

NOT VOTING—14

Bishop	Klecza	Sisisky
Diaz-Balart	LaFalce	Smith (TX)
Fields (TX)	Mineta	Wilson
Geran	Myrick	Yates
Hastert	Rangel	

□ 1223

The Clerk announced the following pair:

On this vote:

Mr. Mineta for, with Mrs. Myrick against.

Messrs. HALL of Texas, YOUNG of Alaska, DUNCAN, ALLARD, and SCARBOROUGH changed their vote from "aye" to "no."

Messrs. BEVILL, ROBERTS, MARTINI, BUNN, GENE GREEN of Texas, RIGGS, and LONGLEY changed their vote from "no" to "aye."

So, the amendment to the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HASTERT. Mr. Chairman, on rollcall No. 371, I was unavoidably detained.

Had I been present, I would have voted "no."

The CHAIRMAN. The Chair will allocate the remaining time.

The gentleman from Illinois [Mrs. COLLINS] has 4 minutes remaining, the gentleman from Pennsylvania [Mr. CLINGER] has 30 seconds remaining, and the gentleman from Pennsylvania has the right to close.

Mrs. COLLINS of Illinois. Mr. Chairman, inasmuch as my amendment has passed, I have no comments at this point in time and will vote for the Clinger amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. CLINGER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. CLINGER], as modified, as amended.

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 420, noes 1, not voting 13, as follows:

[Roll No. 372]

AYES—420

Abercrombie	Barton	Bono
Ackerman	Bass	Borski
Allard	Bateman	Boucher
Andrews	Becerra	Brewster
Archer	Beilenson	Browder
Army	Bentsen	Brown (CA)
Bachus	Bereuter	Brown (FL)
Baesler	Berman	Brown (OH)
Baker (CA)	Bevill	Brownback
Baker (LA)	Bilbray	Bryant (TN)
Baldacci	Bilirakis	Bryant (TX)
Ballenger	Bliley	Bunn
Barcia	Blute	Bunning
Barr	Boehler	Burr
Barrett (NE)	Boehner	Burton
Barrett (WI)	Bonilla	Buyer
Bartlett	Bonior	Callahan

Calvert	Gillmor	McCrery
Camp	Gilman	McDade
Canady	Gonzalez	McDermott
Cardin	Goodlatte	McHale
Castle	Goodling	McHugh
Chabot	Gordon	McInnis
Chambliss	Goss	McIntosh
Chapman	Graham	McKeon
Chenoweth	Green	McKinney
Christensen	Greenwood	McNulty
Chrysler	Gunderson	Meehan
Clay	Gutierrez	Meek
Clayton	Gutknecht	Menendez
Clement	Hall (OH)	Metcalf
Clinger	Hall (TX)	Meyers
Clyburn	Hamilton	Mfume
Coble	Hancock	Mica
Coburn	Hansen	Miller (CA)
Coleman	Harman	Miller (FL)
Collins (GA)	Hastings (FL)	Mineta
Collins (IL)	Hastings (WA)	Minge
Collins (MI)	Hayes	Mink
Combust	Hayworth	Moakley
Condit	Hefley	Molinari
Conyers	Hefner	Mollohan
Cooley	Heineman	Montgomery
Costello	Herger	Moorhead
Cox	Hillery	Moran
Coyne	Hilliard	Morella
Cramer	Hinche	Myers
Crane	Hobson	Nadler
Crapo	Hoekstra	Neal
Creameans	Hoke	Nethercutt
Cubin	Holden	Neumann
Cunningham	Horn	Ney
Danner	Hostettler	Norwood
Davis	Houghton	Nussle
de la Garza	Hoyer	Oberstar
Deal	Hunter	Obey
DeFazio	Hutchinson	Olver
DeLauro	Hyde	Ortiz
DeLay	Inglis	Orton
Dellums	Istook	Owens
Deutsch	Jackson-Lee	Oxley
Diaz-Balart	Jacobs	Packard
Dickey	Jefferson	Pallone
Dicks	Johnson (CT)	Pastor
Dingell	Johnson (SD)	Paxon
Dixon	Johnson, E. B.	Payne (NJ)
Doggett	Johnson, Sam	Payne (VA)
Dooley	Johnston	Pelosi
Doollittle	Jones	Peterson (FL)
Dornan	Kanjorski	Peterson (MN)
Doyle	Kaptur	Petri
Dreier	Kasich	Pickett
Duncan	Kelly	Pombo
Dunn	Kennedy (MA)	Pomeroy
Durbin	Kennedy (RI)	Porter
Edwards	Kennelly	Portman
Ehlers	Kildee	Poshard
Ehrlich	Kim	Pryce
Emerson	King	Quillen
Engel	Kingston	Quinn
English	Klink	Radanovich
Ensign	Klug	Rahall
Eshoo	Knollenberg	Ramstad
Evans	Kolbe	Rangel
Everett	LaHood	Reed
Ewing	Lantos	Regula
Farr	Largent	Reynolds
Fattah	Latham	Richardson
Fawell	LaTourette	Riggs
Fazio	Laughlin	Rivers
Fields (LA)	Lazio	Roberts
Filner	Leach	Roemer
Flake	Levin	Rogers
Flanagan	Lewis (CA)	Rohrabacher
Foglietta	Lewis (GA)	Ros-Lehtinen
Foley	Lewis (KY)	Rose
Forbes	Lightfoot	Roth
Ford	Lincoln	Roukema
Fowler	Linder	Roybal-Allard
Fox	Lipinski	Royce
Frank (MA)	Livingston	Rush
Franks (CT)	LoBiondo	Sabo
Franks (NJ)	Lofgren	Salmon
Frelinghuysen	Longley	Sanderson
Frisa	Lowey	Sanford
Frost	Lucas	Sawyer
Funderburk	Luther	Saxton
Furse	Maloney	Scarborough
Galleghy	Manton	Schaefer
Ganske	Manzullo	Schiff
Gedjenson	Markey	Schroeder
Gekas	Martini	Schumer
Gephardt	Mascara	Scott
Geran	Matsui	Seastrand
Gibbons	McCarthy	Sensenbrenner
Gilchrist	McCollum	Serrano

Shadegg	Talent	Vucanovich
Shaw	Tanner	Waldholtz
Shays	Tate	Walsh
Shuster	Tauzin	Wamp
Sisisky	Taylor (MS)	Ward
Skaggs	Taylor (NC)	Watt (NC)
Skeen	Tejeda	Watts (OK)
Skelton	Thomas	Waxman
Slaughter	Thompson	Weldon (FL)
Smith (MI)	Thornberry	Weldon (PA)
Smith (NJ)	Thornton	Weller
Smith (WA)	Thurman	White
Solomon	Tiahrt	Whitfield
Souder	Torkildsen	Wicker
Spence	Torres	Williams
Spratt	Torricelli	Wise
Stark	Towns	Wolf
Stearns	Trafficant	Woolsey
Stenholm	Tucker	Wyden
Stockman	Upton	Wynn
Stokes	Velazquez	Young (AK)
Studds	Vento	Young (FL)
Stump	Visclosky	Zeliff
Stupak	Volkmer	Zimmer

NOES—1

Martinez  
NOT VOTING—13

Bishop	Murtha	Waters
Fields (TX)	Myrick	Wilson
Hastert	Parker	Yates
Klecza	Smith (TX)	
LaFalce	Walker	

□ 1245

So the amendment, as modified, as amended, was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. HASTERT. Mr. Chairman, on rollcall No. 372, I was unavoidably detained.

Had I been present, I would have voted "aye."

I ask unanimous consent that my statement appear in the RECORD immediately following that rollcall vote.

The CHAIRMAN. It is now in order to debate the subject matter of ballistic missile defense.

The gentleman from South Carolina [Mr. SPENCE], and the gentleman from California [Mr. DELLUMS] will each be recognized for 30 minutes.

The Chair recognizes the gentleman from South Carolina.

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

(Mr. SPENCE asked and was given permission to revise and extend his remarks.)

Mr. SPENCE. Mr. Chairman, H.R. 1530, the National Defense Authorization Act for fiscal year 1996, includes several important recommendations concerning ballistic missile defense. These actions are consistent with the committee's effort to bolster the modernization accounts that have been dramatically underfunded by the Clinton administration after a decade of decline.

First, the bill provides increased funding for theater and national missile defense systems—those designed to protect our troops deployed overseas as well as Americans at home. These additional funds are necessary to accelerate critical BMD programs that have been delayed as a result of significant cuts in the missile defense budget implemented by the Clinton administration over the past 3 years.

Programs that received increased funds include the Navy's theater missile defense systems, the Army's theater high altitude area defense system, and ground-based weapons and sensors that would comprise an initial national missile defense system.

Second, the bill recommends that "affordable" defenses be deployed "at the earliest practical date"—thus, making deployment of defenses a top priority while simultaneously taking into account cost and technological maturity considerations.

Third, the bill calls upon the President to halt the administration's apparent efforts to turn the 1972 Anti-Ballistic Missile Treaty into an ABM-TMD Treaty that would impose limitations on advanced U.S. theater missile defense systems. It also establishes policy to ensure that the ABM Treaty is not used to constrain U.S. theater missile defense programs.

For these reasons, Mr. Chairman, H.R. 1530 represents an aggressive yet responsible response to the growing threat posed by the proliferation of missiles and weapons of mass destruction. It has staked out a supportable and sustainable position.

The Spratt amendment to H.R. 1530, on the other hand, would represent a significant step backward from the committee's bipartisan position. The Spratt amendment would undermine the policy priorities established in H.R. 1530 by elevating compliance with the ABM Treaty to an equal status with the deployment of a highly-effective defense of the United States. In essence it would hold the effective defense of our territory hostage to Moscow's concurrence. A similar amendment was offered in full Committee, and it was defeated on a bipartisan vote of 18 to 33. Therefore, I urge my colleagues to vote "no" on the Spratt amendment.

A second amendment, this one to cut BMD funding, will be offered by Mr. DELLUMS or Mr. DEFAZIO. This amendment would eliminate the carefully crafted funding increases for both theater and national missile defense programs contained in the bill—investments which are specifically targeted toward programs that would provide highly effective defenses.

I strongly urge my colleagues to support the bipartisan committee position and vote "no" on the Spratt and Dellums-DeFazio amendments.

Mr. DELLUMS. Mr. Chairman, I ask unanimous consent to allow my distinguished colleague, the gentleman from South Carolina [Mr. SPRATT], to control 15 minutes of the 30 minutes that have been allocated to me.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. SPRATT] for 15 minutes.

Mr. SPRATT. Mr. Chairman, I thank the gentleman for yielding this time to me, and, Mr. Chairman, I would like to

speak just briefly now, and more detail later, about the amendment I will offer when the time comes. I would like to highlight three reasons why my amendment ought to be supported.

First of all, the language in this bill is ambiguous about full compliance with the ABM Treaty, and I think that is the wrong signal to send to the Russians at this particular time. In the next 3, 4, 5 months the Russian Duma will decide whether or not it will ratify the START II Treaty and take the number of nuclear warheads in its arsenal from around 8,500 down to around 3,500.

Now reduction in 5,000 warheads will have a significant effect on the security of this country and the security of the whole world. There will be reciprocal reductions on all sides. That is a critical development, and we dare not do anything that would jeopardize it. If we rattle the cage, the ABM Treaty, if we suggest that we may be breaking out of it, not now, but in the future, sort of an anticipatory breach, if we send that signal to the Russians, then we will put an even greater risk than it already stands now, the ratification of START II, and that is not a good decision.

Second, by keeping START II on track not only do we improve our national security, we save money. Without START II we will have to keep in place our arsenal of 8 to 10,000 nuclear warheads on the sea, under the sea, on land. We will have to maintain a much larger arsenal, 8,500 warheads instead of 3,500 warheads, and obviously an arsenal with 3,500 warheads is much cheaper to maintain. So, if we are forced by the nonratification of START II to maintain an arsenal that really exceeds our needs, then in order to have strategic symmetry with the Russians we will have to pay substantial money that will come out of readiness, and modernization, and quality of life.

So, a vote for my amendment removes the ambiguity in the bill, does not signal the wrong signals to the Russians, and it means we can maintain a smaller arsenal and have more money to spend on things we need for conventional defense.

Third, by voting for my amendment, which simply calls for compliance with the IBM Treaty, we will not leave this country defenseless as some of the opponents to my amendment have claimed. We can put in a ground-based interceptor that will protect the continental United States. Right now the treaty allows it, and we can amend the treaty in the future to allow for more sites if we feel they are needed for the full coverage of the United States, Alaska, and Hawaii.

I have a letter from Sid Greybill, Nixon's top negotiator on the ABM Treaty, and I will leave it here in the House for any Member who wishes to see it. It has been sent out by "Dear Colleague." Mr. Greybill supports my amendment, and he agrees that we can say fairly the ABM Treaty does not

leave us defenseless. By its faults we can deploy a ground-based system which will give us ample defense.

The authors of the ballistic missile provisions in the markup asserted that it was not their intention to break out of the treaty, and I commend them for that. My amendment simply takes them at their word and puts provisions in black and white in this bill which simply say comply with the treaty, and to the extent that we do not find compliance in our national self-interest, then stay within the processes of the treaty and seek amendments, agreed statements and other modifications or changes to it. There is too much at stake to allow ambiguous language to stay in this bill.

I say to my colleagues, "I urge you to support this amendment when it is offered."

Mr. Chairman, I reserve the balance of my time.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. HEFLEY].

Mr. HEFLEY. Mr. Chairman, many Members may ask themselves, why should I support a defense against ballistic missiles when the cold war is over now? The answer, I think, lies somewhere both in the past and in the future. If we had a better defense against ballistic missiles, American servicemen would not have died in the barracks in Saudi Arabia. If we had pursued more strongly ballistic missile defense, perhaps Israel would not have sat in terror night after night waiting for Scuds as they rained down on them. Make no mistake. We should have learned our lesson in the Persian Gulf war about missile attacks.

Many Members will try to tell us that the threat is gone, that there are no bad guys anymore. There are approximately 30 countries with ballistic missile capabilities. Some of these nations are our allies. Many are unfriendly: China, Iraq, Syria, Iran, Libya, North Korea. Of the 30 nations which have ballistic missile capability, 8 are in the Middle East, and there are hot spots around the world where our troops could be deployed and are being deployed which are in the range of ballistic missiles from hostile countries. There are currently two nations which have the ability, and sometime in the future might even have the will, to launch an attack on the United States. Both Russia and China have this kind of ability.

I used to chuckle out of seeing a bumper sticker that the old nuclear-freeze crowd used to paste on their car. It said, "One nuclear weapon can ruin your whole day." That is the only thing probably that I agreed with them on, but is it not interesting now that the Soviet threat is reduced these naysayers maintain that we do not need defense against that nuclear weapon that could ruin our day.

Rest assured, in the future an enemy can strike either U.S. troops or the U.S. mainland. It has happened before;

it will happen again. Be assured that our conscience, those of use that have fought for ballistic missile defense, should be clear. I hope my colleagues' is, too. Vote against the Dellums-Spratt amendment. Vote for a strong ballistic missile defense program.

Mr. DELLUMS. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FOGLIETTA].

Mr. FOGLIETTA. Mr. Chairman, I rise in support of the Dellums-DeFazio amendment, which would reduce research and development funding for ballistic missile defense, and redirect these savings to improve the quality of life for our men and women in uniform.

In these tight-budget times, we must prioritize our defense needs, just as we are being forced to prioritize funding for child nutrition programs and education. The Clinton administration budget request is more than adequate to meet our missile defense needs. However, for more than a decade, the housing needs of our men and women in uniform have been neglected. Furthermore, over the years, we have seen an alarming number of American military personnel and their families living in hovels and forced to apply for food stamps.

As a member of the Military Construction Appropriations Subcommittee, I have been proud of the work of Chairman VUCANOVICH and ranking member BILL HEFNER to improve the quality of life for our men and women in uniform. This should be our No. 1 priority.

I urge my colleagues to fund our troops and their families' earthly needs before we spend more money in the heavens.

Mr. SAXTON. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. HOKE].

Mr. HOKE. Mr. Chairman, up until quite recently we have never in our history intentionally rendered ourselves defenseless to devastating attacks as a matter of national defense policy, yet that is precisely what we did when we signed the ABM treaty in 1972 which made it illegal for the United States to defend itself against ballistic missile attack. Since that time we have also engaged in an unspoken national policy of not disclosing that strategy plainly to the American people.

Now, while that strategy of defenselessness as defense may possibly have been arguable in 1972, when we had only one, or perhaps two, ICBM nuclear-capable enemies, it is utterly without merit today when missile strikes can come now or will soon be capable of coming from any number of nations, 25-plus at last count. In the not-so-distant future it is not only conceivable, but frankly predictable and probable that self-appointed warlords from all over the world will be so armed and will be able to deliver warheads from mobile launchers in remote locations or from sea-based platforms, leaving no calling card to positively identify or verify the attackers.

□ 1300

Even if you can actually convince yourself of the validity of mutually assured destruction as a legitimate destruction strategy, it goes all to hell if you cannot identify the aggressor and do not know against whom to retaliate and whom to destroy. But suppose we did know who to destroy. Do we really want to depend on a strategy that trades New York or Los Angeles for Pyongyang, Damascus, Baghdad or Tehran? Would the American people really support such a policy?

All of which is to say that the policy of mutually assured destruction, or MAD, is just exactly that, and will be viewed in the long sweep of history as a particularly dumb idea which held sway under peculiar circumstances for a very brief period of time.

What is unconscionable is that the public has intentionally been kept in the dark, indeed defrauded of its right to know, that all of America, particularly her largest cities, are now the beta site for a bizarre experiment in national defense strategy that is right out of Dr. Strangelove.

Which brings me to the crux of the ethical issue, namely that it is just plain wrong to put the lives of a quarter billion Americans at risk to satisfy an outdated and outmoded treaty that most Americans know nothing about. The fact is that a substantial majority of U.S. citizens believe we have a complete and effective national defense against ballistic missiles and actually find it hard to believe that that is not the case when they are told otherwise. Who can blame them? Even the title of the ABM gives the false impression it is a treaty limiting ballistic missiles, when in fact it only forbids us to defend against them.

The question we should be asking is knowing the circumstances that exist in the world today, would we, de novo, without an ABM treaty, enact the ABM treaty that is on the books?

Mr. SPRATT. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. DELLUMS. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts.

The CHAIRMAN. The gentleman from Massachusetts [Mr. KENNEDY] is recognized for 3 minutes.

Mr. KENNEDY of Massachusetts. Mr. Chairman, sometimes I wonder why we get ourselves into a partisan debate on an issue that seems to be so clear. The fact of the matter is that I am sure Democrats and Republicans alike, if in fact there was a real threat to this country through an all-out attack by other countries that we could realistically stop, both Democrats and Republicans would provide the funding that is necessary to stop it.

The reality is, that is not the situation. Certainly you can make out countries like Iran and Iraq and Syria and others to have the capability of launching a nuclear attack against the United States. All of our intelligence agencies

suggest that that day is a long, long way off. You can spend billions of dollars of U.S. taxpayer money to prevent a threat that currently does not exist, or you can think about where you should spend your money effectively and use those dollars to deal with the real threat that this country has.

There is the capability before us today to sign a treaty that will eliminate by the stroke of a pen 5,000 nuclear warheads aimed at the United States of America. Why not do it? You say that you are tantamount to agreeing with the Spratt amendment that we are going to stay within the ABM treaty. But then speaker after speaker comes up here and argues why we should not stay in compliance with the ABM treaty, and it is President Bush, not President Clinton, that recognizes the direct linkage between ABM and START.

If you want to reduce the nuclear threat to the United States, stay within the ABM treaty. It makes sense. If in fact we get to a point where we need to look at increased threats from other countries, from rogue nations and the like, this process that has been put in place by this bill allows us, down the road, to deal with those threats. But let us not create monsters on paper or in the minds of the American people that simply do not exist according to our own intelligence data. Let us come up with the kind of defense that we need.

Mr. Chairman, I also want to suggest that in this bill, we have the capability of dealing with another issue that once again deals with the perceived threat versus the real threat. We are increasing over and above the request from the administration by over \$1 billion the money that goes into national missile defense systems. This is a threat that again is not borne out by the reality of what our intelligence networks indicate.

We have a real problem with troops from this country that are having to go on food stamps and live at below-standard housing because we do not simply give them enough money to live on. Let us adhere to what the gentleman from California [Mr. DELLUMS] has attempted to do with the gentleman from Oregon [Mr. DEFazio], and take a few of the dollars that are going into a threat that does not exist and put them into the real needs of our troops so that we can have a strong military threat when it comes to the real indications that our intelligence networks tell us are our threats today. That is what I think we should do.

Mr. HUNTER. Mr. Chairman, I yield myself 1½ minutes to respond to my friend from Massachusetts.

Mr. Chairman, let me just tell my friend it was Mr. Woolsey, who was the director of CIA for this President, a Democrat President, who said that within 10 years there would be a number of nations that had the ability to

deliver intercontinental ballistic missiles to the United States. As the gentleman knows, who watched the Patriot missile being developed in his own State, it was started in 1962, I believe, and delivered for the battlefield shortly before Desert Storm, it takes about 10 years to develop a missile system, and especially a complex anti-missile system. So the first question I would ask the gentleman is, Does it not make sense to start developing systems now, if in fact you think the threat will be there in 10 years?

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I do not think it makes sense for us to be developing the system. I think it certainly makes sense for us to research the system. But why buy a system off the shelf today?

Mr. HUNTER. Mr. Chairman, reclaiming my time, let me just complete my point. My point is it does not take 10 years to just research a system. It takes 10 years to research and build a defensive system. So if you do not start now, if you are going to have the threat in 10 years, you cannot just have bare research at the end of 10 years. You have to have something in place when that missile is launched. That is the point that I am making. That means it is logical to start building a defensive system at this point.

The last thing I would say is in 1987 a number of Republicans on the committee wrote the Nation of Israel, we wrote their defense minister. We said in a short period of time, at some point you are going to have Russian-made ballistic missiles from an Arab neighboring country coming into your country. We could not get any Democrat Members to sign it. We wanted it to be a bipartisan letter. They said the same thing you said, it is unrealistic. It was realistic, and a few years later it happened.

So I think the tradition in this body has been to underestimate the speed of technology and technology implementation by our adversaries. That is my point.

Mr. Chairman, I reserve the balance of my time.

Mr. DELLUMS. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Chairman, I appreciate the gentleman from California yielding.

Mr. Chairman, my point is that, as I understand the intelligence networks' estimates, they say it would be a minimum of 10 years. Not in 10 years, they say a minimum of 10 years. The fact of the matter is that we are making great strides in our research programs that indicate that we will be able to put together a much more sophisticated system down the road apiece, maybe 2 or 3 years from now.

In the interim, as the gentleman from South Carolina [Mr. SPRATT] has

indicated, it is very possible to deal with the short-term threat that is being posed by these renegade nations. None of them have the capability at this time of directly threatening the United States. The only one, as I understand it, would be China with a very small arsenal, which we could defend with less than 100 missiles.

So it seems to me that if you are going to deal with the real threat, you have a very clear path as to what you should do. If you are going to try to make a monster and then throw defense dollars at it, we can do as the gentleman from California is suggesting. I would deal with the real threat rather than the perceived threat.

Mr. HUNTER. Mr. Chairman, I yield 30 seconds to the gentleman from Pennsylvania [Mr. WELDON] for a response.

Mr. WELDON of Pennsylvania. Mr. Chairman, we are going to have to respond to these points as they are made on the floor. I have here articles in color, produced by the Russians in color, showing the missiles they are currently offering for sale. On the open market at the Abu Dhabi show, they offered the SS-25.

Mr. Chairman, for those who do not know what the SS-25 is, it is the 11,500-kilometer range missile that is the primary carrier of their nuclear weapons. They do not offer the nuclear weapons, but the architecture. The Israelis have already tried to launch a satellite using the SS-25. Any country that gets the SS-25 can hit any city in America with a chemical, biological, or conventional weapon. That is the threat, and it is real and it is today.

The CHAIRMAN. The gentleman from California [Mr. HUNTER] has 19 minutes remaining, the gentleman from California [Mr. DELLUMS] has 11½ minutes remaining, and the gentleman from South Carolina [Mr. SPRATT] has 9 minutes remaining.

Mr. DELLUMS. Mr. Chairman, I yield myself 5½ minutes.

First, I appreciate the comment by my colleague from Pennsylvania, Mr. WELDON. The gentleman and I have worked very closely together. I would simply say to the gentleman that when you lay out these arguments, it is precisely that side of the aisle that reduced funding for Nunn-Lugar that is designed to dismantle these nuclear weapons. So it is not, it seems to me, the height of responsibility to continue to attempt to frighten American people without dealing with the reality. Let's establish some reality here.

We have already spent, Mr. Chairman, in excess of \$30 billion, not million, we have already spent in excess of \$30 billion pursuing strategic defense initiative technology, ballistic missile defense technology. For the past few years, we have spent approximately \$2.5 billion each year for theater missile defense. For the last few years we have been spending approximately \$400 million per year, above and beyond the \$30 billion that we just kept pouring

down this rat hole, to develop a national missile defense system. Fact. If you take the time to understand the architecture, whether you agree with it or not, at least take the time to understand the architecture of the administration's present program, \$2.5 billion for theater missile defense, the last time I looked. That was no insignificant amount of money. Four hundred million dollars for national missile defense.

There is a contingency plan, Mr. Chairman, that in the event that a threat out there materialized that we needed to worry about in the near term, that we could move from where we are right now, research and development, to the deployment of an interim system within 18 to 24 months at somewhere at the level of about \$5 billion. My colleagues were in the room, they all received the briefing, and all heard that testimony. We then could move beyond that. The administration's program does that as well.

So to stand here in some way to say to the American people we have not spent money, we spent over \$30 billion in pursuit of a very difficult technology. In terms of theater missile defense, we have a robust, aggressive, an extraordinary program in theater missile defense, and there is now a program in national missile defense. But for the first time in a long time, this program now looks like a program.

For years, I would say to my colleague from California, we poured billions and billions and billions of dollars into star wars, and we did not get a lot back from it. Finally the Congress got up enough courage, enough intelligence, and enough discipline to force a program. Now it looks like, smells like, acts like a program.

So what happens once we get that discipline? Now we want to start pouring some more money in.

My final comment is this: I would hope that we never experience a nuclear explosion in this country. But I am prepared to debate with you that there is a greater likelihood that if a nuclear device exploded in this country, there is a much less likelihood that it would explode from some intercontinental ballistic missile.

□ 1315

Incidentally, we all know that some of these so-called rogue countries have that capability. But do you know now it would exhibit employed, by a terrorist act. The safest place to put a nuclear weapon is in a bale of marijuana. We cannot find it. You can fly it in here. You can backpack it in here. You can bring it in here on a commercial ship. You can reassemble it, bringing it in piece by piece, reassemble it in some tall building in this country and ignite the weapon.

We are spending billions of dollars going down the wrong road to solve the wrong problem. At the end of the day it is about nonproliferation. At the end of the day it is about ratification of

START II. At the end of the day it is about Nunn-Lugar, dismantling of these nuclear weapons. It is not about some pie-in-the-sky notion that we can knock down a whole bunch of missiles, spending billions of dollars. There is already a program designed to take us there intelligently, responsibly, and effectively. And we ought to stay within the confines of that.

Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Chairman, I want to respond to the issue laid out by the gentleman from Pennsylvania [Mr. WELDON] that somehow or other these rogue states are going to be able to purchase these missiles that the Russians have on the open market.

First of all, not a single SS-25 has been sold. Second, there is no indication by anyone, I have never heard of any estimate that suggests any of these countries would have the capability of designing a reentry vehicle. There are only three countries in the world that have them: the United States as well as China and Russia.

I do not think that at this time any of these countries have the nuclear warheads. So you have got the potential of one of the three components that is necessary in order to do the damage that you suggested.

Mr. WELDON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DELLUMS. I yield to the gentleman from Pennsylvania.

Mr. WELDON of Pennsylvania. Mr. Chairman, we are not talking about the warheads. We are talking about an architecture, a system that gives a rogue country from a mobile launch system, the SS-25 is a mobile system. They have 400 launchers. They take that system to a rouge nation and fire a missile at any city in our country. That capability is there.

Mr. KENNEDY of Massachusetts. Mr. Chairman, if the gentleman will continue to yield, the fact of the matter is that again you are blowing smoke. What we are talking about is whether or not they have the three components that are necessary to actually hurt the United States. They only have one in theory.

Mr. HUNTER. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from California [Mr. DORNAN].

Mr. DORNAN. A fascinating debate.

When we last visited this discussion, this compelling debate 2 years ago, I made a very brief statement on the House floor. I am proud to tell my colleagues it is framed on the wall in small letter picture frames at the ballistic missile defense office.

Here is what it says, I doubt they are going to frame anything from the other side once more, it says,

Right now we cannot defend against one single nuclear missile coming at our beloved country, not one. There is no reaction time, as we had with Hurricane Emily, no time for battenning down the hatches or stockpiling

food. If one single rogue nuclear missile hits our country, citizens will be marching on this capital as though it were Doctor Victor Frankenstein's castle, with the intent to burn us down.

I repeat what I said then: We would deserve that rough treatment because 72 percent of our fellow citizens do not know at this moment that we cannot stop a single missile from radiating one of our cities into ash.

Mr. SPRATT. Mr. Chairman, I yield myself 2 minutes. I would like to respond to several points that have been raised by various speakers in this debate.

First of all, Mr. Chairman, one of the speakers opened by saying if we had had this program in place and had been moving ahead of it, as though he were speaking in opposition to my amendment, we would not have suffered the casualties we suffered in the Persian Gulf. My amendment, first step says, our first priority is to deploy, and I quote,

At the earliest practical date highly effective theater missile defenses to protect forward-deployed and expeditionary elements of the Armed Forces of the United States and to complement the missile defense capabilities of our allies and forces friendly to the United States.

This calls for the deployment at the fastest possible rate of the THAAD, the theater high altitude intercept system and the ERINT. I might say here, Mr. Chairman, that we are talking as if we did not have a program. The gentleman from California [Mr. DELLUMS], our ranking member, just reminded everyone, if you were here in the 1980's, we spent \$35 billion on strategic missile defense in the 1980's. And now, today, we have 10 systems in development by my count, a PAC-2 upgrade, a Patriot 2 upgrade, a Patriot 3, the extended range interceptor, the theater high altitude interceptor, so-called the THAAD, an upper tier system which the Navy is developing, it is plussed up by \$170 to \$200 billion in this bill before, a lower tier system to protect the fleet, a CORSAM system to protect the Army land-based forces, a so-called MEADS system, which would be an interoperable adaptation of that that would be used throughout NATO, a Hawk upgrade for better air defense, a boost phase intercept system which is not yet developed but will be developed to a down select among three contractors in a few years, and the Arrow missile which we are helping the Israelis with.

In addition to that, on the strategic or national missile defense side provided for in this bill, we have a ground based interceptor, double the administration's request. And my amendment leaves that in place. We have lasers funded, chemical lasers, and we are fully funding and plussing up the request for Brilliant Eyes. That is a robust program, a step up of \$800 million to \$3.8 billion in this bill.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Maine [Mr. LONGLEY].

Mr. LONGLEY. Mr. Chairman, my opposition to the Spratt amendment is founded on the fact that it would make the deployment of any highly effective workable national missile defense system contingent on gaining Russia's agreement to amend the treaty.

It is significant that this is a treaty, we need to remind ourselves, that was signed over 20 years ago with a party that no longer exists, the former Soviet Empire, by mandating that any necessary United States actions inconsistent with that treaty must first be negotiated with the Russians. It gives the Russians an effective veto over United States defensive deployments. But more importantly, it not only mandates a narrow view of the ABM treaty, a very specific interpretation that is contrary to American interests. It also takes a very narrow view of the threats that we face, not only from the missile development and technologies coming out of Russia and being exported to China but also to Iran, Iraq, North Korea, Libya, and any other rogue state that may come into being.

Furthermore, it also mandates a very narrow view of technology. I would submit with reference to the prior gentleman's remarks that 2 and 3 years is the blink of an eye in terms of technology.

The language that we adopt in this bill could very well be operative within the next 5 or 10 years. My only experience is that there are three fundamental principles to destruction of missiles or to an antimissile defense system. First is the ability to detect the launch; second to track it; third to destroy it.

We not only have demonstrated conclusively our ability to do that, but we are rapidly expanding that skill to the point where we potentially within a very near term could be able to intercept and destroy any missile targeted at this country.

I might add that this has a particular interest to me in my district. We produce the Aegis destroyer for the U.S. Navy, one of most sophisticated antimissile tracking systems known to man. I believe that by limiting and taking a narrow view of what we are able to do in our antimissile defense systems, that we will effectively be limiting the employment of the valuable dollars that we have invested in this program and I think we would unalterably be weakening our defense. I urge a "no" vote on both amendments.

Mr. DELLUMS. Mr. Chairman, I yield myself 1 minute.

Let me interject another level of reality into this debate. I would ask my colleagues to recall, at the height of the cold war, when there was the greatest tension between the United States and the Soviet Union, when our nuclear warheads exceeded 10,000, when theirs exceeded 8,000, there was no nuclear war because everyone understood the nuclear deterrent capability of the United States.

And the gentleman is not giving credit to one startling reality: We still

have that capacity. We still have thousands of nuclear weapons that brought us through the greatest tension in the face of this earth with nuclear deterrence, and we still have that deterrence.

Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from New York [Ms. VELÁZQUEZ].

(Ms. VELÁZQUEZ asked and was given permission to revise and extend her remarks.)

Ms. VELÁZQUEZ. Mr. Chairman, I oppose many of the spending priorities contained in H.R. 1530. One of the most foolish of those initiatives is the \$3.5 billion authorized for the Ballistic Missile Defense Organization.

The Ballistic Missile Defense Organization was created by President Reagan during the cold war. Since that time, the Berlin Wall has crumbled and the evil empire no longer exists. There is no significant, long-range ballistic missile threat to the United States now or in the near future.

