758,000 for fiscal year 1999 for Nuclear Material and Facility Stabilization;

(12) $11,554,000 for fiscal year 1998 and $11,152,000 for fiscal year 1999 shall be for Technical Information Management; and

(13) $93,480,000 for fiscal year 1998 and $88,806,000 for fiscal year 1999 shall be for Field Operations.

(b) ENERGY ASSETS ACQUISITION.—There are authorized to be appropriated to the Secretary for the purchase, construction, expansion, and acquisition of real plant, property, and other physical assets for energy supply research and development activities, $43,582,000 for fiscal year 1998 and $45,332,000 for fiscal year 1999, of which—

(1) for Solar and Renewable Resources Technology, $2,200,000 for fiscal year 1998 shall be for completion of Project 96–E–100, Field Test Laboratory Building Renovation and Expansion, National Renewable Energy Laboratory;

(2) for Nuclear Energy, $4,425,000 for fiscal year 1998 and $6,425,000 for fiscal year 1999 shall be for completion of Project 95–E–201, Test Reactor Area Fire and Life Safety Improvements, Idaho National Engineering and Environmental Laboratory;

(3) for Uranium Programs—

(A) $400,000 for fiscal year 1998 and $5,200,000 for fiscal 1999 for completion of Project 98–U–200, DUF_6 Cylinder Storage Yards, K–25 Plant, Oak Ridge, Tennessee; and

(B) $6,000,000 for fiscal year 1998 and $10,700,000 for fiscal year 1999 for completion of Project 96–U–201, DUF_6 Cylinder Storage Yards, Paducah, Kentucky, Gaseous Diffusion Plant;

(4) for Basic Energy Sciences, $7,000,000 for fiscal year 1998 and $4,000,000 for fiscal year 1999 for completion of Project 96–E–300, Combustion Research Facility, Phase II, Sandia National Laboratories, Livermore, California;

(5) for Multiprogram Energy Laboratories-Facilities Support, $21,260,000 for fiscal year 1998 and $19,007,000 for fiscal year 1999 for—

(A) Project MEL–001, Multiprogram Energy Laboratories Infrastructure Project, Various Locations, $7,259,000 for fiscal year 1998 and $12,161,000 for fiscal year 1999;

(B) Project 96–E–333, Multiprogram Energy Laboratories Upgrades, Various Locations,

$5,273,000 for fiscal year 1998 and $268,000 for fiscal year 1999;

(C) Project 95–E–308, Sanitary System Modifications, Phase II, Brookhaven National Laboratory, Upton, New York, $568,000 for fiscal year 1998;

(D) Project 95–E–307, Fire Safety Improvements-Phase III, Argonne National Laboratory, Argonne, Illinois, $718,000 for fiscal year 1998;

(E) Project 95–E–301, Central Heating Plant Rehabilitation-Phase I, Argonne National Laboratory, Argonne, Illinois, $3,442,000 for fiscal year 1998; and

(F) Project 94–E–363, Roofing Improvements, Oak Ridge National Laboratory, Oak Ridge, Tennessee, $4,000,000 for fiscal year 1998 and $6,578,000 for fiscal year 1999; and

(6) for Environmental Restoration and Waste Management (Non-Defense), $2,297,000 for fiscal year 1998, of which—

(A) $1,900,000 shall be for completion of Project 94–E–602, Bethel Federal Facility Agreement Upgrade, Oak Ridge National Laboratory; and

(B) $397,000 shall be for completion of Project 93–E–900, Long-Term Storage of TMI–2 Fuel; Idaho National Energy and Environmental Laboratory, Idaho.

(c) GENERAL SCIENCE AND RESEARCH ACTIVITIES.—There are authorized to be appropriated to the Secretary for General Science and Research Activities operating expenses and capital equipment—

(1) $865,210,000 for fiscal year 1998 (reduced by $15,000,000 to reflect the use of prior year balances), including—

(A) $599,185,000 for High Energy Physics;

(B) $256,525,000 for Nuclear Physics; and

(C) $9,500,000 for Program Direction; and

(2) $941,000,000 for fiscal year 1999, including—

(A) $607,645,000 for High Energy Physics;

(B) $324,330,000 for Nuclear Physics; and

(C) $9,025,000 for Program Direction.

None of the funds authorized for High Energy Physics by this subsection or subsection (d) may be used for the Large Hadron Collider project, unless the Secretary, in consultation with the Director of the National Science Foundation, has transmitted to the Committee on Science of the House of Representatives and the Committee on Energy and Natu-

ral Resources of the Senate a report on the impacts of such funding on the operations and viability of United States high energy and nuclear physics facilities.

(d) SCIENCE ASSETS ACQUISITION.—There are authorized to be appropriated to the Secretary for the purchase, construction, expansion, and acquisition of real plant, property, and other physical assets for general science and research activities, $126,870,000 for fiscal year 1998, of which—

(1) $50,850,000 shall be for High Energy Physics, including—

(A) $30,950,000 for completion of Project 92–G–302, Fermilab Main Injector, Fermi National Accelerator Laboratory, Illinois;

(B) $9,400,000 for completion of Project 97–G–303, Stanford Linear Accelerator Center Master Station Upgrade, California;

(C) $5,500,000 for architectural engineering and technical design work for Project 98–G–304, Neutrinos at the Main Injector, Fermi National Accelerator Laboratory, Illinois; and

(D) $5,000,000 for completion of Project 98–G–305, Fermilab C-Zero Area Experimental Hall, Fermi National Accelerator Laboratory, Illinois; and

(2) $76,020,000 shall be for Nuclear Physics, for completion of Project 91–G–300, Relativistic Heavy Ion Collider, Brookhaven National Laboratory, Upton, New York.

