

105TH CONGRESS
1ST SESSION

H. R. 1295

To establish a Commission to make recommendations for the reconfiguration, corporatization, privatization, and consolidation of Department of Energy National Energy Laboratories, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 1997

Mr. KLUG (for himself, Mr. MINGE, Mr. TIAHRT, Mr. PETERSON of Minnesota, Mr. SOLOMON, Mr. LOBIONDO, Mr. FOLEY, and Mr. RAMSTAD) introduced the following bill; which was referred to the Committee on Science, and in addition to the Committees on National Security, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish a Commission to make recommendations for the reconfiguration, corporatization, privatization, and consolidation of Department of Energy National Energy Laboratories, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Energy Lab-
5 oratories Reorganization Commission Act of 1997”.

1 **SEC. 2. NATIONAL ENERGY LABORATORIES REORGANIZA-**
2 **TION COMMISSION.**

3 (a) ESTABLISHMENT.—There is established an inde-
4 pendent commission to be known as the “National Energy
5 Laboratories Reorganization Commission”, for the pur-
6 pose of reorganizing the Department of Energy National
7 Energy Laboratories, and programs at those laboratories,
8 through reconfiguration, corporatization, privatization,
9 and consolidation, while preserving the traditional role the
10 energy laboratories have contributed to the national de-
11 fense.

12 (b) DUTIES.—The Commission shall carry out the
13 duties specified for the Commission in this Act.

14 (c) APPOINTMENT.—

15 (1) IN GENERAL.—The Commission shall be
16 composed of 7 members appointed by the President,
17 by and with the advice and consent of the Senate.
18 The President shall transmit to the Senate the
19 nominations for appointment to the Commission not
20 later than 1 month after the date of the enactment
21 of this Act.

22 (2) CONSULTATION.—In selecting individuals
23 for nominations for appointments to the Commis-
24 sion, the President should consult with—

1 (A) the Speaker of the House of Rep-
2 resentatives concerning the appointment of 2
3 members; and

4 (B) the Majority Leader of the Senate con-
5 cerning the appointment of 2 members.

6 (3) CHAIRPERSON.—At the time the President
7 nominates individuals for appointment to the Com-
8 mission, the President shall designate one such indi-
9 vidual who shall serve as Chairperson of the Com-
10 mission.

11 (d) TERMS.—The term of each member of the Com-
12 mission shall expire on the termination of the Commission
13 under subsection (l).

14 (e) MEETINGS.—Each meeting of the Commission,
15 other than meetings in which classified information is to
16 be discussed, shall be open to the public.

17 (f) VACANCIES.—A vacancy in the Commission shall
18 be filled in the same manner as the original appointment.

19 (g) PAY AND TRAVEL EXPENSES.—

20 (1) BASIC PAY.—

21 (A) PAY OF MEMBERS.—Each member,
22 other than the Chairperson, shall be paid at a
23 rate equal to the daily equivalent of the mini-
24 mum annual rate of basic pay payable for level
25 IV of the Executive Schedule under section

1 5315 of title 5, United States Code, for each
2 day (including travel time) during which the
3 member is engaged in the actual performance of
4 duties vested in the Commission.

5 (B) PAY OF CHAIRPERSON.—The Chair-
6 person shall be paid for each day referred to in
7 subparagraph (A) at a rate equal to the daily
8 equivalent of the minimum annual rate of basic
9 pay payable for level III of the Executive
10 Schedule under section 5314 of title 5, United
11 States Code.

12 (2) TRAVEL EXPENSES.—Members shall receive
13 travel expenses, including per diem in lieu of subsist-
14 ence, in accordance with sections 5702 and 5703 of
15 title 5, United States Code.

