of office positions filled that will obviously make my job perhaps a little easier.

Mr. BARTON. Well, let me ask you a little tougher question, then. You are a former Senator from the great State of Michigan. You are very aware that CAFE is not a place you eat in a restaurant, it is Corporate Average Fuel Economy, a fairly controversial issue in your home State. The President and the Vice President and you have come out strongly for conservation. Your proposal as it stands would shave 48 quads of energy from the projected increase in demand if we did nothing in terms of conservation.

Do you have any thoughts that you would care to share with the subcommittee on what a reasonable balanced increase in corporate average fuel economy standards might be that this subcommittee should consider legislatively?

Secretary ABRAHAM. Well, our position as reflected in the plan, is to recommend that the Secretary of Transportation, who under statute has responsibility with respect to CAFE standards, makes recommendations and it is in his domain to do so.

But let me just say I think--Congressman Dingell isn't here, but obviously he and I have worked together on this issue on behalf of our constituents, but we believe on behalf of the American citizenry more broadly, with regard to CAFE in recent years. I think that what we effected last year in
In the Senate that called upon the National Academy of Sciences to make recommendations by this July, in time for this year's considerations of the Appropriations Committee. It was an appropriate step to have taken last year. We acknowledged that in the recommendations in the President's report.

I think as you look at the actions taken, without any governmental mandates, by the auto industry, you see a move in the direction of hybrid vehicles designed to improve fuel efficiency. The two things I would just, I guess, pose to Members of Congress--and now maybe I am speaking more because of previous roles than I am of my current one. When one considers whatever might be the ultimate standards to take into account, first the issue of safety; and second, the issue of the disparity, the potential disparity effect on American versus foreign manufacturing of changes. I think we need to proceed ahead if we are going to change the fuel efficiency standards consistent with those very important considerations.

The National Highway transportation Safety Administration in the past has indicated that reducing the weight of vehicles has a direct correspondence to traffic fatalities. In Gannett News Service in 1999 did a study, which they using—that data concluded that 46,000 Americans have lost their lives as a consequence of changes in the size of...
vehicles that came about in efforts to meet CAFE standards. I would hope any changes would be considered against that backdrop. I also recognize that there can be advantages that changes in the fuel efficiency standards might provide to nondomestic manufacturing. And try to script any sort of change that might occur so that it had an even, rather than an uneven, impact on the various sources of manufacturing.

Mr. BARTON. Okay. This last is not a question as much as it is a comment, something to think about. Your energy policy proposal that the President and the Vice President, you and the other Cabinet secretaries have put forward, shows in the year 2020 we expect to consume 127 quads of energy equivalent in this country. You also show that your policies, if enacted, would save 48 quads of energy from what the projected demand would be if we didn’t have any conservation measures. You have a supply side to your policy but it is not quantified.

I don’t think we want to become totally energy independent. I have not heard the President or yourself or the Vice President say we should be independent, but I would like to work with you and the other administration officials to come up with a quantifiable target for supply in terms of quad, how much additional quads of oil, natural gas, electricity, coal, nuclear. And think as a starting point,
the fact that you want to save 48 quads. If our supply
component were some--it shouldn't be 48 quads increase, but
something that gives us a target to shoot for as we go
through the process. Would you be willing--.
Secretary ABRAHAM. Let me point out, first of all, the
difference that would be remaining is not 48, it would be 29
quads. Let me also say that the gains you just alluded to
are ones we believe will happen with these policies, but also
with existing policies in place. We would like to go further
than that. I hope we can. And we will look forward to
working to gaining even further efficiencies.

At the same time, we chose not to try to specify, to make
a guess, to pick fuels of choice or sources. We know what
the current projections look like. And as I indicated, right
now, absent any changes, almost all of, for example, the
electricity generation increase we are likely to achieve over
the next 20 years would be natural gas-driven increases. And
a number of people have already commented on the potential
implications of relying on a single source for most of the
increase.

What we propose is the notion of balance between sources,
both traditional as well as renewable, but also between
traditional sources, so that electricity, for example--to try
and be brief here, the current Energy Office Administration
projections from our Department's independent arm is that as
natural gas would increase, would see a decline in the role
of hydropower and nuclear energy in electricity generation
over the next 20 years and a very slight increase in the role
of renewables.

