

and fair debate on preparing our military for the next century. I would urge a yes vote on both measures.

Mr. FROST. Mr. Speaker, I have no further requests for time. I urge adoption of the rule, and I yield back the balance of my time.

Mr. GOSS. Mr. Speaker, I yield myself such time as I may consume. I would simply say that I believe this is No. 8 of the appropriations bills. We have cleared seven in the House. This is the eighth. The Committee on Rules has cleared 2 others, which will make 10. I think there are three left. We are chugging along on schedule doing the work of America. I urge our colleagues to support this rule.

Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

---

#### GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill (H.R. 2266) making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes, and that I may be permitted to include tabular and extraneous material.

The SPEAKER pro tempore (Mr. COBLE). Is there objection to the request of the gentleman from Florida?

There was no objection.

---

#### DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1998

The SPEAKER pro tempore. Pursuant to House Resolution 198 and rule XXIII, the Chair declares the House in

the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2266.

□ 1049

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2266) making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for other purposes, with Mr. CAMP in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Florida [Mr. YOUNG] and the gentleman from Pennsylvania [Mr. MURTHA] each will control 30 minutes.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield myself such time as I may consume. We are pleased to bring before the committee today what I think is an outstanding bipartisan national defense appropriations bill. The security of our Nation and the protection of our troops and those who serve in uniform should be nonpolitical. It should be bipartisan. This bill reflects that.

This is a bipartisan bill. It was put together with the strong cooperation of the gentleman from Pennsylvania [Mr. MURTHA], the ranking member on the subcommittee, and all of the members of the subcommittee and the staff who worked with us. We have presented a bill that is reflective of the needs of the military, reflective of the various threats that exist and potential threats that exist in the world, and it has been done in a very bipartisan fashion.

This bill today, Mr. Chairman, is within the constraints and the agreements on the part of the President, on the part of the House, and on the part of the Senate as we dealt with our budget agreement.

We are basically in agreement with the authorizing bills as passed by the House, from the Committee on National Security and also the Permanent Select Committee on Intelligence, both of which committees we appropriate for their authorization.

This bill includes some \$4.4 billion over the request of the President but, as I said, with the budget agreement that he has agreed to, that obviously is acceptable. This bill goes directly to the heart of our national security requirements. About 70 percent of the money appropriated in this bill goes for the personnel and the operations and maintenance of the force, salaries, allowances, housing, medical care, et cetera, et cetera. We have increased the medical allowances because there was a shortfall. The administration recognized that and asked for an increase; we provided that.

We have made some very specific recommendations and changes in the bureaucracy in the Pentagon, and as we work toward making the Pentagon a triangle, we have been able to reduce funding for civilian consultants, funding for the civilian bureaucracy, and have reduced funding for military bureaucracy where it was duplicative and, in the opinion of the members of the subcommittee, was really not necessary.

Mr. Chairman, all in all, we bring to this House an excellent bill. I think we can move it through here quickly. The authorizing bill from the Committee on National Security received a very large vote. The authorizing bill for Intelligence was passed by this House with a voice vote, and we expect that we should be able to move this bill quickly as well, because it pretty much tracks the contents of those two authorizing bills.

Mr. Chairman, I include the following tabular material:

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL (H.R. 2266)

	FY 1997 Enacted 3/	FY 1998 Estimate 2/	Bill	Bill compared with Enacted	Bill compared with Estimate
<b>TITLE I</b>					
<b>MILITARY PERSONNEL</b>					
Military Personnel, Army.....	20,633,998,000	20,492,257,000	20,445,381,000	-188,617,000	-46,876,000
Military Personnel, Navy.....	16,986,976,000	16,501,118,000	16,504,911,000	-482,065,000	+3,793,000
Military Personnel, Marine Corps.....	6,111,728,000	6,147,599,000	6,141,835,000	+29,907,000	-5,964,000
Military Personnel, Air Force.....	17,089,490,000	17,154,556,000	17,044,874,000	-24,616,000	-109,682,000
Reserve Personnel, Army.....	2,073,479,000	2,024,446,000	2,045,615,000	-27,864,000	+21,169,000
Reserve Personnel, Navy.....	1,405,606,000	1,375,401,000	1,377,249,000	-28,357,000	+1,848,000
Reserve Personnel, Marine Corps.....	388,643,000	381,070,000	391,953,000	+3,310,000	+10,883,000
Reserve Personnel, Air Force.....	783,697,000	814,936,000	814,772,000	+31,075,000	-164,000
National Guard Personnel, Army.....	3,266,393,000	3,200,667,000	3,245,387,000	-21,006,000	+44,720,000
National Guard Personnel, Air Force.....	1,296,490,000	1,319,712,000	1,331,417,000	+34,927,000	+11,705,000
<b>Total, title I, Military Personnel.....</b>	<b>70,016,500,000</b>	<b>69,411,762,000</b>	<b>69,343,194,000</b>	<b>-673,306,000</b>	<b>-68,568,000</b>
<b>TITLE II</b>					
<b>OPERATION AND MAINTENANCE</b>					
Operation and Maintenance, Army.....	17,519,340,000	17,049,484,000	17,078,218,000	-441,122,000	+28,734,000
(By transfer - National Defense Stockpile).....	(50,000,000)	(50,000,000)	(50,000,000)		
Operation and Maintenance, Navy.....	20,061,961,000	21,508,130,000	21,779,365,000	+1,717,404,000	+271,235,000
(By transfer - National Defense Stockpile).....	(50,000,000)	(50,000,000)	(50,000,000)		
Operation and Maintenance, Marine Corps.....	2,254,119,000	2,301,345,000	2,598,032,000	+343,913,000	+296,687,000
Operation and Maintenance, Air Force.....	17,263,193,000	18,817,785,000	18,740,167,000	+1,476,974,000	-77,618,000
(By transfer - National Defense Stockpile).....	(50,000,000)	(50,000,000)	(50,000,000)		
Operation and Maintenance, Defense-Wide.....	10,044,200,000	10,390,938,000	10,066,956,000	+22,756,000	-323,982,000
Operation and Maintenance, Army Reserve.....	1,119,436,000	1,192,891,000	1,207,891,000	+88,455,000	+15,000,000
Operation and Maintenance, Navy Reserve.....	886,027,000	834,711,000	924,711,000	+38,684,000	+90,000,000
Operation and Maintenance, Marine Corps Reserve.....	109,667,000	110,366,000	119,266,000	+9,599,000	+8,900,000
Operation and Maintenance, Air Force Reserve.....	1,496,553,000	1,624,420,000	1,635,250,000	+138,697,000	+10,830,000
Operation and Maintenance, Air National Guard.....	2,254,477,000	2,258,932,000	2,313,632,000	+59,155,000	+54,700,000
Operation and Maintenance, Air National Guard.....	2,716,379,000	2,991,219,000	2,995,719,000	+279,340,000	+4,500,000
Overseas Contingency Operations Transfer Fund.....	1,140,157,000	1,467,500,000	1,855,400,000	+715,243,000	+387,900,000
United States Court of Appeals for the Armed Forces.....	6,797,000	6,952,000	6,952,000	+155,000	
Environmental Restoration, Army.....	339,109,000	377,337,000	377,337,000	+38,228,000	
Environmental Restoration, Navy.....	287,788,000	277,500,000	277,500,000	-10,288,000	
Environmental Restoration, Air Force.....	394,010,000	378,900,000	378,900,000	-15,110,000	
Environmental Restoration, Defense-Wide.....	36,722,000	27,900,000	27,900,000	-8,822,000	
Environmental Restoration, Formerly Used Defense Sites.....	256,387,000	202,300,000	202,300,000	-54,087,000	
Overseas Humanitarian, Disaster, and Civic Aid.....	49,000,000	80,130,000	55,557,000	+6,557,000	-24,573,000
Former Soviet Union Threat Reduction.....	327,900,000	382,200,000	284,700,000	-43,200,000	-97,500,000
Quality of Life Enhancements, Defense.....	600,000,000			-600,000,000	
<b>Total, title II, Operation and maintenance.....</b>	<b>79,163,222,000</b>	<b>82,280,940,000</b>	<b>82,925,753,000</b>	<b>+3,762,531,000</b>	<b>+644,813,000</b>
(By transfer).....	(150,000,000)	(150,000,000)	(150,000,000)		
<b>TITLE III</b>					
<b>PROCUREMENT</b>					
Aircraft Procurement, Army.....	1,348,434,000	1,029,459,000	1,541,217,000	+192,783,000	+511,758,000
(By transfer - National Defense Stockpile).....		(133,000,000)			(-133,000,000)
Missile Procurement, Army.....	1,041,867,000	1,178,151,000	771,942,000	-269,925,000	-406,209,000
Procurement of Weapons and Tracked Combat Vehicles, Army.....	1,470,286,000	1,065,707,000	1,332,907,000	-137,379,000	+267,200,000
Procurement of Ammunition, Army.....	1,127,149,000	890,902,000	1,062,802,000	-64,347,000	+171,900,000
Other Procurement, Army.....	3,172,485,000	2,455,030,000	2,502,888,000	-669,599,000	+47,856,000
Aircraft Procurement, Navy.....	7,027,010,000	5,951,965,000	6,753,465,000	-273,545,000	+801,500,000
(By transfer - National Defense Stockpile).....		(134,000,000)			(-134,000,000)
Weapons Procurement, Navy.....	1,389,913,000	1,136,293,000	1,175,393,000	-214,520,000	+39,100,000
Procurement of Ammunition, Navy and Marine Corps.....	289,665,000	336,797,000	423,797,000	+134,102,000	+87,000,000
Shipbuilding and Conversion, Navy.....	5,613,665,000	7,438,158,000	7,628,158,000	+2,014,493,000	+190,000,000
Other Procurement, Navy.....	3,067,944,000	2,825,500,000	3,084,485,000	+16,541,000	+258,985,000
Procurement, Marine Corps.....	569,073,000	374,306,000	491,198,000	-77,875,000	+116,892,000
Aircraft Procurement, Air Force.....	6,404,980,000	5,684,847,000	6,386,479,000	-18,501,000	+701,632,000
(By transfer - National Defense Stockpile).....		(133,000,000)			(-133,000,000)
Missile Procurement, Air Force.....	2,297,145,000	2,557,741,000	2,320,741,000	+23,596,000	-237,000,000
Procurement of Ammunition, Air Force.....	293,153,000	403,984,000	414,884,000	+121,731,000	+10,900,000
Other Procurement, Air Force.....	5,944,680,000	6,561,253,000	6,588,939,000	+644,259,000	+27,686,000
Procurement, Defense-Wide.....	1,978,005,000	1,695,085,000	2,186,669,000	+208,864,000	+491,584,000
National Guard and Reserve Equipment.....	780,000,000		850,000,000	+70,000,000	+850,000,000
<b>Total, title III, Procurement.....</b>	<b>43,815,484,000</b>	<b>41,585,178,000</b>	<b>45,515,962,000</b>	<b>+1,700,478,000</b>	<b>+3,930,784,000</b>
(By transfer).....		(400,000,000)			(-400,000,000)
<b>TITLE IV</b>					
<b>RESEARCH, DEVELOPMENT, TEST AND EVALUATION</b>					
Research, Development, Test and Evaluation, Army.....	5,062,763,000	4,510,843,000	4,686,427,000	-376,336,000	+175,584,000
Research, Development, Test and Evaluation, Navy.....	8,208,946,000	7,611,022,000	7,907,837,000	-301,109,000	+296,815,000
Research, Development, Test and Evaluation, Air Force.....	14,499,606,000	14,451,379,000	14,315,456,000	-184,150,000	-135,923,000
Research, Development, Test and Evaluation, Defense-Wide.....	9,362,800,000	9,069,680,000	9,494,337,000	+131,537,000	+424,657,000
Developmental Test and Evaluation, Defense.....	282,038,000	268,183,000	268,183,000	-13,855,000	
Operational Test and Evaluation, Defense.....	24,968,000	23,384,000	32,684,000	+7,716,000	+9,300,000
<b>Total, title IV, Research, Development, Test and Evaluation.....</b>	<b>37,441,121,000</b>	<b>35,934,491,000</b>	<b>36,704,924,000</b>	<b>-736,197,000</b>	<b>+770,433,000</b>