(e) FOSSIL ENERGY RESEARCH AND DEVELOPMENT.—There are authorized to be appropriated to the Secretary for Fossil Energy Research and Development operating expenses, capital equipment, and construction, $348,854,000 for fiscal year 1998 and $348,185,000 for fiscal year 1999, of which—

(1) $105,831,000 for fiscal year 1998 and $104,206,000 for fiscal year 1999 shall be for Coal operating expenses, including—

(A) $5,064,000 for fiscal year 1998 and $5,064,000 for fiscal year 1999 for Coal Preparation;

(B) $5,816,000 for fiscal year 1998 and $5,816,000 for fiscal year 1999 for Direct Liquefaction;

(C) $4,223,000 for fiscal year 1998 and $4,223,000 for fiscal year 1999 for Indirect Liquefaction;

(D) $741,000 for fiscal year 1998 and $741,000 for fiscal year 1999 for Advanced

Clean Fuels Research Advanced Research and Environmental Technology;

(E) $5,462,000 for fiscal year 1998 and $5,462,000 for fiscal year 1999 for Advanced Pulverized Coal-Fired Powerplant;

(F) $10,927,000 for fiscal year 1998 and $10,927,000 for fiscal year 1999 for Indirect Fired Cycle;

(G) $22,342,000 for fiscal year 1998 and $20,717,000 for fiscal year 1999 for High-Efficiency-Integrated Gasification Combined Cycle;

(H) $17,875,000 for fiscal year 1998 and $17,875,000 for fiscal year 1999 for High-Efficiency Pressurized Fluidized Bed;

(I) $9,734,000 for fiscal year 1998 and $9,734,000 for fiscal year 1999 for Advanced Clean/Efficient Power Systems Advanced Research and Environmental Technology; and

(J) $23,647,000 for fiscal year 1998 and $23,647,000 for fiscal year 1999 for Advanced Research and Technology Development;

(2) $47,419,000 for fiscal year 1998 and $46,464,000 for fiscal year 1999 shall be for Oil Technology operating expenses, including—

(A) $31,157,000 for fiscal year 1998 and $31,157,000 for fiscal year 1999 for Exploration and Production Supporting Research;

(B) $3,931,000 for fiscal year 1998 and $3,931,000 for fiscal year 1999 for Recovery Field Demonstrations;

(C) $6,411,000 for fiscal year 1998 and $5,456,000 for fiscal year 1999 for Exploration and Production Environmental Research; and

(D) $5,920,000 for fiscal year 1998 and $5,920,000 for fiscal year 1999 for Processing Research and Downstream Operations;

(3) $85,877,000 for fiscal year 1998 and $85,877,000 for fiscal year 1999 shall be for Gas operating expenses, including—

(A) $14,123,000 for fiscal year 1998 and $14,123,000 for fiscal year 1999 for Natural Gas Research Exploration and Production;

(B) $993,000 for fiscal year 1998 and $993,000 for fiscal year 1999 for Natural Gas Research Delivery and Storage;

(C) $31,379,000 for fiscal year 1998 and $31,379,000 for fiscal year 1999 for Natural Gas Research Advanced Turbine Systems;

(D) $4,808,000 for fiscal year 1998 and $4,808,000 for fiscal year 1999 for Natural Gas Research Utilization;

(E) $4,617,000 for fiscal year 1998 and $4,617,000 for fiscal year 1999 for Natural Gas Research Environmental Research/Regulatory Analysis;

(F) $1,210,000 for fiscal year 1998 and $1,210,000 for fiscal year 1999 for Fuel Cells Advanced Research;

(G) $16,335,000 for fiscal year 1998 and $16,335,000 for fiscal year 1999 for Fuel Cells Molten Carbonate Systems to continue cost-shared cost reduction and performance improvement of one system; and

(H) $12,412,000 for fiscal year 1998 and $12,412,000 for fiscal year 1999 for Fuel Cells Advanced Concepts;

(4) $61,783,000 for fiscal year 1998 and $62,494,000 for fiscal year 1999 shall be for Program Direction and Management Support operating expenses, including—

(A) $13,676,000 for fiscal year 1998 and $12,992,000 for fiscal year 1999 for Headquarters Program Direction; and

(B) $48,107,000 for fiscal year 1998 and $49,502,000 for fiscal year 1999 for Energy Technology Center Program Direction;

(5) $2,000,000 for fiscal year 1998 and $2,000,000 for fiscal year 1999 shall be for Plant and Capital Equipment, for construction of General Plant Projects;

(6) $12,935,000 for fiscal year 1998 and $12,935,000 for fiscal year 1999 shall be for Fossil Energy Environmental Restoration operating expenses;

(7) $5,836,000 for fiscal year 1998 and $5,836,000 for fiscal year 1999 shall be for Cooperative Research and Development operating expenses;

(8) $2,173,000 for fiscal year 1998 and $2,173,000 for fiscal year 1999 shall be for Fuels Conversion, Natural Gas, and Electricity operating expenses; and

(9) $25,000,000 for fiscal year 1998 and $30,000,000 for fiscal year 1999 shall be for a Fossil Energy Science Initiative to be managed by the Director of the Office of Energy Research, in consultation with the Assistant Secretary for Fossil Energy on the goals and priorities of the initiative, for grants

to be competitively awarded and subject to peer review for research relating to fossil energy.

Notwithstanding paragraphs (1) through (9), the total amount which may be appropriated under this subsection shall not exceed the overall sums stated at the beginning of this subsection.

