

The Clerk read as follows:

Amendment offered by Ms. FURSE: At the end of title II (page 16, after line 3), add the following new paragraph:

#### REDUCTION OF FUNDS

Amounts appropriated in other paragraphs of this title are hereby reduced as follows:

From OPERATION AND MAINTENANCE, ARMY, \$12,950,000.

From OPERATION AND MAINTENANCE, NAVY, \$3,500,000.

From OPERATION AND MAINTENANCE, MARINE CORPS, \$1,750,000.

From OPERATION AND MAINTENANCE, AIR FORCE, \$7,700,000.

From OPERATION AND MAINTENANCE, DEFENSE-WIDE, \$9,100,000.

Mr. MURTHA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Ms. FURSE. Mr. Chairman, I am just going to thank the chairman and the ranking member for accepting the amendment. I will not take any more of the time.

Mr. Chairman, I rise to offer an amendment that makes sense for the U.S. taxpayer and that makes sense for our military transportation system. First, however, I want to express my appreciation for the excellent leadership of Chairman YOUNG and Ranking Member MURTHA. Their collegiality is the hallmark of this fine institution in which we work.

My amendment reduces funding for USTRANSCOM—the transportation command—by an additional \$35 million. It will cut out layers of unnecessary wasteful bureaucracy so that the Department of Defense transportation system can operate more efficiently and adopt practices more similar to those utilized in the private sector.

The U.S. Transportation Command budget is estimated at \$4 billion for fiscal year 1997. The General Accounting Office recommended reducing that budget in order to encourage making needed organizational changes.

Our defense transportation costs are much higher than necessary. The Department of Defense frequently pays double or triple the cost of the basic transportation, ocean freight, for example, because of redundant bureaucratic structures.

DOD's transportation system is organized in substantially the same way it was more than a decade ago before the era of containerization. Containers are a much more efficient means of moving cargo intermodally—a container can be trucked overland, shipped across the ocean and then trucked to its ultimate destination without being unpacked at transfer points.

Mr. Chairman, my State of Oregon that is perched on the Pacific rim knows about trade. Our industries know how to move our products around the world in an efficient manner. I know that we can create a seamless, intermodal transportation system that best serves our national security needs. DOD has begun to make some efforts in that direction, but I believe organizational changes are needed in order to achieve real savings.

I urge support for my amendment which will build upon the outstanding work of the subcommittee in implementing those changes.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

The SPEAKER pro tempore (Mr. McCrery) assumed the chair.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the concurrent resolution (H. Con. Res. 178) "Concurrent resolution establishing the congressional budget for the United States Government for fiscal year 1997 and setting forth appropriate budgetary levels for fiscal years 1998, 1999, 2000, 2001, and 2002."

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

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1997

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. YOUNG].

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the amendment because we are not exactly sure what the effect of it would be. Basically these cuts come from operation and maintenance for all the services. We have made substantial efforts to substantially improve quality of life for the people who serve us in the military.

Mr. Chairman, having just been handed a different copy of the amendment, let me ask the question, is this one not operational now?

Mr. Chairman, I yield to the gentlewoman to answer the question. We are not sure what amendment is pending. It is difficult to get these amendments at the last minute and not know exactly what the effect might be. We have been very careful in crafting the bill to pretty much know what the effect of what we did might be.

Mr. Chairman, I would like to ask the gentlewoman from Oregon [Ms. FURSE], to give us some assurance that her amendment is not directed at operation and maintenance for the services that would affect barracks repair, for example, or quality of life issues, education, things of this nature.

I yield to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, it would help the Department of Defense transportation system operate more efficiently. It would be just directly at that efficiency of operation for U.S. Transcom.

Mr. YOUNG of Florida. Mr. Chairman, just to make sure that we understand, the paper that I was given originally as the gentlewoman's amendment that did relate to operations and maintenance, that is not the operational

amendment that we are dealing with now?

Mr. FURSE. That is correct, Mr. Chairman. I apologize that I caused that confusion. I thank the gentleman for his patience with me.

Mr. YOUNG of Florida. Mr. Chairman, we are willing to accept this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon [Ms. FURSE].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. YOUNG OF  
FLORIDA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida [Mr. YOUNG] 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 vote was taken by electronic device, and there were—ayes 396, noes 25, not voting 13, as follows:

[Roll No. 239]

#### AYES—396

|              |              |               |
|--------------|--------------|---------------|
| Abercrombie  | Chabot       | Ehlers        |
| Ackerman     | Chambliss    | Ehrlich       |
| Allard       | Chapman      | Emerson       |
| Andrews      | Chenoweth    | Engel         |
| Archer       | Christensen  | English       |
| Armey        | Chrysler     | Ensign        |
| Bachus       | Clay         | Eshoo         |
| Baesler      | Clayton      | Evans         |
| Baker (CA)   | Clement      | Farr          |
| Baker (LA)   | Clinger      | Fattah        |
| Baldacci     | Coble        | Fawell        |
| Ballenger    | Coburn       | Fazio         |
| Barcia       | Coleman      | Fields (LA)   |
| Barrett (NE) | Collins (GA) | Fields (TX)   |
| Barrett (WI) | Collins (IL) | Filner        |
| Barton       | Collins (MI) | Flake         |
| Bass         | Combest      | Flanagan      |
| Bateman      | Condit       | Foglietta     |
| Becerra      | Conyers      | Foley         |
| Beilenson    | Cooley       | Ford          |
| Bentsen      | Costello     | Fowler        |
| Bereuter     | Cox          | Fox           |
| Berman       | Coyne        | Frank (MA)    |
| Bevill       | Cramer       | Franks (CT)   |
| Bilirakis    | Crane        | Franks (NJ)   |
| Bliley       | Crapo        | Frelinghuysen |
| Blumenauer   | Cremins      | Frisa         |
| Blute        | Cubin        | Frost         |
| Boehlert     | Cummings     | Funderburk    |
| Boehner      | Cunningham   | Furse         |
| Bonilla      | Danner       | Gallegly      |
| Bono         | Davis        | Ganske        |
| Borski       | de la Garza  | Gekas         |
| Boucher      | Deal         | Gephardt      |
| Brewster     | DeFazio      | Gibbons       |
| Browder      | DeLay        | Gilchrest     |
| Brown (CA)   | Dellums      | Gilman        |
| Brown (FL)   | Deutscher    | Gonzalez      |
| Brown (OH)   | Diaz-Balart  | Goodlatte     |
| Brownback    | Dickey       | Goodling      |
| Bryant (TN)  | Dicks        | Gordon        |
| Bryant (TX)  | Dingell      | Goss          |
| Bunn         | Dixon        | Graham        |
| Bunning      | Doggett      | Green (TX)    |
| Burr         | Dooley       | Greene (UT)   |
| Burton       | Doolittle    | Greenwood     |
| Buyer        | Dornan       | Gunderson     |
| Calvert      | Doyle        | Gutierrez     |
| Camp         | Dreier       | Gutknecht     |
| Campbell     | Duncan       | Hall (OH)     |
| Canady       | Dunn         | Hall (TX)     |
| Cardin       | Durbin       | Hamilton      |
| Castle       | Edwards      | Hancock       |

|                |               |               |
|----------------|---------------|---------------|
| Harman         | McHugh        | Sawyer        |
| Hastert        | McInnis       | Saxton        |
| Hastings (FL)  | McKeon        | Scarborough   |
| Hastings (WA)  | McKinney      | Schaefer      |
| Hayworth       | McNulty       | Schiff        |
| Hefner         | Meehan        | Schroeder     |
| Heineman       | Menendez      | Scott         |
| Herger         | Metcalf       | Seastrand     |
| Hilleary       | Meyers        | Sensenbrenner |
| Hilliard       | Mica          | Serrano       |
| Hinchey        | Millender-    | Shadegg       |
| Hobson         | McDonald      | Shaw          |
| Hoekstra       | Miller (CA)   | Shays         |
| Hoke           | Miller (FL)   | Shuster       |
| Holden         | Minge         | Skaggs        |
| Horn           | Mink          | Skeen         |
| Hoyer          | Moakley       | Slaughter     |
| Hutchinson     | Molinari      | Smith (MI)    |
| Hyde           | Mollohan      | Smith (NJ)    |
| Inglis         | Moorhead      | Smith (TX)    |
| Istook         | Morella       | Smith (WA)    |
| Jackson (IL)   | Murtha        | Solomon       |
| Jackson-Lee    | Myers         | Souder        |
| (TX)           | Myrick        | Spence        |
| Jacobs         | Nadler        | Spratt        |
| Jefferson      | Neal          | Stark         |
| Johnson (CT)   | Nethercutt    | Stearns       |
| Johnson (SD)   | Neumann       | Stenholm      |
| Johnson, E. B. | Ney           | Stockman      |
| Johnston       | Norwood       | Stokes        |
| Jones          | Nussle        | Studds        |
| Kanjorski      | Oberstar      | Stupak        |
| Kaptur         | Obey          | Tanner        |
| Kasich         | Olver         | Tate          |
| Kelly          | Ortiz         | Tauzin        |
| Kennedy (MA)   | Orton         | Taylor (NC)   |
| Kildee         | Owens         | Tejeda        |
| Kim            | Oxley         | Thomas        |
| King           | Packard       | Thompson      |
| Kingston       | Pallone       | Thornberry    |
| Klecza         | Parker        | Thornton      |
| Klink          | Pastor        | Thurman       |
| Klug           | Paxon         | Tiahrt        |
| Knollenberg    | Payne (NJ)    | Torkildsen    |
| Kolbe          | Payne (VA)    | Torres        |
| LaFalce        | Pelosi        | Torricelli    |
| LaHood         | Peterson (FL) | Towns         |
| Lantos         | Peterson (MN) | Trafficant    |
| Largent        | Petri         | Upton         |
| Latham         | Pombo         | Velazquez     |
| LaTourette     | Pomeroy       | Vento         |
| Laughlin       | Porter        | Visclosky     |
| Lazio          | Portman       | Volkmer       |
| Leach          | Poshard       | Vucanovich    |
| Levin          | Pryce         | Walker        |
| Lewis (CA)     | Quillen       | Walsh         |
| Lewis (GA)     | Quinn         | Wamp          |
| Lewis (KY)     | Radanovich    | Ward          |
| Lightfoot      | Rahall        | Waters        |
| Linder         | Ramstad       | Watt (NC)     |
| Lipinski       | Rangel        | Watts (OK)    |
| Livingston     | Regula        | Waxman        |
| LoBiondo       | Richardson    | Weldon (FL)   |
| Lofgren        | Riggs         | Weldon (PA)   |
| Longley        | Rivers        | Weller        |
| Lucas          | Roberts       | White         |
| Luther         | Roemer        | Whitfield     |
| Maloney        | Rogers        | Wicker        |
| Manton         | Rohrabacher   | Williams      |
| Manzullo       | Ros-Lehtinen  | Wilson        |
| Markey         | Rose          | Wise          |
| Martinez       | Roth          | Wolf          |
| Martini        | Roukema       | Woolsey       |
| Mascara        | Roybal-Allard | Wynn          |
| Matsui         | Royce         | Yates         |
| McCarthy       | Rush          | Young (AK)    |
| McCollum       | Sabo          | Young (FL)    |
| McCrery        | Salmon        | Zeliff        |
| McDermott      | Sanders       | Zimmer        |
| McHale         | Sanford       |               |

## NOES—25

|           |              |             |
|-----------|--------------|-------------|
| Barr      | Hefley       | Pickett     |
| Bartlett  | Hostettler   | Reed        |
| Bishop    | Hunter       | Sisisky     |
| Clyburn   | Johnson, Sam | Skelton     |
| DeLauro   | Kennedy (RI) | Stump       |
| Everett   | Kennelly     | Talent      |
| Gejdenson | McIntosh     | Taylor (MS) |
| Geren     | Meek         |             |
| Hansen    | Montgomery   |             |

## NOT VOTING—13

|          |          |         |
|----------|----------|---------|
| Bilbray  | Gillmor  | McDade  |
| Bonior   | Hayes    | Moran   |
| Callahan | Houghton | Schumer |
| Ewing    | Lincoln  |         |
| Forbes   | Lowey    |         |

□ 1459

Messrs. BARTLETT of Maryland, PICKETT, and EVERETT changed their vote from "aye" to "no."

Mrs. EDDIE BERNICE JOHNSON of Texas and Mr. YATES changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

## PERSONAL EXPLANATION

Mr. SCHUMER. Mr. Chairman, during roll-call vote No. 239 on H.R. 3610 I was unavoidably detained. Had I been present, I would have voted "aye."

## TITLE III

## PROCUREMENT

## AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$1,308,709,000, to remain available for obligation until September 30, 1999.

## MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$1,044,767,000, to remain available for obligation until September 30, 1999: *Provided*, That of the funds appropriated in this paragraph, \$16,938,000 shall not be obligated or expended until authorized by law.

## PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$1,500,414,000, to remain available for obligation until September 30, 1999: *Provided*, That of the funds appropriated in this paragraph, \$175,600,000 shall not be obligated or expended until authorized by law.

Mr. GEKAS. Mr. Chairman, I move to strike the last word for the purpose of

entering into a colloquy with the chairman of the committee. Mr. Chairman, I wish to engage the chairman, the distinguished gentleman from Florida [Mr. YOUNG], in a colloquy of importance to my district and to the Nation as a whole.

I would say to the chairman of the committee, it had been my intention to come before the Subcommittee on National Security, which the gentleman chairs, to ask for his support of an environmental restoration database center at the Superfund site of the former Olmsted Air Force base, now the Harrisburg International Airport, which is in my congressional district in Pennsylvania. However, knowing that the committee's preference was to proceed without such amendments, I have instead come to the floor of the House to discuss my concerns about the database center.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. GEKAS. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding to me.

I have read the information the gentleman has provided to me about the need for the database center at the Harrisburg International Airport. We see merit with the gentleman's conclusions that such a database center is, in fact, necessary for the continued environmental restoration of the former Olmstead Air Force Base and that the Air Force should fund such a database center.

Mr. GEKAS. I thank the chairman. In fact, for a sum of \$123,000 over 5 years, the Pennsylvania State Data Center has proposed to professionally manage and maintain the mountains of Superfund data that have been collected. I doubt that a better choice could be made, since this is the only data center for the entire Commonwealth of Pennsylvania, and is also located adjacent to the said Harrisburg International Airport.

I pledge to the distinguished chairman of the Subcommittee on National Security that I will report to him regularly on the progress we are making with the Air Force on this matter, as this appropriation bill makes it way to conference.

Mr. YOUNG of Florida. I thank the gentleman from Pennsylvania and will look forward to the gentleman keeping the committee informed.

Mr. GEKAS. Mr. Chairman, as previously discussed with Subcommittee Chairman YOUNG of Florida, I had intended to offer an amendment to title II, Air Force Operation and Maintenance, of H.R. 3610, the fiscal year 1997 Department of Defense Appropriations Act. My amendment would have addressed Air Force funding for the operation and maintenance of an environmental restoration database center on the site of the former Olmsted Air Force Base, a current Superfund site in Middletown, PA.

The Air Force, which has been fully funded by past Congresses to complete the environmental restoration of the former Olmsted Air

Force Base—now the Harrisburg International Airport and other properties—refuses to fund a site database center. The center, which would serve as the final step in the site's complete restoration and deletion from the Superfund list, would incorporate data from all current and future environmental investigations. There are two options available to the Congress: either compel the Air Force to use the funds it has already been appropriated, or obtain an additional appropriation.

The Harrisburg International Airport [HIA] located in Middletown, PA, near the State capital of Harrisburg, is situated on the immediate and surrounding grounds of the former Olmsted Air Force Base. The former Air Force base is now a 1984-designated Environmental Protection Agency Superfund site—referred to as the Middletown Airfield Site. The site's existence is due directly to the activities that took place during the operation of Olmsted Air Force Base from 1917 to 1967. For the last 13 years, an intense effort has been undertaken at the local, State and Federal level to determine the nature of the hazardous waste left by the Air Force when it closed Olmsted, the origins and locations of its spread, and the proper remediation of the waste, all within the dictates of the EPA Superfund designation and with the goal of getting HIA deleted off the Superfund list by the end of this year.

I have been involved with the HIA/Olmsted waste site since 1983 when it was thought that its inclusion on the Superfund list would be the fastest, cheapest and best way to clean up the waste left by the Air Force. In the years since HIA was put on the Superfund list, the Air Force, the Army Corps of Engineers, the Commonwealth of Pennsylvania—the current owner of the land—local, regional and private entities, our late U.S. Senator John Heinz, former Senator Wofford, current Senators SPECTER and SANTORUM, Congressmen MURTHA, MCDADE, GOODLING, WALKER, and this Member of Congress—along with many others too numerous to mention at this time—have sought to make the efforts at HIA a model site cleanup program for emulation by other formerly used defense sites [FUDS] across the United States.

As part of the cleanup effort, adequate funds were dedicated in several Defense Appropriations bills to provide for a full cleanup of the site. At this moment it is doubtful that all those funds have been expended. All parties have understood that full cleanup meant that follow up Superfund delisting the land in question would be available for public and private development.

Throughout the cleanup process, a huge amount of data has been collected from the several public and private environmental investigations conducted. A crucial part of the current EPA-mandated delisting effort—and any post-delisting development that occurs—is the continued interpretation and management of this data. Remediation could not occur under Superfund without the requisite interpretations of site data. Personnel at the Harrisburg International Airport and post-Superfund developers must be able to determine what happened on the site, and any future environmental questions that arise at HIA must refer back to the data from the current cleanup effort. When all the current participants have left the site, the only reliable reference source will be a database.

If new contamination is discovered at HIA in the future, the current data will be consulted to

determine how to respond. In fact, if any new contamination is found and determined to be from the same source—Olmsted—as was the previous contamination, the Air Force may be called back to conduct new remediation efforts. Or, in a worst case scenario, on-site personnel from the airport and localities might have to make quick decisions about how to deal with an emergency situation. To adequately and accurately do this will require a fully functioning and accessible site database. If no database is centrally maintained after HIA Superfund delisting—that is, after the Air Force discontinues its work—the new remediation efforts will be much more difficult, much more costly, and take much longer to accomplish, and any emergency response effort may be critically flawed by the lack of necessary data.

But, unfortunately, as we near the end of the long march to delisting, the issue of who will fund and maintain this database has arisen as a very serious bar to post-cleanup development. The Air Force, through the Army Corps of Engineers, refuses to either maintain or pay for the maintenance of a site database. The Air Force is wrong in their refusal. From the very beginning, in the many meetings with various Assistant and Under Secretaries of Defense regarding HIA, it was fully understood that post-Superfund site maintenance would include a managed database and appropriations were made with the database in mind.

The "Report of the Defense Environmental Response Task Force" of October, 1991, submitted by then-Chairman Thomas E. Baca, recommended that "adequate resources [be] available for environmental restoration and oversight at closing bases."

As recently as this year, the Department of Defense stated its support for the type of post-remediation followup the HIA database would allow. A February 22, 1996 letter from Sherri W. Goodman, Deputy Under Secretary of Defense—Environmental Security—cites her support for the annual report to Congress of the Defense Environmental Response Task Force [DERTF], which she chairs: "The purpose of the DERTF is to study and provide findings and recommendations for expediting and improving environmental response actions at military installations being closed or realigned." Further, section 3.3 of the DERTF report states: "Effective measures must be in place before transfer of property to ensure adequate protection of human health and the environment." And, in the same report, section 3.4—Liability For Subsequent Response Actions: "However, further cleanup may be required if the land use changes and the original remedy, although protective for the anticipated land use, is not fully protective under the new land use."

And, finally, and most importantly, I offer excerpts from the April, 1996, "Final Report of the Federal Facilities Environmental Restoration Dialogue Committee," which is an EPA advisory committee whose participants include the Department of Defense. In its report, the committee notes the importance of the role of local governments in Federal facility environmental restoration, stating that "local governments very often serve as first responders in emergency response situations." In discussing the role of the Federal Government in the Federal facility cleanup process, the committee states that policies should include:

"The identification and characterization of contamination and the evaluation of health im-

pacts on human populations are essential parts of the cleanup process."

"\* \* \* provid[ing] access to resources, information, and training so all stakeholders are able to participate in decision making."

"Designating locations for access to information appropriate and convenient for the affected communities.\* \* \*"

"\* \* \* funding of preventative pollution control activities should be viewed as a cost of doing business and funded in conjunction with the activity causing the problem."

Mr. Chairman, how can the Department of Defense, in publication after publication, express a need for and responsibility of site maintenance in the future and then deny such maintenance as is proposed with the site database for Harrisburg International Airport? And, further, the Commonwealth of Pennsylvania has offered the Pennsylvania State Data Center, located next to HIA, to manage and maintain the HIA site database for 5 years for under \$123,000. The State data center is a public entity, a professional data center, and an on-site location which has offered to manage a database for a very reasonable cost.

The phrase "penny wise, pound foolish" seems appropriate here.

The Commonwealth of Pennsylvania is on record in complete support of the database center, especially as it impacts the Harrisburg International Airport. In a recent letter to Senator RICK SANTORUM, Elizabeth Sarge Voras, Deputy Secretary for Aviation, states:

The Commonwealth of Pennsylvania considers this matter to be of paramount importance in meeting the airport's operational, preventive maintenance and repair, health and safety, and developmental requirements.

The facts are these: I believe the Department of Defense made a commitment to this and other Members of Congress and the Commonwealth of Pennsylvania to manage and maintain a post-cleanup database; the Department of Defense has stated in a report to Congress this year its commitment to post-cleanup development and database management at its waste sites; and, the Pennsylvania State Data Center has offered the best database management service at the best location for the best price. Mr. Chairman, based on the simple facts, I believe that the Committee on Appropriations may want to take action in the future to persuade the Department of Defense to fund this site database. We hope that the Department of Defense—and specifically the Air Force and Corps of Engineers—will see that the Pennsylvania State Data Center is the best way to proceed and will make available funds for the database from the appropriations it has already been given by the Congress.

The CHAIRMAN. The Clerk will read. The Clerk read as follows.

#### PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854, title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-

owned equipment layaway; and other expenses necessary for the foregoing purposes; \$1,150,128,000, to remain available for obligation until September 30, 1999.

#### OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and nontracked combat vehicles; the purchase of not to exceed 14 passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$2,899,040,000, to remain available for obligation until September 30, 1999: *Provided*, That of the funds appropriated in this paragraph, \$86,800,000 shall not be obligated or expended until authorized by law.

#### AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; \$6,896,552,000, to remain available for obligation until September 30, 1999: *Provided*, That of the funds appropriated in this paragraph, \$227,600,000 shall not be obligated or expended until authorized by law.

#### WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; \$1,384,408,000, to remain available for obligation until September 30, 1999: *Provided*, That in addition to the foregoing purposes, the funds appropriated above under this heading shall be available to liquidate reported deficiencies in appropriations provided under this heading in prior Department of Defense appropriations acts, to the extent such deficiencies cannot otherwise be liquidated pursuant to 31 U.S.C. 1553(b): *Provided further*, That of the funds appropriated in this paragraph, \$79,100,000 shall not be obligated or expended until authorized by law.

#### PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854, title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired,

and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$341,689,000, to remain available for obligation until September 30, 1999.

#### SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; \$4,719,930,000, to remain available for obligation until September 30, 2001: *Provided*, That additional obligations may be incurred after September 30, 2001, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds herein provided for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds herein provided shall be used for the construction of any naval vessel in foreign shipyards.

#### OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; \$2,889,591,000, to remain available for obligation until September 30, 1999: *Provided*, That of the funds appropriated in this paragraph, \$18,096,000 shall not be obligated or expended until authorized by law.

#### PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of not to exceed 88 passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired and construction prosecuted thereon prior to approval of title; \$623,973,000, to remain available for obligation until September 30, 1999: *Provided*, That of the funds appropriated in this paragraph, \$77,225,000 shall not be obligated or expended until authorized by law.

#### AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground

handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; \$7,326,628,000, to remain available for obligation until September 30, 1999: *Provided*, That of the funds appropriated in this paragraph, \$54,470,000 shall not be obligated or expended until authorized by law.

#### MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interest therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; \$2,279,500,000, to remain available for obligation until September 30, 1999.

#### PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854, title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$272,177,000, to remain available for obligation until September 30, 1999.

#### OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed 506 passenger motor vehicles for replacement only; the purchase of 1 vehicle required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed \$287,000 per vehicle; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; \$6,078,539,000, to remain available for obligation until September 30, 1999.

#### PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts

therefor, not otherwise provided for; the purchase of not to exceed 389 passenger motor vehicles for replacement only; the purchase of 2 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles, but not to exceed \$200,000 per vehicle; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; \$2,247,812,000, to remain available for obligation until September 30, 1999: *Provided*, That of the funds appropriated in this paragraph, \$357,600,000 shall not be obligated or expended until authorized by law.

#### NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces; \$908,000,000, to remain available for obligation until September 30, 1999: *Provided*, That the Chiefs of the Reserve and National Guard components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective Reserve or National Guard component: *Provided further*, That of the funds appropriated in this paragraph, \$103,000,000 shall not be obligated or expended until authorized by law.

Mr. YOUNG of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title III be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there further amendments?

#### AMENDMENT OFFERED BY MR. OBEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. OBEY: Page 22, line 6, after the dollar amount, insert the following: "(reduced by \$404,000,000)".

Mr. OBEY. Mr. Chairman, with the end of the cold war, the Navy acknowledges that they have no military requirement for an additional nuclear attack submarine. At the present time we are cutting up dozens of submarines, including a number of Los Angeles class submarines, but the Navy nonetheless decided that they were going to proceed to spend billions of dollars to build a new attack submarine because they wanted to maintain the industrial base.

That is not a bad reason. I do not argue with that. But the fact is that from there on, what the Pentagon wanted to do has been sidetracked by the Congress and by the authorizing committee. DOD essentially wanted to build two submarines. They paid for one last year. They wanted to do an-

other one, not this year but the coming year after this, but the committee instead decided what they wanted them to do is to build four different prototype submarines.

End result: We are going to be spending \$4 billion more than the Pentagon wanted us to spend to determine what kind of attack submarines we ought to be building in the future. My amendment simply removes \$404 million to eliminate the congressional expansion of what was originally a limited Department of Defense decision in terms of proceeding with the construction of attack submarines.

Mr. Chairman, there is absolutely no reason why we are building more than two submarines except pork. The only reason is that we have a competition between a number of shipyards, Connecticut and Virginia being the two in question here, and as a result, we are going to wind up keeping both happy at an additional cost of \$4 billion.

Mr. Chairman, when this bill is done today, we are going to go over to the Rayburn Building and we are going to be voting on the Labor, Health, Education bill that requires us to squeeze education, squeeze student loans, squeeze job training, squeeze social services, and yet we are buying into, in this bill, the idea that we ought to proceed with this expanded acquisition of attack submarines. That does not make any financial sense, it does not make military sense; it may make a lot of political sense for the people involved in the decision, but it is a cockamamie way to go about meeting a threat that does not even exist.

Mr. Chairman, I would suggest that is all there is to the argument. People will know where they are going to come from. I do not see any reason to take more time. I would simply urge the Members, if they are interested in meeting the requirement laid down by DOD, rather than meeting the political requirement laid down by the Congress, they will save \$404 million by voting for this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the vote we have just had already reduced this submarine line by \$100 million. Without going into a lot of detail why we need the new submarines, the old submarines are getting older and older. The fact is that the Navy had planned to build 30 of these new attack submarines and do them at one yard. We believe that the idea of building all of the submarines in one yard is not good for the taxpayer. We believe that competition is the smart way to go in dealing with large military procurement programs. The program in this bill provides for competition. If we do not have the competition, it is going to cost us a lot more per submarine as we get into the future.

I would just give one big example. A few years back we were having a major battle over aircraft jet engines. One

supplier, one manufacturer, was making basically all of the jet aircraft engines.

We decided to go into competition and we ended up with a strong competition between two aircraft jet engine builders, and we got a better engine for less money. The same thing will happen to the submarines. So let us defeat this amendment. Let us continue the program as we have worked it out in the committee and with the administration.

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

Mr. BATEMAN. Mr. Chairman, I thank the distinguished gentleman from Florida for yielding to me.

Mr. Chairman, I think it is important to understand that this amendment undoes the agreement that was struck last year, not just here in the Congress, but between the Congress, the administration, the Secretary of Defense, the Secretary of the Navy, and the Chief of Naval Operations of the Navy. This completely undermines that agreement, which would have the future submarine construction program of America developed in two shipyards with a competition for a series of the later attack submarines following the procurement of the first four. This totally undoes that.

The gentleman speaks in terms of the economy of having all submarines constructed in one shipyard. There is a lot of logic to that, but his amendment flies in the teeth of the logic by basically consigning all future submarine construction to the yard which would be the most expensive yard in which to build. Every expert, everyone in the Navy, has conceded that if we are going to have but one yard to build submarines, it could be built more economically in Newport News, where there is no overhead of other naval ship construction and commercial shipbuilding to spread the cost, whereas at the other remaining yard capable of building a nuclear attack submarine, all of the overhead is attributable just to the submarines.

The amendment makes no sense in terms of a single purpose yard. It makes no sense in terms of we in the Government mandating where future submarines will be built, rather than having them built where competition says they can be built at the most economical basis for the taxpayers of America. Heaven only knows, we need the submarines.

The Secretary of the Navy wrote us, saying that funding for this submarine that he was eliminating was the highest priority for the Navy. The Secretary of the Navy said the same thing. The Secretary of Defense reaffirmed his support for last year's agreement. Let us not undo it.

Mr. YOUNG of Florida. Mr. Chairman, this amendment was offered in the Committee on Appropriations and it was defeated on a very strong bipartisan vote of 35 against, 12 for. I hope the ratio is equally strong here. I ask

the Members to oppose this amendment.

Mr. MURTHA. Mr. Chairman, I rise in opposition to the amendment, and ask for a vote on the amendment.

The CHAIRMAN. Is there further debate on the amendment?

If not, the question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

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

Mr. OBEY. Mr. Chairman, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Wisconsin [Mr. OBEY] will be postponed.

The point of no quorum is considered withdrawn.

Are there further amendments to title III?

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

Mr. Chairman, I rise in support of H.R. 3610 the fiscal year 1997 Department of Defense Appropriations Act. I ask my colleagues to join me in supporting this bill, which provides the bare minimum to keep the peace and ensure that America's military remains second to none.

I am troubled that some fail to recognize that the only guarantee of peace is a strong America. Those who would disarm, those who would further downsize the military fail to understand the basic concept of cause and effect. Like most dreamers they steadfastly refuse to cloud their crystal clear vision with reality. Others argue we can't afford our military. They argue that America cannot continue to spend funds on our defense. This view is as dangerous as it is irresponsible.

But don't take my word for it. Walk across the street. Go to the Library of Congress. Pick up any history book and read about the past. I ask the dreamers to read about Nazi Germany's respect for their disarmament treaties; read about imperial Japan's respect for other's independence. Read this before you vote. I ask the penny pinchers to read about how unprepared America and democracies were. To read about how small our military was, to think about what kind of world we would live in today if that decade's penny pinchers had won their argument and stopped the modernization of the R.A.F. I shudder to think who would have won the Battle of Britain and ultimately the war in Europe if they had won that debate. These are the facts, it's history, it's there in black and white for each and every one of you to read.

I am disturbed that some of you ignore these experiences saying that's old news. History is for the past and mankind is different today. My friends you are playing with fire. Remember

we have a sacred responsibility to uphold the Constitution and defend our Nation. If you remain unconvinced take a few minutes and go to Arlington National Cemetery. Listen to those who speak so articulately in their silence. Remember their sacrifices and remember your responsibility to those who are following in their footsteps by serving America and defending freedom. Then stop and visit the Archives. Look at our Declaration of Independence and our glorious Constitution and remember your responsibility. These are not mere pieces of papers. These are the heart and soul of what America is.

As Americans we can make only one choice if we are to remain true to those heroes who fell defending our freedom. Our only choice is to vote for this bill. A "no" vote betrays those who have made the ultimate sacrifice. A "no" vote jeopardizes the freedoms we hold so dear. A "no" vote is wrong for America. My friends as we vote today under the watchful gaze of our first Commander in Chief—our greatest leader—George Washington—be true to his legacy—be true to America—and vote "yes" for this Defense appropriations bill.

□ 1515

Mr. MURTHA. Mr. Chairman, I ask unanimous consent that the amendment of the gentleman from Vermont [Mr. SANDERS] numbered 20 may be considered as the Smith-Sanders amendment at this point, notwithstanding it addresses a portion of the bill not yet read, because one of the Members cannot be on the floor later on.

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

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object, I do so to inquire of the gentleman if this is amendment No. 20 as printed on page 6287 of the CONGRESSIONAL RECORD of June 12?

Mr. SANDERS. If the gentleman will yield, Mr. Chairman, that is correct.

Mr. YOUNG of Florida. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

AMENDMENT OFFERED BY MR. SMITH OF NEW JERSEY

Mr. SMITH of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment No. 20 offered by Mr. SMITH of New Jersey: Page 87, after line 3, insert the following new section:

SEC. . None of the funds available to the Department of Defense under this Act may be obligated or expended to pay a contractor under a contract with the Department of Defense for any costs incurred by the contractor when it is made known to the Federal official having authority to obligate or expend such funds that such costs are restructuring costs associated with a business combination

that were incurred on or after August 15, 1994.

Mr. MURTHA (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Chairman, I thank my friend and colleague from Vermont [Mr. SANDERS] for his cooperation in working on this amendment. We have been working on this for some time now.

Mr. Chairman, if you thought taxpayers were outraged and dismayed over the revelation that the Pentagon was shelling out \$500 for hammers and \$600 for toilet seats, wait until they learn that Uncle Sam is now subsidizing big corporate mergers and acquisitions, which by design, are intended to throw thousands of people out of work.

That's right, American taxpayers are footing the bill to merge, downsize, and fire people. This is corporate welfare at it worst.

Wait until the public discovers, Mr. Chairman, that thousands of hard-working Americans who have or recently had high paying defense industry jobs, got pink slips not necessarily because of fewer purchase orders, but because the Clinton administration's cynical policy of providing huge subsidies for corporate mergers.

In July 1994, the GAO's first and only available report on just one subsidy approved for payment makes clear a connection between payoffs and layoffs: "The contractor's proposed savings were based entirely on workforce reductions." (GAO/NSIAD-96-80)

The amendment I am offering today, which is cosponsored by Messrs. SANDERS, DUNCAN, MINGE, DEFAZIO, KLUG, and NEUMANN, puts a stop to this outrageous and largely obscure policy of subsidized downsizing until Congress and the taxpayers receive some reliable data on how much has been spent and what the human and budgetary impact of these subsidies are.

Make no mistake: Nobody is trying to interfere with legitimate private business decisions to merge. Of course, the establishment of monopolies is a different story. And nobody denies that leaner defense firms have the potential to save DOD some money on future cost-plus contracts.

But when Uncle Sam crosses the line between simply permitting mergers, and actively promoting and partially underwriting them, we have strayed.

Mr. Speaker, my amendment will end this fatally flawed policy from inflicting any more damage that has already been done.

The Smith-Sanders-Duncan-Minge-DeFazio-Klug-Neumann amendment is based on common sense—because the proponents of the Clinton policy have not proven their case—they have not even performed the duties that they were required by law to do.

Amazingly, the report by DoD called for in section 818 of Public Law 103-337 has still not been released, even though it was to be available by November 1995. This report was at the heart of congressional demands for accountability over these merger subsidies.

And when the hard data becomes available, it may show that the Clinton policy isn't just antijobs, but a net loss to taxpayers as well. GAO's testimony on this policy said the amount of restructuring costs charged to DoD contracts "could be substantial, possibly involving several billions of dollars." (GAO/T-NSIAD-94-247) Furthermore, GAO added that money spent on merger subsidies was "likely to place further increased pressure on DoD procurement budgets."

How can we, as guardians of the public purse, just watch as money goes out the door and nobody knows who's getting what and exactly how much this is costing us?

To date, some 32 defense contractors have lined up to receive some of Uncle Sam's corporate largess. Lockheed-Martin is just one of those contractors, but their requests could cost the taxpayers \$1.6 billion. Among Lockheed-Martin's approved requests for downsizing costs is a proposal submitted on January 31, 1996, to close down the Astro Space facility in East Windsor, NJ, which puts 3,200 jobs in jeopardy.

Mr. Speaker, this policy is the direct cause of some 3,200 layoffs in my district alone, and it uses the tax dollars of these every same people to do it.

Nor does anybody know what the net impact of these layoffs are likely to be. The premise, behind this policy are fundamentally at odds with America's free-market economy. Firms merge and restructure when they believe it is in their best interest to do so. If Wall Street lacks the confidence to underwrite a merger, why should Uncle Sam come to the rescue, doling out the tax dollars to make it work?

The flaws in current law are legion. Current law says DOD can only pay out restructuring costs if they see audited cost savings. That sounds nice, but what about the ripple effects of all these layoffs? What about the lower revenues realized and higher government services needed to assist those thrown out of work? What about the reduction in competition as mergers lead to monopolies?

This amendment is supported by a wide variety of organizations and individuals. Charlie Marciante of the New Jersey State AFL-CIO says "Republican Smith's amendment ensures that Uncle Sam's reimbursement offers do not prompt otherwise unlikely layoffs and it also ensures that taxpayers are not forced to pay for programs that put people out of work."

Steve Moore of the CATO Institute described the policy as "an egregious example of unwarranted corporate welfare in our budget." Dr. Lawrence Korb, a former Under Secretary of De-

fense during the Reagan administration, said, "By this policy of subsidizing defense mergers and acquisitions, the Clinton administration has already created megacompanies that will stifle competition and wield tremendous political power."

Defenders of merger subsidies argue that putting taxpayer money up front to pay for restructuring will lead to cost savings on future contracts. My question is: Since when is it the obligation of the Federal Government to inject itself into a firm's decisionmaking process by offering multimillion dollar inducements to merge and downsize?

For defense contractors, the only thing that seems to separate a good business deal from a bad business deal is how much money Uncle Sam injects into the process. In fact, the former CEO of Lockheed-Martin, Norman Augustine, stated in congressional testimony: "specifically, had [DOD] refused to [subsidize or reimburse] Martin Marietta's proposed General Dynamics Space Division acquisition *we would not have made the purchase, certainly not because of spite, but simply because it would have been a bad business deal.*" (emphasis added) (HASC 103-56, page 46).

Furthermore, why should taxpayers give a windfall to companies to merge if it can be shown that they would have merged anyway? And the idea that Uncle Sam must share savings on cost-plus contracts in order to give incentives to defense contractors is seriously flawed.

The fact of the matter is that when a contractor restructures, they save money for themselves and potentially to DOD. With lower overhead costs distributed throughout the newly merged organization, contractors pick up big savings on both fixed and cost-plus government contracts.

So when contractors tell you how much money DOD may or may not save, what they conveniently leave out is how much money they—not us—are going to save on existing fixed-price contracts.

In fact, Secretary Deutch actually conceded in congressional testimony that lower overhead costs for contractors will lead to windfalls on existing fixed-price contracts.

My colleagues, this issue should be a no-brainer. We need to put a stop to merger subsidy payments until we actually get some hard evidence that this policy even comes close to being what its proponents suggest. I think when all the facts are in, you will agree with me to kill this policy outright. Let's take a breather from government-subsidized "merger mania" and assess the damage already been done. Support the Smith-Sanders amendment to H.R. 3610.

