

H. Res. 169

In the House of Representatives, U.S.,

June 19, 1997.

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1119) to authorize appropriations for fiscal years 1998 and 1999 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal years 1998 and 1999, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed two hours equally divided and controlled by the chairman and ranking minority member of the Committee on National Security. After general debate the bill shall be considered for amendment under the five-minute rule.

SEC. 2. (a) It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule

the amendment in the nature of a substitute recommended by the Committee on National Security now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived.

(b) No amendment to the committee amendment in the nature of a substitute shall be in order except the amendments printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(c) Except as specified in section 5 of this resolution, each amendment printed in the report of the Committee on Rules shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. Unless otherwise specified in the report, each amendment printed in the report shall be debatable for ten minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment (except that the chairman and ranking minority member of the Committee on National Security each may offer one pro forma amendment for the purpose of further debate on any pending amendment).

(d) All points of order against amendments printed in the report of the Committee on Rules and amendments en bloc described in section 3 of this resolution are waived.

(e) Consideration of the first two amendments in part 1 of the report of the Committee on Rules shall begin with an additional period of general debate, which shall be confined to the subject of United States forces in Bosnia and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on National Security.

SEC. 3. It shall be in order at any time for the chairman of the Committee on National Security or his designee to offer amendments en bloc consisting of amendments printed in part 2 of the report of the Committee on Rules not earlier disposed of or germane modifications of any such amendment. Amendments en bloc offered pursuant to this section shall be considered as read (except that modifications shall be reported), shall be debatable for twenty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on National Security or their designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. For the purpose of inclusion in such amendments en bloc, an amendment printed in the form of a motion to strike may be modified to the form

of a germane perfecting amendment to the text originally proposed to be stricken. The original proponent of an amendment included in such amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendment en bloc.

SEC. 4. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be fifteen minutes.

SEC. 5. The Chairman of the Committee of the Whole may recognize for consideration of any amendment printed in the report of the Committee on Rules out of the order printed, but not sooner than one hour after the chairman of the Committee on National Security or a designee announces from the floor a request to that effect.

SEC. 6. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a

substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 7. House Resolutions 161, 162, and 165 are laid on the table.

SEC. 8. (a) Notwithstanding any other provision of this resolution, the amendment numbered 7 in part 1 of House Report 105–137 may be offered in the following modified form, shall be debatable for 90 minutes equally divided and controlled by Representative Dellums of California or his designee and an opponent, and shall otherwise be considered as though printed in House Report 105–137:

At the end of title I (page 23, before line 7), insert the following new sections:

SEC. 123. B-2 AIRCRAFT PROGRAM.

(a) **PROHIBITION OF ADDITIONAL AIRCRAFT.**—None of the amount appropriated pursuant to the authorization of appropriations in section 103(1) may be obligated for advanced procurement of B-2 aircraft beyond the 21 deployable aircraft authorized by law before the date of the enactment of this Act.

(b) **PRODUCTION LINE CURTAILMENT.**—None of the amount appropriated pursuant to the authorization of appropriations in section 103(1) may be obligated for reestablish-

ment of the production line for B-2 aircraft. The Secretary of the Air Force may use up to \$21,800,000 of funds available for the B-2 aircraft program for curtailment of the B-2 production line.

(c) **FUNDING REDUCTION.**—The amount provided in section 103(1) for procurement of aircraft for the Air Force is hereby reduced by \$331,200,000.

SEC. 124. INCREASE IN AMOUNT FOR GUARD AND RESERVE EQUIPMENT.

The amount provided in section 105 for procurement of equipment for the reserve components is hereby increased by \$331,200,000.

(b) Notwithstanding any other provision of this resolution, the amendment numbered 15 in part 2 of House Report 105-137 may be offered in the following modified form, shall be debatable for 20 minutes equally divided and controlled by Representative Frank of Massachusetts or his designee and an opponent, and shall otherwise be considered as though printed in House Report 105-137:

At the end of title XII (page 379, after line 19), insert the following new section:

SEC. 1205. LIMITATION ON PAYMENTS FOR COST OF NATO EXPANSION.

(a) The amount spent by the United States as its share of the total cost to North Atlantic Treaty Organization mem-

ber nations of the admission of new member nations to the North American Treaty Organization may not exceed 10 percent of the cost of expansion or a total of \$2,000,000,000, whichever is less, for fiscal years 1998 through 2010.

“(b) If at any time during the period specified in subsection (a), the United States’ share of the total cost of expanding the North Atlantic Treaty Organization exceeds 10 percent, no further United States funds may be expended for the costs of such expansion until that percentage is reduced to below 10 percent.”.

(c) The following amendment may be offered by Representative Everett of Alabama or his designee, shall be debatable for one hour equally divided and controlled by Representative Everett or his designee and an opponent, and shall be in order as though printed as the last amendment in part 1 of House Report 105–137:

Strike out sections 332 through 335 (page 68, line 10 through page 77, line 21).

(d) The following amendment may be offered by Representative Weldon of Pennsylvania or his designee and shall be in order as though printed as the penultimate amendment in part 2 of House Report 105–137:

At the end of title XII (page 379, after line 19), insert the following new section:

**SEC. _____. SENSE OF CONGRESS ON NEED FOR RUSSIAN
OPENNESS ON THE YAMANTAU MOUNTAIN
PROJECT.**

(a) FINDINGS.—Congress finds as follows:

(1) The United States and Russia have been working in the post-Cold War era to establish a new strategic relationship based on cooperation and openness between the two nations.