16 (h) DIRECTOR.—

17 (1) IN GENERAL.—The Commission shall ap-
18 point a Director who—

19 (A) has not served as a civilian employee
20 of the Department of Energy during the 2-year
21 period preceding the date of such appointment;

22 (B) has not been an employee of an energy
23 laboratory during the 5-year period preceding
24 the date of such appointment; and

1 (C) has not been an employee of a contrac-
2 tor operating an energy laboratory during the
3 5-year period preceding the date of such ap-
4 pointment.

5 (2) PAY.—The Director shall be paid at the
6 rate of basic pay payable for level IV of the Execu-
7 tive Schedule under section 5315 of title 5, United
8 States Code.

9 (i) STAFF.—

10 (1) APPOINTMENT BY DIRECTOR.—Subject to
11 paragraphs (2) and (3), the Director, with the ap-
12 proval of the Commission, may appoint and fix the
13 pay of additional personnel.

14 (2) APPLICABILITY OF CERTAIN CIVIL SERVICE
15 LAWS.—The Director may make such appointments
16 without regard to the provisions of title 5, United
17 States Code, governing appointments in the competi-
18 tive service, and any personnel so appointed may be
19 paid without regard to the provisions of chapter 51
20 and subchapter III of chapter 53 of that title relat-
21 ing to classification and General Schedule pay rates,
22 except that an individual so appointed may not re-
23 ceive pay in excess of the annual rate of basic pay
24 payable for level IV of the Executive Schedule under
25 section 5315 of title 5, United States Code.

1 (3) LIMITATIONS.—Not more than one-third of
2 the personnel employed by or detailed to the Com-
3 mission shall be individuals employed by the Depart-
4 ment of Energy on the day before the date of the
5 enactment of this Act. No employee of an energy
6 laboratory, or of a contractor who operates an en-
7 ergy laboratory, may be detailed to the Commission.

8 (4) SUPPORT FROM OTHER AGENCIES.—Upon
9 request of the Director, the head of a Federal agen-
10 cy may detail any of the personnel of that agency to
11 the Commission to assist the Commission in carry-
12 ing out its duties under this Act.

13 (5) SUPPORT FROM COMPTROLLER GENERAL.—
14 The Comptroller General of the United States shall
15 provide assistance, including the detailing of employ-
16 ees, to the Commission in accordance with an agree-
17 ment entered into with the Commission.

18 (j) OTHER AUTHORITY.—

19 (1) TEMPORARY AND INTERMITTENT SERV-
20 ICES.—The Commission may procure by contract, to
21 the extent funds are available, the temporary or
22 intermittent services of experts or consultants pursu-
23 ant to section 3109 of title 5, United States Code.

24 (2) AUTHORITY TO LEASE SPACE AND ACQUIRE
25 CERTAIN PROPERTY.—The Commission may lease

1 space and acquire personal property to the extent
2 funds are available. To the extent practicable, the
3 Commission shall use suitable real property available
4 under the most recent inventory of real property as-
5 sets published by the Resolution Trust Corporation
6 under section 21A(b)(11)(F) of the Federal Home
7 Loan Bank Act (12 U.S.C. 1441a(b)(12)(F)).

8 (k) FUNDING.—There are authorized to be appro-
9 priated to the Commission such funds as are necessary
10 to carry out its duties under this Act. Such funds shall
11 remain available until expended.

12 (l) TERMINATION.—The Commission shall terminate
13 not later than 2 years after the date of the enactment of
14 this Act.

15 **SEC. 3. PROCEDURE FOR MAKING RECOMMENDATIONS**
16 **FOR LABORATORY REORGANIZATION.**

17 (a) SELECTION CRITERIA.—In making recommenda-
18 tions for the reconfiguration, corporatization, privatiza-
19 tion, and consolidation of energy laboratories and termi-
20 nation of programs at such laboratories under this Act,
21 the Commission shall—

22 (1) give strong consideration to the rec-
23 ommendations for reorganization and corporatization
24 expressed in the Galvin Report;

1 (2) eliminate duplication of effort by energy
2 laboratories and reduce overhead costs as a propor-
3 tion of program benefits distributed through an en-
4 ergy laboratory;