(f) ENERGY CONSERVATION RESEARCH AND DEVELOPMENT.—There are authorized to be appropriated to the Secretary for Energy Conservation Research and Development operating expenses and capital equipment, $416,908,000 for fiscal year 1998 (reduced by $20,000,000 to reflect the use of prior year balances) and $439,403,000 for fiscal year 1999, of which—

(1) $41,004,000 for fiscal year 1998 and $40,230,000 for fiscal year 1999 shall be for the Building Technology, State and Community Sector (Non-Grants), including—

(A) $8,762,000 for fiscal year 1998 and $8,762,000 for fiscal year 1999 for Building Systems Design for Building America Program;

(B) $20,550,000 for fiscal year 1998 and $20,250,000 for fiscal year 1999 for Building Equipment and Materials; and

(C) $11,692,000 for fiscal year 1998 and $11,218,000 for fiscal year 1999 for Management and Planning;

(2) $125,380,000 for fiscal year 1998 and $125,048,000 for fiscal year 1999 shall be for the Industry Sector, including—

(A) $55,660,000 for fiscal year 1998 and $55,660,000 for fiscal year 1999 for Industries of the Future (Specific);

(B) $39,120,000 for fiscal year 1998 and $39,120,000 for fiscal year 1999 for Industries of the Future (Crosscutting);

(C) $23,950,000 for fiscal year 1998 and $23,950,000 for fiscal year 1999 for Technology Access; and

(D) $6,650,000 for fiscal year 1998 and $6,318,000 for fiscal year 1999 for Management and Planning;

(3) $179,576,000 for fiscal year 1998 and $179,225,000 for fiscal year 1999 shall be for the Transportation Sector, including—

(A) $2,700,000 for fiscal year 1998 and $2,700,000 for fiscal year 1999 for Clean Cities;

(B) $124,046,000 for fiscal year 1998 and $124,046,000 for fiscal year 1999 for Advanced Automotive Technologies;

(C) $18,000,000 for fiscal year 1998 and $18,000,000 for fiscal year 1999 for Advanced Heavy Vehicle Technologies;

(D) $30,500,000 for fiscal year 1998 and $30,500,000 for fiscal year 1999 for Transportation Materials Technologies; and

(E) $7,030,000 for fiscal year 1998 and $6,679,000 for fiscal year 1999 for Implementation and Program Management,

except that, notwithstanding subparagraphs (A) through (E), the total amount which may be appropriated under this paragraph shall not exceed the overall sums stated at the beginning of this paragraph;

(4) $20,948,000 for fiscal year 1998 and $19,900,000 for fiscal year 1999 shall be for Policy and Management; and

(5) $50,000,000 for fiscal year 1998 and $75,000,000 for fiscal year 1999 shall be for an Energy Efficiency Science Initiative to be managed by the Director of the Office of Energy Research, in consultation with the Assistant Secretary for Energy Ef-

ficiency and Renewable Energy on the goals and priorities of the initiative, for grants to be competitively awarded and subject to peer review for research relating to energy efficiency.

SEC. 4. FUNDING LIMITATIONS.

None of the funds authorized by this Act for fiscal year 1998 or fiscal year 1999 may be used for the following programs, projects, and activities, except to fulfill contractual obligations:

(1) Nuclear Energy Advanced Light Water Reactor.

(2) Nuclear Energy Commercial Reactor.

(3) Nuclear Energy Security.

(4) Nuclear Energy Termination Costs Gas Turbine-Modular Helium Reactor.

(5) Nuclear Energy Termination Costs Advanced Light Water Reactor.

(6) Fossil Energy Research and Development Advanced Research and Technology Development Coal Technology Export.

(7) Clean Coal Technology Program.

SEC. 5. NATIONAL ACADEMY OF SCIENCES REPORTS.

(a) HIGH ENERGY AND NUCLEAR PHYSICS.—The Secretary shall enter into appropriate arrangements with National Academy of Sciences for the Academy to prepare a

report on the high energy and nuclear physics activities of the Department, assuming a combined budget of $977,080,000 for all activities authorized under section 3 (c) and (d) for fiscal year 1998, and $941,000,000 for each of the fiscal years 1999, 2000, 2001, and 2002. The report shall include—

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

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

(3) recommendations for the optimal balance among facility operations, construction, and research support and the optimal balance between university and laboratory research programs; and

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

Not later than December 31, 1997, the Secretary shall transmit to the Committee on Science of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the report prepared under this subsection.

(b) BASIC ENERGY SCIENCES.—(1) The Secretary shall enter into appropriate arrangements with the Na-

tional Academy of Sciences for the Academy to prepare a report on the basic energy sciences activities of the Department, based on the following three budget options for the entire Basic Energy Sciences account and all related research and energy asset activities:

(A) Provision of $683,000,000 for each of the fiscal years 1999 through 2002.

(B) Provision of $683,000,000 for fiscal year 1999, and an amount reflecting a three percent reduction in each year thereafter through fiscal year 2002.

(C) Provision of $683,000,000 for fiscal year 1999, and an amount reflecting a three percent increase in each year thereafter through fiscal year 2002.

(2) None of the figures described in paragraph (1) (A) through (C) shall be altered to reflect inflationary allowances. The report shall include—

(A) a priority list of research opportunities, including both ongoing and proposed activities;

(B) an analysis of the relevance of each research facility to the research opportunities listed under subparagraph (A);

(C) recommendations for the optimal balance among facility operations, construction, and research

support and the optimal balance between university and laboratory research programs; and

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

Not later than December 31, 1997, the Secretary shall transmit to the Committee on Science of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the report prepared under this paragraph.

(c) NATIONAL SPALLATION NEUTRON SOURCE.—The Secretary shall enter into appropriate arrangements with National Academy of Sciences for the Academy to prepare a report containing a detailed evaluation of the costs of construction and operation of the National Spallation Neutron Source at alternative appropriate sites, including at least the Argonne National Laboratory, the Brookhaven National Laboratory, the Los Alamos National Laboratory, and the Oak Ridge National Laboratory. Such report shall also include an identification of other advantages and disadvantages of each site evaluated. Not later than December 31, 1997, the Secretary shall transmit to the Committee on Science of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the report prepared under this subsection. Along with such report, the

Secretary shall include a recommendation from the Department for the preferred site that will meet its program criteria, taking into consideration the effect of delay on neutron science work, existing expertise in the field of neutron science, affiliations with institutions of higher education in neutron science, and State allocations or commitments to facilities.