We chose not to try to specifically pick between those
different sources, but our view was to try to put in place
policies that would not place total dependency on natural gas
but would allow nuclear and hydro and renewables to play more
robust roles than predicted and projected today.

Mr. BARTON. Thank you. I am not trying to put you on
the spot. I know the natural gas industry says that they
would like to be around 30 TCF in natural gas by the year
2010, 2015. The coal people have some targets in terms of
their increase if we can help them on clean coal technology.

We don't expect the oil industry to gain supply, we hope we can be
more at hydroelectric, renewable, and some of the others, and
nuclear, to give us some targets. You have a better chance
to hit the target if you know what the target is. I mean,
every now and then, you just shoot up in the air and you hit
something. But most of the time you have got to aim at it.

So I just need some help in aiming. I figured you are a
pretty good marksman.

With that, I would recognize Mr. Markey for 5 minutes.

Mr. MARKEY. Thank you, Mr. Chairman very much. I have
two posters that I would like to show the committee. The first is from a report by the Federal Government. This is the report on January 11th, 2001—from the Report of the Commission to Assess United States National Security Space Management, an organization which was chaired by Secretary Donald Rumsfeld. The figure is credited to the Headquarters Air Force Space Command. It is captioned, "Space Will Transform the Conduct of Future Military Operations." It shows various high-technology systems anticipated being used by the United States, much of which will be coordinated by the Department of Energy in laboratories of Los Alamos and Livermore.

The Commission was established by Public Law 106-65, and in the National Defense Authorization Act for Fiscal Year 2000.

The second poster that I would like to show you is an air conditioner from the Web page of Goodman Manufacturing. As I mentioned earlier, this already meets the standard that the administration suspended as too onerous. Unlike national missile defense, the technology is virtually off the shelf today. And also, unlike NMD, we know it works because Goodman has already tested it for us in the marketplace.

Now, this is something that Federal employees are going to put together. Pretty complex, huh? Technologically sophisticated. This is something the private sector is...
already doing. Now, I would like to believe that the FEC employees are capable of doing this, but I technologically believe it is highly unlikely that we will be shooting down, in a minute and a half, Chinese and Russian missiles heading into our country in the middle of the night anytime soon.

On the other hand, Mr. Secretary, your administration has decided to roll back the 30 percent improvement in air conditioners which the Clinton administration had promulgated. Now, that is going to increase over the next 20 years the need for 43 additional 300-megawatt plants that will have to be constructed in the United States.

Now, I was the author, Mr. Secretary, of the House bill that gave you the authority to promulgate the national apply and efficiency standards. And one of these provisions is a no rollback provision. The reason I built that in was that the Reagan administration had actually flouted earlier laws dealing with this subject. So let me read you the language from the statute. It says: The Secretary may not prescribe any amended standard which increases the maximum allowable energy use or decreases the minimum required energy efficiency of a covered product.
Mr. MARKEY. Here we are talking about air-conditioners. Now, in rolling back, Mr. Secretary, the final air-conditioning rule adopted by the Clinton administration, you are in clear violation of this no rollback provision, and you are in violation of that law at the same time that your administration is saying that there is an energy crisis in our country, and you are also saying that we have a national security crisis that is going to call for the abrogation of the ABM treaty so that we can deploy this new technology over the next 5 to 10 years in the United States that will theoretically provide an impermeable, technological protection for our country.

Mr. Secretary, are you willing to review your decision to abrogate the implementation of the fuel economy standards for air conditioners, especially on a day like today where 35 percent of all electricity in America is heading towards air conditioners--in Texas, it is 75 percent of all electricity heading towards air conditioners--in order to adopt a standard which Goodman Manufacturing has already been able to put out there on the marketplace?

Secretary ABRAHAM. Well, as you know, Congressman, there were two standards under consideration. In our judgment, the
standard which the Goodman Company was proposing was one that
would not allow for a competitive marketplace to exist. And
I believe one of the considerations that we are expected to
take into account as we evaluate setting these mandated
standards is whether or not--not only what the payback
periods would be--that is, to the consumer who has to pay
more--and I am not sure what the cost of the Goodman product
is; I suspect it is considerably greater than other types of
models, which has an impact on the pocketbooks of average
families--but also whether or not a competitive market will
ensue at the end of the process.