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

Mr. Chairman, I want to thank the gentleman from New Jersey [Mr. SMITH] for his strong efforts and willingness to work with us on this very

important amendment, and also point out that the gentleman from Minnesota [Mr. MINGE], the gentleman from Oregon [Mr. DEFAZIO] and the gentleman from Wisconsin [Mr. NEUMANN] are also cosponsors and working with us on this effort.

Mr. Chairman, let me begin by thanking the chairman, Mr. YOUNG, and the ranking member, Mr. MURTHA, and all the Members of the House for the support that they gave me last year for an amendment which I successfully offered, which stopped the disgrace of the Pentagon providing a \$32-million bonus for the CEO's and board members of Martin-Marietta for their merger, and that is a merger which ended up laying off at least 19,000 American workers.

Well, if my colleagues think the \$32 million was a waste of taxpayers' dollars, then they better listen up, because what the gentleman from New Jersey [Mr. SMITH] and I are talking about today amounts to billions of dollars. Yes, the taxpayers are providing payoffs for layoffs. We are actually giving multibillion-dollar corporations huge amounts of money in order to merge their companies, stifle competition, and lay off American workers. This is an absurd policy, it is a disgraceful policy, it is the worst kind of corporate welfare, and it is a policy that we should end today.

Mr. Chairman, the Members who have come together to sponsor the Smith-Sanders amendment have different philosophical points of view, but we are in agreement that it is absurd that the U.S. Government is providing billions of dollars in taxpayer subsidies to huge profitable corporations so that they can merge and then lay off tens of thousands of American workers. That makes no sense to anyone.

Mr. Chairman, this amendment has widespread support. It is supported by the Taxpayers for Common Sense, the CATO Institute, the Project on Government Oversight, and also supported by Lawrence J. Korb, the former Under Secretary of Defense under President Reagan.

Mr. Chairman, there are a number of reasons why we should support this amendment. First, we have a \$5-trillion national debt. We should not be providing billions of dollars in subsidies to large corporations to lay off American workers. Second of all, we have received almost no documentation from these companies as to what they are doing. What they are saying basically is, "Don't worry, give us the money, trust us, we're going to save the government money." At the very least, we must have a clear outline of the net savings, and we want to know what savings will be effectuated.

Mr. Chairman, if we can believe this, the Pentagon has never submitted any of the annual reports required by law on this program, and the first report was scheduled to be due in November 1995. It has never been filed.

Mr. Chairman, in August 1995 the GAO began their own investigation in



spite of the inaction of the Pentagon. The GAO's first and only report on the two companies that applied for and received these payments stated that, and I quote, the contractor's proposed savings were based entirely on work force reductions, end quote.

The GAO also found that in exchange for free taxpayer cash up front, the same companies—FMC Corp. and Harsco Corp. BMY—projected out-year savings fell 85 percent short of what they originally presented to DOD. Further, the GAO reported that only one hearing has ever been held on a policy the GAO has said could cost, quote, several billions of dollars. The GAO also reported that 32 contractors have already lined up and put in requests to receive merger subsidies. One hearing. Billions of dollars.

Third, Mr. Chairman, we can agree about the wisdom or lack of wisdom of industrial policy, but I think everybody here understands that it makes no sense for the government to get involved in the private sector so that we can lose American jobs. That is insane.

I would support industrial policy if it created decent-paying jobs. Some in this body would not support any industrial policy. The thing they must ask themselves is why is the government selecting certain very large corporations and saying to them, quote, the taxpayers are going to help your company engender certain efficiencies, end quote.

Essentially what the Pentagon is doing is saying to this company, "We're going to help you, we're not going to help the other company." They are encouraging mergers. I think there is a lot to be discussed in terms of this whole issue.

Last, Mr. Chairman, it seems to me that at a time when real wages in this country for working people are in decline, at a time when people are scared to death about whether or not they are going to have their decent paying jobs, they do not want to see their tax dollars going to large multibillion-dollar corporations so that these companies can then merge and lay off American workers.

The CHAIRMAN. The time of the gentleman from Vermont [Mr. SANDERS] has expired.

(By unanimous consent, Mr. SANDERS was allowed to proceed for 1 additional minute.)

Mr. SANDERS. In fact, Mr. Chairman, we should be standing in opposition to that policy. Our tax dollars should not be going to that policy. Imagine the worker from Lockheed-Martin who has been laid off because of the merger saying, "My tax dollars went to laying me off and to hurt my family." That makes no sense.

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

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

Mr. DUNCAN. Mr. Chairman, I will be very brief because I understand the

managers of this amendment have agreed to accept it. I appreciate their graciousness in that regard very much but I also want to say that I appreciate Mr. SMITH's work on this and the work of many others. This amendment, I think, would have received widespread support on both sides of the aisle. I have been told that there are already some 32 companies that have filed approximately 2 billion dollars' worth of claims under this program and I think that if we had not been careful that this would very quickly turn into one of the largest boondoggles in the entire Federal Government.

The gentleman from New Jersey [Mr. SMITH] and the gentleman from Vermont [Mr. SANDERS] both made reference to the \$92 million in bonuses that were paid out in one merger, approximately a third of those paid by the taxpayers. One man received a bonus of \$9.2 million. I do not believe there is any way that he could have really earned that type of bonus. I think this is a program that really would horrify most taxpayers if they realized that it was going on and is something that we have never done and would not even consider, I don't believe, for 99.9 percent of the small businesses in this country. I am pleased that this amendment is going to be accepted, and I hope it survives in conference.

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

Mr. Chairman, I really did not want to get into this fight here, but I have been working on this same thing for 3 years. It seems strange that somebody who is almost fighting a single battle about privatization in this country and worried about Federal employees has to come up here and try to bring a lot of sensibility into this.

The gentleman said that there were no documents submitted and they are right. They were supposed to submit them in November 1995. Today I talked to the Defense Department. OMB held it up for some unknown reason, I cannot imagine that long, but they will be in in 2 weeks.

□ 1530

As far as no documentation that the gentleman said, I want to show this body section 818 and what we did in that, and then with the Defense Department. This is all of the loops before one penny can come out that they have to go through and be signed off by the Secretary of Defense or an Assistant Secretary of Defense.

I want DOD held accountable when they reimburse defense contractors for restructuring costs. Section 818 achieves this goal. And I think the gentleman from Vermont [Mr. SANDERS] and the gentleman from New Jersey [Mr. SMITH] fully appreciate that. We have certainly briefed their staff on that.

They object to the payment of any reimbursement whatever, and all of us

understand why. I know in the case of the gentleman from New Jersey I would be the same way if a merger or combination led to a plant being closed in my district, and that is how I got started in this out in California with former Congresswoman Schenk, who came to me, and that is why we had hearings on it.

But the question is whether this is a good policy. Should DOD reimburse restructuring costs? And I think the answer is yes. Perhaps some of the reason why is for over 10 years DOD procurement spending declined more than 60 percent, 60 percent. There is a significant overcapacity in the defense industry, and that leads to higher overhead and higher prices for defense goods and services.

Yes, it is sad to lay off people, but it is also sad for a plant to go into bankruptcy and lay off people. We just do not have enough business for all the defense contractors. In some cases the most effective restructuring comes from business combinations, acquisitions, and mergers. DOD reimburses contractors for restructuring after acquisitions or mergers that will clearly result in overhead savings for DOD. DOD provides this incentive because the quicker a restructuring occurs, the sooner the Department of Defense and this Government saves money.

Restructuring costs are costs the company incurs to combine facilities and eliminate layers of management. DOD pays a share of allowable costs, such as severance pay, retirement incentives, job training, moving equipment, and relocating employees.

Now, listen to this carefully. This came from the Department of Defense, I have not had GAO, although we have had a report which came from GAO, but DOD does not pay for executive golden parachutes, good will, or for gains or losses resulting from the transfer of assets. No matter what Members read in the paper, and I just heard it now, DOD does not pay for executive bonuses that are contingent solely on merger or acquisitions.

When I learned about DOD's policy of reimbursing restructuring costs, I held hearings and wrote section 818. GAO says it works because they want to repeal it. The industry wants to repeal it because it is too hard to get that money. Section 818 protects taxpayers by forcing DOD to benefit from the legitimate savings of restructuring.

For over 3 years DOD has negotiated restructuring agreements that will save this Government over \$1.4 billion by agreeing to pay restructuring costs of about \$300 million. I think that is a heck of a deal for the taxpayers, and I ask Members to oppose changes in a sound policy and good law.

I have come out of the business world and I think I know a little bit about what is happening. I have a lot of public facilities down my way, and what we are trying to do now is reduce overhead, no matter how we have to do it, to reduce overhead. And this flies raw in the face of just that.



I ask, and I know that Members will accept the amendment and I will not argue with Members on that, but the argument is not over yet because this is the wrong policy that we are getting ready to do.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. SISISKY] has expired.

(On request of Mr. DICKS, and by unanimous consent, Mr. SISISKY was allowed to proceed for 1 additional minute.)

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

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

Mr. DICKS. Mr. Chairman, I want to commend the gentleman for his work on this thing, and I have great sympathy for what the gentleman from Vermont, Congressman SANDERS, and the gentleman from New Jersey, Congressman SMITH, are doing, but I think there is one other point that needs to be made here. When we go from \$135 billion a year in procurement down to \$38.5 billion a year in procurement, we need less infrastructure, less industrial base to handle those things, and it will require some downsizing.

I think one of the things I have been committed to, I know the gentleman from Virginia has too, is to help when these Government workers, and other workers, private sector workers, get dislocated, to try to have funds to help them get retrained and back into some new endeavor. But to think we can completely avoid any downsizing when we go from \$135 billion a year in procurement down to \$38 billion, I think we have to think about that.

Mr. SISISKY. Mr. Chairman, reclaiming my time, therein lies the problem, really. It is not an easy problem to solve, but we just cannot afford to save everybody and save every company.

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

I would like to point out to my colleagues that we have discussed this, and although the Department of Defense strongly opposes this, we think there is some merit to what the gentleman from New Jersey and the gentleman from Vermont are trying to do. We have agreed to accept the amendment with the understanding that we would certainly allow the Department of Defense to come back to us with whatever legal information that they would have relative to this.

One of the reasons we did this was to save a lengthy debate. If we are going to get into a lengthy debate, we may have to start getting into the details of this and maybe we will not be able to accept it.

So at this point I am prepared to accept it with the understanding that we will have to take a close look at this between now and conference, because the Department of Defense is definitely opposed to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. SMITH].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. 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. OBEY. Page 24, line 17, after the dollar amount, insert the following: "(reduced by \$314,100,000)".

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes, to be equally divided.

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

Mr. MONTGOMERY. Mr. Chairman, reserving the right to object, could I ask the gentleman from Wisconsin [Mr. OBEY], what weapon systems are covered in this?

Mr. OBEY. Mr. Chairman, if the gentleman will yield, I do not want to impose on the House a lengthy explanation, but essentially what I am trying to do is to eliminate six C-130-J airplanes from this bill because we can save \$10 million a year by waiting until next year to buy the same six planes.

So that is basically what I am trying to do with the amendment, and I do not really much care how much time we have on the amendment.

Mr. MONTGOMERY. Mr. Chairman, how much time was asked for?

Mr. YOUNG of Florida. My unanimous consent request is still pending; correct, Mr. Chairman?

The CHAIRMAN. The gentleman is correct.

Mr. YOUNG of Florida. Mr. Chairman, does the gentleman want to change the time?

The CHAIRMAN. The gentleman from Mississippi [Mr. MONTGOMERY] has the time.

Mr. MONTGOMERY. Forty minutes?

Mr. YOUNG of Florida. Twenty?

Mr. MONTGOMERY. Yes.

Mr. YOUNG of Florida. Mr. Chairman, I withdraw my unanimous-consent request.

Mr. OBEY. Mr. Chairman, if there are no other requests pending, might I be recognized?

The CHAIRMAN. If there is no unanimous consent, the gentleman from Wisconsin [Mr. OBEY] is recognized for 5 minutes.

Mr. OBEY. Mr. Chairman, the Air Force wants to buy C-130-J transport aircraft but they only wanted to buy one of them. The Air Force, instead, is getting six more planes than they expected.

I do not really know whether they need those additional planes or not, that is up to somebody who knows a whole lot more about the military requirements of the Air Force on this point than I do. But the problem is that they do not need these planes for more than a decade, and the real kicker is that the Air Force documents, which were obtained by the General

Accounting Office, indicated that the Air Force and Lockheed have agreed that the price will drop in fiscal 1998 by \$8.4 million a plane or \$50 million total for the six aircraft.

In other words, all we have to do to save the \$50 million is to wait 1 year. Now, it seems to me under those circumstances that the decision to buy in bulk before the discount defies common sense, but that is exactly what we are going to do.

The issue here is very simple. There will be a lot of people who will want to buy these planes. I am not getting into that argument. All I am saying is if the Air Force needs the planes they can get them next year at a discount. But by buying them this year it will cost us \$50 million more. That is very expensive \$50 million ride the taxpayers are being taken on, and so I would simply, in the interest of economy, say go ahead and buy these planes, but do not buy them until next year because we can save \$50 million if we simply wait 1 year. It is a done deal.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to the gentleman's amendment, and I would call to the attention of our colleagues that we have already reduced the C-130 line in the manager's amendment we adopted earlier today.

Among the six aircraft that the OBEY amendment would eliminate are four hurricane hunters, WC-30s. These hurricane hunters are extremely important to the United States and especially areas that are subject to hurricanes. The other two of those aircraft would be airborne command and control aircraft. We have already eliminated one of those in the amendment that we have already done.

The gentleman from Wisconsin [Mr. OBEY] makes the case that the Air Force does not want them. Not so. During our hearings, for those Members who attended the hearings, they will recall that when we asked the Air Force for their list of unfunded requirements, these aircraft were on that list.

So the Air Force does not want these airplanes and those of us who are concerned about prediction of hurricane paths and things of this nature, we want these airplanes. We want them to be able to fly, to give us advanced warning to protect our properties and our lives.

So I hope we will defeat this amendment. It is definitely on the Air Force's list of aircraft they would have funded if they did not have a political number so low that they could not ask for it. But it is on their list.

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

Mr. YOUNG of Florida. I yield to the gentleman from California.

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding, and let me say from the national security side and the procurement subcommittee we also asked the Air Force what they needed, and they, in fact, sent these aircraft over to us on a list. They do want it,

and we are having that list sent over here and we will supply it to the gentleman from Wisconsin whenever he wants it.

It is requested and it is very important to the Air Force.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman from Wisconsin for those comments, but I have the list here. This is a copy of the Air Force unfunded requirements list, and the C-130 requirement is right on this page.

Mr. Chairman, I ask for a "no" vote on this amendment.

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

Mr. Chairman, I rise in opposition to the amendment. I have great respect for the gentleman from Wisconsin and the gentleman from Pennsylvania, as well as the chairman of this subcommittee, they have done well on the procurement of appropriations, but I am worried we are moving a little too fast on this amendment.

We have already cut one C-130 from this bill and this, now, is six C-130's. Last night it was seven C-130's. Now it is cut back to six. Four of these C-130's are going to the Air Reserve for the hurricane hunters who are flying 40-year-old C-130's now.

It is a dangerous mission going out and looking for hurricanes, seeing which way they are going, how much danger is in the turbulence of these hurricanes. And so these six that he is eliminating, four will go to the Air Reserve. If it had not been for this Congress, we would not have any new equipment for the Air Guard and for the Air Reserve.

I think this is a mistake. I hope we will vote against the amendment.

□ 1545

Mr. TAYLOR of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. MONTGOMERY. I yield to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Chairman, I thank the dean of the Mississippi delegation. It is common knowledge that world's populations are moving to the shorelines. Even in this country, well over half of the people in this country live within 50 miles of the coast.

Mr. Chairman, that means that every one of them is vulnerable to a typhoon or hurricane and every one of them needs to know when to leave prior to that hurricane. The greatest commission that these planes that the gentleman from Wisconsin [Mr. OBEY] would do away with serves is to let people know where and when a killer storm is going to land.

Coming from a place which Hurricane Camille literally knocked off the map, where 250 people in south Mississippi were murdered in one night by a storm, I call tell my colleagues how important it is that people know where and when a storm hits. People thought Hurricane Camille was going to hit New Orleans. It did not. It hit Mississippi, and be-

cause people did not leave, 250 lives were lost.

So, Mr. Chairman, I want to thank the gentleman from Florida [Mr. YOUNG] for his opposition to this amendment, and I thank the senior member of the Mississippi delegation for standing firm in trying to replace these 30-year-old aircraft, that is the newest, where people are literally playing Russian roulette every time they fly a mission because they are the most dangerous peacetime missions that the Air Force serves.

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

Mr. MONTGOMERY. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me point out that we are not eliminating the hurricane-seeking capability that the gentleman is talking about. They can use existing aircraft for that, and the Air Force testified to that.

All we are saying is if we are going to buy new replacement airplanes, wait 1 year so that we can save \$8.5 million a copy. Given the squeeze on the budget, I do not think that is an unreasonable request since the agreement has already been reached that any planes that are bought next year will be \$8.5 million cheaper.

Mr. MONTGOMERY. Mr. Chairman, reclaiming my time, with the new equipment that we have given the Guard and Reserve in the Air Force, 40 percent of all the missions of the Air Force are flown by the Air Reserve and the Air Guard.

Mr. Chairman, this is a step backward. I hope Members will vote against the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

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

Mr. OBEY. 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, further proceedings on the amendment offered by the gentleman from Wisconsin [Mr. OBEY] will be postponed.

The point of no quorum is considered is withdrawn.

The CHAIRMAN. Are there other amendments to title III?

If not, the Clerk will read.

The Clerk read as follows:

#### TITLE IV—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

##### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$4,874,537,000, to remain available for obligation until September 30, 1998: *Provided*, That of the funds appropriated in this paragraph, \$194,558,000 shall not be obligated or expended until authorized by law.

##### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$8,399,357,000, to remain available for obligation until September 30, 1998: *Provided*, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique requirements of the Special Operations Forces: *Provided further*, That of the funds appropriated in this paragraph, \$209,400,000 shall not be obligated or expended until authorized by law.

##### RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$14,969,573,000, to remain available for obligation until September 30, 1998: *Provided*, That of the funds made available in this paragraph, \$25,000,000 shall be only for development of reusable launch vehicle technologies: *Provided further*, That of the funds appropriated in this paragraph, \$1,698,486,000 shall not be obligated or expended until authorized by law.

##### RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; \$9,068,558,000, to remain available for obligation until September 30, 1998: *Provided*, That not less than \$304,171,000 of the funds appropriated in this paragraph shall be made available only for the Sea-Based Wide Area Defense (Navy Upper-Tier) program.

##### DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, of independent activities of the Director, Test and Evaluation in the direction and supervision of developmental test and evaluation, including performance and joint developmental testing and evaluation; and administrative expenses in connection therewith; \$272,038,000, to remain available for obligation until September 30, 1998: *Provided*, That of the funds appropriated in this paragraph, \$20,000,000 shall not be obligated or expended until authorized by law.

##### OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith; \$26,968,000, to remain available for obligation until September 30, 1998: *Provided*, That of the funds appropriated in this paragraph, \$5,000,000 shall not be obligated or expended until authorized by law.

Mr. YOUNG of Florida (during the reading). Mr. Chairman, I ask unanimous consent that title IV of the bill be considered as read, printed in the

RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. OBEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 19 offered by Mr. OBEY: Page 29, line 10, after the dollar amount, insert the following: "(reduced by \$1,000,000,000)".

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that all debate on this amendment, and all amendments thereto, close in 10 minutes and that the time be equally divided.

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

There was no objection.

The CHAIRMAN. The gentleman from Wisconsin [Mr. OBEY] will be recognized for 5 minutes, and a Member opposed, the gentleman from Florida [Mr. YOUNG] will be recognized for 5 minutes.

The Chair recognizes the gentleman from Wisconsin [Mr. OBEY].

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

Mr. Chairman, this amendment would simply cut \$1 billion of the roughly \$2 billion appropriated in the bill to continue research and development for the F-22 fighter aircraft. The amendment would direct the Air Force to use the remaining \$1 billion to restructure and delay the program by 5 years for one simple reason: Because the General Accounting Office said it ought to be delayed 7 years, and it seems to me that that being the case, we ought to delay it at least 5 years.

Mr. Chairman, the reason, as I see it, is very simple. The Air Force and the F-22 supporters want us to spend some \$70 billion to buy 442 F-22 replacement planes for the F-15E's. The fact is that we right now have 734 F-15E's. They are estimated to have a military useful shelf life to at least 2010.

So, Mr. Chairman, it seems to me, therefore, that it is absurd for us to buy replacement aircraft for the best fighter aircraft in the world 7 years or more before we need to.

I recognize that there is tremendous pressure to proceed with this purchase and this expenditure. They have subcontracts salted in virtually every State in the Union, and I understand why so few people are going to vote for this amendment. But that does not mean that cutting out this expenditure at this time is the wrong thing to do.

Mr. Chairman, it is the right thing to do. We are seeing a squeeze on the budget all over, whether we are looking at what is happening on housing, whether we are looking at what is happening on the environment, on edu-

cation, and in fact and indeed other defense programs.

It seems to me, therefore, that we ought to listen to the accounting arm of the Congress itself, the General Accounting Office, when it says that we ought not to replace these planes early.

I realize that I just misspoke, Mr. Chairman. I indicated that the military useful shelf life of the existing F-15E's took us out to at least 2010. I misspoke. It takes us out to at least 2015, so we have plenty of margin. We have incredible overlap by this purchase.

It seems to me that we ought to save the billion dollars that I am talking about in this bill by stretching out the purchase of this new fighter for at least 5 of the 7 years recommended by the GAO.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to this amendment. Again, this amendment was defeated in the full committee on a very large vote, and I would ask that we have that same negative vote on this amendment now.

Mr. Chairman, I yield 1 minute to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, I will be very brief, and I appreciate the gentleman from Florida yielding me time.

Mr. Chairman, the F-22 is the Air Force's No. 1 priority. I think this has been an outstanding program. My only concern about it, frankly, is quite the contrary of my good friend from Wisconsin. I think we are going at this program too slowly and we are going to wind up spending more money on it because we are dragging it out.

Mr. Chairman, to cut this program this significantly this year would delay it even further and completely disrupt this R&D program. This plane will give us stealth capability and the highest military capability for the future.

Our committee is just as concerned as anyone about long-range power projection and tac air, and we have ordered a study to look at these two issues. I am prepared to wait and see what the outcome of the study is, but I urge my colleagues to stay with the committee, support the F-22. This is an outstanding program and the Air Force's No. 1 priority.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HUNTER], a member of the Committee on National Security.

Mr. HUNTER. Mr. Chairman, let me say to the gentleman from Wisconsin [Mr. OBEY], my friend, it is not the shelf life of the aircraft that is important; it is the survival time and the survivability of the pilot who is flying the aircraft who may happen to be in a kill zone, meaning that he is being tracked by a SAM system with a missile at the end of that SAM system.

Now, the F-22 has a stealth capability. That means if we have people with SAM's down on the ground aiming at our aircraft with an American pilot, they have a much smaller chance of being able to hit that American airplane than they do with the F-15's which have more shelf life.

We preserved the F-117 program, we in Congress preserved it. It served us well in Desert Storm. We should preserve the F-22 program because that will save the lives of American pilots and project our air power.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the gentleman from Georgia [Mr. BARR].

Mr. BARR of Georgia. Mr. Chairman, I thank the distinguished gentleman from Florida for yielding me time.

Mr. Chairman, representing tens of thousands of Americans and tens of thousands of American fighting men and women all across the world, I rise today and urge strong defeat of this amendment.

Its proponent, the gentleman from Wisconsin [Mr. OBEY] said it is absurd to buy new fighter aircraft. Hogwash. It is essential that we purchase these new fighter aircraft. It is essential that we continue the efforts to develop the next generation of fighter aircraft which will take us well into the 21st century.

Mr. Chairman, while the gentleman is busy listening to the accountants and the bean counters, I am listening to, and you are listening to, the fighting men and women who depend on that air superiority for their very lives.

This is a foolish amendment. Let us stand up for a program that is recognized by Presidents, Republican and Democrat alike. This is extremely important. This is bipartisan. I urge defeat of this wrong-headed and misguided amendment. Support the F-22 program. Support our troops in the world, and support air superiority into the 21st century. Defeat the amendment.

Mr. YOUNG of Florida. Mr. Chairman, might I inquire as to how much time I have remaining?

The CHAIRMAN. Each side has 2 minutes remaining.

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

Mr. OBEY. Mr. Chairman, could I ask who has the right to close?

The CHAIRMAN. The manager of the bill has the right to close.

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

Mr. Chairman, let me simply read two quotes from the senior DOD official who gave the background briefing on March 1, 1996, who said the following: "We're committed to it (the F-22) even though I can't project a threat right now that justifies an F-22."

That was said by the Defense Department official who provided the background briefing. The GAO report in March 1994 said, "Our analysis shows that the F-15 exceeds the most advanced threat system expected to exist

\* \* \* Thus, the F-22 initial operational capability can be delayed 7 years."

Now, I know the usual game on this bill. We have military contractors all over the country and because this country is doing very little else to generate jobs and employment, the Defense Department is having its budget used as a fancy public works program.

But the fact is, Mr. Chairman, it is ludicrous for us to spend \$70 billion on a new system that we do not need for at least 7 years and probably twice that long. It is absolutely ludicrous. There is only one reason that this Congress is proceeding, and that is because it is being lobbied to death by all kinds of contractors and subcontractors.

I do not doubt that there are some Members of the House who intellectually feel that this is a good system, but we are going to be in a budget squeeze. We have to recognize that just because the service wants something, we cannot necessarily afford to give them everything they want. The fact is that on the merits, especially given competing priorities in the Defense Department as well as out, we ought to delay this.

That is what this does. This does not end the program; it simply delays it. There is no reason to rush to building a new \$70 billion system for which, in the words of the DOD official doing the background briefing, there is no threat that he can cite right now to justify moving ahead with this aircraft.

Mr. YOUNG of Florida. Mr. Chairman, I yield 30 seconds to the gentleman from Washington [Mr. DICKS] a distinguished member of the subcommittee.

Mr. DICKS. Mr. Chairman, I would like to point out that both the F-15E and the F-16 are not stealthy aircraft, and there has been a proliferation of surface-to-air missiles, including the SA-10, which is a threat to any non-stealthy aircraft that flies today.

So if we are going to send our young men and women into combat in these aircraft, we need to have a stealthy airplane. I have been a major advocate for stealth because it saves money and it saves lives. We can send them into the most heavily defended areas and with standoff weapons take out the surface-to-air missiles where conventional planes would be shot down.

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

Mr. Chairman, one of the many responsibilities that members of this subcommittee have is to look out for the taxpayer and make sure that their tax dollars are spent wisely, and at the same time make sure that we provide enough money to ensure our national security.

On this particular program, the F-22, previous program stretchouts have delayed completing the F-22 by nearly 3 years with a cost growth of \$1.8 billion. We could have used that \$1.8 billion somewhere else. Additional slowdowns or growth time involved in the program will cost additional money.

The gentleman's reduction, as recommended by the Obey amendment, would postpone indefinitely the deployment of the F-22 at the time we are now beginning to build the airplane. Any reduction in this program could be very costly, in fact it could lead to as much as a 40-percent increase in the cost of the balance of this program.

This subcommittee is trying to play catchup. We are trying to pay off some credit card bills that developed over the years.

□ 1600

Mr. Chairman, we are trying to make sure we conduct defense procurement on a very strict, businesslike basis. This amendment will upset all of those plans. Let us defeat this amendment, as we did in the full committee, on a strong bipartisan vote and guarantee that the flyers, the pilots, the aviators, the warriors of just a few years from now will have the best equipment possible should they be required to risk their life in the defense of our Nation. I oppose the amendment and ask for a no vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

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

Mr. OBEY. 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, further proceedings on the amendment offered by the gentleman from Wisconsin [Mr. OBEY] will be postponed.

The point of no quorum is considered withdrawn.

#### SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 453, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment No. 14 offered by the gentleman from Wisconsin [Mr. OBEY]; amendment No. 17 offered by the gentleman from Wisconsin [Mr. OBEY].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

#### AMENDMENT NO. 14 OFFERED BY MR. OBEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment No. 14 offered by the gentleman from Wisconsin [Mr. OBEY] 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. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 143, noes 285, not voting 6, as follows:

[Roll No. 240]

AYES—143

|              |              |               |
|--------------|--------------|---------------|
| Barrett (WI) | Ganske       | Payne (NJ)    |
| Becerra      | Geddeson     | Pelosi        |
| Beilenson    | Gibbons      | Peterson (MN) |
| Berman       | Gunderson    | Petri         |
| Blumenauer   | Gutierrez    | Pomeroy       |
| Boucher      | Gutknecht    | Porter        |
| Brown (CA)   | Heineman     | Poshard       |
| Brown (OH)   | Hinchey      | Ramstad       |
| Brownback    | Hoekstra     | Rangel        |
| Bryant (TX)  | Inglis       | Reed          |
| Bunn         | Jackson (IL) | Riggs         |
| Campbell     | Jacobs       | Rivers        |
| Castle       | Johnson (SD) | Rohrabacher   |
| Chabot       | Kennedy (MA) | Roukema       |
| Chapman      | Kennedy (RI) | Roybal-Allard |
| Clay         | Kennelly     | Royce         |
| Clayton      | Klug         | Rush          |
| Coble        | LaFalce      | Sanders       |
| Coburn       | Levin        | Sanford       |
| Collins (IL) | Linder       | Sawyer        |
| Collins (MI) | Lipinski     | Schroeder     |
| Condit       | LoBiondo     | Sensenbrenner |
| Conyers      | Lofgren      | Serrano       |
| Coyne        | Lowe         | Shays         |
| Cummins      | Luther       | Skaggs        |
| Danner       | Maloney      | Smith (MI)    |
| DeFazio      | Markey       | Stark         |
| DeLauro      | Matsui       | Stenholm      |
| Dellums      | McCarthy     | Stockman      |
| Dingell      | McDermott    | Stokes        |
| Doggett      | McKinney     | Studds        |
| Dooley       | Meehan       | Stupak        |
| Duncan       | Menendez     | Thurman       |
| Durbin       | Meyers       | Torres        |
| Ehlers       | Miller (CA)  | Towns         |
| Engel        | Minge        | Upton         |
| Ensign       | Mink         | Velazquez     |
| Eshoo        | Moakley      | Vento         |
| Evans        | Morella      | Volkmer       |
| Fattah       | Nadler       | Waters        |
| Filner       | Neal         | Watt (NC)     |
| Flake        | Neumann      | Waxman        |
| Foglietta    | Oberstar     | Williams      |
| Foley        | Obey         | Woolsey       |
| Ford         | Olver        | Wynn          |
| Frank (MA)   | Owens        | Yates         |
| Franks (NJ)  | Pallone      | Zimmer        |
| Furse        | Pastor       |               |

NOES—285

|              |              |               |
|--------------|--------------|---------------|
| Abercrombie  | Chenoweth    | Fox           |
| Ackerman     | Christensen  | Franks (CT)   |
| Allard       | Chrysler     | Frelinghuysen |
| Andrews      | Clement      | Frisa         |
| Archer       | Clinger      | Frost         |
| Armey        | Clyburn      | Funderburk    |
| Bachus       | Coleman      | Gallely       |
| Baesler      | Collins (GA) | Gekas         |
| Baker (CA)   | Combest      | Gephardt      |
| Baker (LA)   | Cooley       | Geren         |
| Baldacci     | Costello     | Gilchrest     |
| Ballenger    | Cox          | Gilman        |
| Barcia       | Cramer       | Gonzalez      |
| Barr         | Crane        | Goodlatte     |
| Barrett (NE) | Crapo        | Goodling      |
| Bartlett     | Creameans    | Gordon        |
| Barton       | Cubin        | Goss          |
| Bass         | Cunningham   | Graham        |
| Bateman      | Davis        | Green (TX)    |
| Bentsen      | de la Garza  | Greene (UT)   |
| Bereuter     | Deal         | Greenwood     |
| Bevill       | DeLay        | Hall (OH)     |
| Bilirakis    | Deutsch      | Hall (TX)     |
| Bishop       | Diaz-Balart  | Hamilton      |
| Bliley       | Dickey       | Hancock       |
| Blute        | Dicks        | Hansen        |
| Boehlert     | Dixon        | Harman        |
| Boehner      | Doolittle    | Hastert       |
| Bonilla      | Dornan       | Hastings (FL) |
| Bonior       | Doyle        | Hastings (WA) |
| Bono         | Dreier       | Hayworth      |
| Borski       | Dunn         | Hefley        |
| Brewster     | Edwards      | Hefner        |
| Browder      | Ehrlich      | Heger         |
| Brown (FL)   | Emerson      | Hilleary      |
| Bryant (TN)  | English      | Hilliard      |
| Bunning      | Everett      | Hobson        |
| Burr         | Ewing        | Hoke          |
| Burton       | Farr         | Holden        |
| Buyer        | Fawell       | Horn          |
| Callahan     | Fazio        | Hostettler    |
| Calvert      | Fields (LA)  | Houghton      |
| Camp         | Fields (TX)  | Hoyer         |
| Canady       | Flanagan     | Hunter        |
| Cardin       | Forbes       | Hutchinson    |
| Chambliss    | Fowler       | Hyde          |

Istook  
 Jackson-Lee (TX)  
 Jefferson  
 Johnson (CT)  
 Johnson, E. B.  
 Johnson, Sam  
 Johnston  
 Jones  
 Kanjorski  
 Kaptur  
 Kasich  
 Kelly  
 Kildee  
 Kim  
 King  
 Kingston  
 Kleczka  
 Klink  
 Knollenberg  
 Kolbe  
 LaHood  
 Lantos  
 Largent  
 Latham  
 LaTourette  
 Laughlin  
 Lazio  
 Leach  
 Lewis (CA)  
 Lewis (GA)  
 Lewis (KY)  
 Lightfoot  
 Livingston  
 Longley  
 Lucas  
 Manton  
 Manzullo  
 Martinez  
 Martini  
 Mascara  
 McCollum  
 McCrery  
 McHale  
 McHugh  
 McInnis  
 McIntosh  
 McKeon  
 McNulty  
 Meek  
 Metcalf  
 Mica  
 Millender-McDonald  
 Miller (FL)  
 Molinari  
 Mollohan  
 Montgomery  
 Moorhead  
 Moran  
 Murtha  
 Myers  
 Myrick  
 Nethercutt  
 Ney  
 Norwood  
 Nussle  
 Ortiz  
 Orton  
 Oxley  
 Packard  
 Parker  
 Paxon  
 Payne (VA)  
 Peterson (FL)  
 Pickett  
 Pombo  
 Portman  
 Pryce  
 Quillen  
 Quinn  
 Radanovich  
 Rahall  
 Regula  
 Richardson  
 Roberts  
 Roemer  
 Rogers  
 Ros-Lehtinen  
 Rose  
 Roth  
 Sabo  
 Salmon  
 Saxton  
 Scarborough  
 Schaefer  
 Schiff  
 Scott  
 Seastrand  
 Shadegg  
 Shaw  
 Shuster  
 Sisisky  
 Skeen  
 Skelton  
 Slaughter  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Solomon  
 Souder  
 Spence  
 Spratt  
 Stearns  
 Stump  
 Talent  
 Tanner  
 Tate  
 Tauzin  
 Taylor (MS)  
 Taylor (NC)  
 Tejeda  
 Thomas  
 Thompson  
 Thornberry  
 Thornton  
 Tiahrt  
 Torkildsen  
 Torricelli  
 Traficant  
 Visclosky  
 Vucanovich  
 Walker  
 Walsh  
 DeLauro  
 Dellums  
 Deutsch  
 Dingell  
 Doggett  
 Doyle  
 Duncan  
 Durbin  
 Ehlert  
 English  
 Eshoo  
 Evans  
 Farr  
 Fattah  
 Filner  
 Flake  
 Foglietta

The vote was taken by electronic device and there were—ayes 126, noes 299, not voting 9, as follows.

[Roll No. 241]

AYES—126

Baldacci  
 Barrett (WI)  
 Becerra  
 Beilenson  
 Bentsen  
 Berman  
 Blumenauer  
 Borski  
 Brown (CA)  
 Brown (OH)  
 Brownback  
 Bryant (TX)  
 Bunn  
 Campbell  
 Clay  
 Coble  
 Coburn  
 Collins (IL)  
 Collins (MI)  
 Conyers  
 Cooley  
 Coyne  
 Cummings  
 Danner  
 DeFazio  
 DeLauro  
 Dellums  
 Deutsch  
 Dingell  
 Doggett  
 Doyle  
 Duncan  
 Durbin  
 Ehlert  
 English  
 Eshoo  
 Evans  
 Farr  
 Fattah  
 Filner  
 Flake  
 Foglietta  
 Ford  
 Frank (MA)  
 Franks (NJ)  
 Furse  
 Ganske  
 Gephardt  
 Gibbons  
 Goodlatte  
 Green (TX)  
 Gutierrez  
 Heineman  
 Hilliard  
 Hoekstra  
 Jackson (IL)  
 Jackson-Lee (TX)  
 Jacobs  
 Johnson (SD)  
 Johnston  
 Kanjorski  
 Kennedy (MA)  
 Kleczka  
 Klug  
 Lantos  
 Levin  
 Lewis (GA)  
 LoBiondo  
 Lofgren  
 Lowey  
 Luther  
 Maloney  
 Markley  
 Martini  
 McCarthy  
 McDermott  
 McKinney  
 Meehan  
 Miller (CA)  
 Minge  
 Mink  
 Moakley  
 Morella  
 Nadler  
 Neal  
 Neumann  
 Obey  
 Olver  
 Owens  
 Payne (NJ)  
 Pelosi  
 Porter  
 Ramstad  
 Rangel  
 Rivers  
 Rohrabacher  
 Roukema  
 Roybal-Allard  
 Royce  
 Rush  
 Sanders  
 Schroeder  
 Sensenbrenner  
 Serrano  
 Shays  
 Slaughter  
 Smith (MI)  
 Stark  
 Stockman  
 Stokes  
 Studds  
 Tiahrt  
 Torres  
 Towns  
 Upton  
 Velazquez  
 Vento  
 Visclosky  
 Waters  
 Watt (NC)  
 Waxman  
 Woolsey  
 Wynn  
 Yates  
 Zimmer

Jefferson  
 Johnson, E. B.  
 Johnson, Sam  
 Jones  
 Kaptur  
 Kasich  
 Kelly  
 Kennedy (RI)  
 Kennelly  
 Kildee  
 Kim  
 King  
 Kingston  
 Klink  
 Knollenberg  
 Kolbe  
 LaFalce  
 LaHood  
 Largent  
 Latham  
 LaTourette  
 Laughlin  
 Lazio  
 Leach  
 Lewis (CA)  
 Lewis (KY)  
 Lewis (KY)  
 Lightfoot  
 Linder  
 Lipinski  
 Livingston  
 Longley  
 Lucas  
 Manton  
 Manzullo  
 Mascara  
 Matsui  
 McCollum  
 McCrery  
 McHale  
 McHugh  
 McInnis  
 McIntosh  
 McKeon  
 McNulty  
 Meek  
 Menendez  
 Metcalf  
 Meyers  
 Mica  
 Millender-McDonald  
 Miller (FL)  
 Molinari  
 Mollohan  
 Montgomery  
 Moorhead  
 Moran  
 Murtha  
 Myers  
 Myrick  
 Nethercutt  
 Ney  
 Norwood  
 Nussle  
 Oberstar  
 Ortiz  
 Orton  
 Oxley  
 Packard  
 Pallone  
 Parker  
 Pastor  
 Paxon  
 Payne (VA)  
 Peterson (FL)  
 Peterson (MN)  
 Petri  
 Pickett  
 Pombo  
 Pomeroy  
 Portman  
 Poshard  
 Pryce  
 Quillen  
 Quinn  
 Radanovich  
 Rahall  
 Reed  
 Regula  
 Richardson  
 Riggs  
 Roberts  
 Roemer  
 Rogers  
 Ros-Lehtinen  
 Rose  
 Roth  
 Sabo  
 Salmon  
 Sanford  
 Sawyer  
 Saxton  
 Scarborough  
 Schaefer  
 Schiff  
 Scott  
 Seastrand  
 Shadegg  
 Shaw  
 Shuster  
 Sisisky  
 Skaggs  
 Skeen  
 Skelton  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Solomon  
 Souder  
 Spence  
 Spratt  
 Stearns  
 Stenholm  
 Stump  
 Stupak  
 Talent  
 Tanner  
 Tate  
 Tauzin  
 Taylor (MS)  
 Taylor (NC)  
 Tejeda  
 Thomas  
 Thompson  
 Thornberry  
 Thornton  
 Thurman  
 Torkildsen  
 Torricelli  
 Traffant  
 Volkmer  
 Vucanovich  
 Walker  
 Walsh  
 Wamp  
 Ward  
 Watts (OK)  
 Weldon (FL)  
 Weldon (PA)  
 Weller  
 White  
 Whitfield  
 Wicker  
 Wilson  
 Wise  
 Wolf  
 Young (AK)  
 Young (FL)  
 Zeliff

NOT VOTING—6

Bilbray  
 Gillmor  
 Hayes  
 Lincoln  
 McDade  
 Schumer

□ 1623

Mr. GREENWOOD, Mr. HANCOCK, and Ms. MILLENDER-McDONALD changed their vote from “aye” to “no.” Messrs. BERMAN, TORRES, INGLIS of South Carolina, and CASTLE changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### PERSONAL EXPLANATION

Mr. SCHUMER. Mr. Chairman, during roll-call vote No. 240 on H.R. 3610 I was unavoidably detained. Had I been present, I would have voted “aye”.