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL (H.R. 2266)—Continued

	FY 1997 Enacted 3/	FY 1998 Estimate 2/	Bill	Bill compared with Enacted	Bill compared with Estimate
<b>TITLE V</b>					
<b>REVOLVING AND MANAGEMENT FUNDS</b>					
DBOF/Defense Working Capital Funds.....	947,900,000	33,400,000	971,952,000	+24,052,000	+938,552,000
Military Commissary Fund, Defense .....		938,552,000			-938,552,000
National Defense Sealift Fund:					
Ready Reserve Force.....	266,000,000	302,000,000	302,000,000	+36,000,000	
Acquisition .....	1,162,002,000	889,426,000	897,926,000	-264,076,000	+8,500,000
Total .....	1,428,002,000	1,191,426,000	1,199,926,000	-228,076,000	+8,500,000
Total, title V, Revolving and Management Funds.....	2,375,902,000	2,163,378,000	2,171,878,000	-204,024,000	+8,500,000
<b>TITLE VI</b>					
<b>OTHER DEPARTMENT OF DEFENSE PROGRAMS</b>					
Defense Health Program:					
Operation and maintenance.....	9,937,838,000	10,027,582,000	10,035,682,000	+97,844,000	+8,100,000
Procurement .....	269,470,000	274,068,000	274,068,000	+4,598,000	
Total, Defense Health Program .....	10,207,308,000	10,301,650,000	10,309,750,000	+102,442,000	+8,100,000
Chemical Agents & Munitions Destruction, Defense: 1/					
Operation and maintenance.....	478,947,000	472,200,000	472,200,000	-6,747,000	
Procurement .....	191,200,000	82,200,000	67,200,000	-124,000,000	-15,000,000
Research, development, test, and evaluation .....	88,300,000	66,300,000	56,300,000	-32,000,000	-10,000,000
Total, Chemical Agents.....	758,447,000	620,700,000	595,700,000	-162,747,000	-25,000,000
Drug Interdiction and Counter-Drug Activities, Defense .....	807,800,000	652,582,000	713,082,000	-94,718,000	+60,500,000
Office of the Inspector General.....	139,157,000	138,380,000	142,980,000	+3,823,000	+4,600,000
Total, title VI, Other Department of Defense Programs .....	11,912,712,000	11,713,312,000	11,761,512,000	-151,200,000	+48,200,000
<b>TITLE VII</b>					
<b>RELATED AGENCIES</b>					
Central Intelligence Agency Retirement and Disability System Fund	196,400,000	196,900,000	196,900,000	+500,000	
Intelligence Community Management Account.....	129,164,000	122,580,000	125,580,000	-3,584,000	+3,000,000
Transfer to Dept of Justice.....	(27,000,000)	(27,000,000)	(27,000,000)		
Payment to Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Fund.....	10,000,000	10,000,000	10,000,000		
National Security Education Trust Fund .....	5,100,000	2,000,000	2,000,000	-3,100,000	
Total, title VII, Related agencies.....	340,664,000	331,480,000	334,480,000	-6,184,000	+3,000,000
<b>TITLE VIII</b>					
<b>GENERAL PROVISIONS</b>					
Additional transfer authority (sec. 8005).....	(2,000,000,000)	(2,500,000,000)	(2,000,000,000)		(-500,000,000)
Disposal & lease of DOD real property (sec. 8037).....	26,565,000	64,000,000	64,000,000	+37,435,000	
Overseas Military Fac Investment Recovery (sec. 8041) .....	1,000,000	30,000,000	30,000,000	+29,000,000	
National Science Center, Army (sec. 8048).....	120,000			-120,000	
Export loan guarantee PGM .....	1,000,000	1,000,000		-1,000,000	-1,000,000
Rescissions (sec. 8055) .....	-137,108,000		-160,100,000	-22,992,000	-160,100,000
Coast Guard transfer.....	300,000,000			-300,000,000	
Excess funded carryover .....	+150,000,000			+150,000,000	
RDT&E general reduction .....	-680,552,000			+680,552,000	
Air Force DBOF pass through .....	-194,500,000			+194,500,000	
FFRDC's/consultants (sec. 8031) .....	-154,572,000		-141,300,000	+13,272,000	-141,300,000
Weapons of Mass Destruction.....	100,000,000			-100,000,000	
Anti-terrorism, counter-terrorism, and security enhancement activities:					
Emergency funding, FY 1997.....	230,680,000			-230,680,000	
General reduction .....	-230,680,000			+230,680,000	
RDT&E, Def-Wide dual-use program.....	100,000,000	2,000,000	2,000,000	-98,000,000	
Fisher Houses (sec. 8088) .....		1,000,000	1,000,000	+1,000,000	
Travel Cards (sec. 8089) .....		5,000,000	5,000,000	+5,000,000	
Warranties (sec. 8095) .....			-50,000,000	-50,000,000	-50,000,000
Excess inventory (sec. 8093) .....			-100,000,000	-100,000,000	-100,000,000
Shared Cleanup Costs (sec. 8094).....			-73,000,000	-73,000,000	-73,000,000
Total, title VIII.....	-788,047,000	103,000,000	-422,400,000	+365,647,000	-525,400,000
Effect of P.L. 105-18:					
Rescissions, FY93 - FY96 .....	-464,102,000			+464,102,000	
Rescissions, FY 1997.....	-1,270,050,000			+1,270,050,000	
Emergency funding .....	1,846,200,000			-1,846,200,000	
Non-emergency funding .....	76,800,000			-76,800,000	
Net total effect of P.L. 105-18 .....	188,848,000			-188,848,000	
Grand total .....	244,466,406,000	243,523,541,000	248,335,303,000	+3,868,897,000	+4,811,762,000
(By transfer).....	(177,000,000)	(577,000,000)	(177,000,000)		(-400,000,000)