It was not only our judgment, but also, I think, the
conclusions reached both by the previous as well as the
current Justice Department that there were significant issues
with respect to the competitive disadvantages in the
marketplace to other manufacturers. This is a case where, in
fact, there was a considerable difference between
different perspectives as to whether or not such a
competitive market would exist.

What I would say to you is this. We have been asked when
we came into office to review three rules that were, in our
judgment, according to our legal counsel, not in a final
stage to have triggered the provisions you have just
mentioned. We would be glad to share with you the legal
considerations that we have followed. But two of the three
we kept in place, and in this case we have suggested that
instead the rule ought to be a 12 versus a 13-ere air
conditioner standard, both because it would more effectively
address this question of market competitiveness and at the
same time be a little more friendly to the pocketbooks of
average Americans.
But at the same time, I would note in response to your
point that in our National Energy Plan, in the conservation chapter, we have been asked and our agency has been directed to seek to expand the standards in both products in which we already have assessed and placed standards, as well as to expand the number of products that we would consider.

Mr. MARKEY. I think the Chairman--.

Secretary ABRAHAM. I take that seriously, and one of the priorities for us is to review appliance standards, but to determine if additional ones should be considered, as well as, if we go forward into the future, whether or not air conditioners will fall into this or not. We will see.

Mr. BARTON. You can tell that the Secretary was a former Senator. He tends to give us a lot of answer for a short question.

Secretary ABRAHAM. Well, it was not meant to be a patronizing--.

Mr. BARTON. I didn’t say that.
Secretary ABRAHAM. --or filibustering.

Mr. MARKEY. I will just say this, Mr. Secretary.

Mr. BARTON. Briefly, because we have got a lot of
Members and theoretically only an hour to go.

Mr. MARKEY. In my opinion, Mr. Secretary, we do have an
electricity crisis in California. It is not a national
crisis, but there is an electricity crisis in California. We
need solutions. So far your solutions have been giving us a
faith-based electricity policy. You will pray for us across
the country, but not give us specific solutions. There is no
near-term solution, you say.

But when it comes to where electricity goes, and it is
primarily at the air conditioners in the summer in most of
the States in the United States, you have decided not to, in
fact, impose a tough standard on air conditioners and have
rolled back, in my opinion illegally, a final rule
promulgated by the Clinton administration that will make it
much more difficult for us in the long term to have our
country solve this electricity situation, and I think it is
an historic mistake which the administration has made.

Thank you, Mr. Chairman.

Mr. BARTON. Before we go to Mr. Shimkus, just so we have
the complete record, could you put in the record what the
current air conditioner efficiency standard is, what the
Clinton administration proposed, and what the Bush/Cheney
administration has promulgated?

Secretary ABRAHAM. Mr. Chairman, I would be glad to do it, and I think people are seeing that we are calling for a significant increase, approximately 20 percent, in the efficiency of air conditioners. As was noted, if people want more efficient air conditioners, today they can go out and purchase them, and I think perhaps some will.

Mr. BARTON. But we need the specific numbers.

Secretary ABRAHAM. I will do that, sir.

[The information follows:]

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1 NAECA, the National Appliance Energy Conservation Act of 1987, Pub. L. 100-12.

2 Not considered as a separate product class in NAECA, the standards for split system and single package air conditioners and heat pumps apply.

3 These were space-constrained products, defined in January 22, 2001 notice (66 FR 7196-7197), for which minimum SEER and HSPF values had not been determined. Had the January 22, 2001 rule become effective, SEER and HSPF values would have been determined in a supplemental final rule.

4 Not considered as a separate class in the July 2001 proposed rule, the standards for split system air conditioners and split system heat pumps apply.

5 Not considered as a separate product class in NAECA, the standards for split system air conditioners and split system heat pumps apply.

6 Not considered as a separate product class in NAECA, the standards for single package air conditioners and single package heat pumps apply.
Mr. BARTON. Because my understanding is you have supported an increase in the efficiency.