AMENDMENT NO. 17 OFFERED BY MR. OBEY

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment number 17 offered by the gentleman from Wisconsin [Mr. OBEY] 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. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This is a 5-minute vote.

NOES—299

Abercrombie  
 Ackerman  
 Allard  
 Andrews  
 Archer  
 Arney  
 Bachus  
 Baesler  
 Baker (CA)  
 Baker (LA)  
 Ballenger  
 Barcia  
 Barr  
 Barrett (NE)  
 Bartlett  
 Barton  
 Bass  
 Bateman  
 Bereuter  
 Bevil  
 Bilirakis  
 Bishop  
 Bliley  
 Blute  
 Boehlert  
 Boehner  
 Bonilla  
 Bonior  
 Bono  
 Boucher  
 Brewster  
 Browder  
 Brown (FL)  
 Bryant (TN)  
 Bunning  
 Burr  
 Burton  
 Buyer  
 Callahan  
 Calvert  
 Camp  
 Canady  
 Cardin  
 Castle  
 Chabot  
 Chambliss  
 Chapman  
 Chenoweth  
 Christensen  
 Chrysler  
 Clayton  
 Clement  
 Clinger  
 Clyburn  
 Coleman  
 Collins (GA)  
 Combust  
 Condit  
 Costello  
 Cox  
 Cramer  
 Crane  
 Crapo  
 Creameans  
 Cubin  
 Cunningham  
 Davis  
 de la Garza  
 Deal  
 DeLay  
 Diaz-Balart  
 Dickey  
 Dicks  
 Dixon  
 Dooley  
 Doolittle  
 Dornan  
 Dreier  
 Dunn  
 Edwards  
 Ehrlich  
 Emerson  
 Ensign  
 Everett  
 Ewing  
 Fawell  
 Fazio  
 Fields (LA)  
 Fields (TX)  
 Flanagan  
 Foley  
 Forbes  
 Fowler  
 Fox  
 Franks (CT)  
 Frelinghuysen  
 Frisa  
 Frost  
 Funderburk  
 Gallegly  
 Gejdenson  
 Gekas  
 Geren  
 Gilchrest  
 Gilman  
 Gonzalez  
 Goodling  
 Gordon  
 Goss  
 Graham  
 Greene (UT)  
 Greenwood  
 Gunderson  
 Gutknecht  
 Hall (OH)  
 Hall (TX)  
 Hamilton  
 Hancock  
 Hansen  
 Harman  
 Hastert  
 Hastings (FL)  
 Hastings (WA)  
 Hayworth  
 Hefley  
 Hefner  
 Heger  
 Hilleary  
 Hinchey  
 Hobson  
 Hoke  
 Holden  
 Horn  
 Hostettler  
 Houghton  
 Hoyer  
 Hunter  
 Hutchinson  
 Hyde  
 Inglis  
 Istook

NOT VOTING—9

Bilbray  
 Gillmor  
 Hayes  
 Johnson (CT)  
 Lincoln  
 Martinez  
 McDade  
 Schumer  
 Williams

□ 1630

Mr. DEUTSCH and Mr. BRYANT of Texas changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mrs. JOHNSON of Connecticut. Mr. Chairman, on rollcall No. 241, I was unavoidably detained. Had I been present, I would have voted “no”.

#### PERSONAL EXPLANATION

Mr. SCHUMER. Mr. Chairman, during roll-call vote No. 241 on H.R. 3610 I was unavoidably detained. Had I been present, I would have voted “aye.”

AMENDMENT NO. 19 OFFERED BY MR. OBEY

The CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 19 offered by the gentleman from Wisconsin [Mr. OBEY] 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. 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 119, noes 307, not voting 8, as follows:

[Roll No 242]

#### AYES—119

|              |              |               |
|--------------|--------------|---------------|
| Barrett (WI) | Furse        | Olver         |
| Becerra      | Gephardt     | Owens         |
| Beilenson    | Gunderson    | Pallone       |
| Blumenauer   | Gutierrez    | Payne (NJ)    |
| Bonior       | Hilliard     | Pelosi        |
| Borski       | Hoekstra     | Petri         |
| Brown (CA)   | Holden       | Rahall        |
| Brown (OH)   | Jackson (IL) | Ramstad       |
| Brownback    | Jacobs       | Rangel        |
| Campbell     | Johnston     | Rivers        |
| Cardin       | Kanjorski    | Roukema       |
| Chapman      | Kennedy (MA) | Roybal-Allard |
| Clay         | Klecza       | Rush          |
| Collins (IL) | Klink        | Sabo          |
| Collins (MI) | Klug         | Sanders       |
| Conyers      | LaFalce      | Sawyer        |
| Cooley       | Lantos       | Schroeder     |
| Coyne        | Lewis (GA)   | Sensenbrenner |
| Cummings     | Lofgren      | Serrano       |
| Danner       | Lowey        | Shays         |
| DeFazio      | Luther       | Skaggs        |
| Dellums      | Maloney      | Smith (MI)    |
| Deutsch      | Markey       | Stark         |
| Dingell      | Mascara      | Stokes        |
| Doyle        | McCarthy     | Studds        |
| Duncan       | McDermott    | Stupak        |
| Durbin       | McHale       | Torres        |
| Ehlers       | McKinney     | Towns         |
| Engel        | Meehan       | Upton         |
| English      | Menendez     | Velazquez     |
| Eshoo        | Miller (CA)  | Vento         |
| Evans        | Minge        | Waters        |
| Farr         | Mink         | Watt (NC)     |
| Fattah       | Moakley      | Waxman        |
| Filner       | Morella      | Williams      |
| Flake        | Nadler       | Woolsey       |
| Foglietta    | Neal         | Wynn          |
| Ford         | Neumann      | Yates         |
| Frank (MA)   | Oberstar     | Zimmer        |
| Franks (NJ)  | Obey         |               |

#### NOES—307

|              |              |               |
|--------------|--------------|---------------|
| Abercrombie  | Castle       | Fields (LA)   |
| Ackerman     | Chabot       | Fields (TX)   |
| Allard       | Chambliss    | Flanagan      |
| Andrews      | Chenoweth    | Foley         |
| Archer       | Christensen  | Forbes        |
| Army         | Chryslers    | Fowler        |
| Bachus       | Clayton      | Fox           |
| Baessler     | Clement      | Franks (CT)   |
| Baker (CA)   | Clinger      | Frelinghuysen |
| Baker (LA)   | Clyburn      | Frisa         |
| Baldacci     | Coble        | Frost         |
| Ballenger    | Coburn       | Funderburk    |
| Barcia       | Coleman      | Gallely       |
| Barr         | Collins (GA) | Ganske        |
| Barrett (NE) | Combest      | Gejdenson     |
| Bartlett     | Condit       | Gekas         |
| Barton       | Costello     | Geren         |
| Bass         | Cox          | Gibbons       |
| Bateman      | Cramer       | Gilchrest     |
| Bentsen      | Crane        | Gilman        |
| Bereuter     | Crapo        | Gonzalez      |
| Berman       | Cremeans     | Goodlatte     |
| Bevill       | Cubin        | Goodling      |
| Bilirakis    | Cunningham   | Gordon        |
| Bishop       | Davis        | Goss          |
| Bliley       | Deal         | Graham        |
| Blute        | DeLauro      | Green (TX)    |
| Boehlert     | DeLay        | Greene (UT)   |
| Boehner      | Diaz-Balart  | Greenwood     |
| Bonilla      | Dickey       | Gutknecht     |
| Bono         | Dicks        | Hall (OH)     |
| Boucher      | Dixon        | Hall (TX)     |
| Brewster     | Doggett      | Hamilton      |
| Browder      | Dooley       | Hancock       |
| Brown (FL)   | Doolittle    | Hansen        |
| Bryant (TN)  | Dornan       | Harman        |
| Bryant (TX)  | Dreier       | Hastert       |
| Bunn         | Dunn         | Hastings (FL) |
| Bunning      | Edwards      | Hastings (WA) |
| Burr         | Ehrlich      | Hayworth      |
| Burton       | Emerson      | Hefley        |
| Buyer        | Ensign       | Hefner        |
| Callahan     | Everett      | Heineman      |
| Calvert      | Ewring       | Heger         |
| Camp         | Fawell       | Hilleary      |
| Canady       | Fazio        | Hinchey       |

|                |               |             |
|----------------|---------------|-------------|
| Hobson         | McKeon        | Schiff      |
| Hoke           | McNulty       | Scott       |
| Horn           | Meek          | Seastrand   |
| Hostettler     | Metcalfe      | Shadegg     |
| Houghton       | Meyers        | Shaw        |
| Hoyer          | Mica          | Shuster     |
| Hunter         | Millender-    | Sisisky     |
| Hutchinson     | McDonald      | Skeen       |
| Hyde           | Miller (FL)   | Skelton     |
| Inglis         | Molinari      | Slaughter   |
| Istook         | Mollohan      | Smith (NJ)  |
| Jackson-Lee    | Montgomery    | Smith (TX)  |
| (TX)           | Moorhead      | Smith (WA)  |
| Jefferson      | Moran         | Solomon     |
| Johnson (CT)   | Murtha        | Souder      |
| Johnson (SD)   | Myers         | Spence      |
| Johnson, E. B. | Myrick        | Spratt      |
| Johnson, Sam   | Nethercutt    | Stearns     |
| Jones          | Ney           | Stenholm    |
| Kaptur         | Nussle        | Stockman    |
| Kasich         | Ortiz         | Stump       |
| Kelly          | Orton         | Talent      |
| Kennedy (RI)   | Oxley         | Tanner      |
| Kennelly       | Packard       | Tate        |
| Kildee         | Parker        | Tauzin      |
| Kim            | Pastor        | Taylor (MS) |
| King           | Paxon         | Taylor (NC) |
| Kingston       | Payne (VA)    | Tejeda      |
| Knollenberg    | Peterson (FL) | Thomas      |
| Kolbe          | Peterson (MN) | Thompson    |
| LaHood         | Pickett       | Thornberry  |
| Largent        | Pombo         | Thornton    |
| Latham         | Pomeroy       | Thurman     |
| LaTourette     | Porter        | Tiahrt      |
| Laughlin       | Portman       | Torkildsen  |
| Lazio          | Poshard       | Torricelli  |
| Leach          | Pryce         | Trafficant  |
| Levin          | Quillen       | Visclosky   |
| Lewis (CA)     | Quinn         | Volkmmer    |
| Lewis (KY)     | Radanovich    | Vucanovich  |
| Linder         | Reed          | Walker      |
| Lipinski       | Regula        | Walsh       |
| Livingston     | Richardson    | Wamp        |
| LoBiondo       | Riggs         | Ward        |
| Longley        | Roberts       | Watts (OK)  |
| Lucas          | Roemer        | Weldon (FL) |
| Manton         | Rogers        | Weldon (PA) |
| Manzullo       | Rohrabacher   | Weller      |
| Martinez       | Ros-Lehtinen  | White       |
| Martini        | Rose          | Whitfield   |
| Matsui         | Roth          | Wicker      |
| McCollum       | Royce         | Wilson      |
| McCrery        | Salmon        | Wise        |
| McHugh         | Sanford       | Wolf        |
| McInnis        | Saxton        | Young (AK)  |
| McIntosh       | Scarborough   | Young (FL)  |
|                | Schaefer      | Zeliff      |

#### NOT VOTING—8

□ 1639

Mr. ROYCE and Mr. JOHNSON of South Dakota changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### PERSONAL EXPLANATION

Mr. SCHUMER. Mr. Chairman, during roll-call vote No. 242 on H.R. 3610, I was unavoidably detained. Had I been present, I would have voted "aye."

The CHAIRMAN. Are there any other amendments to title IV?

If not, the Clerk will read.

The Clerk read as follows:

#### TITLE V

#### REVOLVING AND MANAGEMENT FUNDS

##### DEFENSE BUSINESS OPERATIONS FUND

For the Defense Business Operations Fund; \$947,900,000.

##### NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs (including the development and acquisition of lighterage), projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744); \$1,904,002,000, to remain

available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (that is; engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive these restrictions on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That of the funds appropriated in this paragraph, \$781,000,000 shall not be obligated or expended until authorized by law.

#### TITLE VI

#### OTHER DEPARTMENT OF DEFENSE PROGRAMS

##### DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law; \$9,667,658,000, of which \$9,398,188,000 shall be for Operation and maintenance, of which not to exceed three percent shall remain available until September 30, 1998; and of which \$269,470,000, to remain available for obligation until September 30, 1999, shall be for Procurement: *Provided*, That notwithstanding any other provision of law, of the funds provided under this heading, the Secretary of Defense is directed to use and obligate, within thirty days of enactment of this Act, not less than \$3,400,000 only to permit private sector or non-Federal physicians who have used and will use the antibacterial treatment method based upon the excretion of dead and decaying spherical bacteria to work in conjunction with the Walter Reed Army Medical Center on a treatment protocol and related studies for Desert Storm Syndrome affected veterans.

##### CHEMICAL, AGENTS AND MUNITIONS

##### DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$799,847,000, of which \$477,947,000 shall be for Operation and maintenance, \$273,600,000 shall be for Procurement to remain available until September 30, 1999, and \$48,300,000 shall be for Research, development, test and evaluation to remain available until September 30, 1998.

##### DRUG INTERDICTION AND COUNTER-DRUG

##### ACTIVITIES, DEFENSE

##### (INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for Operation and maintenance; for Procurement; and for Research, development, test and evaluation; \$774,724,000: *Provided*, That the funds appropriated by this

paragraph shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any transfer authority contained elsewhere in this Act: *Provided further*, That of the funds appropriated in this paragraph, \$92,000,000 shall not be obligated or expended until authorized by law.

#### OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended; \$138,501,000, of which \$136,502,000 shall be for Operation and maintenance, of which not to exceed \$400,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on his certificate of necessity for confidential military purposes; and of which \$2,000,000, to remain available until September 30, 1999, shall be for Procurement.

#### TITLE VII RELATED AGENCIES

##### CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System; \$196,400,000.

##### INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account; \$149,555,000.

##### PAYMENT TO KAHOLAWE ISLAND CONVEY- ANCE, REMEDIATION, AND ENVIRONMENTAL RESTORATION FUND

For payment to Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Fund, as authorized by law; \$10,000,000, to remain available until expended.

Mr. YOUNG of Florida (during the reading). Mr. Chairman, I ask unanimously consent that the remainder of title V, title VI and title VII be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any amendments to that portion of the bill?

If not, the Clerk will read.

The Clerk read as follows:

#### TITLE VIII GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of

title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 per centum of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

#### (TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$2,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress.

#### (TRANSFER OF FUNDS)

SEC. 8006. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds and the "Foreign Currency Fluctuations, Defense" and "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8007. Funds appropriated by this Act may not be used to initiate a special access

program without prior notification 30 calendar days in session in advance to the congressional defense committees.

SEC. 8008. None of the funds contained in this Act available for the Civilian Health and Medical Program of the Uniformed Services shall be available for payments to physicians and other non-institutional health care providers in excess of the amounts allowed in fiscal year 1996 for similar services, except that: (a) for services for which the Secretary of Defense determines an increase is justified by economic circumstances, the allowable amounts may be increased in accordance with appropriate economic index data similar to that used pursuant to title XVIII of the Social Security Act; and (b) for services the Secretary determines are overpriced based on allowable payments under title XVIII of the Social Security Act, the allowable amounts shall be reduced by not more than 15 percent (except that the reduction may be waived if the Secretary determines that it would impair adequate access to health care services for beneficiaries). The Secretary shall solicit public comment prior to promulgating regulations to implement this section. Such regulations shall include a limitation, similar to that used under title XVIII of the Social Security Act, on the extent to which a provider may bill a beneficiary an actual charge in excess of the allowable amount.

SEC. 8009. None of the funds provided in this Act shall be available to initiate (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000, or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least thirty days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement.

Funds appropriated in title III of this Act may be used for multiyear procurement contracts as follows:

Javelin missiles;  
Army Tactical Missile System (ATACMS);  
MK19-3 grenade machine guns;  
M16A2 rifles;  
M249 Squad Automatic Weapons;  
M4 carbine rifles; and  
M240B machine guns.

SEC. 8010. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be



reported to Congress on September 30 of each year: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8011. (a) During fiscal year 1997, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 1998 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1998 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 1998.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8012. Notwithstanding any other provision of law, none of the funds made available by this Act shall be used by the Department of Defense to exceed, outside the fifty United States, its territories, and the District of Columbia, 125,000 civilian workyears: *Provided*, That workyears shall be applied as defined in the Federal Personnel Manual: *Provided further*, That workyears expended in dependent student hiring programs for disadvantaged youths shall not be included in this workyear limitation.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. (a) None of the funds appropriated by this Act shall be used to make contributions to the Department of Defense Education Benefits Fund pursuant to section 2006(g) of title 10, United States Code, representing the normal cost for future benefits under section 3015(c) of title 38, United States Code, for any member of the armed services who, on or after the date of enactment of this Act—

(1) enlists in the armed services for a period of active duty of less than three years; or

(2) receives an enlistment bonus under section 308a or 308f of title 37, United States Code,

nor shall any amounts representing the normal cost of such future benefits be transferred from the Fund by the Secretary of the Treasury to the Secretary of Veterans Affairs pursuant to section 2006(d) of title 10, United States Code; nor shall the Secretary of Veterans Affairs pay such benefits to any such member: *Provided*, That in the case of a member covered by clause (1), these limitations shall not apply to members in combat arms skills or to members who enlist in the armed services on or after July 1, 1989, under

a program continued or established by the Secretary of Defense in fiscal year 1991 to test the cost-effective use of special recruiting incentives involving not more than nineteen noncombat arms skills approved in advance by the Secretary of Defense: *Provided further*, That this subsection applies only to active components of the Army.

(b) None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this subsection shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this subsection applies only to active components of the Army.

SEC. 8015. None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of enactment of this Act, is performed by more than ten Department of Defense civilian employees until a most efficient and cost-effective organization analysis is completed on such activity or function and certification of the analysis is made to the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That this section shall not apply to a commercial or industrial type function of the Department of Defense that: (1) is included on the procurement list established pursuant to section 2 of the Act of June 25, 1938 (41 U.S.C. 47), popularly referred to as the Javits-Wagner-O'Day Act; (2) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or (3) is planned to be converted to performance by a qualified firm under 51 percent Native American ownership.

#### (TRANSFER OF FUNDS)

SEC. 8016. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2301 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8017. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section manufactured will include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the pro-

curement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8018. None of the funds appropriated by this Act available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be available for the reimbursement of any health care provider for inpatient mental health service for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: *Provided*, That this limitation does not apply in the case of inpatient mental health services provided under the program for the handicapped under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 8019. Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the United States, under such regulations as the Secretary of Defense may prescribe.

SEC. 8020. Notwithstanding any other provision of law, during the current fiscal year, the Secretary of Defense may, by Executive Agreement, establish with host nation governments in NATO member states a separate account into which such residual value amounts negotiated in the return of United States military installations in NATO member states may be deposited, in the currency of the host nation, in lieu of direct monetary transfers to the United States Treasury: *Provided*, That such credits may be utilized only for the construction of facilities to support United States military forces in that host nation, or such real property maintenance and base operating costs that are currently executed through monetary transfers to such host nations: *Provided further*, That the Department of Defense's budget submission for fiscal year 1998 shall identify such sums anticipated in residual value settlements, and identify such construction, real property maintenance or base operating costs that shall be funded by the host nation through such credits: *Provided further*, That all military construction projects to be executed from such accounts must be previously approved in a prior Act of Congress: *Provided further*, That each such Executive Agreement with a NATO member host nation shall be reported to the congressional defense committees, the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate thirty days prior to the conclusion and endorsement of any such agreement established under this provision.

SEC. 8021. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, or M-1911 pistols.

SEC. 8022. Notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to pay more than 50 percent of an amount paid to any person under section 308 of title 37, United States Code, in a lump sum.

SEC. 8023. None of the funds appropriated by this Act shall be available for payments under the Department of Defense contract with the Louisiana State University Medical Center involving the use of cats for Brain Missile Wound Research, and the Department of Defense shall not make payments under such contract from funds obligated prior to the date of the enactment of this Act, except as necessary for costs incurred by the contractor prior to the enactment of this Act: *Provided*, That funds necessary for the care of animals covered by this contract are allowed.

SEC. 8024. None of the funds provided in this Act or any other Act shall be available to conduct bone trauma research at any Army Research Laboratory until the Secretary of the Army certifies that the synthetic compound to be used in the experiments is of such a type that its use will result in a significant medical finding, the research has military application, the research will be conducted in accordance with the standards set by an animal care and use committee, and the research does not duplicate research already conducted by a manufacturer or any other research organization.

SEC. 8025. No more than \$500,000 of the funds appropriated or made available in this Act shall be used for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and Senate that such a relocation is required in the best interest of the Government.

SEC. 8026. During the current fiscal year, funds appropriated or otherwise available for any Federal agency, the Congress, the judicial branch, or the District of Columbia may be used for the pay, allowances, and benefits of an employee as defined by section 2105 of title 5 or an individual employed by the government of the District of Columbia, permanent or temporary indefinite, who—

(1) is a member of a Reserve component of the Armed Forces, as described in section 261 of title 10, or the National Guard, as described in section 101 of title 32;

(2) performs, for the purpose of providing military aid to enforce the law or providing assistance to civil authorities in the protection or saving of life or property or prevention of injury—

(A) Federal service under section 331, 332, 333, or 12406 of title 10, or other provision of law, as applicable, or

(B) full-time military service for his State, the District of Columbia, the Commonwealth of Puerto Rico, or a territory of the United States; and

(3) requests and is granted—

(A) leave under the authority of this section; or

(B) annual leave, which may be granted without regard to the provisions of sections 5519 and 6323(b) of title 5, if such employee is otherwise entitled to such annual leave:

*Provided*, That any employee who requests leave under subsection (3)(A) for service described in subsection (2) of this section is entitled to such leave, subject to the provisions of this section and of the last sentence of section 6323(b) of title 5, and such leave shall be considered leave under section 6323(b) of title 5.

SEC. 8027. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A-76 if the study being performed exceeds a period of twenty-four months after initiation of such study with respect to a single function activity or forty-eight

months after initiation of such study for a multi-function activity.

SEC. 8028. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8029. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8030. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act.

SEC. 8031. (a) Of the funds for the procurement of supplies or services appropriated by this Act, qualified nonprofit agencies for the blind or other severely handicapped shall be afforded the maximum practicable opportunity to participate as subcontractors and suppliers in the performance of contracts let by the Department of Defense.

(b) During the current fiscal year, a business concern which has negotiated with a military service or defense agency a subcontracting plan for the participation by small business concerns pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)) shall be given credit toward meeting that subcontracting goal for any purchases made from qualified nonprofit agencies for the blind or other severely handicapped.

(c) For the purpose of this section, the phrase "qualified nonprofit agency for the blind or other severely handicapped" means a nonprofit agency for the blind or other severely handicapped that has been approved by the Committee for the Purchase from the Blind and Other Severely Handicapped under the Javits-Wagner-O'Day Act (41 U.S.C. 46-48).

SEC. 8032. During the current fiscal year, net receipts pursuant to collections from third party payers pursuant to section 1095 of title 10, United States Code, shall be made available to the local facility of the uniformed services responsible for the collections and shall be over and above the facility's direct budget amount.

SEC. 8033. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That, upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriation or fund which incurred such obligations.

SEC. 8034. Of the funds made available in this Act, not less than \$22,700,000 shall be available for the Civil Air Patrol, of which \$15,426,000 shall be available for Operation and Maintenance.

SEC. 8035. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense Federally Funded Research and Development Center (FFRDC), either as a new entity, or as a separate entity administered by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) LIMITATION ON COMPENSATION.—No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, may be compensated for his or her services as a member

of such entity, or as a paid consultant, except under the same conditions, and to the same extent, as members of the Defense Science Board: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the Department of Defense from any source during fiscal year 1997 may be used by a defense FFRDC, through a fee or other payment mechanism, for charitable contributions, for construction of new buildings, for payment of cost sharing for projects funded by government grants, or for absorption of contract overruns.

SEC. 8036. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of enactment of this Act.

SEC. 8037. For the purposes of this Act, the term "congressional defense committees" means the National Security Committee of the House of Representatives, the Armed Services Committee of the Senate, the subcommittee on Defense of the Committee on Appropriations of the Senate, and the subcommittee on National Security of the Committee on Appropriations of the House of Representatives.

SEC. 8038. Notwithstanding any other provision of law, during the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or defense agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8039. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement

memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 1997. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

SEC. 8040. Appropriations contained in this Act that remain available at the end of the current fiscal year as a result of energy cost savings realized by the Department of Defense shall remain available for obligation for the next fiscal year to the extent, and for the purposes, provided in section 2865 of title 10, United States Code.

SEC. 8041. During the current fiscal year and hereafter, voluntary separation incentives payable under 10 U.S.C. 1175 may be paid in such amounts as are necessary from the assets of the Voluntary Separation Incentive Fund established by section 1175(h)(1).

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 8042. Amounts deposited during the current fiscal year to the special account established under 40 U.S.C. 485(h)(2) and to the special account established under 10 U.S.C. 2667(d)(1) are appropriated and shall be available until transferred by the Secretary of Defense to current applicable appropriations or funds of the Department of Defense under the terms and conditions specified by 40 U.S.C. 485(h)(2) (A) and (B) and 10 U.S.C. 2667(d)(1)(B), to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred.

SEC. 8043. During the current fiscal year, appropriations available to the Department of Defense may be used to reimburse a member of a reserve component of the Armed Forces who is not otherwise entitled to travel and transportation allowances and who occupies transient government housing while performing active duty for training or inactive duty training: *Provided*, That such members may be provided lodging in kind if transient government quarters are unavailable as if the member was entitled to such allowances under subsection (a) of section 404 of title 37, United States Code: *Provided further*, That if lodging in kind is provided, any authorized service charge or cost of such lodging may be paid directly from funds appropriated for operation and maintenance of the reserve component of the member concerned.

SEC. 8044. The President shall include with each budget for a fiscal year submitted to the Congress under section 1105 of title 31, United States Code, materials that shall identify clearly and separately the amounts requested in the budget for appropriation for that fiscal year for salaries and expenses related to administrative activities of the Department of Defense, the military departments, and the Defense Agencies.

SEC. 8045. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authoriza-

tion Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8046. During the current fiscal year and hereafter, annual payments granted under the provisions of section 4416 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-428; 106 Stat. 2714) shall be made from appropriations in this Act which are available for the pay of reserve component personnel.

SEC. 8047. Of the funds appropriated or otherwise made available by this Act, not more than \$119,200,000 shall be available for payment of the operating costs of NATO Headquarters: *Provided*, That the Secretary of Defense may waive this section for Department of Defense support provided to NATO forces in and around the former Yugoslavia.

SEC. 8048. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$100,000.

SEC. 8049. During the current fiscal year and hereafter, appropriations available for the pay and allowances of active duty members of the Armed Forces shall be available to pay the retired pay which is payable pursuant to section 4403 of Public Law 102-484 (10 U.S.C. 1293 note) under the terms and conditions provided in section 4403.

SEC. 8050. (a) During the current fiscal year, none of the appropriations or funds available to the Defense Business Operations Fund shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Defense Business Operations Fund if such an item would not have been chargeable to the Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 1998 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1998 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 1998 procurement appropriation and not in the supply management business area or any other area or category of the Defense Business Operations Fund.

SEC. 8051. None of the funds provided in this Act shall be available for use by a Military Department to modify an aircraft, weapon, ship or other item of equipment, that the Military Department concerned plans to retire or otherwise dispose of within five years after completion of the modification: *Provided*, That this prohibition shall not apply to safety modifications: *Provided further*, That this prohibition may be waived by the Secretary of a Military Department if the Secretary determines it is in the best national security interest of the United States to provide such waiver and so notifies the congressional defense committees in writing.

SEC. 8052. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 1998.

SEC. 8053. Notwithstanding any other provision of law, funds made available in this

Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8054. (a) HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM.—Of the funds appropriated in this Act under the heading "Procurement, Defense-Wide", \$143,235,000 shall be made available for the High Performance Computing Modernization Program (referred to in this section as the "program"). Of the funds appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide", \$61,380,000 shall be made available for the program. Of the total funds made available for the program pursuant to this subsection, \$20,000,000 shall be for the Army High Performance Computing Research Center.

(b) IMPLEMENTATION OF PROGRAM.—The procurement funds made available for the program pursuant to subsection (a) shall be used only for the procurement of computer hardware and ancillary equipment for the high performance computing facilities of the Department of Defense.

(c) ANNUAL PUBLICATION OF PROGRAM PLANS.—Hereafter, the Secretary of Defense shall annually prepare, and make available to the public, an updated and unclassified program plan and program implementation plan.

(d) REDUCTION OF ACQUISITION DELAYS.—Hereafter, the Secretary of Defense shall take such actions as may be necessary to minimize delays in the acquisition of computer hardware under the program.

SEC. 8055. Amounts collected for the use of the facilities of the National Science Center for Communications and Electronics during the current fiscal year pursuant to section 1459(g) of the Department of Defense Authorization Act, 1986 and deposited to the special account established under subsection 1459(g)(2) of that Act are appropriated and shall be available until expended for the operation and maintenance of the Center as provided for in subsection 1459(g)(2).

SEC. 8056. None of the funds appropriated in this Act may be used to fill the commander's position at any military medical facility with a health care professional unless the prospective candidate can demonstrate professional administrative skills.

SEC. 8057. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality-competitive, and available in a timely fashion.

SEC. 8058. None of the funds appropriated by this Act shall be available for a contract for studies, analyses, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work, or

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source, or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support:

*Provided*, That this limitation shall not apply to contracts in an amount of less than \$25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8059. Funds appropriated by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 1997 until the enactment of the Intelligence Authorization Act for fiscal year 1997.

SEC. 8060. (a) None of the funds made available by this Act may be obligated for design, development, acquisition, or operation of more than 47 Titan IV expendable launch vehicles, or for satellite mission-model planning for a Titan IV requirement beyond 47 vehicles.

(b) \$59,600,000 made available in this Act for Research, Development, Test and Evaluation, Air Force, may only be obligated for development of a new family of medium-lift and heavy-lift expendable launch vehicles evolved from existing technologies.

SEC. 8061. None of the funds available to the Department of Defense in this Act may be used to establish additional field operating agencies of any element of the Department during fiscal year 1997, except for field operating agencies funded within the National Foreign Intelligence Program: *Provided*, That the Secretary of Defense may waive this section by certifying to the House and Senate Committees on Appropriations that the creation of such field operating agencies will reduce either the personnel and/or financial requirements of the Department of Defense.

SEC. 8062. Notwithstanding any other provision of law, for resident classes entering the war colleges after September 30, 1997, the Department of Defense shall require that not less than 20 percent of the total of United States military students at each war college shall be from military departments other than the hosting military department: *Provided*, That each military department will recognize the attendance at a sister military department war college as the equivalent of attendance at its own war college for promotion and advancement of personnel.

SEC. 8063. None of the funds provided in this Act may be obligated for payment on new contracts on which allowable costs charged to the government include payments for individual compensation at a rate in excess of \$250,000 per year.

SEC. 8064. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) techni-

cians of the Army National Guard, the Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8065. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of North Korea unless specifically appropriated for that purpose.

SEC. 8066. During the current fiscal year, funds appropriated in this Act are available to compensate members of the National Guard for duty performed pursuant to a plan submitted by a Governor of a State and approved by the Secretary of Defense under section 112 of title 32, United States Code: *Provided*, That during the performance of such duty, the members of the National Guard shall be under State command and control: *Provided further*, That such duty shall be treated as full-time National Guard duty for purposes of sections 12602 (a)(2) and (b)(2) of title 10, United States Code.

SEC. 8067. Funds appropriated in this Act for operation and maintenance of the Military Departments, Unified and Specified Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence support to Unified Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the General Defense Intelligence Program and the Consolidated Cryptologic Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8068. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 1996 level.

SEC. 8069. All refunds or other amounts collected in the administration of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be credited to current year appropriations.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 8070. None of the funds appropriated in this Act may be transferred to or obligated from the Pentagon Reservation Maintenance Revolving Fund, unless the Secretary of Defense certifies that the total cost for the planning, design, construction and installation of equipment for the renovation of the Pentagon Reservation will not exceed \$1,218,000,000.

SEC. 8071. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

#### (TRANSFER OF FUNDS)

SEC. 8072. Appropriations available in this Act under the heading "Operation and Maintenance, Defense-Wide" for increasing energy and water efficiency in Federal buildings may, during their period of availability,

be transferred to other appropriations or funds of the Department of Defense for projects related to increasing energy and water efficiency, to be merged with and to be available for the same general purposes, and for the same time period, as the appropriation or fund to which transferred.

SEC. 8073. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8074. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8075. None of the funds appropriated by this Act shall be available to lease or charter a vessel in excess of seventeen months (inclusive of any option periods) to transport fuel or oil for the Department of Defense if the vessel was constructed after October 1, 1995 unless the Secretary of Defense requires that the vessel be constructed in the United States with a double hull under the long-term lease or charter authority provided in section 2401 note of title 10, United States Code: *Provided*, That this limitation shall not apply to contracts in force on the date of enactment of this Act: *Provided further*, That by 1997 at least 20 percent of annual leases and charters must be for ships of double hull design constructed after October 1, 1995 if available in numbers sufficient to satisfy this requirement: *Provided further*, That the Military Sealift Command shall plan to achieve the goal of eliminating single hull ship leases by the year 2015.

SEC. 8076. Notwithstanding any other provision in this Act, the total amount appropriated in this Act is hereby reduced by \$500,000,000 to reflect savings from reduced carryover of activities funded through the Defense Business Operations Fund, to be distributed as follows: "Operation and Maintenance, Army", \$60,000,000; and "Operation and Maintenance, Navy", \$440,000,000.

SEC. 8077. During the current fiscal year, the Army shall use the former George Air Force Base as the airhead for the National Training Center at Fort Irwin: *Provided*, That none of the funds in this Act shall be obligated or expended to transport Army personnel into Edwards Air Force Base for training rotations at the National Training Center.

SEC. 8078. (a) The Secretary of Defense shall submit, on a quarterly basis, a report to the congressional defense committees, the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate setting forth all costs (including incremental costs) incurred by the Department of Defense during the preceding quarter in implementing or supporting resolutions of the United Nations Security Council, including any such resolution calling for international sanctions, international peacekeeping operations, and humanitarian missions undertaken by the Department of Defense. The quarterly report shall include an aggregate

of all such Department of Defense costs by operation or mission.

(b) The Secretary of Defense shall detail in the quarterly reports all efforts made to seek credit against past United Nations expenditures and all efforts made to seek compensation from the United Nations for costs incurred by the Department of Defense in implementing and supporting United Nations activities.

SEC. 8079. (a) LIMITATION ON TRANSFER OF DEFENSE ARTICLES AND SERVICES.—Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on International Relations of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) COVERED ACTIVITIES.—(1) This section applies to—

(A) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(B) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) REQUIRED NOTICE.—A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8080. None of the funds available to the Department of Defense shall be obligated or expended to make a financial contribution to the United Nations for the cost of an United Nations peacekeeping activity (whether pursuant to assessment or a voluntary contribution) or for payment of any United States arrearage to the United Nations.

SEC. 8081. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

SEC. 8082. The amount otherwise provided by this Act for "Operation and Maintenance, Air Force" is hereby reduced by \$195,000,000, to reflect a reduction in the passthrough to the Air Force business areas of the Defense Business Operations Fund.

SEC. 8083. None of the funds provided in title II of this Act for "Former Soviet Union Threat Reduction" may be obligated or expended to finance housing for any individual who was a member of the military forces of the Soviet Union or for any individual who is or was a member of the military forces of the Russian Federation.

SEC. 8084. Beginning in fiscal year 1997 and thereafter, and notwithstanding any other

provision of law, fixed and mobile telecommunications support shall be provided by the White House Communications Agency (WHCA) to the United States Secret Service (USSS), without reimbursement, in connection with the Secret Service's duties directly related to the protection of the President or the Vice President or other officer immediately next in order of succession to the office of the President at the White House Security Complex in the Washington, D.C. Metropolitan Area and Camp David, Maryland. For these purposes, the White House Security Complex includes the White House, the White House grounds, the Old Executive Office Building, the New Executive Office Building, the Blair House, the Treasury Building, and the Vice President's Residence at the Naval Observatory: *Provided*, That funds made available to the WHCA (or any successor agency) for support services for the President from funds appropriated for the Department of Defense for any fiscal year (beginning with fiscal year 1997) may be used only for the provision of telecommunications support to the President and Vice President and related elements (as defined in regulations of that agency and specified by the President with respect to particular individuals within those related elements).