**DEPARTMENT OF DEFENSE APPROPRIATIONS BILL (H.R. 2266)—Continued**

	FY 1997 Enacted 3/	FY 1998 Estimate 2/	Bill	Bill compared with Enacted	Bill compared with Estimate
<b>BUDGET SCOREKEEPING ADJUSTMENTS</b>					
Adjustment for unapprop'd balance transfer (Stockpile) .....	150,000,000	550,000,000	150,000,000		-400,000,000
Stockpile collections (unappropriated).....	-150,000,000	-150,000,000	-150,000,000		
Emergency funding for anti-terrorism (sec. 8137).....	-230,680,000			+ 230,680,000	
ICMA transfer to Dept of Justice.....	(27,000,000)			(-27,000,000)	
Emergency funding (P.L. 105-18).....	-1,846,000,000			+ 1,846,000,000	
<b>Total adjustments .....</b>	<b>-2,076,680,000</b>	<b>400,000,000</b>		<b>+ 2,076,680,000</b>	<b>-400,000,000</b>
<b>Total, Department of Defense:</b>					
Bill total .....	244,466,406,000	243,523,541,000	248,335,303,000	+ 3,868,897,000	+ 4,811,762,000
Scorekeeping adjustments .....	-2,076,680,000	400,000,000		+ 2,076,680,000	-400,000,000
<b>Grand total .....</b>	<b>242,389,726,000</b>	<b>243,923,541,000</b>	<b>248,335,303,000</b>	<b>+ 5,945,577,000</b>	<b>+ 4,411,762,000</b>
<b>RECAPITULATION</b>					
Title I - Military Personnel.....	70,016,500,000	69,411,762,000	69,343,194,000	-673,306,000	-68,568,000
Title II - Operation and Maintenance .....	79,163,222,000	82,280,940,000	82,925,753,000	+ 3,762,531,000	+ 644,813,000
(By transfer).....	(150,000,000)	(150,000,000)	(150,000,000)		
Title III - Procurement.....	43,815,484,000	41,585,178,000	45,515,962,000	+ 1,700,478,000	+ 3,930,784,000
(By transfer).....		(400,000,000)			(-400,000,000)
Title IV - Research, Development, Test and Evaluation.....	37,441,121,000	35,934,491,000	36,704,924,000	-736,197,000	+ 770,433,000
Title V - Revolving and Management Funds .....	2,375,902,000	2,163,378,000	2,171,878,000	-204,024,000	+ 8,500,000
Title VI - Other Department of Defense Programs .....	11,912,712,000	11,713,312,000	11,761,512,000	-151,200,000	+ 48,200,000
Title VII - Related agencies .....	340,664,000	331,480,000	334,480,000	-6,184,000	+ 3,000,000
Title VIII - General provisions .....	-788,047,000	103,000,000	-422,400,000	+ 365,647,000	-525,400,000
(Additional transfer authority) .....	(2,000,000,000)	(2,500,000,000)	(2,000,000,000)		(-500,000,000)
Net effect of P.L. 105-18 .....	188,848,000			-188,848,000	
<b>Total, Department of Defense.....</b>	<b>244,466,406,000</b>	<b>243,523,541,000</b>	<b>248,335,303,000</b>	<b>+ 3,868,897,000</b>	<b>+ 4,811,762,000</b>
Scorekeeping adjustments .....	-2,076,680,000	400,000,000		+ 2,076,680,000	-400,000,000
<b>Grand total .....</b>	<b>242,389,726,000</b>	<b>243,923,541,000</b>	<b>248,335,303,000</b>	<b>+ 5,945,577,000</b>	<b>+ 4,411,762,000</b>

1/ Included in Budget under Procurement title.

2/ FY 1998 budget request reflects a budget amendment to cover a shortfall in the DHP, as follows:  
Military Personnel -\$62,000,000; O&M -\$199,000,000 and Defense Health Program +\$261,000,000.

3/ FY 1997 enacted reflects new budget authority of \$1,923,000,000 and rescissions of \$1,734,152,000, as enacted in P.L. 105-18.

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

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

Mr. Chairman, this is a bipartisan bill. We did not have a vote in subcommittee, a few votes in full committee, but the results of this bill are very closely aligned to the authorization bill which also, as I understand it, was a bipartisan bill, as it should be. Our defense of this Nation should be bipartisan.

A couple of things that we concentrated on. Quality of life is always something that we work on, trying to make sure that the medical care of the dependents of the families is taken care of. We try to stress extra things that the services have not thought of or do not think they have enough money for.

One of the things we have stressed is chemical and biological attack and the fact that we are vulnerable to that in this Nation and we need to set up a system. We have suggested to the Defense Department they use the National Guard for this system, so that if anything like that were to happen, a terrorist attack using either of these weapons, the National Guard would be prepared to respond to that. Right now we have responses by local government, we have responses by one team of Marines, but it is not nearly enough to really respond to the ultimate problem.

Overall, we feel we do not have enough money for defense. Procurement has come down from \$120 to \$40 billion and it has been a very, very delicate balance to make sure we modernize the forces, we keep the readiness up, we increase the O&M. The Senate has taken money out of O&M. We have increased O&M. We hope we will be able to convince them that readiness is absolutely essential. The quality of our forces is the best I have ever seen. We continue to visit them. But when we start cutting back, when we start having a heavy tempo of operations as we do, we have to get the money from someplace.

The Bosnia operation has hurt us as far as the amount of money goes for modernization. It has also hurt us in some of the problems we have had in the recruit depots. At the recruit depots, at some of them they have less training time, they have less supervisors, they have less people to do the training. Consequently, we are going to run into a substantial problem. We hope that the services have changed that. We hope that the Army in particular has addressed that and that in the end this problem will go away.

Mr. Chairman, I join the gentleman in saying that this is a bipartisan bill and look forward to passing the bill and addressing the amendments.

Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. DICKS].

Mr. DICKS. Mr. Chairman, I rise in strong support of the bill and urge my colleagues as they did on the authorization bill to defeat any amendment to strike out funding for the B-2.

During that debate during the authorization bill, we were told repeatedly by the Defense Department that there was no money in the out years for funding for anything in the procurement area. I want my colleagues to know that the staff of the committee, working with me, found an account, \$20 billion in DOD modernization reserve. This money was characterized by the Comptroller as a bishop's fund for the new Secretary of Defense to fund things that would come out of the Quadrennial Defense Review.

Mr. Chairman, in the Quadrennial Defense Review, they did not obligate all of this money. There is still a substantial amount of money, \$13 billion of the \$20 billion that has not been committed. I would urge my colleagues today that that \$13 billion is just about the exact amount of money that we need to go ahead and procure additional B-2 bombers.

For those people who got up here and said over and over again that this is a zero sum game, it is a zero sum game, plus \$20 billion in funding in the out years. I want my colleagues to be aware of this. We are going to have a spirited debate later on the B-2, but there is \$20 billion out there.

I would also point out that in the past, Congress, this very Congress has insisted that certain things be done in the name of national defense. Our subcommittee forced the Pentagon to build 27 additional F-117's. The F-117 stealth aircraft were the centerpiece of the success in the war in the gulf. Stealth worked and smart weapons worked. We saved American lives.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DICKS. Mr. Chairman, I ask the gentleman for 1 additional minute.

Mr. MURTHA. I may have to change my vote on the B-2.

Mr. DICKS. Mr. Chairman, I ask the gentleman for 30 seconds.

Mr. Chairman, will the gentleman from Florida yield me a minute?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MURTHA. I yield the gentleman 30 additional seconds.

Mr. DICKS. Mr. Chairman, the F-117 was the star weapon in the gulf war and it was Congress that insisted that we buy it. The gentleman from Pennsylvania and the gentleman from Florida were the two principal proponents of that amendment. We also added money for sealift at the urging of the gentleman from Pennsylvania [Mr. MURTHA], then chairman. That turned out to be absolutely crucial.

Under the Constitution of the United States, the ultimate responsibility for defense rests with the Congress. That is why today I think we again need to

stand up, tell the Pentagon they are wrong, look at the modernization reserve, and keep the money in for the B-2.

Mr. MURTHA. Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin [Mr. OBEY] who wishes that I would have had to yield more time to the gentleman so I could have changed my vote on the B-2.

Mr. OBEY. Mr. Chairman, I rise to express dissenting views to those which apparently generally prevail in this House on this legislation.

□ 1100

We are about to vote on the largest appropriations bill that comes before us this year. We will do it in very little time, with very little debate and with very little protest, if you please, about what I consider to be some of the misguided efforts of this Congress in dealing with military budget.

Mr. Chairman, I would simply point out that I heard during the discussion on the rule that there was alarm because there had been a number of years during which we have had a significant real reduction in the military budget. I would point out that is because we have had a significant reduction in the military threats facing this country. The fact is that since the collapse of the Soviet empire we have had about an 80-percent drop in Russian military spending. We have not seen a concurrent reduction in our own military spending to nearly that degree over that same period of time.

I would also say that there have been a number of warnings that we are in effect, by what we are buying in the military budget, that we are again getting ready to fight the last war and not getting ready to fight the kind of war we could be facing in the future. Everyone who has studied the military budget knows that we are buying far too many high cost weapon systems in order to fit into the overall budget ceilings which we are being asked to comply with over the next 5 years under the budget agreement. No one who studies the military budget can come away without an understanding that we are going to have to stop the purchase of one and probably two expensive military weapon systems if we want to be able to maintain the level of readiness that will be needed over the coming years and, if we want to, at the same time, actually live within the budgets that are being set by these agreements that are being trumpeted around this town over the last couple of months and, in fact, couple of days.

I will be offering two amendments today, one to eliminate the funding for additional B-2's that the Congress has decided that the Government ought to purchase despite the fact that over 20 studies through the years have indicated that we do not need those weapons and, in fact, that we even had the Defense Department itself conclude

that it would be counterproductive in terms of maximizing the use of our defense dollars.