This afternoon we'll have an opportunity to salvage some of these wasteful star wars dollars. The Dellums-DeFazio amendment will channel \$150 million more for needy military personnel.

Many men and women who serve in the military do not receive salaries high enough to maintain an adequate living standard. This amendment will provide funds to help military personnel who receive food stamps and off base housing.

Instead of wasting an exorbitant amount of money on star wars, we could reduce ballistic missile defense funding to the administration request of \$2.9 billion and allocate the savings toward increases in pay for needy military families. If we can not meet the critical needs of our Nation's most vulnerable citizens, we should at least provide funds for the men and women who serve our country.

We as a nation can not afford to squander funding. It is unconscionable to throw away funding on the Ballistic Missile Defense Organization while neglecting the basic needs of our military personnel. I urge my colleagues to vote "yes" on the Dellums-DeFazio amendment this afternoon.

Mr. HUNTER. Mr. Chairman, I yield myself 2½ minutes to enjoin my colleague, the gentleman from California [Mr. DELLUMS], on a point that he just made.

Let me recast this debate and focus on the issue. The ABM treaty is an agreement by this country to hold our citizens defenseless to missile attack. My colleague says that that worked with the Soviet Union because both sides were afraid to cast the first stone. But we are not just dealing with the Soviet Union anymore. We have an agreement between two nations. One of those nations has now been split up into a number of nations.

Yet there are literally dozens of other nonsignatories which are developing missile systems. And that is the

reason that we think that this system needs to be modified.

Lastly, I would say to my colleague, we are the arbiters, in a way, of what the ABM treaty means. There is not a world court that is going to judge what the ABM treaty means.

We have put in language that gives what we think is a reasonable interpretation. We have interpreted the ABM treaty in a way that we think is reasonable, that is justified by the facts that surrounded the original writing of this treaty. We have resisted the constraints that would have been placed on our theater ballistic missile systems that protect our troops in theater because we do not think it is wise and we do not want the administration to do that. But I think the problem with the gentleman's argument is it is no longer just the United States and Russia. It is a number of nations, and none of them signed that treaty.

□ 1330

Mr. DELLUMS. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from California.

Mr. DELLUMS. Mr. Chairman, I deeply appreciate the gentleman yielding.

Mr. Chairman, I would simply respond by saying first, if the people in the Soviet Union were intelligent enough to understand the incredible, enormous capacity that we had to destroy life, what makes the gentleman think that the other nations would not have exactly the same competence to understand that? That is No. 1.

Mr. HUNTER. Reclaiming my time, I would not impute that same rationality to people like Saddam Hussein and Mu'ammarr Qadhafi.

Mr. DELLUMS. If the gentleman will continue to yield, the point is that at this point they do not have that capability.

Mr. HUNTER. Mr. Chairman, I yield 15 seconds to my colleague, the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Chairman, I have the answer for the gentleman from California. The terrorist bomber at the marine barracks in Beirut, 220 dead marines, 17 sailors, 4 Army guys, and the marine guard who said he could not get his magazine into his M-16, lousy rules of engagement, he said that bastard killer was smiling before he booted himself to Allah and kingdom come. That is what a rogue missile is. It has nothing to do with rational killers in the Kremlin.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentlewoman from California [Ms. HARMAN].

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Mr. Chairman, as a member of the Subcommittee on Military Research and Development of the Committee on National Security, I support its bipartisan recommendation to plus up the BMD budget. I would par-

ticularly like to salute the gentleman from Pennsylvania [Mr. WELDON], our chairman, for his leadership on this issue.

I also support the subcommittee and the full committee's allocation of the additional funds, which I understand comports with the recommendations of Gen. Malcolm O'Neill, who ably heads the BMDO office at the Pentagon.

Theater missile defense threats are real. One only has to visit Israel to understand that it would take 1 minute for a missile from Syria to penetrate Israel's continental boundaries, and 5 minutes for a missile launched from Iran or Iraq. Therefore, I strongly support full funding, as we have, of the United States-Israel BMD collaborative programs, including the Arrow.

It is also the case that there are medium-term threats to CONUS, the continental United States, from missile proliferation. Therefore, I support the work we are now funding on national missile defense. It is important and I agree that we must undertake it.

However, let me conclude by stressing how crucial it is to reach a common ground on this issue. Let us stop the partisanship. Let us move together. I agree with the gentleman from California [Mr. DELLUMS] that we have wasted money in the past because there has not been focus and leadership on this program. We are now in a position to supply that focus and leadership, both in the Congress and in the Pentagon. Let us do it.

Let us also continue to exercise oversight in the Congress. We are planning to spend a lot more money. Let us spend it wisely. Let us be sure we are getting our money's worth. Let us consider burden-sharing with our allies, because over time it will be clear that these threats are to our allies all over the world, some of whom are fully capable of sharing the costs.

Finally, Mr. Chairman, let me say that we should consider modifying the ABM Treaty. I support modifications. However, let us do this in a rational and reasonable way. Let us not proceed by adopting a rogue amendment on the House floor. Let us act with reflection, and let us act effectively for the future.

I want to make clear that I would oppose, and it is not being offered as we consider this bill, but I would oppose any effort to unilaterally abrogate our commitment to the ABM Treaty.

Finally, let me salute the women and men who have worked so ably on the BMD program in California's South Bay. My constituents have really supplied the intellectual base that has designed and built so many of these systems. With stronger focus, leadership and funding, I am hopeful that, finally, we will have a BMD system that protects our allies and protects us for the future.

Mr. HUNTER. Mr. Chairman, I yield 1½ minutes to the gentleman from Maryland [Mr. BARTLETT].

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Chairman, the average American is both surprised and shocked to learn that we have no defense, let me say it again, no defense against even one ballistic missile attack. Some say that we do not need one because we are in the post-cold-war period. I think Robert Gates said it very well when he said it is as if you went into the jungle and slew the dragon, only to observe that you are now surrounded by poisonous vipers, 25 poisonous vipers in the form of 25 nations that are acquiring weapons of mass destruction and rapidly acquiring the ability to deliver them.

However, the original dragon, like the Sphinx, is capable of resurrection. Chernovsky, arguably the most popular politician in Russia has 2 goals: one, to have a child in each province; and two, to take back Alaska when he controls Russia. Are Members content that we do not need a ballistic missile defense system? Vote "no" on these amendments. That would strip us of our chance to protect our people and our service men and women.

The CHAIRMAN. The gentleman yields back 30 seconds.

Mr. HUNTER. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana [Mr. MCCRERY].

Mr. MCCRERY. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I no longer have the privilege of serving on the Committee on National Security, but I did for several years, and watched carefully the construction of our defense bills as they came to the floor. In my opinion, this bill speaks more intelligently and forthrightly to the issue of anti-ballistic missile defense than any defense bill that has come to the floor since I have come to Congress.

The amendments, however, that are to be offered today would put this bill right back in the same framework that it has come to the floor here for the last several years, which restricts our ability to defend ourselves against ballistic missile attacks. That would be a mistake.

This bill does not go as far as I would like to go, frankly. I think we ought to abrogate the ABM Treaty. It was signed with a nation that no longer exists. It was designed to deter a threat that has been defused. We need to build missile defenses in this country. The first obligation of any central government is to defend its people.

Mr. HUNTER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Jersey [Mr. SAXTON].

Mr. SAXTON. Mr. Chairman, I would just like to address one point that has been made here over and over. As Members of Congress, our most important single duty is to provide for the common defense of our country against both foreign and domestic threats. As the gentleman on the other side of the aisle have pointed out continuously, or have tried to this afternoon, that we do not have a threat that we need to de-

fend against with regard to this missile debate.

I would remind them, as I did a month or so ago, and let me just quote here, this is a quote by Adm. William Studeman, who was the Acting Director of the Central Intelligence Agency under this administration, I might add, he said "On January 18, 1995, the Admiral said and testified that 'The proliferation of technology will lead to missiles that can reach the United States toward the end of this decade, or the beginning of the next decade.'" That is a fairly immediate threat, and it is someone who should know. That is someone who I believe has a great deal of credibility. It points to the necessity of us passing this provision as it is today.

Mr. SPRATT. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. PETERSON].

Mr. PETERSON of Florida. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, this debate contains a huge disconnect between defense systems and the threat. On the one hand, we have put massive amounts of money in national missile defense without concern about the threat of a cruise missile or any kind of terrorist activity that might take place. We cannot build a bubble over the United States. This is really the bottom line.

At the same time, what we are doing in the language of this bill, we are saying it is okay to abrogate unilaterally the ABM Treaty. Not smart. Why do this in the face of Russia and what they are trying to do to us and with us cooperatively?

At the same time, just yesterday, we killed, essentially gutted, Nunn-Lugar. In that process we cut the opportunity to reduce the threat by the destruction of these weapons systems that are currently ongoing. Yes, in the bill, the committee wrote that it is not important to do civil defense anymore. Essentially they have a statement that FEMA, forget the civil defense. Where is the disconnection here?

Mr. Chairman, we are in the process of making a terrible mistake. We need to focus on the real threat to our country, and the real threat, while potentially, in a small way, from a strategic missile, the big threat comes from terrorism and it comes from cruise missiles off the back of a little freighter coming through the St. Lawrence Seaway. It comes from a Ryder truck.

If we unilaterally abrogate the ABM, we are essentially telling the Russians that START II is not important to us, either. We need to use our diplomatic negotiating process to reduce our threat, not raise our threat. By doing what we are doing today, by sending the message to Russia that they do not count, we are actually increasing the threat to the United States from any kind of strategic missile, because in the process of our action on Nunn-Lugar, they are going to have all those systems to sell to other people, if you

will. Of course, they are not going to be a potted plant. They are not going to say to us "It is okay, America, do whatever you want to to us." They are a proud people, and we need to work with them, not fly in their face in the process of doing what we want to do here.

The final outcome of this huge disconnect is going to cost this government billions of dollars in working on readiness and the process of what we are trying to do. The Spratt amendment is not the final solution, but it is a first step.

Mr. HUNTER. Mr. Chairman, I yield 30 seconds to the gentleman from Pennsylvania [Mr. WELDON] to set the record straight.

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I have to correct three statements that were just made by our good friend and colleague of the committee. First, we plussed up the cruise missile accounts by \$75 million for exactly the reasons the gentleman stated. We saw the need to support General O'Neill in that request, and we did it.

Second, this bill does nothing, nothing to violate the ABM Treaty. That is in writing from General O'Neil, who is the administration's representative on missile defense.

Third, it was General O'Neill himself on March 23 who said "If you give me extra money, I would put \$600 million into national missile defense;" General O'Neill, representing President Bill Clinton.

Mr. HUNTER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Georgia [Mr. CHAMBLISS].

(Mr. CHAMBLISS asked and was given permission to revise and extend his remarks.)

Mr. CHAMBLISS. Mr. Chairman, I am deeply concerned that the American people mistakenly believe its Government can protect its people and soldiers from missile attack. Recent reports indicate that a significant majority of the American people believe that if ballistic missiles are used to attack the United States, the U.S. military can intercept them before they fall.

Footage of our Patriot missile batteries shooting Iraqi scuds out of the sky during the gulf war have left the American people with a very false sense of their own security.

As advanced as our theater and national missile defense capabilities have become over the years, the fact still remains that we are vulnerable.

Since the end of the cold war and the demise of our No. 1 enemy, the number of rogue states that have acquired nuclear capability has increased dramatically. Additionally, the very fact that the former Soviet Union is embroiled in ethnic strife adds to our concerns about their existing nuclear stockpile.

Mr. Chairman, H.R. 1530 represents the proper approach to missile defense. It provides the emphasis necessary on

missile defense, and it strikes the proper balance between national and theater missile defensive systems.

In 1983, the great communicator Ronald Reagan called this Nation's science community to arms and challenged them to provide the ultimate defensive system. Through the years, tremendous strides have been made, and though the sacrifices are great, the consequences of failure are even greater.

Mr. Chairman, the American people deserve no less than the very best defensive technology, and H.R. 1530 achieves that goal.

Unfortunately, the Spratt amendment would chain this Nation to the outdated terms and assumptions contained in the ABM treaty we signed with a country that no longer exists. Furthermore, it rejects the necessary emphasis on national missile defense.

I urge my colleagues to support the provisions of H.R. 1530 and reject the Spratt amendment.

□ 1345

Mr. SPRATT. Mr. Chairman, I yield my last minute to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Chairman, I will not take the full time, but I do wish to ask two points of clarification if the gentleman does not mind.

Does this apply only to national missile defense?

The second is, what if this amendment does not pass? What would be the force and effect, particularly in light of the comments made by the gentleman from Pennsylvania?

Mr. SPRATT. If the gentleman will yield, this amendment calls, first of all, as a first priority, for full speed ahead, theater missile defense development. Second, for the development and deployment of a national missile defense system. And, third, for compliance of that system, a national missile defense system—it only applies to that—with the ABM treaty as it stands today or as we may amend it. It simply says stay within the processes of the ABM treaty in developing that system.

The CHAIRMAN pro tempore (Mr. COMBEST). All time of the gentleman from South Carolina [Mr. SPRATT] has expired.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas [Mr. THORNBERRY].

Mr. THORNBERRY. Mr. Chairman, I am a new Member of this body. I have not been a part of the debates that have gone on on this issue for the past years. I have tried to look at it from the ground up and maybe from a fresh perspective.

It seems to me when you get down to the basics, the question is whether we are willing to defend our people. The fact is that we have absolutely no way to stop a missile that is fired at the United States. The fact is that there are other countries who have missiles that can reach the United States.

The fact is that there is instability and uncertainty in Russia. And the

fact is that just 2 weeks ago, China fired a new mobile missile that can reach the United States. The fact is there are a number of other countries that are working as hard and as fast as they can to put our people at risk by acquiring missile technology.

The fact is today we are vulnerable to accidental launch, to a rogue general acting on his own, or to some outlaw state such as Hussein or Qadhafi buying missiles, and we can do absolutely nothing to defend our people against a missile attack. I think that is wrong strategically, and I think that is wrong morally.

We cannot, of course, build a bubble and protect ourselves from all threats, but we can do what we can do. We have technology to make us safer than we are today, and it is silly to tie our hands and not make available for ourselves the possibilities which exist.

I think we have to be particularly careful of those who say, "Yeah, I'm for a missile defense, except" or "under these circumstances." There should be no conditions on whether we protect the United States or its people.

This bill does not alter existing treaties, but it does allow us to be free to look at all the possibilities. The Spratt amendment would handicap us by only looking at certain possibilities that apply to certain treaties.

We ought to see what works the best, then go about developing that technology, change the treaty as ought to be appropriate and get something there that will protect our people. Frankly, I would push harder and quicker toward deploying a defense than is in this bill, but I think this bill is a minimum of what we can do to protect our people and fulfill our oath.

Mr. HUNTER. Mr. Chairman, I understand I have 7 minutes left. I yield myself 3 minutes.

The CHAIRMAN pro tempore. The gentleman is correct. The Chair recognizes the gentleman from California [Mr. HUNTER] for 3 minutes.

Mr. HUNTER. Mr. Chairman, to all of our colleagues in the Committee of the Whole, I just wanted to let folks know that if you look this bill over, you will see a lot of Republicans and Democrats working together on a number of issues. I have great respect for the gentleman from South Carolina [Mr. SPRATT], for the gentleman from California [Mr. DELLUMS], for all of our colleagues on the Democrat side of the aisle, and for all the Republicans who have worked hard to make this bill go, and the chairman, who I think has put together a very thoughtful package.

Mr. Chairman, we did plus up all of the theater missile defense systems. We put in the amount of money that our experts told us we needed to put in to advance those systems as rapidly as possible.

The sad thing is that when we asked General O'Neill, at the end of one of our hearings, the question as to whether or not these theater systems would stop any fast missiles, that is, stop, for

example, the North Korean Taepo Dong-2 missile that is being developed now, his answer was no. They will stop basically the Model T's of ballistic missiles, the Scuds. But we have not been building missiles to stop high-performance ballistic missiles.

The Spratt amendment goes to ABM. That is going to be a key amendment. The difference between what the committee did and what the gentleman from South Carolina [Mr. SPRATT] wants to do this: The gentleman from South Carolina [Mr. SPRATT] elevates and, I think, liberalizes the ABM Treaty.

For Members of the House, it is important that you understand the ABM treaty. The ABM treaty is extraordinary. It is unique. It is an agreement by the Government of the United States to hold its citizens defenseless against missile attack. If you read it, and you are an average citizen, you are shocked, because it says that you cannot have a defense against nuclear systems.

The gentleman from California [Mr. DELLUMS] has explained how we incorporated that agreement, as extraordinary as it is, in this standoff between the United States and the Soviet Union, where we figured that because both sides had enormous arsenals and some degree of stability, neither side would want to throw the rock. Therefore, we held our own citizens defenseless. We held our own citizens up to nuclear attack without any defense being offered.

I would say that is an extraordinary measure. It is a measure that should be exercised very conservatively because it is an enormous imposition on your citizens, on your constituents.

When you vote on this thing as a Member of Congress, you are telling your own 575,000 constituents in your district that you are going along with an agreement that leaves them exposed deliberately to missile attack.

I do not think we should interpret or enforce that type of an agreement in a liberal way. I do not think we should use our creative juices to try to figure out new ways to hold ourselves at risk. I think we should exercise and follow that treaty very conservatively.

Lastly, the problem is, we made that treaty with one other nation in this world. Today there are dozens of nations who never signed it who are developing missiles. That is the difference between the committee bill and the amendments.

Mr. DELLUMS. Mr. Chairman, I yield myself the balance of the time.

The CHAIRMAN pro tempore. The gentleman from California [Mr. DELLUMS] is recognized for 3 minutes.

Mr. DELLUMS. Mr. Chairman, let me say to my colleague that whether we viewed it as moral or immoral, this gentleman's position was that we should not have gone down the road toward the development of more heinous nuclear weapons. But the fact of the matter remains that mutual assured destruction did indeed work.

The logic of the gentleman's argument, it is difficult for me to get my brain around the gentleman's argument because at the end of the day, the test of a policy's effectiveness is whether it worked. We did not have a nuclear war, so that that standoff was not keeping American people defenseless. That expensive, dangerous, insane nuclear triad kept everyone from waging war. That is No. 1.

Second, let's put reality into this debate. We keep saying to the American people, did you know we didn't have this? America, \$35 billion of your dollars went down a rat hole developing the technology of star wars. The last time this gentleman looked, you look at my bank book, \$35 billion is one hell of a lot of taxpayers' money to be spent.

Third, as we speak, America needs to know that we have been spending for the last few years approximately \$3 billion per annum, part on theater missile defense, part on Brilliant Eyes, a space-based central system, and part on a national missile defense system.

We are spending money developing this. To, in some way, communicate to the American people that we have not spent billions of their dollars, now way over \$40 billion, is to take a flight into fantasy. It is to engage in a disingenuous argument. That money is out there. The only debate between us at this point is whether you ought to be spending more money and go so fast that you violate ABM.

Why is ABM significant? It is significant at this moment, Mr. Chairman, because the ABM treaty is linked by the administration, by the Bush administration and others, to SALT II. SALT II allows us, with the stroke of a pen, to take the Russian nuclear arsenal from 8,500 down to 3,500. We can knock down 5,000 missiles by compliance with ABM, ratification of START II, and you cannot find the dollars, my friend, to build a system effective enough to destroy 5,000 warheads. So you are arguing against yourselves when making that statement.

The gentleman from Pennsylvania [Mr. WELDON], I believe this gentleman is in no way desirous of stepping outside the ABM treaty. He is a man of integrity, and I know that his word is real in that regard. But I am suggesting here that the gentleman from Pennsylvania [Mr. WELDON] does not speak for everybody on your side, and I know that there are a number of them who want to break out of the ABM treaty, with all the adverse impacts to America and stability in the world.

Mr. HUNTER. Mr. Chairman, I yield myself 15 seconds for one point, to make one point for my colleague.

I just want to say to my friend, I did not state that we have not spent billions and billions of dollars. I agree we have spent billions and billions of dollars, but the American people are interested in the real state of play and in results. Right now we do not have defenses against missiles. Many of them

think we have them. I think the work this committee is doing will bring about defenses, but we do not have them at this time.

Mr. Chairman, I yield the balance of our time to the gentleman from Pennsylvania [Mr. WELDON], the distinguished chairman of the Subcommittee on Military Research and Development.

The CHAIRMAN pro tempore. The gentleman from Pennsylvania [Mr. WELDON] is recognized for 3 minutes 45 seconds.

(Mr. WELDON asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, this has been a long debate and I think a very insightful debate from both sides. Let me say as we looked at the defense bill for this year, we looked at what I think will be the two biggest threats this country faces as we approach the 21st century. The first is missile proliferation and deployment, and the second is terrorism.

In our mark we plus up both accounts, to deal with the terrorism we heard about and to deal with the missile proliferation. We plussed up each. We held three full hearings. In the last few years, we did not hold any hearings on missile defense.

This year we have held three full hearings for Members to get classified and unclassified information on what the threat is. We heard there are 77 nations in the world that have cruise missiles, 20 more are building them. We heard about the Russians offering for sale the SS-25. Even the Clinton administration acknowledged just a month ago that the sale of the SS-25 is a violation of the START agreement. Even the Clinton administration acknowledges that. That architecture can be used to hit any city in America by a rogue nation, a mobile launch system.

□ 1400

We heard that the North Koreans have a system that they are testing now that can reach Hawaii and Guam. And we just heard the Chinese, 2 weeks ago, tested a system that can hit the western United States and Guam as well.

Mr. Chairman, these are real threats. Our bill responds to those. But let me say, Mr. Chairman, our bill is totally consistent with General O'Neill. We don't micromanage General O'Neill. We accept the recommendation of the Clinton administration's expert on missile defense.

In fact we did not even give him all the money he would like to have had. Our mark is totally in line with him and in no way does it violate any part of the ABM treaty.

Mr. Chairman, I will enter in the RECORD a letter from General O'Neill to me dated yesterday stating that no part of this bill in any way violates any part of the ABM treaty.

The Spratt amendment is a political amendment being offered, I think, in

the wrong-headed sense of the word. And let me say why. Our side, the conservative side, wanted to offer an amendment to take on the ABM treaty in this bill and I said, If you do, I will come to the floor and I will lead the fight against it. And that amendment was not offered. It was withdrawn.

Now, we are going to be asked to vote on an amendment that takes this bill over the line and says not only do we want it to comply with ABM, but all future modifications of ABM. So, we want to limit the ability of our defense experts to look at how we can best defend America.

This bill is not about the ABM treaty. We have agreed to a separate vote on the ABM treaty; a separate debate. This bill is about defending America.

We want to give our defense experts the chance to tell us, based on the threats that are there, how we can best defend the country. If we want to have a vote on ABM, let that occur at some other time and some other place. But it should not be on this bill. And I resent the fact that that amendment is being offered.

Mr. Chairman, I would encourage our Members and our colleagues to do what members of the committee did in a bipartisan manner. We rejected the Spratt amendment in a bipartisan vote of 33 to 18 saying this is not the place to discuss the merits of the ABM treaty.

I repeat again, General O'Neill, on the record in writing, has stated that nothing in this bill, nothing in any way, shape, or form, violates the terms or the conditions of the ABM treaty. That debate can occur at the appropriate time.

I would also ask our colleagues to support the leadership, Speaker GINGRICH and our entire House leadership, in opposing the Dellums amendment which would also gut this effort. And I thank our colleagues for their cooperation in the spirit of debate.

The letter previously referred to follows:

DEPARTMENT OF DEFENSE, BALLISTIC MISSILE DEFENSE ORGANIZATION,

*Washington, DC, June 14, 1995.*

Hon. CURT WELDON,  
Chairman, Subcommittee on Military Research and Development, Committee on National Security, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: There has recently been a great deal of debate concerning whether or not the programs planned by the Ballistic Missile Defense Organization for fiscal year 1996 are compliant with the Anti-Ballistic Missile (ABM) Treaty. I can tell you that every activity under my control complies with the ABM Treaty, and that we will not develop, test or deploy systems that violate the Treaty. I take my stewardship of the Nation's ballistic missile defense programs very seriously and strive to ensure that the program complies with all our legal and international obligations.

I want to assure you that every program in the acquisition process that raises Treaty issues is subjected to a stringent compliance

review process managed by the Under Secretary of Defense for Acquisition & Technology (A&T). Additionally, tests, experiments, and programs that are sufficiently developed, but that are not yet in the acquisition process, are also scrutinized by the Under Secretary of Defense (A&T) Treaty Compliance Review Group to ensure that they do not violate Treaty obligations.

I hope this clarifies any ambiguity that may exist. I stand ready to answer any further questions you may have.

Sincerely,

MALCOLM R. O'NEILL,  
Lieutenant General, USA,  
Director.

Mrs. FOWLER. Mr. Chairman, I rise in support of the committee's treatment of ballistic missile defense issues in this bill.

Most Americans are unaware that this Nation currently has no ability to defend itself against an accident missile launch or an attack by a terrorist nation or rogue military commander. That, however, is indeed the case.

With the continuing proliferation of weapons of mass destruction and missile technologies, we cannot accept this shortcoming. There are too many nations—Iraq, North Korea, and Iraq, among them—pursuing these capabilities. Meanwhile, the confiscation of highly enriched uranium on the black market indicates the deterioration of internal security controls over nuclear materials in the former U.S.S.R. Under the circumstances, we cannot remain complacent about our lack of defensive options.

H.R. 1530 increases the President's request for ballistic missile defense funding from \$3.1 to \$3.8 billion. This funding will step up efforts on both theater missile defenses, which are desperately needed to protect our service people in the field, and on national missile defenses, which we must pursue now, before renegade nations can threaten us.

Mr. Chairman, I urge my colleagues to support the committee's bill and oppose weakening amendments.

The CHAIRMAN. It is now in order to consider the amendments printed in subpart D, part 1 of the report relating to ballistic missile defense, which shall be considered in the following order:

By Representative SPRATT and by Representative DELLUMS.

It is now in order to consider amendment number 1 printed in subpart D of part 1 of the report.

AMENDMENT OFFERED BY MR. SPRATT

Mr. SPRATT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SPRATT:  
Strike out section 232 (page 31, line 17 through page 32, line 4), and insert in lieu thereof the following new section:

**SEC. 232. BALLISTIC MISSILE DEFENSE POLICY OF THE UNITED STATES.**

It is the policy of the United States—  
(1) to deploy at the earliest practical date highly effective theater missile defenses (TMD) to protect forward-deployed and expeditionary elements of the Armed Forces of the United States and to complement the missile defense capabilities of our allies and forces friendly to the United States; and

(2) to develop, test, and deploy, at the earliest practical dates, a national missile de-

fense system (NMD) that complies with the ABM Treaty and is capable of providing a highly effective defense of the United States against limited ballistic missile attacks.

Page 32, strike out line 17 and all that follows through line 5 on page 33 and insert in lieu thereof the following:

(1) Up to 100 ground-based interceptors at the site now designated by the ABM Treaty or additional ground-based interceptors at such other site or sites as the Secretary of Defense may recommend if deployment of ground-based interceptors at more than one site is allowed by amendment to the ABM Treaty.

(2) Fixed, ground-based radars.

(3) Space-based sensors that are capable of acquiring and tracking incoming reentry vehicles as an adjunct to ground-based radars.

(4) Battle management, communication, and control systems integrated with ground-based radars and space-based sensors.

Page 38, line 5, strike out "DEFINED".

Page 38, line 6, insert "(a) DEFINITION.—" before "For purposes of".

Page 38, at the end of line 11, strike out the period and insert the following:

and all Agreed Statements and amendments to such Treaty in effect as of the date of the enactment of this Act or made after such date.

Page 38, after line 11, insert the following:

(b) INTERPRETATION.—Nothing in this subtitle shall be interpreted to violate, or to authorize the violation by the United States of, the ABM Treaty. Any provision of this subtitle that authorizes or requires the United States to deviate from the ABM Treaty is premised on the assumption that before any such action is taken amendments will be made to the Treaty to make such provision compliant with the Treaty.

The CHAIRMAN. Pursuant to the rule, the gentleman from South Carolina [Mr. SPRATT] and a Member opposed will each be recognized for 10 minutes.

Is the gentleman from California opposed?

Mr. HUNTER. Yes, Mr. Chairman.

The CHAIRMAN. The gentleman from California [Mr. HUNTER] will control the 10 minutes in opposition.

The Chair recognizes the gentleman from South Carolina [Mr. SPRATT].

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

Mr. Chairman, my good friend, the gentleman from Pennsylvania [Mr. WELDON], chairman of the subcommittee, has just said in the well of the House to those who want to abrogate or violate the ABM treaty, he is opposed. It is not timely. And I agree with him.

I will come to the reason I agree with him in fuller detail in a minute, but basically it boils down to this. It is not an opportune time to talk about that because the ratification of START II hangs in balance right now.

The authors of this bill, therefore, say they don't support violation; they seek abrogation, not now, of the ABM treaty. All my amendment does is call for clarity, for the removal of any ambiguity, for spelling out their intention which they have stated here in the well of the House so that there is no mistake about it.

Section 233 of this bill, however, calls on the Secretary of Defense to deploy

at the earliest practicable dates a national missile defense, NMD, system designed to protect the United States against limited ballistic missile attacks.

This NMD system, according to the bill, shall include up to 100 ground-based interceptors at a single site or at a greater number of sites as determined necessary by the Secretary.

Mr. Chairman, the ABM treaty as it is now written limits the United States and Russia to 100 interceptors at 1 site. By requiring in this bill that any national missile defense system protect the entire United States at more than one site, if necessary, we are going beyond the boundaries of the existing treaty. We may need to, and I anticipate that in the very language of my amendment when I say, "Stay within the ABM treaty or the processes of it and seek amendments where necessary."

But as I read the bill, the Secretary has no leeway and, in effect, it requires a multisite system and this is a violation of the treaty as now written.

As I said, my amendment deals with it by saying any such language would be interpreted to mean that we would seek an amendment to permit it before we went ahead to do it.

Now, section 233 also refers to direct queuing of interceptors, that is having an interceptor on the ground queued by the so-called Brilliant Eye, or low-Earth orbit satellite, which will be put into place some time around the turn of the century if we ever deploy a missile defense system.

This language is, too, a technical violation of the treaty. Now, I think we probably ought to clarify the amendment and permit it, but my amendment would say simply that if you are going to do it, then go seek a clarification or an agreed statement, or something that will permit it if you want to use that language.

My amendment anticipates, calls for, the deployment of a national missile defense system which would include 100 interceptors at 1 or more sites if the additional sites were approved by amendment. A ground-based radar system and space-based sensors plus BMCCC, Battle Management Command, Control, and Communications software.

Now, why is all of this so important? It is important because in the next 4 or 5 months the Russian Duma will either take up or not take up, and will either ratify or not ratify, START II. If START II is ratified, we will reduce Russian warheads, a real threat, which can be launched against us by 5,000, which is a significant diminution of the threat to the security of the United States today. It would reduce those by 5,000 down to 3,500 warheads.

We cannot build a missile defense system that will effectively shoot down so many Russian missiles, so much ballistic missile threat against us, so cheaply as the ratification of START II. Why put it in jeopardy by leaving any ambiguity in this bill?

Ratification by the Duma is shaky at best. It is by no means assured. And any signal this Congress sends that we may be breaking out or reaching beyond the terms of the ABM treaty could doom START II. And now is not the time to send such a signal.

START II serves our national security interests, as I said, by reducing the number of warheads that can be launched against us by 5,000 warheads; an enormous number. But it also does something else for our national security.

By lowering the number of warheads that we will have to maintain in our arsenal, the launchers, the platforms from which they would be launched, it also frees up resources for other national defense needs which are really more pressing right now. It would save us the cost of maintaining a huge nuclear arsenal with more than 8,000 warheads in it.

If START II is not ratified, then Secretary Perry warned in an address at Georgetown more than a year ago that we, the United States, will have no other choice. We will not go below START I levels. And there is no money currently in the DOD budget or the DOE budget to support this higher level of maintaining an arsenal of 8,500 warheads.

We will have to cut into funding for conventional forces, for quality of life, for modernization, for readiness, in order to pay to maintain the arsenal at this higher level. I would rather pay to maintain a stronger conventional force. I would rather get rid of those 5,000 warheads potentially aimed at us.

This amendment simply seeks to take the authors of the bill before us at their word and say, deploy a national missile system, but stay within the confines of the ABM treaty. If you need to amend it to go to multiple sites, then do so. Amend it.

But it sends a signal to the Russians at a critical time here on the eve of ratification of START II that we are not about to break out of the ABM treaty.

Mr. Chairman, I reserve the balance of my time.

Mr. SPENCE. Mr. Chairman, I yield 1 minute to the gentleman from Ohio [Mr. HOKE].

Mr. HOKE. I thank the chairman for yielding me this time.

The reason that we should not pass this amendment, and the reason that we should not be concerned about the ABM treaty, notwithstanding whether or not what happens with respect to this bill does or does not violate the ABM treaty, and as you know we have got a letter that says it does not, but the reason that we ought not to be so concerned about that is that the former Soviet Union and Russia is not the only nation that has the capacity, the ability to lob a ballistic missile with a nuclear warhead at the United States.

What we have done is we have taken this policy, this national strategy that

is based on mutually assured destruction that may have had validity in 1972, and we have extended it 25 years into a point in time when Russia is joined by as many as 25 or more other nations that have the same capability to blow up cities in the United States.

It is just a bad policy that I believe in the broad sweep of history is going to be seen as something that was peculiar and bizarre and should be completely abrogated.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from Alabama [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I thank the gentleman from South Carolina for yielding me this time.

Mr. Chairman, I am a strong supporter of our Nation's defense and a strong supporter of a robust national missile defense program. My community is strongly involved in that defense program. And I support the missile defense program outlined in this bill.

