

Stockman	Torkildsen	Weldon (PA)
Stump	Upton	Weller
Talent	Visclosky	White
Tate	Vucanovich	Whitfield
Tauzin	Waldholtz	Wicker
Taylor (MS)	Walker	Young (AK)
Taylor (NC)	Walsh	Young (FL)
Thomas	Wamp	Zeliff
Thornberry	Watts (OK)	Zimmer
Tiaht	Weldon (FL)	

NOT VOTING—22

Baesler	Hilliard	Saxton
Baldacci	Jefferson	Stark
Becerra	LaTourette	Thompson
Brown (OH)	Menendez	Waters
Clay	Moakley	Wise
Cox	Moran	Wolf
Gallegly	Rogers	
Hall (OH)	Ros-Lehtinen	

So the amendment was not agreed to. The SPEAKER pro tempore, Mr. HASTINGS of Washington, assumed the Chair.

When Mr. HANSEN, Chairman, pursuant to House Resolution 136, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Hydrogen Future Act of 1995".

**SEC. 2. FINDINGS.**

The Congress finds that—

(1) fossil fuels, the main energy source of the present, have provided this country with tremendous supply but are limited and polluting;

(2) additional basic research and development are needed to encourage private sector investment in development of new and better energy sources and enabling technologies;

(3) hydrogen holds tremendous promise as a fuel, because it can be extracted from water and can be burned much more cleanly than conventional fuels;

(4) hydrogen production efficiency is a major technical barrier to society collectively benefiting from one of the great energy sources of the future;

(5) an aggressive, results-oriented, multiyear research initiative on efficient hydrogen fuel production and use should continue; and

(6) the current Federal effort to develop hydrogen as a fuel is inadequate.

**SEC. 3. PURPOSES.**

The purposes of this Act are—

(1) to provide for a basic research, development, and demonstration program leading to the production, storage, transport, and use of hydrogen for industrial, residential, transportation, and utility applications; and

(2) to provide for advice from academia and the private sector in the implementation of the Department of Energy hydrogen research, development, and demonstration program to ensure that economic benefits of the program accrue to the United States.

**SEC. 4. DEFINITIONS.**

For purposes of this Act—

(1) the term "demonstration" means a validation of the technical feasibility of a theory or process;

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

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

**SEC. 5. RESEARCH AND DEVELOPMENT.**

(a) AUTHORIZED ACTIVITIES.—Pursuant to this section, the Spark M. Matsunaga Hydro-

gen Research, Development, and Demonstration Act of 1990 and the Energy Policy Act of 1992, and in accordance with the purposes of this Act, the Secretary shall provide for a hydrogen energy basic research, development, and demonstration program relating to production, storage, transportation, and use of hydrogen, with the goal of enabling the private sector to demonstrate the technical feasibility of using hydrogen for industrial, residential, transportation, and utility applications. In establishing priorities for Federal funding under this section, the Secretary shall survey private sector hydrogen activities and take steps to ensure that activities under this section do not displace or compete with the privately funded hydrogen activities of United States industry.

(b) SCHEDULE.—Within 180 days after the date of the enactment of the later of this Act or an Act providing appropriations for programs authorized by this Act, the Secretary shall solicit proposals from all interested parties for carrying out the research, development, and demonstration activities authorized under this section. The Secretary may consider a proposal from a contractor who manages and operates a Department facility under contract with the Department, and the contractor may perform the work at that facility or any other facility. Within 180 days after such solicitation, if the Secretary identifies proposals worthy of Federal assistance, financial assistance shall be awarded under this section competitively, using peer review of proposals with appropriate protection of proprietary information. The Secretary shall use appropriations authorized by this Act that are not allocated for such awards to carry out research, development, and demonstration activities in accordance with the purposes of this Act.