I will also be offering an amendment which precludes the sale of the F-22 abroad so that we do not get into the ludicrous position of selling our most sophisticated military technology around the world and then using that as an excuse to build yet more sophisticated planes in the future.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I want to compliment, in addition to the gentleman from Pennsylvania [Mr. MURTHA], the members of our subcommittee, the gentleman from Wisconsin [Mr. OBEY] and the gentleman from Louisiana [Mr. LIVINGSTON], who is chairman of the full committee, because while there have been some differences, we have been able to deal with these in a very, very responsible and mature way, and I appreciate the leadership of the chairman of the full committee and ranking member, who have cooperated with us.

With that, Mr. Chairman, I would just like to say this is a good bill. There will be several amendments that we will agree to, others that we will have to oppose, but all and all it is a good bill. It provides, within the budget limits, it provides the best that we can for the members of the military, and we are getting a lot for the dollar.

Mr. FORBES. Mr. Chairman, I rise in support of H.R. 2266 the Department of Defense Appropriations Act for Fiscal Year 1998, and I applaud the hard work of Members on both sides of the aisle who crafted a truly bipartisan agreement that strengthens our Armed Forces at home and abroad. But, I was disappointed to see that the Department of Defense's peer-reviewed breast cancer research program was funded at only \$125 million. Whereas the Senate wisely chose to fund this program at \$175 million for fiscal year 1998.

Mr. Speaker, breast cancer remains the most common cancer in women. Last year, close to 200,000 women were diagnosed with breast cancer and nearly 50,000 died of the disease. Women continue to face a 1 in 8 chance of developing breast cancer during their lifetimes. Thankfully the breast cancer death rate for U.S. women has fallen about 5 percent in recent years, dropping from 27.5 per 100,000 women in 1989 to 25.9 in 1993. Officials with the National Cancer Institute attribute the drop, in part, to a rapid increase in mammography and public awareness of the disease. But, research remains our most valuable and indispensable instrument in combating this devastating disease.

There is no better argument in favor of more research than my own district on eastern Long Island. Suffolk County, Long Island, which ranks fourth in breast cancer mortality rates among the 116 largest counties in the United States. This extremely high rate of incidence of breast cancer has prompted the establishment of the Long Island Breast Cancer Study Project, a 5 year effort to identify the possible environmental factors that can contribute to the development of breast cancer.

Over the past several years, number of significant research advances have been made

regarding the basic biology of breast cancer that offer a glimmer of hope to women and their families. These advances are enabling researchers to better focus on areas that hold future promise for research. The Department of Defense's peer-reviewed program has become renowned for its innovative and efficient use of resources. Over 90 percent of program funds go directly to research grants. This program is critical and deserves increased funding. I urge my colleagues in the House to adopt the Senate's funding level of \$175 million so that the Department of Defense can continue its vital work in fighting breast cancer. Mr. Speaker, too many of our mothers, daughters, and sisters have been afflicted with this destructive disease. We must do more. Thank you.

Mr. UNDERWOOD. Mr. Chairman, I want to commend Chairman YOUNG and Congressman MURTHA for their considerable work on the Department of Defense Appropriations. The bill before the House today appropriates \$248.3 billion for defense programs. In this process we have taken several positive steps, but we have also neglected our responsibilities at times.

As many of my colleagues know, I am a supporter of the Ballistic Missile Defense program. I am encouraged by the \$3.7 billion provided to the Ballistic Missile Defense Organization. Though an unlikely target, my island, Guam, is an American community among other nations. We must strive to establish a program that protects all American communities should a country develop the capabilities and possess the will to pose a missile threat to the United States. We must endeavor to develop a system and deploy it in conjunction with the capabilities of any potential adversary. Now is the time to ensure these programs are headed in the direction to ensure our safety.

Mr. Chairman, this bill also rectifies a failure to provide proper health care for our military members. This House has seen the need to ensure quality health care and the impact this has on the quality of life for our service members by appropriating \$10.3 billion for the Defense Health Program. In addition, Mr. Chairman this bill takes major steps to ensure we equip our service members with the best and most advanced weaponry and equipment. One item of concern to me was the Marine Corps need for the V-22 Osprey. The increase in funding for the V-22 will provide a valuable tool to the Marine Corps and I am encouraged that my colleagues have supported this effort. Mr. Chairman, this bill takes several positive steps, but everything is not beneficial.

Mr. Chairman, I am disappointed by the Department of Defense's handling of appropriations for the Department of Defense Education Activity. These appropriations support the Department of Defense Overseas Schools and Domestic Dependent Elementary and Secondary Schools. This bill recommends an increase of \$4 million over the budget request and an increase of \$20 million to be applied to the backlog of real property maintenance. Let me explain to my colleagues why there are problems with how the DOD Education Activity handles its funds. As some of my colleagues may know, the Department of Defense has taken on an initiative to open DOD schools on Guam. This may be the first time domestic schools were established not in a combined effort with the local community but in complete disregard for the local community. To highlight

this effort, in February of this year the DOD comptroller, the person that is crucial to the budget development, testified before the House Appropriations Committee, Subcommittee on Military Construction that no DOD schools would be established in Guam. Yet, the Defense Department swiftly moved to establish schools and to accomplish this reprogrammed funds. As I was briefed yesterday, funds were reprogrammed from within the DOD Education Activity and from other operations and maintenance accounts. What we have done by giving a blanket increase in funding is allowed DOD to disregard the proper appropriations process. I hope these reprogramming efforts do not result in a lack of funding for those schools that are established and were reflected in the budget process.

Mr. NETHERCUTT. Mr. Chairman, I rise as a member of the House Appropriations Subcommittee on National Security to express my strong support for H.R. 2266, the fiscal year 1998 Defense appropriations bill.

As my colleagues have mentioned, this bill adds \$4.4 billion to the President's original request for fiscal year 1998, although the Secretary of Defense and the services subsequently informed Congress of several shortfalls which require funding above the President's budget. I am pleased that Congress insisted upon, and President Clinton now supports, an increase in the defense budget for fiscal year 1998. The President's original request severely underfunded a number of key defense priorities, including health care and modernization, and additional funding has helped the Appropriations Committee correct those shortfalls.

H.R. 2266 also includes several provisions which promote greater efficiency and reforms in the way the Department of Defense operates and spends public funds. According to the nonprofit defense reform group Business Executives for National Security, between 60 and 70 percent of the defense budget is consumed by support personnel and infrastructure, such as logistics, maintenance, and travel supervision, while only 30 to 40 percent goes to fund actual combat forces. H.R. 2266 addresses this problem by reducing expenditures for personnel and operations to reflect over \$500 million in savings from increased outsourcing, privatization, and other reforms. For example, this bill saves \$50 million in taxpayer dollars because the Department of Defense will no longer be required to purchase warranties for new weapons unless it makes sense to do so.

I am also glad this bill improves on the administration's request for military research and procurement, which is essential if America is going to remain a world leader in the next century. H.R. 2266 increases funding for defense modernization by \$4.7 billion over the President's budget. Let me mention a few ways these funds will be used to prepare our forces for warfare in the next century:

First, this bill will accelerate research and development on theater and national missile defense systems. Our troops and citizens are currently virtually defenseless against ballistic missile attack, including missiles armed with nuclear, biological, or chemical warheads. During the gulf war, Iraqi Scud's demonstrated the military and political danger of this vulnerability, yet we are still behind in our efforts to provide our troops with effective missile defense. H.R. 2266 addresses this problem.

Let me single out one specific missile defense program I strongly support: the airborne laser. This program, which is actually in the Air Force budget, would load a high powered laser into a Boeing 747, which would patrol near enemy territory and shoot down enemy missiles immediately after their launch, which means that any noxious payloads on those missiles would fall back on enemy territory. Gen. Thomas Moorman, the Undersecretary of the Air Force, has described this project as "the most revolutionary weapon in the DOD budget today", and I am proud to support it.

Second, H.R. 2266 provides over \$100 million to improve the DOD's ability to defend against chemical and biological attack with better technology, equipment, and training. Chemical and biological weapons are a primary new threat to American forces and the American people. They are relatively inexpensive and easy to build, so terrorists and less advanced nations view these horrible weapons as a means to compensate for the conventional superiority of American forces.

I also want to express my support for a provision suggested by my colleague from Washington State, Congressman DICKS, which would require the Department of Defense to report on alternatives to current theater combat simulations. The Department of Defense is still using combat models which were developed decades ago to simulate warfare between huge land armies fighting in Europe. These models are inappropriate for the kind of conflict U.S. forces have seen in the 1990's and will see in the next century, yet they are used to choose the shape of U.S. military forces and to evaluate revolutionary weapons systems. These models fail to adequately consider the innovations of aircraft stealth and precision munitions, or the selective bombing tactics used by the Air Force to render Iraqi forces in the gulf war ineffective.

Revising the DOD's theater combat simulation tools will not only improve the ability of the DOD to incorporate advanced weaponry and tactics into defense planning. Better models will help the United States plan for unconventional challenges which face future U.S. forces, such as chemical and biological weapons, attacks on defense and civilian computer networks, cruise and ballistic missile attacks, and competition for control of space.

Finally, I am glad that the National Security Subcommittee provided for a \$274 million shortfall in military health care funding. Thousands of military families and retirees in my district rely upon military health care facilities and the TRICARE network, and this drastic cut in health care in the President's budget would have significantly reduced access to health care in eastern Washington. I support the additional committee funding for health care to make up this shortfall and keep faith with this Nation's military retirees and military families.