(2) This effort to establish a new strategic relationship has resulted in the conclusion or agreement in principle on a number of far-reaching agreements, including START I, II, and III, a revision in the Conventional Forces in Europe Treaty, and a series of other agreements (such as the Comprehensive Test Ban Treaty and the Chemical Weapons Convention), designed to further reduce bilateral threats and limit the proliferation of weapons of mass destruction.

(3) These far-reaching agreements were based on the understanding between the United States and Russia that there would be a good faith effort on both sides to comply with the letter and spirit of the agreements, that both sides would end their Cold War competition, and that neither side would seek to gain or maintain unilateral strategic advantage over the other.

(4) Reports indicate that Russia has been pursuing construction of a massive underground facility of un-

known purpose at Yamantau Mountain and the city of Mezhgorye (formerly the settlements of Beloretsk-15 and Beloretsk-16) that is designed to survive a nuclear war and appears to exceed reasonable defense requirements.

(5) The Yamantau Mountain project does not appear to be consistent with the lowering of strategic threats, openness, and cooperation that is the basis of the post-Cold War strategic partnership between the United States and Russia.

(6) Russia appears to have engaged in a campaign to deliberately conceal and mislead the United States about the purpose of the Yamantau Mountain project, as shown by the following:

(A) General and Bashkortostan, People's Deputy Leonid Akimovich Tsirkunov, commandant of Beloretsk-15 and Beloretsk-16, stated in 1991 and 1992 that the purpose of the construction there was to build a mining and ore-processing complex, but later claimed that it was an underground warehouse for food and clothing.

(B) M. Z. Shakiorov, a former communist official in the region, alleged in 1992 that the Yamantau Mountain facility was to become a shelter for the Russian national leadership in case of nuclear war.

(C) Sources of the *Segodnya* newspaper in 1996 claimed that the Yamantau Mountain project was associated with the so-called “Dead Hand” nuclear retaliatory command and control system for strategic missiles.

(D) Then Commander-in-Chief of the Strategic Rocket Forces General Igor Sergeyev denied that the facility was associated with nuclear forces.

(E) R. Zhukov, a Deputy in the State Assembly, in 1996 claimed that the Yamantau Mountain facility belonged to “atomic scientists” and posed a serious environmental hazard.

(F) Russia’s 1997 federal budget lists the project as a closed territory containing installations of the Ministry of Defense, while First Deputy Defense Minister Andrey Kokoshin recently stated that the Ministry of Defense has nothing to do with the project.

(7) Continued cooperation and progress on forging a new strategic relationship between the United States and Russia requires that both nations make transparent to one another major projects underway or plans under consideration that could alter the strategic balance sought in arms control agreements or otherwise be con-

strued by the other side as an important new potential threat.

(8) The United States has allowed senior Russian military and government officials to have access to key strategic facilities of the United States by providing tours of the North American Air Defense (NORAD) command at Cheyenne Mountain and the United States Strategic Command (STRACOM) headquarters in Omaha, Nebraska, among other sites, and by providing extensive briefings on the operations of those facilities.

(b) SENSE OF CONGRESS.—In light of the findings in subsection (a), it is the sense of Congress that—

(1) the Russian government should provide to the United States a written explanation on the principal and secondary purposes of the Yamantau Mountain project, specifically identifying the intended end user and explaining the heavy investment in that project;

(2) the Russian government should allow a United States delegation, including officials of the executive branch, Members of Congress, and United States experts on underground facilities, to have access to the Yamantau Mountain project to inspect the facility and all rail-served buildings in the southern and northern settlements located near Yamantau; and

(3) the Russian government should direct senior officials responsible for the Yamantau Mountain project to explain to such a United States delegation the purpose and operational concept of all completed and planned underground facilities at Yamantau Mountain in sufficient detail (including through the use of drawings and diagrams) to support a high-confidence judgment by the United States delegation that the design is consistent with the official explanations.

(e) The following amendment may be offered by Representative Traficant of Ohio or his designee and shall be in order as though printed as the last amendment in part 2 of House Report 105–137:

At the end of subtitle C of title X (page 326, after line 6), insert the following new section:

SEC. 1032. ASSIGNMENT OF DEPARTMENT OF DEFENSE PERSONNEL TO ASSIST IMMIGRATION AND NATURALIZATION SERVICE AND CUSTOMS SERVICE.

(a) **ASSIGNMENT AUTHORITY OF SECRETARY OF DEFENSE.**—Chapter 18 of title 10, United States Code, is amended by inserting after section 374 the following new section:

“§ 374a. Assignment of personnel to assist border patrol and control

“(a) ASSIGNMENT AUTHORIZED.—The Secretary of Defense may assign up to 10,000 Department of Defense personnel at any one time to assist—

“(1) the Immigration and Naturalization Service in preventing the entry of terrorists, drug traffickers, and illegal aliens into the United States; and

“(2) the United States Customs Service in the inspection of cargo, vehicles, and aircraft at points of entry into the United States.

“(b) REQUEST FOR ASSIGNMENT.—The assignment of Department of Defense personnel under subsection (a) may only occur—

“(1) at the request of the Attorney General, in the case of an assignment to the Immigration and Naturalization Service; and

“(2) at the request of the Secretary of the Treasury, in the case of an assignment to the United States Customs Service.

“(c) REIMBURSEMENT REQUIREMENT.—Section 377 of this title shall apply in the case of Department of Defense personnel assigned under subsection (a).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 374 the following new item:

“374a. Assignment of personnel to assist border patrol and control.”.

SEC. 9. Notwithstanding section 2(e) of this resolution, the additional period of general debate on the subject of United States forces in Bosnia shall precede the offering of amendments numbered 8 and 9 in part 1 of the report of the Committee on Rules rather than the amendments numbered 1 and 2 in part 1 of the report.

Attest:

Clerk.