I strongly support the Spratt amendment. This amendment is frankly a very simple one, and I cannot imagine why anybody would oppose it. It simply reaffirms our Nation's commitment to a reduction of nuclear weapons.

This amendment in no way changes the missile defense program outlined in this authorization bill. The Spratt amendment would simply require that we develop, test, and deploy a national missile defense system that complies with the ABM treaty. It would allow for any future amendment if we determined that we need a missile defense system that might not need to comply with the ABM treaty.

I believe this amendment is crucial, this amendment today is crucial to our efforts to ratify the START II treaty. This amendment does not affect the theater ballistic missile programs, and only affects our national missile defense programs. I urge my colleagues to support the Spratt amendment.

Mr. SPENCE. Mr. Chairman, I yield myself 2 minutes.

(Mr. SPENCE asked and was given permission to revise and extend his remarks.)

Mr. SPENCE. Mr. Chairman, I rise in strong opposition to the Spratt amendment.

Mr. Chairman, a nearly identical amendment was considered in the Committee on National Security's markup of H.R. 1530. That amendment was rejected on a bipartisan vote of 18 to 33. This amendment should be defeated. It is designed to obviously cloud the issue and for that purpose, only.

The Spratt amendment is unnecessary. There are no activities planned for fiscal year 1996 that would conflict with the ABM treaty, as noted in the letter from General O'Neill referred to previously, who is the director of the Ballistic Missile Defense Organization.

More importantly this amendment sends the wrong signal. The Clinton administration in its zeal to "strengthen the ABM treaty" is seeking to turn the

ABM treaty into a theater missile defense treaty, and constraining our theater missile defense systems.

The President continues on this course despite repeated appeals from the Republican congressional leadership and others.

A "yes" vote on the Spratt amendment is an endorsement of the President's approach to all missile defense.

The amendment would also essentially grant Russia an effective veto over our missile defense deployments in the future. All of us ought to find this unacceptable and resent it. The United States ought to be able to take whatever actions are necessary to defend our territory, its troops, and our interests. This amendment is not in our national security interest, and people who vote for it are not acting in the best interests of this country.

I strongly urge my colleagues to vote "no" on the Spratt amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SPRATT. Mr. Chairman, may I ask how much time is remaining on each side?

The CHAIRMAN. The gentleman from South Carolina [Mr. SPRATT] has 3 minutes remaining, and the gentleman from South Carolina [Mr. SPENCE] has 7 minutes remaining.

Mr. SPRATT. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Chairman, I am a hawk on defense. I support increased funding to ensure a strong national defense, and yesterday I voted for increased funding for the B-2 bomber.

□ 1415

However, there is a huge difference between being a hawk on defense and possibly jeopardizing the elimination of 5,000 Russian nuclear warheads. No national defense system can stop that many warheads.

By insuring compliance with the ABM Treaty, the Spratt amendment will contribute to the elimination of 5,000 nuclear warheads that someday could be aimed at America's citizens, at America's children. To do anything, to do anything at this time, this crucial time, that might jeopardize reduction of those 5,000 Russian nuclear warheads would not be being strong on defense. It would be sheer insanity.

If the authors of this bill say the bill does not violate the ABM Treaty, they should have nothing to fear from this amendment. On the other hand, despite the authors' intentions, if anyone someday might interpret this bill as being in violation of the ABM Treaty, then our grandchildren's future depends on the passage of this amendment.

Mr. SPENCE. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia [Mr. BATEMAN].

(Mr. BATEMAN asked and was given permission to revise and extend his remarks.)

Mr. BATEMAN. Mr. Chairman, I think the chairman of the full committee has it exactly right. This amendment is really a red herring.

The debate need not and should not focus on any expectation or any claim that we are in jeopardy of violating a solemn treaty obligation of the United States of America.

What is involved here is allowing our technicians, our scientists to explore that technology which works best and most cost effectively to provide us with theater and national ballistic missile defense systems. If the best answer to those scientific equations is that we need to go back and renegotiate the ABM Treaty, that is exactly what the Constitution and the law will require, and what will be done.

If any messages are being sent here, it is a garbled and misinformed message to the Russian Duma that somehow or another we are concerned with and intend to violate a solemn treaty obligation. That is not what this provision is about.

Common sense would dictate if the best technology for our ballistic missile defense system nationally or for the theater is something that violates that treaty, then all common sense says we should go to the Russians, to anyone else, and renegotiate it. We also must bear in mind that under the very terms of the treaty itself, by giving appropriate notice, we are freed of any obligations under that treaty, and clearly should do so if violating it would be putting in jeopardy our ability to effectively defend this Nation either as a nation or its forces in the theater from missile attacks.

The common sense of this is to reject this amendment. We are sending the wrong message.

Mr. SPRATT. Mr. Chairman, I yield the balance of my time, 2 minutes, to the gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. Mr. Chairman, I thank the gentleman for yielding me this time.

I commend him for his amendment, and I strongly support it.

I think what this debate really is about is an abrogation of the Anti-Ballistic Missile Defense Treaty. The Spratt amendment assures that however the United States proceeds on missile defense, it stays within the terms of the ABM Treaty. That treaty is 23 years old. It has been the foundation for all of our arms control agreements with Russia.

Today we certainly may want some clarifications of that treaty or even revisions of it, but those changes ought to be worked out with the Russians. Those changes should not be imposed on the Russians.

There are provisions in this bill which clearly bring about the abrogation of the ABM Treaty. I think that is a bad precedent. Abrogation of that treaty will harm the national security interests of the United States in a number of ways.

If we break the ABM Treaty unilaterally, we will poison our relations with Russia. United States-Russian relationships are still the cornerstone of world peace. If we poison the well, every issue we have with Russia—arms control, European security, the Middle East peace process, Bosnia, non-proliferation—becomes more difficult, and we then would bank on little or no cooperation with the Russians if we walk away from our obligations under this treaty.

If we break the ABM Treaty, Russia will not ratify the START-II Treaty, a treaty that I should remind us all was negotiated by President Bush.

Russia then is likely to stop dismantling its nuclear weapons. No military planner in Russia will advocate further dismantling of nuclear missiles if a missile defense race begins. Breaking the ABM Treaty then risks a cold peace, a possible return to the cold war.

If START-II is ratified and implemented, and it would not be if the Spratt amendment is defeated, 5,000 warheads aimed at the United States would be dismantled.

I urge a "yes" vote on the Spratt amendment.

Mr. SPENCE. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WELDON], chairman of the Subcommittee on Research and Development.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, I cannot believe some of the debate here.

If this were a debate on the ABM Treaty or treaties themselves, perhaps we could bring out the four sanctions we waived against the Russians in violation of the missile control technology regime. Perhaps we would bring up the Krasnoyarsk radar violation which the Politburo deliberately ordered in terms of the ABM Treaty. Perhaps we would bring up the numerous accounts of deliberate proliferation activities by the Russians to other countries. But this is not a debate on any treaty.

This is a national defense bill. We have agreed to have a full debate on the ABM Treaty in a separate, free-standing bill. We have taken the extraordinary effort of making sure that our side did not offer an amendment to tilt the bill so that it in fact would attack the treaty.

But our colleagues on the other side—not all of them, because we have bipartisan opposition—but some of our colleagues on the other side want to tilt this treaty to the extreme of supporting and furthering the ABM Treaty beyond where it currently stands.

Even General Shalikashvili, in a memo to the administration earlier this year, made the point that our negotiations with the Russians were in danger of undermining our defense posture, and only when we threatened the

nomination of Secretary Deutch did the administration back off of that interpretation and that negotiation.

Mr. Chairman, this is not the time to be discussing the ABM treaty.

I will again enter at this point in the RECORD this letter, dated June 14, from General Mal O'Neill, the administration's point person on missile defense, and I would close with his statement:

I can tell you that every activity under my control complies with the ABM Treaty and that we will not develop, test, or deploy systems that violate the treaty.

Mr. Chairman, we have that in writing from General O'Neill. That, more than anything else, speaks to the intent of this amendment. This is not about this bill violating the ABM Treaty, because even the administration's own leader says that is not the case.

This is about a political attempt to score some points for the Clinton administration and expanding the ABM Treaty, and that should be a separate debate at a separate time.

The letter referred to follows:

DEPARTMENT OF DEFENSE,  
BALLISTIC MISSILE  
DEFENSE ORGANIZATION,  
Washington, DC, June 14, 1995.

Hon. CURT WELDON,  
Chairman, Subcommittee on Military Research  
and Development, Committee on National  
Security, House of Representatives, Wash-  
ington, DC.

DEAR SIR: There has recently been a great deal of debate concerning whether or not the programs planned by the Ballistic Missile Defense Organization for fiscal year 1996 are compliant with the Anti-Ballistic Missile (ABM) Treaty. I can tell you that every activity under my control complies with the ABM Treaty, and that we will not develop, test or deploy systems that violate the Treaty. I take my stewardship of the Nation's ballistic missile defense programs very seriously and strive to ensure that the program complies with all our legal and international obligations.

I want to assure you that every program in the acquisition process that raises Treaty issues is subjected to a stringent compliance review process managed by the Under Secretary of Defense for Acquisition & Technology (A&T). Additionally, tests, experiments, and programs that are sufficiently developed, but that are not yet in the acquisition process, are also scrutinized by the Under Secretary of Defense (A&T) Treaty Compliance Review Group to ensure that they do not violate Treaty obligations.

I hope this clarifies any ambiguity that may exist. I stand ready to answer any further questions you may have.

Sincerely,  
MALCOLM R. O'NEILL,  
Lieutenant General, USA,  
Director.

Mr. SPENCE. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HUNTER], chairman of our Procurement Subcommittee.

Mr. HUNTER. Mr. Chairman, let me first say to my colleagues who have spoken about the reduction and the pending reduction in the Soviet arms arsenal, that was brought about by the Reagan and Bush administrations, which pushed forward with missile defense. So missile defense has not stifled arms reduction. It has produced arms reduction.

Second, the Russians are as worried as we are about the fact that we have this treaty between the two of us, and now you have dozens of missile makers around the world that never signed the treaty, and we both agreed to hold ourselves open, as open targets, for missile massacres on the basis that mutually assured destruction would deter war between Russia and the United States, but it says nothing about missile attacks by North Korea, by China, and by other adversaries.

My colleagues, it is very important that we do not hold our constituents hostage to an agreement between two countries when you have many, many adversaries that have the capability of using that opportunity to hit the United States.

Vote "no" on the Spratt amendment.

Mr. SPENCE. Mr. Chairman, to close out debate on our side, I yield the balance of our time to the gentleman from Louisiana [Mr. LIVINGSTON], the chairman of the Committee on Appropriations.

(Mr. LIVINGSTON asked and was given permission to revise and extend his remarks.)

Mr. LIVINGSTON. Mr. Chairman, I rise in vigorous opposition to the Spratt amendment.

When we address the issue of the defense of our citizens against attack by some malevolent power, it matters not whether we speak of conventional, strategic, theater, national, or space based defense. What does matter is we are mandated by the Constitution to provide an adequate defense for our people. When it comes to protecting against incoming missiles, Mr. SPRATT and the Clinton administration accept the half-a-loaf theory and say, "Yes we need a defense, but not that defense."

I say you are wrong. To retain unbridled adherence to the cold war relic ABM Treaty, which was confected to restrain a one-time enemy no longer existent in the world, is to voluntarily reject certain options of defense against a grave and terrible threat of a brand new kind. It would leave the U.S. population virtually naked and defenseless against a nuclear, chemical or biological attack by way of incoming new technologies.

As Henry Kissinger has said, "There is no virtue in being defenseless!"

Why in God's name would America wish to abide by the tenants of the ABM Treaty, when the leaders of such rogue and hostile powers as Iran, Iraq, North Korea, Libya, and Syria are not parties to it and would never dream of being bound by it?

Or when the Chinese are conducting nuclear tests and have recently developed a road-mobile ICBM which can hit California and Europe?

Or when the Russians and the North Koreans are selling missile technology to the highest bidder?

Or when Iran and even Brazil are buying up all the missiles they can get their hands on?

Why would we ever think of abiding by a document which limits our ability

to respond to threats from any hostile power?

If the ABM Treaty did not exist today, do we really think any rationale person would stand up and propose to the American people that they invent a way not to defend themselves? Yet that is exactly what Mr. SPRATT and the Clinton administration would ask us to do with this amendment.

Mr. Chairman, I ask the Members to defeat the Spratt amendment and fulfill our responsibility to defend America.

The CHAIRMAN. All time has expired.

Mr. DELLUMS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is my intention to yield to my distinguished colleague, the gentleman from South Carolina, in order to rebut a number of reports being made.

Mr. Chairman, I would like to point out to my colleagues and those who are observing this debate the gentleman from South Carolina [Mr. SPRATT] seeks to do a very simple thing. He said we want this bill to conform to the ABM Treaty.

The gentleman from Pennsylvania [Mr. WELDON], and I believe him, has said nothing in this bill is designed to violate the ABM Treaty; that is not our intention. Yet if you listen, as I have listened to the most recent speaker and who only reflected the remarks of a number of other speakers who walked into the well, who then specifically stated several different reasons why we should not comply with ABM. The point that I am making is very simple, that there is an incredible disconnect on this side of the aisle with one group saying, with one person saying, "I do not want to violate," with a number of other Members saying, "This is why we should violate." So there is tremendous contradiction here.

There is ambiguity here that is extraordinary. You do not have to be a PhD watching this debate to understand that. You do not have to be. It glares out at you.

So my point simply is, if indeed there is no desire on the part of my colleagues on this side of the aisle, and that is a genuine assertion, that you do not want to be in violation of the ABM Treaty, let the amendment process take care of itself on that matter down the road; then why not a simple commitment to a set of propositions that keep us within the framework of the ABM Treaty?

To do less than that is to fly in the face of the integrity of your own comments.

Mr. Chairman, I yield to the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Chairman, in a debate like this we sometimes lose sight of the ball. This is my amendment.

The very first paragraph in it calls for deployment at the earliest practical date of a highly effective theater

missile defense. If you listened to the debate, you would think we were opposed to that. I am not.

This bill pluses up ballistic missile defense of \$3 billion requested by the administration to \$3.8 billion. This amendment leaves the funding in place.

□ 1430

Second, my amendment says it is a policy of the United States to develop tests and deploy at the earliest practical dates a national missile defense system that complies with the ABM treaty, and there is the rub, that complies with the ABM treaty. What does that mean? It means, and we specify, 100 ground-based interceptors at the site now designated or at such other sites if it is allowed by amendment to the ABM treaty. It amends the language of this amendment so that we can make unmistakable what everyone has asserted here on the floor, it is not our intention to violate it, go beyond the ABM treaty. It says the ABM treaty means a treaty in effect as of this date or with such amendments adopted after that date.

It goes on to say nothing in this subtitle shall be interpreted to violate or to authorize a violation by the U.S. of the ABM treaty. Any provision that authorizes or requires the U.S. to deviate from the treaty is premised on the assumption that before any such action is taken amendments will be made to the treaty.

Why is this necessary, desirable? Again for reasons that are purely consistent with ballistic missile defense. We want to get rid of 5,000 warheads by the ratification of START II, and that will make ballistic missile defense of this country feasible.

Mr. DELLUMS. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. WELDON].

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank the gentleman from California [Mr. DELLUMS] for yielding this time to me.

I would just say, as my colleague pointed out, that we have Members on this side who would like to abrogate the treaty. I have acknowledged that publicly, and I fought against offering that amendment on this bill.

Just as the Member would acknowledge that he has Members on his side who would like to take the ABM treaty and interpret it very narrowly as we saw happening to the point when General Shalikashvili earlier this year said, "Whoa, your negotiations are threatening our defense; don't go any further," this is not the place for that to be.

Let me read again the letter from General O'Neil. He says everything in here complies with ABM, and he says additionally, and I quote, "Tests, experiments, programs that are sufficiently developed, but not yet in the acquisition process, are also scrutinized and do not violate treaty obligations."

I ask, "What more can you want unless you have a hidden agenda?"

Mr. DELLUMS. Reclaiming my time, I thank the gentleman.

The gentleman made an assertion that our distinguished colleague and all of us in these chambers respect. The gentleman from South Carolina [Mr. SPRATT] has said on more than one occasion it is not the intent of this amendment to go beyond the ABM, but simply to comply—

Mr. WELDON of Pennsylvania. But it does.

Mr. DELLUMS. Now I would like to yield to the gentleman from South Carolina because his word, his credibility, and his integrity and his intelligence on this issue have been called into question. I would like the gentleman to have an opportunity to respond specifically to that assertion.

Mr. SPRATT. Mr. Chairman, will the gentleman yield?

Mr. DELLUMS. I yield to the gentleman from South Carolina.

Mr. SPRATT. Would the gentleman in the well explain to me what he meant when he said I wanted to liberalize the amendment when all the plain language of this calls for is compliance with the terms of the amendment as it may be amended and modified—

Mr. WELDON of Pennsylvania. Mr. Chairman, will the gentleman yield to me?

Mr. DELLUMS. I yield to the gentleman from Pennsylvania.

Mr. WELDON of Pennsylvania. This bill, according to General O'Neill of our administration, maintains there is no violation of the ABM Treaty.

Mr. DELLUMS. That is not the question.

The CHAIRMAN. The time of the gentleman from California [Mr. DELLUMS] has expired.

Mr. SPENCE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have said it before. Others have said it. This amendment is a red herring. It clouds the issue. It is not in the best interests of this country, and those who would vote in support of this amendment are not laboring in the best interests of this country if they support it.

Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. WELDON].

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, let me again clarify what we are doing here.

During the process of the markup of this bill we were very clear as to not have this become a showdown on the ABM treaty. We took the steps to prevent an amendment from being offered that would have abrogated the treaty.

What the gentleman from South Carolina wants to do, because already General O'Neill certified on the record in this letter, which I will provide to every Member as they walk in the

door, that what we are doing here does not violate the treaty; what he wants to do is to go a step beyond that and say, "Now wait a minute. Our defense leaders in the Pentagon can't even tell us what we may be able to do that would violate the ABM treaty."

This is not a bill about the ABM treaty. This is a bill about how we defend the American people. We want our chief of staff, we want the Joint Chiefs, to come back and tell us how we best defend the American people. Maybe they will say we need five sites for national missile systems, maybe they will say we should use Navy effort here. But the gentleman from South Carolina does not want to have that option. He does not want to even give us the chance to look at and allow—does not even want to give us the chance to explore those options that can better protect and defend the American people.

Mr. Chairman, this amendment is very simple. It would take and put a political spin on this bill that is not necessary, and I will cite for the record again the representative of the Clinton administration on missile defense is Gen. Malcolm O'Neill. On June 14, and if the gentleman from South Carolina does not have a copy of the letter, I will provide one to him, General O'Neill states in this letter to us as Members of the Congress that in no way does this bill in any way, shape or form violate the ABM treaty, any portion of the ABM treaty, or any of the testing and evaluation violate the ABM treaty. This amendment is not necessary according to Gen. Malcolm O'Neill's letter to us which states on the record that we are in full compliance.

Mr. SPENCE. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. My colleagues, the ABM treaty is a promise, a treaty promise, that we will hold our citizens helpless and defenseless to a missile attack. In that sense it is an extraordinary treaty. There is no treaty that says we will hold our citizens defenseless to a tank attack, to a naval attack, to an aircraft attack, but we have a treaty that says we will hold our citizens defenseless to a missile attack.

Now the gentleman from South Carolina [Mr. SPRATT] wants to elevate the ABM treaty to a Holy Grail, to an endorsement that is going to send a message, and the problem is it is going to send a message to one country, and there are now dozens of countries which are making missiles, unlike the situation that existed when we put the ABM treaty into its initial phase.

So, we have a bill, and I would just say to the gentleman from South Carolina: If you were worried about the ABM treaty, you should have written General O'Neill. You should have said: Look at this bill, and, if you had any problems at all with the bill, if you had a response from General O'Neill saying

this violates the ABM treaty, you could have carted it to Mr. WELDON, and he would have taken care of it.

This bill does not violate the ABM treaty.

Mr. SPENCE. Mr. Chairman, I yield myself the balance of my time.

The CHAIRMAN. The gentleman from South Carolina is recognized for 1 minute.

Mr. SPENCE. Mr. Chairman, I want to say this: People, of course, in this world can look at the same set of facts and arrive at a different conclusion. Our Maker has allowed us to do that. I have said it on other occasions, but the American people right now are defenseless against foreign powers firing missiles at us, defenseless, and our country is responsible for us being defenseless against these missiles because of just what we have heard here from the other side today.

Now, I will say this to my colleagues and everybody else that will want to listen to me, if and when, and I pray to God we don't ever have to face this critical decision of a missile coming in from somewhere and we have no defense against it, the people who are trying to delay us in our effort to provide this defense will be held accountable to the American people and their own conscience.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from South Carolina [Mr. SPRATT].

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

#### RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 242, not voting 8, as follows:

[Roll No. 373]

AYES—185

Abercrombie	DeFazio	Greenwood
Ackerman	DeLauro	Gutierrez
Baldacci	Dellums	Hall (OH)
Barrett (WI)	Deutsch	Hamilton
Becerra	Dicks	Harman
Beilenson	Dingell	Hastings (FL)
Bentsen	Dixon	Hefner
Berman	Doggett	Hilliard
Bevill	Dooley	Hinchev
Bishop	Doyle	Holden
Bonior	Durbin	Hoyer
Borski	Edwards	Jackson-Lee
Boucher	Engel	Jacobs
Brewster	Eshoo	Jefferson
Browder	Evans	Johnson (SD)
Brown (CA)	Farr	Johnson, E. B.
Brown (FL)	Fattah	Johnston
Brown (OH)	Fazio	Kanjorski
Bryant (TX)	Fields (LA)	Kaptur
Cardin	Filner	Kennedy (MA)
Clay	Flake	Kennedy (RI)
Clayton	Foglietta	Kennelly
Clement	Ford	Kildee
Clyburn	Frank (MA)	Klink
Coleman	Frost	Lantos
Collins (IL)	Furse	Laughlin
Collins (MI)	Gejdenson	Leach
Conyers	Gephardt	Levin
Costello	Gibbons	Lewis (GA)
Coyne	Gonzalez	Lincoln
Cramer	Goodling	Lofgren
Danner	Gordon	Lowey
de la Garza	Green	Luther

Maloney Pallone Skelton  
 Manton Pastor Spratt  
 Markey Payne (NJ) Stark  
 Martinez Payne (VA) Stenholm  
 Mascara Pelosi Stokes  
 Matsui Peterson (FL) Studts  
 McCarthy Pomeroy Stupak  
 McDermott Porter Tanner  
 McHale Poshard Tejada  
 McKinney Rahall Thompson  
 Meehan Rangel Thornton  
 Meek Reed Thurman  
 Menendez Reynolds Torres  
 Mfume Richardson Torricelli  
 Miller (CA) Rivers  
 Mineta Roemer Velazquez  
 Minge Rose Vento  
 Mink Roukema Visclosky  
 Moakley Roybal-Allard Volkmer  
 Moran Rush Ward  
 Morella Sabo Waters  
 Nadler Sanders Watt (NC)  
 Neal Sawyer Waxman  
 Oberstar Schroeder Williams  
 Obey Schumer Wise  
 Olver Scott Woolsey  
 Ortiz Serrano Wyden  
 Orton Shays Wynn  
 Owens Skaggs

NOES—242

Allard Emerson Lewis (KY)  
 Andrews English Lightfoot  
 Archer Ensign Linder  
 Arney Everett Lipinski  
 Bachus Ewing Livingston  
 Baesler Fawell LoBiondo  
 Baker (CA) Flanagan Longley  
 Baker (LA) Foley Lucas  
 Ballenger Forbes Manzullo  
 Barcia Fowler Martini  
 Barr Fox McCollum  
 Barrett (NE) Franks (CT) McCreery  
 Bartlett Franks (NJ) McDade  
 Barton Frelinghuysen McHugh  
 Bass Frisa McInnis  
 Bateman Funderburk McIntosh  
 Bereuter Gallegly McKeon  
 Bilbray Ganske McNulty  
 Bilirakis Gekas Metcalf  
 Bliley Geren Meyers  
 Blute Gilchrest Mica  
 Boehlert Gillmor Miller (FL)  
 Boehner Gilman Molinari  
 Bonilla Gingrich Mollohan  
 Bono Goodlatte Montgomery  
 Brownback Goss Moorhead  
 Bryant (TN) Graham Murtha  
 Bunn Gunderson Myers  
 Bunning Gutknecht Nethercutt  
 Burr Hall (TX) Neumann  
 Burton Hancock Ney  
 Buyer Hansen Norwood  
 Callahan Hastert Nussle  
 Calvert Hastings (WA) Oxley  
 Camp Hayes Packard  
 Canady Hayworth Parker  
 Castle Hefley Paxon  
 Chabot Heineman Peterson (MN)  
 Chambliss Herger Petri  
 Chapman Hilleary Pickett  
 Chenoweth Hobson Pombo  
 Christensen Hoekstra Portman  
 Chrysler Hoke Pryce  
 Clinger Horn Quillen  
 Coble Hostettler Quinn  
 Coburn Houghton Radanovich  
 Collins (GA) Hunter Ramstad  
 Combest Hutchinson Regula  
 Condit Hyde Riggs  
 Cooley Inglis Roberts  
 Cox Istook Rogers  
 Crane Johnson (CT) Rohrabacher  
 Crapo Johnson, Sam Ros-Lehtinen  
 Cremeans Jones Roth  
 Cubin Kasich Royce  
 Cunningham Kelly Salmon  
 Davis Kim Sanford  
 Deal King Saxton  
 DeLay Kingston Scarborough  
 Diaz-Balart Klug Schaefer  
 Dickey Knollenberg Schiff  
 Doolittle Kolbe Seastrand  
 Dornan LaHood Sensenbrenner  
 Dreier Largent Shadegg  
 Duncan Latham Shaw  
 Dunn LaTourette Shuster  
 Ehlers Lazio Siskisky  
 Ehrlich Lewis (CA) Skeen

Smith (MI) Taylor (NC) Watts (OK)  
 Smith (NJ) Thomas Weldon (FL)  
 Smith (TX) Thornberry Weldon (PA)  
 Smith (WA) Tiahrt Weller  
 Solomon Torkildsen White  
 Souder Trafficant Whitfield  
 Spencer Tucker Wicker  
 Stearns Upton Wolf  
 Stump Vucanovich Young (AK)  
 Talent Waldholtz Young (FL)  
 Tate Walker Zeliff  
 Tauzin Walsh Zimmer  
 Taylor (MS) Wamp

NOT VOTING—8

Fields (TX) Myrick Wilson  
 Kleczka Slaughter Yates  
 LaFalce Stockman

□ 1458

Mr. GOSS changed his vote from "aye" to "no."

Mr. LAUGHLIN changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Chairman, I was unable to be present for rollcall vote No. 373 earlier today. Had I been present, I would have voted "aye."

□ 1500

REQUEST TO ALTER ORDER OF CONSIDERATION OF AMENDMENTS

Mr. SPENCE. Mr. Chairman, pursuant to section 5(c) of House Resolution 164, I request that during the consideration of H.R. 1530, amendments numbered 30, 1, 3, 33, and 37 printed in part 2 of House Report 104-136 be considered immediately following consideration of the amendments printed in subsection E of part 1 of that report and that the aforementioned amendments printed in part 2 of the report be considered in the order recited above.

The CHAIRMAN. The gentleman's request is noted.

It is now in order to consider amendment No. 2, as modified, printed in subpart D of part 1 in House Report 104-136.

AMENDMENT, AS MODIFIED, OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. Mr. Chairman, I offer an amendment, as modified.

The CHAIRMAN. The Clerk will designate the amendment.

Amendment, as modified, offered by Mr. DEFAZIO: Page 38, line 18, insert "(a) IN GENERAL.—" before "Of the amounts".

Page 38, after line 22, insert the following:  
 (b) REDUCTION.—The amounts provided in subsection (a) and in section 201(4) are each hereby reduced by \$628,000,000.

(c) NATIONAL MISSILE DEFENSE AMOUNT.—Of the amount provided in subsection (a) (as reduced by subsection (b)), \$371,000,000 is for the National Missile Defense program.

At the end of title IV (page 161, after line 3), insert the following new section:

SEC. 433. ADDITIONAL MILITARY PERSONNEL AUTHORIZATION.

There is hereby authorized to be appropriated to the Department of Defense for fiscal year 1996 for military personnel the sum of \$628,000,000. Of the amount appropriated pursuant to such authorization—

(1) \$150,000,000 (or the full amount appropriated, whichever is less) shall be for increased payments for the Variable Housing Allowance program under section 403a of

title 37, United States Code, by reason of the amendments made by section 604; and

(2) any remaining amount shall be allocated, in such manner as the Secretary of Defense prescribes, for payments for the Variable Housing Allowance, the Basic Allowance for Quarters, and the Basic Allowance for Subsistence in such a manner as to minimize the need for enlisted personnel to apply for food stamps.

Page 280, beginning on line 19, strike out "beginning after June 30, 1996" and inserting in lieu thereof "after September 1995".

The CHAIRMAN. Under the rule, the gentleman from Oregon [Mr. DEFAZIO] will be recognized for 10 minutes, and a Member opposed will be recognized for 10 minutes.

Does the gentleman from South Carolina [Mr. SPENCE] seek the time in opposition?

Mr. SPENCE. Mr. Chairman, I do.

The CHAIRMAN. The gentleman from South Carolina [Mr. SPENCE] will be recognized for 10 minutes.

The Chair recognizes the gentleman from Oregon [Mr. DEFAZIO].

Mr. DEFAZIO. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, there has been a lot of arcane debate in the last hour and a half over BMD and TMD and compliance with treaties.

Let us bring the debate back down to Earth for a few minutes. Let us bring the debate back to Earth for a few minutes here and confront some bitter realities.

Yesterday during the debate on the rule, the esteemed gentleman from New York, Mr. SOLOMON, said how it used to be a scandal, referred to the bad old days of equipment shortages and days even when members of the military were forced to be on food stamps. Well, unfortunately we have not banished those bad old days. There are an estimated 8,000 to 15,000 families, no one really knows, currently receiving food stamps who are active duty, full-time members of the military.

Now, the committee recognized this was a problem, but the committee only put up one-quarter of the money that was estimated that was needed to take care of this problem. And what I am saying is, we need to get our priorities straight. Do we need a further increase in ballistic missile defense beyond that asked for by the president? The president asked for a 1-year increase, inflation adjusted, of more than 1 percent in ballistic missile defense and fully funded all the requests of the Pentagon for theater missile defense. The committee has gone in and micromanaged the theater missile defense, added more money to ballistic missile defense. And yet after they add \$628 million there, they can only find one-quarter of the funds they need to get our young men and women and their families, people serving today full time, enlisted in the military, off of food stamps. That is a scandal.

Let me read briefly from the National Military Family Association, a letter they sent to me.

"The system has become unfair to all military families but to those at the lower end of the income scale it can be devastating. The National Military Family Association is fully aware that the costs of creating a VHA minimum floor," that is a housing allowance, "are not inconsequential. What price, however, do we put on a family's safety? How can we ask young service members to deploy at a moment's notice when they know their family will be left to fend for themselves in a run-down trailer park with a history of break-ins and robberies?"

The Pentagon itself, officials are deeply troubled by an increasing number of military families turning to food stamps.

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

(Mr. SPENCE asked and was given permission to revise and extend his remarks.)

Mr. SPENCE. Mr. Chairman, I rise in strong opposition to the Dellums-DeFazio amendment to cut funding for ballistic missile defense programs.

Mr. Chairman, the proliferation of ballistic missiles, brought home so vividly by Iraq's use of Scud missiles during Operation Desert Storm, warrants an aggressive response to this growing threat. Accordingly, H.R. 1530 adds funds to the most promising theater missile defense [TMD] systems, including for example, the Navy's lower and upper tier systems and the Army's theater high altitude area defense system.

This amendment would cut funds for these programs and delay the date by which advanced theater missile defenses for our troops could be deployed. I don't believe that we should delay adequately defending our troops any longer.

Likewise, the amendment would dramatically cut funding for national missile defense research and development. The practical effect of this would be to ensure that Americans here at home remain unprotected against missile attack for the indefinite future.

Given the on-going strategic modernization efforts of Russia and China, and the likelihood that "rogue regimes" will acquire or develop a capability to attack the United States homeland, I oppose this amendment.

Therefore, I strongly urge a "no" vote on the Dellums-DeFazio amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. MARKEY].

Mr. MARKEY. Mr. Chairman, during the debate over the budget resolution, Member after Member came to the House floor to talk about the tough choices we would need to make in order to balance the budget. Now, as I listened to the debate here this afternoon, I wondered just what sort of tough choices the advocates of increased star wars spending had in mind. Did they mean sacrificing SSI

for the elderly for SDI for a pork barrel in the sky for the defense contractors in our country? Is that the tough decision?

Did they mean the elderly and those struggling to make ends meet should tighten their belts so that the Government should spend billions of additional dollars on a discredited defense program? Is that what they really mean by tough choices?

Or did they mean sacrificing students loans and cutting back student loans which is what the Republican budget does for the sake of star wars? Is that the tough choice they made, swapping educational grants for working-class kids to go to college so that we can have a star-wars-in-the-sky project that does not work? Or do they mean the tough choice of cutting back hot lunch programs for kids so that we can finance a program like this that has no mission, does not work, has never been put in place and we know is only a drain on our economy?

Let me tell you something, a lot of things have changed in the last 15 years, the music, the fashion in this country, but one thing has not changed, SDI still stands for "same dumb idea" that it did in 1983, when it was introduced. And you are going to change it now to BMD, ballistic missile defense, but BMD really stands for "big money drain," out of programs for the elderly, out of programs for the kids in this country.

Let us just keep a few simple facts in mind. The cold war is over. The Russians are having a hard time controlling the Chechens, much less attacking the United States or launching a brand new missile program. It is time for us to support the DeFazio-Dellums amendment and its proper prioritization of money in this country.