SEC. 8085. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior year, and the one percent limitation shall apply to the total amount of the appropriation.

SEC. 8086. During the current fiscal year, and notwithstanding 31 U.S.C. 1552(a), funds appropriated under the heading "Aircraft Procurement, Air Force" in Public Laws 102-172 and 102-396 which were available and obligated for the B-2 aircraft program shall remain available for expenditure and for adjusting obligations for such program until September 30, 2002.

SEC. 8087. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged to a current appropriation under this section may not exceed an amount equal to one percent of the total appropriation for that account.

SEC. 8088. During the current fiscal year the Marine Security Guard Program shall be

administered under the terms and conditions of the March 29, 1994 Memorandum of Understanding between the Department of Defense and the Department of State concerning such program and the Department of State shall continue to pay, or provide reimbursement for, Marine Security Guard costs which are the responsibility of the State Department under the provisions of such Memorandum.

SEC. 8089. Notwithstanding any other provision in this Act, the total amount appropriated in this Act is hereby reduced by \$350,000,000 to reflect savings from improved management of spare and repair parts inventories of the Department of Defense, to be distributed as follows: "Operation and Maintenance, Army", \$91,000,000; "Operation and Maintenance, Navy", \$32,600,000; and "Operation and Maintenance, Air Force", \$26,400,000.

SEC. 8090. Notwithstanding any other provision of law, the Air Force shall not introduce any new supplier for the remaining production units for the AN/ALE-47 Countermeasure Dispenser System.

SEC. 8091. In applying section 9005 of the Department of Defense Appropriations Act, 1993 (Public Law 102-396)—

(1) synthetic fabric and coated synthetic fabric shall be deemed to include synthetic fiber and yarn and their products; and

(2) such section shall (notwithstanding section 34 of Public Law 93-400) be treated as being applicable to contracts and subcontracts for the procurement of commercial items that are articles or items, specialty metals, or tools covered by that section 9005.

SEC. 8092. TRADE-OFF STUDY OF CURRENT AND FUTURE DEEP-STRIKE CAPABILITIES.—

(1) The Secretary of Defense shall carry out the deep-strike tradeoff study announced by the President to study tradeoffs between bombers, land and sea-based tactical aircraft, and missiles capable of striking targets in an enemy's rear area.

(2) The Secretary of Defense shall establish an ad hoc review committee under the auspices of the Defense Science Board to establish the methodological approach to the tradeoff study, to establish a broad range of stressing scenarios of interest, and to review assumptions regarding the analyses to be conducted.

(3) The ad hoc review committee to be established under paragraph (2) shall include among its members analysts who have performed or participated in bomber trade-off analysis, retired military personnel with broad experience in recent conventional warfare operations, and experts on the logistics of both initial deployment and sustaining support. These members shall be selected without regard for current service on the Defense Science Board.

(4) After submitting its recommendations for the conduct of the deep-strike tradeoff study to the Secretary of Defense, the ad hoc review committee shall continue to meet regularly to review preliminary results of the analysis and to recommend additional variations in assumptions that may be required to illuminate particular force trade-off issues.

SEC. 8093. TACTICAL AIRCRAFT REQUIREMENT STUDY.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall carry out a joint study under the direct supervision of the Joint Requirements Oversight Council (JROC) assessing future tactical aircraft requirements across service jurisdictions. This study shall determine the best and most affordable mix of weapon systems to carry out different mission areas and shall include recommendations for changes to the planned numbers and types of tactical aircraft to be developed and procured over the next ten years if appropriate. Such report shall be submitted to the Congressional

defense committees no later than March 30, 1997.

SEC. 8094. (a) CONSIDERATION OF PERCENTAGE OF WORK PERFORMED IN THE UNITED STATES.—None of the funds available to the Department of Defense under this Act may be obligated or expended to evaluate sealed bids and competitive proposals for a contract for the procurement of property or services except when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) a factor in such evaluation is the percentage of work under the contract that the bidder or offeror plans to perform in the United States; and

(2) a high importance is assigned to such factor.

(b) BREACH OF CONTRACT FOR TRANSFERRING WORK OUTSIDE THE UNITED STATES.—None of the funds available to the Department of Defense under this Act may be obligated or expended to procure property or services except when it is made known to the Federal official having authority to obligate or expend such funds that each contract for the procurement of property or services includes a clause providing that the contractor is deemed to have breached the contract if the contractor performs less work in the United States than the contractor stated, in its response to the solicitation for the contract, that it planned to perform in the United States.

(c) INELIGIBILITY FOR CONTRACT RENEWAL.—

(1) None of the funds available to the Department of Defense under this Act may be obligated or expended to renew a covered contract when it is made known to the Federal official having authority to obligate or expend such funds that the amount of work performed outside the United States under the covered contract exceeded the maximum amount of work that the contractor was expected to perform outside the United States, based on the amount of work that the contractor stated, in its response to the solicitation for the contract, that it planned to perform inside the United States.

(2) For purposes of this section, a covered contract is a contract for the procurement of property or services that is made pursuant to a solicitation described in subsection (a).

(d) WAIVER.—Subsections (a), (b), and (c) shall not apply with respect to funds available to the Department of Defense under this Act when it is made known to the Federal official having authority to obligate or expend such funds that an emergency situation or the national security interests of the United States requires the obligation or expenditure of such funds.

(e) EXCEPTION FOR CONTRACTS BELOW SIMPLIFIED ACQUISITION THRESHOLD.—This section does not apply to contracts for amounts not greater than the simplified acquisition threshold (as specified in section 2302(7) of title 10, United States Code).

(f) EFFECTIVE DATE.—This section shall apply with respect to contracts entered into more than 60 days after the date of the enactment of this Act.

Mr. YOUNG of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title VII through page 87, line 3, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any amendments to that portion of the bill?

AMENDMENT OFFERED BY MR. OBEY

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

The Clerk read as follows:

Amendment offered by Mr. OBEY: Page 87, after line 3, insert the following new section:

PROHIBITION AGAINST UNNEEDED AND HIGH COST ACQUISITIONS

SEC. 8095. None of the funds in this Act may be made available for any acquisition program, project or activity under Title III of this Act (except under the appropriation "National Guard and Reserve Equipment") if it is made known to the Federal official having authority to obligate or expend such funds that such acquisition—

(a) has no documented military requirement under established Department of Defense procedures; and

(b) has a cost per job created of more than \$100,000 according to documentation submitted to the staff of the House National Security Committee by the military services.

Mr. YOUNG of Florida. Mr. Chairman, I reserve a point of order on the amendment.

Mr. OBEY. Mr. Chairman, I have in my hand, as Senator McCarthy from my home State used to say, a pork barrel catalog. What happened this year is that the authorizing committee asked the various services at the Pentagon to prepare a list of projects in the authorization bill, by Member of Congress, indicating what the economic impact would be for each of the items in the bill in each Member's congressional district.

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They were also asked to estimate how many jobs were created by the projects in each Member's congressional district. Again, there is nothing wrong with that. But what this amendment says is very simple, and I offer it with absolutely no expectation it will be adopted because I understand how much pressure there is on this bill.

But nonetheless, the amendment says something very simple: It simply says if there is a project in this bill and if the military says it has no military value, that it has no documented military requirement under their formal mission needs statement process, and, second, if it is so extremely high in cost, as defined by this pork catalog put together by the national security authorizing committee, that the cost per job of that project would exceed \$100,000, then we should not do it. That is all it says.

The CHAIRMAN. Does the gentleman from Florida [Mr. YOUNG] insist on his point of order?

Mr. YOUNG of Florida. Mr. Chairman, I withdraw my reservation of the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to this amendment.

I do so mainly because we are having a hard time figuring out what the amendment would really do or what the effect of this amendment would be. The way it is written, it is hard to figure that out.

I do not know what this means, who establishes what, whether he is talking

about by law, by regulation, by policy. We have no idea what the list is that he is waving around over there, the list of projects that are so-called pork projects. This could be very disruptive of this entire legislation which has been crafted with great sensitivity.

But I want to make this point, and I wish the gentleman would listen. I have discussed it with him before. When the members of this committee sat down to prepare this bill to present to the committee, the full committee and to the House, we were extremely cautious. We applied a number of tests.

One is, does whatever is going into this bill have an application to our national defense, national security or quality of life for our military forces?

No. 2, is there a requirement for it?

And, No. 3, how do we do it, if it should be done, in the most cost-effective way?

I can assure the gentleman from Wisconsin that nothing in the bill that we present today is going to fall into any category of being a political addition for some Member of Congress or for some contractor. We have been extremely careful not to do that. I say that to the gentleman with all sincerity. He has waved this little booklet around before. I do not know what is in it and I do not know where it came from. We certainly never asked for any information of this type.

I would have to oppose the amendment at this time.

Mr. MURTHA. Mr. Chairman, I move to strike the last word and in opposition to the amendment.

Mr. Chairman, this sounds like a good government amendment and we always try to accommodate Members, but on the other hand we make sure that it is something that the services need, something that is important to the services, before we accept any amendment.

This amendment is so widespread, and I understand the point he is making. We certainly never ask where the jobs come from, we do not ask whose district creates how many jobs. We ask what is military implication, how does it apply to the threat, how important it is to our national security. That is what we ask when we are doing any kind of amendment to the bill.

I would ask the gentleman to give us an opportunity to study this. This is the first we have seen it. I have to oppose this as it is now. Maybe we can work something like this out in the bill, if the gentleman would give us an opportunity to take a look at this thing and work it out as we move to conference.

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

Mr. MURTHA. I yield to the gentleman from Washington.

Mr. DICKS. I concur with the gentleman. I think we should try to work with the gentleman from Wisconsin [Mr. OBEY]. But the one thing I do worry about is sometimes there are occasions when Congress says we want



them to build something or buy something.

I remember the SL-7 incident where the Navy steadfastly said, "We don't need to have these fast sealift ships" and Congress said, "Yes, you must buy them." They probably did not have a mission statement or something like that. Therefore, we would have not gotten the ships that were absolutely essential to moving the forces out to the gulf.

I worry that without knowing the implications of this or having talked to the Pentagon about this, and I do not believe this amendment was offered either in the subcommittee or in the full committee where we would have had an opportunity to really take a look at it.

I would not forgo the opportunity of trying to work something out with the gentleman, but I think this is very dangerous when we do not know the full implications.

Mr. MURTHA. Mr. Chairman, I would ask if the gentleman would withdraw this, give us an opportunity to look at this amendment, see what the gentleman is trying to do, and see if we cannot work something out.

Mr. HUNTER. Mr. Chairman, I move to strike the requisite number of words and rise in opposition to the amendment.

Mr. Chairman, I want to address my friend from Wisconsin who has held that list up, which incidentally I have not seen yet, but I as the chairman of the procurement subcommittee in National Security requested the information from DOD that the gentleman has in that book. I am the guy that asked for that information. Although I have not yet received my copy of the book, I am glad he has got it.

But let me just say, Mr. Chairman, that we put a request together after we had held extensive hearings, after all the services had come in, after the services made their requests for what they needed, and the chiefs of the services requested some \$15 billion in additional modernization above and beyond what President Clinton presented for them in his budget. When they did that, we held extensive hearings. We had 3 major themes. One of our themes was first to give enough ammo to the troops so they could carry out the two-MRC scenario. We plused up the ammo accounts with the Marines and with the Army. We put in precisely, in those ammunition accounts, what they asked for.

Second, we wanted to arm the bombers with precision-guided munitions because we have no precision-guided munitions to speak of in our bomber force today. We put that together.

Third, we had hearings on aviation safety. After the crashes of the F-14s and the AV-8Bs, we said to the Navy and the Marine Corps, "What do you need to make your planes safer?" They said, "Here it is" and we went down from there and asked the services to give us their request. When they gave us their requests, the bill that we built

was 95 percent, in the additions, 95 percent consistent with what was requested by the services. In some cases, I believe the Navy, it was as high as 99 percent requested.

Having said that, at the same time I thought that it was important, since our President was going to places like California and standing before all the McDonnell Douglas workers and saying, "My defense bill means jobs," that they should have additional information, the rest of the story.

The rest of the story is that while the President's bill might mean jobs, so did the bill that we were putting together in the Armed Services Committee. So I asked our staff to put together the number of businesses and the number of jobs that would be increased in the defense plus-up that is manifest in the bill before us today. We wanted that to be put together by the same gentlemen who put together the President's brag sheet that he was using at McDonnell Douglas in California and other places.

That is a fact. It is a fact that defense spending is different from foreign aid spending, for example, in that it does produce jobs in the defense industrial base and the Members of this House have a right to know what that is. But if the gentleman is implying that somehow we put together a list after we had gone through and analyzed districts, that is absolutely wrong.

The chairman of the full committee said the most important thing we have got here is what the services want. He asked the services to go on record. They went on record. We gave them what they asked for. For example, in the ammunition account, and the gentleman from Wisconsin [Mr. OBEY] mentioned a few items himself to me that were important items, we looked at some of those items, and some of them we were responsive to the request because he was right, the services did not need them. So we did precisely what the services needed.

In the ammo account, for example, every single "T" that was crossed and "I" that was dotted in type of munition was given that was requested by the Marine Corps or by the Army. There is nothing inappropriate about that list. I would be happy to take a look at it.

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

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

Mr. DICKS. Mr. Chairman, the only thing I would say to the gentleman is that the President went out to California, but what he was out there talking about is a program that enjoys bipartisan support in the House of Representatives, and that is the C-17, unquestioned military value. They had some problems producing it for several years, but they finally got their act together and it is now a very good aircraft. I think we have got to be careful here in trying to justify defense expenditures based on companies and

jobs. If we start doing that, I think we get into the public works scam.

Mr. HUNTER. If I could take back my time, I agree with the gentleman, but I think it is also important to have the facts on the table. The facts on the table, according to the report I have gotten back, is the increase in defense expenditures we put in this year, along with making the country more secure, provides an additional 200,000 plus jobs above and beyond the level that the President was talking about in California.

I think it is important to have a complete record, and I might remind my friend that the President did not make that speech to the Joint Chiefs of Staff or to a security group. He made it to workers who were concerned about their jobs. He was plainly making a pitch to aerospace workers to the effect that the Clinton administration is going to maintain aerospace jobs. We say fine. We would also like to put on the record exactly how many jobs are created by this defense bill.

Mr. MINGE. Mr. Chairman, I move to strike the requisite number of words and in support of the amendment that has been offered.

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

Mr. MINGE. I yield to the gentleman from Wisconsin.

Mr. OBEY. I thank the gentleman for yielding.

Mr. Chairman, let me simply say that I will simply repeat what the amendment does, because I do not know how else to make clear that it is so simple. What this amendment says is that if there is a project in the bill which has no documented military requirement under their formal mission needs statement process, and if any project is so high in cost per job that it exceeds \$100,000 per job as defined by this project which was requested by the House authorizing committee, that they simply not proceed with the project. That is all it says.

I make no value judgment about anyone's project in this bill. This applies to all procurement except Guard and Reserve. All I am saying is that if there is no mission needs statement for the project in question, and when they total up the total number of jobs created by the project and divide it into the total number of dollars for the project, if that cost exceeds \$100,000 per job, they do not go ahead with it. It seems to me that that is a rational thing to do.

I did not ask each service to provide this information. The gentleman did. I have a copy of a letter from the Navy to a person who I believe is his staffer, Mr. Steve Thompson, dated May 13, transmitting this information, so he knows as much about it as I do.

Mr. MINGE. Mr. Chairman, I would like to support the amendment that has been offered. What we have here is a commonsense proposal. There is concern that common sense if applied to the defense budget might result in some untoward conclusion.



Certainly we ought to let this proceed as proposed. If indeed there is something that the Defense Department has not been able to justify that is in the bill, that should be justified, I suggest that there is ample opportunity in the conference committee process or in the Senate for the Defense Department to identify this.

But it certainly does not make sense for the United States House of Representatives to be appropriating billions of dollars or millions of dollars, whatever it may be, for military expenditures that the Defense Department has not said are necessary. I cannot overemphasize this. Here we are, one day after we have passed a budget resolution which increases the Federal deficit from the fiscal 1996 to the fiscal 1997 years. This is an amazing result, that the majority in this body would increase the deficit when we are trying to eliminate the deficit. This amendment is but one humble way to try to achieve that conclusion.

□ 1700

Mr. EVERETT. Mr. Speaker I move to strike the requisite number of words.

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

Mr. EVERETT. I yield to the gentleman from California, the chairman of the procurement committee.

Mr. HUNTER. Mr. Chairman, I thank my friend for getting this time for me.

Let me just say that under the formula that the gentleman from Wisconsin has offered, that if a job, if a particular defense job amounts to \$100,000 or more per job, and if it is not requested by the services that it should not be authorized and appropriated, let me just suggest that under the formula he has offered the F-117 stealth aircraft would not be with us in the numbers it is with us today because of the fact that program was put forth by Congress over the objections of the administration and because it is such a high-tech program it cost a lot per job.

But that aircraft did much more work in the Desert Storm operation than any of the conventional aircraft. It had stealth capability. It was highly valuable. So we have a very arbitrary equation that the gentleman has tried to stick in in an attempt to embarrass the Committee on National Security, and I am just here to tell the gentleman we took requests from all the services. We had \$15 billion in requests on system; over 95 percent commonality of the additional spending was in fact spending that was requested by the services, and ultimately we only put in about \$6 billion in additional funds in modernization.

So the services requested \$15 billion, far more than we put in, we put in about \$6 billion, and our budget was put together before that analysis was done. We put the budget together and we said we want to do the same thing the President does, we want you to tell us how many jobs are in our budget

just like he goes out and talks about how many jobs are in his budget.

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

Mr. EVERETT. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I would ask the gentleman if it is true if there was such an expenditure, that the administration, the Defense Department, could seek a rescission on it under current law. Is that not correct?

Mr. HUNTER. Mr. Chairman, if the gentleman will continue to yield, absolutely.

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

Mr. EVERETT. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, what level would the gentleman from California feel is appropriate?

Mr. HUNTER. Mr. Chairman, if the gentleman will continue to yield, first, here is what is appropriate to this gentleman. What is appropriate to this gentleman is to put in the Armed Services bill what we need to defend the country. That means we hold hearings like the ones we had on aircraft safety, on Army and Marine ammo, on the needs of the Navy, on the needs of the bomber force, and we put together a bill that we think does that. And sometimes, as in the case of the F-117, Congress is right and the Pentagon is wrong.

When we said we need F-117's, they said, no, you can kill the program now. We said, no, we need them. So we do not always agree. But the idea the gentleman has put forth that the Pentagon is always right and that Congress cannot have any different idea about a weapon system, so if we are off 1 percent, we are wrong, I think the idea the gentleman puts forth is highly invalid.

I am telling the gentleman again, the increases we put together were 95 percent requested by the Army, the Air Force, and the Marines.

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

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

Mr. MURTHA. Mr. Chairman, I just hope we can come to a vote here because we are trying to get this thing over. A lot of people have commitments and so forth, and I just wonder if we could not get a vote here.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. EVERETT. I yield to the gentleman from Florida, the chairman.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding.

I want to give one example of why I am concerned about this amendment, since we really have not had a chance to totally understand its effect: The tragedy of Secretary Ron Brown flying in an OSA aircraft into Croatia, losing his life and that of the crew and those with him, because the aircraft did not have certain types of safety equipment, including global positioning systems.

Now, in this bill we provide money to outfit that fleet with GPS, a safety upgrade. Now, is that documented by something in the service? Did the Air Force ask for it? No. But we put it in and we think it is a good add.

I just think we really need to know who would do the documentation, how will they do the documentation. I think there are too many questions unanswered in this, and I am like the gentleman from Pennsylvania [Mr. MURTHA], I would like to move along. Maybe we can address this in conference.

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

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

Mr. WELDON of Pennsylvania. I thank my friend for yielding.

I do not know whether this amendment applies to, for instance, the \$200 million that we have put in the bill, the defense bill in the past, for breast cancer research. Is that part of the documentation for job creation that the gentleman is trying to get at? Is that one of the items we will use this criteria against in terms of jobs?

And my second point is what do we mean by job creation? Does that mean subcontracting job and sub-subcontracting job? There is so much ambiguity here it is very difficult to understand what we are voting on.

The CHAIRMAN. The time of the gentleman from Alabama [Mr. EVERETT] has expired.

(On request of Mr. OBEY, and by unanimous consent, Mr. EVERETT was allowed to proceed for 1 additional minute.)

Mr. EVERETT. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would simply like to make the point that on the item that the gentleman mentioned in connection with Secretary Brown there is, in fact, a request from the Pentagon on that point, and that would not be covered by this amendment.

Mr. EVERETT. Mr. Chairman, reclaiming my time, I urge a "no" vote against this strictly political amendment.

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

The gentleman from Wisconsin is correct, Mr. Perry changed the requirement just a few days ago, but up to that point they said they do not need this equipment and they did not put it on these planes because of monetary considerations.

If we had the Obey amendment in place, if that had been the policy and Congress had added the money, to fix the problem it might not have been spent. And what bothers me the most is this looks like a line-item veto. Giving the Defense Department the ability to go in and pick out items it does not want and strike them out without Congress having a chance to reconsider it. That is why I think DOD should send up a rescission. If it is as bad as the

gentleman from Wisconsin [Mr. OBEY] points out, they should send up a recession and we should consider it.

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

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

Mr. WELDON of Pennsylvania. Mr. Chairman, I would make this point to the distinguished ranking member of the Committee on Appropriations. Is he aware that the administration has yet to request one dollar of funding for the Nautilus program, that he has told the Israelis is the highest priority for their national security?

Is the gentleman aware there has been no request for that funding, yet we in this bill and the authorization bill are taking the lead to provide that funding?

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

Mr. DICKS. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, let me simply say I find this discussion highly interesting and entertaining. The fact is that the item mentioned as far as the Commerce Secretary's plane is concerned is a hypothetical with respect to this bill. The Congress never put that money in. This amendment does not apply to something that Congress does not do, it only applies to something Congress does do.

Mr. DICKS. Mr. Chairman, reclaiming my time, Congress thought these planes had the equipment on them. We could not believe the Air Force had not put the equipment on the planes. We gave them directives to do it. We told them to put this equipment on and they refused to do it.

Mr. OBEY. Mr. Chairman, if the gentleman would continue to yield, again, this amendment cannot make up for congressional lack of effectiveness, but this amendment does not attack something Congress has not done.

Mr. DICKS. Mr. Chairman, once again reclaiming my time, I think it is a lack of effectiveness on the part of the Air Force and the Department of Defense for not having put it on in the first place. They should have known, because the equipment is available. They just did not do it for budgetary reasons.

Mr. OBEY. Mr. Chairman, if the gentleman would yield once more, the gentleman from Wisconsin is hardly a Member who always takes the advice of the Pentagon over the services, but I would simply say that this is an honest attempt to try to save some money. For every project the gentleman can point out that might be essential to national interest, I will show you 50 that are straight pork, and I would urge a vote on this amendment.

Mr. DICKS. Mr. Chairman, once again reclaiming my time, I would assume we could again take a look at this list, and I think we should try to cut these things out, if they are unnecessary, in the conference committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. OBEY].

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

Mr. OBEY. Mr. Chairman, I demand a recorded vote, and pending that, I make a point of order that a quorum is not present.

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Wisconsin [Mr. OBEY] will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MRS. SCHROEDER

Mrs. SCHROEDER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. SCHROEDER: At the end of the bill (before the short title), add the following new section.

SEC. . The amount of appropriations provided by this Act is hereby reduced by \$6,572,000.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes and that the time be equally divided.

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

Mrs. SCHROEDER. Mr. Chairman, reserving the right to object, we have had many people say they want to speak, but because of the confusion of the scheduling I do not know if they will get here or not. So I am a little troubled about what to do on time.

Mr. YOUNG of Florida. Mr. Chairman, will the gentlewoman yield?

Mrs. SCHROEDER. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, first off, I thought there had been an agreement reached on the 20-minute time limit, is the reason I made the request. If the gentlewoman would like me to withdraw it, I will do so, but we are attempting, as diligently as we can, to complete this bill this evening, because I know that Members have commitments for tomorrow.

Again, I thought we had an agreement on the 20 minutes.

Mrs. SCHROEDER. Mr. chairman, reclaiming my time, as the gentleman knows, there are three authors to this amendment, and so I hesitate to speak for all three. But I think if we could maybe not put a time limit on this one, it would be helpful. I do not think it will take a tremendous amount of time. I think it is very clear what we are doing, but I just hesitate to shut people off if people do come over.

Mr. YOUNG of Florida. Mr. Chairman, if the gentlewoman will continue to yield, as I told the gentlewoman earlier in the discussion of this on the rule, we would not attempt to deny anyone the opportunity to speak, but we would hope that we would get cooperation to continue to expedite the bill as well as we have.

Mr. Chairman, I withdraw my unanimous-consent request.

Mrs. SCHROEDER. Mr. Chairman, the gentleman is indeed a gentleman and has stuck by his word and I appreciate that very, very much.

Members of this body, my amendment is really quite simple. It is different from the one that was in the RECORD because I just amended it to make it in line with the distinguished gentleman from Florida's amendment, the manager's amendment, that did cut the spending. So what my amendment does now is what it was supposed to do from the very beginning. We have changed the numbers to make sure it is right on point, and that is it lowers the amount of this bill to what was in the blue dog coalition budget. I am one of the people who voted for the coalition budget. I think newspaper editorials all over the country backed the coalition budget and said that this was a very fair number.

What is this number? This number is more than the Defense Department and the President asked for and it is, obviously, less than what is in this bill. This number is what the administration requested plus 3 percent because we care very much and want to guarantee that the pay raise is included.

I think everyone understands one of the most important things for any fighting force is morale, morale, morale, morale, and whatever happens we want to be absolutely assured that we do not end up with a shortfall for the pay raise. So this is the administration plus a guarantee by the 3 percent that there will be money for a pay raise.

Now, that still leaves megabucks and gigabucks in the whole budget. We still end up spending 2.5 times more than all of our adversaries combined and, actually, we spend more than all of our allies combined. And there comes a point when we begin to say how much more money should we throw at this.

I want to back up, however, and remind people of the debate we had yesterday and how difficult it was to get people to vote in the end for that budget, because the budget that was adopted yesterday had a higher deficit than the one that we had this year. Now, if my amendment passes, it would mean that this year's budget deficit would be almost equal to the one that we now have. I mean, next year's budget deficit would be almost equal to the one we have now. We would still be a couple billion more, but it would be down from the budget resolution that was adopted last night.

I think when we look at the coalition budget, when we listen to the cries of civility and a bipartisan approach to these things, this makes an incredible amount of sense. This was the bipartisan attempt to try to come together, and it says we should be spending this money but we also must be sure our personnel do not get squeezed.

Now, if we cannot get a defense budget that will defend this country for that kind of money, we ought to throw in the towel.

□ 1715

Mr. Chairman, we listen every day to debates about children who are not doing as well, so we are going to cut back their school lunches and cut back this person and cut back that. But when it comes to defense it seems no matter what happens, it never ever transpires that we bring it down. They have been the sacred cows in this whole budget debate. I have pointed out that the British have been affected by the mad cow disease, but this House seems to be affected by the sacred cow disease every time the defense budget comes to the floor. And I think that this amendment that is coauthored by the gentleman from Minnesota [Mr. MINGE] and the gentleman from Oregon [Mr. DEFAZIO] makes a tremendous amount of sense.

So, Mr. Chairman, I ask everyone who voted for the coalition budget to please stand for what we said we stand for. And I ask every other Member to look at this amendment with an open mind. If Members do not think this is enough, why is it not enough? Why can the Joint Chiefs of Staff and the President not be trusted with a plus-up for 3 percent just in case they are wrong? When we look at how we are treating every other aspect of the budget, chop, chop, chop, chop, chop, and when we realize this is over half of the discretionary spending, half, that we are debating today, we really need to look at this as sensibly and reasonably as everything else.

So, Mr. Chairman, I stand here proudly with my other two coauthors. I certainly hope the body will adopt this amendment. And I think what we will find is that we will be moving forward and it will really help the deficit. It will put next year's budget much more in line this this year's.

I urge an "aye" vote on this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, I have a question to begin with. The gentlewoman said that her amendment would exempt this cut applying to the pay for military. I have read the amendment three or four times now and I do not see any exemption in this amendment to exempt pay for military.

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, basically, what I said was it was the figure that was utilized in the coalition budget, which was the administration plus 3 percent. This does not exempt, but what the purpose was, was to make sure that there was adequate pay for the pay raise. We wanted to make sure that did not come out without being covered.

Mr. YOUNG of Florida. Mr. Chairman, I did not want anyone to misunderstand. This did not exempt anything. This could be across the board.

What would it cut? How about the \$475 million that we had to add for medical care that was identified by the Surgeon General, a serious addition that we made that the President did not ask for; the billion dollars that we added for barracks renovation and real property at bases; \$125 million for breast cancer research and treatment?

Mr. Chairman, all of these things would be gone, because what we would do under her amendment was to allow the Pentagon officials to decide where to make these cuts. The items that I just mentioned were not on the Pentagon's list, so obviously would be on the top of their list to cut.

So I say we should not spend any time on this amendment. We ought to go to a vote and defeat it soundly because it is not workable.

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

Mr. Chairman, I would like to begin by making a brief comment on the remarks of the distinguished chair of the subcommittee. I do not believe that we are just giving this to the Pentagon to make the decisions and acting irresponsibly in that sense. We certainly have ample opportunity in the conference committee process and at the Senate to deal with this amendment.

Second, I would note that the Chair actually reduced the level of expenditures by \$500 million as a manager's amendment at the outset of the debate today. And certainly this change is parallel to the proposal in that respect.

Mr. Chairman, I would like to direct my comments this afternoon to the Members on both sides of the aisle who voted against the budget resolution last night, because we recognized in that vote that the budget resolution actually increased the deficit for the 1997 fiscal year.

This amendment gives those of us who are uncomfortable with a deficit increase an opportunity to follow through with our concern. The Schroeder-Minge-DeFazio amendment would reduce spending in the Department of Defense appropriations by 6.58 billion. Adoption of our amendment would reduce the deficit to \$146 billion and would eliminate virtually all of the increase in the 1997 deficit that was proposed in the budget resolution. Here we have a chance to redeem ourselves.

This amendment would also eliminate 60 percent of the increased spending above what the administration requested. And I certainly think that it behooves us to listen to the Defense Department and the administration when it comes to defense spending.

Mr. Chairman, we certainly would like to think that wisdom, truth, and justice all resides in this Chamber, but on the other hand we cannot micromanage an agency of that size. I think that if we exercise good oversight function we have played a critical role, but to determine the exact level of expenditure and then increase it over what the Defense Department has asked I think is irresponsible.

I also am disturbed when I look at the appropriations bill that we considered last night, which was the House agricultural appropriations bill. We reduced the outlay for the U.S. Department of Agriculture by a very substantial amount over 1996 fiscal year expenditure levels.

It is certainly something that needed to be looked at, and it was done. But at a time when we are at peace with our former enemies in this world, the world war is over, why is it that we need to make an increase in defense spending above what the Pentagon asks, and at the same time cut expenditures in other sectors of our economy?

I submit that this is not responsible budgeting. We certainly ought to treat all sectors of the budget proportionately and appropriately.

Mr. Chairman, I would like to remind every Member that this amendment still allows for an increase in defense spending by \$5 billion over the President's request. I must confess that I am uncomfortable in doing this; however, I am a member of the blue dog coalition and I feel that what we attempted to do in the blue dog coalition report was to strike a balance between what the administration requested and what the Republican leadership is submitting.

I also feel it is only responsible to attempt to avoid a veto. What sense does it make to submit to the President a defense appropriation which he has said he expects to veto and then start the shutdown dance all over again?

We certainly ought to listen to the 19 freshman Republicans who voted to hold the line on the deficit. This is a common sense compromise.

In closing, I would like to call to the attention of the Members of this Chamber this chart, which shows military spending comparisons, U.S. spending versus potential threats.

We are spending approximately 75 percent of this pie, whereas the potential threats to this country are spending approximately 25 percent of this pie.

And when you look at what Russia is getting in Chechnya for its defense expenditures, I think you can see that this comparison is not irrelevant. There is no reason why we need to continue this massive level of expenditures when we find that the potential threats to this country are spending such an insignificant amount.

And I certainly, Mr. Chairman, have a great deal of trust in the Pentagon and defense contractors that the money that we are appropriating is at least as well spent as the money that is being appropriated in those other countries.

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

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

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

Mr. YOUNG of Florida. Mr. Chairman, I think this might be a good time

to address this issue that we heard all last year, and we are hearing it again now, that we are talking about things that the Pentagon does not want. That is not true.

I want to unroll this scroll sometime during the debate, and I am going to show you several thousand items that the Pentagon said they really needed but could not be included in the budget because they had a political number that said they could not go beyond that number.

Here is what Secretary Perry said when he presented the fiscal year 1997 budget. He said:

If there's more money put into the defense budget, I would urge that it be done the same as they did last year, which is not add new program \* \* \* but rather move forward programs that are already in the budget.

That is what I asked them to do last year, when they were putting more money in. And by and large, they did that.

And that is what we did this year. So do not come on the floor and try to tell our colleagues that the military does not need these things or does not want them. They were given an artificial political dollar amount and they had to abide by that. We do not have to abide by that.

Mr. HUNTER. Mr. Chairman, reclaiming my time, I thank the gentleman from Florida for his point, and he makes it so well.

Mr. Chairman, if the gentleman from Minnesota who was just talking would just listen for 1 minute, we added in procurement about \$6 billion to the request that was made by the services. Now, the entire approximately \$40 billion in request that was made by the services, that is about a 70-percent cut under what we used to spend in the Reagan years. That was all requested by the services. So, the base budget that was requested by the services was approved.

We then asked the services, after Mr. Perry said we really need an additional \$20 billion in modernization spending, we then added \$6 billion after we asked the services what they wanted. They came up with a list of \$15 billion. The increased \$6 billion that we added was 95 percent requested by the services.

So if my friend looks at the total procurement bill that we have before us right now, less than 1 percent of that bill is congressional initiatives that were not requested by the services. And I would just ask the gentleman if he listened to the gentleman from Florida [Mr. YOUNG], he listens to the gentleman from Pennsylvania [Mr. MURTHA] and other leaders on the committee. The gentleman says he trusts the Pentagon. Fine. The Pentagon has 99 percent of this budget, 1 percent, like the smart guys in Congress who kept the F-117 Stealth program going when the Pentagon said stop; those were people like Mr. MURTHA, Mr. YOUNG, and other people. Don't you trust your own leadership in the committee and in the Congress to even add or even participate in 1 percent of the

defense damage, or do you want to take a total veto from the Pentagon? What is the answer to that? Do you trust them?

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

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

Mr. MINGE. Mr. Chairman, first I notice there was a discrepancy. The gentleman said it was 95 percent and now he says it was 99 percent.

Mr. HUNTER. Mr. Chairman, reclaiming my time. If the gentleman will listen carefully to me, I am talking about 90 percent of the add-on. The add-on is approximately \$6 billion. But that is not the \$39 billion that the Pentagon sent over to us under the Clinton budget.

If the gentleman would add all of that together, take 95 percent of the add-on of the total procurement bill, that is, everything we buy in the modernization accounts, roughly 1 percent or less is done purely by congressional initiative. All of the rest of the items have been requested by the services.

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

Mr. HUNTER. And I would ask the gentleman, and I have yielded to the gentleman a lot more than he yielded to me.

Mr. MINGE. The gentleman has asked me a question. I have not asked the gentleman any questions.

Mr. HUNTER. Mr. Chairman, I want to get the same courtesy I gave the gentleman when he did not want to yield. We have a budget that is 99 percent put together by the Pentagon, 1 percent put together by the members of the defense committees and the Members of Congress. I think that is a pretty good balance, and I think the good judgment and wisdom of Members like the ones who wanted to see the changes in the aircraft that would bring about greater safety, like those who wanted to see greater ammunition accounts should be listened to and relied on by our fellow Members of Congress. I thank the gentleman.

MODIFICATION TO AMENDMENT OFFERED BY  
MRS. SCHROEDER

Mrs. SCHROEDER. Mr. Chairman, I ask unanimous consent to modify the amendment by correcting the clerical error in the dollar figure. I confess to the body I am a math nerd.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment offered by Mrs. SCHROEDER: At the end of the bill (before the short title), add the following new section:

SEC. . The amount of appropriations provided by this Act is hereby reduced by \$6,572,000,000.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Colorado?

Mr. YOUNG of Florida. Reserving the right to object, Mr. Chairman, I would like to point out that the effect of this amendment is to take this from a \$6

million cut to a \$6 billion cut. And I would rather deal with a \$6 million cut. But to extend the courtesies that the gentlewoman will extend to us throughout the day, I will not object.

Mrs. SCHROEDER. Mr. Chairman, I thank the gentleman and I owe him a plate of cookies.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Colorado?

There was no objection.

□ 1730

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

Mr. Chairman, the question before the Members of the House is quite simple. Will the Pentagon be exempt from the cuts which we are going to exact on every other part of the Government as we move toward a balanced budget in the year 2002, something that is absolutely essential to the economic security of our Nation? Is the Pentagon spending every penny and has it spent so well every penny in its whole budget that it should be exempt and not only exempt but it should get an add-on over and above that requested by the Joint Chiefs of Staff, the Secretary of Defense, and the President of the United States?

Should they be exempt from procurement reform, prioritization, new efficiencies? I think not. I will use a couple of examples. I mentioned one earlier.

In a GAO audit of procurement by the Department of Defense over the last decade, there is \$15 billion, B, billion dollars totally unaccounted for, \$15 billion was spent for which no one can find a receipt, a disbursement or a purpose, \$15 billion. What was it spent on?

Was it spent on essential things, perhaps it could have acquired the GPS little handout units and the little laptop computers that will cost about 5,000 bucks a plane for the 500 planes in the fleet, \$2.5 million. That would be a tiny fraction of the missing \$15 billion, but it was not spent there.

I believe if Congress begins to clamp down a little bit on the mismanagement at the Pentagon that they will spend the money more wisely and effectively and defend America even better than they have in the past, certainly more cost effectively.

Fifteen billion dollars. If any other agency of the Government could not account for \$15 billion of spending over the last decade, there would be an uproar like we would not believe, but here it is ho hum, give them more money. If they cannot account for \$15 billion, let us increase their budget this year by \$11 billion.

Then there is the warehouse situation. We have done a little bit of looking at what is in the warehouses. It is essential that we must have more money this year. Well, there is \$36 billion of equipment in the warehouses that exceeds the 100-year requirement

of the Pentagon for operations, including wartime contingencies. This is \$36 billion of wasteful acquisition, things sitting in warehouse, vacuum tubes for equipment that no longer exists. They did get rid of the leather stock, I believe, for chaps for the cavalry, but there is still other things in 10 million cubic feet of warehouses. Yet this is the same agency that we are told has to be able to write its own ticket that comes forward and tells us what additional acquisitions they need with no scrutiny.

Now, I believe the original request was excessive, given these points. But certainly the request before this body which busts the budget and puts us on an upward trend in the deficit next year is not warranted nor necessary. I believe that the Pentagon, the defense of the United States and certainly the taxpayers of the United States, we would all benefit if very simply we just said no. You got a lot of money over there. Spend it a little more effectively. Figure out what you did with that \$15 billion and maybe you can spend it again, or how about you figure out what to do.