5 (3) define appropriate missions for each energy
6 laboratory, and ensure that the activities of each
7 such laboratory are focused on its mission or mis-
8 sions;

9 (4) seek to achieve cost savings for the overall
10 budget for such laboratories;

11 (5) consider the program costs and program
12 distributions on a State and county basis, including
13 real and personal property costs associated with
14 each energy laboratory considered;

15 (6) consider the number of participants in pro-
16 grams conducted through an energy laboratory and
17 staff resources involved;

18 (7) estimate the cost savings and increased
19 costs that would accrue through the reconfiguration,
20 corporatization, privatization, or consolidation of en-
21 ergy laboratories;

22 (8) consider the potential of each energy labora-
23 tory to generate revenues or to offset costs;

24 (9) consider the transfer of energy laboratories
25 to other Federal agencies; and

1 (10) consider the privatization of the energy
2 laboratories as an alternative to closure or reconfig-
3 uration.

4 (b) EQUAL CONSIDERATION OF LABORATORIES.—In
5 considering energy laboratories for reconfiguration,
6 corporatization, privatization, and consolidation, the Com-
7 mission shall consider all such laboratories equally without
8 regard to whether a laboratory has been previously consid-
9 ered or proposed for reconfiguration, corporatization, pri-
10 vatization, or consolidation.

11 (c) AVAILABILITY OF INFORMATION.—The Secretary
12 shall make available to the Commission all information re-
13 quested by the Commission.

14 (d) INDEPENDENT AUDIT.—(1) Within 30 days after
15 the date of the enactment of this Act, the Director of the
16 Office of Management and Budget shall issue a request
17 for proposals for the performance of an audit under para-
18 graph (3).

19 (2) Within 60 days after the date of the enactment
20 of this Act, proposals shall be due in response to the re-
21 quest under paragraph (1).

22 (3) Within 90 days after the date of the enactment
23 of this Act, the Director of the Office of Management and
24 Budget shall enter into a contract with an independent
25 financial consulting firm for an audit of the energy labora-

1 tories and their programs, facilities, and assets. Such
2 audit shall assess the commercial potential of the energy
3 laboratories and their programs and make recommenda-
4 tions on how the Government could best realize such po-
5 tential. The audit shall be completed and transmitted to
6 the Commission and the congressional energy committees
7 within 6 months after the contract is entered into under
8 this subsection.

9 (e) REVIEW AND RECOMMENDATIONS BY THE COM-
10 MISSION.—

11 (1) PUBLIC COMMENT.—The Commission shall
12 provide an opportunity for public comment on the
13 recommendations in the Galvin Report for a 30-day
14 period.

15 (2) INITIAL REPORT.—Not later than 1 year
16 after the date of the enactment of this Act, the
17 Commission shall publish in the Federal Register an
18 initial report containing the Commission’s findings
19 and conclusions based on a review and analysis of—

20 (A) the recommendations made in the
21 Galvin Report;

22 (B) the audit conducted pursuant to sub-
23 section (d); and

24 (C) the comments received under para-
25 graph (1),

1 together with the Commission's recommendations for
2 reconfiguration, corporatization, privatization, and
3 consolidation of energy laboratories. In conducting
4 such review and analysis, the Commission shall con-
5 sider all energy laboratories.

6 (3) DEVIATION FROM RECOMMENDATIONS.—In
7 making its recommendations, the Commission may
8 make changes in any of the recommendations made
9 in the Galvin Report. The Commission shall explain
10 and justify in the report any recommendation made
11 by the Commission that is different from the rec-
12 ommendations made in the Galvin Report.

13 (4) FINAL REPORT.—After providing a 30-day
14 period for the public to comment following publica-
15 tion of the initial report under paragraph (2), and
16 after full consideration of such public comment, the
17 Commission shall, within 15 months after the date
18 of the enactment of this Act, transmit to the Sec-
19 retary and the congressional energy committees a
20 final report containing the recommendations of the
21 Commission.

