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U.S. House of Representatives  
 Committee on Commerce  
 Room 2125, Rayburn House Office Building  
 Washington, DC 20515-6115

September 14, 1999

**Environmental Accountability WEAKENED  
 Under DOE Reorganization Plan**

AMBER LADNERIAN, CHIEF OF STAFF

Dear Colleague:

Does the DOE Reorganization proposal strengthen environmental accountability? The answer from 46 State Attorneys General is **NO**.

Proponents cite three provisions in their defense. Section 3261(a) states, "*The Administrator shall ensure that the Administration complies with all applicable environmental, safety, and health statutes and substantive requirements.*" **But**, The State Attorneys General call this "an unenforceable exhortation."

Section 3261(c) states, "*Nothing in this title shall diminish the authority of the Secretary of Energy to ascertain and ensure that such compliance occurs.*" **Unfortunately**, section 3213, which provides that this autonomous agency "*shall not be responsible to, or subject to the authority, direction, or control of, any officer, employee, or agent of the Department of Energy ... except for the Secretary of Energy*" removes the current authority of the Office of Health, Safety, and Environment or any other delegate of the Secretary to oversee these defense facilities, according to the State Attorneys General.

Section 3296(a) states, "*Unless otherwise provided in this title, all provisions of law and regulation in effect immediately before the effective date of this title that are applicable to functions of the Department of Energy specified in section 3291 shall continue to apply to the corresponding functions of the Administration.*" **However**, the State Attorneys General state, "Section 3296, intended as a savings clause, will not preserve application of existing laws and regulations because of the introductory phrase 'unless otherwise provided in this title.'"

Who should you believe? I would trust the judgment of **46** chief law enforcement officers of the 50 states.

Vote **YES** on a motion to recommit the conference report with instructions to strip this provision.

Sincerely,



JOHN D. DINGELL  
RANKING MEMBER