Secretary ABRAHAM. Right. That is correct.

Mr. BARTON. But not as high a number as the outgoing Clinton administration proposed. Isn’t that correct?

Secretary ABRAHAM. That is right.

Mr. BARTON. The gentleman from Illinois. And we are going to try to continue so that we don’t shut the hearing down. So if you folks want to go vote and then come back, that would be appreciated.

Mr. Shimkus for 5 minutes.

Mr. SHIMKUS. Thank you, Mr. Chairman, and the rules—the numerous rules and regulations promulgated by the last administration as they left off, this is one of those last-minute, in the dark of the night, surprise, and you have this. So I think it is meritorious to review those.

But what is interesting, this is really an ideological debate, because my friend from Massachusetts—I am sorry he left, but there are votes—is that the market has already responded to higher efficiency standards. The market is what we are trying to make sure works. We need to have a diversified fuel portfolio so that the market can best choose the right fuel for the right use. If you continue to put all your eggs in one basket, which we have done over the past 8 years, which is natural gas, you don’t have the flexibility
for the market to choose the best fuel for the best use, and so that is why I applaud the administration.

One of the last-minute rules that this administration did not promulgate, which they had ample opportunity to, was the California waiver. The Clinton administration had a full 18 months to make a decision on the California waiver but chose to leave office without taking a position. The last technical submissions from the State of California concerning its petitions were submitted in February 2000, a full 11 months before the end of the Clinton administration. I could only assume that the Clinton administration did not see--there was no meritorious position, otherwise it would have been lumped in with all those other last-minute rules and regulations.

But it is a great debate, because what it does is it has supposed clean air advocates arguing against clean air, and I know this is kind of an EPA thing, but it is timely, and it has supposed pro-oil individuals against big oil.

So, again--but make no mistake, there is one proethanol Member of Congress. There is many of us, but there is one right here supporting ethanol, so I am not trying to, you know, hide my true colors. But the reality is the whole debate is fascinating from the aspect of those who support clean air are talking against ethanol and the oxygen standard, and those who should be siding with big oil
actually sided against big oil.

But I do think, as in my opening comment, having internal ability to refine and have natural resources of fuel helps decrease our alliance on foreign oil, and I think that is very, very important.

And I have to respond also to the other comment on the national missile defense. Just because this is one Member of Congress--first of all, it is not designed to shoot down every missile that will be launched from every country at one time. It is designed to be able to knock down a rogue nation, a terrorist missile attack. And this is one Member of Congress who will--I am willing to take that one shot of a bullet hitting a bullet if it means protecting Los Angeles, California, or Chicago, Illinois, or Washington, D.C. I am not going to be the person who says, no, I didn’t think that was important enough. I am going to let that go.

So to my friends on the left who don’t--who doesn’t think national security and the ability to defend our people is that important, I would say it is probably the primary role of the Federal Government is to protect its citizens.

Now I will go on two issues. I am going to continually focus on the biofuels component of a National Energy Policy. Although in southern Illinois, we do have marginal wells. We have abundant coal reserves. We do have, as I said, the reprocessing uranium facility that is in the deep south in
Metropolis, Illinois, but, of course, ethanol and biodiesel have been projects that I have undertaken. And a couple years ago we were able to help pass an addition to the Energy Policy Conservation Act, which allowed the fuel addition of biodiesel to be considered to help decrease our reliance on foreign oil.

We have another piece of legislation that has been submitted within the last couple of weeks to affect the--and it really is through the Transportation Committee, but for your information, it does tie in, because any time we use biofuels in any percentage, mixture with petroleum-based fuels, it decreases our demand for the petroleum-based product. That is why ethanol is helpful. That is why biodiesel is helpful.

And if it can help clean the air--I would just want to put on record, Mr. Secretary, so you know, that we have dropped legislation on the Congestion Mitigation Air Quality Act, which would allow, you know, credit for fuel usage of a renewable fuel additive so that you can get credit for the using of biodiesel or ethanol in these highly dense transportation corridors that are congested, and there is a clean air aspect. There is a renewable fuel aspect and all the great things that are involved.