SEC. 6. PROHIBITION ON USE OF CLEAN COAL TECHNOLOGY RESERVE FUNDS.

No funds in the Clean Coal Technology Reserve may be used to initiate or carry out a clean coal technology program based outside the United States.

SEC. 7. NEXT GENERATION INTERNET.

None of the funds authorized by this Act, or any other Act enacted before the date of the enactment of this Act, may be used for the Next Generation Internet. Notwithstanding the previous sentence, funds may be used for the continuation of programs and activities that were funded and carried out during fiscal year 1997.

SEC. 8. LIMITATIONS.

(a) PROHIBITION OF LOBBYING ACTIVITIES.—None of the funds authorized by this Act shall be available for any activity whose purpose is to influence legislation pending before the Congress, except that this subsection shall not prevent officers or employees of the United States or of its de-

partments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

(b) LIMITATION ON APPROPRIATIONS.—No sums are authorized to be appropriated to the Secretary for fiscal years 1998 and 1999 for the activities for which sums are authorized by this Act, unless such sums are specifically authorized to be appropriated by this Act.

(c) ELIGIBILITY FOR AWARDS.—

(1) IN GENERAL.—The Secretary shall exclude from consideration for grant agreements made by the Department after fiscal year 1997 any person who received funds, other than those described in paragraph (2), appropriated for a fiscal year after fiscal year 1997, under a grant agreement from any Federal funding source for a project that was not subjected to a competitive, merit-based award process. Any exclusion from consideration pursuant to this subsection shall be effective for a period of 5 years after the person receives such Federal funds.

(2) EXCEPTION.—Paragraph (1) shall not apply to the receipt of Federal funds by a person due to the membership of that person in a class specified by law

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

(3) DEFINITION.—For purposes of this subsection, the term "grant agreement" means a legal instrument whose principal purpose is to transfer a thing of value to the recipient to carry out a public purpose of support or stimulation authorized by a law of the United States, and does not include the acquisition (by purchase, lease, or barter) of property or services for the direct benefit or use of the United States Government. Such term does not include a cooperative agreement (as such term is used in section 6305 of title 31, United States Code) or a cooperative research and development agreement (as such term is defined in section 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1))).

SEC. 9. NOTICE.

(a) NOTICE OF REPROGRAMMING.—If any funds authorized by this Act are subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committees on Science and Commerce of the House of Rep-

resentatives and the Committee on Energy and Natural Resources of the Senate.

(b) NOTICE OF REORGANIZATION.—The Secretary shall provide notice to the Committees on Science, Commerce, and Appropriations of the House of Representatives, and the Committees on Energy and Natural Resources and Appropriations of the Senate, not later than 15 days before any major reorganization of any program, project, or activity of the Department.

SEC. 10. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.

With the year 2000 fast approaching, it is the sense of Congress that the Department should—

(1) give high priority to correcting all 2-digit date-related problems in its computer systems to ensure that those systems continue to operate effectively in the year 2000 and beyond;

(2) assess immediately the extent of the risk to the operations of the Department posed by the problems referred to in paragraph (1), and plan and budget for achieving Year 2000 compliance for all of its mission-critical systems; and

(3) develop contingency plans for those systems that the Department is unable to correct in time.

SEC. 11. BUY AMERICAN.

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

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

(c) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of Energy shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Energy Civilian Research and Development Act of 1997".

SEC. 2. DEFINITIONS.

For purposes of this Act—

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

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

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

(4) the term "Secretary" means the Secretary of Energy.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) ENERGY SUPPLY RESEARCH AND DEVELOPMENT ACTIVITIES.—There are authorized to be appropriated to the Secretary for Energy Supply Research and Development operating expenses and capital equipment $1,961,182,000 for fiscal year 1998 and $1,984,201,000 for fiscal year 1999, of which—

(1) $272,820,000 for fiscal year 1998 (reduced by $15,000,000 to reflect the use of prior year balances) and $270,342,000 for fiscal year 1999 shall be for Solar and Renewable Resources Technologies, including—

(A) $2,150,000 for fiscal year 1998 and $2,150,000 for fiscal year 1999 for Solar Building Technology Research;

(B) $63,900,000 for fiscal year 1998 and $64,900,000 for fiscal year 1999 for Photovoltaic Energy Systems;

(C) $18,170,000 for fiscal year 1998 and $13,620,000 for fiscal year 1999 for Solar Thermal Energy Systems;

(D) $28,835,000 for fiscal year 1998 and $28,190,000 for fiscal year 1999 for Biopower/Biofuels Energy Systems;

(E) $29,500,000 for fiscal year 1998 and $18,140,000 for fiscal year 1999 for Wind Energy Systems;

(F) $2,800,000 for fiscal year 1998 and $500,000 for fiscal year 1999 for the National Renewable Energy Laboratory;

(G) $19,518,000 for fiscal year 1998 and $19,518,000 for fiscal year 1999 for Geothermal Electric Research and Development and Deployment;

(H) $1,000,000 for fiscal year 1998 for Hydropower;

(I) $44,500,000 for fiscal year 1998 and $36,500,000 for fiscal year 1999

for Electric Energy Systems and Storage, of which—

(i) $8,000,000 for fiscal year 1998 shall be for Electric and Magnetic Fields Research and Development;

(ii) $32,500,000 for fiscal year 1998 and $32,500,000 for fiscal year 1999 shall be for High-Temperature Superconductivity Research and Development; and

(iii) $4,000,000 for fiscal year 1998 and $4,000,000 for fiscal year 1999 shall be for Energy Storage Systems;