One of the health care provisions with which I was personally involved is a research program to look at innovative diabetes detection, prevention, and care techniques. Diabetes affects over 16 million Americans, including thousands of military beneficiaries. Many of the health consequences and costs of diabetes can be avoided through effective diabetes screening and early treatment. A project reflecting these goals was described in testimony presented to the House National Security Appropriations Subcommittee, which would

conduct a two-region experiment in conjunction with the Veterans Administration. I look forward to seeing this project go forward and benefit the military families and retirees who are at risk from this disease.

I encourage all Members of the House to support this legislation. H.R. 2266 includes funding for important military priorities, promotes increased efficiency at the Department of Defense, and provides health care to military beneficiaries.

Ms. LOFGREN. Mr. Chairman, I want to inform the House that the ranking member of the subcommittee, Mr. MURTHA has informed me that the Appropriations Committee has reviewed allegations with respect to the Navy and the low-bid awardee of a contract to provide cockpit video recording systems for the F/A-18, and that the committee has found the Navy's conduct and the performance of the contractor to comply with all applicable laws and regulations. This should put this issue to rest.

Mr. BROWN of California. Mr. Chairman, during consideration of the bill, H.R. 2266, the Defense appropriations bill, the House adopted an amendment that would eliminate the participation of the Defense Department in a valuable program of international scientific cooperation, the Man and the Biosphere program.

This amendment was not about money. Indeed, the Air Force participation has been voluntary and they have usually provided only about \$50,000 each year. This amendment would bar them from participating in this interagency program and that money would simply be spent elsewhere. The cost of offering and debating this amendment is likely far greater than anything the taxpayer would see in savings.

This amendment is about policy, however—a very bad policy. This amendment says that Congress believes that there is no link between environmental stewardship and national security. It says that we intend that the Federal agencies should withdraw from any international leadership role in demonstrating how sustainable development and economic growth can be made compatible.

One need only look at emerging political strife in countries such as Nigeria to see the direct relationship between the environment and the ability of Third World nations to work toward democracy. For this reason, the State Department has begun to make environmental concerns an integral piece of our foreign policy and national security strategy. This amendment would negate that progress.

There have been a great many arguments made against the Man and the Biosphere program over the past several months. Opponents have characterized it as a U.N. plot to take over our sovereign lands, that it degrades property values, and that the executive branch lacks legal authority to carry out this program. All of these arguments are based on severe distortions of fact.

What is true, and a matter I have personally sought to address, is that the Congress has never enacted organic legislation that spells out exactly what the Man and the Biosphere program should do and what it should not do. Unfortunately, my bill, H.R. 1801, has not been brought to the floor and there is no indication that it will be.

This is not unusual, however, most of the programs Congress appropriates money for

lack such a statutory basis. It is unreasonable to assert that the Congress should enact an organic bill for each program in the Federal Government. The sheer cost and complexity of this would be staggering.

Earlier this year, the House narrowly voted to eliminate this program in the Interior appropriations bill. Fortunately, the other body had explicitly rejected the House position. I hope it will continue to do so for other bills containing this limitation.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Chairman of the Committee of the Whole may postpone a request for a recorded vote on any amendment and may reduce to a minimum of 5 minutes the time for voting on any postponed question that immediately follows another vote, provided that the time for voting on the first question shall be a minimum of 15 minutes.

The Clerk will read.

The Clerk read as follows:

H.R. 2266

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1998, for military functions administered by the Department of Defense, and for other purposes, namely:

#### TITLE I

##### MILITARY PERSONNEL

##### MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; \$20,445,381,000.

##### MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; \$16,504,911,000.

##### MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities,

permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; \$6,141,635,000.

#### MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; \$17,044,874,000.

#### RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; \$2,045,615,000.

#### RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; \$1,377,249,000.

#### RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; \$391,953,000.

#### RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of

title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Air Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; \$814,772,000.

#### NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; \$3,245,387,000.

#### NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; \$1,331,417,000.

### TITLE II

#### OPERATION AND MAINTENANCE

##### OPERATION AND MAINTENANCE, ARMY

###### (INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$11,437,000, can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes; \$17,078,218,000 and, in addition, \$50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: *Provided*, That of the funds appropriated in this paragraph, not less than \$300,000,000 shall be made available only for conventional ammunition care and maintenance.

##### OPERATION AND MAINTENANCE, NAVY

###### (INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed \$4,011,000, can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes; \$21,779,365,000 and, in addition, \$50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: *Provided*, That of the funds appropriated in this paragraph, \$406,666,000 shall not be obligated or expended until authorized by law.

##### OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance

of the Marine Corps, as authorized by law; \$2,598,032,000: *Provided*, That of the funds appropriated in this paragraph, \$216,787,000 shall not be obligated or expended until authorized by law.

##### OPERATION AND MAINTENANCE, AIR FORCE

###### (INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed \$8,362,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes; \$18,740,167,000 and, in addition, \$50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund.

##### OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law; \$10,066,956,000, of which not to exceed \$25,000,000 may be available for the CINC initiative fund account; and of which not to exceed \$28,850,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided*, That of the funds appropriated in this paragraph, \$36,899,000 shall not be obligated or expended until authorized by law.

##### AMENDMENT NO. 3 OFFERED BY MR. DEFAZIO

Mr. DEFAZIO. Mr. Chairman, I offer amendment No. 1 which was preprinted.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. DEFAZIO: Page 9, line 19, insert after the dollar amount the following: "(reduced by \$15,000,000)".

Page 32, line 25, insert after the dollar amount the following: "(increased by \$15,000,000)".

##### PARLIAMENTARY INQUIRY

Mr. YOUNG of Florida. I have a parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. YOUNG of Florida. Mr. Chairman, we had expected that this was amendment No. 3.

Mr. DEFAZIO. Mr. Chairman, I called it 1 when I handed it to them. It is the \$15 million one, which is for the cooperative research program, VA cooperative research.

The CHAIRMAN. The Chair will state that this is amendment No. 3 as printed in the RECORD.

The gentleman from Oregon [Mr. DEFAZIO] is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I shall not use the entire time.

Every year since 1987, the VA medical and prosthetics research appropriation has been supplemented by funds transferred to the VA under a cooperative agreement between the DOD and the Department of Veterans Affairs. The DOD-VA cooperative medical research program supports vital research covering a broad spectrum of health,



science, and medical research focusing on conditions that impact both active duty and veterans. Among the programs funded are posttraumatic stress disorder research, cardiovascular fitness, combat casualty care, bone healing replacement, skin repair, vascular repair, spinal cord injury. This is an excellent program. I know times are tough, but I believe that we should be able to find the funds within the budget to fund this program at the modest level of \$15 million.

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

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

Mr. MURTHA. Mr. Chairman, we have no problem on this side with the amendment.

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

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

Mr. YOUNG of Florida. Mr. Chairman, I would like to point out to the gentleman that we have funded this program in the past, and one reason we did not include it in the bill for this year was the fact that the other body did include it, and we expect that it will be a conference item. But we do support the program, and we are prepared to accept the amendment.

Mr. DEFAZIO. Mr. Chairman, I just wanted to be absolutely certain that we get the funding into this program, it did not get lost in conference. I appreciate the support of the gentleman from Florida and the gentleman from Pennsylvania.

The CHAIRMAN. Does any other Member wish to speak on the amendment?

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

The amendment was agreed to.

The CHAIRMAN. Are there other amendments to this portion of the bill?

AMENDMENT NO. 7 OFFERED BY MR. SANDERS

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. SANDERS: Page 9, line 19, insert after the dollar amount the following: "(increased by \$2,000,000)".

Page 32, line 11, insert after the dollar amount the following: "(reduced by \$2,000,000)".

Mr. SANDERS. Mr. Chairman, the amendment that I am bringing forth is a very simple amendment. It is a chance for Members in the House to support their National Guard to increase funding for an educational program that represents just the kind of policy initiatives we need for young people in this country.

Mr. Chairman, this amendment, which is endorsed by the National Guard Association of the United States, will increase funding by \$2 mil-

lion for the National Guard star based program, bringing the program up to the President's request of \$4 million. The star based public outreach program is administered by the National Guard and targets youth in grades 4 through 6, it is the fourth, fifth, and sixth grades, to learn, hands on, with Guard pilots and technicians about math, science, and technology and to stay off of drugs.

Mr. Chairman, the star based program, my amendment brings funding for the National Guard star based program up to the \$4 million requested by the President. This is, I think, exactly what we want to do in our communities. We talk a whole lot about asking kids to stay off of drugs. What this program does is have people from the National Guard interact with young people, explain to them the planes in the air work for certain reasons and get young kids excited in math and science, and the studies that have been done on the results of this program are excellent. More and more kids have an interest in math, they have an interest in science. It is a wonderful program for the National Guard, and it has been very successful.

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

Mr. SANDERS. I yield to the gentleman from Vermont.

Mr. YOUNG of Florida. Mr. Chairman, offering the same explanation that I did on the previous amendment, we are happy to accept this amendment.

Mr. SANDERS. Mr. Chairman, I thank the gentleman from Florida very much and I thank the gentleman from Pennsylvania very much.

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

The CHAIRMAN. Is there further discussion on this amendment?

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

The amendment was agreed to.

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

Mr. Chairman, I would like to enter into a colloquy with the gentleman from Florida [Mr. YOUNG].

As the gentleman was aware, the Senate-passed defense authorization bill for fiscal year 1998 recommends \$5 million for the Secretary of Defense to conduct a pilot program to determine if hydrocarbon fuels can be tagged for analysis and identification.