The last thing that I will mention, since I am the only one talking, and no one else is around--.
Mr. BARTON. We have Mr. John and Mr. Cox here.

Mr. SHIMKUS. How am I doing on time, Mr. Chairman?

Mr. BARTON. You are 23 seconds over.

Mr. SHIMKUS. Well, then I yield back my time.

Mr. BARTON. All right.

The gentleman from Louisiana is recognized for 5 minutes.

Mr. JOHN. Mr. Secretary, thank you very much for coming.

Being from Louisiana, which is a producing State, I really understand the industry as a whole and how it impacts from an economic standpoint, and as from being a Member of Congress for the last 6 years, I understand it on the national level and its importance to our security, to our national security and other things.

I seem to try to put it into very easy-to-understand components that all make up an energy policy, and, number one, I think you have to find it. Number two, you have to refine it. And number three, you have to transport it. And each one of those components, as simple as they may seem, is a very critical component of delivering an energy policy that I think all of America wants.

And I would like to focus just a little bit on the transport part of my analogy. Now, it is my understanding that in California, we can--the pipelines that lead to the border can deliver a lot more natural gas, but once they get to the border, they get choked out, and--from that situation...
other complications happen.

I would like to focus in on your transport part of the policy and how do you envision delivering, whether it is pipelines for natural gas that fuel electricity power plants or transmission lines that, without them, you really have a bottleneck and a problem. And I think that is a very important part of the whole energy debate. Some people in America seem to maybe focus on the production side, and it is high profile and Federal lands, other things that seem to be politically, you know, very—that sit on a powder keg. But I think transportation of whether it is electricity, gas or crude is very important. Could you hit on that, please?

Secretary ABRAHAM. Well, just as first a broad statement, I would just say that we have devoted an entire chapter of the energy plan to the infrastructure challenges we confront, for a good reason, which is that even if we increase supply, or even if we just can maintain current supply levels, if we have lack of capacity to deliver the supply, as you have indicated we have--.

Mr. JOHN. That is my point exactly.

Secretary ABRAHAM. --it affects price. It obviously affects shortage issues as well.

We are in the plan we are making a number of recommendations. With regard to the pipelines, the President calls for directs Federal agencies on an interagency basis
to try to work together for the purposes of designing and
developing recommendations to expedite the permit process
that is involved in pipeline siting.

He also has encouraged FERC to consider improvement in
the regulatory process which governs the approval of these
interstate systems. And we also endorse Senator McCain's
legislation with regard to pipeline safety.

At the same time, on the transmission side, we have a
number of recommendations which play a fairly active role in
developing, because we think with regard to electricity
transmission, we face a greater challenge, and that challenge
comes about because of the fact that there is no Federal
authority to site electricity transmission. We have had
capacity with respect to oil pipeline, natural gas pipeline
at the Federal level. We do not have that power with respect
to electricity.

What we have in this country is an electricity
transmission system that was largely constructed at a time
when a local power plant serviced its community. It was not
developed for long-haul transmission. It was not developed
for a national energy or electricity market. As we have
strived for more competition in the marketplace of
electricity, we have done so primarily with regard to price
control issues. And California has obviously had one type of
experience, Pennsylvania another.
But even as we deregulate on the price side, we still have the challenge if there isn't a sufficient number of sellers available or buyers or vice versa, and so what we are talking about, and actually interestingly it was, I think, well stated by Congressman Sawyer's remarks--in his remarks, of the notion of moving towards a national highway system for electricity.

What we propose is several steps to get there: Step number 1, an analysis by my Department to try to determine where we need more transmission, where we need more interconnectivity.

Second, a process that would involve encouraging the FERC to develop a rate structure system that would encourage, through rates, the construction of the additional transmission.

Third, for us to consider the benefits of a national grid. That is for the Department to make a review of that and recommendations.

Also looking at the Federal facility, such as the Bonneville, BPA Administration to determine whether they need--and somebody--I think Congressman Walden asked about this--whether we need to expand their debt availability so they can participate in construction.

But finally, of asking for us to develop legislation that would provide the Federal Government with an eminent domain
power to address situations that might arise where we need
interconnectivity.