Let us have a garage sale with the \$36 billion of equipment that exceeds the 100-year operational requirement of the military even in wartime contingency. Maybe there are some antique collectors somewhere that would like to buy some of that stuff.

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

Mr. Chairman, I was impressed with the candor of the explanation as to how the appropriations subcommittee budgets for the Pentagon. They ask them what they want; they give them most of it. That is a pleasant way to spend one's time but not a wise way to spend one's money.

Let us understand a couple of points. First of all, the price of this budget, absent the amendment of the gentlewoman from Colorado, who spent more than 20 years on the Committee on Armed Services and has time and again demonstrated the wisdom of her judgments in this area, the price of this amendment being defeated is cutbacks everywhere else.

We are going to balance the budget. We are going to reduce spending. If you continue the pattern of insulating the Pentagon and the CIA and the intelligence agencies, which are included in this budget, from any significant budgetary discipline, and it does not seem to me that it is budgetary discipline when the justification for the budget is, that is what the agency wanted, if you continue to insult the Pentagon from that, then every other area government gets hurt.

Now there are Members in the House who do not care much about environmental programs. There are Members who think that we should not be spending as much money to help young people to go to college. There are Members who do not like the community devel-

opment block grant program. I assume they can easily vote against this amendment.

But any Member who has told people in his or her district, I am sorry we cannot do more in Medicare, I regret that we have to cut back as much as we have in Medicaid, I wish we could do more for this program, I am sorry about it, vote against this amendment and you have undercut the accuracy of these statements, because if you give the Pentagon an additional \$6.5 billion because they want it, then that \$6.5 billion will come from education, from the environment, from public safety.

Yes, this is a dangerous world. But I believe \$6.5 billion could be far better spent protecting Americans against crime in their cities, against drug-induced problems, against serious environmental hazards than it would be against foreign enemies who are already dwarfed by our military power.

That is the choice. Do you think people are endangered by hazardous waste or are they endangered by crimes, by drugs, or by outdated infrastructure, or are they endangered by the countries which collectively spend a very small percentage of what we spend?

Mrs. SCHROEDER. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentlewoman from Colorado.

Mrs. SCHROEDER. Mr. Chairman, I thank the gentleman for yielding to me.

I thought of one more thing. The gentleman has such an active mind, but there is also the threat of the debt. We could decide not to spend it at all and assign it to the debt.

Mr. FRANK of Massachusetts. Mr. Chairman, I understand that, but the Pentagon wants it. What is debt reduction compared against the desires of the Pentagon? The gentlewoman must understand what is going to win around here. So I assume we are not going to do that.

This, of course, is the account in which the magical increasing missing intelligence pot comes. You remember that. That was the \$1 billion that we checked into, and we made it \$2 billion. Then our diligent overseers checked into it and it became \$4 billion. That is hidden in here. Who knows how much it is?

You are saying now that, gee, we cannot afford to take away \$6 billion which is what happened when we caught them with money that they were withholding. We let them spend it elsewhere. So the first part is the real cost of this. Second, let us also retitle this bill. This is the foreign aid bill. We spend more in foreign aid in one military budget than we spend in all the so-called foreign aid budgets because, as was noted, Japan and England and Germany and France and Norway and Belgium and all of the other wealthy countries in the world are the beneficiaries of those who vote to kill this amendment because none of them have military budgets as a percentage of

their governments, of their gross product like ours. We confer on them this great benefit.

Of course, there are bad people in the world. But there are also some good countries in the world that are the potential victims. They understand that they do not have to do things. Virtually, all of our allies are making very significant military cutbacks. Why? Because the Soviet Union has collapsed and because the Pentagon wants more money. Therefore, since we will give the Pentagon what they want, they do not have to do it in England, in Germany, and elsewhere.

This is the subsidy to our competitors economically. It is an imposition on every other Government program. It undercuts one basic point. People have said we have to tell the American people they have to sacrifice, we have to cut back on Medicare. They cannot have Social Security. Give the Pentagon everything it wants, and you undercut your ability to get other people to accept sacrifice.

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

Mr. Chairman, I rise in strong support of the Schroeder-Minge-DeFazio amendment. This is a sound amendment that should appeal to Members on both sides of the aisle. This amendment cuts the bloated military budget by just under \$7 billion and brings it in line with the conservative blue dog budget and closer to the President's budget and the Pentagon's own request. Cutting \$6,572,000,000 is not a radical proposal, not at all. It is one small step for fiscal sanity at a time when we really should be taking a giant leap.

Right now we are considering a defense bill which is loaded up with expensive cold war hardware like seven Trident D-5 missiles which will cost \$267 billion in 1997, and continuation of the *Seawolf* submarine program at the outrageous price of \$699 million in 1997. For the price of continuing the *Seawolf* submarine program, Mr. Chairman, we could send over 200,000 children to Head Start for a full year.

Think about it. We waste money on weapons we do not need which in turn prevents us from spending money on our children, our families, our seniors, and our environment. Those are investments we do need. Just last night the majority passed a budget agreement which cuts college loans for students, raises taxes on poor working families and eliminates the guarantee of health care for low-income seniors.

Just last night, the Gingrich majority told children: If you are poor, do not get sick, do not get hungry, do not get cold, because we really do not think you are important. In fact, we will no longer guarantee health care for you if you are poor. But, on the other hand, if you are a defense contractor, you are really important. This budget provides \$246 billion for defense programs, \$11.1 billion more than the

President's request and \$3.7 billion more than last year's budget.

Let us get our priorities straight. Let us add back some sanity to the defense budget by subtracting \$6.5 billion in wasteful spending. And for heaven's sakes, let us invest in our children and their education, our seniors and their health care, and our families and their security while we invest wisely in our military.

Vote for the Schroeder-Minge-DeFazio amendment.

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

Mr. Chairman, with about 10 legislative weeks left in the 104th Congress, I think it is a good time to examine the priorities of the new majority. The Republicans have relentlessly attacked education and health care and environmental protection, energy conservation, crime control. The minimum wage remains unlivable, corporate welfare unstoppable. The deficit is going to go up each of the next 2 years under the plan that was adopted last night while taxes are deliberately increased on working families who earn under \$25,000 a year. But spending on unrequested and unneeded weapons systems is off the charts: billions of dollars for new missile defense systems to defend against hypothetical or imagined enemies that do not exist, millions for further development of the B-2 bomber, many millions more for other aircraft and hardware the Pentagon says it does not need to defend either our shores or our interests.

This defense budget is an utter perverse reading of the peace dividend the end of the cold war was supposed to produce. It makes you wonder who really wants to balance the budget. Makes you wonder who is really willing to make tough choices of shared sacrifice.

Both the President's budget and the coalition budget are fair and more human, more honest, more realistic plans to balance the budget in 6 years. The amendment by the gentlewoman from Colorado brings defense spending in line with the coalition's budget, almost \$7 billion less than the Republican majority's plan. That would leave a full \$238 billion for defense and might open the door for protection for working families that the President rightfully demands. If we would do that, if we would pass this amendment, we might get a balanced budget agreement.

□ 1745

Is that not really what the Republicans say they want?

I urge all of us to take a constructive step to adopt a dose of common sense to put our children's future before special interests, and the next time we have an opportunity to take a commonsense, constructive step on behalf of our children's future, we find it easier.

I urge my colleagues to support the amendment that has been offered by

the distinguished gentlewoman from Colorado [Mrs. SCHROEDER].

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER].

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

Mrs. SCHROEDER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER] will be postponed.

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

Mr. Chairman, I want to commend the chairman of the subcommittee, the gentleman from Florida [Mr. YOUNG] for his work on this legislation and for taking action to reduce the funding for the Operational Support Airlift. The OSA provides air transport for senior military officials, Members of Congress, and the executive branch. Some of these trips may be necessary, but many are clearly questionable.

Mr. Chairman, each year the Pentagon spends \$300 million on military travel for top Government officials. According to the General Accounting Office, roughly \$24 million of this amount is being spent needlessly by government officials flying military planes rather than commercial transport.

The press regularly reports about abuses by congressional junketeers who use military planes at taxpayers' expense to fly to destinations such as Victoria Falls, Amsterdam and Bali.

The Defense Department's inspector general reprimanded a general who used a C-141 cargo jet to fly from Italy to Colorado with only his personal aide, his cat and himself as passengers. The cost of this trip was estimated at \$120,000. The general paid the Government \$5,000, but the rest of the tab was picked up by the taxpayers.

The GAO has reported on members of the executive branch utilizing the military airplanes for personal purposes, like the White House staffers who in 1994 used a military helicopter for a famous golf outing.

If taxpayers are going to pay millions of dollars a year for Government travel, they have a right to know exactly who is running up the tab, where they are going and why.

Last year the GAO estimated that the Department of Defense had a fleet of 600 aircraft that could be used by the OSA. GAO has estimated that the costs for operating military aircraft range from \$5,300 per hour to \$15,000 per hour. Because the cost of operational support aircraft is so high, members of the military, Congress and the executive branch should be more responsible when requesting trips.

For instance, many military and civilian officials take frequent trips by military helicopters from Andrews Air Force Base in Maryland to the Penta-

gon, which is 15 miles away. The cost of some of these military helicopter flights is \$1,600. A Yellow Cab costs \$18 for the same trip.

This bill reduces the funding for the OSA by \$68 million. Equally important, it calls for a study of the use of military aircraft. I believe this action by the committee will help the Pentagon to better manage its assets and save substantial amounts of taxpayers' money, but I would urge Congress to take an important step beyond this and require full disclosure of all air trips taken on military transport.

In this regard I would ask to engage the gentleman from Florida [Mr. YOUNG] in a colloquy regarding the Operational Support Airlift.

I have expressed concern about the use and possible abuse of DOD Operational Support Airlift fleet. I am aware that the chairman of the National Security Appropriations Subcommittee shares my concern and has taken measures to reduce OSA funding levels, and I commend him for his actions. I am also aware that this bill directs DOD to prepare a thorough report on its activities. Nevertheless, I believe Congress must pursue this matter further.

As Congress proceeds to conference on this bill, I would like to have the assurance of the gentleman from Florida that he will work with me to obtain a complete accounting from DOD of who is taking these trips, why, where they are going and the estimated cost of each trip when Members of Congress and the executive branch use Government aircraft.

Mr. YOUNG of Florida. Mr. Chairman, would the gentleman yield?

Mr. ZIMMER. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding, and I would like to thank him for raising this issue and respond to the gentleman by saying that in the fiscal year 1996 appropriation bill we reduced funding for this type of travel by \$50 million. The bill that we have before us today reduces last year's level by an additional \$68 million.

I would also have to advise the gentleman that getting information on the specifics that he is asking about is not really easy, but we are trying, and we have some reviews ongoing. But I certainly expect to continue to work with him and others who are interested in this issue and continue to do what we can to make sure that whatever is done in the way of military transportation is done properly.

Mr. ZIMMER. Mr. Chairman, I thank the gentleman for his work on behalf of the taxpayers in this connection.

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

Mr. Chairman, I am as anxious to conclude this bill as anyone here, but I do have a simple amendment that addresses a very serious problem.

Mr. Chairman, as all my colleagues know, young men and women are recruited into the military service with

the promise that they will receive free health care for life. I can show my colleagues dozens of brochures where this is in writing that they will get free quality medical care for life. Unfortunately, the Government has decided to renege on this contract. Military retirees now, once they turn 65, are kicked out of the military insurance programs and effectively denied treatment at many military facilities.

At the time when military retirees need medical treatment the most, our Government gives them the least. After age 65, military retirees are not allowed to enroll in CHAMPUS, they are not even allowed to enroll in TRICARE, and even worse they are effectively denied care at a military medical treatment facility because they are last on the priorities list.

I have heard countless stories, and I know the chairman of the committee has, the chairman of the subcommittee, the ranking member. I bet most of the Members of this body have heard countless stories of people over the age of 65 waiting all day at a military medical treatment facility having younger people than them brought up ahead of them. People that come in much later than they have been waiting are brought to the front of the line because the policy is, if they are over the age of 65, they go to the back of the line, then have to wait until everyone else gets their health care. They only get health care on what they call a space-available basis.

So, as my colleagues know, we have got to do something about this. Medicare is available to them under Medicare subvention. It is not adequate in many ways. It does not cover prescription drugs. Its reimbursement rates are simply too low. Our amendment addresses this inequity and honors the commitment made to military retirees by creating a very limited demonstration project that will allow military retirees over the age of 65 to enroll in the Federal employees health benefits program. This is the same insurance program that all of us have. All we want to do is to make it available to military retirees on a limited demonstration basis to see whether this will meet the demand. We want to determine what the cost will be, how much acceptance there will be, whether it is going to work.

Now, I can go on and on, I have got plenty of compelling arguments. I am not going to, because I know there is a lot of support for this. Let me just say that the military coalition and virtually every military group has endorsed this. I have introduced legislation as well that would establish the program nationwide, and that has over 75 co-sponsors. But this amendment today would simply give us the kind of information that we need to make sure we are doing the right thing, and we know it is the fair thing, we know that there is some urgency to do it because this policy is effectively excluding people that really need medical treatment today.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. MORAN. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding, and I appreciate the effort that he has put into this effort, and I would say to him, as I have in private, that I probably have the privilege of representing more retired military who fall into this situation than anybody in this House, and I made a commitment to my constituents, and I made a commitment to the members of the military coalition who I met with just last week to discuss this. We have sent the proposal for a demonstration program to the Congressional Budget Office. The numbers are being juggled at this point.

What I would say to the gentleman is that we are going to do everything we can to solve this problem. We have a shared jurisdiction situation with the Committee on Ways and Means and also with the subcommittee of the gentleman from Florida [Mr. MICA], but we are going to work together. When we go into our conference, we would like to address this, do whatever we can because I have the same commitment that the gentleman from Virginia has, and we are going to make this happen because it has to happen, it is only fair. It keeps our commitment that we have made a long time ago to those who served us in the military for a lifetime.

Mr. MORAN. I much appreciate the commitment of the gentleman from Florida, and my friend and colleague, the chairman of the Civil Service Subcommittee, is on his feet, and he also would have authorizing responsibility for this, is very supportive as well, and I know that the ranking member of the Defense Appropriations Subcommittee, the gentleman from Pennsylvania [Mr. MURTHA], is strongly supportive of doing this as well.

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

Mr. MORAN. I yield to the gentleman from Florida.

Mr. MICA. Mr. Chairman, I rise to enter into a colloquy with the chairman of the Appropriation Subcommittee on National Security, the gentleman from Florida [Mr. YOUNG]. As the gentleman from Virginia [Mr. MORAN] indicated, we have agreed tonight to withdraw this amendment.

The CHAIRMAN. The time of the gentleman from Virginia [Mr. MORAN] has expired.

Mr. MICA. Mr. Chairman, I move to strike the last word and continue with my colloquy.

Again, as the gentleman from Virginia [Mr. MORAN] has indicated, we have agreed to withdraw this amendment because we have an understanding, we believe, with him that this will be addressed in the conference committee. I believe the amendment that was offered needs further refinement, and by addressing this issue in conference we will have the time necessary to

thoroughly examine all the ramifications of the proposal. It may be necessary, in fact, to expand the demonstration projects in the amendment to include all non-active-duty individuals eligible for military health care.

Mr. Chairman, I certainly appreciate the dedication and commitment of the gentleman from Florida [Mr. YOUNG] to resolving the deficiencies in the military health care system and his agreement to address these problems in conference. I have the honor of serving as chairman of the House Subcommittee on Civil Service, and the issue of improving access to health care for military families was a subject of our subcommittee hearing on September 12, last year. We have gathered information on this important subject, and, as my colleagues know, it is vital to our military retirees, their survivors and families, and we ask again for the cooperation of the gentleman as this legislation and this bill move on to conference in trying to find a solution, and we understand that the gentleman intends to cooperate.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. MICA. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Yes, the answer is exactly correct. The same response that I made to the gentleman from Virginia [Mr. MORAN]. Page 205 of our committee report, there is a page devoted to that issue, and let me add to this further.

This is just one of the reasons that we added the \$475 million over the President's budget for medical health care, for members of the military and their family, and, by the way, that is one of the items that can very likely be cut by the amendment offered by our colleague, the gentlewoman from Colorado [Mrs. SCHROEDER], or the amendment that will be offered by our colleague, the gentleman from Connecticut [Mr. SHAYS], and the gentleman from Massachusetts [Mr. FRANK]. We have to be careful. We do not want to give anybody the opportunity to take those moneys out of this bill.

Mr. MICA. I would like to respond, if I may, to the gentleman from Florida [Mr. YOUNG].

First of all, we appreciate the gentleman's leadership on the issue, the leadership of the gentleman from South Carolina [Mr. SPENCE]. I thank the ranking member of our subcommittee, the gentleman from Virginia [Mr. MORAN], who has worked with us. Our intent is to provide health care to as many folks who served, and their dependents, as possible, and that is our sole intent, and we also know the fiscal constraints that the gentleman is under. I intend to support him on this next measure which would get that, and I do know the circumstances of our military personnel and their dependents who do not have this health care; visited in Europe and saw, and other places where our military, one-third of them, live in substandard housing, and



I know the damage that this potential cut could do.

□ 1800

Mr. YOUNG of Florida. If the gentleman will yield further, I would like to say this, that it was the gentleman from Pennsylvania [Mr. MURTHA], the ranking member of our subcommittee, who first raised this issue in the subcommittee with the witnesses who appeared, and he has been the driver on this issue to get us to where we are. The gentleman has our commitment that we are going to continue on this issue.

Mr. MICA. Again, I thank the gentleman, I thank him for agreeing to the colloquy, and I thank the ranking member.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the last word.

I want to comment on the gentleman from Florida's threat assessment that the amendment of the gentlewoman from Colorado cuts \$6 billion or the amendment that will be offered by the gentleman from Kansas, the gentleman from Wisconsin, myself, and others, our amendment would cut \$1.8 billion from this, and he says this might endanger this particular project. Only if you want to.

Our amendment gives total discretion to the defense appropriators and the Defense Department as to where to cut. So I would just make a prediction to Members. As we talk about cutting \$1.8 billion, we will hear people opposing this threaten that it is going to cost about \$40 billion in cuts. Add up how many times that \$1.8 billion is going to be spent. In fact, a \$1.8 million cut out of this \$240 billion budget in no way, shape, or form would threaten this particular program unless the people involved do not like the program and want to threaten it.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. FRANK of Massachusetts. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, the \$475 million that I just identified that we added for medical care for military and their families was not in the President's request, so it obviously would be at the top of the list of those items to cut if the cutting amendment would be agreed to.

Mr. FRANK of Massachusetts. I would take back my time to point out to the gentleman that if the amendment that the gentlewoman from Colorado [Mrs. SCHROEDER] offered passes, you will still have \$5 billion over the President's request. If the amendment of the gentleman from Connecticut [Mr. SHAYS], I, the gentleman from Wisconsin [Mr. NEUMANN], and others is adopted, you will have \$9 billion over the President's request.

The fact is that you do not have to listen to the President's request. So the notion that by cutting \$1.8 billion, which would still leave it \$9 billion over the President's request, we have

endangered that \$475 million, I guess that is the kind of excessive threat assessment that leads you to think that you have got to keep pumping this bill up. But the fact is that there is no rational connection between the two and this is a preview of coming distractions.

Mr. MURTHA. If the gentleman will yield, I appreciate all the compliments we get on what we are doing here. I wonder if we could not move along, because I have been in the forefront of health care all these years. I do not think anybody has done any more than I have for the military health care. BILL YOUNG and I have worked on it constantly. So I wonder, instead, if we could just move right along here and go to the next amendment here.

Mr. BARTLETT of Maryland. Mr. Chairman, I move to strike the last word to enter into a colloquy with Chairman YOUNG.

Mr. Chairman, on page 214 of the report accompanying H.R. 3610 is language that says that the committee expects the President to notify and consult with Congress prior to any such deployment of peace enforcement, peacekeeping or international humanitarian assistance operations; is that correct?

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. BARTLETT of Maryland. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. The gentleman is correct.

Mr. BARTLETT of Maryland. Mr. Chairman, I would just like to clarify and make absolutely sure that this language in no way is an attempt to broaden the President's warmaking powers by contravening existing law.

Under the U.N. Participation Act of 1945, as amended in 1949, Congress must give prior approval before the President may deploy any troops to peacekeeping operations. His advising us is not adequate. This law says that he must get prior approval from Congress before he deploys any troops to peacekeeping operations in response to chapter VII U.N. resolutions.

I just want to make very sure that the report language in this bill is not designed in any way to change the requirement of this existing law.

Mr. YOUNG of Florida. I would respond that the gentleman is correct. The U.N. Participation Act requires prior congressional approval before the President can submit any troop to peacekeeping or peace enforcement operations. So the answer is "no," the gentleman is correct.

Mr. BARTLETT of Maryland. I thank the gentleman for this clarification.

The CHAIRMAN. Are there any other amendments not precluded by clause 2(a) or 2(c) of rule XXI?

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 No. 27 offered by Mr. SHAYS: At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. . . New budget authority provided in this Act shall be available for obligation in fiscal year 1997 only to the extent that obligation thereof will not cause the total obligation of new budget authority provided in this Act for all operations and agencies to exceed \$243,251,297,000, which amount corresponds to the new budget authority that was provided in the Department of Defense Appropriations Act, 1996.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 1 hour and that the time be equally divided.

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

Mr. FRANK of Massachusetts. Mr. Chairman, reserving the right to object, I just wanted to clarify that if any amendments to the amendment were offered, they would not come out of the hour. We certainly, I think, would agree to the hour but just in case any amendments to the amendment were offered, they would not come out of the hour.

Mr. YOUNG of Florida. If the gentleman will yield, I would suggest we deal with that if we get to it. As we did with the gentlewoman from Colorado [Mrs. SCHROEDER], we are not going to deny anyone the opportunity to be heard.

Mr. FRANK of Massachusetts. I appreciate that, and I would not object if we were talking about 1 hour on the amendment that the gentleman is offering, and any amendment to the amendment would have to be dealt with separately, that it would not come out of that limit.

The CHAIRMAN. The Chair would state that that is the way the request is stated.

Mr. FRANK of Massachusetts. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The time limitation on the Shays amendment is 1 hour.

Mr. SHAYS. Mr. Chairman, I ask unanimous consent to designate 15 minutes to my colleague the gentleman from Massachusetts [Mr. FRANK], who is an equal cosponsor of this amendment for the purposes of yielding time.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent to yield 15 minutes of my time to the gentleman from Pennsylvania [Mr. MURTHA].

The CHAIRMAN. Without objection, the time will be divided 15 minutes for the gentleman from Connecticut [Mr. SHAYS], 15 minutes for the gentleman from Florida [Mr. YOUNG], 15 minutes for the gentleman from Pennsylvania [Mr. MURTHA], and 15 minutes for the gentleman from Massachusetts [Mr. FRANK].

There was no objection.

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

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

Mr. Chairman, this is a very simple amendment. This is not a cutting amendment nor is it an increasing amendment. This is an amendment that says that this Congress will authorize and appropriate the same amount next year as we have appropriated this year, \$243,251,297,000.

This is an amendment that freezes defense spending for next year at the level that it is this year.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Chairman, I rise in support of H.R. 3610 and in opposition to the Shays amendment. This amendment proposes to cut funds in quality of life programs which are in the bill.

Our chairman, BILL YOUNG, should be praised for putting these items in the bill. Our service men and women serve our Nation with great dignity, and Congress and the American people should respect this fact. Of particular importance to me, and women throughout our Nation, is the commitment to breast cancer research, prevention, and treatment. This bill provides \$100 million to continue the Department of the Army's peer-reviewed breast cancer research program and \$25 million for prevention and education programs. More than 184,000 women will discover they have breast cancer this year, and many of those women will be members of our Armed Forces or family members.

Beyond this funding, the committee has restored the budget shortfall in the Defense Health Program. Any reduction to this account would drastically limit medical services for our military families and retirees. The very least we can do is show our support for our men and women who serve our Nation without reservation.

I urge my colleagues to support the funding levels in H.R. 3610, and oppose the Shays amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, we now have the question as to whether this is a Congress seriously dedicated to reducing the budget deficit, understanding that that causes some difficult choices everywhere, or whether we will, as this appropriations bill does, exempt the defense and intelligence budgets together from any significant budget discipline.

Remember, we talk about the entitlements leaving us only a certain amount of discretionary spending. We are talking about approximately half the discretionary spending. If you go forward and provide this significant increase for the defense and intelligence budgets, an intelligence budget which found, and let us be very clear, this cut would be \$1.8 billion from the appropriations proposal, which

would make it a freeze. It is acknowledged by the intelligence agencies which are part of this budget that they misplaced more than twice this amount. More than twice the amount of \$1.8 billion was kind of lost because they have got so much money they cannot keep track of it. So that notion that we have got to cut health or cut this or cut that, we will hear all kinds of exaggerations. All we are saying to the defense and intelligence agencies together is, "No, live this year with the same amount you had last year and you will be doing better than many, many other agencies."

Reject this amendment, and I think this is too small of a cut, but if this amendment is rejected, then you have said, no, we will get into a situation where we will reduce the deficit, reduce every other discretionary program so the Pentagon can go up and up and up, and your ability to persuade people that they should accept sacrifices elsewhere will be substantially eroded.

This leaves entire discretion to appropriators and the Defense Department to make this cut of less than 1 percent. I hope the amendment is adopted.

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

Mr. Chairman, I would emphasize again that this is a freeze amendment. We are not advocating that the Department of Defense spend less than we spend this year next year. We are advocating that they have a freeze. I am a member of the Budget Committee. On the Budget Committee we are allowing entitlements to grow. We are allowing the growth of entitlements like Medicare and Medicaid. We advocate freezing defense spending—at least I do—and we are cutting discretionary domestic spending. We are having real and absolute cuts in discretionary spending.

Mr. Chairman, I yield 4 minutes to the gentleman from Wisconsin [Mr. KLUG] for our freeze amendment to defense.

Mr. KLUG. Mr. Chairman, I thank my colleague from Connecticut and my colleague from Massachusetts for leading the fight on this amendment today. It parallels the fight we actually tried to do several weeks ago during the defense authorization bill. Unfortunately we were not allowed that opportunity on the floor to make our case.

Let me really simply try to argue that there are three points in front of us today on this. First of all, I think it is a test for Republicans, whether we are going to apply the same kind of scrutiny to the Pentagon that we apply to every other Federal agency.

I heard my colleague from California, Mr. HUNTER, come to the well a few minutes ago and say, "Look, we came up with this list of what the Department of Defense needs because that's what the Department of Defense told us they needed."

Do we really deal that same way with any other Federal agency? If the Environmental Protection Agency came in and said: We need this money. You got it.

Or the EPA came in and said: We need this money. You got it.

Or the Interior Department came in and said: We need this money. You got it.

Of course not. We have said to every single one of those Federal agencies over the last 2 years, "We're broke."

We are broke as a country. We are hundreds of billions of dollars in the hole this year, and we are several tril-

lion dollars in the hole in terms of the national debt itself. And so we have asked every one of those agencies to operate more intelligently and more efficiently.

Somebody please explain to me where the Pentagon suddenly developed this reputation as the poster boy for Government efficiency. This idea that somehow the Pentagon is sacrosanct just does not, I think, confront reality.

Mr. Chairman, my second point is going to be characterized in some ways as an attack on our ability to defend ourselves. We are not saying you cannot buy bullets. What we are suggesting is maybe you already have enough pencils. And we are not saying you cannot buy tanks. Maybe you already have enough offices filled with enough file cabinets.

You are going to tell me in a \$260 billion budget, you cannot eliminate three-quarters of 1 percent through efficiency standards?

Folks will say if you do not pass the bill in front of us as the Committee on Appropriations wrote it, that means there will not be any quality of life, there will not be raises for our service men and our service women. Set that money aside, give them the raises, then go back and look at the other \$250 billion and find another three-quarters of 1 percent.

We are not military experts. And so we did not come to the floor and say, "Here is the places you cut in order to do that." We came to the floor to say, on principle, we have got to ask the Pentagon to live by the same kind of standards we have asked every other Federal agency.

□ 1815

In fact, as the gentleman from Connecticut [Mr. SHAYS] has correctly characterized this amendment, it is not a cut, it is a freeze. We are saying they get the same amount of money they got last year, where every other appropriations bill debated on the floor over the last several weeks and over the next several months we will actually have Federal agencies substantially cut. Not freezes, but cuts. This is the same money they got last year.

Finally, I want to say to my Republican colleagues, I think if we are to earn the respect of the American public and develop the sense of credibility on other deficit issues, we have to apply the same kind of standards to the U.S. military and to the Pentagon. To somehow say we are going to look aggressively at every program and to say we are going to ask Medicare to slow its rate of growth and we are going to ask the Environmental Protection Agency to live with less money, and the National Park Service to live with less money, and the FBI, and every single Federal agency across the board, but then say, wait a minute, wait, the only guys who get more money are the folks at the Pentagon because they have operated so efficiently and so intelligently over the years that they cannot find any place to cut.

I find that absolutely incredible, Mr. Chairman, and I think every single one of my colleagues should ask themselves, if they are serious about deficit reduction and if they want a balanced budget and they want to provide a future for our children, then we should ask the Pentagon to be subject to the same kind of scrutiny we ask every other Federal agency to live with, and we should do it with a vote early this evening.

Mr. Chairman, I urge my colleagues to vote for the Shays amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, may I inquire how much time is remaining on both sides?

The CHAIRMAN. The gentleman from Massachusetts [Mr. FRANK] has 13 minutes remaining; the gentleman from Connecticut [Mr. SHAYS] has 10 minutes remaining; the gentleman from Florida [Mr. YOUNG] has 13½ minutes remaining; and the gentleman from Pennsylvania [Mr. MURTHA] has 15 minutes remaining.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself 30 seconds to say I am struck by how we are told that cutting \$1.8 billion could cause such havoc. The appropriations subcommittee underestimated its own skill. They were just told by the Committee on the Budget cut \$700 million and they did it fairly painlessly. Apparently, they were able to get rid of 700 million and America is still secure; no invasion impends, no health care has been cut back.

They could cut 700 million apparently with no problem. I think if they worked a little harder, they could cut another \$1.8 billion, which is still less than 1 percent of the total budget.

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

Mr. MEEHAN. Mr. Chairman. I rise to support the freeze amendment. That is what this does. It is a freeze amendment.

Now, it is interesting to me, when we voted on the balanced budget amendment there were about 300 Members of the House of Representatives who came in here and voted for a balanced budget amendment. That was the easy part, come in a vote for a balance budget amendment, go back to our districts and say, well, I voted for a balanced budget amendment; I want to balance the budget.

We tried yesterday to cut corporate welfare with very little success, then we tried to cut tobacco subsidies with a little more success, but we were unable to do it. Mr. Chairman, this defense appropriations bill adds close to \$11 billion more than what the President requested, \$3.7 billion more than we gave the Pentagon last year.

Adding \$11 billion to the defense budget is the height of fiscal irresponsibility; 15 percent of the budget is the defense budget. How in the world are we going to tell the American people that we are serious about balancing the budget when we do not have the cour-

age to make the difficult choices with defense?

In this particular option, \$1.8 billion, as my colleague from Massachusetts said, we cut \$800 million just with the rule that we passed. This is an easy amendment.

I hear this talk about we are going to cut health care, we are going to cut the extra money for the troops and the extra money for readiness. This bill appropriates \$6 billion more than the President's request on weapons procurement. It accelerates the purchases of new fighter aircraft and submarines, items that the Pentagon had not planned to buy for years. And if they had not planned to buy them for years, how in the world will we pay the upkeep?

It does not make any sense. This budget sinks \$858 million, 69 percent more than the President requested, into the national missile defense system.

If we are serious about balancing the budget, let us not exempt 15 percent of the budget. Let us pass this freeze amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. LEWIS], a distinguished member of the subcommittee.

(Mr. LEWIS of California asked and was given permission to revise and extend his remarks.)

Mr. LEWIS of California. Mr. Chairman, I thank the chairman and the distinguished ranking member, the gentleman from Pennsylvania.

I first want to say to both my colleagues, my chairman as well as the gentleman from Pennsylvania, that I could not admire more the work of these two gentlemen in terms of the efforts they make in that Committee on Appropriations on behalf of the country. There is not a responsibility at the Federal level that is more important, more significant to this country and to the world than the work of this subcommittee, where we either appropriate the money or we do not appropriate the money to keep America strong.

In my time in the Congress, there has been nothing more important that we have done than to lay a foundation that causes us to be strong, as the one leader in the entire world. It is the result of their work that indeed the Soviet Union eventually collapsed. The pressure it put on that process brought an end to the East-West confrontation. I do not know how many trillions of dollars that effort has saved this country.

The price of peace is great but, indeed, the price of not having it could be much, much greater. To suggest that we should continue to reduce this budget is almost laughable if it was not so important. Indeed, ladies and gentlemen, over the last 5 years we have reduced these budgets not by a billion dollars discussed here, but by \$100 billion. And over those same years, every

other program of much less significance has been increased beyond inflation by the very people who do not want to support defense.

It is time to recognize that this is one of the critical responsibilities of the Federal Government. It is appropriate for the Congress to go forward with this spending. Indeed, the job being done here should be commended; it certainly deserves our support.

Mr. SHAYS. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. ROTH].

Mr. ROTH. Mr. Chairman, I thank my friend from Connecticut for yielding me this time. I think this is a very important amendment not only because of the money involved, but I think because of the thought process that it goes into when we vote on these amendments.

As I interpret this amendment, what we will be doing rather than spending \$245 billion, we will be spending \$243 billion. That seems to me to be a rather modest cut.

The speaker before had mentioned that we spent a lot of money on defense and the Soviet Union therefore is no longer. One of the reasons the Soviet Union fell is not because we spent a lot of money on defense, but because of what technology did in the Soviet Union.

But it is true we spent a lot of money to keep our country strong. I served in the Army; I served on the board at West Point. I am very partial to our military. But there is a time when we start asking ourselves why are we spending these billions?

No one here has come to the well, now that the Soviet Union is no longer, no one has come to the well and said why are we spending this money; to defend ourselves from who? Who is the enemy? Even with this amendment we are spending \$243 billion. That is a lot of money.

If we want to protect the United States of America, do not build more planes or more ships. We had a hearing today. In Odessa, in the Ukraine, there is no longer communism there. They do not have school from December through March. Why? Because there is not enough heat for the schools. They do not have pens in the schools. They do not have paper. They are here in the United States looking for old books and textbooks to send to Odessa so the kids have something to go to school with, so the kids have something to write on, and we are spending billions of dollars in defense.

If we want to do something in defense of America we should start sending some textbooks, sending some pencils, sending some school supplies to Odessa and to the regions in that part of the world. Do not send more missiles. We are spending billions of dollars to help the people in the Ukraine destroy their weaponry and over here we are building more weaponry. It does not make sense.

The problem, as I see it, is one of thinking. It is difficult to have change.

We see that in our society today. The most difficult thing to do is to change our way of thinking. I have been here in the Congress for 18 years. When I came here we had a Soviet Union. I voted for all the defense spending. But that enemy is gone. It is a different era, it is a different time. We have to bring some new thinking to the world.

It is a different world and we have to acclimate to the world we are moving into and that we are in today. The world we are in today is one of economic competition, not more and more military planes and ships. What are we going to do with more subs that we will have? Who are we defending ourselves against?

I know it is difficult to bring in new thinking, to change one's thinking, but this is what we have to do and that is why this amendment is important. It is not only that we are saving a couple billion dollars, but we have to have a different mental attitude, a different thinking in this Congress. We are not acclimating to the new world.

We are like the old Communists trying to get back in power against Yeltsin in Russia today. We have to have some new thinking, and this amendment goes in that direction. That is why it is important.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself 2½ minutes, because I want to comment on this notion that defense and intelligence is somehow an obligation different than every other.

In this budget, remember the intelligence agencies, for instance, have now gotten into economic intelligence. The budget does not just talk about guns and ships and men and women in uniform. This funds the intelligence agency, where we have been told the intelligence agencies have decided to do economic analysis. I am glad they are, but is economic analysis in the intelligence budget of a qualitatively different nature from economic analysis elsewhere so that it should be exempted from any kind of budget scrutiny? Because all this is a freeze. All we are saying is they do not get more than they got last year. It is a freeze, not a cut, that we are advocating.

Let us talk about other Government functions; the FBI, faced in Montana with a difficult situation. We are told in the Judiciary that, yes, they did not have quite as many agents to investigate church burnings. We were going to adjourn temporarily to deal with the terrible issue of church burnings. I think putting a stop to church burnings is a very significant Federal responsibility. That takes well-financed Federal agencies.

What about Immigration protecting our borders? What about the problem of drug-induced crime? What about the problem of terrible toxic dumps? We have had to slow down the money we put into reducing hazards where small children live because we have said to people we do not have enough money.

All we are saying is, yes, defense is a very important function. So is domes-

tic law enforcement. So is taking poison away from small children. So is having adequate control of our borders. But we cannot do all of it to the extent that we would like. And a freeze, giving the Defense Department the same amount of money this year in this budget as they had in the year before, given the trends the gentleman from Wisconsin quite thoughtfully pointed out, given the fact of the diminution in the exterior threat, indeed if we look at America today compared to 8 years ago, where has the threat to our security gotten worse? I think it is more domestic than exterior.

Frankly, I think with the collapse of the Soviet Union, we are somewhat safer internationally than we were before. I wish we could say the same about crime and about environmental problems. So does it make sense to exempt from the process of freezing and discipline the foreign area, where we are almost certainly safer, and take out even more from the domestic area where the threats sadly are even greater?

□ 1830

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Chairman, I thank the gentleman for yielding. I serve as chairman of the Subcommittee on Civil Service of the Committee on Government Reform and Oversight, and I know where the cuts in our work force are taking place. We have heard of 273,000 employees downsized; 80 percent of the cuts in this administration have come out of the civilian defense force.

We just heard the last speaker say, What is the threat? The threat is we have had the largest arms sale in the history of the world, and we have missiles, and we have subs, and we have all kinds of weapons. Pick up the newspaper today and we see the potential of the threat. And our No. 1 responsibility under the Constitution is what? To provide for the defense of this country. It does not say to get into all these programs.

It is no problem for us to come here or this administration to come here and spend \$2 billion on Haiti; \$2 billion on Somalia; another billion in Rwanda; Bosnia, \$5 to \$6 billion. And then we talk about a missile defense of \$5 billion. We are really standing still. We are losing ground.

Mr. Chairman, two-thirds of our money to three-quarters of it is on salaries and retirement benefits. We are now paying more on interest on the national debt than we are in real dollars for our national security, our No. 1 responsibility under the Constitution.

Mr. Chairman, we cannot afford to err. We cannot afford as a Congress to make a mistake. That is the threat. That is where the money is being spent and that is our obligation under the Constitution.

Mr. FRANK of Massachusetts. Mr. Chairman, what is the time remaining, please?

The CHAIRMAN. The gentleman from Connecticut [Mr. SHAYS] has 7 minutes remaining; the gentleman from Florida [Mr. YOUNG] has 9½ minutes remaining; the gentleman from Massachusetts [Mr. FRANK] has 8 minutes remaining; and the gentleman from Pennsylvania [Mr. MURTHA] has 15 minutes remaining.