(J) $50,000,000 for fiscal year 1998 and $75,000,000 for fiscal year 1999 shall be for a Solar and Renewable Energy Science Initiative, to be managed by the Director of the Office of Energy Research, in consultation with the Assistant Secretary for Energy Efficiency and Renewable Energy on the goals and priorities of the initiative, for grants to be competi-

tively awarded and subject to peer review for research related to solar and renewable energy; and

(K) $12,447,000 for fiscal year 1998 and $11,824,000 for fiscal year 1999 for Program Direction;

(2) $164,312,000 for fiscal year 1998 and $146,733,000 for fiscal year 1999 shall be for Nuclear Energy, including—

(A) $47,000,000 for fiscal year 1998 and $43,350,000 for fiscal year 1999 for Advanced Radioisotope Power Systems;

(B) $9,500,000 for fiscal year 1998 and $8,809,000 for fiscal year 1999 for Oak Ridge Landlord;

(C) $3,217,000 for fiscal year 1998 and $3,217,000 for fiscal year 1999 for Test Reactor Area Landlord;

(D) $2,000,000 for fiscal year 1998 for Advanced Test Reactor Fusion Irradiations;

(E) $6,000,000 for fiscal year 1998 and $6,000,000 for fiscal year 1999 for

University Nuclear Science and Reactor Support;

(F) $82,535,000 for fiscal year 1998 and $72,000,000 for fiscal year 1999 for Termination Costs; and

(G) $14,060,000 for fiscal year 1998 and $13,357,000 for fiscal year 1999 for Program Direction;

(3) $367,538,000 for fiscal year 1998 and $378,564,000 for fiscal year 1999 shall be for Biological and Environmental Research, including—

(A) $157,037,000 for fiscal year 1998 and $161,748,000 for fiscal year 1999 for Life Sciences;

(B) $100,954,000 for fiscal year 1998 and $103,983,000 for fiscal year 1999 for Environmental Processes;

(C) $66,435,000 for fiscal year 1998 and $68,428,000 for fiscal year 1999 for Environmental Remediation;

(D) $43,112,000 for fiscal year 1998 and $44,405,000 for fiscal year 1999 for Medical Applications and Measurement Sciences; and

(E) $1,000,000 for fiscal year 1998 and $1,000,000 for fiscal year 1999 for the United States-Mexico Foundation for Science for research on biosciences and the environment,

except that, notwithstanding subparagraphs (A) through (E), the total amount which may be appropriated under this paragraph shall not exceed the overall sums stated at the beginning of this paragraph;

(4) $240,000,000 for fiscal year 1998 and $240,000,000 for fiscal year 1999 shall be for Fusion Energy Sciences, of which $5,000,000 for fiscal year 1998 and $5,000,000 for fiscal year 1999 shall be for General Plasma Science;

(5) $659,812,000 for fiscal year 1998 and $678,888,000 for fiscal year 1999 shall be for Basic Energy Sciences, including—

(A) $391,047,000 for fiscal year 1998 and $402,060,000 for fiscal year 1999 for Materials Sciences, of which not to exceed $5,000,000 for each such fiscal year may be used for the High

Flux Beam Reactor at Brookhaven National Laboratory;

(B) $199,933,000 for fiscal year 1998 and $205,931,000 for fiscal year 1999 for Chemical Sciences;

(C) $41,371,000 for fiscal year 1998 and $42,612,000 for fiscal year 1999 for Engineering and Geosciences; and

(D) $27,461,000 for fiscal year 1998 and $28,285,000 for fiscal year 1999 for Energy Biosciences;

(6) $140,907,000 for fiscal year 1998 and $145,134,000 for fiscal year 1999 shall be for Computational and Technology Research, including—

(A) $117,490,000 for fiscal year 1998 and $121,014,000 for fiscal year 1999 for Mathematical, Information, and Computational Sciences;

(B) $15,829,000 for fiscal year 1998 and $16,304,000 for fiscal year 1999 for Laboratory Technology Research; and

(C) $7,588,000 for fiscal year 1998 and $7,816,000 for fiscal year 1999 for Advanced Energy Projects;

(7) $1,500,000 for fiscal year 1998 and $1,500,000 for fiscal year 1999 shall be for Energy Research Analysis;

(8) $29,070,000 for fiscal year 1998 and $27,434,000 for fiscal year 1999 shall be for Energy Research-Energy Supply Program Direction; and

(9) $100,233,000 for fiscal year 1998 and $95,606,000 for fiscal year 1999 shall be for Field Operations.

(b) ENERGY ASSETS ACQUISITION.—There are authorized to be appropriated to the Secretary for the purchase, construction, expansion, and acquisition of real plant, property, and other physical assets for energy supply research and development activities, $34,885,000 for fiscal year 1998 and $29,432,000 for fiscal year 1999, of which—

(1) for Solar and Renewable Resources Technology, $2,200,000 for fiscal year 1998 shall be for completion of Project 96–E–100, Field Test Laboratory

Building Renovation and Expansion, National Renewable Energy Laboratory;

(2) for Nuclear Energy, $4,425,000 for fiscal year 1998 and $6,425,000 for fiscal year 1999 shall be for completion of Project 95–E–201, Test Reactor Area Fire and Life Safety Improvements, Idaho National Engineering and Environmental Laboratory;

(3) for Basic Energy Sciences, $7,000,000 for fiscal year 1998 and $4,000,000 for fiscal year 1999 for completion of Project 96–E–300, Combustion Research Facility, Phase II, Sandia National Laboratories, Livermore, California; and

(4) for Multiprogram Energy Laboratories-Facilities Support, $21,260,000 for fiscal year 1998 and $19,007,000 for fiscal year 1999 for—

(A) Project MEL–001, Multiprogram Energy Laboratories Infrastructure Project, Various Locations, $7,259,000 for fiscal year 1998 and $12,161,000 for fiscal year 1999;