22 (5) PROVISION OF CERTAIN INFORMATION.—
23 After transmitting the final report under paragraph
24 (4), the Commission shall promptly provide, upon re-

1 quest, to any Member of Congress information used
2 by the Commission in making its recommendations.

3 **SEC. 4. RECONFIGURATION, CORPORATIZATION, PRIVAT-**
4 **IZATION, AND CONSOLIDATION OF ENERGY**
5 **LABORATORIES.**

6 (a) IN GENERAL.—Subject to subsection (b), the Sec-
7 retary shall—

8 (1) reconfigure, within 1 year after the date of
9 the transmittal of the final report under section
10 3(e)(4), all energy laboratories recommended for re-
11 configuration by the Commission in such report;

12 (2) provide for and complete the
13 corporatization, within 1 year after the date of the
14 transmittal of the final report under section 3(e)(4),
15 of all energy laboratories recommended for
16 corporatization by the Commission in such report;

17 (3) provide for and complete the privatization,
18 within 1 year after the date of the transmittal of the
19 final report under section 3(e)(4), of all energy lab-
20 oratories recommended for privatization by the Com-
21 mission in such report; and

22 (4) provide for and complete the consolidation,
23 within 1 year after the transmittal of the final re-
24 port under section 3(e)(4), of all energy laboratories

1 recommended for consolidation by the Commission
2 in such report.

3 (b) CONGRESSIONAL DISAPPROVAL.—

4 (1) IN GENERAL.—The Secretary may not carry
5 out any reconfiguration, corporatization, privatiza-
6 tion, or consolidation of an energy laboratory rec-
7 ommended by the Commission in the report trans-
8 mitted pursuant to section 3(e)(4) if a joint resolu-
9 tion is enacted, in accordance with the provisions of
10 section 8, disapproving the recommendations of the
11 Commission before the earlier of—

12 (A) the end of the 45-day period beginning
13 on the date on which the Commission transmits
14 the report; or

15 (B) the adjournment of Congress sine die
16 for the session during which the report is trans-
17 mitted.

18 (2) LEGISLATIVE DAYS.—For purposes of para-
19 graph (1) of this subsection and subsections (a) and
20 (c) of section 8, the days on which either House of
21 Congress is not in session because of an adjourn-
22 ment of more than three days to a day certain shall
23 be excluded in the computation of a period.

1 **SEC. 5. IMPLEMENTATION OF RECONFIGURATION,**
2 **CORPORATIZATION, PRIVATIZATION, AND**
3 **CONSOLIDATION ACTIONS.**

4 (a) IMPLEMENTATION.—In reconfiguring,
5 corporatizing, privatizing, or consolidating an energy lab-
6 oratory under this Act, the Secretary shall—

7 (1) take such actions as may be necessary to re-
8 configure, corporatize, privatize, or consolidate the
9 energy laboratory;

10 (2) take such steps as may be necessary to en-
11 sure the safe keeping of all records stored at the en-
12 ergy laboratory; and

13 (3) reimburse other Federal agencies for ac-
14 tions performed at the request of the Secretary with
15 respect to any such reconfiguration, corporatization,
16 privatization, or consolidation, and may use for such
17 purpose funds in the Account or funds appropriated
18 to the Department of Energy and available for such
19 purpose.

20 (b) MANAGEMENT AND DISPOSAL OF PROPERTY.—

21 (1) IN GENERAL.—The Administrator of Gen-
22 eral Services shall delegate to the Secretary with re-
23 spect to excess and surplus real property and facili-
24 ties located at an energy laboratory reconfigured,
25 corporatized, privatized, or consolidated under this
26 Act—

1 (A) the authority of the Secretary to utilize
2 excess property under section 202 of the Fed-
3 eral Property and Administrative Services Act
4 of 1949 (40 U.S.C. 483);

5 (B) the authority of the Secretary to dis-
6 pose of surplus property under section 203 of
7 that Act (40 U.S.C. 484);

8 (C) the authority of the Secretary to grant
9 approvals and make determinations under sec-
10 tion 13(g) of the Surplus Property Act of 1944
11 (50 U.S.C. App. 1622(g)); and

12 (D) the authority of the Secretary to deter-
13 mine the availability of excess or surplus real
14 property for wildlife conservation purposes in
15 accordance with the Act of May 19, 1948 (16
16 U.S.C. 667b).