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

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

Mr. YOUNG of Florida. Mr. Chairman, I would respond to his question by saying that is my understanding.

Mr. BRADY. Mr. Chairman, it is anticipated that this program will deter theft, aid in the investigation of fuel theft and aid in determining the source of surface and underground pollution and locations where the Department of Defense and civilian companies maintain separate fuel storage facilities.

Mr. Chairman, I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I would say the gentleman is correct in his description of this program.

Mr. BRADY. Mr. Chairman, it is also my understanding that this pilot program could also be funded through title II of the pending bill in the operation and maintenance defense-wide account.

Mr. YOUNG of Florida. Mr. Chairman, again if the gentleman will yield, I would say that he is correct on the likely source of funding for this pilot program.

Mr. BRADY. Mr. Chairman, I look forward to learning the results of this pilot program and thank the gentleman from Florida for his leadership and assistance.

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

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; \$1,207,891,000: *Provided*, That of the funds appropriated in this paragraph, \$5,000,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; \$924,711,000: *Provided*, That of the funds appropriated in this paragraph, \$75,000,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; \$119,266,000: *Provided*, That of the funds appropriated in this paragraph, \$8,900,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; \$1,635,250,000: *Provided*, That of the funds appropriated in this paragraph, \$6,130,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and

related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft); \$2,313,632,000: *Provided*, That of the funds appropriated in this paragraph, \$47,200,000 shall not be obligated or expended until authorized by law.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation, and modification of aircraft; transportation of things, hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; \$2,995,719,000: *Provided*, That of the funds appropriated in this paragraph, \$9,750,000 shall not be obligated or expended until authorized by law.

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

For expenses directly relating to Overseas Contingency Operations by United States military forces; \$1,855,400,000: *Provided*, That the Secretary of Defense may transfer these funds only to operation and maintenance accounts within this title, and working capital funds: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority contained elsewhere in this Act: *Provided further*, That of the funds appropriated in this paragraph, \$387,900,000 shall not be obligated or expended until authorized by law.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces; \$6,952,000, of which not to exceed \$5,000 can be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$377,337,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazard-

ous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, NAVY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, \$277,500,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, AIR FORCE (INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, \$378,900,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For the Department of the Defense, \$27,900,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES

(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$202,300,000, to remain available until trans-

ferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 2547, and 2551 of title 10, United States Code); \$55,557,000, to remain available until September 30, 1999: *Provided*, That of the funds appropriated in this paragraph, \$5,557,000 shall not be obligated or expended until authorized by law.

FORMER SOVIET UNION THREAT REDUCTION

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components, and weapons technology and expertise; \$284,700,000, to remain available until September 30, 2000.

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; \$1,541,217,000, to remain available for obligation until September 30, 2000: *Provided*, That of the \$309,231,000 appropriated in this paragraph for the procurement of UH-60 helicopters, \$253,231,000 shall be available only for the procurement of 26 such aircraft to be provided to the Army National Guard and \$56,000,000 shall be available only for the procurement of four such aircraft to be reconfigured as CH-60 helicopters and provided to the Navy Reserve: *Provided further*, That of the funds appropriated in this paragraph, \$5,953,000 shall not be obligated or expended until authorized by law.

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; \$771,942,000, to remain available for obligation until September 30, 2000.

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; \$1,332,907,000, to remain available for obligation until September 30, 2000.

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; \$1,062,802,000, to remain available for obligation until September 30, 2000.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; 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; \$2,502,886,000, to remain available for obligation until September 30, 2000.

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 Govern-

ment and contractor-owned equipment layaway; \$6,753,465,000, to remain available for obligation until September 30, 2000: *Provided*, That of the funds appropriated in this paragraph, \$580,515,000 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; \$1,175,393,000, to remain available for obligation until September 30, 2000.

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; \$423,797,000, to remain available for obligation until September 30, 2000.

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, \$7,628,158,000, to remain available for obligation until September 30, 2002: *Provided*, That additional obligations may be incurred after September 30, 2002, 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: *Provided further*, That none of the funds in this paragraph for advance procurement for the overhaul of CVN-69 may be obligated unless the overhaul includes installation of cooperative engagement capability and the ship self-defense system: *Provided further*, That none of the funds in this paragraph for production of DDG-51 destroyers may be obligated unless at least four of the twelve ships in the multiyear contract for fiscal years 1997 to 2001 are to be delivered to the Government with cooperative engagement capability and theater ballistic

missile defense capability installed when the ships are commissioned.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of not to exceed 194 passenger motor vehicles for replacement only; and the purchase of one vehicle required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed \$275,000 per vehicle; 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; \$3,084,485,000, to remain available for obligation until September 30, 2000: *Provided*, That of the funds appropriated in this paragraph, \$11,053,000 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 40 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; \$491,198,000, to remain available for obligation until September 30, 2000: *Provided*, That of the funds appropriated in this paragraph, \$48,391,000 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; \$6,386,479,000 to remain available for obligation until September 30, 2000: *Provided*, That of the amounts provided under this heading, \$20,000,000 is available only to initiate phase II of the Department of Defense plan to acquire and install upgraded navigation and safety equipment for passenger and troop carrying aircraft.

□ 1115

AMENDMENT OFFERED BY MR. OBEY

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

The Clerk read as follows:

Amendment offered by Mr. OBEY:

Page 27, line 23, after the dollar amount, insert the following: "(reduced by \$331,000,000)".

Page 31, line 2, after the dollar amount, insert the following: "(increased by \$105,000,000)".

Page 35, line 18, after the dollar amount, insert the following: "(increased by \$12,000,000)".

Page 35, line 19, after the dollar amount, insert the following: "(increased by \$12,000,000)".

Mr. OBEY. Mr. Chairman, I am offering this amendment on behalf of myself and a number of other Members, including the gentleman from California [Mr. DELLUMS]. I know there are other Members who will be speaking on it as well. This amendment essentially cuts 331 million from the bill to prevent the production of 9 B-2's that the Pentagon has not even asked for. It would reduce the deficit by \$214 million. It would add \$105 million for the air National Guard KC-135 reengining and it would add \$12 million for Army breast cancer research. It would also remove a major veto threat to this bill and we would wind up spending less money.

What I am trying to do is to remove a \$27 billion fiscal time bomb which is tucked into this bill. I want to simply point out that the cost of these B-2 bombers by the time they are fully purchased, by the time they are fully equipped, will drive the rest of the defense budget into a squeeze which I do not believe thoughtful Members will want to see it experience.

To put this in perspective, this is a bomber which has been turned down by some 20 different studies. Five different times the proponents of proceeding with the B-2 have asked for studies to try to object to the fact that four different Secretaries of Defense have tried to limit the number of B-2's that we are buying to 20. Each time the studies wound up saying that the decisions made by the Secretaries of Defense were the correct decisions and that we should not be proceeding to build more than the number of bombers asked for by the Pentagon.

To put this in perspective, just 2 years ago the cost of one of these B-2 bombers was expected to be about \$1.2 billion. That is enough to pay the undergraduate tuition for every single student at the University of Wisconsin for the next 11 years. Yet the Congress is being asked to buy 9 additional B-2's that the Pentagon does not want, that the President does not want, and that the Defense Department has indicated would cause a veto.

I want to read from the statement of administration policy. It says: "Overall, for the reasons stated below, the Secretary of Defense would join the President's other senior advisors in recommending that the President veto the bill if it were presented to him in its current form."

It goes on to say about the B-2: "The administration firmly opposes the \$331 million increase to the President's request for B-2 production." And it goes on to say that "this life cycle cost of over \$20 billion would weaken the ability of the Air Force to acquire other urgently needed weapons systems and that these resources should be allocated to higher priority requirements."

Now, what I am trying to do today is to remove that veto threat.

I would also like to read from Secretary Cohen's QDI report which says as follows: "The B-2 would not provide the full range of war fighting and shaping capabilities offered by the forces it would replace \* \* \*. It goes on to say the B-2 "did not provide the same weaponry delivery capacity per day as the forces that would have to be retired to pay for the B-2's." And then it concludes by saying there "would be a loss in war fighting capability during the decade or more between when the outgoing forces were retired and all the B-2's were delivered."

It seems to me that indicates that we ought to not proceed to make this very expensive purchase.

Instead what we are trying to do is to use a good portion of this for deficit reduction and then to provide some funding so that we can increase the reengining of KC-135's for the Air National Guard which are crucial to our refueling procedures around the world. Basically we have a number of older planes with very low-flying hours which are in very good shape. We can reengine those planes, use them for refueling operations and save a good amount of money, over \$105 million in the process.

Third, we would add \$12 million to the Army breast cancer research and treatment program, bringing that up above the level provided in the bill. That program has recently received a very good evaluation when it has been peer reviewed.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. OBEY] has expired.

(By unanimous consent, Mr. OBEY was allowed to proceed for 2 additional minutes.)

Mr. OBEY. Mr. Chairman, I would simply say that what is at issue here is not whether we ought to have a strong defense or not. It is not whether we ought to provide our troops with the best equipment money can buy or not. Obviously we need a strong defense and obviously we need to provide the best weaponry that money can buy for our troops. The question is, do we really need to buy nine additional bombers that the Pentagon is saying we do not need, the Secretary of Defense is saying we do not need, especially when we have other higher priority items in the military budget. I think the answer to that question is no. I think we ought to heed those some 20 studies that have been conducted on this matter. This amendment is supported on a bipartisan basis and I would urge the House to adopt it.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word, and I rise to oppose the amendment.