Mr. SPENCE. Mr. Chairman, I yield 1½ minutes to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, it seems that some Members in this body are still living in the period of 15 years ago, and they are using the SDR rhetoric, that is the "same dumb rhetoric."

The fact is that times have changed. We can no longer depend on mutually assured destruction to prevent a holocaust of our citizenry if a nuclear missile lands in a city in the United States of America.

When we had one enemy or two enemies, yes, mutually assured destruction worked. Today missile proliferation and nuclear proliferation means that in a few years we could face the scenario where a missile would be launched by an Iran or a Libya or some other country, maybe Afghanistan. Some people in Afghanistan will get their hands on a surplus Soviet missile and we could do nothing but sit back and listen to the same dumb rhetoric about hot school lunches and tell our people, well, I am sorry, we gave in to people who are more concerned about

school lunches at the moment than we were about protecting our country against a holocaust that would cost millions of American lives.

SDI is not what it was 15 years ago. Now, for just a few billion dollars, we could actually implement a system that will protect us with the *Aegis* cruiser system from a missile attack from Iran. We should do that. That is what we should do. It is not time to defend SDI; it is time to implement it.

Mr. DEFAZIO. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, in response to the previous speaker, it certainly is not what it was 15 years ago. We have spent \$36 billion and the result is one faked missile test over the Pacific. They did not even shoot down that one incoming warhead. They had to blow it up with detonators that were on board. No, it is not what it was 15 years ago. It has wasted \$36 billion and now they want to waste more.

□ 1515

Mr. SPENCE. Mr. Chairman, I yield 1½ minutes to the gentleman from Indiana [Mr. HOSTETTLER].

(Mr. HOSTETTLER asked and was given permission to revise and extend his remarks.)

Mr. HOSTETTLER. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise today to voice my opposition to the Dellums-DeFazio amendment to this defense bill. The Constitution makes clear that it is the responsibility of Congress to provide for the defense of this Nation. Indeed, 6 of the 18 powers granted to Congress by article I, section 8, deal with the Congress' role in providing for national security. This, my friends, is the first and most important role of government. To me then, the question concerning ballistic missile defenses must be, "Are such defenses necessary for the protection of our people?" The hearings I have participated in the past 5 months allow me to state, with no reservation, that the answer is yes.

According to the March 9, 1995, testimony of Gen. Malcolm O'Neill, the director of the Ballistic Missile Defense Organization, more than 25 countries possess or may be developing nuclear, chemical, or biological weapons. Today, more than 15 nations have ballistic missiles. By the year 2000, perhaps 20 nations will have them. Given our inability to guarantee that these missiles and weapons of mass destruction will be in safe, sane, hands, we have no choice but to deploy defenses against them.

And the question that ultimately arises is this—"But Congressman, what does it cost?" My answer is, what is it worth to protect us from global blackmail, terrorism, or a missile accident? What can we say to the next generation when they are held hostage by a foreign nation who claims to have a missile aimed at New York City or Evansville, IN? How can we live with

ourselves if Oakland, CA, or Sumter, SC, are blown away by the accidental launch of an ICBM?

We have no choice. Our consciences and our constitutional duty demand that we defend America from missile threats as soon as is practical. Folks, the technology is there, it is up to us to use it. I urge the defeat of the Dellums amendment.

Mr. DEFAZIO. Mr. Chairman, I yield myself 30 seconds.

Remember, Mr. Chairman, the Pentagon asked for \$2.9 billion. They asked for full funding plus an increase of 1 percent over inflation for BMD. They got it. They have gotten an increase from \$1.65 billion to \$2.18 billion in theater missile defense and a 65-percent increase for other TMD programs. They have gotten all they ask for and more. Now the committee wants to add on top of that.

This is not needed, according to the Pentagon. We say it is needed to feed the troops and their families. We can prove that by the 15,000 families receiving food stamps. That is a scandal. That is a readiness problem. We should be dealing with that and get our priorities straight.

Mr. SPENCE. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey [Mr. SAXTON], a member of our committee.

Mr. SAXTON. Mr. Chairman, I rise in opposition to the Dellums amendment. I would say to the gentleman from Oregon, Mr. Chairman, that this is a time when we have to make tough choices. I would say that we are here in part, at least, because we have collectively cut the defense budget every year for the last 9 years.

I appreciate and understand the gentleman's willingness to want to build houses for military families with this money. It is important. However, those who would cut the funding of the ballistic missile defense see the world a far safer, friendlier place than the events in Korea, Iraq, China, or Russia could ever justify.

Currently, 12 developing countries have Scud-class or better missile systems. North Korea has successfully flight-tested a ballistic missile with a range of 620 miles, and recent reports have cited the Koreans as possessing a missile with a possible range of as much as 5,600 miles. I would once again point out that on January 18 of this year, the acting director of the Central Intelligence Agency, Adm. William Studeman, said these words. He said that, "The missiles will be able to reach us," in his opinion, "toward the end of this decade or the beginning of the next." This is not a choice that we like to make, this is a choice that we must make. This is an amendment which must be defeated in order to propel us in the correct direction.

Mr. DEFAZIO. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, how many times is this Congress going to substitute its judgment for the judgment of the pro-

fessionals at the Pentagon? Yes, there are problems at the Pentagon, but one problem they do not have at the Pentagon is not asking for enough money to accomplish the needed goals to defend this country.

We have had scandal after scandal where we have overexpended funds, where we have had cost overruns. This is a case where we have fully funded the request of the Pentagon in the President's budget, \$2.9 billion. That is an increase in ballistic missile defense, and we are up to \$2.18 billion for theater missile defense. That is up by, that is almost \$600 million in a mere 2 fiscal years. The funding is more than adequate.

What we are doing here, Mr. Chairman, is adding money into the budget the Pentagon did not ask for, and micromanaging the theater missile defense program, one of the most successful programs in the Pentagon. Do not mess with it.

Mr. SPENCE. Mr. Chairman, I yield 1 minute to the gentleman from Maine [Mr. LONGLEY].

Mr. LONGLEY. Mr. Chairman, it is amazing to listen to the rhetoric. It has not changed in 20 years, and refuses to acknowledge the tremendous progress that we have made in the area of antimissile defenses.

I would call the attention of this chamber to the article recently published by former Assistant Secretary of Defense Frank Gaffney, and specifically where he points to the progress that we have made with the Aegis Destroyer missile program. In fact, he suggests that many of our missile programs have resulted in costing more than they need to, and being deliberately made less effective than they could be.

We have spent nearly \$50 billion in an infrastructure that can be rapidly adapted to kill ballistic missiles; namely, the Aegis anti-air missile defense system. We have scores of cruisers, thousands of vertical launching tubes, tremendously sophisticated radars, all of which are capable of potentially knocking down incoming ballistic missiles, and these ships could be equipped as early as 2 and 3 years ahead of time.

I think it is imperative that we continue to make the progress and build on the progress that we have made, because we are closer than ever to being able to implement an effective, workable, antimissile defense program, and the Aegis Destroyer is at the heart of it.

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

Mr. Chairman, we are hearing a lot about the increase of \$600 million over what the Pentagon asked for, but I do not hear the other side responding to the fact that they did not fund the problem we have with 15,000 GI families on food stamps, living below the poverty level, living in unsafe conditions. They are not addressing that problem.

The committee dealt with it in a cursory manner. They recognized the

problem. They said it should be dealt with. Then they said they could only afford 25 percent of the funds. With this amendment, we could afford more than 100 percent of the funds to bring our GI's and their families up above the poverty level.

It is a scandal, when the greatest Nation on Earth has members of its military and their families dependent upon food stamps, and living in unsafe and unwholesome conditions, and then we are going to ask those young men and women to go overseas and forget about the suffering of their families back home, forget about the food stamps, forget about the crummy place they are living.

Mr. SPENCE. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, let me respond to my friend and first say that the Republican budget, and that is this defense budget, adds money to housing, so I hope the gentleman is dissatisfied with President Clinton's budget, because that is the budget that we increased with respect to housing.

Second, Mr. Chairman, Israel has housing shortages, but Israel devotes far more money to missile defense per capita than the United States does. That is because they live in a real world in which they have been threatened by missiles, they have been impacted by incoming missiles. It is that reality that is pressing us and compelling us to put forth the mark that we have. Missile defense is very important to our people in uniform.

Mr. DEFAZIO. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, they still have not responded to the fact that yesterday the esteemed chairman of the Committee on Rules stood on the floor and said it would be a scandal to go back to the days when Members of the military and their families were on food stamps. Those days never went away. They are still here. We cannot ignore that reality.

Yes, I have been critical of the President on a number of things. Yes, his budget was not adequate to lift those families above the poverty level. Does that mean we should stay in the past? The committee only put up 25 percent of the money it estimates, which I believe is a lowball number, is necessary to get those families off food stamps. Which one-quarter of those people are we going to take off food stamps and which three-quarters are we going to leave on food stamps?

Mr. SPENCE. Mr. Chairman, I would ask, we have the right to close?

The CHAIRMAN. The gentleman from South Carolina is correct.

Mr. SPENCE. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. WELDON].

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, first of all, in terms of why

we put 25 percent of the funding in, if the gentleman would have checked with DOD, it is because it is going to take them the first three-quarters of the next fiscal year to come up with the guidelines to implement the program. Why throw money when it cannot even be spent wisely, according to the gentleman's own administration's DOD leadership? Look at the facts.

Where was the gentleman when we fought 2 years ago to put a pay raise in for the military that the gentleman's President and his side did not want? We put it in at the committee level because we care about the troops.

In terms of BMD requests, it was General O'Neill who works at the Pentagon who said he would like to have \$1.2 billion. We gave him \$800 million, so it was not some number we came up with, it was the gentleman's administration's leader on missile defense that we sought to assist and help. Let us get our facts straight in this debate. Oppose this ridiculous amendment.

Mr. DeFAZIO. Mr. Chairman, it is sad the gentleman thinks it is ridiculous that there are 15,000 G.I. families today on food stamps, and tens of thousands of others living in dangerous and unsafe conditions in proximity to our military bases, while at the same time we are asking them to deploy overseas into dangerous situations, and forget about their families back home. I do not think that that is a ridiculous amendment.

For the gentleman to say it would take 9 months to figure out a program to help lift those 15,000 families and tens of thousands of others above the poverty level and the near poverty level, I believe that the Pentagon that could deploy a rescue mission within 4 hours to Bosnia can figure out a way to compensate our GI's, men and women serving today, to compensate them adequately, so their families are lifted above the poverty level, and they are no longer eligible and dependent upon food stamps and living in substandard conditions. That cannot take 9 months, Mr. Chairman. I do not believe that could take 9 months. It is a specious argument.

The priorities on the Republican side were to throw more money at ballistic missile defense, despite the \$36 billion spent so far, which has yielded nothing except for one faked successful test over the Pacific Ocean, and to ignore the needs of those tens of thousands of GI's and their families. That is not a proper set of priorities.

What is it that is the military might of America, the enlisted men and women, or pie-in-the-sky? I say food on their tables and adequate housing for their families come before pie-in-the-sky.

The CHAIRMAN. The time of the gentleman from Oregon [Mr. DeFAZIO] has expired.

Mr. DELLUMS. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. DELLUMS. Mr. Chairman, I take this opportunity to address my colleagues in the context of this amendment. I would preface my remarks by saying that I take some issue with my colleague who characterized this amendment as a ridiculous amendment.

I am prepared to intellectually and politically address any Member of this Congress on the wide range of issues with as much dignity and as much respect that I can accord another human being. If Members disagree with the amendment, that is one thing, but to characterize it, it seems to me, does not speak to the highest and the best in any of us here.

Having said that, Mr. Chairman, let us come back to the reality of what we are talking about. The American people need to know that over the past several years we have spent over \$35 billion, billion, of their taxpayers' dollars. The amendment before us simply says this. The administration requested, the Pentagon requested, \$2.9 billion.

□ 1530

This amendment funds the administration request of \$2.9 billion, roughly \$2.5 billion for theater missile defense, so we fund theater missile defense at the level the military asked.

Then there is \$400 million for national missile defense funded in this amendment, what the administration asked.

What my colleagues on the other side of the aisle in the context of the markup did was to add \$628 million to that. So the issue is not that one side wants to do something that the other side did not want to do. The issue is, do you want to do it at that level?

So now we are at \$3.5 plus billion. What the gentleman and this gentleman are attempting to do in this amendment is not to cut theater missile defense whatever, but to take the \$628 million that was added over and above the request.

What do we want to do with this? I am having some difficulty understanding the debate here. We say that missile defense is important. We give the administration request.

We then say that our troops are important, the quality of their lives, their dignity as people is important. If it is, then you should embrace this amendment, because what we do in this amendment is take that plus-up of \$628 million and we take our young people off food stamps.

My colleagues, you know why American military people are serving this country and they are on food stamps? Because the housing that is available to them off base is too expensive for junior enlisted people, so they end up on food stamps. So not only are they serving our country but they have to pay out of their pocket to serve our country. They are on food stamps, the very same young people that we walk into the well of the House in support of day in and day out.

Yet when it comes to their human dignity, when it comes to the quality of their lives, it is more important, it seems to me, to put \$628 million into a technology that we have already spent \$35 billion for, and nearly \$3 billion per year for the last few years for this function. It is disingenuous to communicate that we are not doing that, but we are simply taking this \$628 million, \$150 million of it for veritable housing allowances.

You ought to be for that proposition. You pat these young people on the back when you visit them. Put the rest of the money into getting these young people off of food stamps. You go out there and visit them. You talk about how wonderful they are. You give them the old salute. You pat them on the back. You tell them how great they are.

But when it comes down to putting the rubber to the road, Mr. Chairman, it is more important to put something in space than it is to deal with these young people suffering on the ground, on food stamps, do not have adequate housing.

If your question to me is, am I pleased that you put a few more dollars in housing, you are right. My vote was with you, but that is not enough. You still have got thousands of young families here on food stamps, thousands of kids who cannot afford to live off base, but they are wearing the uniform, and we keep patting them on the back. We trot them out there in harm's way.

This is quality of life. Put your money where your mouth is. You keep talking about quality of life. This amendment is for the troops. Get out of space and get back here on the ground where our kids are living and dying.

Mr. SPENCE. Mr. Chairman, how much time do I have left?

The CHAIRMAN. The gentleman has 1 minute remaining.

Mr. SPENCE. Mr. Chairman, I also have the right to strike the last word?

The CHAIRMAN. That is correct.

Mr. SPENCE. But I hesitate to do that. Unless the gentleman would like some more time, I will yield to him.

Mr. DELLUMS. I appreciate my colleague's generosity. I have made my statement, and I cannot amplify further. I thank the gentleman.

Mr. SPENCE. Therefore, Mr. Chairman, I will not ask for my additional 5 minutes, but I would like to close in the 1 minute I have.

The CHAIRMAN. The gentleman from South Carolina [Mr. SPENCE] is recognized for 1 minute.

Mr. SPENCE. Mr. Chairman, sometimes I think we go far afield and miss the point of just how serious this business of missile defense is. You do not have to be a superpower in this new world that we are living in to wage the horrors of mass destruction warfare on the rest of the world.

Indeed, a Third World country or a rouge nation can in a low-technology, inexpensive way produce weapons of

mass destruction, biological and chemical warfare weapons. Witness Oklahoma City and the subways of Tokyo.

These warheads can be affixed to cruise missiles with the proliferation of cruise missiles in the world today. They can be put on merchant ships, on airplanes, on submarines, and hit anywhere in this world. It is not just theater missiles that we are worried about anymore, because they can, in this way, reach any place in the world and bring the horrors of warfare to everyone. We are trying to defend against this threat in this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon [Mr. DEFAZIO].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 178, noes 250, not voting 6, as follows:

[Roll No. 374]

AYES—178

Abercrombie	Gonzalez	Olver
Ackerman	Gordon	Orton
Baesler	Green	Owens
Baldacci	Gutierrez	Pallone
Barcia	Hall (OH)	Parker
Barrett (WI)	Hamilton	Pastor
Becerra	Hastings (FL)	Payne (NJ)
Beilenson	Hefner	Pelosi
Bentsen	Hinchee	Peterson (MN)
Berman	Holden	Pomeroy
Bishop	Hoyer	Poshard
Bonior	Jackson-Lee	Rahall
Borski	Jacobs	Ramstad
Boucher	Jefferson	Rangel
Brown (CA)	Johnson (SD)	Reed
Brown (FL)	Johnson, E. B.	Reynolds
Brown (OH)	Johnston	Rivers
Bryant (TX)	Kanjorski	Roemer
Cardin	Kaptur	Rose
Clay	Kennedy (MA)	Roybal-Allard
Clayton	Kennedy (RI)	Rush
Clement	Kennelly	Sabo
Clinger	Kildee	Sanders
Clyburn	Klink	Sawyer
Coleman	Klug	Schroeder
Collins (IL)	Lantos	Schumer
Collins (MI)	Latham	Scott
Condit	Leach	Serrano
Conyers	Levin	Shays
Costello	Lewis (GA)	Skaggs
Coyne	Lincoln	Slaughter
Danner	Lipinski	Stark
DeFazio	Lofgren	Stenholm
DeLauro	Lowe	Stokes
Dellums	Luther	Studds
Deutsch	Maloney	Stupak
Dingell	Manton	Taylor (MS)
Dixon	Markey	Thompson
Doggett	Mascara	Thornton
Dooley	Matsui	Thurman
Doyle	McCarthy	Torres
Duncan	McDermott	Torricelli
Edwards	McKinney	Torrice
Engel	McNulty	Towns
Eshoo	Meehan	Trafficant
Evans	Meek	Tucker
Farr	Menendez	Velazquez
Fattah	Mfume	Vento
Fazio	Miller (CA)	Volkmer
Fields (LA)	Mineta	Ward
Filner	Minge	Waters
Flake	Mink	Watt (NC)
Foglietta	Moakley	Waxman
Ford	Montgomery	Whitfield
Frank (MA)	Moran	Williams
Frost	Morella	Wise
Furse	Nadler	Woolsey
Gejdenson	Neal	Wyden
Gephardt	Oberstar	Wynn
Gibbons	Obey	

Allard	Funderburk	Neumann
Andrews	Galleghy	Ney
Archer	Ganske	Norwood
Armey	Gekas	Nussle
Bachus	Geren	Ortiz
Baker (CA)	Gilchrest	Oxley
Baker (LA)	Gillmor	Packard
Ballenger	Gilman	Paxon
Barr	Goodlatte	Payne (VA)
Barrett (NE)	Goodling	Peterson (FL)
Bartlett	Goss	Petri
Barton	Graham	Pickett
Bass	Greenwood	Pombo
Bateman	Gunderson	Porter
Bereuter	Gutknecht	Portman
Bevill	Hall (TX)	Pryce
Bilbray	Hancock	Quillen
Bilirakis	Hansen	Quinn
Bliley	Harman	Radanovich
Blute	Hastert	Regula
Boehlert	Hastings (WA)	Richardson
Boehner	Hayes	Riggs
Bonilla	Hayworth	Roberts
Bono	Hefley	Rogers
Brewster	Heineman	Rohrabacher
Browder	Herger	Ros-Lehtinen
Brownback	Hilleary	Roth
Bryant (TN)	Hilliard	Roukema
Bunn	Hobson	Royce
Bunning	Hoekstra	Salmon
Burr	Hoke	Sanford
Burton	Horn	Saxton
Buyer	Hostettler	Scarborough
Callahan	Houghton	Schaefer
Calvert	Hunter	Schiff
Camp	Hutchinson	Seastrand
Canady	Hyde	Sensenbrenner
Castle	Inglis	Shadegg
Chabot	Istook	Shaw
Chambliss	Johnson (CT)	Shuster
Chapman	Johnson, Sam	Sisisky
Chenoweth	Jones	Skeen
Christensen	Kasich	Skelton
Chrysler	Kelly	Smith (MI)
Coble	Kim	Smith (NJ)
Coburn	King	Smith (TX)
Collins (GA)	Kingston	Smith (WA)
Combest	Knollenberg	Solomon
Cooley	Kolbe	Souder
Cox	LaHood	Spence
Cramer	Largent	Spratt
Crane	LaTourrette	Laughlin
Crapo	Laughlin	Lazio
Creameans	Lazio	Lewis (CA)
Cubin	Lewis (CA)	Lewis (KY)
Cunningham	Lewis (KY)	Lightfoot
Davis	de la Garza	Linder
Deal	Deal	Livingston
DeLay	DeLay	LoBiondo
Diaz-Balart	Diaz-Balart	Longley
Dickey	Dickey	Lucas
Dicks	Dicks	Manzullo
Doollittle	Doollittle	Martinez
Dornan	Dornan	Martini
Dreier	Dreier	McCollum
Dunn	Dunn	McCrery
Ehlers	Ehlers	McDade
Ehrlich	Ehrlich	McHale
Emerson	Emerson	McHugh
English	English	McInnis
Ensign	Ensign	McIntosh
Everett	Everett	McKeon
Ewing	Ewing	Metcalf
Fawell	Fawell	Meyers
Flanagan	Flanagan	Mica
Foley	Foley	Miller (FL)
Forbes	Forbes	Molinari
Fowler	Fowler	Mollohan
Fox	Fox	Moorhead
Franks (CT)	Franks (CT)	Murtha
Franks (NJ)	Franks (NJ)	Myers
Frelinghuysen	Frelinghuysen	Myrick
Frisa	Frisa	Nethercutt

NOT VOTING—6

Durbin	Kleccka	Wilson
Fields (TX)	LaFalce	Yates

□ 1553

Mr. GUTKNECHT changed his vote from "aye" to "no."

Mr. HALL of Ohio and Mr. LEACH changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment number 1 printed in subpart E of part 1 of the report.

AMENDMENT OFFERED BY MR. SHAYS

Mr. SHAYS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SHAYS:

At the end of title XII (page 409, after line 18), insert the following new section:

**SEC. 1228. REDUCTION OF UNITED STATES MILITARY FORCES IN EUROPE**

(a) END STRENGTH REDUCTIONS FOR MILITARY PERSONNEL IN EUROPE.—Notwithstanding section 1002(c)(1) of the National Defense Authorization Act, 1985 (22 U.S.C. 1928 note), but subject to subsection (d), for each of fiscal years 1996, 1997, 1998, and 1999, the Secretary of Defense shall reduce the end strength level of members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of the North Atlantic Treaty Organization (NATO) in accordance with subsection (b).

(b) REDUCTION FORMULA.—

(1) APPLICATION OF FORMULA.—For each percentage point by which, as of the end of a fiscal year, the allied contribution level determined under paragraph (2) is less than the allied contribution goal specified in subsection (c), the Secretary of Defense shall reduce the end strength level of members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of NATO by 1,000 for the next fiscal year. The reduction shall be made from the end strength level in effect, pursuant to section 1002(c)(1) of the National Defense Authorization Act, 1985 (22 U.S.C. 1928 note), and subsection (a) of this section (if applicable), for the fiscal year in which the allied contribution level is less than the goal specified in subsection (c).

(2) DETERMINATION OF ALLIED CONTRIBUTION LEVEL.—To determine the allied contribution level with respect to a fiscal year, the Secretary of Defense shall calculate the aggregate amount of nonpersonnel costs for United States military installations in European member nations of NATO that are assumed during that fiscal year by such nations, except that the Secretary may consider only those cash and in-kind contributions by such nations that replace expenditures that would otherwise be made by the Secretary using funds appropriated or otherwise made available in defense appropriations Acts.

(c) ANNUAL ALLIED CONTRIBUTION GOALS.—

(1) GOALS.—In continuing efforts to enter into revised host-nation agreements as described in the provisions of law specified in paragraph (2), the President is urged to seek to have European member nations of NATO assume an increased share of the nonpersonnel costs of United States military installations in those nations in accordance with the following timetable:

(A) By September 30, 1996, 18.75 percent of such costs should be assumed by those nations.

(B) By September 30, 1997, 37.5 percent of such costs should be assumed by those nations.

(C) By September 30, 1998, 56.25 percent of such costs should be assumed by those nations.

(D) By September 30, 1999, 75 percent of such costs should be assumed by those nations.

(2) SPECIFIED LAWS.—The provisions of law referred to in paragraph (1) are—

(A) section 1301(e) of National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484; 106 Stat. 2545);

(B) section 1401(c) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160; 107 Stat. 1824); and

(C) section 1304 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 108 Stat. 2890).

(d) EXCEPTIONS.—

(1) MINIMUM END STRENGTH AUTHORITY.—Notwithstanding reductions required pursuant to subsection (a), the Secretary of Defense may maintain an end strength of at least 25,000 members of the Armed Forces of the United States assigned to permanent duty ashore in European member nations of NATO.

(2) WAIVER AUTHORITY.—The President may waive operation of this section if the President declares an emergency. The President shall immediately inform Congress of any such waiver and the reasons for the waiver.

(e) ALLOCATION OF FORCE REDUCTIONS.—To the extent that there is a reduction in end strength level for any of the Armed Forces in European member nations of NATO in a fiscal year pursuant to subsection (a)—

(1) half of the reduction shall be used to make a corresponding reduction in the authorized end strength level for active duty personnel for such Armed Forces for that fiscal year; and

(2) half of the reduction shall be used to make a corresponding increase in permanent assignments or deployment of forces in the United States or other nations (other than European member nations of NATO) for each such Armed Force for that fiscal year, as determined by the Secretary of Defense.

(f) NONPERSONNEL COSTS DEFINED.—For purposes of this section, the term "nonpersonnel costs", with respect to United States military installations in European member nations of NATO, means costs for those installation other than costs paid from military personnel accounts.

The CHAIRMAN. Pursuant to the rule, the gentleman from Connecticut [Mr. SHAYS] and a Member opposed will each be recognized for 20 minutes.

The gentleman from South Carolina [Mr. SPENCE] is opposed to the amendment and will be recognized to control the 20 minutes in opposition.

The Chair recognizes the gentleman from Connecticut [Mr. SHAYS].

Mr. SHAYS. Mr. Chairman, I yield 10 minutes of my time to the gentleman from Massachusetts [Mr. FRANK] and I ask unanimous consent that he be permitted to control that time.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SHAYS. Mr. Chairman, I yield myself 1 minute to explain the amendment.

Mr. Chairman, this amendment passed last year, and on behalf of the gentleman from Massachusetts [Mr. FRANK], the gentleman from Michigan [Mr. UPTON], the gentlewoman from Oregon [Ms. FURSE], and the gentleman from New Jersey [Mr. MARTINI], we offer this amendment.

It is the burdensharing amendment requiring that Europe contribute 75 percent of the cost of our troops by paying 75 percent of the nonsalaried cost of our troops in Europe.

The amendment would ultimately save \$9.5 billion in 5 years, if Europeans pay 75 percent, and it would have a \$4 billion savings if they choose to not and we bring some of our troops home.

Mr. Chairman, this amendment would require an increase of 18 percent more each year to the alternate 75 percent by the year September 30th, 1999.

Mr. Chairman, the bottom line to this amendment is that we are asking the Europeans to do what we asked the Koreans and the Japanese to do, and that is to help pay for the cost of our troops overseas by paying 75 percent of the nonsalaried cost.

Mr. SPENCE. Mr. Chairman, I yield myself such time as I might consume.

(Mr. SPENCE asked and was given permission to revise and extend his remarks.)

Mr. SPENCE. Mr. Chairman, I rise in opposition to the Shays amendment linking burden sharing to the forward deployment of U.S. forces in Europe.

This amendment would appear to make good fiscal sense and to be in the interest of the taxpayer, but that is not the case. In truth, its passage would prove penny-wise but, pound-foolish. The interests and concerns of our European allies are but a small element of a greater issue of responsibility-sharing that we consider here today. As we move to pass this defense authorization bill, we are obligated to re-evaluate America's national defense needs, but we must avoid the isolationist temptation to over-simplify our important role in Europe, and in the world. The United States is a global superpower whose well-being is tightly linked to international peace and stability. It is in our primary interest to preserve these conditions, as we have done in Europe with NATO for over 45 years. To do so, we must maintain a forward presence to deter and, when necessary, to quickly defeat aggression that challenges our interests. A decision to link American military presence in Europe to our allies' willingness or ability to pay ignores this basic fact.

Despite the end of the cold war, no one can argue with certainty that the threat from the former Soviet Union is gone. Russia must still be regarded as a potential threat to American interests in Europe, and elsewhere. Amidst a period of transition, other potential threats to U.S. interests are likely to emerge in Europe. Ethnic or civil conflicts will continue, as in the former Yugoslavia. Unless defused or contained early on, they can escalate, spilling over into areas of direct interest to the people of the United States.

Threats and challenges to American interests can emerge suddenly and unexpectedly. Certainly, the Persian Gulf war taught us and our adversaries that the United States won't likely have the luxury of time of prepare for such conflicts in the future. This requires us to maintain a forward-deployed defense posture.

The Shays amendment to link the presence of U.S. forward-deployed

forces to host nation support, is unsound and dangerous during this period of uncertainty. While U.S. armed forces in Europe commonly serve mutual interests of our friends and allies, they are there to, first and foremost, defend the vital national security interests of this country and the American people.

While I support U.S. forces being stationed in Europe as established by this body last year, I also support continued negotiations to increase host nation support. However, I feel that legislating diplomacy as proposed by the Shays amendment is bad policy and not in the best national security interest of this Nation.

I urge my colleagues to vote no on the Shays-Frank burdensharing amendment.

□ 1600

Mr. Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

First, I would note every negative thing you will hear about burdensharing with Europe today, you heard from exactly the same institutional leaders against burdensharing with Japan 5 years ago. The House overrode that, insisted on burdensharing with Japan, and we are several billion dollars less poor and no less safe.

Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. BRYANT].

Mr. BRYANT of Texas. Mr. Chairman, I thank the gentleman for yielding me this time.

I would remind the Members of the House that it has now been 50 years since World War II and yet we are still spending billion of dollars subsidizing the defense of Europe.

I had hoped to offer an amendment, which the Committee on Rules did not allow me to offer, to require them to contribute 100 percent of the cost. This amendment makes them contribute 75 percent of the cost.

It is a wise idea. These are not war-torn, war-shattered countries. These are First World countries with first-rate economies and compete vigorously with us in every area of commercial life, and they have been able to provide their people with better health care, better education and better protection from crime, due to the fact that we subsidize a principal part of their budget.

In fact, while we are spending about \$1,153 per capita on defense in this country, a significant portion of which defends them, they are only spending \$419 per capita on defense in their countries.

I also point out to you that is ironic that while we are subsidizing our allies' defense, our government borrows money to pay for a deficit, a large portion of which ends up being borrowed from the very nationals whose defense we are subsidizing, thereby saving them money. Surely, 50 years after

World War II, it is time to tell our European allies, "We love you, we are with you, but you pay your share of your own defense."

Mr. SPENCE. Mr. Chairman, I yield 2½ minutes to the gentleman from Colorado [Mr. HEFLEY], the chairman of our Military Construction Subcommittee.

Mr. HEFLEY. Mr. Chairman, I rise in strong opposition to the amendment offered by Mr. SHAYS and Mr. FRANK. In my judgment, this debate is not about burden-sharing—every Member is for burdensharing. This debate is about the integrity of our forward-deployed presence in Europe. This amendment is little more than a thinly disguised attempt to reduce force structure.

The amendment ignores the current statutory framework for burdensharing. To listen to the proponents of the amendment tell the story you would get the impression that the allies are doing virtually nothing to share the burden. These are the facts:

The 1995 defense authorization bill contained a target for our European NATO allies to contribute to our stationing costs in Europe. The Department of Defense expects to meet, and exceed, the 37.5 percent target by the statutory deadline of September 30, 1996. In fact, by fiscal year 1997 DOD expects the allies to pick up over 40 percent of those costs.

The Shays-Frank amendment mandates that for every 1,000 ground troops required to be withdrawn from Europe, half will be discharged. The amendment could result in thousands of involuntary separations.

Adoption of the Shays-Frank amendment would negate the permanent authorized end strengths contained in the bill before the House.

This amendment would harm the ability of the United States to respond to crises in Europe, the Middle East, and Sub-Saharan Africa. The sharp reductions in force structure contemplated by the Shays-Frank amendment would not have permitted us to prosecute Operation Desert Shield/Storm in the manner we did. The fig leaf of Presidential wavier authority in the event of an emergency cannot hide the fact that our forward-deployed presence in Europe serves an American national purpose. Our forces are not some form of European welfare.

The amendment ignores the careful, prudent, and fiscally responsible drawdown we have already undertaken in Europe. As the chairman of the Subcommittee on Military Installations and Facilities, I have monitored the drawdown in Europe. Since 1990, we have closed 878 installations—a 63-percent cut—and reduced our troop presence by over 200,000—a 69-percent cut.

The Secretary of Defense, the Chairman of the Joint Chiefs of Staff, Gen. George Joulwan, Supreme Allied Commander in Europe, and Gen. Gordon Sullivan, the Army Chief of Staff all oppose this amendment.

I urge my colleagues to reject this relic of the past.

Mr. SHAYS. Mr. Chairman, I yield myself 30 seconds to just point out to the Members here that the Europeans in 1993 paid 14 percent of our costs, \$2.1 billion total, but in cash only \$301 million. That number dropped down to \$2.2 billion, and only \$252 million, and then it dropped down to \$60 million. The Europeans are only providing \$60 million of cash, and only \$1.1 billion.

Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I reluctantly oppose the position of my chairman on the Committee on National Security.

I have served overseas myself, in the Philippines, Japan, and Korea, and I know that the economy is supplemented by every military troop that we have in station. Those countries' economies are supplemented by our military pay.

Secondly, those countries need us in place. Japan supports 77 percent, Korea 60 percent, but yet Europe supports only 20 percent of the cost—20 percent.

It has been said that Bosnia is a European problem, but yet who do you see there paying the majority and the lion's share? They need us there for their freedom, and freedom comes at a great cost, great sacrifice to our families, a lot of dollars that we have to borrow and also, yes, it does cost American lives.

It is about time, and I do not think it is asking too much, that we ask the nations, in which we provide that freedom to pay a fair share of that freedom.