17 (2) EXERCISE OF AUTHORITY.—

18 (A) IN GENERAL.—Subject to subpara-
19 graph (C), the Secretary shall exercise the au-
20 thority delegated to the Secretary pursuant to
21 paragraph (1) in accordance with—

22 (i) all regulations in effect on the date
23 of the enactment of this Act governing the
24 utilization of excess property and the dis-
25 posal of surplus property under the Fed-

1 eral Property and Administrative Services
2 Act of 1949; and

3 (ii) all regulations in effect on the
4 date of the enactment of this Act govern-
5 ing the conveyance and disposal of prop-
6 erty under section 13(g) of the Surplus
7 Property Act of 1944 (50 U.S.C. App.
8 1622(g)).

9 (B) REGULATIONS.—The Secretary, after
10 consulting with the Administrator of General
11 Services, may issue regulations that are nec-
12 essary to carry out the delegation of authority
13 required by paragraph (1).

14 (C) LIMITATION.—The authority required
15 to be delegated by paragraph (1) to the Sec-
16 retary by the Administrator of General Services
17 shall not include the authority to prescribe gen-
18 eral policies and methods for utilizing excess
19 property and disposing of surplus property.

20 (c) WAIVER.—The Secretary may reconfigure,
21 corporatize, privatize, or consolidate energy laboratories
22 under this Act without regard to any provision of law re-
23 stricting the use of funds for reconfiguring, corporatizing,
24 privatizing, or consolidating such energy laboratories in-
25 cluded in any appropriations or authorization Act.

1 **SEC. 6. ACCOUNT.**

2 (a) ESTABLISHMENT.—There is hereby established
3 on the books of the Treasury an account to be known as
4 the “National Energy Laboratories Reorganization Ac-
5 count” which shall be administered by the Secretary as
6 a single account.

7 (b) CONTENT OF ACCOUNT.—There shall be depos-
8 ited into the Account—

9 (1) funds authorized for and appropriated to
10 the Account;

11 (2) any funds that the Secretary may, subject
12 to approval in an appropriation Act, transfer to the
13 Account from funds appropriated to the Department
14 of Energy for any purpose, except that such funds
15 may be transferred only after the date on which the
16 Secretary transmits written notice of, and justifica-
17 tion for, such transfer to the congressional energy
18 committees; and

19 (3) proceeds received from the transfer or dis-
20 posal of any property at an office reconfigured,
21 corporatized, privatized, or consolidated under this
22 Act.

23 (c) USE OF FUNDS.—The Secretary may use the
24 funds in the Account only for the purposes described in
25 section 5(a).

26 (d) REPORTS.—

1 (1) IN GENERAL.—Not later than 60 days after
2 the end of each fiscal year in which the Secretary
3 carries out activities under this Act, the Secretary
4 shall transmit a report to the congressional energy
5 committees of the amount and nature of the deposits
6 into, and the expenditures from, the Account during
7 such fiscal year and of the amount and nature of
8 other expenditures made pursuant to section 5(a)
9 during such fiscal year.

10 (2) UNOBLIGATED FUNDS.—Unobligated funds
11 shall be held in the Account until transferred by law.

