

on both sides of the aisle as well as within the administration. I think it is quite worthy of the support of Members on both sides. It does not jeopardize our national security in any way. I hope that Members will listen to the debate and vote "aye."

Mr. DREIER. Mr. Chairman, I yield myself the balance of my time. As we have worked in structuring this rule, I want to congratulate the gentleman from California (Mr. HUNTER) for all of the effort he has put into this great piece of legislation. I do not step forward to challenge him on an issue lightly. This is a very serious matter. I will take a back seat to no one when it comes to the national security of the United States of America.

The gentleman from California and I came together with Ronald Reagan in 1980, and I would not be supportive of any legislation which repealed regulations to ensure that the transfer of sensitive technology would go into the hands of our adversaries. I have great confidence in Condoleezza Rice. I have great confidence in the leadership of this President. And I believe that the correspondence that we have had, having worked closely on fashioning this amendment with the administration, having worked closely with the chairman of the Permanent Select Committee on Intelligence, having worked closely with the chairman of the Select Committee on Homeland Security, and Democrats on the other side of the aisle to ensure that we have this opportunity to do it, guarantees that we will address our national security concerns.

□ 1815

Pass this amendment. Repeal this outdated moment. Please vote in favor of the amendment.

Mr. HUNTER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment guts a very important aspect of national security, and that aspect is knowledge. The idea that we want to take away notice when a supercomputer is sold to one of these third-tier countries, and once again I would ask the floor staff to put up that list of so-called third-tier countries, including Communist China and a number of others which may at some point be our adversary, the idea that we want to take away our notice so that we do not know if we are transferring a supercomputer to the Osama bin Laden Construction Corporation, we want to divest ourselves of that knowledge, that makes no sense.

We have a system in place which is very practical. It is a 10-day system. You simply tell, by notice, the Department of Commerce if you are going to sell a supercomputer. The President decides what a supercomputer consists of; and if you are going to sell a supercomputer to China or Pakistan or Vietnam or Algeria, you give them a 10-day notice. He sends a copy within 24 hours to the Secretary of Defense, the Secretary of State. If nobody objects, you make

the sale. If 10 days expires, you go ahead and transfer this supercomputer.

The other thing we have is in-use verification. We want to make sure when a supercomputer goes to China it is being used by their weather bureau, for example, not by their nuclear facilities. The only way one can tell is by sending a team and saying is that supercomputer where they said it would be? That is called in-use verification. The gentleman from California's (Mr. DREIER) amendment strikes in-use verification.

The gentleman from Illinois (Mr. HYDE) joins me in opposing this amendment very strongly. I would ask the Members to look at the handout that the gentleman from Illinois (Mr. HYDE) and I put out together.

Please vote this amendment down and please retain notice.

Ms. ESHOO. Mr. Chairman, I rise in strong support of the amendment offered by my colleagues Chairman DREIER and Representative LOFGREN.

The amendment allows the Administration to reform the MTOP standard to control computer exports, a standard implemented during the Cold War to protect high-performance computers from falling into the hands of rogue nations.

Why should this standard be reformed?

Quite simply, the MTOP standard has failed to keep pace with technological innovation and has become a useless tool that serves no other purpose other than to place American companies at a severe competitive disadvantage with their foreign competitors.

Personal computers available today perform at more than 25 times the speed of the supercomputers built just a decade ago. Yet these same PCs are treated like weapons under the MTOP standard.

Clearly, reform of our export system is necessary.

This amendment protects our national security while at the same time allowing American high technology companies to compete on a level playing field with their foreign competitors.

Importantly, it is not only the technology and computer industries who are calling for this reform.

Both the Defense Department and the GAO agree that the MTOPS export control system is "ineffective" and "irrelevant".

We must reform this standard and I urge my colleagues to support this amendment.

Ms. HARMAN. Mr. Chairman, I rise in support of the Dreier-Lofgren amendment, which would repeal the requirement to use MTOPS as the metric for restricting exports of high-powered computers and authorize the President to devise a new approach that is both more effective at protecting national security and less injurious to U.S. commercial interests.

When Congress imposed the MTOPS requirements as part of the National Defense Authorization Act back in 1998, we made a terrible mistake by mandating a metric that was poorly matched to the threat it was designed to address. At the same time, we handicapped U.S. high tech companies trying to break into the world's fastest growing markets—and gave an artificial advantage to all the companies abroad who would like to move

the leading edge in high-powered computing to other nations.

The MTOPS metric has been ineffective at controlling the diffusion of technology primarily because computing power has advanced at such a furious pace over the past decade and a half. In 1991 when the MTOPS metric was first devised, the fastest supercomputer in the world was the Cray C90, which was the size of two refrigerators and cost about \$10 million. Do you realize that today a Dell Pentium 4 laptop computer, which costs about \$1,000, has more computing power than the Cray C90?

What's more, "clustering" technology allows a foreign government whose technological capabilities we are trying to limit to buy mass market PCs off the shelves of Radio Shack or Wal-Mart and achieve the same computing power by harnessing them together.

The most important point I want to make today is that this amendment repealing the MTOPS mandate will not injure national security. To that end, I want to cite just a few sources:

A May 2001 report by the Center for Strategic and International Studies (CSIS) concluded that the MTOPS system is "ineffective, given the global diffusion of information technology and the rapid increases in performance" and "irrelevant" because it "cannot accurately measure performance of current microprocessors or alternative sources of supercomputing like clustering."

A February 2001 study by DOD's Office of Science and Technology similarly concluded that "MTOPS has lost its effectiveness \* \* \* due to rapid technology advances."

President George W. Bush commented in March 2001 that "With computing power doubling every 18 months, these controls have the shelf life of sliced bread. They don't work."

Mr. Chairman, passing this amendment will give the President the power to devise a better system to protect national security. Let's do the right thing and approve the Dreier-Lofgren amendment.

The CHAIRMAN pro tempore (Mr. HASTINGS of Washington). All time has expired.

The question is on the amendment offered by the gentleman from California (Mr. DREIER).

The question was taken; and the Chairman pro tempore announced that the noes appeared to have it.

Mr. DREIER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 8 of rule XX, further proceedings on the amendment offered by the gentleman from California (Mr. DREIER) will be postponed.

The CHAIRMAN pro tempore. The Committee will rise informally.

The SPEAKER pro tempore (Mr. LAHOOD) assumed the Chair.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.