(c) COST SHARING.—(1) Except as otherwise provided in section 6, for research proposals funded under this Act, the Secretary shall require a commitment from non-Federal sources of at least 25 percent of the cost of the proposed program. The Secretary may reduce or eliminate the non-Federal requirement under this paragraph if the Secretary determines that the research is of such a purely basic or fundamental nature that a non-Federal commitment is not obtainable.

(2) The Secretary shall require at least 50 percent of the costs directly and specifically related to any development or demonstration project under this Act to be provided from non-Federal sources.

(d) CERTIFICATIONS AND REQUIREMENTS.—Before financial assistance is provided under this section or the Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990—

(1) the Secretary must ensure that providing such financial assistance is consistent with the Agreement on Subsidies and Countervailing Measures as approved in section 101 of the Uruguay Round Agreements Act (19 U.S.C. 3511); and

(2) industry participants must certify that they have made reasonable efforts to obtain non-Federal funding for the entire cost of the project, and that such non-Federal funding could not be reasonably obtained.

(e) DUPLICATION OF PROGRAMS.—The Secretary shall not carry out any activities under this section that unnecessarily duplicate activities carried out elsewhere by the Federal Government or the private sector.

**SEC. 6. HIGHLY INNOVATIVE TECHNOLOGIES.**

Of the amounts made available for carrying out section 5, up to 5 percent shall be used to support basic research on highly innovative energy technologies. Such amounts shall not be subject to the cost sharing requirements in section 5(c).

**SEC. 7. TECHNOLOGY TRANSFER.**

The Secretary shall foster the exchange of generic, nonproprietary information and

technology, developed pursuant to section 5, among industry, academia, and the Federal Government. The Secretary shall ensure that economic benefits of such exchange of information and technology will accrue to the United States economy.

**SEC. 8. REPORTS TO CONGRESS.**

Within 18 months after the date of the enactment of this Act, and annually thereafter, the Secretary shall transmit to the Congress a detailed report on the status and progress of the Department's hydrogen research and development program, with particular emphasis on activities carried out pursuant to section 7 of this Act. Such report shall include an analysis of the effectiveness of such program, to be prepared and submitted by the Hydrogen Technical Advisory Panel established under section 108 of the Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990. Such Panel shall also make recommendations for improvements to such program if needed, including recommendations for additional legislation.

**SEC. 9. COORDINATION AND CONSULTATION.**

(a) COORDINATION WITH OTHER FEDERAL AGENCIES.—The Secretary shall coordinate all hydrogen research and development activities within the Department, and with the activities of other Federal agencies involved in similar research and development, including the Department of Defense, the Department of Transportation, and the National Aeronautics and Space Administration. Further, the Secretary shall pursue opportunities for cooperation with such Federal entities.

(b) CONSULTATION.—The Secretary shall consult with the Hydrogen Technical Advisory Panel established under section 108 of the Spark M. Matsunaga Hydrogen Research, Development, and Demonstration Act of 1990 as necessary in carrying out this Act.

**SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

(a) GENERAL AUTHORIZATION.—There are authorized to be appropriated, to carry out the purposes of this Act—

- (1) \$25,000,000 for fiscal year 1996;
- (2) \$35,000,000 for fiscal year 1997; and
- (3) \$40,000,000 for fiscal year 1998.±

(b) RELATED AUTHORIZATIONS.—(1) For each of the fiscal years 1996, 1997, and 1998, the total amount which may be obligated for Energy Supply Research and Development Activities shall not exceed the total amount obligated for such activities in fiscal year 1995.

(2) Paragraph (1) of this subsection does not authorize the appropriation of any Federal funds.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mr. HASTINGS of Washington, announced that the yeas had it.

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

By unanimous consent, the title was amended so as to read: "A bill to authorize basic research, development, and demonstration on hydrogen as a fuel, and for other purposes."

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶60.24 APPOINTMENT OF ADDITIONAL CONFEREER—H.R. 1158

The SPEAKER pro tempore, Mr. HASTINGS of Washington, by unani-

mous consent and pursuant to clause 6(f) of rule X, announced the appointment of Mr. PACKARD as a manager on the part of the House in the committee of conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H.R. 1158.