Mr. MURTHA. Mr. Chairman, I yield 3 minutes 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 opposition to this amendment. I know that there are a lot of folks who believe in the need to balance the budget, and I take second place to no one in that belief. The fact is we do need to balance the budget, that our children and our grandchildren are going to be paying for our profligacy if, in fact, we do not start getting our spending in line with our in-flow.

The fact is, Mr. Chairman, that for the last 40 years we have been spending far too much, running deficits of \$100 billion a year, \$200 billion a year, \$300 billion a year, and the interest within the next 12 to 18 months, the interest on the debt that we have accumulated, that \$5 trillion plus debt that has been accumulated over the years, will soon exceed what we spend on the defense of this Nation.

For the first time in the history of the country, our No. 1 priority, providing a defense for our people, providing security for every man, woman, and child in this country, will come second to paying interest on the debt, interest on the borrowings that we have had in order to just pay for government.

So there is no doubt that we have got to get our budget under control. But the fact is that in discretionary spending in the last year and a half, we have saved roughly \$43 to \$50 billion under what was appropriated 2 years ago, and by the end of this appropriations season we will have saved about \$60 billion under what was appropriated 2 years ago.

Mr. Chairman, if Members look at the trend line for what President Clinton would have asked this Congress to spend had we not had the change in Congress that we have had, the savings have run about \$80 billion.

Mr. Chairman, we are succeeding in getting the discretionary portion of the budget under control. We are losing the battle still, because without the President's agreement, we cannot get his consent to get entitlements or the mandatory portion of the budget under control. That is no reason, absolutely no reason to say well, therefore, we should take extra savings out of the hide of the defense of this Nation.

The fact is that we need a ballistic missile defense. That is still in contention. It is opposed by Members of the House, it is opposed by Members of the Senate, and it is opposed by the President of the United States. Oh, he says

we need to work on the development of a system, but he says we do not want to deploy one. I happen to disagree with him. I think it is one of the few threats that the American people face. It is a dangerous world when we look at North Korea, when we look at China and the technological advances of China, when we look at the Iranians and the Muslim governments.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Chairman, when we look at the advances of a hostile world out there, we begin to understand that if America does not prepare for what threats might develop in the future, that we may well find ourselves underprepared and not ready for those threats when they occur. That would be a disaster. We owe it to our troops, we owe it to our people to be secure.

As this chart shows, Mr. Chairman, we actually, with the current proposed spending, after we take off medical spending and the pay raise that has been built into the system, we are actually going down under last year. When the Joint Chiefs have said we actually need an extra \$15 billion in weapons modernization, we are not giving them the \$15 billion in weapons modernization. We are not even keeping even with where we were last year.

Mr. Chairman, this amendment would cut us by an additional \$2 billion. That is unwise, it cuts our seed corn so that we cannot sow seeds for the future and be prepared. It will leave us ill prepared to meet the threats of the 21st century, and I urge the defeat of this amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself 10 seconds.

Mr. Chairman, I am learning the lexicon. Sometimes a freeze is a cut, and sometimes a freeze is a freeze. A freeze is a cut when it is for some programs and a freeze is not a cut or is just a freeze for the Pentagon.

Mr. Chairman. I yield 2½ minutes to the gentleman from Minnesota [Mr. LUTHER].

Mr. LUTHER. Mr. Chairman, I rise in support of this amendment to freeze Department of Defense spending at the fiscal year 1996 level.

In the past year and a half we have seen some progress in reducing our country's deficit, but not nearly enough. With the budget crisis facing this Nation, we must look for every single opportunity we have to reduce the deficit. And we simply cannot justify spending more on defense than our own military experts believe is necessary.

Mr. Chairman, we have been elected to this body to exercise judgment, common sense, and courage to make the hard choices necessary to achieve a balanced Federal budget. Freezing military spending would demonstrate our collective commitment to getting our Nation's fiscal house in order. But more importantly, it will set the stage

for asking the American people to make sacrifices in other important budget areas.

It is much easier to discuss the idea of shared sacrifice with senior citizens, children, and hardworking American people when we can assure them that all Federal programs and agencies are facing the same budget constraints.

The American people know it is wrong to ask them to share the pain of balancing the budget when a big part of the budget, the military budget, is being increased. The bottom line is simple, and we should know it by now after everything we have gone through in the last year and a half. If we are serious about balancing the budget of this country, it is essential that every Federal program and Federal agency share in the sacrifice, including the Department of Defense.

Mr. Chairman, let us show the American people that we really are committed to fiscal responsibility. Let us apply the same belt tightening to the military budget that we applied to the rest of the budget.

Mr. Chairman, I urge my fellow House Members to vote for this amendment and freeze military spending at the 1996 level.

Mr. SHAYS. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. NEUMANN] in support of the amendment to freeze defense.

Mr. NEUMANN. Mr. Chairman, this is an amendment to freeze defense spending at last year's levels. It is no big secret in this Nation that elections are coming up in November of this year and I have become accustomed to hearing an awful lot of demagoguing. I hope this amendment passes so that there will be no demagoguing come the fall elections this year about defense spending increasing.

Mr. Chairman, if we pass this amendment, defense spending is frozen. Period. It is not an increase or decrease. It is frozen, period. And there should be no demagoguing going into the fall elections after we pass this amendment. This amendment freezes defense spending at last year's level.

Last year's level was \$243 billion. Next year's level would be \$243 billion if this is passed. What about defense spending and where does this rate in priorities of the Nation? I think defense spending is one of the highest priorities of the Nation and should be treated that way. But does that mean defense spending should not be treated with the same scrutiny that all other parts of the budget are?

Mr. Chairman, I personally think we need to develop a missile defense system for this Nation. Many of the American people do not realize that if somebody launches a missile against the United States of America, we have no ability to shoot that missile down and to protect our own Nation. So, I think we do need to develop a missile defense system.

If we freeze defense spending, how can we go about developing a missile

defense system? Well, we go at the defense budget the same way we have gone after all the other parts of this budget. We find the programs that are not absolutely essential and we take money from those programs that are not absolutely essential and we redirect the funds into the programs that are the most important.

Mr. Chairman, my recommendation is I think we move to a high-technology military. I think we use technological advancements the best we possibly can. We develop the systems that are necessary to preserve and protect this Nation for our children.

But when we are doing that, at the same time we have to retire planes that are too old to service properly, planes that are too dangerous and other equipment that is too old, and properly bring down the support for that equipment that we no longer need with a high-technology military.

What is happening in this amendment? Defense spending will be frozen. The National Taxpayers Union supports it, and I would like to quote their letter directly. It says, "Congress has committed to reining in wasteful spending. We cannot afford to increase military spending if we are to gain control of our Federal deficits and achieve a balanced budget."

Last night on the floor of the House of Representatives we had a very interesting debate. The vote outcome indicated that we in this body believed that we have to have an \$8 billion increase in the deficit next year.

Mr. Chairman, I would like to suggest to my colleagues that the passage of this amendment allows us to move \$1.8 billion closer to a balanced budget. I would like to conclude my remarks this evening by encouraging the people in this body to do what is right for the future of our Nation, to do what is right for our children's future.

Mr. Chairman, I say to my colleagues, move us closer to a balanced budget. We are \$5.2 trillion in debt. That is \$20,000 for every man, woman, and child. It is time we move closer to a balanced budget. I encourage the support of this amendment which simply freezes defense spending.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Washington, [Mr. DICKS], a member of the subcommittee.

Mr. DICKS. Mr. Chairman, I just wanted to make sure my colleagues have not forgotten a little history here. I have heard a lot of talk about the defense budget not having been cut. I want to say that is the most ridiculous thing I have heard all night tonight.

Mr. Chairman, we have cut the defense budget by \$100 billion a year since 1985. When we take today's budget, it would have been \$350 billion. Today, it is \$250 billion. We have cut procurement by 70 percent. The Joint Chiefs have just written a letter to Secretary Perry saying that we are short annually \$20 billion in procurement.

□ 1845

We have downsized the military since the gulf war dramatically. In the gulf war we had 1 million men in the U.S. Army. Today we are down at 495,000. And we are operating at a higher op tempo than at any point between the Vietnam war and the gulf war.

We are sending these kids, these young men and women in the military, out more often to more places. The op tempo has never been higher. To say in the face of that evidence that we do not need to do more for defense is simply incorrect. We are operating in a very fragile situation here. We added about \$6 billion to procurement. That takes us up to \$44 billion. The Joint Chiefs say that we need to be at \$60 billion, and Secretary Perry has admitted the fact that we have got a major shortfall in procurement. This budget does not really come close to meeting the legitimate requirement.

Now, I understand my colleagues who say we should be doing more on domestic priorities. I wish we could do more in domestic priorities. But if you cut the money out of this defense budget, it is not going to go over and help HEW or other bills. It is going to go to deficit reduction, which is a very important issue. And I do not favor tax cuts, other things that are part of the other side's budget that will make the deficit situation worse. But to say that we have not cut defense, we have cut defense more than any other discretionary spending issue in the budget. Nothing has been cut more than defense over the last decade.

The requirements today on the military are major. So I urge my colleagues not to forget history here. We have leveled this off for the last couple years. We have not really done what is necessary. I just urge Members not to take this amendment, because it will make the job even more difficult to try and have adequate procurement funding for the equipment that our services need. We are going to have a major problem out there in the future if we do not have adequate funding for procurement.

I urge Members to stay with this budget. It is not perfect, but it is certainly a step in the right direction. And to say that we have not cut defense is just ludicrous.

Mr. MURTHA. Mr. Chairman, I yield 30 seconds to the gentleman from Missouri [Mr. SKELTON].

Mr. SKELTON. Mr. Chairman, I would like to associate myself with the remarks of the gentleman who just spoke. We cannot cut this defense budget anymore.

It is interesting in all this debate, not much has been said about the soldier. The first place that you cut, the easiest place that you cut is from the soldier, himself or herself from those who are on the high seas, who keep the airplanes flying. We should not forget those because they are the first to be cut in an event of a cut such as this amendment would provide.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself 1 minute.

Let me say to my good friend from Washington, I do not disagree with his history. It is his mathematics that I want to focus on. The gentleman is the most honest advocate of increased military spending. He says the military budget would be \$340 billion. But it was never in dollars more than about 200 billion.

What did he do? He used an inflation adjusted figure and that is at the heart of this discussion. We are talking about dollars being dollars. The gentleman from Washington says, it is a cut in part because we have not keep up with inflation. So I ask, particularly Members on the other side, if that is the accounting they want to go back to, OK. But understand that that is the basis for the gentleman from Washington's argument.

He talks about a reduction from \$340 billion, but we never got to \$340 billion. It is the inflation adjustment.

This is a freeze. This is the same dollars. That is the issue here. Are we going to adopt a whole different set of accounting for the military? My friend says, 340, understand that that is getting you into inflation adjusted accounting. And if you do not keep up with inflation, it is a cut.

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

Mr. HINCHEY. Mr. Chairman, old habits break hard. That is as true of nations as it is of people. We are in the habit of spending enormous amounts of money on the military budget. Right now we are spending approximately the same amount as the next 10 nations combined.

It is simply a prudent thing to freeze our defense spending at its present level. Some might argue that we ought to go far beyond that and reduce the military budget substantially. There are people in this town, responsible people who follow the military expenditures intimately, who would argue that you could safely cut \$50 billion out of the military budget without affecting the security of this country one iota. No one there is proposing anything like that. They are simply proposing that we freeze military spending at its present level so that we can begin to establish some new priorities.

Our priorities approximately have been to spend for the military, for the Second World War and for the cold war. All of that is behind us now. The major threats to our countries are within.

We have schools in this country that are falling apart. We have children who are not getting decent education. We have people who need health care. We have roads and bridges which are falling apart. Half of the bridges in this country are below standards, below safety standards. Everywhere we look the basic infrastructure of this country is in dire need. We continue to pour more and more money into larger and larger military budgets against an

enemy that is no longer extant. They are gone. We have beat them. They are defeated. They are not here anymore.

This kind of military has got to be brought in line. We have to, this Congress has got to be given the opportunity to establish new priorities, reasonable priorities that meet the needs of our country. We have got to begin to focus more approximately on our domestic needs.

I have just mentioned a few. They are legion. They go far beyond those few that I have just mentioned. But the best priorities of this country are hurting and wanting, and we are not treating them appropriately. This amendment is reasonable. We should freeze military spending and refocus our priorities appropriately.

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

The CHAIRMAN. The gentleman from Massachusetts [Mr. FRANK] is recognized for 2¼ minutes.

Mr. FRANK of Massachusetts. Mr. Chairman, I want to be very clear again about what we are discussing. The gentleman from Washington was very honest. He said he does not think this budget is enough. I will be honest and say that, even if this amendment passes, I think it will be too much. I asked for a realistic threat assessment. I asked the same intellectual and mathematical standards be applied to the Pentagon as elsewhere. We do not do enough with the FBI. We do not do enough to reduce serious hazardous weight. We do not do enough to improve air traffic safety. We do not do enough to provide health care for older people.

We are about to tell older people they will have to take some reduction in the kind of health care that is available to them. You cannot exempt one area from that. If you reject this amendment, that is what you do. This amendment does not cut the Pentagon. It cuts it from the inflation adjusted figure which I thought we were not using anymore.

This amendment says the Pentagon and the intelligence entities. Let us be clear, not just the Pentagon. It is all the intelligence agencies as well. They will get the same amount of money this year as they had last year. Unlike almost any other agency of government, they will be held harmless against the reductions.

Now look at the threats in the world. Yes, we have Iran and we have Iraq. We had them when we had the Soviet Union as well. I do not believe that they are at this point a greater threat than the collectivity of crime, hazardous waste, air traffic problems, terrorism. We have serious problems here at home as well. Here is what we do if we reject this amendment. We say to the wealthy European and Asian nations of this world, do not worry about defending yourselves because that is what we are talking about here. When we talk about a two-war strategy, had we

talked about the broad projections of American power, we are talking explicitly in defense planning of saying to Europe and Asia, those prosperous areas of the world, you need not spend very much on your own defense. We will do it. Save your money to become more efficient. Save your money so you can outcompete us.

Let us adopt this amendment as a beginning of a rational decision to deal with military spending in the same way that we should deal with other spending.

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

Mr. Chairman, I just want to say to the Members, this is an across-the-board cut. We have rejected several specific cuts. Over the years we have cut substantial amounts from defense. The threat has changed dramatically. I think this would be a mistake for us to now freeze the defense spending at this level.

We go to conference, we may have to make some more adjustments. All of us know how difficult it is to make sure the troops are taken care of, make sure the threat is taken care of. All of us work diligently listening to hearings, listening to what the military wants. They have long lists of what they would like. But in order to keep our military ready to respond and our National Guard and Reserve ready to respond, we cannot take another cut at this point as we negotiate through this bill. So I would urge Members to vote against this amendment.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Washington [Mr. NETHERCUTT], a member of the subcommittee.

Mr. NETHERCUTT. Mr. Chairman, I thank the gentleman very much for yielding time to me. I have been sitting in my office listening to this debate. I felt compelled to come here to the floor as a member of this subcommittee who sat through the hearings day after day, moment after moment, listening to the needs expressed by the military for our future readiness and our current readiness.

I want to speak to my Republican freshman colleagues. Be very careful about what we do here. This is a bad amendment. This is something that is going to threaten, in my judgment, the future of this Nation. Think back just recently when we were so proud in this country to have our military forces be able to go to Bosnia and rescue Scott O'Grady, a constituent of mine from Spokane, WA. Think back how we felt in 1978 and 1979 when we had the fiasco in our military problems in the Iran rescue attempts. All the reason for that success in the Scott O'Grady case is because we are prepared.

We have to be prepared for the future. This is a dangerous world. We have heard it time after time in our subcommittee. This is a dangerous

amendment. In my judgment, my colleagues, we ought to reject it very, very strongly.

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

The CHAIRMAN. The gentleman from Connecticut [Mr. SHAYS] is recognized for 4 minutes.

Mr. SHAYS. Mr. Chairman, I believe with all my heart and soul, if you tell the American people the truth, they will have you do the right thing. If you tell your colleagues the truth, they will have you do the right thing, too.

It is truthful, it is very truthful, as the opponents of this bill point out, there have been cuts in defense. In 1990, we appropriated \$286 billion. In 1991, \$268 billion. In 1992, \$269 billion. In 1993, \$253 billion. In 1994, we spent, appropriated \$240 billion. Since that time, 1995, \$243 billion, 1996, the budget we are in now, \$243 billion.

This amendment is saying that we should not cut from defense anymore. We should not add to defense anymore. We should spend \$243 billion. It is in truth a freeze.

Now, it is important to point out that, when we took over, I speak primarily to my Republican colleagues and to those who might be watching on TV, especially to the staff, when we took over, we had a rescissions bill that cut \$20 billion.

The CHAIRMAN. The gentleman should address his remarks to the Chair and not to the audience.

Mr. SHAYS. Mr. Chairman, none of it was cutting defense. We were cutting discretionary domestic spending. We added back \$11 billion; some of it went to defense, for very necessary things.

In 1996, the President wanted to spend \$7 billion more than 1995 in discretionary spending. We spent \$23 billion less. All cuts to domestic discretionary spending. No cut to defense. We cut HUD \$6.3 billion from 1995 to 1996. EPA we cut \$713 million. FEMA we cut \$143 million. The Department of Education, we cut \$1.5 billion. NASA, we cut \$473 million. The National Science Foundation, we cut \$141 million. The summer youth program, we cut \$185 million. We cut from legal services \$122 million. We did cut domestic spending. We have to be truthful about it. We did not cut Medicare. We did not cut Medicaid. We allowed the student loan program to grow. We did not cut the earned income tax credit. That is all going up.

□ 1900

Entitlement are going up under our budget. We are just slowing the growth. Domestic spending, nondefense spending, is going down. We are cutting it. And some of us happen to serve on those committees where we would have liked to have spent more, but we knew we had to cut to balance this budget in 7 years, and I just urge my colleagues to recognize that we need to get our financial house in order.

If my colleagues did not like the bump in next year's budget and they

were tempted to vote against the budget resolution, that was a plan, that was not all that of a hard vote to vote "no" if my colleagues thought so. What is important is to vote to actually cut spending where we can, domestic spending, to freeze it where we can, defense spending, to slow the growth of entitlements.

If we do all three things, we will, in fact, balance the budget.

I urge my colleagues to recognize this is not a cut from next year, from this year to next year. We are freezing defense spending. My God, if we cannot freeze defense spending, how the heck can we continue to say that we can cut domestic spending, that we can slow the growth of entitlements?

This is our moment of truth for anyone who wants to get our financial house in order and balance the Federal budget. I urge adoption of this freeze amendment.

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

The CHAIRMAN. The gentleman from Florida is recognized for 4½ minutes.

Mr. YOUNG of Florida. Mr. Chairman, I just think it is time now to get real about what it is that we are doing and what it is we are talking about. We've heard all of the facts and figures being thrown out. This \$2 billion cut will have the effect of reducing this budget \$6.7 billion below last year's level, adjusted for inflation. Whether my colleagues like it or not, there is an inflation factor out there that we have to take into account, and so this would not be a freeze, it would be \$6.7 billion below last year in terms of actual buying power.

Now, this subcommittee that brings this bill here today has already cut \$1.3 billion out of the original number that this House gave us to work with. They gave us the number, and we worked from that number. We have had to cut it \$1.3 billion already, from subcommittee to the floor.

Now we talk about the defense budget. For the last 12 years, including this year, the real dollars invested in our Nation's security have declined while almost every other spending account that has been mentioned in that same 12-year period increased. So, in effect, we are playing catchup, and there is a lot more that needs to be done than we are doing here, and I am going to talk about that in just a minute.

But I think it is important that the Members know that two-thirds of the money, listen to this, two-thirds of the money appropriated by this bill goes for pay, housing, education, medical care, quality-of-life issues for our people in the military, as well as training and readiness; two-thirds of this bill go for these purposes. Now, why is that, and why is it we spend more on our military than other nations?

Mr. Chairman, it is because we have an all-volunteer military. Those men and women serving in uniform today



are volunteers. They are serving their country because they want to. They have not been drafted or conscripted. They are a volunteer military, and we have an obligation to take care of them.

Some \$540 million of the money in this budget is going to pay for Bosnia, one of the many contingencies that our troops have been involved in. With all the operational tempo, the contingencies, we are wearing out our equipment, and we need to replace some of that equipment.

What do we do today, my colleagues? What we do today not only determines where we are in our military capability in 1996 and 1997. What we do today determines what our readiness situation will be 5 years from now or 10 years from now. Let us not take the chance. Let us be prepared, let us reject this amendment, and let us get on with passing this bill and getting to conference with the Senate and getting it to the President.

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

#### PARLIAMENTARY INQUIRY

Mr. FRANK of Massachusetts. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. FRANK of Massachusetts. Mr. Chairman, are we going to roll this vote? Just for the guidance of the Members, is it the intention of the Chair to now take the pending votes and go on to the next amendment in debate?

The CHAIRMAN. A request for a recorded vote on this amendment will be postponed until after disposition of the Schroeder amendment.

Mr. FRANK of Massachusetts. But we will not go on to the next debate until the next votes?

The CHAIRMAN. That is correct.

The question is on the amendment offered by the gentleman from Connecticut [Mr. SHAYS].

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

Mr. YOUNG of Florida. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from Connecticut [Mr. SHAYS] will be postponed.

#### SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 453, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: an amendment offered by the gentleman from Wisconsin [Mr. OBEY]; an amendment offered by the gentlewoman from Colorado [Mrs. SCHROEDER]; and an amendment offered by the gentleman from Connecticut [Mr. SHAYS].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

#### AMENDMENT OFFERED BY MR. OBEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin [Mr. OBEY] on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

#### RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 101, noes 319, not voting 14, as follows:

[Roll No. 243]

#### AYES—101

|              |              |               |
|--------------|--------------|---------------|
| Ackerman     | Hilliard     | Ramstad       |
| Barcia       | Hinche       | Rangel        |
| Barrett (WI) | Jackson (IL) | Reed          |
| Becerra      | Jacobs       | Rivers        |
| Beilenson    | Johnson (SD) | Roukema       |
| Blumenauer   | Johnston     | Roybal-Allard |
| Bonior       | Kanjorski    | Rush          |
| Brown (CA)   | Kaptur       | Sanders       |
| Brown (OH)   | Kennedy (MA) | Schroeder     |
| Bryant (TX)  | Klecza       | Schumer       |
| Clay         | Lewis (GA)   | Sensenbrenner |
| Collins (IL) | Lofgren      | Serrano       |
| Collins (MI) | Lowe         | Shays         |
| Conyers      | Luther       | Slaughter     |
| Coyne        | Maloney      | Stark         |
| Cummings     | Markay       | Stearns       |
| Danner       | McCarthy     | Stockman      |
| DeFazio      | McDermott    | Stokes        |
| Dellums      | McKinney     | Studds        |
| Dingell      | Meehan       | Stupak        |
| Doggett      | Menendez     | Torres        |
| Duncan       | Miller (CA)  | Towns         |
| Durbin       | Minge        | Velazquez     |
| Ehlers       | Mink         | Vento         |
| Evans        | Nadler       | Visclosky     |
| Fattah       | Neal         | Waters        |
| Filner       | Oberstar     | Watt (NC)     |
| Flake        | Obe          | Waxman        |
| Foglietta    | Olver        | Williams      |
| Ford         | Owens        | Woolsey       |
| Frank (MA)   | Payne (NJ)   | Wynn          |
| Furse        | Pelosi       | Yates         |
| Gephardt     | Petri        | Zimmer        |
| Gutierrez    | Poshard      |               |

#### NOES—319

|              |              |             |
|--------------|--------------|-------------|
| Abercrombie  | Bunning      | Davis       |
| Allard       | Burr         | de la Garza |
| Andrews      | Burton       | Deal        |
| Archer       | Buyer        | DeLauro     |
| Armey        | Callahan     | DeLay       |
| Bachus       | Calvert      | Deutsch     |
| Baessler     | Camp         | Diaz-Balart |
| Baker (CA)   | Campbell     | Dickey      |
| Baker (LA)   | Canady       | Dicks       |
| Baldacci     | Castle       | Dixon       |
| Ballenger    | Chabot       | Dooley      |
| Barr         | Chambliss    | Doolittle   |
| Barrett (NE) | Chapman      | Dornan      |
| Bartlett     | Chenoweth    | Doyle       |
| Barton       | Christensen  | Dreier      |
| Bass         | Chrysler     | Dunn        |
| Bateman      | Clayton      | Edwards     |
| Bentsen      | Clement      | Ehrlich     |
| Bereuter     | Clinger      | Emerson     |
| Bilirakis    | Clyburn      | Engel       |
| Bishop       | Coble        | Ensign      |
| Biley        | Coburn       | Eshoo       |
| Blute        | Coleman      | Everett     |
| Boehlert     | Collins (GA) | Ewing       |
| Boehner      | Combest      | Farr        |
| Bonilla      | Condit       | Fawell      |
| Bono         | Cooley       | Fazio       |
| Borski       | Costello     | Fields (LA) |
| Boucher      | Cox          | Fields (TX) |
| Brewster     | Cramer       | Flanagan    |
| Browder      | Crane        | Foley       |
| Brown (FL)   | Crapo        | Forbes      |
| Brownback    | Creameans    | Fowler      |
| Bryant (TN)  | Cubin        | Fox         |
| Bunn         | Cunningham   | Franks (CT) |

|                  |                    |              |
|------------------|--------------------|--------------|
| Franks (NJ)      | LaHood             | Rahall       |
| Frelinghuysen    | Lantos             | Regula       |
| Frisa            | Largent            | Richardson   |
| Frost            | Latham             | Riggs        |
| Funderburk       | LaTourette         | Roberts      |
| Gallely          | Laughlin           | Roemer       |
| Ganske           | Lazio              | Rogers       |
| Gejdenson        | Leach              | Rohrabacher  |
| Gekas            | Levin              | Ros-Lehtinen |
| Geren            | Lewis (CA)         | Rose         |
| Gibbons          | Lewis (KY)         | Roth         |
| Gilchrist        | Lightfoot          | Royce        |
| Gilman           | Linder             | Sabo         |
| Gonzalez         | Lipinski           | Salmon       |
| Goodlatte        | Livingston         | Sanford      |
| Goodling         | LoBiondo           | Sawyer       |
| Gordon           | Longley            | Scarborough  |
| Goss             | Lucas              | Schaefer     |
| Graham           | Manton             | Schiff       |
| Green (TX)       | Manzullo           | Scott        |
| Greene (UT)      | Martinez           | Seastrand    |
| Greenwood        | Martini            | Shadegg      |
| Gunderson        | Mascara            | Shaw         |
| Gutknecht        | Matsu              | Shuster      |
| Hall (OH)        | McCollum           | Sisisky      |
| Hall (TX)        | McCrery            | Skaggs       |
| Hamilton         | McHale             | Skeen        |
| Hancock          | McHugh             | Skelton      |
| Hansen           | McInnis            | Smith (MI)   |
| Harman           | McKeon             | Smith (TX)   |
| Hastert          | McNulty            | Smith (WA)   |
| Hastings (FL)    | Meek               | Solomon      |
| Hastings (WA)    | Metcalfe           | Souder       |
| Hayworth         | Meyers             | Spence       |
| Hefley           | Mica               | Spratt       |
| Hefner           | Millender-McDonald | Stenholm     |
| Heineman         | Miller (FL)        | Stump        |
| Herger           | Moakley            | Talent       |
| Hilleary         | Molinar            | Tanner       |
| Hobson           | Mollohan           | Tate         |
| Hoekstra         | Montgomery         | Tauzin       |
| Hoke             | Moorhead           | Taylor (MS)  |
| Holden           | Morella            | Taylor (NC)  |
| Horn             | Murtha             | Tejeda       |
| Hostettler       | Myers              | Thomas       |
| Houghton         | Myrick             | Thompson     |
| Hoyer            | Nethercutt         | Thornberry   |
| Hutchinson       | Neumann            | Thurman      |
| Hyde             | Ney                | Tiahrt       |
| Inglis           | Norwood            | Torkildsen   |
| Istook           | Nussle             | Torricelli   |
| Jackson-Lee (TX) | Ortiz              | Trafficant   |
| Jefferson        | Oxley              | Upton        |
| Johnson (CT)     | Packard            | Volkmer      |
| Johnson, E. B.   | Pallone            | Vucanovich   |
| Johnson, Sam     | Parker             | Walker       |
| Jones            | Pastor             | Walsh        |
| Kasich           | Paxon              | Wamp         |
| Kelly            | Payne (VA)         | Ward         |
| Kennedy (RI)     | Peterson (FL)      | Watts (OK)   |
| Kennelly         | Peterson (MN)      | Weldon (FL)  |
| Kildee           | Pickett            | Weldon (PA)  |
| Kim              | Pombo              | Weller       |
| King             | Pomeroy            | White        |
| Kingston         | Porter             | Whitfield    |
| Klink            | Portman            | Wicker       |
| Klug             | Pryce              | Wilson       |
| Knollenberg      | Quillen            | Wise         |
| Kolbe            | Quinn              | Wolf         |
| LaFalce          | Radanovich         | Young (AK)   |
|                  |                    | Young (FL)   |
|                  |                    | Zeliff       |

#### NOT VOTING—14

|         |          |            |
|---------|----------|------------|
| Berman  | Gillmor  | Moran      |
| Bevill  | Hayes    | Saxton     |
| Bilbray | Lincoln  | Smith (NJ) |
| Cardin  | McDade   | Thornton   |
| English | McIntosh |            |

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Mr. UPTON, Mr. GENE GREEN of Texas, Mrs. MYRICK, and Mrs. CLAYTON changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### AMENDMENT, AS MODIFIED, OFFERED BY MRS. SCHROEDER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment, as modified, offered by the gentlewoman from Colorado [Mrs. SCHROEDER], on which further

proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

## RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 148, noes 265, not voting 21, as follows:

[Roll No. 244]

## AYES—148

|              |              |               |
|--------------|--------------|---------------|
| Ackerman     | Gephardt     | Orton         |
| Allard       | Green (TX)   | Owens         |
| Baesler      | Gutierrez    | Pallone       |
| Baldacci     | Hall (TX)    | Pastor        |
| Barrett (WI) | Hilliard     | Payne (NJ)    |
| Becerra      | Hinchey      | Pelosi        |
| Beilenson    | Holden       | Peterson (MN) |
| Bentsen      | Jackson (IL) | Petri         |
| Berman       | Jackson-Lee  | Pomeroy       |
| Blumenauer   | (TX)         | Poshard       |
| Blute        | Jacobs       | Ramstad       |
| Bonior       | Johnson (SD) | Rangel        |
| Borski       | Johnston     | Rivers        |
| Brown (CA)   | Kanjorski    | Roemer        |
| Brown (OH)   | Kaptur       | Roukema       |
| Bryant (TX)  | Kennedy (MA) | Roybal-Allard |
| Campbell     | Klecza       | Rush          |
| Chrysler     | Klink        | Sabo          |
| Clay         | Klug         | Sanders       |
| Clayton      | LaFalce      | Sawyer        |
| Collins (IL) | Lantos       | Schroeder     |
| Collins (MI) | Levin        | Schumer       |
| Condit       | Lewis (GA)   | Sensenbrenner |
| Conyers      | Lipinski     | Serrano       |
| Coyne        | LoBiondo     | Shays         |
| Cummings     | Lofgren      | Skaggs        |
| Danner       | Lowey        | Slaughter     |
| DeFazio      | Luther       | Stark         |
| Dellums      | Maloney      | Stenholm      |
| Deutsch      | Manton       | Stokes        |
| Dingell      | Markey       | Studds        |
| Doggett      | Martini      | Stupak        |
| Dooley       | Mascara      | Thurman       |
| Doyle        | McCarthy     | Torres        |
| Duncan       | McDermott    | Torricelli    |
| Durbin       | McHale       | Towns         |
| Ehlers       | McKinney     | Velazquez     |
| Engel        | Meehan       | Vento         |
| Eshoo        | Menendez     | Visclosky     |
| Evans        | Miller (CA)  | Volkmer       |
| Farr         | Minge        | Waters        |
| Fattah       | Mink         | Watt (NC)     |
| Fazio        | Moakley      | Waxman        |
| Filner       | Morella      | Williams      |
| Flake        | Nadler       | Wise          |
| Foglietta    | Neal         | Woolsey       |
| Ford         | Neumann      | Wynn          |
| Frank (MA)   | Oberstar     | Yates         |
| Franks (NJ)  | Obey         | Zimmer        |
| Furse        | Oliver       |               |

## NOES—265

|              |             |              |
|--------------|-------------|--------------|
| Abercrombie  | Brewster    | Coleman      |
| Andrews      | Browder     | Collins (GA) |
| Archer       | Brown (FL)  | Combest      |
| Armey        | Brownback   | Cooley       |
| Bachus       | Bryant (TN) | Costello     |
| Baker (CA)   | Bunn        | Cramer       |
| Baker (LA)   | Bunning     | Crane        |
| Ballenger    | Burr        | Crapo        |
| Barcia       | Burton      | Cremins      |
| Barr         | Buyer       | Cubin        |
| Barrett (NE) | Callahan    | Cunningham   |
| Bartlett     | Calvert     | de la Garza  |
| Barton       | Camp        | Deal         |
| Bass         | Canady      | DeLauro      |
| Bateman      | Castle      | DeLay        |
| Bereuter     | Chabot      | Diaz-Balart  |
| Bilirakis    | Chambliss   | Dickey       |
| Bishop       | Chapman     | Dicks        |
| Bliley       | Chenoweth   | Dixon        |
| Boehert      | Christensen | Doolittle    |
| Boehner      | Clement     | Dornan       |
| Bonilla      | Clyburn     | Dreier       |
| Bono         | Coble       | Dunn         |
| Boucher      | Coburn      | Edwards      |

|                |               |              |
|----------------|---------------|--------------|
| Ehrlich        | Jones         | Regula       |
| Emerson        | Kasich        | Richardson   |
| Ensign         | Kelly         | Riggs        |
| Everett        | Kennedy (RI)  | Roberts      |
| Ewing          | Kennelly      | Rogers       |
| Fawell         | Kildee        | Rohrabacher  |
| Fields (LA)    | Kim           | Ros-Lehtinen |
| Fields (TX)    | Kingston      | Rose         |
| Flanagan       | Knollenberg   | Roth         |
| Foley          | Kolbe         | Royce        |
| Forbes         | LaHood        | Salmon       |
| Fowler         | Largent       | Sanford      |
| Fox            | Latham        | Scarborough  |
| Franks (CT)    | LaTourette    | Schaefer     |
| Frelinghuysen  | Laughlin      | Schiff       |
| Frist          | Lazio         | Scott        |
| Funderburk     | Leach         | Seastrand    |
| Galeggly       | Lewis (CA)    | Shadegg      |
| Ganske         | Lewis (KY)    | Shaw         |
| Gejdenson      | Lightfoot     | Shuster      |
| Gekas          | Linder        | Sisisky      |
| Geren          | Livingston    | Skeen        |
| Gibbons        | Longley       | Skelton      |
| Gilchrist      | Lucas         | Smith (MI)   |
| Gilman         | Manzullo      | Smith (TX)   |
| Goodlatte      | Martinez      | Smith (WA)   |
| Goodling       | Matsui        | Solomon      |
| Gordon         | McCollum      | Souder       |
| Goss           | McCrery       | Spence       |
| Graham         | McInnis       | Spratt       |
| Greene (UT)    | McNulty       | Stearns      |
| Greenwood      | Metcalf       | Stockman     |
| Gunderson      | Meyers        | Stump        |
| Gutknecht      | Mica          | Talent       |
| Hall (OH)      | Millender-    | Tanner       |
| Hamilton       | McDonald      | Tate         |
| Hancock        | Miller (FL)   | Tauzin       |
| Hansen         | Molinari      | Taylor (MS)  |
| Harman         | Mollohan      | Taylor (NC)  |
| Hastert        | Montgomery    | Tejeda       |
| Hastings (FL)  | Moorhead      | Thomas       |
| Hastings (WA)  | Murtha        | Thompson     |
| Hayworth       | Myers         | Thornberry   |
| Hefley         | Myrick        | Tiahrt       |
| Hefner         | Nethercutt    | Torkildsen   |
| Heineman       | Ney           | Trafigant    |
| Herger         | Norwood       | Upton        |
| Hilleary       | Nussle        | Vucanovich   |
| Hobson         | Ortiz         | Walker       |
| Hoekstra       | Oxley         | Walsh        |
| Hoke           | Packard       | Wamp         |
| Horn           | Parker        | Ward         |
| Hostettler     | Paxon         | Watts (OK)   |
| Houghton       | Payne (VA)    | Weldon (FL)  |
| Hoyer          | Peterson (FL) | Weldon (PA)  |
| Hunter         | Pickett       | Weller       |
| Hutchinson     | Pombo         | White        |
| Hyde           | Porter        | Whitfield    |
| Inglis         | Portman       | Wicker       |
| Istook         | Pryce         | Wilson       |
| Jefferson      | Quillen       | Wolf         |
| Johnson (CT)   | Radanovich    | Young (AK)   |
| Johnson, E. B. | Rahall        | Young (FL)   |
| Johnson, Sam   | Reed          | Zeliff       |

## NOT VOTING—21

|         |          |            |
|---------|----------|------------|
| Bevill  | Gillmor  | McIntosh   |
| Bilbray | Gonzalez | Meek       |
| Cardin  | Hayes    | Moran      |
| Clinger | King     | Quinn      |
| Cox     | Lincoln  | Saxton     |
| Davis   | McDade   | Smith (NJ) |
| English | McHugh   | Thornton   |

## □ 1931

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

So the amendment as modified was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MR. SHAYS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Connecticut [Mr. SHAYS] 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 will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 194, noes 219, not voting 21, as follows:

[Roll No. 245]