(B) Project 96–E–333, Multiprogram Energy Laboratories Upgrades, Various Locations, $5,273,000 for fiscal year 1998 and $268,000 for fiscal year 1999;

(C) Project 95–E–308, Sanitary System Modifications, Phase II, Brookhaven National Laboratory, Upton, New York, $568,000 for fiscal year 1998;

(D) Project 95–E–307, Fire Safety Improvements-Phase III, Argonne National Laboratory, Argonne, Illinois, $718,000 for fiscal year 1998;

(E) Project 95–E–301, Central Heating Plant Rehabilitation-Phase I, Argonne National Laboratory, Argonne, Illinois, $3,442,000 for fiscal year 1998; and

(F) Project 94–E–363, Roofing Improvements, Oak Ridge National Laboratory, Oak Ridge, Tennessee, $4,000,000 for fiscal year 1998 and $6,578,000 for fiscal year 1999.

(c) GENERAL SCIENCE AND RESEARCH ACTIVITIES.—There are authorized to be appropriated to the Secretary for General Science and Research Activities operating expenses and capital equipment—

(1) $865,210,000 for fiscal year 1998 (reduced by $15,000,000 to reflect the use of prior year balances), including—

(A) $599,185,000 for High Energy Physics;

(B) $256,525,000 for Nuclear Physics; and

(C) $9,500,000 for Program Direction; and

(2) $941,000,000 for fiscal year 1999, including—

(A) $607,645,000 for High Energy Physics;

(B) $324,330,000 for Nuclear Physics; and

(C) $9,025,000 for Program Direction.

None of the funds authorized for High Energy Physics by this subsection or subsection (d) may be used for the Large Hadron Collider

project, unless the Secretary, in consultation with the Director of the National Science Foundation, has transmitted to the Committee on Science of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the impacts of such funding on the operations and viability of United States high energy and nuclear physics facilities.

(d) SCIENCE ASSETS ACQUISITION.—There are authorized to be appropriated to the Secretary for the purchase, construction, expansion, and acquisition of real plant, property, and other physical assets for general science and research activities, $126,870,000 for fiscal year 1998, of which—

(1) $50,850,000 shall be for High Energy Physics, including—

(A) $30,950,000 for completion of Project 92–G–302, Fermilab Main Injector, Fermi National Accelerator Laboratory, Illinois;

(B) $9,400,000 for completion of Project 97–G–303, Stanford Linear Ac-

celerator Center Master Station Upgrade, California;

(C) $5,500,000 for architectural engineering and technical design work for Project 98–G–304, Neutrinos at the Main Injector, Fermi National Accelerator Laboratory, Illinois; and

(D) $5,000,000 for completion of Project 98–G–305, Fermilab C-Zero Area Experimental Hall, Fermi National Accelerator Laboratory, Illinois; and

(2) $76,020,000 shall be for Nuclear Physics, for completion of Project 91–G–300, Relativistic Heavy Ion Collider, Brookhaven National Laboratory, Upton, New York.

(e) FOSSIL ENERGY RESEARCH AND DEVELOPMENT.—There are authorized to be appropriated to the Secretary for Fossil Energy Research and Development operating expenses, capital equipment, and construction, $335,919,000 for fiscal year 1998 and $335,250,000 for fiscal year 1999, of which—

(1) $105,831,000 for fiscal year 1998 and $104,206,000 for fiscal year 1999 shall be for Coal operating expenses, including—

(A) $5,064,000 for fiscal year 1998 and $5,064,000 for fiscal year 1999 for Coal Preparation;

(B) $5,816,000 for fiscal year 1998 and $5,816,000 for fiscal year 1999 for Direct Liquefaction;

(C) $4,223,000 for fiscal year 1998 and $4,223,000 for fiscal year 1999 for Indirect Liquefaction;

(D) $741,000 for fiscal year 1998 and $741,000 for fiscal year 1999 for Advanced Clean Fuels Research Advanced Research and Environmental Technology;

(E) $5,462,000 for fiscal year 1998 and $5,462,000 for fiscal year 1999 for Advanced Pulverized Coal-Fired Powerplant;

(F) $10,927,000 for fiscal year 1998 and $10,927,000 for fiscal year 1999 for Indirect Fired Cycle;

(G) $22,342,000 for fiscal year 1998 and $20,717,000 for fiscal year 1999 for High-Efficiency-Integrated Gasification Combined Cycle;

(H) $17,875,000 for fiscal year 1998 and $17,875,000 for fiscal year 1999 for High-Efficiency Pressurized Fluidized Bed;

(I) $9,734,000 for fiscal year 1998 and $9,734,000 for fiscal year 1999 for Advanced Clean/Efficient Power Systems Advanced Research and Environmental Technology; and

(J) $23,647,000 for fiscal year 1998 and $23,647,000 for fiscal year 1999 for Advanced Research and Technology Development;

(2) $47,419,000 for fiscal year 1998 and $46,464,000 for fiscal year 1999 shall be for Oil Technology operating expenses, including—

(A) $31,157,000 for fiscal year 1998 and $31,157,000 for fiscal year 1999 for Exploration and Production Supporting Research;

(B) $3,931,000 for fiscal year 1998 and $3,931,000 for fiscal year 1999 for Recovery Field Demonstrations;

(C) $6,411,000 for fiscal year 1998 and $5,456,000 for fiscal year 1999 for Exploration and Production Environmental Research; and

(D) $5,920,000 for fiscal year 1998 and $5,920,000 for fiscal year 1999 for Processing Research and Downstream Operations;

(3) $85,877,000 for fiscal year 1998 and $85,877,000 for fiscal year 1999 shall be for Gas operating expenses, including—

(A) $14,123,000 for fiscal year 1998 and $14,123,000 for fiscal year 1999 for Natural Gas Research Exploration and Production;