We take a look across at other countries, and I wish we did the same. We are giving great amounts of dollars to South Africa, and yet the only place we can get titanium is in South Africa and the Ukraine. Why can we not get something back from a lot of countries, not just Europe?

So I think this amendment actually falls short in a lot of areas in which we invest that we should be getting something back, and in this case we are willing to sacrifice in some cases for freedom for American lives. I think the Europeans should pay their fair share in lives, in dollars, and in sacrifice.

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

Mr. Chairman, I would just say briefly that the comptroller of the Department of Defense disagrees with every single figure the gentleman from Connecticut [Mr. SHAYS] gave just a moment ago.

Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. GILMAN].

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, each year during debate on this amendment I have said—and it bears repeating once again—that at the heart of this

debate, pure and simple, is the issue of defining and maintaining our country's ability to sustain its strategic interests abroad. It should be clear that to each and every Member that our allied security arrangements in Europe, Japan, Korea, and the South Pacific serve as the underpinning of our larger vital interests throughout the world. Those vital interests cannot be protected without a substantial U.S.-forward deployed presence. That presence, and the associated leadership and prestige it brings, is at risk if the House takes action to force untenable reductions in our forces in Europe.

This so-called "burdensharing" amendment actually calls for the withdrawal of U.S. Forces from Europe. It would be folly to take rash action now that could speed a return to the kind of confrontation that compelled us to station over 300,000 troops in Europe for several decades during the cold war.

Given the present uncertainty in Russia and elsewhere in central and eastern Europe, this is no time to precipitously withdraw our forces in that region.

This is not to say that the United States should not continue to vigorously pursue arrangements with our allies that would be more beneficial to the United States. Indeed, the American people deserve no less. But the American people must also know what is at stake in Europe if U.S. forces are cut too far and too fast.

Accordingly, I urge my colleagues to vote against the Shays-Frank-Upton amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon [Ms. FURSE], a coauthor of the amendment.

Ms. FURSE. Mr. Chairman, why do the Concord Coalition, the National Taxpayers Union, and the Citizens Against Government Waste support this amendment? Well, for the same reason that so many Americans do. They all think it is only fair that Europe pick up a fair share of its own defense costs.

While the Europeans enjoy universal health care and a fine education system, we pick up their defense costs, and we have to cut education to our own citizens.

We begin to give our own constituents a break when we bring the money home from Europe. My constituents and all Americans deserve nothing less.

I urge support of this amendment.

Mr. HEFLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Chairman, I oppose this amendment.

This amendment attacks stability. It attacks all that we have stood for in Europe since the Second World War.

We do not have to do much history reading to see that twice we have been back to Europe to save them from tyranny. Harry Truman helped establish NATO. This is a direct attack on NATO. This is a direct attack on stability.

I urge my colleagues to take the time to read this amendment. Look at the language, and you see it is not a burdensharing amendment. It is one to actually cut the troop strength in Europe and, in truth, in fact, we are cutting down and down, and we will have, and have, only two army divisions with two brigades left in Europe.

□ 1615

We have cut our troop strength down there by 63 percent, down to a hundred thousand force level. As a result of previous congressional action, there it should stay. We cannot allow our stability, our presence, most of all our leadership in Europe, to come unglued.

This amendment does away with American forward presence in Europe, it does away with our leadership, it does not give us the voice that we should have, and the passage for our military and our ability to work with our allies in the field because we will not have adequate forces there.

We should turn this down, see this amendment for what it is. Though it is called a burdensharing amendment, in truth and fact it is an amendment to cause us to lose our leadership in NATO. We cannot allow that.

Mr. SHAYS. Mr. Chairman, I yield myself 30 seconds just to comment to two comments.

First off, our statistics come from the 1996-97 budget estimates of the Department of Defense host nation support, May 1995. This is where we are taking our statistics, so if the Department of Defense disagrees with their statistics, they are disagreeing with their own statistics.

I would just like to point out to our colleagues that Europeans today only pay \$60 million in cash. The Japanese pay \$3.4 billion in cash contributions to the United States. The Europeans are not stepping up to the plate, and they need to.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. UPTON].

Mr. UPTON. Mr. Chairman, the premise of our amendment is very simple, and it is also fair. If our European allies do not begin paying their fair share of nonpersonnel costs for maintaining U.S. troops in Europe, then we are going to gradually reduce our troops.

A few years ago we had the same argument on this floor with regard to Japan. In fact, we heard exactly the same arguments against what we are doing today back then, but guess what? We passed that bill that day, and, when we begin talking about burden sharing, let us emphasize the word "sharing." It should be understood that our regional interests are the shared interests of the nations in which we house our troops, and guess what? Because of what we passed several years ago, the Japanese contribute today 76 percent of the nonsalaried costs of U.S. troops. What is that figure? It is \$4 billion. What are the Europeans doing today? Not 76 per-

cent, where we are with the Japanese, not 50 percent, not 40 percent, not 30. It is a puny 20 percent.

As we have to work in this body towards a balanced budget, we have heard over and over that we have got to make some tough choices. Well, how on earth can we continue to spend billions and billions of dollars for the defense of wealthy European nations like the United Kingdom and others when it is time for them to begin to share their responsibility? This is a year when Members in this Congress are asking taxpayers to tighten their belts. It is only fair that we ask the Europeans to do the same.

Some have suggested to me today that perhaps, if this amendment passes, we would lose the authority to control our troops overseas. Nothing could be further from the case. U.S. control exists, and I urge all of my colleagues to support this amendment that we passed on this House floor last year by a two to one margin.

Mr. HEFLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. TORKILDSEN].

Mr. TORKILDSEN. Mr. Chairman, I rise in strong opposition to the amendment offered by Mr. SHAYS and Mr. FRANK and others which would seriously impede the ability of the United States to defend its own national security interests.

Clearly, it is in our interest to require foreign nations who benefit from mutual security arrangements to pay their fair share. I support continued negotiations to achieve that. My colleagues may remember that a compromise was reached last year that provided for our European allies to pay 37.5 percent, an increase from 25 percent in 1990. However, our European allies will actually contribute in excess of 40 percent of such costs.

More importantly, in the area of force structure, this amendment would cut off our nose to spite our face. This amendment not only calls for the removal of our forces, but requires the United States to reduce personnel by half of all troops removed from Europe. This reduction would come on the heels of the most significant drawdown in U.S. end strength levels in over 50 years. Since 1990, the United States has reduced troop levels in Europe by 69 percent—from 330,000 to approximately 100,000. Earlier, U.S. troop strength was actually 500,000. This amendment, in the name of burdensharing, would reduce that force structure even more.

These mandated force structure cuts would compromise our national security interests around the globe.

Our forward based troops in Europe today are not a vestige of the cold war. In Operation Desert Shield/Storm, 95 percent of the strategic airlift, 90 percent of combat aircraft, and 85 percent of the naval vessels used in the conflict were either staged in or passed through Europe. Indeed much of our reasons for keeping troops in Europe are designed to protect U.S. interests in the Middle

East, and elsewhere. Yet the sponsors of this amendment make no pretense at charging the beneficiaries in the Middle East, or elsewhere for this benefit.

And our forces in Europe have been deployed to conduct military or humanitarian operations in northern Iraq, Rwanda, the former Soviet Union, and in the former Yugoslavia. It would be foolhardy to attempt any of these missions with the base level of 25,000 troops specified in this amendment.

I urge all my colleagues to vote "no" on this well-intentioned, but seriously misguided amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I yield myself such time to say, "I'm grateful to all of those who have risen today to say you don't need this because of the great amendment we had last year. I would note that every single one of them that said that voted against it last year, so they voted against it last year and fought it. When we got it done over their objection, they watered it down some. They now welcome it, and that's been the pattern. They said no when we tried to do it to Japan. It's worked well. They said no last year. They are always going to be against it when we try to do it, and then they'll use it only when they can to stop something better from happening."

Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. LUTHER].

(Mr. LUTHER asked and was given permission to revise and extend his remarks.)

Mr. LUTHER. Mr. Chairman, I rise in strong support of the burden sharing amendment to the military budget bill. This amendment wisely requires our allies to bear a greater share of the financial burden of maintaining U.S. troops in Europe. We simply can no longer afford to pay more than half of the nonpersonnel costs of maintaining our troops while European NATO nations contribute less than 25 percent. With this amendment we have the potential here today to save up to \$9.5 billion over the next 4 years.

I can, frankly, understand how during the cold war the current financial arrangements came about. But this is a classic case of where changed times require changed policy in this country. In these days of budgetary constraint here at home and yet multiple commitments abroad, we must ask our allies who compete against us for business and jobs in this world, we must ask them to share in the cost of our international military operations.

With the cold war over, it is time for us in this country to enter a new era, an era of tough decisions and new priorities. I urge my colleagues to join with me in supporting this amendment.

Mr. HEFLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. SISISKY].

Mr. SISISKY. Mr. Chairman, I rise in strong opposition to the Shays burden-

sharing amendment. If passed, this amendment would seriously disrupt NATO relations imperiling the most effective and singularly important military alliance in which the United States participates. Maintaining security in Europe requires building a new European security architecture that takes advantage of the Western alliances' victory in the cold war. The United States has a vital national security interest in building that stability and in seeing that another major war does not engulf Europe. We cannot do so without being on the ground with sufficient presence in Europe. The CINC for Europe and the Department of Defense all believe that the approximately 100,000 troops that remain after nearly a 70-percent cut of cold war levels are the minimum sufficient for maintaining that presence and for undertaking the many missions upon which they are called to perform.

This amendment, and I will tell the gentleman from Massachusetts, ignores last year's legislation and the DOD's success in moving toward a 2-year goal that was secure 37 and a half—

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SISISKY. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. The gentleman voted against last year's legislation and is ill-suited to invoke it now.

Mr. SISISKY. Reclaiming my time, the amendment that passed last year was not the amendment that we are working on right now. It is the amendment that we have right now, but not the one that came out of conference.

More than that, we should not attempt now, especially since the comparison to the Japan-United States contribution agreement are wrong on the facts. Europeans spend a good deal in forces and operations that support U.S. vital national interests. We had our troops in Europe because they are in the United States' vital national interests. Our troops are not there for the Europeans' convenience. They are there for our convenience.

Please do not destroy NATO, do not reduce our forces. Vote "no" on Shays.

Mr. SHAYS. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. MARTINI] to speak on the exact same amendment as introduced last year except for the change in the dates.

Mr. MARTINI. Mr. Chairman, I rise in support of the burdensharing amendment.

Like most of my colleagues, I am committed to ensuring that the U.S. military is the finest fighting force in the world. We certainly owe this to the brave young men and women who serve their country in uniform.

I am, however, also very concerned about the fiscal crisis facing America. With a \$4.5 trillion public debt and annual budget deficits of \$200 billion we must look to reduce Federal spending everywhere we can.

During the cold war, the forward presence of United States troops on the European continent was necessary to neutralize the impending Soviet threat, but the time has come for our European allies to contribute to the cost of freedom in Europe.

Both Japan and Korea assume over 70 percent of the nonpersonnel costs for United States deployed in these countries.

Yet, astonishingly, our European friends contribute less than 25 percent of the nonpersonnel costs. This in my opinion is just plain wrong. Our European allies must step up to the plate. This amendment will simply require our friends to contribute 75 percent of the nonpersonnel costs of U.S. troops stationed in Europe by the year 2000.

If our allies choose to ignore the gradual payment scale outlined in this amendment, the Secretary of Defense will be required to reduce U.S. troop levels in Europe by 1,000 soldiers for each percentage point that the Europeans fall below the established targets.

Mr. Chairman, we will—and we have—hear from some today about how this amendment will severely jeopardize U.S. national security interests. This simply is not true. All of the arguments alleging disruption of our deployment are conditioned upon and apply directly on the willingness of our European allies to share in these costs.

Our amendment would also allow the Secretary of Defense to retain up to 25,000 troops, U.S. troops, even if these nations fail to comply with our proposal. Furthermore, the President may waive these requirements of our amendment if he believes our national security would be threatened.

Mr. Chairman, we have asked, and we will continue to ask throughout this summer, the American people to make reasonable sacrifices to reach a balanced budget. We should expect nothing less from our European allies. I urge support of this amendment.

□ 1630

Mr. HEFLEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Indiana [Mr. BUYER].

Mr. BUYER. Mr. Chairman, I thank the gentleman for yielding time to me. To my colleague, the gentleman from New Jersey, who I would say I am in opposition to his statements, but to say my opposition is a position that would not be true in his eyes would, I think, be a misstatement.

Mr. Chairman, I rise in opposition to the amendment. Burdensharing is a vital component of our national security strategy. Requiring our allies to pay their fair share for their own defense is a prudent and commonsense policy.

However, I object to this amendment directly linking mandatory troop withdrawals from Europe if NATO nations do not meet burdensharing goals by a date certain.

The United States has fought two hot and one cold war in Europe during this

century. In the case of the two World Wars, the rush to withdraw U.S. troops from Europe created a vacuum that necessitated our return to that continent at a later date with a greater cost in lives and treasure. We must not repeat this mistake.

Our presence in Europe is a commitment too valuable to the vital national security of the United States to jeopardize lightly. This amendment ties the hands of the Commander in Chief and could force our withdrawal from NATO at a dangerous and difficult time for the alliance.

I urge my colleagues to vote to maintain our flexibility in NATO and reject this amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would just say that being for burdensharing in principle while you promise to keep the troops there is a very unpersuasive way to get the Europeans to put up any money. As long as they can have the troops for free, they will not contribute.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. BONIOR] who began our successful effort to compel burdensharing by offering an amendment to require burdensharing from Japan, which drew every single negative argument we have heard today back then.

Mr. BONIOR. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, indeed, it does seem like *deja vu*. We have heard these arguments over the over again. But I think it is important for those who have not been here to recap what actually happened back in 1990.

We were debating the defense bill late into the evening. I walked into the well and I offered an amendment requiring that the Japanese pay their fair share. Here we are, having a huge trade deficit with the Japanese, we have got 50,000 troops over there, they are paying about 20 percent of the cost. The amendment passed overwhelmingly with about 350 votes.

Now, what is interesting about this amendment, it occurred at the time we are negotiating with the Japanese in Tokyo over a large contribution from them for our efforts in the gulf war. We wanted \$4 billion from them, they offered us \$1 billion. Two nights later, after the amendment was offered here that passed back in 1990, I get a call at 11 o'clock at night from the Japanese Ambassador, who told me they had met in a special session in Tokyo and that they were going to up the increase in their contributions in the gulf war from \$1 to \$4 billion. They eventually doubled it from there.

The upshot of this is it has saved not only in contributions in fighting the war in the gulf but certainly in burdensharing and supporting our troops over there, tens of billions of dollars. We have an opportunity today

to do the same things with our friends and allies in Europe. Requiring our European allies to pay their fair share will save us nearly \$10 billion over the next 5 years.

It seems to me that if we are going to target seniors and target kids to cut this deficit, the least that we can do is ask our allies to pay their fair share. This amendment says that the days of the free ride are over. I hope my colleagues will support the amendment that is being offered on this floor.

Mr. HEFLEY. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. BATEMAN].

(Mr. BATEMAN asked and was given permission to revise and extend his remarks.)

Mr. BATEMAN. Mr. Chairman, I rise in opposition to this amendment and would certainly compliment the colleagues who preceded me in opposition to it for the cogency of their remarks.

Quite frankly, I find the amendment not only something that I disagree with, its fundamental premise is something that I think is offensive to the people who wear the uniform of the United States of America and who happen to be deployed under direction of their commanders to various places throughout the world, especially if it happens to be in Europe.

The premise of this amendment is that our troops are in some sense mercenaries there defending someone else for which we must receive an offsetting payment. They are not there in that role. They are there defending the interest and the security of the United States of America. I hope we are not going to forget that.

If we care about the NATO alliance, we cannot add but so much stress to it here on the floor of this House, where we have taken a position of unilateral lifting of the arms embargo against the Bosnian Moslems. We are at great points of difference in the pace in which we admit new states to the NATO alliance. There are differences that are running throughout that alliance, and it is not without some capacity of breaking that alliance.

Where then is the security interests of the United States served by this sort of thing, which has great political superficial appeal, but which has little more than that to offer in terms of national security policy for the United States of America?

Do not treat our forces as if they were mercenaries serving someone else's security needs. They are there, they are deployed in response to our security needs, and I hope we will not forget that when we vote on this amendment.

Mr. HEFLEY. Mr. Chairman, I yield 1 minute to the gentleman from Texas [Mr. GEREN].

(Mr. PETE GEREN of Texas asked and was given permission to revise and extend his remarks.)

Mr. PETE GEREN of Texas. Mr. Chairman, I rise in opposition to this amendment. It has been noted over and

over that the Concord Coalition, the Citizens against Government Waste, and the National Taxpayers Union support this amendment. This amendment is penny wise and pound foolish. I commend those organizations for the great work they do in many other areas. They totally miss the point on this issue.

The premise of this amendment, as pointed out by my colleague from Virginia, Mr. BATEMAN, is that somehow we are over in Europe out of the goodness of our hearts. We are in Europe to protect vital American interests.

I would like to share with my colleagues a letter we received today from General Shalikashvili and Secretary Perry.

Because half the forces withdrawn from Europe would be eliminated, this amendment would lead to unilateral U.S. force reductions and compromise the President's ability to protect U.S. interests, not only in Europe but throughout the world. We request your support in defeating this amendment. Sincerely, John M. Shalikashvili and William Perry, Secretary of Defense.

I urge my colleagues to vote no on this amendment.

Mr. SHAYS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I would like to use my 2 minutes to just briefly describe in clearer terms hopefully what is happening presently and what happened in the past.

In the past, the Europeans contributed, in 1993, \$2.1 billion in in-kind and in cash payment. In 1994 they went to \$2.2 billion. Then it dropped to \$1.1 billion in 1995. In cash, they went from \$301 million to \$252 million, and now down to \$60 million. So I hear people say we need to continue this dialog in negotiations, at this rate we are going to have no contribution. We are going in the wrong direction. They are contributing less.

Now, that is one point I just feel needs to be on the table. The other point that needs to be on the table is we have made a gigantic assumption the Europeans do not value our troops in Europe. I think that is a fallacious argument. The Europeans must know that our troops are serving the world interests in Europe, our interests as well as theirs.

We are simply asking them to do what the Japanese and the Koreans do. If the argument worked and was logical for the Japanese and the Koreans, why is it not logical for the Europeans? It is. We have a difficult task. We have a defense budget that is not going to basically increase for the next 5 years. That means we have to find other ways to save money.

I care about national defense. We need to help get more money from others to help this incredible task that we have, and I urge passage and adoption of this amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself the balance of my time, 3 minutes.

Mr. Chairman, the gentleman from Connecticut has made a very impor-

tant point. This will lead to American troop withdrawal only if you believe that the Europeans are unprepared to pay anything at all. I think that is wrong. I think the Europeans would be getting the great bargain of the world, because contrary to the suggestion that these would be mercenary troops, America will still pay the salaries of these troops. What we will be asking the Europeans for are the basing costs, part of the basing costs.

Every single argument advanced against this amendment today has been made against every burden-sharing argument ever put forward. In fact, we have this great paradox: Members who voted against burden sharing a couple of years ago when the House passed it now want to take credit for what the House did and use that as an argument for not doing it anymore. But the day we stop passing the amendments is the day they will stop helping.

We are in a terrible budget crisis. We all acknowledge that. We have differences about how to deal with it. But all of them are painful. The question is, should we tell our European allies that they alone in the world will get a free ride. Because we do this with Japan. We are cutting foreign aid elsewhere. The wealthiest nations in the world, those in Western Europe, will do this.

Members have said well, you know, we started this in 1949. It was necessary in 1949. In 1949 they were poor and Stalin was strong. But have they not outgrown that position of dependence on us? It is not time for the Europeans to have a turn to make a contribution?

Again, the argument is that if we ask them to contribute, they will somehow break off this alliance. Apparently the notion is that America has nothing to offer if we do not heavily subsidize them. Apparently the notion is that they have no interest in being our allies. Apparently America is the baby that is so ugly that if you do not put a lamb chop around its neck, the dog will not play with it. You know what? The troops in Europe we pay for, that is the lamb chop.

We have to approach the Europeans and say, "Please let us protect you and we will pay for it." You know what the most popular book from Europe is? Tom Sawyer, because they have figured out not only how to get America to paint the fence, but to get us to pay for it. As far as using that for the Middle East, yes, we were able to use it in the gulf war. But when Ronald Reagan wanted to bomb Libya, Europe was off limits. The Europeans have in fact been obstreperous and objected sometimes when we wanted to use our troops there for the Middle East.

We recognize that there is a partnership. These arrangements that now exist date from the time when we were all powerful and all wealthy and they were devastated by World War II and the communists were very powerful. We are prepared to cooperate now. But

you have got the most one-sided arrangement around. The wealthiest nations in the world, the Europeans, pay very little for their defense. None of them has a defense budget that remotely approaches ours. Most of them have percentages much less than ours. The only way this will cause us to withdraw troops is if they say "Take it and get out." In fact, I will predict to my colleagues they will cause a troop withdrawal if they do not get some support from the Europeans for keeping them there.

Mr. HEFLEY. Mr. Chairman, I yield the balance of my time to the gentleman from Pennsylvania [Mr. WELDON].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 2 minutes.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Chairman, this is a feel good amendment. It is a feel good amendment because who back home could be against you wanting to bring our troops back home? Let us bring them all back home. Let us bring everybody back to America. Let us not just stop here. Let us bring them all home.

Let us about burden sharing around the world. Where were the colleagues on the floor here when we wanted to bring the troops home from Haiti, which costs the taxpayers \$1.5 billion? Where was the burden sharing there? Where were our colleagues when we had the Somalia vote and we said bring our troops home from Somalia. Where were the burden sharing concerns then? How about our colleagues on Israel? And I support the Arrow program. Should we have Israel fund 75 percent of the costs of the Arrow program to defend their country, like we are paying?

Mr. Chairman, the ability for us to deter aggression around the world is directly dependent upon our ability to stop regional conflicts.

□ 1645

We are there not just to defend our allies. We are there to protect our troops from being involved in war. All of us in this body are for burdensharing. Let us get it clear, all of us on both sides.

The question here today is how fast and how much. It is a simple question on this amendment, I submit to my colleagues.

Do you trust the judgment of General Shalikhvili and General Sullivan, who have both gone on record and are against this amendment, or do you trust the judgment in this case of my colleague from Massachusetts and my colleague from Connecticut?

I will tell you where my judgment is. My judgment is for the support of General Shalikhvili and General Sullivan who are charged with the responsibility of the lives of our young military personnel, not because they want

to pass some feel-good bill in the Chamber of this body.

I say oppose the Frank-Shays amendment.

Mr. BENTSEN. Mr. Chairman. I want to express my strong support for Representatives SHAYS, FRANK, UPTON, and FURSE burdensharing amendment. I believe that our allies should contribute to help cover the cost of U.S. troops stationed in those countries.

This amendment requires NATO nations to cover specified percentages of these nonpersonal costs—beginning with 18.75 percent by September 30, 1996 with a modest increase in the following years reaching 75 percent by September 30, 1998. Such nations which do not comply would see a reduction in U.S. troop strength. This is in accordance with recent agreements with the Japanese Government. Furthermore, the amendment allows the President to waive the requirement if he determines an emergency.

Five years after World War II, we still spend tens of billions of dollars to defend Europe and Japan. While American taxpayers have been subsidizing the defense of our allies, our allies have been able to provide more resources for health care for their citizens, education for their children, and better crime protection for their neighborhoods.

In 1994, our trade deficit with Germany alone was over \$12 billion. In many cases, our allies have been subsidizing their industries and products to compete, sometimes unfairly, with American products. As a result, we have lost jobs.

Ironically, American taxpayers have been subsidizing our allies defense, while our Government borrows money to finance deficit spending.

I believe that at a time when we are closing bases and laying off approximately 81,000 soldiers and civilians, it is wrong for American taxpayers to continue paying billions of dollars to subsidize the defense of our allies who have adequate wealth of their own.

It is time to end America's biggest welfare program—the subsidization of the defense of our European allies. We must demand that our NATO allies begin paying their share of the bills, bills that the American taxpayer have paid for far too long.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. SHAYS].

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 273, noes 156, not voting 5, as follows:

[Roll No 375]

AYES—273

Abercrombie	Bentsen	Bryant (TN)
Ackerman	Bilirakis	Bryant (TX)
Allard	Bishop	Camp
Andrews	Blute	Cardin
Archer	Boehert	Chabot
Baldacci	Bonior	Chapman
Barcia	Bono	Chenoweth
Barrett (WI)	Borski	Chrysler
Barton	Boucher	Clay
Bass	Brewster	Clayton
Becerra	Brown (CA)	Clement
Beilenson	Brown (OH)	Clyburn

Coble	Hobson	Peterson (MN)
Coburn	Hoekstra	Petri
Coleman	Hoke	Pomeroy
Collins (IL)	Holden	Portman
Collins (MI)	Horn	Poshard
Condit	Hyde	Pryce
Conyers	Istook	Rahall
Costello	Jackson-Lee	Ramstad
Coyne	Jacobs	Rangel
Crane	Jefferson	Reed
Creameans	Johnson (CT)	Regula
Cunningham	Johnson (SD)	Reynolds
Danner	Johnson, E. B.	Riggs
Davis	Jones	Rivers
de la Garza	Kanjorski	Roemer
Deal	Kaptur	Rogers
DeFazio	Kasich	Rohrabacher
DeLauro	Kennedy (MA)	Ros-Lehtinen
Dellums	Kennedy (RI)	Roth
Deutsch	Kennelly	Roukema
Dickey	Kildee	Roybal-Allard
Dingell	Kim	Royce
Dixon	Kingston	Rush
Doggett	Klink	Sabo
Dooley	Klug	Sanders
Doolittle	LaHood	Sanford
Doyle	Lantos	Sawyer
Dreier	Leach	Scarborough
Duncan	Lewis (CA)	Schaefer
Durbin	Lewis (GA)	Schiff
Ehlers	Lightfoot	Schroeder
Ehrlich	Lincoln	Schumer
Engel	Lipinski	Scott
English	LoBiondo	Sensenbrenner
Ensign	Lofgren	Serrano
Eshoo	Lowey	Shaw
Evans	Luther	Shays
Ewing	Maloney	Skeen
Farr	Manton	Slaughter
Fattah	Markey	Smith (MI)
Fawell	Martinez	Smith (NJ)
Fazio	Martini	Smith (WA)
Fields (LA)	Mascara	Souder
Filner	Matsui	Spratt
Flake	McCarthy	Stark
Flanagan	McDade	Stockman
Foglietta	McDermott	Stokes
Foley	McInnis	Studds
Forbes	McKinney	Stupak
Ford	McNulty	Tate
Frank (MA)	Meehan	Thomas
Franks (CT)	Meek	Thompson
Franks (NJ)	Menendez	Thornton
Frost	Metcalf	Thurman
Furse	Meyers	Torricelli
Gallely	Mfume	Towns
Ganske	Miller (CA)	Trafficant
Gejdenson	Mineta	Tucker
Gephardt	Minge	Upton
Gilchrest	Mink	Velazquez
Gillmor	Moakley	Vento
Gonzalez	Moran	Visclosky
Goodlatte	Morella	Volkmer
Goodling	Nadler	Wamp
Gordon	Neal	Ward
Green	Neumann	Waters
Greenwood	Ney	Watt (NC)
Gutierrez	Norwood	Watts (OK)
Gutknecht	Nussle	Waxman
Hall (OH)	Oberstar	Weller
Harman	Obey	Whitfield
Hastings (FL)	Olver	Williams
Hayes	Orton	Wise
Hefner	Owens	Wolf
Heineman	Pallone	Woolsey
Herger	Parker	Wyden
Hilleary	Pastor	Wynn
Hilliard	Payne (NJ)	Young (AK)
Hinchey	Pelosi	Zimmer

NOES—156

Armey	Browder	Coolley
Bachus	Brown (FL)	Cox
Baesler	Brownback	Cramer
Baker (CA)	Bunn	Crapo
Baker (LA)	Bunning	Cubin
Ballenger	Burr	DeLay
Barr	Burton	Diaz-Balart
Barrett (NE)	Buyer	Dicks
Bartlett	Callahan	Dornan
Bateman	Calvert	Dunn
Bereuter	Canady	Edwards
Berman	Castle	Emerson
Bevill	Chambliss	Everett
Bilbray	Christensen	Fowler
Bliley	Clinger	Fox
Boehner	Collins (GA)	Frelinghuysen
Bonilla	Combest	Frisa

Funderburk	Linder	Rose
Gekas	Livingston	Salmon
Geren	Longley	Saxton
Gibbons	Lucas	Seastrand
Gilman	Manzullo	Shadegg
Goss	McCollum	Shuster
Graham	McCreery	Sisisky
Gunderson	McHale	Skaggs
Hall (TX)	McHugh	Skelton
Hamilton	McIntosh	Smith (TX)
Hancock	McKeon	Solomon
Hansen	Mica	Spence
Hastert	Miller (FL)	Stearns
Hastings (WA)	Molinari	Stenholm
Hayworth	Mollohan	Stump
Hefley	Montgomery	Talent
Hostettler	Moorhead	Tanner
Houghton	Murtha	Tauzin
Hoyer	Myers	Taylor (MS)
Hunter	Myrick	Taylor (NC)
Hutchinson	Nethercutt	Tejeda
Inglis	Ortiz	Thornberry
Johnson, Sam	Oxley	Tiahrt
Johnston	Packard	Torkildsen
Kelly	Paxon	Torres
King	Payne (VA)	Vucanovich
Knollenberg	Peterson (FL)	Waldholtz
Kolbe	Pickett	Walker
Largent	Pombo	Walsh
Latham	Porter	Weldon (FL)
LaTourette	Quillen	Weldon (PA)
Laughlin	Quinn	White
Lazio	Radanovich	Wicker
Levin	Richardson	Young (FL)
Lewis (KY)	Roberts	Zeliff

## NOT VOTING—5

Fields (TX)	LaFalce	Yates
Klecza	Wilson	

□ 1707

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. Pursuant to the notice given earlier today, it is now in order to consider amendment No. 30 printed in part 2 of the report.

## AMENDMENT OFFERED BY MR. POMBO

Mr. POMBO. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. POMBO: At the end of title X (page 377, after line 19), insert the following new section:

**SEC. 1033. ROTC ACCESS TO CAMPUSES.**

“(a) IN GENERAL.—Chapter 49 of title 10, United States Code, is amended by adding at the end the following new section:

**“§983. Institutions of higher education that prohibit Senior ROTC units: denial of Department of Defense grants and contracts**

“(a) DENIAL OF DEPARTMENT OF DEFENSE GRANTS AND CONTRACTS.—(1) No funds appropriated or otherwise available to the Department of Defense may be made obligated by contract or by grant (including a grant of funds to be available for student aid) to any institution of higher education that, as determined by the Secretary of Defense, has an anti-ROTC policy and at which, as determined by the Secretary, the Secretary would otherwise maintain or seek to establish a unit of the Senior Reserve Officer Training Corps or at which the Secretary would otherwise enroll or seek to enroll students for participation in a unit of the Senior Reserve Officer Training Corps at another nearby institution of higher education.

“(2) In the case of an institution of higher education that is ineligible for Department of Defense grants and contracts by reason of paragraph (1), the prohibition under that paragraph shall cease to apply to that institution upon a determination by the Secretary that the institution no longer has an anti-ROTC policy.

“(b) NOTICE OF DETERMINATION.—Whenever the Secretary makes a determination under subsection (a) that an institution has an anti-ROTC policy, or that an institution previously determined to have an anti-ROTC policy no longer has such a policy, the Secretary—

“(1) shall transmit notice of that determination to the Secretary of Education and to the Committee on Armed Services of the Senate and the Committee on National Security of the House of Representatives; and

“(2) shall publish in the Federal Register notice of that determination and of the effect of that determination under subsection (a)(1) on the eligibility of that institution for Department of Defense grants and contracts.

“(c) SEMIANNUAL NOTICE IN FEDERAL REGISTER.—The Secretary shall publish in the Federal Register once every six months a list of each institution of higher education that is currently ineligible for Department of Defense grants and contracts by reason of a determination of the Secretary under subsection (a).

“(d) ANTI-ROTC POLICY.—In this section, the term ‘anti-ROTC policy’ means a policy or practice of an institution of higher education that—

“(1) prohibits, or in effect prevents, the Secretary of Defense from maintaining or establishing a unit of the Senior Reserve Officer Training Corps at that institution, or

“(2) prohibits, or in effect prevents, a student at that institution from enrolling in a unit of the Senior Reserve Officer Training Corps at another institution of higher education.”.

“(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“983. Institutions of higher education that prohibit Senior ROTC units: denial of Department of Defense grants and contracts.”.

The CHAIRMAN. Pursuant to the rule, the gentleman from California [Mr. POMBO] will be recognized for 5 minutes, and the gentleman from California [Mr. DELLUMS] will be recognized for 5 minutes.

The Chair recognizes the gentleman from California [Mr. POMBO].

Mr. POMBO. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I, along with my good friend, the gentleman from New York, GERRY SOLOMON, am offering this amendment today because I believe some of our institutions of higher education need to be put on notice that their policies of ambivalence or hostility toward our Nation’s armed services do not go unnoticed by this House.

I believe that when a college vents its policy protests by denying its students the opportunity to participate in ROTC, then that school should be denied Department of Defense dollars. It is just that simple. If a college feels that funding from the Department of Defense is important, then they should not attack ROTC, which trains those who will defend the liberties and freedoms of all Americans.

Colleges and universities need to know that starry-eyed idealism comes with a price. If they are too good or too self-righteous to treat our Nation’s military with the respect it deserves, then they may also be too good to receive the current generous level of

DOD dollars. With the passage of this amendment, we will end this ungrateful double standard.