Mr. Chairman, I appreciate the chairman yielding. I rise reluctantly to oppose the position of the ranking member of the full committee, for I understand how carefully he has reviewed this matter. But frankly, just a couple

of years ago I had taken a position that was not dissimilar. I was responding to the administration's direction that perhaps we could get by with two squadrons, that is, 20 B-2's. In spite of the fact that the trend around the Congress was to say to DOD that we were going to begin to withdraw our troops from the world, close foreign bases and have most of our military assets located in to the continental United States.

Then during the midst of the campaign when candidate Bob Dole was going to southern California just the day before he arrived at a location, Pico Rivera, where many of these employees who deal with the B-2 work, the President announced that he was going to support the 21st B-2. That is, I gathered he was supporting the third squadron or at least moving in that direction. Recognizing that if we are going to be withdrawing troop force around the world and still need, as the leader of the free world, to project force, that indeed we had to have enough assets available to be able to deliver force with great strength at long distance and at relatively low cost. Such a force, for example, would be quickly available to stop a rogue nation that was going to cross its neighbor's borders and strike it heavily. Our B-2 force could be present quickly and then give us time to get personnel, ships and other assets into the region.

There is little doubt that a third squadron is very necessary if we are going to play that sort of role in this hopefully growing more peaceful world. The B-2 is fundamental to America's continued leadership as we recognize that fewer of our overall assets are going to be available for national defense.

There is little doubt that we are on the right track to develop a third squadron. It will save us money over time. But probably most importantly Mr. Chairman, it is a fundamental asset in all of our desire to maintain peace and freedom in the world. I strongly oppose the gentleman's amendment.

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

Mr. LEWIS of California. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to commend the gentleman from California, who has been one of our most steadfast supporters on the B-2 over the years. I want to point out to my colleagues in the House that there was a very positive statement in the Quadrennial Defense Review which said that in the halt phase, when you are trying to stop the enemy from coming in, like Saddam was coming into Kuwait, that there is nothing that the United States military possesses that can do what the B-2 bomber will be able to do once we get the smart conventional submunitions on it like sensor fused weapon.

Going back to the gulf war, Iran did assimilation against Saddam's division

moving south and with a small number of B-2 bombers, with sensor fused weapon, they destroyed 46 percent of the mechanized vehicles in that division and rendered it destroyed in the field.

That is an incredible new capability. We have never had that capability before to stop a mechanized division once it is under way.

I believe that this bomber is absolutely essential to our national security. I believe that this is one of the greatest mistakes ever made by a country in its history in not funding something that will give us an asymmetrical advantage over every conceivable adversary. Because a stealth bomber with these smart weapons can attack a nation's capital, all of its industrial facilities, all of its military at the same time, if you have enough of these bombers. That is the problem. Twenty-one simply does not do the job.

Mr. LEWIS of California. Reclaiming my time, Mr. Chairman, the gentleman makes several very important points. As we conventionalize the B-2, there is little doubt that it provides an asset that indeed allows America to extend its force very cheaply relative to other assets that are available to us. Indeed if America is going to defend freedom from our continental base, indeed if we are going to continue to close down bases around the world, there is little doubt that we need to be able to strike quickly and safely, deliver force that will stop a would-be aggressor.

□ 1130

It is very fundamental to the policy presently in place, and I strongly support procuring nine additional B-2's.

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

Mr. Chairman, we are gathered here in this Chamber on a very historic opportunity, an historic day, to balance the Federal budget, to bring about some fiscal sanity in this Nation, to tell the American taxpayers we are finally, after many decades, becoming more responsible with their money.

Not a day goes by that we do not open the newspaper and see a story of more fraud, waste, and abuse in our Federal Government. Medicare: Report indicates \$24 billion in wasteful fraudulent spending—\$23 billion.

A report the other day, commissioned by the Air Force, indicates that several of our current fleet are rusting away, are dangerous planes to fly.

Today, I rise to support the gentleman from Wisconsin [Mr. OBEY] and the gentleman from California [Mr. DELLUMS] in their effort to cut the B-2 bomber, cut \$331 million from the bill to start production of nine more B-2's.

Let us tell the whole story. They indicate it will cost \$27 billion to continue to build this plane, not \$331 million. That is the start-up price. That is to get a foot in the door. That is to keep the production line going.

I commend the gentleman from Wisconsin because he did something today

that I am very much in support of: reducing the deficit by \$214 million, using the cuts to reduce the deficit. Fiscal sanity. Changing priorities. Finding a way to make ends meet.

How can we, in good conscience, let this opportunity go by us? We can balance the budget, but we can do more. The economy is going in our direction. We are reducing spending in so many areas. We are increasing revenues. But, my fellow colleagues, the deficit still hovers at \$5.3 trillion.

By the year 2002, when we finally balance, maybe before, we will be \$6 trillion in debt. In spending on interest alone on the deficit, \$285 billion going out of the coffers of the American taxpayers into the pockets of the bond holders, not doing anything for society, not rebuilding infrastructure, not making a difference in our inner cities, not improving education for our children—\$285 billion on spending for interest alone.

It is like paying a 30-year mortgage and never touching the principal. At the end of 30 years we still owe the same amount we did when we bought the house.

My fellow colleagues, it is a simple analogy. We have plenty of B-2 bombers. The Pentagon says the current fleet of 21 B-2 bombers is sufficient to meet the two war scenario, the ability to fight and win two wars at the same time.

The massive Deep-Attack Weapons Mix Study conducted by the Pentagon concluded that it would not be more cost effective to buy B-2 bombers. Republican appointee Defense Secretary Cohen, appointed by the President, a member of my party from Maine, does not want any more B-2 bombers. I have to trust the Secretary of Defense in making judgments and determinations.

The Pentagon has told us they do not want any more B-2 bombers. Military generals have told us they do not want any more B-2 bombers. But we sit here with the Nation's checkbook and say we will have our will in this House, we will insist on buying more B-2 bombers. We do not care what the experts tell us, we will waste taxpayers' dollars to please some defense contractors. It is time to stop that kind of wasteful spending.

Again, the Congressional Budget Office, the one CBO that we held up as the model of efficiency and accuracy when we debated the tax measures, the CBO projects that to build and operate nine additional B-2 bombers over the next 20 years could cost over \$27 billion—\$27 billion.

Mr. Chairman, I urge my colleagues to come to this floor prepared to make a sacrifice for the American taxpayers today, to support the Obey amendment to strike the B-2 bomber, to save \$331 million today, \$27 billion over the life of this project, to reduce the deficit by \$214 million, add \$105 million for the Air National Guard KC-135 re-engining and add \$12 million for Army breast cancer research, one of the most accu-

rate groups that has been working on detecting breast cancer and curing breast cancer, the Army breast cancer research program. It also removes a major veto threat the President has indicated.

I am not concerned about veto threats. The President makes them on almost every bill. But on this one I particularly agree with him. I agree with him because I think he is making a good point on saving the fiscal sanity of this Nation. And, again, I have supported, as a Member of Congress from Florida, most defense spending on new weapon systems. This one has to go. Eliminate it and support the Obey amendment.

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

Mr. Chairman, I want to commend the chairman, the gentleman from Florida [Mr. YOUNG], and the ranking member, the gentleman from Pennsylvania [Mr. MURTHA], for an excellent bill. Over the years I think they have given us better bills than many times what we have supported.

I, for one, want to thank them for the language that assures the inspector general to conduct random audits on these so-called micro purchases of foreign-made goods, and also for the language that deals with reciprocity when foreign countries do not allow our companies to bid on their products; that this would in fact rescind the blanket waiver of the Buy American Act. That language makes a lot of sense in this bill.

I rise today because in the past I have voted to slow down defense building. But we just did not slow down defense building, we have really whacked away at the defense budget. I would just like to say that probably our major role here is to protect our national security, in Congress. We cannot protect the national security of our great Nation with a neighborhood crime watch.

Defense is expensive, and B-2 is a weapon of strength. Ronald Reagan once made a statement that made a lot of sense to me. He said you always negotiate from a position of strength. B-2 is absolute stone cold strength.

Without talking about Captain O'Grady, without talking about a great need, in fact, boggles my mind that we continue to discuss B-2 with its great stealth strength opportunities for us. If we cannot see it, we cannot hear it, it cannot be detected by radar, and we should not talk about it, how will they know how many we really have? But the greatest weapon of all war is the weapon of deterrence, and the greatest weapon of strength we now have in our arsenal is the B-2.

I am standing today supporting this bill, and I would also like to add that I believe we have cut too far and we are beginning to weaken, weaken long-term national security interests through our zeal to what many call

this cutting back on this bloated budget. I believe we are underfunded for defense now and, intelligently, we should move the program forward.

We should stand here, Mr. Chairman, and support B-2. B-2 is strength. We have always negotiated from a position of strength, and we should always be prepared to protect our national security from that position of strength.

Mr. Chairman, I appreciate the chairman and the ranking member including those Buy American issues, those reciprocity issues, those micro purchase issues, foreign-made goods, addressing them intelligently in this bill.

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

Mr. Chairman, I would be remiss if I did not congratulate the chairman, the gentleman from Florida, [Mr. BILL YOUNG]. I have been serving on this Subcommittee on National Security of the Committee on Appropriations for a long, long while, and he has conducted this markup in the committee in a way that is absolutely exemplary. He has shown a side that very few of us can say that we have exhibited here, his compassion for research, cancer research, bone marrow, head injuries; and the ranking minority member, the gentleman from Pennsylvania [Mr. JACK MURTHA].