12 **SEC. 7. REPORTS ON IMPLEMENTATION.**

13 As part of the budget request for each fiscal year in
14 which the Secretary is authorized to carry out activities
15 under this Act, the Secretary shall transmit to the con-
16 gressional energy committees—

17 (1) a schedule of the reconfiguration,
18 corporatization, privatization, and consolidation ac-
19 tions to be carried out under this Act in the fiscal
20 year for which the request is made and an estimate
21 of the total expenditures required and cost savings
22 to be achieved by each such reconfiguration,
23 corporatization, privatization, or consolidation and of
24 the time period in which these savings are to be
25 achieved in each case; and

1 (2) a description of the energy laboratories to
 2 which functions are to be transferred as a result of
 3 such reconfigurations, corporatizations,
 4 privatizations, and consolidations.

5 **SEC. 8. CONGRESSIONAL CONSIDERATION OF COMMISSION**
 6 **REPORT.**

7 (a) TERMS OF THE RESOLUTION.—For purposes of
 8 section 4(b), the term “joint resolution” means only a
 9 joint resolution which is introduced within the 10-day pe-
 10 riod beginning on the date on which the Commission
 11 transmits the report to the Congress under section
 12 3(e)(4), and—

13 (1) which does not have a preamble;

14 (2) the matter after the resolving clause of
 15 which is as follows: “That Congress disapproves the
 16 recommendations of the National Energy Labora-
 17 tories Reorganization Commission as submitted on
 18 _____.”, the blank space being filled in with the
 19 appropriate date; and

20 (3) the title of which is as follows: “Joint reso-
 21 lution disapproving the recommendations of the Na-
 22 tional Energy Laboratories Reorganization Commis-
 23 sion.”.

24 (b) REFERRAL.—A resolution described in subsection
 25 (a) that is introduced in the House of Representatives

1 shall be referred to the Committee on National Security
2 and the Committee on Science of the House of Represent-
3 atives. A resolution described in subsection (a) introduced
4 in the Senate shall be referred to the Committee on Armed
5 Services and the Committee on Energy and Natural Re-
6 sources of the Senate.

7 (c) DISCHARGE.—If the committee to which a resolu-
8 tion described in subsection (a) is referred has not re-
9 ported such resolution (or an identical resolution) by the
10 end of the 20-day period beginning on the date on which
11 the Commission transmits the report to the Congress
12 under section 3(e)(4), such committee shall be, at the end
13 of such period, discharged from further consideration of
14 such resolution, and such resolution shall be placed on the
15 appropriate calendar of the House involved.

16 (d) CONSIDERATION.—

17 (1) IN GENERAL.—On or after the third day
18 after the date on which the committee to which such
19 a resolution is referred has reported, or has been
20 discharged (under subsection (c)) from further con-
21 sideration of, such a resolution, it is in order (even
22 though a previous motion to the same effect has
23 been disagreed to) for any Member of the respective
24 House to move to proceed to the consideration of the
25 resolution (but only on the day after the calendar

1 day on which such Member announces to the House
2 concerned the Member's intention to do so). All
3 points of order against the resolution (and against
4 consideration of the resolution) are waived. The mo-
5 tion is highly privileged in the House of Representa-
6 tives and is privileged in the Senate and is not de-
7 batable. The motion is not subject to amendment,
8 or to a motion to postpone, or to a motion to pro-
9 ceed to the consideration of other business. A motion
10 to reconsider the vote by which the motion is agreed
11 to or disagreed to shall not be in order. If a motion
12 to proceed to the consideration of the resolution is
13 agreed to, the respective House shall immediately
14 proceed to consideration of the joint resolution with-
15 out intervening motion, order, or other business, and
16 the resolution shall remain the unfinished business
17 of the respective House until disposed of.

18 (2) DEBATE.—Debate on the resolution, and on
19 all debatable motions and appeals in connection
20 therewith, shall be limited to not more than 2 hours,
21 which shall be divided equally between those favoring
22 and those opposing the resolution. An amendment to
23 the resolution is not in order. A motion further to
24 limit debate is in order and not debatable. A motion
25 to postpone, or a motion to proceed to the consider-

1 ation of other business, or a motion to recommit the
 2 resolution is not in order. A motion to reconsider the
 3 vote by which the resolution is agreed to or dis-
 4 agreed to is not in order.