The bottom line is an issue of fairness. The House, representing the American people, needs to stand behind our young men and women in ROTC programs, our constituents across this country. We should not allow some institutions to accept generous amounts of DOD dollars while slamming the door on our future military leaders.

For our young men and women who train to defend the freedoms of all Americans, and for those who have proudly worn the uniform of this country, I urge my colleagues to support the Pombo-Solomon amendment, and send a message over the wall of the academic ivory tower.

Mr. DELLUMS. Mr. Chairman, I rise in opposition to the amendment offered before the body at this moment. Mr. Chairman, this is not the first time that this amendment has come before us. I rise in opposition for the same reasons that I rose in opposition last year.

Mr. Chairman, there are several reasons why this amendment should be voted down. Not the least of these reasons is that it prevents the Secretary of Defense from utilizing, to the advantage of the United States, all of the academic and research institutions that the Secretary should have at his or her disposal.

Second, it micromanages the policy decisions of our U.S. universities. Who are we from these Chambers to dictate the policies of American universities? There are a variety of reasons why a university may determine that it is not interested in allowing senior ROTC units on the campus. That is not to say that the Department of Defense still cannot benefit on behalf of all of our men and women in uniform by the academic research skills of an institution that chose not to have a program on their campus.

It strikes this gentleman that we are, again, cutting off our noses to spite our faces. Let us also be aware that this is about compelling universities to respect the Department of Defense position that does not allow gay men and lesbians to serve openly in the service. This is also one of the targets of this amendment. In that regard, Mr. Chairman, it could have a chilling impact on the free speech rights of university campuses, the prerogatives of academic centers, and administrations around the country.

Mr. Chairman, my distinguished colleague, the gentleman from California, used the phrase, and I jotted it down, “Starry-eyed idealism will have to pay a price.” This is America, Mr. Chairman, or did I fall asleep and awaken in some other country? This is a Nation where we feel proud of the fact that people may engage in their first amendment rights, where we have differences of opinion, Republicans and

Democrats, liberals, moderates, and conservatives, people on the left and the right. That is what makes this Nation strong and powerful.

Are we saying here because some institution, by virtue of their decisions, engage in what we determine is starry-eyed idealism, I hope all the children of this country are starry-eyed idealists. It is not pessimists who bring change or who bring the best out in us, it is the dreamers, the hoppers, the idealists, and the optimists. That is no reason for us to punish universities.

Mr. Chairman, this is an amendment that takes us backward into the 19th century. It does not catapult us forward as a beacon of light and freedom and commitment to democratic principles, and the right of people to have different perspectives and different points of view.

□ 1715

Mr. Chairman, I believe that we should preserve that precious freedom, that precious dignity that comes from people expressing their points of view under the first amendment to the Constitution.

I ask my colleagues to preserve our national security establishment's access to the best minds in this country, to not allow us to be blocked by some narrow perspective to attempt to punish and to micromanage because we happen to disagree with some other group of people or institution's judgments about decisions we make.

That is not how democracy operates. I hope that my colleagues will rise today to their highest and their best and reject this amendment. It is not in the best interests of our national security. I have laid that out. It is not in the best interests of the Constitution of the United States. I have laid that out. I do not think that it speaks to the highest and best in us as we function on this floor in this institution.

With those remarks, Mr. Chairman, I urge a no vote on the Pombo-Solomon amendment. I urge my colleagues to follow me in that.

Mr. POMBO. Mr. Chairman, I yield 30 seconds to the gentleman from Indiana [Mr. BUYER].

Mr. BUYER. Mr. Chairman, I would say to my good friend from California, you did not fall asleep and wake up in a different country. We woke up to a new majority, I guess, here in the Congress.

What I would also say to my colleague, the gentleman from California (Mr. DELLUMS), is that I am going to rise in support of this because to me young men and women must not be denied the opportunity to prepare for careers of serving our Nation in the military while attending college. Some of our students and young minds, which we both have a great deal of respect for, are being denied that opportunity.

Mr. POMBO. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. Mr. Chairman, a constituent of mine, Paul Anderson,

sent me an April 28 article from Human Events magazine about a young man at Yale University named Flagg Youngblood. Flagg Youngblood is a hard-working student. In addition to taking a full academic load, he is taking ROTC.

However, at Yale in order to take ROTC he has to travel 65 miles twice a week during his junior and senior year to get to an ROTC room, because Yale University will not let them teach it on campus. Although if he wants to take a course called "The Story of Incest," he can take that on campus.

While Yale is making that judgment, they are greedily taking on the other hand a \$5 million contract from the U.S. Army. We are not micromanaging Yale University. If they want to have "The Story of Incest" as one of their main academic majors, let them, but do not come back to us with the other hand, while you are kicking Flagg Youngblood and the other young men and women who want to join ROTC off campus, and then take a \$5 million grant. I urge an "aye" vote for the Pombo amendment.

Mr. POMBO. Mr. Chairman, I have 1 additional speaker. I would inquire if they have any additional speakers on the other side.

The CHAIRMAN pro tempore (Mr. MCINNIS). The time of the gentleman from California [Mr. DELLUMS] has expired. He has no time remaining.

Mr. DELLUMS. Mr. Chairman, I would say to my colleague that at the appropriate point in my role as ranking minority member, I do have the right to strike the requisite number of words, and I shall use that opportunity. I will not be locked out at the end of this debate.

The CHAIRMAN pro tempore. The gentleman from California is correct. He does have the right to strike the last word and proceed for 5 minutes, but his current time has expired.

The gentleman from California [Mr. POMBO] may proceed.

Mr. POMBO. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. SOLOMON].

The CHAIRMAN pro tempore. The gentleman from New York [Mr. SOLOMON], the chairman of the Committee on Rules, is recognized for 2 minutes.

Mr. SOLOMON. Mr. Chairman, this Pombo-Solomon amendment, this important amendment, would put an end to the hypocrisy that is running rampant on our Nation's college campuses. It happens all the time. Currently dozens of colleges and universities across this country, including the prestigious ones such as Harvard and Yale, blatantly discriminate against students willing to serve their country, and it is so aggravating to this Member.

Last year the Congress overwhelmingly approved a similar amendment prohibiting any Department of Defense funds to colleges which deny access to our military recruiters. They would not let our military recruiters on their campuses until we made them do it.

That Solomon amendment is now the law of the land, and it strengthens our All-Volunteer Forces. It tells young people that serving in our armed services is an honorable career, it is an honorable profession, and it is.

We are not going to take this nonsense from academia. They are going to let these ROTC students on their campuses or they are not going to get a nickel from this Federal Government.

Read the Constitution. The United States Constitution mandates that we must provide for a common defense to take care of the strategic interests of this country at home and around the world. Please vote for the Pombo-Solomon amendment. You have done it year in and year out on other issues similar to this. Speak up again for America.

Mr. DELLUMS. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN pro tempore. The gentleman from California [Mr. DELLUMS] is recognized for 5 minutes.

Mr. DELLUMS. Mr. Chairman, let me reiterate the arguments that this gentleman is trying to propound.

No. 1, I say to my colleague, it seems to me that we as policymakers here have a responsibility to step back and take the longer view. My first argument is that we should do nothing that would stand in the way of our U.S. military establishment having access to the best minds in this country, irrespective of whether we agree with their policies or not. That is No. 1.

We all come here saying we are committed to national security. We should have access to the best thinking, the clearest minds, the most cogent ideas that are possible. So whatever our misgivings are, they should not deny us the opportunity to go straight there, to have access to the best minds in the country. That is the first argument that I would make.

The second argument that I would make is that irrespective of whether we agree or disagree with the policies taken by a university, by its academic senate or by its faculty, that that should not stand in the way of that first point.

No. 2, because it seems to me that there are moments, Mr. Chairman, when we should be large people. We should be big people. We should be committed to democratic freedoms and principles.

As I was saying to some of the young people behind the aisle earlier today, we should never be so frightened of an idea that we turn our backs from it. The day that I am no longer willing to expose myself to a different point of view and a different perspective is the day that I die intellectually and I die spiritually.

It seems to me that if we do not agree with a university because they choose, for whatever reason, and that is the beauty of America, that they

choose to have or not have an ROTC, we should not engage in policies that are punitive in that regard. We should be a big beacon of light to the world, Mr. Chairman, about how strongly we believe in the fundamental principles of freedom, freedom and the right of people to make choices, even choices that they disagree with.

I would say to my distinguished colleague who mentioned that I did not wake up in a foreign country, I awakened to a new reality, I understand that. That is why I simply stepped up out of the chair of the chairman and moved over to the chair of the ranking minority member, and kept on doing business and kept on fighting back, because I respect that. That is the nature of this process. That is the beauty and the power of it, the right of people to make a decision, and you move on.

I am saying that that should be the same thing in the context of academic freedom. Those are the two points that I was choosing to make.

I yield briefly to my distinguished colleague, the gentleman from California.

Mr. DORNAN. I thank my friend for yielding.

I was listening very carefully what you said. I understand that, your opening words about standing tall and trying to understand this.

However, I think that you are looking at it from the top down, at the university's prerogative to say "We are going to do this and such." But I have had in my office fine young men and women, just what you were describing, the best young minds in our country, that have said to me, "Congressman, can you not make this university where my dad graduated, my grandfather, my mother, they have the major that I want to participate in, but I want ROTC available to me."

If you look at it from the standpoint of the students who are saying, why am I being denied this opportunity, I think quite honestly it cancels out the two-way fiduciary relationship that teachers and students have.

Mr. DELLUMS. Reclaiming my time, because I understand the point you are making, you make your point very well, I think.

Query: Should it be the role of the United States Congress to force a university? The beauty of our higher educational system is that we have public and private institutions. When we start dictating, you change the nature of our role in people's lives.

It should not be to make them. It should not be to punish them. Maybe we encourage, maybe we offer benefits, but it seems to me that it is not about being punitive because we disagree with a policy decision they make. That is not the highest and the best of what I think America is all about.

I yield happily to my colleague.

Mr. BUYER. I thank the gentleman from California [Mr. DELLUMS].

Your No. 1 argument is in fact my argument, also, when you said that you

want the military to have access to the greatest minds in this country by way of research. You see, I would like for the military to also have equal access and opportunity to great minds who can be great leaders, whether they are noncommissioned officers or officers. We are denied that opportunity from a high quality recruiting pool. We share the very same argument, perhaps on different policy grounds.

Mr. DELLUMS. I simply say, you and I, a world ago when we were young people, we shopped around for universities. We were not military people. They can do the same thing.

Mr. SPENCE. Mr. Chairman, I move to strike the last word.

The CHAIRMAN pro tempore. The gentleman is recognized for 5 minutes.

Mr. SPENCE. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia [Mr. BATEMAN].

Mr. BATEMAN. I thank the chairman for yielding me the time.

Mr. Chairman, it just seems to me it is appropriate for us to pause and reflect on whether or not there is any implication in this bill for interfering with academic freedom, the right of any college or university to make whatever choice it chooses to make with reference to participation in a ROTC Program.

But is it not certainly a part of life, even in academia, that decisions have consequences? I do not think it is an unreasonable consequence to say, as a matter of public policy of this Congress, that a college or university that chooses to disdain participation in a program that is important to the security of the United States of America is a college that should not expect to receive the largesse of the Treasury of the United States of America.

This is not a denial of freedom. It is no infringement on the first amendment. It is a simple matter of accountability and making your decisions have consequences which logically and properly follow the decisions that you make.

Mr. SPENCE. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. POMBO].

Mr. POMBO. Mr. Chairman, my colleague from California very eloquently stated the problem that we have with trying to implement ideas and disagreements that exist between people.

What we are faced with right now is universities that may have a disagreement with Federal policy and Federal law. Their response to that is to kick off the young men and women who belong to ROTC, to kick them off campus because they may share a differing point of view or they may represent an agency of the Federal Government that has a differing point of view than the leaders of that university do.

Their response to that is to put them out of sight and out of mind and say, "We are not going to deal with that." But at the same time they require that the Federal funding continue to come to that university, and they continue

to request that the Federal Government continue to fund their programs at their university.

Mr. SPENCE. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. KINGSTON].

Mr. KINGSTON. Mr. Chairman, my father is a college professor, Ph.D. My sister is a college professor. My mama has a master's degree; my other sister does, too. I come from an academic background and strongly believe in the academic freedom.

I think it is very important for universities and professors and faculty to be idealistic. Yet at the same time, when they come to Congress or to any other source asking for a resource or money, then they have to yield some of that freedom away.

All we are saying is, "We are not going to micromanage you. Go ahead and kick ROTC off the campus, but don't come to the same Department of Defense and ask for a grant if you are not going to let ROTC on the campus. You can have your academic freedom, but what you cannot do is have it both ways."

I think in that context we are not micromanaging Harvard or Brown or Stanford or Yale or any of these other offending universities.

□ 1730

Mr. SPENCE. Mr. Chairman, I yield 45 seconds to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I appreciate the gentleman for yielding me this time.

Mr. Chairman, I first want to say, my friend, one of the gentleman's colleagues, used the term "largesse" and you said "grants." These are not just grants, they are also contracts. And the gentleman and I both understand the definition of contract. It means that you enter into an arrangement where a product is returned to the Federal Government.

That is exactly the point that I was making; that we have access to those brilliant minds, research and development that give us that product back so we are not simply talking about a gift.

Finally, in checking the data, I learned, and the gentleman can tell me if I am wrong, there has been no student that has been forced off a campus. As a matter of fact, whenever these ROTC problems have arisen there have been specific plans laid out to allow that student to finish their education within the framework of what they chose to do.

Mr. SPENCE. Mr. Chairman, I yield 45 seconds to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, we have in this country the finest young men and women in the entire world serving in our military; and they are a cross-section of America.

But if we go and talk to any of the recruiters where we have district offices back home, we find that recruitment is falling off because we have had

such severe cutbacks in our military today.

We depend on our all-volunteer military. We want that cross-section of America. And our young men and women are entitled to serve their country. But when we have limitations on the numbers that are in the military budget today, all we are asking is that young men and women have a right to serve their country.

When we passed the law several years ago that said military recruiters will be allowed on the campuses or else they do not get any defense grants, do my colleagues know what they did? The colleges threw open their doors again. These recruiters are now on campuses. That is what this amendment does, the same thing; vote yes on the amendment offered by the gentleman from California [Mr. POMBO].

Ms. PELOSI. Mr. Chairman, I rise in opposition to the Pombo amendment because it would restrict the flexibility of the Secretary of Defense in making the best decisions possible about the making of defense contracts. As you all know, the funds we make available for any Federal program are precious. Each dollar needs to be spent to maximum advantage. We should not insist that political ideology interfere with decisions which should be made on merit.

Defense contracts should not be made as a reward for having ROTC programs but should be awarded based on a finding that the institution has the best ability to deliver the needed product at the lowest cost and highest possible advancement of the goal of the contract. To start making these decisions based on perceived support or opposition to ROTC programs is a disservice to the Department of Defense and the American people.

I urge a no vote on the Pombo amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. POMBO].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. DELLUMS. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the rule, the Chair announces that the Chair will postpone requests for recorded votes on any of the next five amendments until after debate has been concluded on amendment number 37. So the gentleman from California [Mr. DELLUMS] will have that opportunity after number 37.

The point of no quorum is considered withdrawn.

The gentlewoman from Colorado [Mrs. SCHROEDER] not being on the floor, it is now in order to consider amendment number 3 printed in part 2 of House Report 104-136.

AMENDMENT OFFERED BY MR. BERMAN

Mr. BERMAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment number 3 offered by Mr. BERMAN: Strike out section 1224 (page 398, line 22 through page 402, line 22).

The CHAIRMAN. Pursuant to the rule, the gentleman from California [Mr. BERMAN] will be recognized for 5 minutes and a Member opposed, the gentleman from South Carolina [Mr. SPENCE], will be recognized for 5 minutes.

The Chair recognizes the gentleman from California [Mr. BERMAN].

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

(Mr. BERMAN asked and was given permission to revise and extend his remarks.)

Mr. BERMAN. Mr. Chairman, the bill before us installs at the end of the cold war, in the context of having watched what happened when countries around the world sold arms into the Middle East, what happened with Desert Shield and Desert Storm where frequently American troops had to face western weaponry and western technology that was used against them, this bill creates, I think, quite unbelievably an entire new loan guarantee program for arms exports uncapped in a fashion that allows the U.S. Government, and the taxpayers of this country, should that government fail to pay the obligations it has for the arms that it is purchasing, to pick up the costs and pay off the defense contractor, the arms exporter who is making the sale.

I think it is a terrible mistake. The administration thinks it is wrong. A coalition yesterday of both conservative and progressive organizations ranging from the Cato Institute to the Progressive Policy Institute specifically called for the eliminating of military export sales subsidies and indirect subsidies to foreign purchases of U.S. defense firm products.

This is the perfect and classic example of a corporate subsidy, of a form of corporate welfare, but in a very dangerous and reckless arena. It is seeking to promote, and I understand the pressures on the defense budget, and I understand the desires of the defense contractors to look for new markets for their weapons systems, but to put the full faith and credit of the U.S. Government and the American taxpayer behind the question of whether or not a particular government will make the payments on those sales is a terrible, terrible mistake.

How many of my colleagues remember when we passed through this House a bill forgiving \$7 billion or \$8 billion in Egyptian loan payments which were already very delinquent and which CBO thought we would only collect \$200 million on if we never forgave a penny?

We are right now dealing with a question of Jordan debt relief this bills makes, not simply to NATO members, which by the way includes countries that are credit risky like Greece and Turkey but APEC members in the Far East including China, including Thailand, a whole series of other countries,

as eligible to receive these export loan guarantees.

I suggest this is an unnecessary program to try and subsidize a particular industry which already dominates the world market. Seventy percent of arms exports in 1993 were sold by U.S. defense contractors. Well over 50 percent of arms exports this past year were by U.S. arms exporters.

We make the best weapons. We can sell those weapons on the merits. We do not need to be subsidizing these corporations in their effort to find markets which in many cases can lead to problems of regional instability and flows of technology and reexports that we are not able to control.

I would urge the Members to vote for my amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SPENCE. Mr. Chairman, I yield myself 1 minute.

(Mr. SPENCE asked and was given permission to revise and extend his remarks.)

Mr. SPENCE. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to the amendment.

Mr. Chairman, the Berman amendment seeks to strike a provision in the committee bill that establishes a defense export loan guarantee program designed to help keep the U.S. defense industrial base competitive and to keep thousands of high-wage, high-tech jobs from going overseas.

The global defense export market is shrinking, and foreign competition to U.S. military sales is growing more intense every year. European foreign military sales are increasing and assuming a greater share of the share of the global market.

Our friends and allies realize the importance of government-industry cooperation in this area and have chosen to preserve their defense industrial bases by attracting foreign military sales contracts with government subsidies. This has hampered the ability of American defense contractors to compete in a market where government subsidies have tilted the playing field in the favor of foreign defense firms.

Unless countered, this trend will increasingly threaten the defense industrial base of the United States.

H.R. 1530 addresses this problem, not by resorting to Government subsidies to help U.S. industry, but by an innovative program to allow the seller and buyer of U.S. defense products to cover the associated financing costs.

Mr. BERMAN's amendment would kill this program to make American-made weapons systems and defense technologies more affordable to approved purchasers without Government subsidies, and at no cost to the American taxpayer.

Just as importantly, contrary to the claims you will hear in support of the Berman amendment, the loan guarantee program in the bill will not lead to any increases in arms sales. Whatever arms sales will occur in the future,

will happen whether this program goes forward or not. The only difference will be whether the products sold are American or foreign made.

In summary, Mr. Chairman, if the Berman amendment passes, it will damage the competitiveness of the U.S. defense industry, erode the Nation's defense industrial base and ultimately threaten our long-term national security interests. In light of these facts, I strongly urge my colleagues to vote "no" on the Berman amendment and help maintain one of the most important sectors of our economic strength.

Mr. BERMAN. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. PELOSI].

(Ms. PELOSI asked and was given permission to revise and extend her remarks.)

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding time to me.

I rise in strong support of the gentleman's amendment, which is to amend the amendment offered by the gentlewoman from California [Ms. HARMAN]. I wanted to put on the record once again that the administration opposes the loan program and believes that it is unnecessary given the availability of existing authority for transactions of this type and the substantial American presence in international markets for military equipment.

I think it is very important that we remember that Congress already has the tools to make grants and loans for the purchase of military weapons when it is in our national interest to do so.

I rise as a member of the Subcommittee on Foreign Operations, Export Financing and Related Programs of the Committee on Appropriations which funds the FMF. It is called the Foreign Military Financing Program. We appropriated \$3.15 billion in grants in fiscal years 1995 and 1996. Under the FMF program Congress can assume additional credit risks when it is in our national interest to do so.

Mr. SPENCE. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. HARMAN].

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Mr. Chairman, I oppose the Berman amendment and support the language in the bipartisan committee bill.

Let me just make several points quickly. The gentleman from California [Mr. BERMAN] is fighting a different fight. This is not the Export Administration Act reauthorization, and the bill does not change the existing export rules. Anything exported pursuant to this loan guarantee proposal must comply with the existing protections under the Arms Export Control Act and all the rest of our export controls.

It does not cost money. It has no CBO score because the fund that is generated is paid into by the purchasers and by the exporting companies, and it is based on the creditworthiness of the purchaser. Its pluses were stated by the gentleman from South Carolina [Mr. SPENCE]; its minuses do not exist.

I urge support of the committee text and defeat of the Berman amendment.

Mr. DELLUMS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from California [Ms. PELOSI] to complete her statement.

Ms. PELOSI. Mr. Chairman, I thank the distinguished ranking member of the committee for yielding time to me.

As I was saying before my time expired, Mr. Chairman, under the FMF program Congress can assume additional credit risk when it is in our national interest to make the loan.

For fiscal year 1995, Congress appropriated \$47.9 million to underwrite 619 million dollars' worth of loans for Turkey and Greece. This new loan program skirts the congressional oversight inherent in the FMF program, and that is one additional reason why I support the Berman amendment.

For good reason, Congress has not permitted the Export-Import Bank to finance arms exports except for certain counternarcotics purposes or in specific situations for nonlethal military loans and services, if the primary end use is for nonmilitary activities.

I repeat, Mr. Chairman, the administration opposes the loan program and believes that it is unnecessary, given the availability of existing authority for transactions of this type and the substantial American presence in international markets for military equipment.

I thank the gentleman from California [Mr. BERMAN] for this very, very important amendment. We know that the administration supports his position. The President already has the authority to make loan guarantees. This new program simply moves more jurisdiction for making such guarantees away from the Committee on Foreign Affairs and recreates a program that has remained unused for the last 10 years because it has been proven to be too costly.

For these and other reasons, Mr. Chairman, I believe that the amendment of the gentleman from California [Mr. BERMAN] is the appropriate course of action for us to take. I believe that it will make the world a safer place, and I thank him very much for making the motion and the ranking member of the committee for yielding time to me. I urge an "aye" vote for the Berman amendment.

Mr. DELLUMS. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BERMAN].

Mr. BERMAN. Mr. Chairman, I just want to make a couple of points in response to my friend, the gentlewoman from California [Ms. HARMAN], who has led the effort for the program. Rarely do we disagree. But the notion that it has no cost, CBO says, because some of the countries eligible for guarantees under the program are high-credit risks, the subsidy costs could be significant.

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We are in the process of practically dismantling all of our public-private partnerships on defense conversion, on technology transfers, on providing commercial outlets for our defense industry. As we do that, do we really want to provide again the full faith and credit of the United States and its taxpayers behind the question of whether or not a China or a Turkey or some other country will repay its obligations?

We have a history; we have billions of dollars of outstanding loans that have not been repaid at this point. I would suggest this is not a wise move.

Mr. DELLUMS. Mr. Chairman, I yield myself the balance of the time.

In that time I would make simply three points. First, I rise in support of the amendment offered by the gentleman from California [Mr. BERMAN] because, first of all, I believe that this is a new subsidy program for arms sales. That is No. 1.

No. 2, it has been stated before, and I simply underscore for emphasis, that the U.S. weapons manufacturers already have an unprecedented dominance in the international arms market. Everyone knows that. It would seem to me that this program is not necessary, because they already have a dominant role to play.

Finally, and this is just what brought this gentleman to this Congress and what I think the post-cold war should be all about, and that is that we should not be making it easier to make weapons sales. We have an enormous opportunity here, Mr. Chairman, to slow down the proliferation of conventional weapons, and we should take that opportunity.

How many times on this floor have some of us seen our young people find themselves dodging bullets from weapons that we sold?

In the context of the post-cold-war world, where it seems to me our challenge is to bring greater stability and less danger to the world, because we are paranoid about where we sell all of these weapons, because we are downsizing the military, it seems to me that the inappropriate course is to set up a subsidy for arms sales that engage in proliferation of conventional weapons in the world when we should be going in just the reverse direction.

So for those three arguments, I would ask my colleagues to support Berman. It is a subsidy program. Our manufacturers do not need this additional advantage. They already have an unprecedented dominance in the world of arms sales.

And, finally, it seems to me as a matter of principle we ought to be about slowing down the proliferation of conventional arms weaponry in the world, not speeding it up.

Mr. SPENCE. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut [Mr. GEJDENSON].

Mr. GEJDENSON. Mr. Chairman, it is difficult for me to rise in opposition

to the gentleman from California [Mr. BERMAN] and his amendment, but I think he mischaracterizes what the legislation actually does.

It does not increase proliferation. What it does is make sure that when a country is deemed worthy and acceptable to have a sale made to it and there is competition between a product made by American workers and French or other foreign nationals, that the American workers and the company that employs them has a fair shot in the battle.

If every other country on the face of this Earth pulled their financial support for export sales, either commercial or defense, I would be with the gentleman from California [Mr. BERMAN].

But the reality is every time we come up against the French and many others, the subsidies they provide are far greater than any subsidy we provide here in this country. The decision we have to make on proliferation is a decision that gets made in the normal course. This amendment does not change it.

The President has to send the sale to Congress. Congress has to act on the sale. Only if those two conditions are met do we then, if necessary, have this additional support for a sale.

And there is a last reason why we need this provision. If we believe in downsizing because the threat is reduced, then we have to find some way to maintain the capabilities that a great power like the United States has at this moment. We can do it one of two ways, one of probably two or three ways: We can find commercial application. That is not always available, but sometimes that helps maintain the technology base. We obviously buy some for our own needs, and in some instances we actually have to provide funds simply to keep that readiness available.

One of the things that can bring the costs down to the taxpayers of this country is where countries are deemed worthy of the sale, that the United States can then sell some of those systems to other countries and thereby reduce the need for our subsidy to keep technologies and skills alive.

Mr. BERMAN. Mr. Chairman, will the gentleman yield?

Mr. GEJDENSON. I yield to the gentleman from California.

Mr. BERMAN. I thank the gentleman for yielding.

The gentleman talks about French programs and other countries' programs. The United States has well over half the world market. It should only be that in any other area we have this percentage of the world market.

Mr. GEJDENSON. Reclaiming my time, that is the mistake we made with the Japanese. We sat back and said, "We are dominant in all of these fields." We sat and watched them pick area and area apart until we have a massive trade deficit with them.

I am not for proliferation. I am not for increasing arms sales. This provi-

sion does not increase arms sales. It provides the financing that may be necessary to keep American products competitive.

Mr. SPENCE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. Mr. Chairman, I have been waiting for over 10 years to hear SAM GEJDENSON make some sense on this floor, and he just did.

You know, let me say right at the outset that the world is a better place because America is in it.

We need to remind ourselves of that because the rest of the world already believes that.

We also need to remind ourselves that America is the only remaining superpower, because the rest of the world already believes that too.

As much as some people seem to want for our country simply to be some kind of enlarged Switzerland or Sweden, this world is no Garden of Eden. Let us grow up. America sells arms abroad because America has vital interests. We have treaty obligations. We have other commitments for over 50 nations.

All this export loan guarantee program would do is permit U.S. industry to compete in a limited number of sales to allied countries which have already made a determination to buy. That is all this does. There is nothing in this section of the bill that bypasses or repeals the Arms Export Control Act.

Vote against this amendment.

Mr. SPENCE. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas [Mr. THORNBERRY].

Mr. THORNBERRY. Mr. Chairman, I rise in opposition to the Berman amendment.

The defense export loan guarantee program is good public policy for several reasons. No. 1, it does not require an appropriation of public funds.

Second, it does not affect our national nonproliferation policy at all.

What it does is provide American firms with a modest competitive tool to use against foreign defense exporting companies. Defense exports are a major source of employment and a key to sustaining our industrial base. Yet we are losing about 20,000 jobs every month in the defense industry now.

Participating in the defense global market is a key way to stabilize employment and protect our national technology and manufacturing resources.

I think more than anything, though, this program provides a way to keep our production lines warm and preserve our ability to protect ourselves in the future.

What we are talking about in much of this bill is the expense of letting a production line go cold and then having to come in with a large investment to get it going again. It will ultimately, I believe, save the taxpayers

dollars if we can draw on some of these foreign countries to keep our production lines warm and, therefore, the taxpayers will have lower unit costs, and it will save us money in the long run.

I think this defense loan guarantee program is a good economic policy. It is a good trade policy. It is a good military policy. And it is a good foreign policy.

The Berman amendment should be rejected.

Mr. SPENCE. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Connecticut [Mrs. KENNELLY].

(Mrs. KENNELLY asked and was given permission to revise and extend her remarks.)

Mrs. KENNELLY. Mr. Chairman, I rise in opposition to the Berman amendment. H.R. 1530 establishes the Defense Export Loan Guarantee program to improve export opportunities for U.S. defense companies without threat to this Nation's security, without financial risk to U.S. taxpayers, and without deviation from our Nation's export policy.

This program was specifically constructed to be self-financing in order to prevent any financial risk to American taxpayers. It simply creates more favorable rates of financing for export of U.S. defense items once they are approved for transfer.

Created with the support of DOD, this program would provide American firms with a competitive tool against foreign companies that already have access to loans, loan guarantees, and subsidies from their own governments.

The Defense Export Loan Guarantee Program will not lead to greater proliferation nor will it expand the list of approved transfers as my colleague suggests. Our defense companies can already bid on foreign contracts. Rather, this program promotes greater opportunity and leverage for our defense companies to compete in foreign markets.

I urge my colleagues to vote against the Berman amendment and support the defense Export Loan Guarantee Program established in H.R. 1530.

Mr. SPENCE. Mr. Chairman, I yield 1 minute to the gentlewoman from California [Ms. HARMAN].

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Mr. Chairman, you have heard from a bipartisan group in support of the committee language and against the Berman amendment.

There is not one arms proliferator among us. We are not for arms proliferation. We are only for an equal playing field for American firms to compete in the international marketplace.

I would point out that if exports increase for U.S. firms, the per-unit cost of their goods goes down and the cost, therefore, to the Defense Department goes down as well. So we are saving money for the U.S. taxpayer.

This bill has no score. The CBO scores it as zero because the fees paid

in are paid in either by the exporter or the purchaser, and they are calibrated based on the creditworthiness of the purchaser. The language of the bill makes that absolutely clear.

In conclusion, I would like to quote from the U.S. Department of Defense, which does support this bill. In testimony earlier this year, Josh Gotbaum, Assistant Secretary of Defense for Economic Security, said, "U.S. defense sales are legitimate exports and should enjoy the same access to official export assistance as other U.S. exports. DOD supports the establishment of a defense export loan guarantee program."

I urge opposition to the Berman amendment.

Mr. KIM. Mr. Chairman, I rise in opposition to the Berman amendment which would eliminate section 1224 of the pending bill.

Section 1224 would create a defense export loan guarantee program which, at no cost to the taxpayer, would provide American defense firms the ability to offer competitive financial packages for arms sales to certain specified countries that are friendly to the United States. Under this provision, the Secretary of Defense would be permitted to issue U.S. Government guarantees to a lender against losses of principal or interest, or both, arising out of the financing of the sale or long-term lease of defense articles, defense services, or design and construction services. These guarantees would be available only to certain exports to America's key allies, namely our NATO partners, major non-NATO allies like Japan and Australia, and countries that belong to the Association of Southeast Asian Nations [ASEAN] as of March 31, 1995. Those countries are limited to: Thailand, Indonesia, Singapore, Malaysia, Brunei, and the Philippines.

While American defense products are some of the best in the world, they nonetheless face credible competition from European and other international producers. For example, consider the high-performance jet fighter market. From the U.S. side, McDonnell Douglas produces the F-15 Eagle and the F/A-18 Hornet. Lockheed manufactures the F-16 Fighting Falcon. Billions of dollars in revenue and tens of thousands of American jobs have resulted from the export of these aircraft. But, almost every final sale has been realized only after a hard-fought battle against the French Mirage, the British Tornado ADV, the European Tornado IDS, the Russian Sukhoi and Migs, the Swedish Gripen, and the South African Cheetah—to cite just a sample of the competition.

However, an important part of any bid is the accompanying financial package. The new defense export loan guarantee provision in H.R. 1530 helps ensure that the American defense industry will remain able to offer competitive financing for its exports. This is particularly important in light of the unfair advantages European and other international competitors have because of the loan guarantees and direct financial subsidies they receive from their governments making their products economically more attractive.

This defense export loan guarantee will not result in any foreseeable costs to the American taxpayer. For each guarantee issued, the Secretary of Defense must charge a fee, known as an exposure fee. This fee shall be fixed in an amount sufficient to meet potential liabilities of the U.S. Government under the

loan guarantee. And, the countries to which exports could be covered by this loan guarantee program are not financial risks. They are wealthy nations that can afford to pay back their loans. They are countries like Japan, Singapore, and Germany.

So why is this program needed? These loan guarantees are important because they reduce the risk of the lender, therefore allowing the lender to offer better financial terms making American products more affordable. Lower interest rates or easier repayment schedules do help make the difference in whether or not the American product is chosen. While countries like Japan may be wealthy, they are like any other responsible consumer and are always looking for the best value. Without the defense export loan guarantee program, many American products may no longer be the best value.