(B) $993,000 for fiscal year 1998 and $993,000 for fiscal year 1999 for Natural Gas Research Delivery and Storage;

(C) $31,379,000 for fiscal year 1998 and $31,379,000 for fiscal year 1999

for Natural Gas Research Advanced Turbine Systems;

(D) $4,808,000 for fiscal year 1998 and $4,808,000 for fiscal year 1999 for Natural Gas Research Utilization;

(E) $4,617,000 for fiscal year 1998 and $4,617,000 for fiscal year 1999 for Natural Gas Research Environmental Research/Regulatory Analysis;

(F) $1,210,000 for fiscal year 1998 and $1,210,000 for fiscal year 1999 for Fuel Cells Advanced Research;

(G) $16,335,000 for fiscal year 1998 and $16,335,000 for fiscal year 1999 for Fuel Cells Molten Carbonate Systems to continue cost-shared cost reduction and performance improvement of one system; and

(H) $12,412,000 for fiscal year 1998 and $12,412,000 for fiscal year 1999 for Fuel Cells Advanced Concepts;

(4) $61,783,000 for fiscal year 1998 and $62,494,000 for fiscal year 1999 shall be for Program Direction and Management Support operating expenses, including—

(A) $13,676,000 for fiscal year 1998 and $12,992,000 for fiscal year 1999 for Headquarters Program Direction; and

(B) $48,107,000 for fiscal year 1998 and $49,502,000 for fiscal year 1999 for Energy Technology Center Program Direction;

(5) $2,000,000 for fiscal year 1998 and $2,000,000 for fiscal year 1999 shall be for Plant and Capital Equipment, for construction of General Plant Projects;

(6) $5,836,000 for fiscal year 1998 and $5,836,000 for fiscal year 1999 shall be for Cooperative Research and Development operating expenses;

(7) $2,173,000 for fiscal year 1998 and $2,173,000 for fiscal year 1999 shall be for Fuels Conversion, Natural Gas, and Electricity operating expenses; and

(8) $25,000,000 for fiscal year 1998 and $30,000,000 for fiscal year 1999 shall be for a Fossil Energy Science Initiative to be managed by the Director of the Office of Energy Research, in consultation with

the Assistant Secretary for Fossil Energy on the goals and priorities of the initiative, for grants to be competitively awarded and subject to peer review for research relating to fossil energy.

Notwithstanding paragraphs (1) through (8), the total amount which may be appropriated under this subsection shall not exceed the overall sums stated at the beginning of this subsection;

(f) ENERGY CONSERVATION RESEARCH AND DEVELOPMENT.—There are authorized to be appropriated to the Secretary for Energy Conservation Research and Development operating expenses and capital equipment, $414,208,000 for fiscal year 1998 (reduced by $20,000,000 to reflect the use of prior year balances) and $436,703,000 for fiscal year 1999, of which—

(1) $41,004,000 for fiscal year 1998 and $40,230,000 for fiscal year 1999 shall be for the Building Technology, State and Community Sector (Non-Grants), including—

(A) $8,762,000 for fiscal year 1998 and $8,762,000 for fiscal year 1999 for Building Systems Design for Building America Program;

(B) $20,550,000 for fiscal year 1998 and $20,250,000 for fiscal year 1999 for Building Equipment and Materials; and

(C) $11,692,000 for fiscal year 1998 and $11,218,000 for fiscal year 1999 for Management and Planning;

(2) $125,380,000 for fiscal year 1998 and $125,048,000 for fiscal year 1999 shall be for the Industry Sector, including—

(A) $55,660,000 for fiscal year 1998 and $55,660,000 for fiscal year 1999 for Industries of the Future (Specific);

(B) $39,120,000 for fiscal year 1998 and $39,120,000 for fiscal year 1999 for Industries of the Future (Crosscutting);

(C) $23,950,000 for fiscal year 1998 and $23,950,000 for fiscal year 1999 for Technology Access; and

(D) $6,650,000 for fiscal year 1998 and $6,318,000 for fiscal year 1999 for Management and Planning;

(3) $176,876,000 for fiscal year 1998 and $176,525,000 for fiscal year 1999 shall be for the Transportation Sector, including—

(A) $124,046,000 for fiscal year 1998 and $124,046,000 for fiscal year 1999 for Advanced Automotive Technologies;

(B) $18,000,000 for fiscal year 1998 and $18,000,000 for fiscal year 1999 for Advanced Heavy Vehicle Technologies;

(C) $30,500,000 for fiscal year 1998 and $30,500,000 for fiscal year 1999 for Transportation Materials Technologies; and

(D) $7,030,000 for fiscal year 1998 and $6,679,000 for fiscal year 1999 for Implementation and Program Management,

except that, notwithstanding subparagraphs (A) through (D), the total amount

which may be appropriated under this paragraph shall not exceed the overall sums stated at the beginning of this paragraph;

(4) $20,948,000 for fiscal year 1998 and $19,900,000 for fiscal year 1999 shall be for Policy and Management; and

(5) $50,000,000 for fiscal year 1998 and $75,000,000 for fiscal year 1999 shall be for an Energy Efficiency Science Initiative to be managed by the Director of the Office of Energy Research, in consultation with the Assistant Secretary for Energy Efficiency and Renewable Energy on the goals and priorities of the initiative, for grants to be competitively awarded and subject to peer review for research relating to energy efficiency.

SEC. 4. FUNDING LIMITATIONS.

None of the funds authorized by this Act for fiscal year 1998 or fiscal year 1999 may be used for the following programs, projects, and activities, except to fulfill contractual obligations:

(1) Nuclear Energy Advanced Light Water Reactor.

(2) Nuclear Energy Commercial Reactor.

(3) Nuclear Energy Security.

(4) Nuclear Energy Termination Costs Gas Turbine-Modular Helium Reactor.