5 (3) QUORUM CALL.—Immediately following the
 6 conclusion of the debate on a resolution described in
 7 subsection (a) and a single quorum call at the con-
 8 clusion of the debate if requested in accordance with
 9 the rules of the appropriate House, the vote on final
 10 passage of the resolution shall occur.

11 (4) APPEALS FROM DECISION OF CHAIR.—Ap-
 12 peals from the decisions of the Chair relating to the
 13 application of the rules of the Senate or the House
 14 of Representatives, as the case may be, to the proce-
 15 dure relating to a resolution described in subsection
 16 (a) shall be decided without debate.

17 (e) CONSIDERATION BY OTHER HOUSE.—

18 (1) IN GENERAL.—If, before the passage by one
 19 House of a resolution of that House described in
 20 subsection (a), that House receives from the other
 21 House a resolution described in subsection (a), then
 22 the following procedures shall apply:

23 (A) The resolution of the other House shall
 24 not be referred to a committee and may not be
 25 considered in the House receiving it except in

1 the case of final passage as provided in sub-
2 paragraph (B)(ii).

3 (B) With respect to a resolution described
4 in paragraph (1) of the House receiving the res-
5 olution—

6 (i) the procedure in that House shall
7 be the same as if no resolution had been
8 received from the other House; but

9 (ii) the vote on final passage shall be
10 on the resolution of the other House.

11 (2) CONSIDERATION AFTER DISPOSITION BY
12 OTHER HOUSE.—Upon disposition of the resolution
13 received from the other House, it shall no longer be
14 in order to consider the resolution that originated in
15 the receiving House.

16 (f) RULES OF THE SENATE AND HOUSE.—This sec-
17 tion is enacted by Congress—

18 (1) as an exercise of the rulemaking power of
19 the Senate and House of Representatives, respec-
20 tively, and as such it is deemed a part of the rules
21 of each House, respectively, but applicable only with
22 respect to the procedure to be followed in that
23 House in the case of a resolution described in sub-
24 section (a), and it supersedes other rules only to the
25 extent that it is inconsistent with such rules; and

1 (2) with full recognition of the constitutional
2 right of either House to change the rules (so far as
3 relating to the procedure of that House) at any time,
4 in the same manner, and to the same extent as in
5 the case of any other rule of that House.

6 **SEC. 9. DEFINITIONS.**

7 For purposes of this Act:

8 (1) The term “Account” means the National
9 Energy Laboratories Reorganization Account estab-
10 lished in section 6(a).

11 (2) The term “Commission” means the Na-
12 tional Energy Laboratories Reorganization Commis-
13 sion.

14 (3) The term “congressional energy commit-
15 tees” means the Committee on Armed Services of
16 the Senate, the Committee on National Security of
17 the House of Representatives, the Committee on
18 Science of the House of Representatives, and the
19 Committee on Energy and Natural Resources of the
20 Senate.

21 (4) The term “corporatize” means to transfer
22 functions to a wholly owned Government corporation
23 established for the purpose of performing those
24 functions.

1 (5) The term “energy laboratory” means the
2 Lawrence Livermore National Laboratory, the Los
3 Alamos National Laboratory, the Sandia National
4 Laboratories, the Argonne National Laboratory, the
5 Brookhaven National Laboratory, the Idaho Na-
6 tional Engineering Laboratory, the Lawrence Berke-
7 ley Laboratory, the Oak Ridge National Laboratory,
8 the Pacific Northwest Laboratory, or the National
9 Renewable Energy Laboratory.

10 (6) The term “Galvin Report” means the report
11 of the Task Force on Alternative Futures for the
12 Department of Energy National Laboratories (com-
13 monly known as the Galvin Commission).

14 (7) The term “Secretary” means the Secretary
15 of Energy.

○