I strongly oppose the Berman amendment because it would eliminate this proposed loan guarantee program. As a result, I believe American defense exports would diminish and American defense-industry jobs would be lost.

As we continue to downsize our own military and, therefore, procure fewer defense items, increasing defense industry exports are vital to sustaining tens of thousands of jobs in the United States—many of them in my State of California. Hence, it is in our best interests to help promote responsible arms sales to our allies who can afford them. That's exactly what this defense export loan guarantee program does. By eliminating this program, as the Berman amendment proposes to do, we are giving our European and other international competitors a significant advantage in arms sales at the expense of American workers.

I urge my colleagues to join me in opposing the flawed Berman amendment.

The CHAIRMAN pro tempore (Mr. MCINNIS). All time having expired, the question is on the amendment offered by the gentleman from California [Mr. BERMAN].

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

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

The CHAIRMAN pro tempore. Pursuant to the rule, the Chair will postpone a demand for a recorded vote on any of the next two amendments until after the debate has been concluded on amendment No. 37. The gentleman will have an opportunity, but it has been temporarily delayed.

AMENDMENT OFFERED BY MR. KOLBE

Mr. KOLBE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KOLBE: At the end of title X (page 377, after line 19), insert the following new section:

**SEC. 1033. USE OF INMATE LABOR AT MILITARY INSTALLATIONS.**

(a) USE OF INMATE LABOR AUTHORIZED.—(1) Chapter 155 of title 10, United States Code, is amended by adding at the end the following new section:

**"§2610. State and local correctional institutions: use of inmate labor**

"(a) USE OF INMATE LABOR.—The Secretary of a military department may enter into an

agreement with a State or local government under which nonviolent offenders incarcerated in a correctional facility under the jurisdiction of that government may be made available to the Secretary to perform the services described in subsection (c) at a military installation under the jurisdiction of the Secretary.

"(b) EXPENSES.—(1) Except as provide in paragraph (2), in order to enter into an agreement pursuant to subsection (a), a State or local government shall agree to provide inmates to the Secretary of the military department concerned without charge to the Federal Government. The Secretary shall not provide compensation to an inmate who performs services pursuant to the agreement.

"(2) The Secretary may agree to reimburse the State or local government for administrative and other costs incurred by the government as a direct result of providing and overseeing inmate labor at a military installation. The Secretary may pay a nominal fee to support alcohol and drug abuse treatment programs for the inmates who perform services under the agreement. The Secretary may also furnish equipment, supplies, and other materials to be used by the inmates in performing services under the agreement and provide meals to the inmates while they are present at the installation.

"(c) AUTHORIZED SERVICES.—Subject to subsection (d), inmates provided to a military installation pursuant to an agreement under subsection (a) may be used to perform the following services:

"(1) Construction, maintenance, or repair of roads at the installation.

"(2) Clearing, maintaining, or reforestation of public lands.

"(3) Construction of levees or other flood prevention structures.

"(4) Custodial services.

"(5) Construction, maintenance, or repair of any other public ways or works.

"(d) CONDITIONS ON ACCEPTANCE OF SERVICES.—The Secretary of the military department concerned shall ensure that the use of inmate labor at a military installation under this section does not—

"(1) displace Government employees or defense contractor employees at the installation;

"(2) impair a contract for the provision of services at the installation; or

"(3) involve the performance of services in skills, crafts, or trades in which there is a surplus of available gainful labor in the locality of the installation.

"(e) ACCEPTANCE OF SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept the services provided by inmates made available to a military installation pursuant to an agreement entered into under subsection (a).

"(f) APPLICATION OF OTHER LAWS.—The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), section 1 of the Act of March 3, 1931 (Chapter 411; 40 U.S.C. 276a; commonly known as the Davis-Bacon Act), section 1 of the Act of June 30, 1936 (Chapter 881; 41 U.S.C. 35; commonly known as the Walsh-Healey Act), and section 2 of the Service Contract Act of 1965 (41 U.S.C. 351) shall not apply with respect to the use of inmate labor at a military installation pursuant to an agreement entered into under subsection (a)."

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2610. State and local correctional institutions: use of inmate labor."

(b) EFFECTIVE DATE.—Section 2610 of title 10, United States Code, as added by subsection (a), shall take effect on October 1, 1995.

The CHAIRMAN pro tempore. Pursuant to the rule, the gentleman from Arizona [Mr. KOLBE] and a Member opposed will each be recognized for a period of 5 minutes.

The Chair recognizes the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I have spoken extensively with the commanding officers of the several major military installations in my congressional district, I know that operations and maintenance dollars are tight and that many necessary repairs and facility improvements are difficult to make. I applaud the authorizing committee for recognizing this and providing a substantial increase in O&M funding.

But more can be done. My amendment would allow DOD to utilize the State/local prison labor pool to do routine maintenance. Currently, there is no Federal statute permitting use of civilian inmate labor from State/local correctional facilities by agencies of the Federal Government. DOD civilian inmate labor utilization is limited to the Federal Bureau of Prisons under title 18 U.S.C. section 4125.

My amendment protects law-abiding citizens from the threat of job loss resulting from prison labor. My amendment would deny the use of inmate labor if it displaces Government employees or defense contractor employees at the installation, impairs a contract for services at the installation, or involves services in skills, crafts, or trades in which there is a surplus of labor available locally.

The use of prison labor provides opportunities to preserve facilities and prevent deterioration where current funding is inadequate or wholly unavailable. These photographs demonstrate the effects of inadequate O&M dollars at Ft. Huachuca, one of the installations in my district. This lack of maintenance has a detrimental effect on the entire installation and the people that must live and work in these conditions.

This program has a second primary benefit—it serves as a tool for correctional facilities to rehabilitate and train its prisoners at no cost—and in fact, at great savings—to the taxpayer.

I urge my colleagues to support my amendment.

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Mr. Chairman, I reserve the balance of my time.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Arizona [Mr. KOLBE].

Mr. Chairman, I am compelled to rise against the Kolbe amendment authorizing the use of civilian inmate prison or convict labor at our military installations. This amendment has arrived on the floor of this body without the benefit of deliberation in the committee process or the blessing of the Department of Defense. There must be

some specific reason for the absence of an official request from the Department on this program.

Last year this same provision was considered in conference, and it was rejected. The primary reason for that rejection was the potential conflict with the ongoing contracts with Government workers. Nothing has happened since then to change that concern. This amendment would leave the implementation arrangements up to the State and local governments to determine the final details of the arrangement in some form of a memorandum of understanding with the installation. That includes who will participate, the nature of the task to be performed, and the conditions under which the tasks would be performed.

Additionally, Mr. Chairman, the amendment purports not to involve services in skills for which there is a local surplus of available labor. It is inconceivable that unskilled or low skilled workers would not be found in the immediate area to perform these tasks. That, Mr. Chairman, is the reason the Department of Labor has continued to express concern over this program.

It seems to me that while the objectives of this program might be laudable, there remains too much ambiguity with its implementation. We do not know enough about the program at this time to make an informed decision, and for that reason I ask that we allow the Department to assess the utility of this program prior to giving its approval.

Let me just add this notion that prison labor is somehow a good break for the taxpayers is hogwash. In my State of Rhode Island, in the northwestern woolen mills up in Woonsocket, it is the prison labor authority that is stealing the jobs out of my workers in Woonsocket. Now this can be said for, I am sure, the military installation in my district in Newport, as well as it can be said for the woolen mills that manufacture those emergency blankets by which our service men and women keep themselves warm or by which our American Red Cross use in the humanitarian relief efforts. These are now being underbid, and they are not underbid because they are subsidized. Remember we pay the prison authority to incarcerate these people, so when they are doing the work and undercutting our labor market, it is not a good break for the taxpayers. In fact, if the taxpayers were to find out that what we were really doing was subsidizing convicted criminals, people who have transgressed the law, and subsidizing them to take good jobs away from American workers, why there is nothing more that could be said about the Chinese and their slave labor problems over there. We will be no better than them if we go down the direction that this amendment is asking us to go down.

Mr. Chairman, I have seen it before in my State. I do not want to see it re-

peat itself anywhere else in my district because it does not make sense for the hard-working families of my district, and I might add the State of Rhode Island can make these contracts with the local installations, and you know what? They will underbid because they will be using this prison labor, and I do not think that is fair to the working class people who depend on an income and the civilian work that goes on in these bases, and for that reason I ask my colleagues to defeat the Kolbe amendment.

Mr. KOLBE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas [Mr. PETE GEREN].

(Mr. PETE GEREN of Texas asked and was given permission to revise and extend his remarks.)

Mr. PETE GEREN of Texas. Mr. Chairman, I want to take issue with my colleague, the gentleman from Rhode Island [Mr. KENNEDY], on his claim that this is an issue that has not been adequately studied, adequately reviewed. In fact, all we are talking about doing is taking the program that has worked very well with Federal prison inmates and expanding it to the State prison system. It has worked well. I have seen it at military bases around this country. They are able to stretch O&M dollars, make the most out of very limited budgets, and we, we are shrinking our defense budget, we are asking our military to do more with less. This will help us do that.

And it is a two-fer, Mr. Chairman. My constituents do not want to see prisoners sitting in air-conditioned rooms watching television all day. This puts them to work. That is good for the system, that is good for the prisoners. It helps them rehabilitate them.

So, we have a double win here. We got a win for the military. They get some of these tasks done that could not be done through the labor pool, and it forces prisoners to go to work and earn their keep.

I urge support of the Kolbe amendment.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I yield 30 seconds to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I reluctantly rise against the gentleman's amendment. One of us has served on military bases, and we have men, women, and children on those bases, and the last thing that I would like is for guards looking over. As my colleagues know, if there is an attempt to escape, there is going to be a shooting, and, when we have people at our commissaries, in our exchanges, plus a lot of these bases are very highly restricted in the areas as far as security, and I would hate to see that, and I reluctantly rise on the amendment and ask my colleagues to defeat it.

Mr. KOLBE. Mr. Chairman, I yield myself 1 minute.

First of all, Mr. Chairman, let me respond to a couple things that were said by the gentleman, and I hope the gentleman from California will stay

around here for a moment because the gentleman from Rhode Island said, that first of all he said it is inconceivable we cannot find local labor. That is not the issue. They are out of O&M money. It is not that labor is not available. There is not a dime, not a dollar, to do this kind of work. Apparently it is less important that we be able to fix the hot water heaters, fix the roofs, than it is to try and find money when we do not even have the money.

The second thing that the gentleman said, and I would like to; he talked about the problem of taking jobs away from his people in Woonsocket. If the State of Rhode Island does not want to do this, do not do it. Do not enter into a contract with the military installation, but in 7 years, and this is directed to the gentleman from California, 7 years of military installations doing this with the Federal Bureau of Prisons there has not been one complaint about losing a job and not one complaint about problems.

My particulate installation, nearby we have a very large DUI, a drug—not drug, but alcohol, for those who went in there. Those are in there for alcohol offenses, and I would say that they have not had—they can use those people. These are not violent offenders. We are not talking about taking criminals. In fact the legislation, they do not now take anybody that is a principal organized crime figure who is anybody of significant public interest who has committed a sex offense, who is an escape risk, who poses a threat to the general public, who is convicted of arson, who is convicted of any violent crime. We are talking about nonviolent criminals to do work that keeps the quality of life for the service men and women that we have living on these facilities, to fix the roof, fix the hot water heaters, do the general work on the streets. They are there and out. They have Federal prisoners doing this work at installations all over the country.

Now why should they not be allowed to contract for State facilities at places where they do not have the Federal prisons nearby? That is all we are asking to do, is to try and do that.

Mr. Chairman, I reserve the balance of my time.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I just want to echo the eloquent comments of my colleague, the gentleman from California [Mr. CUNNINGHAM], who pointed out a very important concern, and that is the security of our military base, allowing convicted prison labor on those bases where there may be some very sensitive things going on on those bases, and we are allowing those prisoners to be on the base.

Second, in terms of the money we plussed up by a figure of nearly \$10 billion the operation and maintenance account in this year's authorization on

the committee that I serve on so there will be money.

Last, again we do not want prison labor taking away jobs from our local people in our districts, and for that reason I ask the defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona [Mr. KOLBE].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Again, pursuant to the rule, further proceedings on the amendment offered by the gentleman from Arizona [Mr. KOLBE] will be postponed.

It is now in order to consider amendment No. 37 printed in part 2 of the report.

AMENDMENT OFFERED BY MS. MOLINARI

Ms. MOLINARI. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. MOLINARI: At the end of subtitle B of title XXVIII (page 470, after line 21), insert the following new section:

**SEC. 2814. REMOVAL OF BASE CLOSURE PROPERTIES FROM APPLICATION OF SECTION 501 OF THE STEWART B. MCKINNEY HOMELESS ASSISTANCE ACT.**

(a) CLOSURES UNDER 1988 ACT.—(1) Section 204(b) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526; 10 U.S.C. 2687 note) is amended by striking out paragraph (6) and inserting in lieu thereof the following new paragraph:

“(6) Section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411) shall not apply with respect to the transfer or disposal of real property located at military installations closed or realigned under this title.”.

(b) CLOSURES UNDER 1990 ACT.—(1) Section 2905(b) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended by striking out paragraphs (6) and (7) and inserting in lieu thereof the following new paragraph:

“(7) Section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411) shall not apply with respect to the transfer or disposal of real property located at military installations closed or realigned under this part.”.

The CHAIRMAN. Under the rule, the gentlewoman from New York [Ms. MOLINARI] will be recognized for 5 minutes, and the gentleman from California [Mr. DELLUMS] will be recognized for 5 minutes.

The Chair recognizes the gentlewoman from New York [Ms. MOLINARI].

Ms. MOLINARI. Mr. Chairman, I would like to begin by thanking the gentleman from New York [Mr. SOLOMON] for making my amendment in order and thanking the committee chair for allowing me to offer it this evening.

My colleagues, this amendment seeks to speed up the base reuse process by

eliminating the Federal requirement that homeless providers must be accommodated with regard to closing military bases. Ever since the 1988 round of base closures, there has been a general consensus that the reuse process has taken too long. One of the reasons for this, particularly, for bases closed in 1991 and 1993, is the need to comply with the McKinney Homeless Act.

Last year, Congress passed an act which technically exempts closing bases from compliance with the McKinney Act. However, communities with bases being closed would still have to accommodate requests of homeless groups of property on bases. Ultimately, the reuse planning process can still be delayed for many, many months, perhaps many years, by the steps still required to accommodate homeless requests.

Listen: I strongly believe that when a base is closed, local communities have a tough enough challenge in planning economic redevelopment without having to respond to Federal mandates about accommodating the homeless. Therefore, this amendment would exempt closing military bases from the McKinney Act, fully and completely, once and for all. This would remove all of the uncertainty about homeless concerns and allow local communities to get on with their own reuse planning. According to alleged counsel this amendment would not affect bases where the property has already been transferred.

Let me also add that there is nothing in this amendment would prevent homeless providers from requesting facilities on closing military bases. But under my amendment, there would be no Federal requirement that such requests be accommodated. Where the needs of the homeless represent a legitimate local concern, local base redevelopment authorities would be able to respond to such needs in whatever manner they see fit.

Mr. Chairman, the Molinari-Bilbray amendment would simply stop the Federal Government from telling local authorities that they must respond at a certain point in the criteria to the concerns of homeless groups.

Mr. Chairman, I reserve the balance of my time.

Mr. DELLUMS. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Illinois [Mrs. COLLINS].

(Mrs. COLLINS of Illinois asked and was given permission to revise and extend her remarks.)

Mrs. COLLINS of Illinois. Mr. Chairman, I rise to oppose the amendment because it would remove assistance to the homeless as a proper public purpose for which base-closure lands may be provided.

Let me say right now that homeless assistance providers do not, repeat do not, have a priority to obtain base closure lands. Last year Congress, by voice votes in both Houses, approved

the Base Closure Redevelopment and Homeless Assistance Act of 1994.

The act established a new collaborative process among government, community, the local redevelopment authority, and local homeless representatives in the redevelopment planning. It made these parties partners in the process leading to a redevelopment plan.

The new process they worked out is both fair and flexible. It remains in line with the basic goal in title V of the Stewart B. McKinney Homeless Assistance Act; namely, to make assistance to the homeless one of the several public purposes for which surplus land is available for no-cost transfer.

To approve the pending amendment would be to disavow the principle of title V of the McKinney Act. The thought is particularly painful to me. Title V and the related land disposal provisions of the base closure statutes were matters within the jurisdiction of the Committee on Government Operations when I served as a subcommittee chair and later as vice chair of the full committee.

Today, dozens of communities are already benefiting or will soon benefit from the new procedures, bringing housing, food, job training, and job search assistance to thousands of homeless men, women, and children.

Only recently in my own district, the city of Chicago and the Chicago Coalition for the Homeless, working with some surplus land at the Navy Pier, showed us a splendid example of how the Federal Government, the community, and the homeless advocates can successfully work together.

In fact, the November 20, 1994, Chicago Tribune article that I'm including with my remarks reported that the "Navy Pier" agreement \* \* \* could serve as a model for resolving similar disputes elsewhere. \* \* \*".

Like a speeding train braked to a sudden stop, this amendment would throw past, present, and prospective activities into chaos and consternation. Base-closure land disposal arrangements made under present and prior law would stagnate in uncertainty and lead to a whole array of litigation.

To make a sudden and profound change like this without full hearings by the appropriate jurisdictional committees would be reckless and reprehensible procedure.

I urge my colleagues to reject this ill-considered and dangerous amendment.

[From the Chicago Tribune, November 20, 1994]

#### NAVY PIER LAND SWAP WORTH COPYING

There have been so many ugly confrontations between city authorities and the homeless that it is cause for celebration when the two sides strike a mutually beneficial deal.

Indeed, the proposed "Navy Pier" agreement between the Daley administration and the Chicago Coalition for the Homeless could serve as a model for resolving similar disputes elsewhere, beginning with Lake County.

But first the particulars of the Chicago deal:

The seeds were planted four years ago when a small parcel of land west of Navy Pier—land once used by the U.S. Coast Guard—popped up on a list of surplus federal land eligible for purchase by homeless groups. The Chicago Coalition fired off an application to the U.S. Department of Housing and Urban Development, which approved the sale, putting the city over the proverbial barrel.

The city needs the land as part of a planned Gateway Park across from the entrance to the redeveloping pier. Planners also argued, justifiably, that the doorstep of a major tourist attraction, especially one isolated east of Lake Shore Drive, is no place for the homeless.

But the Coalition persisted, forcing City Hall to offer a swap in which the city gets the pier land in return for helping the homeless coalition start a highly innovative employment project. The city proposes to give the coalition \$50,000 and enough vacant land on the Near West Side to accommodate several greenhouses for the production of flowers, herbs and vegetables.

Homeless job trainees from West Side shelters will tend the crop. Their produce would be sold to wholesalers at the nearby South Water Market, at city-sponsored farmers' markets, and at a permanent stall on Navy Pier. Coalition trainees also will get first crack at temporary labor on Navy Pier and at McCormick Place, where they will help set up and tear down trade shows.

Why is Lake County ripe for such an arrangement?

Because homeless groups there have staked similar claims on portions of old Fort Sheridan, greatly complicating the plans of three Lake County suburbs to convert the surplus army base into a mixed-use residential community.

The suburbs' plan ought to include some housing for low-income families. But as a site for homeless shelters, Fort Sheridan, which is a long drive from Lake County employment centers, isn't much better than Navy Pier.

The suburban Fort Sheridan Joint Planning Commission needs to sit down with the three homeless groups that have made bids and work out something similar to the Navy Pier settlement. Recently passed amendments to the McKinney Act, the law that gives the homeless a claim on surplus federal land, should abet the process.

So will the spirit of compromise, rather than confrontation, that greased the innovative Chicago deal.

□ 1815

Ms. MOLINARI. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. BILBRAY].

Mr. BILBRAY. Mr. Chairman, we are talking about removing a process that may be well intentioned, but let me tell you as somebody who had to work at the local level at trying to make the process work and seeing the difficulties that happened in the last year, it was a good intention that is just not penciled out.

I think we need to remind all of us here that these facilities, these bases, were not just purchased by a willing seller. The great majority of the military installations in this country were taken under war powers acts and under emergency powers. So the concept of how they were taken and where they belong in the long run is something we

can talk about at length. But let me tell you, as somebody who has tried to work with the homeless issue, that this act has not worked to the level that it could work if we were tapping into the greatest resource we have of providing homeless resources in our country, and that is the local government and local cooperation. This process, Mr. Chairman, is counterproductive to its stated intent.

I would like to point out that I will be introducing as one item, possibly in Corrections Day, as something that can really help the homeless programs. I have St. Vincent de Paul Housing Center in San Diego County paying over \$30,000 a year in interest payments that are really inappropriate. I would hope my colleague would work with me on this. This act does not do what we want to do with the homeless programs.

I would like to point out also the way this thing is being interpreted right now, the California Coastal Commission is being preempted by HUD Federal mandate. I do not think anybody means to preempt the California Coastal Act with this act. These are the kind of details we could avoid if we would go into a cooperative mode with the local authorities, and give them the right to implement these programs appropriately.

I would say to my chairman, HUD is not the best agency to make the determination of how best to provide homeless services in San Diego County or in New York or in Florida or in Washington. I think that local communities have proven over the last half a decade that when they are allowed to do the right thing, they not only do the right thing, but they do the best thing.

Mr. DELLUMS. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California [Ms. PELOSI].

(Ms. PELOSI asked and was given permission to revise and extend her remarks.)

Ms. PELOSI. Mr. Chairman, with great reluctance I oppose the amendment offered by the gentlewoman from New York [Ms. MOLINARI]. I urge my colleagues to vote "no."

Mr. Chairman, I rise in opposition to the amendment. This amendment would throw into turmoil collaborative planning processes for base reuse throughout the country.

Last year the Congress modified existing the application of the McKinney Act to base closures to ensure balance in the planning process. Last year's amendment gave local reuse authorities substantially more authority over base property than before, and ensured that homeless providers were partners, rather than organizations receiving priority over local reuse authorities.

This amendment would undermine the collaborative process in San Francisco, where homeless providers have worked with the citizens' reuse committee on all planning issues with respect to Treasure Island.

This amendment would eliminate the ability of San Francisco to effectively incorporate

homeless services into its reuse plan by terminating the no-cost McKinney conveyance powers. Now, for San Francisco to consider inclusion of homeless services in its reuse plan, it would be forced to pay market value for any buildings contemplated for homeless reuse.

I know that if the author of this amendment truly respected the needs and desires of local communities with respect to reuse, therefore they should either extend the application of the amended McKinney provisions to all bases not yet closed; or, they could give local reuse authorities approval power over all McKinney applications.

Mr. Chairman, this amendment, in its current form, goes too far, and I urge all Members to vote against the amendment.

Mr. DELLUMS. Mr. Chairman, I yield 1 minute to the distinguished gentleman from California [Mr. FARR].

Mr. FARR. Mr. Chairman, I thank the gentleman, the ranking member, for yielding and stand in strong opposition to this amendment.

Mr. Chairman, it is not broken. It does not need fixing. You have excess Federal housing which is allowed under present law to be given to community nonprofits with independent funding and without requiring the Federal Government to make appropriations.

We have in the largest base closing in the United States 26 community foundations, organizations, that are providing for the homeless at Fort Ord. This is a very successful program. If you take this away, you are going to require those agencies to go to the Federal Government to have housing for the homeless. Homelessness is a problem which our society has to deal with.

Why take away the very one element of Federal law when you have excess land that allows them to get in and have that excess land where there is local approval? It is working at Fort Ord, Philadelphia, New York, Maine, Washington, and throughout a number of States in the United States.

Ms. MOLINARI. Mr. Chairman, I yield the balance of my time, 1 minute, to the gentleman from Guam [Mr. UNDERWOOD].

(Mr. UNDERWOOD asked and was given permission to revise and extend his remarks.)

Mr. UNDERWOOD. Mr. Chairman, I rise in strong support of the Molinari-Bilbray amendment. As a Member that usually is supportive and sympathetic to the efforts to address the homeless problem, I nonetheless do not support applying the McKinney Act to bases which are closing, and our experience in Guam demonstrates why an across-the-board application makes absolutely no sense.

In Guam's case, after the naval air station was closed under BRAC, an Oklahoma-based nonprofit organization wanted to come some 10,000 miles to Guam, acquire our bases, and import their homeless to our island. This decision not only makes no sense, it helped curtail the authority and complicated the plans of the local reuse committee.

This amendment helps restore the authority to localities who are in the

best position to determine how to grow economically. When a base closes, a reuse committee needs to decide what is the best way to revitalize the local community. Facing an increase of unemployment is the last thing a community needs. There is a wave of homelessness. Local communities need these facilities to revitalize their job base and economies. Please support this amendment.

Mr. DELLUMS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Ohio [Mr. HALL].

Mr. HALL of Ohio. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today to oppose this amendment. In my opinion, this amendment would be a setback for several existing projects and future plans to address one of America's biggest failures, of course, which I think is homelessness.

The amendment's proponents mistakenly take the position that the current law gives homeless advocates top priority in obtaining base closure property, and this is not true. The act that we passed last year completely addresses the pecking order problem feared by the authors. BRAC-CA passed a reasonable compromise this past fall, gives local communities control in prioritizing use for base closure property. It requires that the local redevelopment authority for each installation only consider homeless uses in developing base closure plans.

Mr. Chairman, homelessness is a national disgrace, and it is possibly the single most embarrassing condition in America today. We should not make it harder to solve homelessness. Even the Pentagon opposes this amendment because they are proud of the role they have recently played in solving the national disgrace of homelessness.

In fact, over 7,000 homeless people have been assisted since the new law was passed last year in Monterey and Philadelphia and Plattsburg and Seattle, just a few of the communities that have stepped up to the problem of homelessness and have worked as partners with the Pentagon. So, Mr. Chairman, I would hope that the Members would be against this amendment. It threatens to disrupt this and other plans that have worked very well, I think, for the homeless.

Mr. DELLUMS. Mr. Chairman, I yield such time as he may consume to the gentleman from Washington [Mr. MCDERMOTT].

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, I rise in opposition to this amendment.

Mr. Speaker, I want to thank Chairman DELLUMS for this opportunity to speak against this amendment which I strongly oppose.

Current law, which this amendment proposes to change, allows the Federal Government to transfer portions of former military bases to local communities, at no cost, who wish to provide housing and job training for the homeless.

Many local communities across the country, including my hometown of Seattle, WA, have successfully integrated homeless assistance plans into base reuse proposals in ways that will benefit the entire community.

The Sand Point Community Liaison Committee has worked extensively with the city of Seattle, the Seattle-King County Coalition for the homeless and many other groups to successfully address the problem of homelessness.

It seems odd that the Republican authors of this amendment would want to take away base closure property from local communities who have demonstrated willingness to use the property to assist the homeless.

Republicans are always declaring that they want to increase local flexibility but the Molinari-Bilbray amendment will only decrease the flexibility of local communities wishing to solve local problems.

If this amendment passes, an important option will be eliminated and local communities will be left with the problem of homelessness and in turn will need to rely on Federal and State appropriated money to address the problem.

By prohibiting local communities from finding innovative techniques, such as using closed military facilities, to address the serious problem of homelessness, this amendment will further increase the costs to local governments. Another unfunded mandate from the Republicans.

But the Republicans will continue to say, "no, this is not an unfunded mandate. We are not mandating that you assist the homeless in any way in your local community." Of course you're not, but these communities are the ones that are dealing with the homeless in their backyards and in their alleys and streets.

Let's not inhibit local communities from doing their job. We should not cut the options for communities who want to deal with their homeless population to do so in a safe, agreeable, and fiscally responsible fashion.

I urge my colleagues to vote against this irresponsible amendment.

Mr. DELLUMS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, with some difficulty I have tried to focus on the debate, and I would like to address my remarks to the two principals of this amendment. There are at least three assertions that were made here that I would like to challenge.

With respect to your assertion, Mr. BILBRAY, I would assert to you, and this is acquiesced in by the Department of Defense interpretation of your amendment, that you do indeed eliminate the ability of local communities and nonprofit groups to use a base closure property to assist the homeless. So it is quite the reverse. You take away the local decisionmaking capability.

No. 2, Mr. Chairman, I do not know if anybody read the fact that last year the Congress modified the McKinney Act, or if they read it, they certainly misinterpreted it. Last year the Congress modified the McKinney Act to give communities greater say as to how assistance would be given to the homeless and to what extent.

Mr. Chairman, communities have found that the new process can be both

balanced and workable. This gentleman knows because we are dealing with it on the ground. This is not theoretical. Current legislation requires that the local reuse authority for each installation only consider, only consider, homeless assistance as one of its uses. It is not mandatory for the installation to be used in that manner.

Mr. Chairman, I would assert that as I listened carefully to my two colleagues, they either do not know that the McKinney Act was modified, or certainly grossly misinterpreted it. It has now been radically changed. So if you are going to debate the issue, let us debate the issue in the present time frame, not in yesterday's time frame, not in yesterday's provisions.

Third, the revised McKinney Act and the Base Closure Committee Redevelopment and Homeless Assistance Act of 1994 allows nonprofits with independent funding to use portions of former military bases to provide housing and job training to the homeless.

The next point: The elimination of the legislation would eliminate local control, just what the gentleman from California said he did not want to eliminate. Passage of the amendment would prohibit transfer of property even when the local communities decide to provide services to the homeless.

What could be more bizarre than that? The local communities and nonprofits are now seeking to use the legislation. This amendment puts programs in serious jeopardy. Its retroactive effects will destroy effective arrangements that are already in place. In some cities planning will come to a halt, awaiting a final decision on this amendment.

I would like to, to the gentlewoman from New York, make this assertion on her comment: The amendment will eliminate DOD's authority to implement locally devised programs by stripping DOD of the authority to transfer surplus military property. That is not just this gentleman's point of view.

You said that the legislative counsel suggested that was not the case. The Department of Defense's analysis of its prerogatives within the framework of this amendment arrived at the position that they believe that they are stripped of their capacity to transfer surplus military property. I know the gentlewoman and I do not think that is an intended consequence, but that is indeed an effect of the amendment.

This amendment neither serves local communities nor speeds up the base disposal process. I know that the gentlewoman is positively motivated. I think the gentlewoman believes that her amendment, given base closure problems in New York, would expedite the process. But I would think that the gentlewoman would live to rue the day that this amendment becomes reality, because I do not believe that it is going to speed up the process. I believe that

it is going to be just the reverse. It is going to slow it down.

Last year we revise the McKinney act to deal with these kinds of problems. Communities are now warming up to this. They know that it is workable. Things are moving forward. I think that while perhaps well intended, I believe that at the end of the day, this is a mischievous, nonproductive amendment. I would hope that either my colleagues withdrew it based on reconsideration, or if it is laid out there, I hope that my colleagues will resoundingly defeat it. This is not time to make this mistake.

The CHAIRMAN pro tempore (Mr. MCINNIS). All time having expired, the question is on the amendment offered by the gentlewoman from New York [Ms. MOLINARI].

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

RECORDED VOTE

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

A recorded vote was ordered.

The CHAIRMAN pro tempore. Pursuant to the rule, further proceedings on this amendment offered by the gentlewoman from New York [Ms. MOLINARI] will be postponed.

ANNOUNCEMENT BY THE CHAIRMAN P.T.

The CHAIRMAN pro tempore. Pursuant to the rule, proceedings will now resume on those amendments on which further proceedings were postponed. They will be considered in the following order:

Amendment No. 30 offered by the gentleman from California [Mr. POMBO]; Amendment No. 3 offered by the gentleman from California [Mr. BERMAN]; Amendment No. 33 offered by the gentleman from Arizona [Mr. KOLBE]; and Amendment No. 37 offered by the gentlewoman from New York [Ms. MOLINARI].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series of votes.

AMENDMENT OFFERED BY MR. POMBO

The CHAIRMAN pro tempore. The pending business is the vote on the amendment offered by the gentleman from California [Mr. POMBO] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 15-minute vote, to be followed by a series of 5-minute votes.