## AYES—194

|              |              |               |
|--------------|--------------|---------------|
| Andrews      | Gephardt     | Ney           |
| Baesler      | Gilchrist    | Nussle        |
| Baldacci     | Goodlatte    | Oberstar      |
| Barcia       | Gordon       | Obey          |
| Barrett (WI) | Green (TX)   | Olver         |
| Bass         | Greenwood    | Orton         |
| Becerra      | Gunderson    | Owens         |
| Beilenson    | Gutierrez    | Pallone       |
| Bentsen      | Gutknecht    | Pastor        |
| Berman       | Hall (TX)    | Payne (NJ)    |
| Blumenauer   | Hilliard     | Pelosi        |
| Blute        | Hinchey      | Peterson (MN) |
| Bonior       | Hoekstra     | Petri         |
| Borski       | Hoke         | Pomeroy       |
| Brown (CA)   | Holden       | Porter        |
| Brown (OH)   | Jackson (IL) | Portman       |
| Bryant (TX)  | Jackson-Lee  | Poshard       |
| Bunn         | (TX)         | Ramstad       |
| Camp         | Jacobs       | Rangel        |
| Campbell     | Johnson (SD) | Riggs         |
| Castle       | Johnston     | Rivers        |
| Chabot       | Kanjorski    | Roemer        |
| Chapman      | Kaptur       | Rohrabacher   |
| Chrysler     | Kelly        | Roth          |
| Clay         | Kennedy (MA) | Roukema       |
| Clayton      | Kingston     | Roybal-Allard |
| Collins (IL) | Klecza       | Rush          |
| Collins (MI) | Klug         | Sabo          |
| Condit       | LaFalce      | Sanders       |
| Costello     | LaHood       | Sanford       |
| Coyne        | Lantos       | Schroeder     |
| Cummings     | Latham       | Schumer       |
| Danner       | LaTourette   | Sensenbrenner |
| Deal         | Leach        | Serrano       |
| DeFazio      | Levin        | Shays         |
| Dellums      | Lewis (GA)   | Skaggs        |
| Deutsch      | Lipinski     | Slaughter     |
| Dingell      | LoBiondo     | Smith (MI)    |
| Dixon        | Lofgren      | Smith (WA)    |
| Doggett      | Lowey        | Spratt        |
| Dooley       | Luther       | Stark         |
| Doyle        | Maloney      | Stokes        |
| Duncan       | Manton       | Studds        |
| Durbin       | Markey       | Stupak        |
| Ehlers       | Martini      | Thurman       |
| Engel        | Mascara      | Tiahrt        |
| Ensign       | McCarthy     | Torres        |
| Eshoo        | McDermott    | Torricelli    |
| Evans        | McHale       | Towns         |
| Ewing        | McInnis      | Upton         |
| Farr         | McKinney     | Velazquez     |
| Fattah       | McNulty      | Vento         |
| Fawell       | Meehan       | Volkmer       |
| Fazio        | Menendez     | Wamp          |
| Fields (LA)  | Metcalf      | Waters        |
| Filner       | Millender-   | Watt (NC)     |
| Flake        | McDonald     | Waxman        |
| Flanagan     | Miller (CA)  | Weller        |
| Foglietta    | Miller (FL)  | Williams      |
| Foley        | Minge        | Wise          |
| Ford         | Mink         | Woolsey       |
| Fox          | Moakley      | Wynn          |
| Frank (MA)   | Morella      | Yates         |
| Franks (NJ)  | Nadler       | Zimmer        |
| Furse        | Neal         |               |
| Ganske       | Neumann      |               |

## NOES—219

|              |             |              |
|--------------|-------------|--------------|
| Abercrombie  | Bliley      | Calvert      |
| Allard       | Boehert     | Canady       |
| Archer       | Boehner     | Chambliss    |
| Armey        | Bonilla     | Chenoweth    |
| Bachus       | Bono        | Christensen  |
| Baker (CA)   | Boucher     | Clement      |
| Baker (LA)   | Brewster    | Clyburn      |
| Ballenger    | Browder     | Coble        |
| Barr         | Brown (FL)  | Coburn       |
| Barrett (NE) | Brownback   | Coleman      |
| Bartlett     | Bryant (TN) | Collins (GA) |
| Barton       | Bunning     | Combest      |
| Bateman      | Burr        | Cooley       |
| Bereuter     | Burton      | Cox          |
| Bilirakis    | Buyer       | Cramer       |
| Bishop       | Callahan    | Crane        |

|               |               |              |
|---------------|---------------|--------------|
| Crapo         | Hyde          | Reed         |
| Creameans     | Inglis        | Regula       |
| Cubin         | Istook        | Richardson   |
| de la Garza   | Jefferson     | Roberts      |
| DeLauro       | Johnson (CT)  | Rogers       |
| DeLay         | Johnson, Sam  | Ros-Lehtinen |
| Diaz-Balart   | Jones         | Rose         |
| Dickey        | Kasich        | Royce        |
| Dicks         | Kennedy (RI)  | Salmon       |
| Doolittle     | Kennelly      | Sawyer       |
| Dornan        | Kildee        | Scarborough  |
| Dreier        | Kim           | Schaefer     |
| Dunn          | Klink         | Schiff       |
| Edwards       | Knollenberg   | Scott        |
| Ehrlich       | Kolbe         | Seastrand    |
| Emerson       | Largent       | Shadegg      |
| Everett       | Laughlin      | Shaw         |
| Fields (TX)   | Lazio         | Shuster      |
| Forbes        | Lewis (CA)    | Sisisky      |
| Fowler        | Lewis (KY)    | Skeen        |
| Franks (CT)   | Lightfoot     | Skelton      |
| Frelinghuysen | Linder        | Smith (NJ)   |
| Frisa         | Livingston    | Smith (TX)   |
| Frost         | Longley       | Solomon      |
| Funderburk    | Lucas         | Spence       |
| Gallegly      | Manzullo      | Stearns      |
| Gejdenson     | Martinez      | Stenholm     |
| Gekas         | Matsui        | Stockman     |
| Geren         | McCollum      | Stump        |
| Gibbons       | McCrery       | Talent       |
| Gilman        | McKeon        | Tanner       |
| Gonzalez      | Meek          | Tate         |
| Goodling      | Meyers        | Tauzin       |
| Goss          | Mica          | Taylor (MS)  |
| Graham        | Molinari      | Taylor (NC)  |
| Greene (UT)   | Mollohan      | Tejeda       |
| Hall (OH)     | Montgomery    | Thomas       |
| Hamilton      | Moorhead      | Thompson     |
| Hancock       | Moran         | Thornberry   |
| Hansen        | Murtha        | Torkildsen   |
| Harman        | Myers         | Trafigant    |
| Hastert       | Myrick        | Visclosky    |
| Hastings (FL) | Nethercutt    | Vucanovich   |
| Hastings (WA) | Norwood       | Walker       |
| Hayworth      | Ortiz         | Walsh        |
| Hefley        | Oxley         | Ward         |
| Hefner        | Packard       | Watts (OK)   |
| Heineman      | Parker        | Weldon (FL)  |
| Herger        | Paxon         | Weldon (PA)  |
| Hillery       | Payne (VA)    | White        |
| Hobson        | Peterson (FL) | Whitfield    |
| Horn          | Pickett       | Wicker       |
| Hostettler    | Pombo         | Wilson       |
| Houghton      | Pryce         | Wolf         |
| Hoyer         | Quillen       | Young (AK)   |
| Hunter        | Radanovich    | Young (FL)   |
| Hutchinson    | Rahall        | Zeliff       |

## NOT VOTING—21

|            |               |          |
|------------|---------------|----------|
| Ackerman   | Davis         | McDade   |
| Bevill     | English       | McHugh   |
| Bilbray    | Gillmor       | McIntosh |
| Cardin     | Hayes         | Quinn    |
| Clinger    | Johnson, E.B. | Saxton   |
| Conyers    | King          | Souder   |
| Cunningham | Lincoln       | Thornton |

□ 1939

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MR. HOKE

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

The Clerk read as follows:

Amendment offered by Mr. HOKE: At the end of the bill (before the short title), insert the following new section:

SEC. 8095. None of the funds available to the Department of Defense under this Act may be obligated or expended to procure landing gear for aircraft except when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) the manufacturer of the item is part of the national technology and industrial base;

(2) the landing gear is manufactured and assembled in the United States; and

(3) the contract through which the procurement is made is entered into more than 30 days after the date of the enactment of

this Act: *Provided*, That contracts existing on the date of enactment of this Act and existing or subsequent options in such contracts through January 1, 2000 are not covered by this section if the Secretary of the military department which issued the aircraft production contract certifies to the Appropriations Committees of the House and Senate that purchasing landing gear under the terms of this section will create a significant adverse technical, cost, or schedule impact on the aircraft production program.

Mr. HOKE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. HOKE. Mr. Chairman, this is the amendment as originally published in the RECORD with an addition to it that clarifies the intent that the gentleman from Ohio [Mr. TRAFICANT] and I had with respect to the amendment.

The clarification makes it clear expressly that the amendment does not apply to existing contracts on the date of enactment of the act or to subsequent options in such contracts through January 1, 2000. This was included at the request of the chairman of the subcommittee.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. HOKE. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. I thank the gentleman for yielding.

Mr. Chairman, we reviewed this amendment and asked the gentleman to modify his amendment, which he did. We are prepared to accept it on that basis.

Mr. HOKE. Mr. Chairman, I thank the gentleman for accepting the amendment. I would like to say just very, very briefly that what this does is essentially it is a "Buy American" amendment that applies to landing gear with certain exceptions and it makes it clear that the landing gear that will go on our military aircraft will, to the extent possible, be manufactured and assembled in the United States of America.

Mr. Chairman, I yield to my good friend from Youngstown, OH, Mr. TRAFICANT.

Mr. TRAFICANT. Mr. Chairman, this is a good amendment, it will save a lot of jobs, and I appreciate the committee happily accepting it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. HOKE].

The amendment was agreed to.

## AMENDMENT OFFERED BY MR. KENNEDY OF MASSACHUSETTS

Mr. KENNEDY of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KENNEDY of Massachusetts: Page 87, after line 3, insert the following new section:

SEC. . (a) None of the funds appropriated or otherwise made available by this Act for the Department of Defense specimen repository described in subsection (b) may be used

for any purpose except in accordance with the requirement in paragraph numbered 3 of the covered Department of Defense policy memorandum that specifically provides that permissible uses of specimen samples in the repository are limited to the following purposes:

(1) Identification of human remains.

(2) Internal quality assurance activities to validate processes for collection, maintenance and analysis of samples.

(3) A purpose for which the donor of the sample (or surviving next-of-kin) provides consent.

(4) As compelled by other applicable law in a case in which all of the following conditions are present:

(A) The responsible Department of Defense official has received a proper judicial order or judicial authorization.

(B) The specimen sample is needed for the investigation or prosecution of a crime punishable by one year or more of confinement.

(C) No reasonable alternative means for obtaining a specimen for DNA profile analysis is available.

(b) The specimen repository referred to in subsection (a) is the repository that was established pursuant to Deputy Secretary of Defense Memorandum 47803, dated December 16, 1991, and designated as the "Armed Forces Repository of Specimen Samples for the Identification of Remains" by paragraph numbered 4 in the covered Department of Defense policy memorandum.

(c) For purposes of this section, the covered Department of Defense policy memorandum is the memorandum of the Assistant Secretary of Defense (Health Affairs) for the Secretary of the Army, dated April 2, 1996, issued pursuant to law which states as its subject "Policy Refinements for the Armed Forces Repository of Specimen Samples for the Identification of Remains".

Mr. KENNEDY of Massachusetts (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I have spoken with my friend, the chairman of the committee, as well as Mr. MURTHA about this provision. These provisions deal with what is an exciting new development in the human genome project and the fact that there will probably be no larger group of donors of DNA and genetic information than all of the members of our military that will be required to provide DNA samples.

Under current Pentagon policy, the use of genetic information only goes to the identification of remains or for the investigation of the prosecution of a crime.

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

Mr. KENNEDY of Massachusetts. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, I know the gentleman from Florida [Mr. YOUNG] and I have looked at this. This is, I think, an important safeguard that is necessary. It may need to be cleaned up, but I certainly have no problem with it.

Mr. KENNEDY of Massachusetts. I appreciate that.

Mr. YOUNG of Florida. Mr. Chairman, if the gentleman will yield, we are prepared to accept it and move on to the next amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I appreciate the cooperation of both the chairman and the ranking member.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY].

The amendment was agreed to.

□ 1945

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

Mr. Chairman, this is for the purpose of entering into a colloquy with the chairman of the Subcommittee on National Security on the question of funding reductions to Defense Business Operations Fund activities, which are included in his bill.

Mr. YOUNG of Florida. Mr. Chairman, will the gentlewoman yield?

Mrs. FOWLER. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I would be more than happy to engage in such a colloquy.

Mrs. FOWLER. Mr. Chairman, I note that the committee has reduced funding for Army and Navy activities in the Defense Business Operations Fund by \$500 million to reduce funded carryover of these activities. I hope that I can receive some clarification from the chairman on how the committee intends to distribute this reduction. Could the gentleman provide some assurance that the committee intends to apply this reduction in a manner that is directly proportionate to the level of projected carryover assignable to each of the various kinds of DBOF activities?

I ask this because I am aware that the Naval Aviation Depots' budgets were reduced in the Department of Defense review of the Military Services' budget request. I am concerned about the possibility that further reductions could be applied in an inequitable manner. I would also note that the Department of Defense has convened a study group to consider modifications to the DOD policy in this area.

Mr. YOUNG of Florida. Mr. Chairman, if the gentlewoman will continue to yield, let me assure my colleague from Florida that it is the committee's intent to reduce these accounts in a manner that reflects the various DBOF activities' proportionate share of the total carryover. The committee does not intend to impose an excessive or inappropriate burden on any one kind of DBOF function or activity.

Mrs. FOWLER. Mr. Chairman, reclaiming my time, I thank the gentleman from his clarification. I also want to praise the chairman and his committee for the outstanding product they have brought us today. His bill

makes significant improvements over the administration's request by enhancing readiness, modernization, and military quality of life.

I strongly support passage of this bill, and urge my colleagues to do the same.

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

Mr. Chairman, I wish to enter into a colloquy with the gentleman from Florida, Chairman YOUNG, at this time.

I deeply appreciate Chairman YOUNG's efforts to improve the readiness of our U.S. Armed Forces to conduct operations in chemical and biological operations and their environment. I fully support the chairman's request for increased appropriations for the procurement of protective chemical-biological clothing.

Mr. Chairman, I have brought to the subcommittee's attention an offer to provide the Armed Services with just such individual protective clothing which may result in a cost savings to the American taxpayer. Discussions which are ongoing with our Armed Services on this offer require additional discussions, and I am seeking the chairman's support in assisting me to resolve these discussions during the conference process.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. TORRES. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for bringing this matter to our attention and assure him that we will look forward to working with him between now and conference to come to a final resolution on this matter.

Mr. TORRES. Mr. Chairman, reclaiming my time, I thank the gentleman for taking this under consideration.

AMENDMENT OFFERED BY Mr. DEFAZIO

Mr. DEFAZIO. 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. DEFAZIO: At the end of the bill (before the short title), insert the following new section:

SEC. . None of the funds provided in this Act for the National Missile Defense program may be obligated for space-based interceptors or space-based directed-energy weapons.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes and that the time be equally divided.

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

Mr. DEFAZIO. Mr. Chairman, reserving the right to object, we talked about 30. Did the gentleman just say 20?

Mr. YOUNG of Florida. Mr. Chairman, I said 20, and that was my preference.

Mr. DEFAZIO. Mr. Chairman, when I discussed it earlier with the ranking member—

Mr. YOUNG of Florida. All right, Mr. Chairman, I withdraw that request, and let me offer another unanimous-consent request.

Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 30 minutes and that the time be equally divided, and, hopefully, we will not use all the time.

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

There was no objection.

The CHAIRMAN. The gentleman from Oregon [Mr. DEFAZIO] and the gentleman from Florida [Mr. YOUNG] will each be recognized for 15 minutes.

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

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

The amendment before the House is quite simple. It says, and I can read it because it is so brief, "None of the funds provided in this act for the national missile defense program may be obligated for space-based interceptors or space-based directed energy weapons."

The intent of this amendment is to have the Pentagon focus on effective missile defense; that is, theater missile defense and other national missile defense initiatives which have great promise, and not to spin off back into space in the fantasy of star wars once again.

As we know from our last experiences with star wars, it has an infinite capacity to consume funds. We have had much debate here today about scarce resources at the Pentagon, and I believe adopting this amendment will help the Pentagon to focus more effectively on the technologies that have the most promise to defend the United States of America and defend our allies.

It will not impact theater missile defense; it will not impact the Nautilus program, which is being developed in concert with Israel; it will not impact the Navy Upper Tier program; it will not impact the three-plus-three BMDO proposal; it will not impact the LEAP proposal of the Navy; it will not impact the EKV proposal of the Army. But what it does, within the context of this bill, which will provide \$3.2 billion for missile defense programs of all types, it will prevent movement and dispersal of scarce funds into space-based fantasies.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. THORNBERRY].

Mr. THORNBERRY. Mr. Chairman, I would like to begin by putting this amendment in a little bit of context, because I think the American people do not understand exactly where we are with regard to missile defense.

There are missiles that threaten people in the United States today. There are some now and there will be more in the future. There gets to be a debate about how quickly we will have more and how quickly other countries will have this capability, but there will be more and nobody denies that.

Second, there is absolutely nothing that we can do today to stop a missile from hitting the United States. That is a fact. The children in this country are absolutely vulnerable, as is everyone else, to a missile attack by a country that has missiles now or someone that may have missiles in the future.

This amendment asks us to tie one hand behind our back as we seek to find the best way to meet that threat in the future. The truth is this is not the area where most of the work is going on now. It is not the area that offers the best possibility for an immediate kind of protection against a small sort of launch, but it is something we should explore.

We ought to look ahead to the kinds of threats we will have in the future and the best and most effective ways to prevent it in the future, and that is why I think it is foolish for us to tie one hand behind our back as this amendment seeks to do. We should explore all the options and we should take advantage of the best option to protect our people and our children, because I think that is the first obligation of this Congress and the defense that we are responsible for.

Mr. DEFAZIO. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina [Mr. SPRATT].

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

Mr. SPRATT. Mr. Chairman, I rise in support of the amendment offered by my colleague from Oregon. I do so as a supporter of ballistic missile defense, both national and theater, and I do so as a supporter of the plus-up that the Committee on National Security and the appropriations subcommittee have given national missile defense.

Used wisely, this extra sum of \$300 million to \$350 million will take us, I think, to the point in 3 years where we will have a ground-based interceptor to test, and once we have it to test, we can decide if we want to move forward with it and deploy it in 3 more years.

A lot of people in this institution, this House, like the last speaker, decry the fact that we do not have ballistic missile defense. Let me tell my friends it is not for want of spending money. Since Ronald Reagan made his speech in March 1983, we have spent over \$35 billion in pursuit of ballistic missile defenses, strategic defense. And a good bit of that, at least at the outset, was spent on space-based lasers.

To start with, there was the x-ray laser, which was to be the coup de grace. It was to be the ultimate answer to ballistic missile defense. It did not pan out. Then there was the excimer laser, and the free electron laser, both

of which would have been ground-based, but they could not propagate a beam through the atmosphere without gross corrections. And then there were three or four or five different kinds of chemical lasers, and none of them has yet come to fruition, proved its efficacy as a system that can be so-called weaponized.

We have spent more money on space-based interceptors, something called Brilliant Pebbles. The idea once was to launch thousands of these cheap small satellites encircling the globe in low-earth orbit. We built Endo- and Exo-atmospheric interceptors.

If there is any lesson learned from all of this, it is simply this: It is not for lack of funding but lack of focus that we do not have anything to deploy that we can call strategic or national missile defense today. And if there is anywhere that the lack of focus has cost us more, there is nowhere more that it has cost us and bought us less than in the area of directed energy systems or spaced-based laser systems.

Now, I support a reasonable level of research on these space-based systems, on these directed energy laser systems. One day they may realize their potential. They may transform missile defense and other forms of military defense. But this amendment, the DeFazio amendment, does not preclude this kind of research. That is because this amendment does not cut the President's request for research in another ballistic missile defense account called the advanced technology line. It leaves that line untouched and unaffected.

This amendment also does not prohibit or affect at all tactical laser systems, like the Nautilus, which we are pursuing jointly with Israel right now. That is because this is funded in the Army's R&D budget. This applies only to national missile defense and says as to it, we can do research but we cannot pursue national missile defense systems which include a space-based laser.

The technology to make space-based lasers militarily useful is simply years, decades away from fruition, and the cost of developing and deploying lasers or interceptors in space is far beyond anything we can afford in this tight budget. If we try it, we will only drain dry our conventional military systems.

So this amendment keeps us from going down a very costly and maybe ultimately fruitless road.

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

Mr. SPRATT. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I appreciate the gentleman's yielding. I just want to associate myself with the gentleman's remarks.

I believe that we should move forward with a treaty compliant ground-based system. I am not at all opposed to doing research on advanced systems, but I think any effort to procure them or to move ahead rapidly to a space-based system violates—

Mr. SPRATT. I yield to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, as I said, that would violate the ABM agreement and would be a very serious mistake.

I appreciate the gentleman, all his hard work and his effort and expertise on this matter, and, in my judgment, a ground-based system could be effective; and, frankly, I think the real threat to America is terrorism and, in my judgment, we should be doing more about that. I think that is more of a threat than a ballistic missile attack from an enemy.

Mr. SPRATT. Mr. Chairman, reclaiming my time, I would say that for those Members, like the gentleman from Washington and myself who support some form of ballistic missile defense, national missile defense, the way to go, the sensible approach is with a ground-based system. That is the near-term system that is attainable right now.

This amendment is important because it keeps us focused on that with limited amounts of money to spend. If we are going to have a ground-based system, we can only accomplish it by staying focused and staying disciplined.

Mr. DICKS. Mr. Chairman, if the gentleman will continue to yield, the other thing is, our first priority has to be theater missile defense and CorpsSAM. When we deploy troops, we have to be able to defend those troops, and I think the priorities the administration has are correct on this.

□ 2000

Mr. YOUNG of Florida. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from Louisiana [Mr. LIVINGSTON], chairman of the Committee on Appropriations.

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

Mr. LIVINGSTON. Mr. Chairman, I think it is interesting just to listen to that conversation that just preceded us. The two gentlemen were talking past each other. One was talking about the ground-based system and the other was talking about some system that is out there in the hinterlands for a theater-based defense, and they are not necessarily the same. So, they were not necessarily in agreement.

Look, the liberals have been saying since Gen. Daniel Graham came out with what they called the star wars system, they have been saying it does not work. Technology is not capable of delivering such a system. You cannot possibly shoot down an incoming missile. They said that all the way through the eighties.

All of a sudden, in the nineties, we started developing these systems and they started realizing, well, so much for that argument. It is gone. Because it is technologically capable. Then they said, well, we cannot develop a space-based system or lasers will never work.

Well, if lasers never work, how come the Israelis want one right now that

has been utilized in the deserts of Arizona or New Mexico and actually shot down incoming targets? And Israel says that is so neat, we would like to have it.

The liberals are saying, oh, my goodness, we cannot have a space-based laser. They are not saying it is not technologically possible. They are saying it is not treaty-compliant. What treaty are they talking about? The ABM Treaty. The treaty that was confected between the United States and a country that used to be called the Soviet Union, a monolithic totalitarian government comprised of some 16 entities, some of which do not even exist today, and certainly that entity does not exist today.

Mr. Chairman, even if we were compliant with that treaty, which was probably bad news back then, it certainly did not apply to this highly technological age of ours today where the North Koreans, the Chinese, the Iranians, the Iraqis and everybody else who is of ill will in the world will have the capability of putting ballistic missiles together with nuclear warheads, chemical warheads, or biological warheads and dropping them on New York. And we are going to say we are not going to deploy those space-based opportunities because we do not want to spend our money?

Everybody knows the ground-based system that the gentleman already talked about is the most expensive system we already have. The space-based system actually is the cheapest. The one in between is the Navy system, which probably could be deployed by the year 2000.

Mr. Chairman, the gentleman has amended the Republican plan which would call for deployment by the year 2003 by saying, well, he has got a better amendment. We can develop a system in the year 2000 which may or may not be deployed by 2003.

Weasel words. We will never deploy it if it is up to the gentleman who proceeded me in the well. The fact is he does not want an antiballistic missile system. He does not want to protect the American people. He is willing to hide behind words and good thoughts as much as he possibly can, but he does not want a missile defense system that will protect the American people or our troops, as was indicated was the preference of the gentleman from Washington.

Now, we are going to have to have a system. We can deploy a system. And whether it is space based or sea based or land based, whether it is lasers or whatever it is, it ought to be the most effective system that money can buy, and it ought to be the most cost-effective system that we can get. We should not be standing here in the well of this House of Representatives and saying one technology is off limits for whatever reason.

Mr. Chairman, that is insane. We might as well be saying we are going to tie our hands behind our backs and not

defend the American people. Is that what my colleagues on the other side of the aisle want? If that is what they want, they should vote for DeFazio. If it is not what they want, they should vote against it.

Mr. DEFAZIO. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina [Mr. SPRATT].

Mr. SPRATT. Mr. Chairman, I began my last statement by saying I am a supporter of ballistic missile defense, and in years past when our side was in the majority, on several occasions I came to the floor when my own committee had cut the request for national missile defense and offered amendments which plussed it back up, which prevailed in the House.

Mr. Chairman, I supported ballistic missile defense and support it now on the ground, because I think it is an attainable system. But I also think, and the chairman of the Committee on Appropriations knows well, that we have a terribly tight defense budget. If we are going to put national defense, missile defense in place by the year 2003, we have got to keep it focused on a basic system that we can, indeed, deploy.

Mr. Chairman, we are very close to being able to deploy a ground-based system which is cheaper than a laser-based system. BMDO put our cost estimates in March of 1995, which placed the cost of space-based lasers at \$20 billion, \$30 billion, \$40 billion. Those were extrapolations. Nobody knows for sure, because it is a very, very embryonic technology. We have years to go.

There is another problem with space-based, or any kind of space-based systems, and that is their inherent vulnerability. Because once they are placed in space in fixed orbit, then they can be taken out in fixed orbit. They can be taken out by any country which is our adversary and can launch an ICBM that would truly be a threat to us. They can fire an ICBM against it, or they can use an antisatellite system which itself is space-based. They could even launch a space-based laser against it.

So, Mr. Chairman, one of the reasons that BMDO abandoned space-based systems some time ago in preference for ground-based, at least as a first stages, is the inherent vulnerability of predeployed assets in space, lasers and interceptors.

Mr. Chairman, I am against wasting more money on deployment; not on research. I specifically made that clear. This allows research to continue. But against pursuing the deployment of these systems, because they would preclude the one thing that is attainable in the near term: ground-based interceptors.

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

Mr. DEFAZIO. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to say to the distinguished gentleman from Louisiana [Mr. LIVINGSTON], that

the gentleman from South Carolina and myself, the former chairman of the Senate Arms Services Committee, are all people who are committed to deploying a system. We think that a thin system that is treaty-compliant is the right way to go because we think it is attainable. We think it does not start an arms race with the other side, and it will be less expensive.

Now, what I said, and I think the gentleman misunderstood me, is that it is crucial. First of all, if we are going to send 500,000 troops to the Gulf again, I want them to go with theater missile defense, PAC-3, THAD, and using Navy ships with the standard missile. I think that is a good approach to defending our troops in the field. To me, that should be the highest priority.

Mr. Chairman, when we are sending men and women into combat, they have to have protection from scud missiles and other launchers. That should be first.

And then, second, we should keep working on deploying this system. We are prepared to go in that direction, and we should continue to do the research on the other, more exotic layered systems, but I think we should not deploy them; as long as we are going to maintain the ABM agreement, I do not think they should be deployed.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana [Mr. LIVINGSTON], chairman of the Committee on Appropriations.

Mr. LIVINGSTON. Mr. Chairman, three points. First of all, the gentleman that preceded me is talking about the use of existing technology, which means we could deploy that right now. We have that equipment. That is not the issue.

The gentleman is trying to substitute existing technology for future technology. The fact, is in answer to the gentleman who preceded him, Mr. SPRATT, the fact is any system is vulnerable to some degree. I mean, you could take out a ground-based system; you could take out a sea-based system; you could take out a space-based system. They are all vulnerable. The point is, are we going to provide some umbrella of protection for the American people?

Mr. Chairman, I happen to think we should look for the best technology at the best available price, and we should not start blocking out certain technologies just because they happen to be exotic for somebody who never believed in them in the first place. That is exactly the position of the author of this amendment.

Mr. Chairman, I would hope that Members would understand, we are not the experts. Let us develop the system. Actually, I have read the language very carefully, from the gentleman from South Carolina [Mr. SPRATT] to the ballistic missile defense program or the bill that we have offered on the floor, and he does not commit to deploying. The gentleman says he looks forward

to developing a system that may be deployed by the year 2003.

Mr. Chairman, we say we will deploy by the year 2003. There is a gulf of difference between those two positions. I say we should be deploying and we should be looking forward to the best, cheapest, most effective system to protect the American people. Anything less than that is an abdication of our responsibility to them, our constituents.

Mr. DEFAZIO. Mr. Chairman, I yield 30 seconds to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, the question is, what are we going to deploy? What is there to deploy? Are we going to fly before we have done the technology and worked it out and proven it will work? That is a prescription for throwing money at the problem in a ideological overreaction.

Mr. Chairman, let us try to go with technology that we know something about that will work, that will give us limited protection, because that is all we are going to get.

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

Mr. DEFAZIO. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. EDWARDS].

Mr. EDWARDS. Mr. Chairman, star wars is the Freddie Krueger of defense. It simply will not die.

Mr. Chairman, this amendment is very simple. If Members oppose star wars, vote "yes" on this amendment. If they want to revive star wars, an ill-fated taxpayer boondoggle that has never done anything for the American people's defense, then oppose this amendment. It is very simple.

Mr. Chairman, if Members think it was not enough to take \$30 billion of taxpayers' money to put into this program that never proved out, was never able to be deployed in the 1980's, then vote "no" on this amendment. To spend more money on star wars is like spending more money on the Edsel. It simply will not work no matter how hard we try. It is very simple.

Finally, if we want to take limited defense dollars and ultimately put them in a space-based system that is unproven, rather than military construction, military pay raises, theater missile defense, if Members want to take money out of their terribly important defense programs and put it once again into star wars, which I thought my Republican colleagues said in the defense bill debate right on this floor last year they had no interest in, if Members want to do all of that, they should vote "no" on this amendment.

If my colleagues think it is time to put a stake in the heart of this modern-day Dracula known as star wars, then vote "yes" for this amendment.

Mr. DEFAZIO. Mr. Chairman, could I inquire as to the remaining time?

The CHAIRMAN. The gentleman from Oregon [Mr. DEFAZIO] has 4½ minutes remaining, and the gentleman from Florida [Mr. YOUNG] has 8 minutes remaining.

Mr. DEFAZIO. Mr. Chairman, I yield 2 minutes to the gentlewoman from California [Ms. WOOLSEY].

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

Ms. WOOLSEY. Mr. Chairman, just when we thought star wars was relegated to the video rental store, it comes back as national policy.

Mr. Chairman, it is unbelievable that in the same week that the Gingrich Congress passed a budget that hurts seniors, hurts children, and hurts the environment, we are considering spending \$245 billion on the military. This bill that we are talking about now will accelerate the space-based star wars program and wind up costing \$30 billion to \$40 billion by the time the project is completed.

That is not science fiction, folks; it is double-feature horror show: yesterday's conference report and today's defense bill.

Mr. Chairman, I rise in support of the DeFazio amendment because the Nation cannot waste \$30 billion to \$40 billion on a space-based star wars system.

When our seniors are losing the guarantee of high-quality health care, this Nation cannot afford to waste \$30 billion to \$40 billion on a space-based star wars system when our young people cannot afford to go to college.

This Nation cannot afford to waste \$30 billion to \$40 billion on a space-based star wars system when poor children are losing the guarantee of basic health care.

Mr. Chairman, let us ground ourselves in reality for a moment. The United States spends as much on the military as all of our allies combined. We spend 100 times more money on the military than Iraq. Iraq, which is the biggest spender among the rogue nations.

This Nation cannot afford to waste \$30 billion to \$40 billion on a space-based star wars system when the threat of a missile attack has been reduced by the end of the cold war.

Inventing a threat in order to justify this star wars gravy train for defense contractors is simply irresponsible.

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

Mr. Chairman, I remember the debate last year when the gentleman from Texas [Mr. EDWARDS] stood on this side and a Member on the other side kept saying, "I wish you would not say star wars." We are not talking about star wars. We are not going back to star wars. Star wars was a failure. We are talking about ballistic missile defense and things that are workable.

Mr. Chairman, here we are now a year later, and we want to open that door again. As we heard so ably discussed by the gentleman from South Carolina [Mr. SPRATT] and the gentleman from Washington [Mr. DICKS], there is technology out there which exists, which can potentially defend the United States against these threats that we hear so much about, the rogue

nations and the single or the few multiple missiles.

But what we are talking about here, if this amendment is defeated, is opening the door again to the star wars fantasy to spend another \$30 billion to \$60 million, which is estimated by the majority's own Congressional Budget Office. They came up with the \$30 billion to \$60 billion estimate for star wars.

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That is why the bill was pulled about a week and a half ago from the floor of the House. So let us focus our scarce resources on something that might provide benefit for the United States of America in terms of defending our own Nation against rogue nations, which might, in fact already has defended our troops when they are deployed overseas hopefully defend some of our allies overseas in the co-development with Israel of the Nautilus program.

This amendment allows the TMD, the Nautilus, the Navy Upper Tier, the 3 plus 3 BMD, the LEAP, the EKV; all those programs can go forward. They are all technologies that have a good chance of working.

What it does say is that we are not going to move ahead to deployment of a \$30- to \$60 billion boondoggle that will not do anything to defend our Nation.

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

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

Mr. YOUNG of Florida. I yield to the gentleman from California.

Mr. DORNAN. Mr. Chairman, I wish you could understand how silly it sounds, all these references to star wars, to talk about all these other theater missile defense systems that are working. Where do my colleagues think all that technology came from?

This is simply a funding limitation, doing something to ourselves that no other Nation is doing to itself. This is an R&D program, and to not spend this, and this is why I am shocked by some of the strong Democrat defense eagles on the other side, not clearing the air here. Stop this silly rhetoric, and let us not hamstring ourselves in a dangerous world. Do my colleagues not take questions at townhall meetings that indicate that this country is still undefended from a rogue missile?

Mr. YOUNG of Florida. Mr. Chairman, the author of the amendment has suggested all the things that we can do under his amendment. But there are some things that we cannot do. We restrict the ability under this amendment to move into some types of technology that really look like they might be very promising and very clean and very efficient.

I would give the example, the U.S.-Israeli program referred to as Nautilus, a laser program missile defense program. It seems to have a tremendous amount of promise, and we are funding it in this bill. Except for the range involved,



it is not unlike the type of laser that we might be talking about. The point is that may or may not be the system that we would deploy eventually. But we should not deny ourselves the opportunity to investigate, to search out, to find out what really would be the best way to defend our Nation against a rogue attack or in the future, who knows, against an intentional attack.

We know the threat is growing. The point is that we do not have the ability to defend this Nation against an incoming missile. We all know that in this Chamber. There may be some who do not believe that. But that is the fact.

The gentleman from Pennsylvania [Mr. MURTHA] and I, because of the positions that we hold in this Congress, have the opportunity to know whether we have that kind of a protective device or not. The answer is we do not.

It is interesting. Just about 3 weeks ago I was talking with a group of business people, some of who were involved in military industry. And one of the persons who really should know said to me: Look, I do not care what you guys say. I know you have something out there to defend us if the enemy should send a missile or whether it should come by mistake or however it might come.

Of course we know that the North Koreans are developing longer-range missiles all the time. We know that Libya and Iraq and countries like those are and have been developing weapons of mass destruction that could easily fit on a North Korean No Dong missile.

We also know that Iran is willing to put up plenty of money to harass the United States and our interests. So the threat is there, and the threat is growing.

We ought not to deny ourselves the opportunity to really find out what is the best way to defend our Nation. The administration says we do not have to worry about this for at least 15 years. I disagree with that. I think the capability on the part of a rogue nation will be there long before the 15-year period, and I think even the gentleman from Washington [Mr. DICKS] would agree with that.

Here is what I want to tell Members. Despite the gentlemen in industry who told me we really have something, in your town hall meetings, in your meeting with children in schools, the question comes up about defending America from missile attacks. Most of the people in our country believe that somewhere, someone has the answer, has something to pull out of the magic hat to defend our Nation. The fact is we do not.

When Pearl Harbor was attacked, I was just a little kid. I was growing up in a small coal mine town in western Pennsylvania. We did not have television back then, so we did not know too much about what was happening. But the radio accounts and the newspaper accounts were frightening to young kids who wondered if we were

going to be invaded next week or next month because we had suffered such a devastating blow in Pearl Harbor.

As I began to learn more about what was happening, as our Nation rebuilt after Pearl Harbor, we had time in those days; we would not have time today. I began to realize that in America someone was looking out for me and all the other little kids in my same generation. And they did. They came back and rebuilt the armies and the navies and the air forces. After a tremendous struggle, tremendous sacrifice, tremendous loss of life, we won World War II. Today those kids in those schoolrooms where you go to visit believe that we have the capability to defend your Nation against an incoming missile. They think in their hearts, like I did when I was a kid, and I will bet many of you did, that, OK, so there is a threat out there; but someone somewhere is going to make sure that we have whatever it is we need should the time ever come.

Mr. Chairman, that is us. We are the ones that those young kids of today believe have something somewhere to take care of the Nation should that attack ever come. That is us. And that vote is here today on this amendment.

Vote no on this amendment, and let us prepare this Nation to defend itself should the time ever come.

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

AMENDMENT OFFERED BY MR. DICKS TO THE

AMENDMENT OFFERED BY MR. DE FAZIO

Mr. DICKS. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. DICKS to the amendment offered by Mr. DEFAZIO: On line 2, add at the end "for the deployment of".

Mr. DICKS. Mr. Chairman, I ask unanimous consent to explain my amendment for 1 minute.

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

There was no objection.

Mr. DICKS. Mr. Chairman, I want to make it perfectly clear that what we are talking about in this amendment is the deployment of a space-based system, not that we are stopping the obligation of money for an R&D approach. There are legitimate R&D programs that should go forward, and I would urge the chairman and the ranking member to accept the amendment, and my colleague from Oregon.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. DICKS. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, is this intended to be an amendment to the amendment or an amendment to the bill?

Mr. DICKS. Mr. Chairman, it is an amendment to the amendment.

Mr. YOUNG of Florida. Mr. Chairman, if the gentleman will continue to yield, the amendment says, at the end of the bill before the short title. It does not say amendment to the amendment.

Mr. DICKS. Mr. Chairman, it is added at the end of line 2, "for the deployment of".

Mr. WELDON of Pennsylvania. Mr. Chairman, I object. Mr. Chairman, I object.

The CHAIRMAN. The amendment has already been reported and is pending. The unanimous-consent request of the gentleman from Washington was for time to debate the amendment.

Mr. DICKS. Mr. Chairman, I ask for a vote on my amendment.

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

The amendment to the amendment was agreed to.

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

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

Mr. DEFAZIO. 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, further proceedings on the amendment offered by the gentleman from Oregon [Mr. DEFAZIO], as amended, will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY MR. BEREUTER

Mr. BEREUTER. 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. BEREUTER: Page 87, after line 3, insert the following new section:

SEC. 8095: Hereafter, the Air National Guard may assume primary or sole responsibility for providing fire fighting and rescue services in response to all aircraft-related emergencies at the Lincoln Municipal Airport in Lincoln, Nebraska.

MODIFICATION OF AMENDMENT OFFERED BY MR. BEREUTER

Mr. BEREUTER. Mr. Chairman, I ask unanimous consent that the amendment be modified, that on line 2 of the amendment the words "primary or sole" be stricken.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification of amendment offered by Mr. BEREUTER: In line 2 of the Bureuter amendment No. 4, strike "primary or sole".

The CHAIRMAN. Without objection, the modification is agreed to.

There was no objection.

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

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. BEREUTER. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, we have a few problems with this

amendment but would be prepared to accept it.

Mr. BEREUTER. Mr. Chairman, in light of the chairman's generous agreement to accept the amendment, as modified, I will not complete my entire statement.