And there certainly have been many examples in recent
years where the--where we are talking about interstate
situations where somebody just won't take the action. The
authority lies at the State and local level. If a community
or a State decides it will not site a transmission, it may
make a problem far more acute.

We have cities in this country that are limited in terms
of how much electricity they can import, considerably
constrained in that regard, such as New York. We have
States, because of their nature, some--for example, Florida,
because of being a peninsula--where we have similar kinds of
limits in terms of importation. And within States or within
regions, we have these. And I don't see--at least it
wouldn't be my vision that the Federal Government, with
having identified these problem areas, immediately launch
through an imminent domain power, siting program.

Rather, I would hope we could develop work together
to develop legislation that once we identify these, we bring
them to the attention of the appropriate regulators at the
State and local level; that we work with FERC to perhaps
provide a rate structure that encourages transmission
should development. But that there be at least a last resort option
available to us at the Federal level to make sure that we
don't have the kinds of challenges that some parts of the
country confront, of being in situation where they literally
can't import anymore generation where they need it most.

Mr. JOHN. First, let me encourage you to research and
study the national electric highway grid. I think it is
meritorious. I think that there is some substantial reason
to go about that. When you look--when you are looking at the
economy today and all these e-businesses that are popping up
everywhere, you are not sure where they are, and it really
doesn't matter. And I think that same mindset may overlap on
electricity. If it can be generated somewhere, does it
matter where it comes from if it is going to plug into a
grid, into a national highway grid?

Secretary ABRAHAM. Well, if I could just say--and I know
I may be a little bit over here, but if I could just add one
other point. In addition to helping us--if we were to
resolve these bottlenecks and so on, helping us deal with
opening maybe a more competitive system, and in addition to
helping us address situations where there might be an
electricity shortage in one area and a surplus in another
that right now can't be used to address the shortage.

And also I think it could open the way ultimately for us
to address the NIMBY problem, which was referred to by
Congressman Radanovich, which is that right now the
reluctance of a community to have any new generation can
create a situation with literally—you know, they have a problem there, but they have no option because they can't import any more electricity. There are communities that would like to increase the amount of generation they have, places perhaps where they already are a source, but if there is not enough transmission to get any additional electricity from there to a more grid-intensive area, they don't have that option.

Mr. JOHN. Well, being from Louisiana, I could sure understand that mentality, that we will drill as much as you want down at our end. We understand the jobs that are created.

Finally, let me briefly say that I look forward to working with you as we embark upon this issue. In my eyes, I do not believe that there is a more important issue facing this Congress, and it is not going to be solved this year or next year. There is no silver bullet. It is a myriad of things that have to be addressed in one package. I think it is a threat to our economy. It is a threat to our prosperity. I think it is a threat to our informational security. And it is something that we need to work on.

Being cochairman of the Blue Dogs, we have recognized that, and we have activated an energy task force, cochaired by our colleague Ralph Hall on the committee and also Max Sandlin, and we are putting together principles of an energy
policy. And we are going to invite you to one of our meetings. I think we will play a very important role in this, because it is a very important issue, and I look forward to working with you and thank you for being here.

Mr. WHITFIELD. [Presiding.] Mr. Secretary, I also want to welcome you to our panel this morning, and I was not here for the opening statements, but we are delighted that you are here. And I particularly am pleased that this administration is placing emphasis on all fuel sources, particularly the emphasis you are placing on clean coal technology, as well as expanding the use of nuclear fuels.

I would like to talk to you--ask a few questions just on a few parochial issues as well. As you may know, I represent the Paducah gaseous diffusion plant, and I was pleased that the administration is its budget had requested $18 million in a supplemental appropriation for environmental cleanup at the Paducah plant. And I know that you can’t speak for what will happen here on the Hill, but it is my understanding that at least in you all’s view, that the entire $18 million was to be set aside for the Paducah cleanup. Is that correct?

Secretary ABRAHAM. Yes. That is my understanding.

Mr. WHITFIELD. And then on another issue, I really appreciate the Department’s continued efforts to move ahead with the DUF6 conversion plants at both Paducah and at Paducah--I mean, at Paducah and at Portsmouth. Those plants