The vote was taken by electronic device, and there were—ayes 302, noes 125, not voting 7, as follows:

[Roll No. 376]

AYES—302

Allard	Franks (NJ)	Molinari
Andrews	Frelinghuysen	Mollohan
Archer	Frisa	Montgomery
Armey	Funderburk	Moorhead
Bachus	Gallegly	Moran
Baesler	Ganske	Morella
Baker (CA)	Gekas	Murtha
Baker (LA)	Geren	Myers
Ballenger	Gilchrest	Myrick
Barcia	Gillmor	Nethercutt
Barr	Gilman	Neumann
Barrett (NE)	Goodlatte	Ney
Bartlett	Goodling	Norwood
Barton	Gordon	Nussle
Bass	Goss	Ortiz
Bateman	Graham	Orton
Bereuter	Green	Oxley
Bevill	Greenwood	Packard
Bilbray	Gunderson	Pallone
Billirakis	Gutknecht	Parker
Bishop	Hall (TX)	Paxon
Bliley	Hamilton	Payne (VA)
Blute	Hancock	Peterson (FL)
Boehlert	Hansen	Peterson (MN)
Boehner	Harman	Petri
Bonilla	Hastert	Pickett
Bono	Hastings (WA)	Pombo
Borski	Hayes	Pomeroy
Boucher	Hayworth	Porter
Brewster	Hefley	Portman
Browder	Hefner	Pryce
Brown (FL)	Heineman	Quillen
Brownback	Herger	Quinn
Bryant (TN)	Hilleary	Radanovich
Bunn	Hobson	Ramstad
Bunning	Hoekstra	Regula
Burr	Hoke	Richardson
Burton	Holden	Riggs
Buyer	Horn	Roberts
Callahan	Hostettler	Rogers
Calvert	Houghton	Rohrabacher
Camp	Hunter	Ros-Lehtinen
Canady	Hutchinson	Roth
Cardin	Hyde	Roukema
Castle	Inglis	Royce
Chabot	Istook	Salmon
Chambliss	Jacobs	Sanford
Chapman	Jefferson	Saxton
Chenoweth	Johnson (CT)	Scarborough
Christensen	Johnson, Sam	Schaefer
Chrysler	Jones	Schiff
Clement	Kanjorski	Schumer
Clinger	Kaptur	Sensenbrenner
Coble	Kasich	Sensenbrenner
Coburn	Kelly	Shadegg
Collins (GA)	Kim	Shaw
Combest	King	Shays
Condit	Kingston	Shuster
Cooley	Klink	Sisisky
Cox	Klug	Skeen
Cramer	Knollenberg	Skelton
Crane	Kolbe	Smith (MI)
Crapo	LaHood	Smith (NJ)
Creameans	Largent	Smith (TX)
Cubin	Latham	Smith (WA)
Cunningham	LaTourette	Solomon
Danner	Laughlin	Souder
Davis	Lazio	Spence
de la Garza	Leach	Spratt
Deal	Lewis (CA)	Stearns
DeLay	Lewis (KY)	Stenholm
Deutsch	Lightfoot	Stockman
Diaz-Balart	Lincoln	Stump
Dickey	Linder	Stupak
Doggett	Lipinski	Talent
Dooley	Livingston	Tanner
Doolittle	LoBiondo	Tate
Dornan	Longley	Tauzin
Doyle	Lucas	Taylor (MS)
Dreier	Manton	Taylor (NC)
Duncan	Manzullo	Tejeda
Dunn	Martini	Thomas
Edwards	Mascara	Thornberry
Ehrlich	McCollum	Thurman
Emerson	McCrery	Tiahrt
English	McDade	Torkildsen
Ensign	McHale	Torricelli
Everett	McHugh	Traficant
Ewing	McInnis	Upton
Fawell	McIntosh	Visclosky
Flanagan	McKeon	Volkmer
Foley	McNulty	Vucanovich
Forbes	Metcalf	Waldholtz
Fowler	Meyers	Walker
Fox	Mica	Walsh
Franks (CT)	Miller (FL)	Wamp

Watts (OK) Whitfield Young (AK)  
Weldon (FL) Wicker Young (FL)  
Weldon (PA) Wise Zeliff  
Weller Wolf Zimmer  
White Wynn

NOES—125

Abercrombie Furse Neal  
Ackerman Gejdenson Oberstar  
Baldacci Gephardt Obey  
Barrett (WI) Gibbons Olver  
Becerra Gonzalez Owens  
Beilenson Gutierrez Pastor  
Bentsen Hall (OH) Payne (NJ)  
Berman Hastings (FL) Pelosi  
Bonior Hilliard Poshard  
Brown (CA) Hinchey Rahall  
Brown (OH) Hoyer Reed  
Bryant (TX) Jackson-Lee Reynolds  
Clay Johnson (SD) Rivers  
Clayton Johnson, E. B. Roemer  
Clyburn Johnston Rose  
Coleman Kennedy (MA) Roybal-Allard  
Collins (IL) Kennedy (RI) Rush  
Collins (MI) Kennelly Sabo  
Conyers Kildee Sanders  
Costello Lantos Sawyer  
Coyne Levin Schroeder  
DeFazio Lewis (GA) Scott  
DeLauro Lofgren Serrano  
Dellums Lowey Skaggs  
Dicks Luther Slaughter  
Dingell Maloney Stark  
Dixon Markey Stokes  
Durbin Martinez Studts  
Ehlers Matsui Thompson  
Engel McCarthy Torres  
Eshoo McDermott Towns  
Evans McKinney Tucker  
Farr Meehan Velazquez  
Fattah Meek Vento  
Fazio Menendez Ward  
Fields (LA) Mfume Waters  
Filner Miller (CA) Watt (NC)  
Flake Mineta Waxman  
Foglietta Minge Williams  
Ford Mink Williams  
Frank (MA) Moakley Woolsey  
Frost Nadler Wyden

NOT VOTING—7

Fields (TX) Rangel Yates  
Klecza Thornton  
LaFalce Wilson

□ 1848

Mr. BROWN of California and Mr. FOGLIETTA changed their vote from "aye" to "no."

Messrs. RICHARDSON, SMITH of Texas, KLINK, and MARTINI changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BERMAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California [Mr. BERMAN], on which further proceedings were postponed, and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. The pending business is the demand of the gentleman from California [Mr. BERMAN], for a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 152, noes 276, not voting 6, as follows:

[Roll No. 377]  
AYES—152  
Abercrombie Hastings (FL)  
Andrews Hinchey  
Baesler Hoekstra  
Baldacci Holden  
Barrett (WI) Horn  
Becerra Jackson-Lee  
Beilenson Jacobs  
Bentsen Jefferson  
Berman Johnson (SD)  
Bishop Johnston  
Blute Kanjorski  
Bonior Kaptur  
Boucher Kasich  
Brown (FL) Kennedy (MA)  
Brown (OH) Kildee  
Brownback Klug  
Bryant (TX) Lantos  
Bunn Latham  
Chenoweth Leach  
Clay Lewis (GA)  
Clayton Lincoln  
Clyburn LoBiondo  
Coble Lowey  
Coburn Luther  
Collins (IL) Maloney  
Collins (MI) Markey  
Conyers Martinez  
Deal Matsui  
DeFazio McCarthy  
Dellums McDermott  
Deutsch McHale  
Dixon McKinney  
Doggett Meehan  
Dooley Meek  
Doyle Menendez  
Duncan Metcalf  
Durbin Mfume  
Engel Miller (CA)  
English Mineta  
Eshoo Minge  
Evans Mink  
Farr Moakley  
Fields (LA) Moran  
Filner Morella  
Foglietta Nadler  
Franks (NJ) Neumann  
Furse Ney  
Ganske Nussle  
Gibbons Oberstar  
Gonzalez Obey  
Gutierrez Olver

NOES—276

Ackerman Chrysler  
Allard Clement  
Archer Clinger  
Armey Coleman  
Bachus Frank (MA)  
Baker (CA) Franks (CT)  
Baker (LA) Combest  
Ballenger Condit  
Barcia Cooley  
Barr Costello  
Barrett (NE) Coyne  
Bartlett Cramer  
Barton Crane  
Bass Crapo  
Bateman Cremeans  
Bereuter Cubin  
Bevill Cunningham  
Bilbray Danner  
Bilirakis Davis  
Bliley de la Garza  
Boehlert DeLauro  
Boehner DeLay  
Bonilla Diaz-Balart  
Bono Dickey  
Borski Dicks  
Brewster Dingell  
Browder Doolittle  
Brown (CA) Dornan  
Bryant (TN) Dreier  
Bunning Dunn  
Burr Edwards  
Burton Ehlers  
Buyer Ehrlich  
Callahan Emerson  
Calvert Ensign  
Camp Everrett  
Canady Ewing  
Cardin Fattah  
Castle Fawell  
Chabot Fazio  
Chambliss Flake  
Chapman Flanagan  
Christensen Foley

Hobson McNulty  
Hoke Meyers  
Hostettler Mica  
Houghton Miller (FL)  
Hoyer Molinari  
Hunter Mollohan  
Hutchinson Montgomery  
Hyde Moorhead  
Inglis Murtha  
Istook Myers  
Johnson (CT) Myrick  
Johnson, E. B. Neal  
Johnson, Sam Nethercutt  
Jones Norwood  
Kelly Ortiz  
Kennedy (RI) Orton  
Kennelly Oxley  
Kim Packard  
King Parker  
Kingston Pastor  
Klink Payne (VA)  
Knollenberg Peterson (FL)  
Kolbe Peterson (MN)  
LaHood Tejeda  
Largent Pombo  
LaFourette Porter  
Laughlin Portman  
Lazio Pryce  
Levin Quillen  
Lewis (CA) Quinn  
Lewis (KY) Radanovich  
Lightfoot Reed  
Linder Regula  
Lipinski Riggs  
Livingston Roberts  
Lofgren Roemer  
Longley Rogers  
Lucas Ros-Lehtinen  
Manton Roth  
Manzullo Salmon  
Martini Saxton  
Mascara Scarborough  
McCollum Schaefer  
McCrery Schiff  
McDade Scott  
McHugh Seastrand  
McInnis Serrano  
McIntosh Shadeegg  
McKeon Shaw

NOT VOTING—6

Fields (TX) LaFalce  
Klecza Thornton  
Wilson  
Yates

□ 1900

Messrs. HOYER, ZELIFF, COSTELLO, FATTAH, NEAL of Massachusetts, and MEEHAN changed their votes from "aye" to "no."

Messrs. WHITFIELD, MINGE, MARKEY, NEY, KASICH, BLUTE, SHAYS, UPTON, KENNEDY of Massachusetts, and MOAKLEY changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above.

□ 1900

AMENDMENT OFFERED BY MR. KOLBE

The CHAIRMAN. The pending business is the demand of the gentleman from Arizona [Mr. KOLBE] for a recorded vote on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 214, noes 214, not voting 6, as follows:

Forbes  
Ford  
Fowler  
Fox  
Frank (MA)  
Franks (CT)  
Frelinghuysen  
Frisa  
Frost  
Funderburk  
Cox  
Galleghy  
Gejdenson  
Gekas  
Gephardt  
Geren  
Gilchrest  
Gillmor  
Gilman  
Goodlatte  
Goodling  
Gordon  
Goss  
Graham  
Green  
Greenwood  
Gunderson  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hamilton  
Hancock  
Hansen  
Harman  
Hastert  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Hefner  
Heineman  
Herger  
Hilleary  
Hilliard

[Roll No. 378]

AYES—214

Allard	Franks (CT)	Montgomery
Archer	Frelinghuysen	Moorhead
Armey	Funderburk	Moran
Bachus	Galleghy	Myers
Baker (CA)	Ganske	Myrick
Baker (LA)	Gekas	Nethercutt
Ballenger	Geren	Neumann
Barr	Gilchrest	Ney
Barrett (NE)	Goodlatte	Norwood
Barrett (WI)	Goodling	Nussle
Bartlett	Gordon	Oxley
Barton	Goss	Packard
Bass	Graham	Parker
Bateman	Greenwood	Paxon
Bereuter	Gunderson	Petri
Bilbray	Gutknecht	Pombo
Bilirakis	Hall (TX)	Porter
Bliley	Hancock	Portman
Boehner	Hansen	Pryce
Bonilla	Hastert	Radanovich
Bono	Hayes	Ramstad
Brownback	Hayworth	Roberts
Bryant (TN)	Hefley	Rogers
Bunn	Hefner	Rohrabacher
Bunning	Heineman	Rose
Burr	Hergert	Roth
Burton	Hilleary	Roukema
Buyer	Hobson	Royce
Callahan	Hoke	Salmon
Calvert	Horn	Sanford
Camp	Houghton	Saxton
Canady	Hutchinson	Scarborough
Cardin	Hyde	Schaefer
Castle	Inglis	Seastrand
Chabot	Istook	Sensenbrenner
Chambliss	Johnson (CT)	Shadegg
Chenoweth	Johnson, Sam	Shaw
Christensen	Johnston	Shays
Chrysler	Jones	Shuster
Clement	Kanjorski	Skeen
Clinger	Kaptur	Kasich
Coble	Kasich	Smith (MI)
Coburn	Kelly	Smith (TX)
Collins (GA)	Kim	Souder
Combest	Kingston	Spence
Coyle	Klug	Stearns
Cox	Knollenberg	Stenholm
Crane	Kolbe	Stockman
Crapo	LaHood	Stump
Creameans	Largent	Talent
Cubin	Latham	Tanner
Cunningham	LaTourette	Tate
Davis	Laughlin	Tauzin
Deal	Lazio	Taylor (MS)
DeLay	Lewis (CA)	Taylor (NC)
Dickey	Lewis (KY)	Thomas
Dooley	Lightfoot	Thornberry
Doolittle	Lincoln	Thurman
Dornan	Linder	Upton
Dreier	Livingston	Vucanovich
Dunn	Longley	Waldholtz
Ehlers	Lucas	Walker
Ehrlich	Manzullo	Wamp
Emerson	McColum	Watts (OK)
Ensign	McCrery	Weldon (FL)
Everett	McHale	White
Ewing	McInnis	Whitfield
Fawell	McIntosh	Wicker
Flanagan	McKeon	Wolf
Foley	Mica	Zeliff
Fowler	Miller (FL)	Zimmer
Fox	Molinari	

NOES—214

Abercrombie	Bryant (TX)	Dixon
Ackerman	Chapman	Doggett
Andrews	Clay	Doyle
Baesler	Clayton	Duncan
Baldacci	Clyburn	Durbin
Barcia	Coleman	Edwards
Becerra	Collins (IL)	Engel
Beilenson	Collins (MI)	English
Bentsen	Condit	Eshoo
Berman	Conyers	Evans
Bevill	Costello	Farr
Bishop	Coyne	Fattah
Blute	Cramer	Fazio
Boehlert	Danner	Fields (LA)
Bonior	de la Garza	Filner
Borski	DeFazio	Flake
Boucher	DeLauro	Foglietta
Brewster	Dellums	Forbes
Browder	Deutsch	Ford
Brown (CA)	Diaz-Balart	Frank (MA)
Brown (FL)	Dicks	Franks (NJ)
Brown (OH)	Dingell	Frisa

Frost	McDade	Rush
Furse	McDermott	Sabo
Gejdenson	McHugh	Sanders
Gephardt	McKinney	Sawyer
Gibbons	McNulty	Schiff
Gillmor	Meehan	Schroeder
Gilman	Meek	Schumer
Gonzalez	Menendez	Scott
Green	Metcalfe	Serrano
Gutierrez	Meyers	Sisisky
Hall (OH)	Mfume	Skaggs
Hamilton	Miller (CA)	Skelton
Harman	Mineta	Slaughter
Hastings (FL)	Minge	Smith (NJ)
Hastings (WA)	Mink	Smith (WA)
Hilliard	Moakley	Solomon
Hinchey	Mollohan	Spratt
Hoekstra	Morella	Stark
Holden	Murtha	Stokes
Hostettler	Nadler	Studds
Hoyer	Neal	Stupak
Hunter	Oberstar	Tejeda
Jackson-Lee	Obey	Thompson
Jacobs	Olver	Tiahrt
Jefferson	Ortiz	Torkildsen
Johnson (SD)	Orton	Torres
Johnson, E. B.	Owens	Torricelli
Kennedy (MA)	Pallone	Tost
Kennedy (RI)	Payne (NJ)	Traficant
Kennelly	Payne (VA)	Tucker
Kildee	Pelosi	Velazquez
King	Peterson (FL)	Vento
Klink	Peterson (MN)	Visclosky
Lantos	Pickett	Volkmer
Leach	Pomeroy	Walsh
Levin	Poshard	Ward
Lewis (GA)	Quillen	Waters
Lipinski	LoBiondo	Watt (NC)
Lofgren	Rahall	Waxman
Lowe	Rangel	Weldon (PA)
Luther	Reed	Weller
Maloney	Regula	Williams
Manton	Reynolds	Wise
Markey	Richardson	Woolsey
Riggs	Martinez	Wyden
Rivers	Martini	Wynn
Roemer	Mascara	Young (AK)
Ros-Lehtinen	Matsui	Young (FL)
Roybal-Allard	McCarthy	

NOT VOTING—6

Fields (TX)	LaFalce	Wilson
Klecza	Thornton	Yates

□ 1909

Messrs. WELLER, CHAPMAN, and TORRICELLI changed their vote from "aye" to "no."

Mr. CUNNINGHAM and Mr. NEUMANN changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. MOLINARI

The CHAIRMAN. The pending business is the demand of the gentlewoman from New York [Ms. MOLINARI] for a recorded vote on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 293, noes 133, not voting 8, as follows:

[Roll No. 379]

AYES—293

Allard	Archer	Bachus	Baker (CA)	Gilchrest	Ortiz
Andrews	Armey	Baesler	Baker (LA)	Gillmor	Orton
			Baldacci	Gilman	Oxley
			Ballenger	Goodlatte	Packard
			Barr	Goodling	Pallone
			Barrett (NE)	Gordon	Parker
			Bartlett	Goss	Paxon
			Barton	Graham	Payne (VA)
			Bass	Greenwood	Peterson (FL)
			Bateman	Gunderson	Peterson (MN)
			Beilenson	Gutknecht	Petri
			Bentsen	Hall (TX)	Pickett
			Bereuter	Hancock	Pombo
			Bevill	Hansen	Pomeroy
			Bilbray	Hastert	Porter
			Bilirakis	Hastings (WA)	Portman
			Bliley	Hayes	Poshard
			Boehner	Hayworth	Pryce
			Bonilla	Hefley	Quillen
			Bono	Hefner	Quinn
			Boucher	Heineman	Radanovich
			Brewster	Herger	Ramstad
			Browder	Hilleary	Regula
			Brownback	Hobson	Richardson
			Bryant (TN)	Hoekstra	Riggs
			Bunn	Hoke	Roberts
			Bunning	Holden	Roemer
			Burr	Horn	Rogers
			Burton	Hostettler	Rohrabacher
			Buyer	Houghton	Ros-Lehtinen
			Callahan	Hunter	Rose
			Calvert	Hutchinson	Roth
			Camp	Hyde	Roukema
			Canady	Inglis	Royce
			Cardin	Istook	Salmon
			Castle	Johnson (CT)	Sanford
			Chabot	Johnson, Sam	Saxton
			Chambliss	Johnston	Scarborough
			Chenoweth	Jones	Schaefer
			Christensen	Kelly	Schiff
			Chrysler	Kim	Skeen
			Clement	King	Schumer
			Coble	Kingston	Seastrand
			Coburn	Klink	Sensenbrenner
			Collins (GA)	Klug	Shadegg
			Combest	Knollenberg	Shaw
			Coyle	Kolbe	Shays
			Cox	LaHood	Shuster
			Crane	Largent	Sisisky
			Crapo	Latham	Skeen
			Creameans	LaTourette	Skelton
			Cubin	Laughlin	Smith (MI)
			Cunningham	Lazio	Smith (NJ)
			Davis	Leach	Smith (TX)
			Deal	Lewis (CA)	Smith (WA)
			DeLay	Lewis (KY)	Solomon
			Dickey	Lightfoot	Souder
			Dooley	Lincoln	Spence
			Doolittle	Linder	Spratt
			Dornan	Livingston	Stearns
			Dreier	LoBiondo	Stenholm
			Dunn	Longley	Stockman
			Ehlers	Lucas	Stump
			Ehrlich	Manzullo	Talent
			Emerson	McColum	Tanner
			Ensign	McCrery	Tate
			Everett	McHale	Tauzin
			Ewing	McInnis	Taylor (MS)
			Fawell	McIntosh	Taylor (NC)
			Flanagan	McKeon	Tejeda
			Foley	Mica	Thomas
			Forbes	Miller (FL)	Thornberry
			Fowler	Minge	Thurman
			Fox	Molinar	Tiahrt
			Franks (CT)	Mollohan	Torkildsen
			Frelinghuysen	Montgomery	Traficant
			Frisa	Moorhead	Upton
			Frost	Moran	Volkmer
			Funderburk	Murtha	Vucanovich
			Galleghy	Myers	Waldholtz
			Ganske	Myrick	Walker
			Gekas	Neal	Walsh
			Geren	Nethercutt	Wamp
				Neumann	Watts (OK)
				Norwood	Weldon (FL)
				Nussle	Weldon (PA)
					Weller
					White
					Whitfield
					Wicker
					Wise
					Wolf
					Young (AK)
					Young (FL)
					Zeliff
					Zimmer

## NOES—133

Abercrombie	Gejdenson	Nadler
Ackerman	Gephardt	Oberstar
Barcia	Gibbons	Obey
Barrett (WI)	Gonzalez	Olver
Becerra	Green	Owens
Berman	Gutierrez	Pastor
Bilirakis	Hall (OH)	Payne (NJ)
Bonior	Hamilton	Pelosi
Borski	Harman	Rahall
Brown (CA)	Hastings (FL)	Rangel
Brown (FL)	Hilliard	Reed
Brown (OH)	Hinchev	Reynolds
Bryant (TX)	Hoyer	Rivers
Clay	Jackson-Lee	Roybal-Allard
Clayton	Jacobs	Rush
Clinger	Jefferson	Sabo
Clyburn	Johnson (SD)	Sanders
Coleman	Johnson, E. B.	Sawyer
Collins (IL)	Kanjorski	Schroeder
Collins (MI)	Kaptur	Scott
Conyers	Kennedy (MA)	Serrano
Coyne	Kennedy (RI)	Skaggs
Danner	Kennelly	Slaughter
Davis	Kildee	Stark
DeFazio	Lantos	Levin
DeLauro	Levin	Stokes
Dellums	Lewis (GA)	Studds
Dicks	Lofgren	Stupak
Dingell	Lowe	Thompson
Dixon	Luther	Torres
Doggett	Maloney	Torricelli
Durbin	Markey	Towns
Engel	Martinez	Tucker
Eshoo	McCarthy	Velazquez
Evans	McDermott	Vento
Farr	McHale	Visclosky
Fattah	McKinney	Ward
Fields (LA)	Meek	Waters
Filner	Menendez	Watt (NC)
Flake	Mfume	Waxman
Foglietta	Miller (CA)	Williams
Ford	Mineta	Woolsey
Frank (MA)	Mink	Wyden
Franks (NJ)	Moakley	Wynn
Furse	Morella	

## NOT VOTING—8

Fields (TX)	LaFalce	Wilson
Kasich	Ney	Yates
Kleczyka	Thornton	

□ 1917

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. DORNAN. Mr. Chairman, this bill marks a historic moment in our country's approach to maintaining national security. For the first time in four decades, a new majority in the House of Representatives is setting the priorities for spending by the Department of Defense. Because of the increasing pressures we face both here and abroad, this new approach to our Nation's security could not have come at a better or more appropriate time.

The world is becoming much more complex in terms of security requirements. Situations in Somalia, Bosnia, and Haiti have clearly demonstrated the dangers our military forces will face despite the apparent end of the cold war with the former Soviet Union. Meanwhile, increased budgetary pressures, including a commitment to balance the Federal budget by 2002, mean that the resources available to maintain an effective military capability will be very limited. Against this backdrop, the current administration has not only failed to clearly articulate a comprehensive foreign and national security policy for the future, but has underfunded its own very questionable Bottom-Up Review by as much as \$150 billion.

In response to these circumstances, the House National Security Committee has taken very bold and innovative measures designed to not only maintain but drastically improve our military capability for both now and the next century.

Highly motivated and qualified soldiers, sailors, airmen and Marines remain the foundation for an effective combat fighting force. In order to recruit, retain and reward such troops, the committee, led by my Personnel Subcommittee, took the following necessary steps. First, we placed a mandatory floor on military force structure in order to prevent the administration from further cutting personnel levels below those recommended in the Bottom-Up Review. We also authorized the Secretary of Defense funding for an additional 7,500 personnel that could be used directly to relieve pressure on certain portions of each military service being stressed by high operations tempo such as Air Force AWACS, Army military police, and Army Patriot missile units. In the area of compensation, we fully approved a military pay increase, the first requested by this administration in 3 years, and supported a range of other compensation initiatives over and above those requested including a 5.2 percent increase in the basic allowance for quarters [BAQ].

Another area that deserves and received more attention from the committee was training/readiness. Besides additional funds for property maintenance, base operations, ammunition, and other basic supplies, the Personnel Subcommittee increased the number of military technicians, a key to reserve component readiness, by 1,400 personnel above the level requested by the President. In order to pay for these combat readiness initiatives, the committee cut over \$2 billion in non-defense spending from this bill. While many of these civil-military programs may have great merit, we decided that the priority should be on military programs that directly contribute to combat readiness. The defense budget must be for defense.

Finally, the committee made a firm commitment to new technology by funding vital modernization programs which will ensure our technical edge over any adversary for the foreseeable future. Chief among these modernization initiatives was additional funding for ballistic missile defense [BMD] including full funding in fiscal year 1996 for Navy lower and upper tier systems. By providing this additional funding, we will be able to build upon our previous investment in Aegis ships, radar and missiles and provide our allies, forward deployed forces, and even the U.S. with an effective missile defense by the turn of the century.

We also accelerated funding for armed reconnaissance helicopters for the Army, a requirement that was clearly demonstrated after the loss of an unarmed, underpowered, unstealthy OH-58 aircraft over North Korea earlier this year. The committee funded 20 additional OH-58D Kiowa Warrior aircraft to meet this requirement in the short term and fully endorsed the RAH-66 Comanche program to address this requirement in the long term.

The committee also made a clear commitment to address the lack of long range conventional bomber capability by authorizing funding for additional B-2 production and continued conventional enhancements to the B-1B aircraft. Such long range power projection systems will be vital to a future, credible U.S. military presence overseas.

This defense bill does not represent the total answer to our future national security requirements. It represents only the beginning.

However, such a strong foundation is vital, especially without better guidance or vision from the present administration, if we are to ensure the national security of this great nation in the 21st century.

For those who might question why we need to continue to invest so much in defense, I would remind them, during this 50th anniversary of our victory in World War II, of the high price we pay in terms of human life when we are not properly prepared to quickly and decisively win at war. We must always remember that those who are most prepared to wage war are also those who are least likely to need to do so because of such preparedness. As one of our greatest battlefield commanders, Matt Ridgway, once commented: "What red-blooded American could oppose so shining a concept as victory? It would be like standing up for sin against virtue."

The House National Security Committee fiscal year 1996 defense authorization bill is a commitment to victory instead of defeat. Hopefully the Senate and appropriations committees will show the same commitment when considering this defense budget.

## HIGHLIGHTS OF NATIONAL SECURITY COMMITTEE [NSC] DEFENSE BILL STATUS OF INITIATIVES BY CONGRESSMAN ROBERT K. DORNAN

1. Army Armed Reconnaissance Helicopters: After the loss of an unarmed, underpowered, unstealthy OH-58 helicopter over North Korea earlier this year, BOB DORNAN pressed for additional funding for replacement aircraft including the OH-58D and RAH-66.

OH-58D: NSC approved \$125 million in additional funding for 20 aircraft—none requested by DoD despite existing Army requirement for more aircraft.

RAH-66: NSC fully supported program including authorizing \$100 million in addition to administration's request. Committee also included report language drafted by Congressman DORNAN on the future of the program.

2. Navy Ballistic Missile Defense: Desert Storm clearly demonstrated that the ballistic missile threat is real and here today. Congressman DORNAN has been a long time supporter of a near term solution to this threat—Navy missile defense. By upgrading existing Navy ships, radar, and air defense missiles, the U.S., allies, and forward deployed U.S. forces can achieve an effective missile defense near the turn of the century. The NSC fully funded Congressman DORNAN's request for both Navy lower and upper tier systems.

Lower Tier: provides Navy ships and ports with Patriot-type point defense capability. Increased funding by \$45 million.

Upper Tier: provides wide area coverage—such as protecting Japan against attack by North Korea. Increased funding by \$170 million.

3. Air Force Conventional Bombers: Most experts agree that the current bomber force is inadequate for meeting the requirements of the administration's Bottom Up Review. Congressman DORNAN supports additional B-2 production and additional B-1B conventional enhancements in order to better meet this requirement.

B-1B: NSC fully supported budget request for conventional enhancements and added \$21 million, as requested by Congressman DORNAN, for BVUD program which would give the aircraft a near term/off the shelf precision guided bomb capability.

B-2: NSC added \$553 million in long lead funding for additional B-2 aircraft which will maintain the country's only existing bomber production line.

4. Battlefield Combat Identification System (BCIS): NSC fully funded the budget request for BCIS which is designed to help prevent friendly fire casualties by positively identifying targets on the battlefield. DORNAN, a long time supporter of the program, also drafted report language on BCIS which was adopted by the NSC.

5. Minuteman III (MM III) ICBM: The NSC fully supported a request by Congressmen DORNAN and HANSEN for \$10 million in additional funding for MM III guidance upgrades. A recent DoD nuclear posture review fully supported maintaining the MM III as the land-based leg of the U.S. nuclear triad.

6. Armor/anti-armor upgrades: The NSC fully supported requests by Congressman DORNAN and other members for increased funding for two armor/anti-armor initiatives. The first request was for \$39 million in additional funding for a lightweight anti-armor system known as Javelin.

This funding will significantly increase anti-armor assets available to rapid deployment units in the near future. The next request was for \$14 million in additional funding for reactive armor protection for the Bradley fighting vehicle. Such protection is necessary against the proliferation of anti-tank weapons.

7. UH-60 Army Helicopter: The NSC fully approved the administration's request for \$334 million for 60 UH-60 helicopters but rejected DoD plans to terminate the program after 1996. Congressman DORNAN supports additional UH-60 productions after 1996 in order to address Army requirements for additional MEDEVAC and light utility aircraft.

8. Navy Enlisted Storage Space: The NSC accepted report language drafted by Congressman DORNAN that would require a report from the Navy on the resources necessary to provide Navy enlisted personnel on board surface ships additional storage space when in port. DORNAN has learned on various visits with sailors on board these ships that they have no barracks space when in port and must therefore remain on board the ship. While building additional barracks space would be costly, Congressman DORNAN has won preliminary support for CNO Admiral Boorda for a plan to provide these sailors with additional storage space off the ship for recreational equipment and civilian clothing that could be used when in port. Such a measure would boost morale at minimal cost.

9. V-22: The NSC fully funded the DoD request for the V-22 Tiltrotor aircraft which would replace the Vietnam-era CH-46 helicopter as the Marine Corps' primary medium lift aircraft. Congressman DORNAN has been a long time supporter of the V-22 which would replace CH-46 aircraft at MCAS Tustin in the 46th district.

HIGHLIGHTS OF PERSONNEL SUBCOMMITTEE (NSC) MARKUP—1995 STATUS OF INITIATIVES BY CONGRESSMAN ROBERT K. DORNAN

1. POW/MIA Legislation: Congressman DORNAN adopted language similar to legislation introduced by Congressman GILMAN and Senator DOLE which is designed to standardize procedures for determining the whereabouts and status of American POWs/MIAs.

2. Abortion Restriction: Congressman DORNAN included language restoring Reagan-era policy which prohibits abortions at military facilities.

3. Discharge of HIV+ Personnel: Congressman DORNAN included language which mandates the immediate discharge of HIV+, permanently non-deployable military personnel.

4. End Payments to DoD Prisoners: Language was included that would require all military personnel convicted by court-martial to forfeit all pay and allowances during their period of confinement.

5. Award of AFEM to El Salvador Veterans: Language was included authorizing the Armed Forces Expeditionary Medal for U.S. military veterans who served in El Salvador.

6. End Strength Floors: Permanent military end strength floors were established by Congressman DORNAN which would prevent the DoD from further reducing personnel below current, Bottom Up Review levels.

7. Addition of Personnel to High Stress Units: Congressman DORNAN also authorized the SECDEF 7500 additional personnel to be placed in high stress areas such as AWACS, military police, and Patriot units.

8. Addition of National Technicians: Congressman DORNAN authorized 1400 additional military technicians for National Guard/Reserve units in order to improve their maintenance rates and overall combat readiness.

9. Increased Housing Allowance: Congressman DORNAN increased basic allowance for quarters [BAQ] by 5.2 percent greater than that requested by the administration in order to reduce out of pocket housing costs for members of the military.

10. Eliminated Disparity in COLAs for Military Retirees: Congressman DORNAN introduced a full committee amendment that would eliminate the disparity in payment of COLAs between Federal civilian and military retirees. COLAs for military retirees have been delayed an average of 8.5 months as compared to a delay of only 3 months for other Federal retirees. President Clinton attempted to address the problem in this budget but his proposal did not succeed. Congressman DORNAN then developed his amendment which provides \$403 million to eliminate the disparity in 1996. The amendment passed during full committee markup.

Mr. SPENCE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SOL-OMON) having assumed the chair, Mr. EMERSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1530) 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, had come to no resolution thereon.

PAUSE FOR THE PLEDGE

(Mr. CARDIN asked and was given permission to address the House for 1 minute.)

Mr. CARDIN. Mr. Speaker, I take this time, and at the permission of the Speaker, to lead the House in the pledge of allegiance at this time of the day, and let me explain why, if I might.

Mr. Speaker, as you are well aware, today is Flag Day and this week is National Flag Week. Each year the National Flag Day Foundation, located in my district, participates in the Pause for the Pledge at Fort McHenry, the birthplace of the Star Spangle Banner at 7 o'clock in the evening on June 14th.

The National Flag Day Foundation encourages all Americans to join in the 7 o'clock Pause for the Pledge and this grassroots concept of national unity started in Baltimore in 1980. And I

might point out that Presidents have joined in this pause.

Due to the voting of the House today, I am unable to be at Fort McHenry to participate in the ceremony. Therefore, I would request that the Members of the House join me and their fellow citizens in a Pause for the Pledge. If I could ask everyone to please rise and to face the flag.

PLEDGE OF ALLEGIANCE

The CHAIRMAN. Without objection, the gentleman from Maryland [Mr. CARDIN] will lead the House in the Pledge of Allegiance to the flag on this very special occasion.

There was no objection.

Mr. CARDIN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TOMORROW, THURSDAY, JUNE 15, 1995, DURING THE 5-MINUTE RULE

Mr. GUTKNECHT. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit tomorrow while the House is meeting in the Committee of the Whole House under the 5-minute rule.

Committee on Agriculture; Committee on Banking and Financial Services; Committee on Commerce; Committee on Economic and Educational Opportunities; Committee on Government Reform and Oversight; Committee on Judiciary; Committee on Resources; Committee on Science; Committee on Small Business; Committee on Transportation and Infrastructure; Committee on Veterans Affairs; Permanent Select Committee on Intelligence.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

Mr. VOLKMER. Reserving the right to object, Mr. Speaker. I do not plan to object. I just want to let the gentleman know that, yes, we do appreciate clearing this request with all the ranking members of the various committees and we appreciate it and look forward to working with the gentleman and the majority in the future.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

FRENCH NUCLEAR TESTS

(Mr. FALEOMAVAEGA asked and was given permission to address the House for 1 minute and to revise and