*Ordered.* That the Clerk notify the Senate of the foregoing appointment.

#### ¶60.25 SUBPOENA

The SPEAKER pro tempore, Mr. HASTINGS of Washington, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,  
Washington, DC, April 11, 1995.

Hon. NEWT GINGRICH,  
*Speaker of the House, U.S. House of Representatives, Rayburn House Office Building, Washington, DC.*

DEAR MR. SPEAKER: I write to notify you formally pursuant to Rule L (50) of the Rules of the House that a member of my staff has been served with a subpoena issued by the District Court of the State of Texas. After consultation with the General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and precedents of the House.

Sincerely,

FRANK TEJEDA,  
*Member of Congress.*

#### ¶60.26 ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 421. An Act to amend the Alaska Native Claims Settlement Act to provide for the purchase of common stock of Cook Inlet region, and for other purposes;

H.R. 517. An Act to amend title V of Public Law 96-550, designating the Chaco Culture Archaeological Protection Sites, and for other purposes;

H.R. 1380. An Act to provide a moratorium on certain class action lawsuits relating to the Truth in Lending Act.

#### ¶60.27 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. SAXTON, for today;

To Mr. ROGERS, for today;

To Ms. ROS-LEHTINEN, for today;

To Mr. MENENDEZ, for today;

To Mr. BAESLER, for today; and

To Mr. MORAN, for today after 2:30 p.m. and May 3.

And then,

#### ¶60.28 ADJOURNMENT

On motion of Mrs. LOWEY, at 7 o'clock and 25 minutes p.m., the House adjourned.

#### ¶60.29 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HYDE:

H.R. 1528. A bill to supersede the modification of final judgment entered August 24, 1982, in the antitrust action styled United States versus Western Electric, Civil Action No. 82-0192, U.S. District Court for the Dis-

trict of Columbia, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Commerce, 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.

By Mr. HEFLEY (for himself and Mr. ORTIZ) (both by request):

H.R. 1529. A bill to authorize certain construction at military installations for fiscal year 1996, and for other purposes; to the Committee on National Security.

By Mr. SPENCE (for himself and Mr. DELLUMS) (both by request):

H.R. 1530. A bill to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1996, and for other purposes; to the Committee on National Security.

By Mr. BILIRAKIS:

H.R. 1531. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to any employer who employs a member of the Ready Reserve or of the National Guard for a portion of the value of the service not performed for the employer while the employee is performing service as such a member; to the Committee on Ways and Means.

H.R. 1532. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to any employer who employs a member of the Ready Reserve or of the National Guard for a portion of the compensation paid by the employer while the employee is performing service as such a member; to the Committee on Ways and Means.

By Mr. BRYANT of Tennessee (for himself, Mr. MCCOLLUM, Mr. SMITH of Texas, Mr. SCHIFF, Mr. HEINEMAN, Mr. EMERSON, Mr. WICKER, Mr. INGLIS of South Carolina, Mr. CANADY, Mr. LARGENT, Mr. BARR, and Mrs. CHENOWETH):

H.R. 1533. A bill to amend title 18, United States Code, to increase the penalty for escaping from a Federal prison; to the Committee on the Judiciary.

By Mr. HUTCHINSON:

H.R. 1534. A bill to amend title 38, United States Code, to extend certain expiring authorities of the Department of Veterans Affairs, to authorize medical construction projects for that Department for fiscal year 1996, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GIBBONS (for himself, Mr. GEPHARDT, Mr. BONIOR, Mr. FAZIO of California, Mr. RANGEL, Mr. STARK, Mr. JACOBS, Mr. FORD, Mr. MATSUI, Mrs. KENNELLY, Mr. COYNE, Mr. LEVIN, Mr. CARDIN, Mr. MCDERMOTT, Mr. KLECZKA, Mr. LEWIS of Georgia, Mr. PAYNE of Virginia, Mr. NEAL of Massachusetts, and Mr. FROST):

H.R. 1535. A bill to amend the Internal Revenue Code of 1986 to revise the tax rules on expatriation, to modify the basis rules for nonresident aliens becoming citizens or residents, and for other purposes; to the Committee on Ways and Means.