I will say, however, that this should save the American taxpayer and the taxpayers of Lincoln a substantial amount of money. And by the deletion of the three words, we remove any kind of direction to them about what kind of agreement the National Guard and the city of Lincoln acting through the Lincoln Airport Authority may agree to. I think it is appropriate to leave complete discretion to them regarding the amount of degree of responsibility that may be assured.

I thank the gentleman for his comments and for his courtesy.

Mr. Chairman, this is a very simple and straightforward amendment. It would allow the Air National Guard to assume responsibility for providing firefighting and rescue services in response to all aircraft-related emergencies at the Lincoln Municipal Airport in Lincoln, NE.

This amendment offers a commonsense, cost-effective solution to a long-standing problem at the airport. Currently, the Lincoln Fire Department and the Air National Guard both are stationed at the airport and respond to aircraft-related emergencies at the airport. This is clearly an inefficient and costly situation which does nothing to increase safety.

The airport, the city of Lincoln, and the Nebraska National Guard all agree that it makes more sense to place the National Guard firefighting personnel with their matchlessly superb equipment—5 trucks and 30 personnel—in charge of all aircraft-related emergencies. Not only would this change result in no increase in costs to the National Guard, it would actually save them money. The airport has, preliminarily agreed, for example, to cancel the National Guard's \$60,000 per year payment to the Lincoln Airport if the National Guard assumes the firefighting responsibilities.

This would clearly be a win-win situation for everyone. Unfortunately, the interested parties are running into a bureaucratic roadblock because there is no explicit congressional authority to allow this arrangement. This amendment fixes the problem by making it clear with permissive legislation that the National Guard may assume responsibility for firefighting and rescue services at the Lincoln Municipal Airport.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. BEREUTER], as modified.

The amendment, as modified, was agreed to.

AMENDMENT OFFERED BY MR. SKELTON

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

The Clerk read as follows:

Amendment offered by Mr. SKELTON: Page 87, after line 3, insert the following new section.

SEC. . Of the funds provided in title IV for "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE", the amount available for National Missile Defense shall not exceed \$812,437,000.

Mr. SKELTON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SKELTON. Mr. Chairman, I rise with an amendment to modify the funding priorities of the bill for missile defense programs. It is my intention to explain this and to discuss it briefly with the chairman of this subcommittee, Mr. YOUNG, and then it is my intention to withdraw it. But I wish I could explain it at this time.

The bill before us contains \$350 million increase for national missile defense research and development but eliminates funding for the only emerging technology aimed at protecting our front line troops throughout the world. The program formerly named CORPS SAM and now called Medium Extended Air Defense Systems, or MEADS, is a joint research and development program with Germany and Italy. The administration's budget request included \$56 million, but this bill includes no funding, no funding. My amendment recommends restoring \$46 million to MEADS from the National Missile Defense Account.

Our forward deployed military personnel face a critical and growing threat from the air. Today short range ballistic missiles, cruise missiles and unmanned aerial vehicles threaten American soldiers, front line American soldiers. Tomorrow this threat will certainly be greater. We live in a dangerous world. Our troops were vulnerable to missile attack in Desert Storm, and further proliferation of dangerous weapons will certainly increase the threat tomorrow. I am concerned because no other program, Mr. Chairman, no other program promises to protect our forward deployed troops as shown by a chart that I have available.

I might say that, on behalf of our soldiers and our marines, three of our regional commanders have written about the requirements for MEADS: Generals Luck, Peay, and Joulwan.

Mr. Chairman, I include for the RECORD the following correspondence:

DEPARTMENT OF THE ARMY, OFFICE  
OF THE DEPUTY CHIEF OF STAFF  
FOR OPERATIONS AND PLANS,  
Washington, DC, May 1, 1996.

Hon. FLOYD SPENCE,  
Chairman, House National Security Committee,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Army understands that the House National Security Committee (HNSC) Research & Development Subcommittee will recommend during full committee markup that Medium Extended Air Defense System (MEADS) funding be cut. This action is apparently based on concerns surrounding technical, fiscal, and cooperative issues surrounding this international effort. These misconceptions place this program in severe jeopardy and place our future deployed forces at risk.

The MEADS effort was undertaken to explore a cost effective international solution to the need for defense of maneuver forces against the full threat spectrum to include aircraft, helicopters, unmanned aerial vehicles (UAV), cruise missiles (CM), and theater ballistic missiles (TBM). This need was emphasized both last summer in a series of Senior Department level and CINC letters to Congress and in DoD's recently completed

Ballistic Missile Defense Review which fully funded the programs' Project Definition and Validation (PD-V) Phase. Despite the potential French withdrawal from the program, the urgent need to provide maneuver force protection still exists.

The United States, Germany, and Italy recently committed to continue the international program, as demonstrated by their 22 April 1996 trilateral Statement of Intent. The Army enthusiastically supports pursuit of this international program with our NATO allies including Germany, one of our strongest and most stable air defense partners. The lack of demonstrated U.S. financial resolve will undoubtedly send a perplexing signal to this international industrial and governmental partnership.

MEADS is recognized as a vital defense system for the challenge of force protection on the 21st century battlefield. The Army views a system like MEADS as the eventual long term replacement for the Patriot system as the Army's lower tier TBM defense in the post 2010 time frame. The current investment in the PD-V phase will ensure that Soldiers, Marines, Airmen, and Sailors of the future will be protected on the battlefield by a robust system capable of responding to the full spectrum of threat.

Request your support for this critical Department of Defense Army air and missile defense program.

Respectfully,

EDWARD G. ANDERSON III,  
Major General, U.S. Army.

DEPARTMENT OF DEFENSE, BALLIS-  
TIC MISSILE DEFENSE ORGANIZA-  
TION,

Washington, DC, May 1, 1996.

Hon. FLOYD SPENCE,  
Chairman, House National Security Committee,  
House of Representatives, Washington, DC.

DEAR SIR: I understand that the R&D Subcommittee has recommended that, in the FY97 Authorization Bill, the Medium Extended Air Defense (MEADS) be canceled. I would respectfully ask the Committee not to accept this recommendation for several reasons.

MEADS is an absolutely critical element of our ballistic missile defense architecture, providing the critical protection for US maneuver forces as they engage the enemy. It is strongly supported by both the U.S. Army and Marine Corps. In last year's discussion of MEADS, General Joulwan, our European CINC, forwarded a particularly strong letter of support for MEADS, reflecting the views of our other warfighters.

It is the only system that will have the transportability and mobility to be brought into theater and to forward deploy with the troops. Besides its capability to defend against ballistic missiles, it is a critical system to also protect these forces against advanced aircraft and cruise missiles. Patriot and other missile defense systems in our theater architecture cannot fulfill this role.

MEADS is envisioned to be a key multinational co-development program where we will leverage investment by European partners, who have similar military requirements, to undertake and complete the system development. We are responding to the direction given to us by the Congress in the FY96 Authorization Act.

As I have indicated to the Committee in my recent testimony, our negotiations with our European partners are complete and we should sign the Memorandum of Understanding within the next few weeks. Against the backdrop of a HNSC cancellation of the Program in FY97, the credibility of the United

States vis-a-vis armaments cooperation will be called into question. Additionally, such a cancellation would have very serious ramifications vis-a-vis other programs where the United States is seeking European support.

Sincerely,

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

DEPARTMENT OF THE ARMY, U.S.  
ARMY SPACE AND STRATEGIC DEFENSE COMMAND

Arlington, VA, May 16, 1996.

Hon. FLOYD SPENCE,  
*Chairman, House National Security Committee, Washington, DC.*

DEAR MR. CHAIRMAN: The Army understands that the House National Security Committee has recommended that funding for the Medium Extended Air Defense System (MEADS) be cut and the Senate Armed Services Committee has recommended funding be reduced below the level negotiated for the international program. These actions place this program in severe jeopardy and, as a result, place our deployed forces at risk.

The threats to Army and Marine Corps maneuver forces (short range tactical ballistic missiles, cruise missiles and unmanned aerial vehicles) exist today and will grow significantly as we enter the 21st Century. The joint requirement document specifics countering these threats with a strategically deployable, tactically mobile system providing 360 degree coverage. Existing system configurations fail to provide the required protection due to deployability and mobility limitations, lack of 360 degree coverage, and lack of growth potential to meet these essential requirements.

As envisioned, this requirement will provide our forces the mobile protection required on future battlefields. The United States, Germany and Italy recently committed to continue the international program as demonstrated by their April 22, 1996 trilateral statement of intent. MEADS is the only system currently being designed with the mobility, deployability, target set and other critical characteristics of meet the Corps SAM requirements.

As the Theater Missile Defense Advocate for the United States Army, I strongly recommend that the Congress consider the MEADS/Corps SAM requirements and restore the funding necessary for this system designated for the protection of our maneuver forces.

Sincerely,

JAY M. GARNER,  
*Lieutenant General, U.S. Army,  
Commanding Officer.*

UNITED STATES ARMY,  
THE VICE CHIEF OF STAFF.

Hon. FLOYD SPENCE,  
*Chairman, Committee on National Security, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: I understand the House National Security Committee (HNSC) recommended zeroing the funding request for the Medium Extended Air Defense System (MEADS) in the FY97 Defense Authorization Bill. As its Chief of staff emphasized last summer following the SASC's vote to terminate the program, the critical warfighting requirement that MEADS intends to fill remains completely valid. As such, further funding disruptions will significantly impair our ability to expeditiously field a theater missile defense (TMD) system designed to protect our maneuver forces.

The threats to Army and Marine Corps maneuver forces form short range tactical ballistic missiles, cruise missiles and unmanned aerial vehicles exist today and will grow sig-

nificantly as we enter the 21st Century. The MEADS requirements documents specifics countering these threats with a strategically deployable, tactically mobile system providing 360 degree defense coverage. Existing system configurations fail to provide the required protection due to deployability and mobility limitations, lack of 360 degree defense coverage, and lack of growth potential to meet these essential requirements.

Despite the potential French withdrawal from the program, the Army fully supports the MEADS international effort with our NATO allies. The MEADS program improves both US and NATO operational capability through total interoperability. Having MEADS deployed with our allies would mean less reliance on US assets to defend US and Allied forces and interests. This critical program is essential to further NATO cooperative efforts and a strong alliance. We support the Department of Defense decision to fully fund the MEADS Project Definition and Validation phase. This will allow international industry teams to fully explore all key TMD technologies and recommend robust, cost-effective solutions. I appreciate your support as we seek to provide the highest quality TMD force protection possible.

Sincerely,

RONALD H. GRIFFITH,  
*General, United States Army,  
Vice Chief of Staff.*

DEPARTMENT OF THE NAVY,  
UNITED STATES MARINE CORPS,  
Washington, DC.

DEPARTMENT OF THE ARMY,  
HEADQUARTERS, U.S. ARMY,  
Washington, DC.

Hon. TED STEVENS,  
*Chairman, Subcommittee on Defense, U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: We are writing to reaffirm our requirement for 360 degree protection against all tactical aircraft—from supersonic jets to attack helicopters, against advanced, low signature cruise missiles, and against medium and short range ballistic missiles. Army and Marine Corps maneuver forces face these threats today and are expected to face an expanding threat as we enter the 21st Century.

The Army and Marine Corps are in agreement that the Initial International Common Operational Requirements for the Medium Extended Air Defense System (MEADS) includes features necessary to meet the expeditionary nature of the Marine Corps, and will satisfy future Army Air Defense requirements. The MEADS program will involve participation by two key NATO allies, Italy and Germany.

We are very concerned that the Army and the Marine Corps currently do not have a system to meet this requirement. MEADS is projected to fulfill this requirement. The Army and the Marine Corps fully support the Department of Defense decision to fully fund the MEADS Project Definition and Validation phase. Funding will allow international industry teams to fully explore all key theater missile defense technologies and recommend robust, cost-effective solutions.

As always, we appreciate your support as we seek to provide the highest quality Missile Defense protection available for soldiers and Marines.

Sincerely,

C.C. KRULAK,  
*General, U.S. Marine Corps,  
Commander of the Marine Corps.*

DENNIS J. REIMER,  
*General, U.S. Army,*

*Chief of Staff.*

HEADQUARTERS,  
UNITED STATES FORCES, KOREA,  
June 13, 1996.

Hon. IKE SKELTON,  
*Ranking Minority Member, Subcommittee on Military Procurement, Committee on National Security, U.S. House of Representatives, Washington, DC.*

DEAR MR. RANKING MINORITY MEMBER: On behalf of the airmen, soldiers, sailors, marines and civilians serving under my command in the Republic of Korea, I would like to thank you for your past support. I again find myself coming to you for assistance on a matter of the utmost importance to our mission on the Korean peninsula. I am writing you because of the threat to funding of a program that I view as a critical component of the security of my theater.

As I stated in testimony earlier this year and in a letter to the Chairman of the Joint Chiefs of Staff which was well reported in the press, "Theater Missile Defense is another key area where we must improve our capability on the Korean peninsula. DPRK missiles threaten all our major ports, air bases, fielded ROK and US forces, and the population at large. However, even after upgrading to the PAC-3 configuration, these missiles can not cover all of our critical locations." Although this statement was directed toward an upper tier system, I emphasized the importance of an upper tier system being in concert with an effective lower tier system.

The threat to forward ground combat forces in this theater from short and medium range ballistic missiles, unmanned aerial vehicles (UAV), and cruise missiles is already formidable, and continues to grow. The only system in place to defeat these threats across the full spectrum is Patriot, which consumes tremendous amounts of lift to get to the theater, lacks the mobility to support mobile combat forces and survive on the forward battlefield, and can only provide defense in a 90 degree sector.

The requirement for the Medium Extended Air Defense System (MEADS), formerly known as Corps SAM, gives the corps commander the means to protect his warfighting capability, and would also protect Marine amphibious forces from forced landing through redeployment. Compared to Patriot, MEADS/Corps SAM cuts airlift requirements in half, can cover twice as many forces in a movement to contact, with a third of the survival risk, and provides full 360 degree protection against all airborne threats. The need for this system is clear and fielding of this capability is vital to our survival and success on the future battlefield. That is precisely why this requirement, as part of a complete Theater Missile Defense program, is in the top 10 of our integrated priority list.

The Department of Defense has decided to fully fund the MEADS Project Definition and Validation Phase. Again, what concerns me is that funding for this critical program is threatened. Request your immediate support in the restoration of funding to the DOD requested level. Thank you for your continued support and assistance in this important endeavor.

Sincerely,

GARY E. LUCK,  
*General, U.S. Army,  
Commander in Chief.*

UNITED STATES CENTRAL COMMAND,  
OFFICE OF THE COMMANDER IN CHIEF,  
*MacDill Air Force Base, FL, June 12, 1996.*

Hon. IKE SKELTON,

*Ranking Member, Subcommittee on Military Procurement, Committee on National Security, U.S. House of Representatives, Washington, DC.*

DEAR MR. SKELTON: The House National Security Committee's 1997 Defense Authorization Bill currently proposes to eliminate funding support of the Medium Extended Air Defense System (MEADS). In today's increasingly complex, unstable world, this is unfortunate.

In the Central Region, the ability to defend against an ever growing threat from aircraft and short/medium range ballistic missiles is one of our highest priorities. In our view, key capabilities of any air/missile defense system are: mobility, 360 degree coverage, technical performance against the threat, and interoperability with our allies as well as across service lines. Systems currently in use do not meet these essential requirements. More importantly, we need a multi-layered air defense system that has as a major component the lower altitude capability to protect deep and fast moving land forces (Army and Marine) at distance from the shore or land entry point.

The capabilities inherent in Corps SAM/MEADS, or some similar derivative, will result in an increased ability to defend against current and future threats as well as possessing the characteristics so important in today's joint environment: mobility and interoperability. Continued funding support for this capability is crucial given the current threat we face in the Central Region as well as the prospects afforded by the proliferation of ballistic missile technology. In sustaining an international coalition, it is important that we be capable of providing a viable defense for the forces committed to our mutual objectives. I appreciate your support in restoring funding for this key program that will help defend our service men and women.

Sincerely,

J.H. BINFORD PEAY III,  
*General, USA, Commander in Chief*

COMMANDER IN CHIEF,  
UNITED STATES EUROPEAN COMMAND,  
*June 13, 1996.*

Hon. IKE SKELTON,

*Ranking Member, Subcommittee on Military Procurement, House Committee on National Security, U.S. House of Representatives, Washington, DC.*

DEAR MR. SKELTON: The President's Budget request for fiscal year 1997 included \$56.2 million for the multinational Medium Extended Air Defense (MEADS) program, but the House recently passed a Department of Defense Authorization Bill that zeroes the MEADS program funding. In the short time since passage of the Authorization Bill, the Bill's key concern, expressed in the House report, has been addressed. The Memorandum of Understanding has been signed by the U.S., Germany, and Italy. Despite the withdrawal of the French from the program, there remains solid trilateral support for MEADS. Continued Congressional support of this program is essential for our Theater Missile Defense (TMD) program.

Theater missile defense is one of my top priorities. Many nations are developing and employing theater ballistic missiles, cruise missiles, and unmanned aerial vehicles which threaten U.S. and allied security interests. The "core" U.S. TMD systems play a central role in defending U.S. interests and forces, but these systems are limited by geography and strategic life requirements. Naval systems can reach only so far inland, and Patriot battalions require almost 70 C-5

sorties to deploy and offer little tactical mobility.

On tracked vehicles, the MEADS system moves forward with maneuver forces while protecting against low-level aircraft and cruise missiles as well as ballistic missiles. It requires substantially less strategic lift and enables the U.S. to protect both its forces and its regional interests against a wide spectrum of threats.

MEADS is an integral part of the multinational, multi-service, layered defense architecture and provides cost-effective defense in our constrained fiscal environment. Unilateral development and fielding of new TMD systems often make programs unaffordable. Yet, with the Germans and Italians sharing the MEADS program costs, we can realize substantial savings.

I urge your support for the critical TMD system.

Sincerely,

GEORGE A. JOULWAN,  
*General U.S. Army.*

Mr. Chairman, I ask the gentleman from Florida if he understands the importance of this MEADS proposal?

□ 2030

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. SKELTON. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I would respond and say we certainly understand the importance of CORPS SAM. We also know there are some difficulties in the program because of the international participation in the program, where it is unclear if some of the sponsors or some of those who are involved are committed to this effort. However, we will work with the gentleman to make sure that the right thing is done on the issue of CORPS SAM because I think it is an important issue.

Mr. SKELTON. I appreciate that. This is terribly important. In all of this discussion about missile defense, no one seems to be looking out for the front-line American troops. That is the purpose of this MEADS proposal.

Mr. Chairman, with the gentleman agreeing to work with me and looking forward to the future in the conference, I will at this time ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The amendment of the gentleman from Missouri [Mr. SKELTON] is withdrawn.

AMENDMENT OFFERED BY MR. SOLOMON

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

The Clerk read as follows:

Amendment offered by Mr. SOLOMON: At the end of the bill (before the short title), insert the following new section:

SEC. . None of the funds made available to the Department of Defense under this Act may be obligated or expended to enter into or renew a contract with an entity when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) such entity is otherwise a contractor with the United States and is subject to the

requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

Mr. SOLOMON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SOLOMON. Mr. Chairman, I will be very brief. Veterans who serve in the U.S. Armed Forces over all the years of this country have always lagged behind their peers, those that did not serve in the military. They were always 4 years behind going to college, 4 years behind advancing up the ladder of success and promotion, and because of that, we have veterans preference laws in this county to try and help them catch up. Many times those laws are disregarded.

We, in the middle of the 1970's, when a very unpopular war had been taking place and our veterans returning home, we enacted title 38, United States Code, which required contractors or entities who received contracts or grants of moneys from this defense budget, that they be required to file a report to show their hiring practices and policies. Today we know by studies that over 23,000 contractors just completely disregarded this.

What this amendment says is that none of the funds can be used for any contractor who has not lived up to the law and filed that report. This is meant to encourage those contractors to live under the law and treat our veterans fairly.

Mr. YOUNG of Florida. Mr. Chairman, will the gentleman yield?

Mr. SOLOMON. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding and say to him that we have reviewed this amendment and discussed it with him. We know that he is one of the many Members of this Chamber who is always in the front line defending the rights of veterans and protecting veterans. We appreciate that, and we are prepared to accept the amendment.

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

Mr. SOLOMON. Mr. Chairman, I yield to my friend, the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, I accept the amendment.

Mr. SOLOMON. Very good, and I thank both those great Americans.

Mr. Chairman, it is troubling to think that anyone in our society would even consider discriminating against our veterans.

However, that is the case and that's why Congress enacted laws to help them find employment.

But now those laws are being ignored.

In 1972 the Vietnam Era Veterans Readjustment Assistance Act was enacted to increase the level of employment of veterans by Federal contractors.

In 1973, concerns raised by Congress over the continuing high rate of unemployment among Vietnam veterans led to a GAO investigation.

GAO's report in 1974 showed serious shortcomings in both implementation and enforcement of the statute by the U.S. Department of Labor.

Congress then responded by authorizing statutory adjustments that gave rise to the Vietnam Era Readjustment Assistance Act of 1974.

Since these original concerns expressed by the GAO, it is now fair to note that 22 years later, there is still evidence of D.O.L.'s failure to appropriately enforce the provision that Government contractor's file reports on veterans employment.

They are required to report the number of Vietnam-era veterans and special disabled veterans employed by job category, as well as the total number of covered veterans hired.

Since 1988 this annual report has been required of Federal contractors.

The Vets-100 report was created to monitor veterans' employment and meet this requirement.

However, research performed by the center for the study of veterans in society indicates that a large number of contractors have failed to file the required Vets-100 report.

In 1992, a F.O.I.A. request was filed with the Secretary of Labor by the Center for the Study of Veterans in Society.

Resulting analysis showed that in 1990, of 130,930 Federal contractors, 10,092 failed to file this and in 1991, the percentage more than doubled to 15.9 percent, with 23,664 of 148,923 contractors failing to file.

This disturbing trend must be changed.

Information on the employment of veterans is essential to insure they are not forgotten, discarded warriors.

But sadly enough, that's exactly what's happening.

Less than 1 percent of those employed by some of this country's largest and more prominent universities are veterans.

Just listen to the obstacles faced by one such distinguished veteran, who holds a Ph.D in his field.

This particular Vietnam veteran was actually asked to leave the home of a college president during an interview, when he let it slip that he had served in Vietnam.

In addition, in 80 instances when he was asked back for an interview after applying for a job, all contact ended in 76 of them when his military service was revealed.

Now that is just plain unacceptable.

From now on, anyone who wants to forget, ignore, or just plain discriminate against our veterans when it comes to hiring, recommending, promoting, or firing workers will have to go without any Federal tax dollars.

Eventually, agencies within this very government—and those contracting with them—will get the message that our veterans helped get us where we are today and have a great deal to offer any organization.

Vote for my amendment, and show America's veterans we will not accept discrimination against them, and want them properly represented in the work force.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON].

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments?

If not, pursuant to House Resolution 453, the Clerk will read the last two lines of the bill.

The Clerk read as follows:

This Act may be cited as the "Department of Defense Appropriations Act, 1997".

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to House Resolution 453, proceedings will now resume on the amendment on which further proceedings were postponed: the amendment offered by the gentleman from Oregon [Mr. DEFAZIO], as amended.

AMENDMENT OFFERED BY MR. DEFAZIO, AS AMENDED

The CHAIRMAN. The pending business is the request for a recorded vote on the amendment offered by the gentleman from Oregon [Mr. DEFAZIO], as amended, 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. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 190, noes 208, not voting 37, as follows:

[Roll No. 246]

AYES—190

Abercrombie  
Baesler  
Baldacci  
Barrett (WI)  
Becerra  
Beilenson  
Bentsen  
Bereuter  
Berman  
Blumenauer  
Blute  
Bonior  
Borski  
Boucher  
Brewster  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant (TX)  
Campbell  
Castle  
Clay  
Clayton  
Clement  
Clyburn  
Coble  
Collins (IL)  
Collins (MI)  
Costello  
Coyne  
Cramer  
Cummings  
Danner  
de la Garza  
DeFazio  
DeLauro  
Dellums  
Deutsch  
Dicks

Dingell  
Dixon  
Doggett  
Dooley  
Durbine  
Edwards  
Ehlers  
Engel  
Eshoo  
Evans  
Farr  
Fattah  
Fazio  
Fields (LA)  
Filner  
Flake  
Foglietta  
Ford  
Fox  
Frank (MA)  
Franks (NJ)  
Frost  
Furse  
Ganske  
Gedden  
Gephardt  
Goodling  
Gordon  
Green (TX)  
Greenwood  
Gutierrez  
Hall (OH)  
Hamilton  
Harman  
Hastings (FL)  
Hefner  
Hinchee  
Hoekstra  
Hoyer  
Jackson (IL)

Jackson-Lee  
(TX)  
Jefferson  
Johnson (SD)  
Johnston  
Kanjorski  
Kaptur  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kleczka  
Klink  
Klug  
LaFalce  
Lantos  
LaTourette  
Lazio  
Leach  
Levin  
Lewis (GA)  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Luther  
Manton  
Martini  
Mascara  
Matsui  
McDermott  
McHale  
McKinney  
McNulty  
Meehan  
Menendez  
Millender-  
McDonald  
Miller (CA)  
Minge

Mink  
Moran  
Morella  
Nadler  
Ney  
Nussle  
Oberstar  
Obey  
Oliver  
Ortiz  
Orton  
Owens  
Pallone  
Pastor  
Payne (NJ)  
Payne (VA)  
Pelosi  
Peterson (FL)  
Peterson (MN)  
Pomeroy  
Poshard  
Rahall  
Ramstad  
Rangel

Reed  
Regula  
Richardson  
Rivers  
Roemer  
Rose  
Roukema  
Roybal-Allard  
Rush  
Sabo  
Sanders  
Sawyer  
Schroeder  
Schumer  
Scott  
Serrano  
Shays  
Skaggs  
Skelton  
Slaughter  
Smith (MI)  
Spratt  
Stark  
Stenholm

Stokes  
Studds  
Stupak  
Tanner  
Tejeda  
Thompson  
Thurman  
Torkildsen  
Torres  
Towns  
Upton  
Velazquez  
Vento  
Visclosky  
Volkmer  
Ward  
Waters  
Watt (NC)  
Whitfield  
Williams  
Wise  
Woolsey  
Wynn  
Zimmer

NOES—208

Allard  
Andrews  
Archer  
Armey  
Bachus  
Baker (CA)  
Baker (LA)  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Bartlett  
Barton  
Bass  
Bateman  
Bilirakis  
Bishop  
Bliley  
Boehlert  
Boehner  
Bonilla  
Bono  
Brownback  
Bryant (TN)  
Bunn  
Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Canady  
Chabot  
Chambliss  
Chapman  
Chenoweth  
Christensen  
Chrysler  
Coburn  
Collins (GA)  
Combest  
Condit  
Cooley  
Cox  
Crane  
Crapo  
Creameans  
Cubin  
Deal  
DeLay  
Diaz-Balart  
Dickey  
Doolittle  
Dornan  
Dreier  
Duncan  
Dunn  
Ehrlich  
Emerson  
Ensign  
Everett  
Ewing  
Fawell  
Fields (TX)  
Flanagan  
Foley  
Forbes  
Fowler  
Franks (CT)  
Frelinghuysen

Frisa  
Funderburk  
Gallegly  
Gekas  
Gibbons  
Gilchrist  
Gilman  
Gingrich  
Gonzalez  
Goodlatte  
Goss  
Graham  
Greene (UT)  
Gunderson  
Gutknecht  
Hall (TX)  
Hancock  
Hansen  
Hastert  
Hastings (WA)  
Hayworth  
Hefley  
Heineman  
Herger  
Hilleary  
Hilliard  
Hobson  
Hoke  
Horn  
Hostettler  
Houghton  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Jacobs  
Johnson (CT)  
Johnson, Sam  
Jones  
Kasich  
Kelly  
Kim  
Kingston  
Knollenberg  
Kolbe  
LaHood  
Largent  
Latham  
Laughlin  
Lewis (CA)  
Lewis (KY)  
Lightfoot  
Linder  
Livingston  
Longley  
Lucas  
Manzullo  
Martinez  
McCollum  
McCrery  
McInnis  
McIntosh  
McKeon  
Meek  
Metcalf  
Meyers  
Mica  
Miller (FL)  
Molinari

Mollohan  
Montgomery  
Moorhead  
Murtha  
Myrick  
Nethercutt  
Neumann  
Norwood  
Oxley  
Packard  
Parker  
Paxon  
Petri  
Pickett  
Pombo  
Porter  
Portman  
Pryce  
Quillen  
Radanovich  
Riggs  
Roberts  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Roth  
Royce  
Salmon  
Sanford  
Scarborough  
Schaefer  
Schiff  
Seastrand  
Sensenbrenner  
Shadegg  
Shaw  
Shuster  
Sisisky  
Skeen  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Spence  
Stearns  
Stockman  
Stump  
Talent  
Tate  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thornberry  
Tiahrt  
Traficant  
Vucanovich  
Walker  
Wamp  
Watts (OK)  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Wicker  
Wolf  
Young (AK)  
Young (FL)

## NOT VOTING—37

|            |                |            |
|------------|----------------|------------|
| Ackerman   | Gillmor        | Neal       |
| Bevill     | Hayes          | Quinn      |
| Bilbray    | Holden         | Saxton     |
| Bunning    | Johnson, E. B. | Souder     |
| Cardin     | King           | Thornton   |
| Clinger    | Lincoln        | Torricelli |
| Coleman    | Maloney        | Walsh      |
| Conyers    | Markey         | Waxman     |
| Cunningham | McCarthy       | Wilson     |
| Davis      | McDade         | Yates      |
| Doyle      | McHugh         | Zeliff     |
| English    | Moakley        |            |
| Geren      | Myers          |            |

□ 2052

Messrs. ALLARD, STOCKMAN, and TRAFICANT changed their vote from "aye" to "no."

Mr. MARTINI, Mr. FIELDS of Louisiana, and Ms. MILLENDER-MCDONALD changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there any further amendments to the bill?

If not, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. JONES) having assumed the chair, Mr. CAMP, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the bill (H.R. 3610) making appropriations for the Department of Defense for the fiscal year ending September 30, 1997, and for other purposes, pursuant to House Resolution 453, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore (Mr. JONES). Under the rule, the previous question is ordered.

It is a separate vote demanded on any amendments? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 278, nays 126, not voting 30, as follows:

[Roll No. 247]

## YEAS—278

|              |             |              |
|--------------|-------------|--------------|
| Abercrombie  | Bereuter    | Buyer        |
| Allard       | Bilirakis   | Callahan     |
| Andrews      | Bishop      | Calvert      |
| Archer       | Bliley      | Canady       |
| Armed        | Boehlert    | Chambliss    |
| Bachus       | Boehner     | Chapman      |
| Baker (CA)   | Bonilla     | Chenoweth    |
| Baker (LA)   | Bono        | Christensen  |
| Ballenger    | Boucher     | Clay         |
| Barcia       | Brewster    | Clayton      |
| Barr         | Browder     | Clement      |
| Barrett (NE) | Brown (FL)  | Clyburn      |
| Bartlett     | Brownback   | Coble        |
| Barton       | Bryant (TN) | Coburn       |
| Bass         | Bunning     | Coleman      |
| Bateman      | Burr        | Collins (GA) |
| Bentsen      | Burton      | Combest      |

|               |                    |               |
|---------------|--------------------|---------------|
| Condit        | Horn               | Peterson (FL) |
| Cooley        | Hostettler         | Pickett       |
| Cox           | Houghton           | Pombo         |
| Cramer        | Hoyer              | Pomeroy       |
| Crane         | Hunter             | Porter        |
| Crapo         | Hutchinson         | Portman       |
| Creameans     | Hyde               | Pryce         |
| Cubin         | Inglis             | Quillen       |
| Cummings      | Istook             | Quinn         |
| Davis         | Jackson-Lee        | Radanovich    |
| de la Garza   | (TX)               | Reed          |
| Deal          | Jacobs             | Regula        |
| DeLauro       | Jefferson          | Roberts       |
| DeLay         | Johnson, Sam       | Roemer        |
| Deutsch       | Jones              | Rogers        |
| Diaz-Balart   | Kasich             | Rohrabacher   |
| Dickey        | Kelly              | Ros-Lehtinen  |
| Dicks         | Kennedy (RI)       | Rose          |
| Dixon         | Kennelly           | Roth          |
| Doollittle    | Kildee             | Royce         |
| Dornan        | Kim                | Salmon        |
| Dreier        | King               | Scarborough   |
| Duncan        | Kingston           | Schaefer      |
| Dunn          | Klink              | Schiff        |
| Edwards       | Knollenberg        | Scott         |
| Ehrlich       | Kolbe              | Seastrand     |
| Emerson       | LaHood             | Shadegg       |
| Ensign        | Largent            | Shaw          |
| Everett       | Latham             | Shuster       |
| Ewing         | LaTourette         | Sisisky       |
| Fawell        | Laughlin           | Skeen         |
| Fazio         | Lazio              | Skelton       |
| FIELDS (LA)   | Leach              | Slaughter     |
| FIELDS (TX)   | Lewis (CA)         | Smith (NJ)    |
| Flake         | Lewis (KY)         | Smith (TX)    |
| Forbes        | Lightfoot          | Smith (WA)    |
| Fowler        | Linder             | Solomon       |
| Fox           | Livingston         | Souder        |
| Franks (CT)   | Longley            | Spence        |
| Frelinghuysen | Lucas              | Spratt        |
| Frisa         | Manton             | Stearns       |
| Frost         | Manzullo           | Stenholm      |
| Funderburk    | Martinez           | Stokes        |
| Galleghy      | Matsui             | Stump         |
| Gejdenson     | McCollum           | Talent        |
| Gekas         | McCrery            | Tanner        |
| Gephardt      | McHale             | Tate          |
| Gibbons       | McInnis            | Tauzin        |
| Gilchrest     | McIntosh           | Taylor (MS)   |
| Gilman        | McKeon             | Taylor (NC)   |
| Gonzalez      | McNulty            | Tejeda        |
| Goodlatte     | Meek               | Thomas        |
| Goodling      | Metcalf            | Thompson      |
| Gordon        | Meyers             | Thornberry    |
| Goss          | Mica               | Thurman       |
| Graham        | Millender-McDonald | Tiahrt        |
| Green (TX)    | Miller (FL)        | Torkildsen    |
| Greene (UT)   | Mink               | Torres        |
| Greenwood     | Molinari           | Traficant     |
| Hall (OH)     | Mollohan           | Visclosky     |
| Hall (TX)     | Montgomery         | Vucanovich    |
| Hamilton      | Moorhead           | Walker        |
| Hancock       | Moran              | Wamp          |
| Hansen        | Murtha             | Ward          |
| Harman        | Myrick             | Watts (OK)    |
| Hastert       | Nethercutt         | Weldon (FL)   |
| Hastings (FL) | Norwood            | Weldon (PA)   |
| Hastings (WA) | Nussle             | Weller        |
| Hayworth      | Ortiz              | White         |
| Hefley        | Orton              | Whitfield     |
| Hefner        | Oxley              | Wicker        |
| Heineman      | Packard            | Wolf          |
| Herger        | Parker             | Wynn          |
| Hilleary      | Pastor             | Young (AK)    |
| Hobson        | Paxon              | Young (FL)    |
| Hoke          | Payne (VA)         |               |
| Holden        |                    |               |

## NAYS—126

|              |              |              |
|--------------|--------------|--------------|
| Baesler      | Collins (MI) | Foley        |
| Baldacci     | Costello     | Ford         |
| Barrett (WI) | Coyne        | Frank (MA)   |
| Becerra      | Danner       | Franks (NJ)  |
| Beilenson    | DeFazio      | Furse        |
| Berman       | Dellums      | Ganske       |
| Blumenauer   | Dingell      | Gunderson    |
| Blute        | Doggett      | Gutierrez    |
| Bonior       | Dooley       | Gutknecht    |
| Borski       | Doyle        | Hilliard     |
| Brown (CA)   | Durbin       | Hinchey      |
| Brown (OH)   | Ehlers       | Hoekstra     |
| Bryant (TX)  | Engel        | Jackson (IL) |
| Bunn         | Eshoo        | Johnson (CT) |
| Camp         | Evans        | Johnson (SD) |
| Campbell     | Farr         | Johnston     |
| Castle       | Fattah       | Kanjorski    |
| Chabot       | Filner       | Kaptur       |
| Chrysler     | Flanagan     | Kennedy (MA) |
| Collins (IL) | Foglietta    | Kleccka      |

|             |               |               |
|-------------|---------------|---------------|
| Klug        | Oberstar      | Schroeder     |
| LaFalce     | Obey          | Schumer       |
| Lantos      | Olver         | Sensenbrenner |
| Levin       | Owens         | Serrano       |
| Lewis (GA)  | Pallone       | Shays         |
| Lipinski    | Payne (NJ)    | Skaggs        |
| LoBiondo    | Pelosi        | Smith (MI)    |
| Lofgren     | Peterson (MN) | Stark         |
| Lowe        | Petri         | Stockman      |
| Luther      | Poshard       | Studds        |
| Markey      | Rahall        | Stupak        |
| Martini     | Ramstad       | Towns         |
| Mascara     | Rangel        | Upton         |
| McDermott   | Riggs         | Velazquez     |
| McKinney    | Rivers        | Vento         |
| Menendez    | Roukema       | Volkmer       |
| Miller (CA) | Roybal-Allard | Waters        |
| Minge       | Rush          | Watt (NC)     |
| Morella     | Sabo          | Williams      |
| Nadler      | Sanders       | Wise          |
| Neumann     | Sanford       | Woolsey       |
| Ney         | Sawyer        | Zimmer        |

## NOT VOTING—30

|            |                |            |
|------------|----------------|------------|
| Ackerman   | Hayes          | Neal       |
| Bevill     | Johnson, E. B. | Richardson |
| Bilbray    | Lincoln        | Saxton     |
| Cardin     | Maloney        | Thornton   |
| Clinger    | McCarthy       | Torricelli |
| Conyers    | McDade         | Walsh      |
| Cunningham | McHugh         | Waxman     |
| English    | Meehan         | Wilson     |
| Geren      | Moakley        | Yates      |
| Gillmor    | Myers          | Zeliff     |

□ 2112

The Clerk announced the following pair: On this vote:

Mr. Bilbray for, with Mr. Ackerman, against.

Mr. CLAY changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## LEGISLATIVE PROGRAM

(Mr. BONIOR asked and was given permission to address the House for 1 minute.)

Mr. BONIOR. Mr. Speaker, I yield to my friend from Texas [Mr. ARMEY], the distinguished majority leader, for the purpose of engaging in a colloquy to find out the schedule for the rest of the week and next week.

Mr. ARMEY. I thank the gentleman for yielding.

Mr. Speaker, in just a few minutes we will be taking under consideration a very important resolution regarding the burning of churches. By common agreement out of consideration for the Members of the body and the lateness of the hour, we can assure Members due to the generosity on both sides of the aisle that there will not be a recorded vote on that matter. That being the case, I can announce that we have just had the last vote for the evening and for the week.

On Monday next, June 17, the House will meet in pro forma session. Members should note, contrary to the original House schedule, we will not have legislative business or votes on Monday.

□ 2115

On Tuesday, June 18, the House will meet at 9 a.m. for morning hour, and 10 a.m. for legislative business. Members