(5) Nuclear Energy Termination Costs Advanced Light Water Reactor.

(6) Fossil Energy Research and Development Advanced Research and Technology Development Coal Technology Export.

SEC. 5. NATIONAL ACADEMY OF SCIENCES REPORTS.

(a) HIGH ENERGY AND NUCLEAR PHYSICS.—The Secretary shall enter into appropriate arrangements with National Academy of Sciences for the Academy to prepare a report on the high energy and nuclear physics activities of the Department, assuming a combined budget of $977,080,000 for all activities authorized under section 3 (c) and (d) for fiscal year 1998, and $941,000,000 for each of the fiscal years 1999, 2000, 2001, and 2002. The report shall include—

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

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

(3) recommendations for the optimal balance among facility operations, construction, and research support and the optimal balance between university and laboratory research programs; and

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

Not later than December 31, 1997, the Secretary shall transmit to the Committee on Science of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the report prepared under this subsection.

(b) BASIC ENERGY SCIENCES.—(1) The Secretary shall enter into appropriate arrangements with the National Academy of Sciences

for the Academy to prepare a report on the basic energy sciences activities of the Department, based on the following three budget options for the entire Basic Energy Sciences account and all related research and energy asset activities:

(A) Provision of $683,000,000 for each of the fiscal years 1999 through 2002.

(B) Provision of $683,000,000 for fiscal year 1999, and an amount reflecting a three percent reduction in each year thereafter through fiscal year 2002.

(C) Provision of $683,000,000 for fiscal year 1999, and an amount reflecting a three percent increase in each year thereafter through fiscal year 2002.

(2) None of the figures described in paragraph (1) (A) through (C) shall be altered to reflect inflationary allowances. The report shall include—

(A) a priority list of research opportunities, including both ongoing and proposed activities;

(B) an analysis of the relevance of each research facility to the research op-

portunities listed under subparagraph (A);

(C) recommendations for the optimal balance among facility operations, construction, and research support and the optimal balance between university and laboratory research programs; and

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

Not later than December 31, 1997, the Secretary shall transmit to the Committee on Science of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the report prepared under this paragraph.

(c) NATIONAL SPALLATION NEUTRON SOURCE.—The Secretary shall enter into appropriate arrangements with National Academy of Sciences for the Academy to prepare a report containing a detailed evaluation of the costs of construction and operation of the National Spallation Neutron Source at alter-

native appropriate sites, including at least the Argonne National Laboratory, the Brookhaven National Laboratory, the Los Alamos National Laboratory, and the Oak Ridge National Laboratory. Such report shall also include an identification of other advantages and disadvantages of each site evaluated. Not later than December 31, 1997, the Secretary shall transmit to the Committee on Science of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the report prepared under this subsection. Along with such report, the Secretary shall include a recommendation from the Department for the preferred site that will meet its program criteria, taking into consideration the effect of delay on neutron science work, existing expertise in the field of neutron science, affiliations with institutions of higher education in neutron science, and State allocations or commitments to facilities.

SEC. 6. NEXT GENERATION INTERNET.

None of the funds authorized by this Act, or any other Act enacted before the date of the enactment of this Act, may be used for the

Next Generation Internet. Notwithstanding the previous sentence, funds may be used for the continuation of programs and activities that were funded and carried out during fiscal year 1997.

SEC. 7. LIMITATIONS.

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

(b) LIMITATION ON APPROPRIATIONS.—No sums are authorized to be appropriated to the Secretary for fiscal years 1998 and 1999 for the activities for which sums are authorized by this Act, unless such sums are specifically authorized to be appropriated by this Act.

(c) ELIGIBILITY FOR AWARDS.—

(1) IN GENERAL.—The Secretary shall exclude from consideration for grant agreements made by the Department after fiscal year 1997 any person who received funds, other than those described in paragraph (2), appropriated for a fiscal year after fiscal year 1997, under a grant agreement from any Federal funding source for a project that was not subjected to a competitive, merit-based award process. Any exclusion from consideration pursuant to this subsection shall be effective for a period of 5 years after the person receives such Federal funds.

(2) EXCEPTION.—Paragraph (1) shall not apply to the receipt of Federal funds by a person due to the membership of that person in a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

(3) DEFINITION.—For purposes of this subsection, the term "grant agreement"

means a legal instrument whose principal purpose is to transfer a thing of value to the recipient to carry out a public purpose of support or stimulation authorized by a law of the United States, and does not include the acquisition (by purchase, lease, or barter) of property or services for the direct benefit or use of the United States Government. Such term does not include a cooperative agreement (as such term is used in section 6305 of title 31, United States Code) or a cooperative research and development agreement (as such term is defined in section 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1))).

SEC. 8. NOTICE.

(a) NOTICE OF REPROGRAMMING.—If any funds authorized by this Act are subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committees on Science and Commerce of the House of Rep-

resentatives and the Committee on Energy and Natural Resources of the Senate.

(b) NOTICE OF REORGANIZATION.—The Secretary shall provide notice to the Committees on Science, Commerce, and Appropriations of the House of Representatives, and the Committees on Energy and Natural Resources and Appropriations of the Senate, not later than 15 days before any major reorganization of any program, project, or activity of the Department.

SEC. 9. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.

With the year 2000 fast approaching, it is the sense of Congress that the Department should—

(1) give high priority to correcting all 2-digit date-related problems in its computer systems to ensure that those systems continue to operate effectively in the year 2000 and beyond;

(2) assess immediately the extent of the risk to the operations of the Department posed by the problems referred to in paragraph (1), and plan and budget for

achieving Year 2000 compliance for all of its mission-critical systems; and

(3) develop contingency plans for those systems that the Department is unable to correct in time.

SEC. 10. BUY AMERICAN.

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

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

(c) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of Energy shall provide to

each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.