By Mr. HUTCHINSON:

H.R. 1536. A bill to amend title 38, United States Code, to extend for 2 years an expiring authority of the Secretary of Veterans Affairs with respect to determination of locality salaries for certain nurse anesthetist positions in the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. JACOBS:

H.R. 1537. A bill to amend the Truth in Lending Act to provide that, for purposes of any grace period offered by a creditor, the date on a postmark shall establish the date on which payment was made unless the consumer establishes that payment was made on an earlier date; to the Committee on Banking and Financial Services.

By Mr. JOHNSON of South Dakota:

H.R. 1538. A bill to amend the Wild and Scenic Rivers Act to limit acquisition of land on the 39-mile segment of the Missouri River, Nebraska and South Dakota, designated as a recreational river, to acquisition from willing sellers, and for other purposes; to the Committee on Resources.

By Mr. KENNEDY of Massachusetts (for himself, Mr. FROST, Mr. DELLUMS, Mr. MOAKLEY, Mr. KENNEDY of Rhode Island, Mr. BEILENSON, Mr. FATTAH, Mr. SABO, Mr. LIPINSKI, Mr. SKAGGS, Mr. GEJDENSON, and Mr. SERRANO):

H.R. 1539. A bill to amend title 23, United States Code, to provide a minimum level of funding for bicycle transportation facilities and pedestrian walkways, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HALL of Ohio (for himself and Mr. SMITH of New Jersey):

H.R. 1540. A bill to amend title 18, United States Code, with respect to the dissemination of indecent material on cable television; to the Committee on the Judiciary.

By Mr. KING:

H.R. 1541. A bill to impose economic sanctions against persons who trade with Iran; to the Committee on International Relations, and in addition to the Committees on Ways and Means, and Government Reform and Oversight, 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.

By Mr. LIPINSKI:

H.R. 1542. A bill to amend the Illinois and Michigan Canal Heritage Corridor Act of 1984 to modify the boundaries of the corridor, and for other purposes; to the Committee on Resources.

H.R. 1543. A bill to amend the Harmonized Tariff Schedule of the United States to restore the duty rate that prevailed under the tariff schedules of the United States for certain twine, cordage, ropes, and cables; to the Committee on Ways and Means.

By Mr. NADLER:

H.R. 1544. A bill to prohibit the formation of private paramilitary organizations; to the Committee on the Judiciary.

By Mr. OBERSTAR:

H.R. 1545. A bill to provide for the certification by the Federal Aviation Administration of airports serving commuter air carriers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SCHUMER (for himself, Mr. RANGEL, Mrs. MALONEY, Mr. NADLER, Ms. VELAZQUEZ, Mr. MANTON, Mr. ENGEL, Ms. LOWEY, and Mr. TORRICELLI):

H.R. 1546. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of cooperative housing corporations; to the Committee on Ways and Means.

By Mr. TORRICELLI (for himself, Mr. SCHUMER, Mr. BROWN of California, Mr. ACKERMAN, Mr. JACOBS, Mr. WILSON, Mr. SHAYS, Mr. GEJDENSON, Mr. MANTON, Mr. DEUTSCH, Mr. VENTO, Mr. DELLUMS, Mr. LIPINSKI, Mr. EVANS, Ms. LOWEY, Mr. FARR, Mr. LEWIS of Georgia, Mr. KLECZKA, and Mr. FRELINGHYSEN):

H.R. 1547. A bill to amend the Animal Welfare Act to strengthen the annual reporting requirements of research facilities conducting animal experimentation or testing and to improve the accountability of animal experimentation programs of the Department of Defense; to the Committee on Agriculture, and in addition to the Committee on National Security, for a period to be subsequently determined by the Speaker, in each