This has just been a joy to work with this committee this year because of the fairness of it, and I just want to congratulate the gentleman from Florida on bringing to the floor today a bill that I believe is responsible and deserves the overall support of every Member of this House, and for the staff who have worked very closely with us on some very critical issues.

Again, Mr. Chairman, I want to thank him for his work on this bill and for his leadership that has brought us here to the House floor today, and I would recommend an "aye" vote on the entire bill.

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

Mr. Chairman, I rise in support of the amendment offered by my distinguished colleague from Wisconsin, [Mr. OBEY] to strike \$331 million to begin advance procurement for nine additional B-2 bombers.

Now, I have listened to the debate thus far and, first, let me establish hopefully some bona fides in this debate. I am now completing my 27th year in the House of Representatives, nearly 25 of them serving on what in the past had been referred to as the House Armed Services Committee, and now the House Committee on National Security, authorizing committee, where we debate these matters substantively on the basis of policy. In that regard, I would like to say that while this is the appropriations bill, this is indeed the appropriate opportunity for us to end this madness.

Now, first of all, Mr. Chairman, how many times have we in this country

heard of the ultimate weapon? How many times has this Nation been in search of the ultimate weapon to prevent war? And the ultimate weapon, I would suggest, does not root itself in some technology built in some particular State in some particular district, deriving billions of dollars in that area. That is not our greatest strength. That is not the ultimate weapon.

Our ultimate weapon is our capacity to use our minds to deter war, as we sit around a table to negotiate non-violently and politically and diplomatically how we will live with each other. Our future is not vested in some B-2 bomber. That is absurd, ludicrous and ridiculous, and we need to abandon that mentality that in some way the future of our children and our children's children is locked in some technology built by some manufacturer that ultimately will derive billions of dollars to do it.

Now, what is the bottom line, Mr. Chairman? The bottom line is that this is not about B-2's. I underscore, it is not about B-2's. We have B-2s. We have 21 of them. Where on Earth do we need to fly more than 21 B-2's?

Mr. Chairman, I would remind my colleagues that when President Bush went to war in the Persian Gulf, he told the American people he was moving against the fourth largest army in the world. Within a matter of hours, we had conquered airspace and conquered these people. We never used one B-2.

Where, Mr. Chairman? The Soviets have reduced their military budget by 80 percent, as the gentleman from Wisconsin [Mr. OBEY] already pointed out. If we are going to do battle with China, it will be economics, it will not be firing missiles at each other. I would like to think we have moved beyond that bizarre and absurd set of ideas. We have 21 of these planes. That is more than enough.

Now, one of my colleagues said that when the President funded the 21st plane that meant we were starting down the road toward the third squadron. I would suggest, at a bare minimum, that that is hyperbole.

How did we get to the 21st plane? Mr. Chairman, we had a prototype B-2 plane. A prototype. The first prototype B-2, hand built. It was not operational. A decision was made, rightly or wrongly, to take several hundred million dollars to make that 21st prototype nonoperational plane operational. Nothing was said that we will take this plane and move down the road toward 30 of them.

Now, if Members want to argue that, they are arguing that from self-interest, a little bit disingenuous, because it was never stated and never said. This is not about B-2's. We have them. It is about what the Congressional Budget Office refers to as a \$27 billion, not million, \$27 billion program.

□ 1145

It is \$13.6 billion of it that is in procurement; \$13.2 billion of it in oper-

ation, maintenance equipment, et cetera, \$26.8 billion.

The Comptroller, Office of the Pentagon determines it as close to \$21 billion. In the letter that talks about vetoing this bill, if the B-2 is in it, they refer it as a \$20 billion expenditure.

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

(By unanimous consent, Mr. DELLUMS was allowed to proceed for 5 additional minutes.)

Mr. DELLUMS. So this is not about B-2. We have them. It is about an extraordinary amount of money.

Now, as I said, the CBO costed out at \$27 billion to build nine. The Comptroller, \$21 billion. Let us look at the budget. Mr. Chairman, if you will recall, the budget resolution that we are about to agree to, all the newspaper headlines, great deal, balanced budget is now being addressed. In that balanced budget, there was \$17.5 billion of additional money for the Department of Defense over and above the President's request during the 5 years of this so-called balanced budget, \$17.5 billion.

Now, the unbudgeted Quadrennial Defense Review has already claimed the \$17.5 billion and will claim the entire portion of it. My distinguished colleague, the gentleman from Washington [Mr. DICKS], earlier in the context of the debate on the rule, pointed out that there was some \$20 billion slush fund, referred to as the weapon procurement reserve fund, that they could magically take this \$13.6 billion out of that fund to fund this additional B-2.

But they say nothing about where they are going to get the 13.2 down the road. But let us talk about the 13.6. This was an item placed in the 5-year defense plan that would not appear in the budget next year because what this fund was established to do was to look at the problems of underfunding in the weapon procurement account that would come about as a result of the Quadrennial Defense Review.

Now let us look at how they are going to spend this money. Listen up, people. The V-22. How many people in this Chamber have been telling the marines, we are committed to the V-22? Part of this money goes to fund the V-22. How many people?

The second item, the Army 21 force program, how many officers have said to the Army, we agree with you on the force 21 program. Part of this money is to defund that. Full funding for the national missile defense. How many times have we paraded into these Chambers to discuss national missile defense? It was part of the Contract With America. Numerous discussions and debate about funding the national missile defense.

The administration came before our committee and said that we are between \$2 billion and \$3 billion underfunded minimally in our national missile defense program. Part of that

money is going to come out of this program. They even, in response to a question of mine, "Will the program be fully funded if we give you the \$2.7 or \$2.8 billion?" They said, "maybe not." So they made some additional play for those who have frightened the American people about national missile defense, where do you think the funding is going to come in that program? Right out of this fund that you are getting ready to get committed to spend for nine additional B-2's.

For those who think that we ought to be demilitarizing these chemical weapons, how many millions of American people live around these weapons around the country that we ought to be demilitarizing because they are dangerous? That program will be fully funded as a result of taking money out of this reserve fund. So this is no slush fund.

Medical programs. For those who believe that weapons of mass destruction and the proliferation of weapons of mass destruction is one of the most dangerous issues that we confront, and we know that is the case, anyone who is diligently about their job in the Congress of the United States knows that proliferation of weapons of mass destruction and terrorism are the two major issues confronting us today, that program will be funded out of this account.

Let us move forward. What are the trade-offs? Mr. Chairman, what are the trade-offs? I did mention on numerous occasions that, in the context of a balanced budget, the world has changed. This is not some magical fund. I would like to think that I have spoken to that and prepared to speak to it even further. But let us talk about the reality that the gentleman from Florida [Mr. FOLEY] spoke of.

This is a balanced budget environment. And when we have a balanced budget and we are talking about \$13.6 billion in that 5 years, ultimately \$27 billion but \$13.6 billion in the 5 years, and we are pushing that money in the budget, we have got to push something out of the budget. So what are the trade-offs?

The B-2 proponents recommending trading off tank air, F-22, FA-18 and the joint strike fighter.

Mr. DELLUMS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

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

Mr. YOUNG of Florida. Mr. Chairman, reserving the right to object, under our reservation, I would like to point out to my very distinguished friend that we have made these arguments time after time after time after time, and the business of the House is being delayed now.

There are other Members who want to speak. And I am not going to object, but I think we all ought to pay attention to the fact that the gentleman has already used 10 minutes now. He con-

trolled considerable time when we had this debate on the authorization bill, where he is the ranking member. And I just think that we really ought to be considering a time limitation, because nothing new is being said. We are rehashing the same arguments over and over again. And while I will not object to this additional request for time, I would put the Members on notice that I will object to other Members who would ask for additional time over and above their 5 minutes.

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

Mr. YOUNG of Florida. Further reserving the right to object, I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I think we have to be fair here now in terms of the time. I would hope that my colleague is going to let the other side at least have a chance to have the time, at least myself, the same amount of time that the gentleman from California [Mr. DELLUMS] had, because he had made a lot of accusations here today, some of which are true, and I would like a chance to rebut them.

Mr. YOUNG of Florida. Mr. Chairman, my suggestion is, and it is something that I suggested earlier, that we set a specific amount of time, have it managed and controlled by the proponents and the opponents, so we can get to the end of this debate sometime today.

Mr. DICKS. Mr. Chairman, the proponents had time to go here for 10 minutes, a lot more time than the opponents thus far. So I would like us to balance it out before we go to a time agreement, if the gentleman would possibly agree to that.

Mr. YOUNG of Florida. Mr. Chairman, let me ask the author of the amendment if he would be interested in discussing a possible time limitation with the time managed?

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

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

Mr. OBEY. Mr. Chairman, let me simply say that we are being asked to spend about \$300 billion. And it seems to me that this is not out of line to spend approximately half an hour listening to the arguments against the expenditure of the item under review on this amendment.

I would simply say that I know that the manager of this bill would like to see the House finish this bill with very little debate, but the fact is this is an appropriation bill, the Congress is exercising the power of the purse. We may make one decision on an authorization bill when real dollars are not in hand, but when we are on an appropriation bill, this is when we actually get to see what the trade offs are.

It seems to me that it is not too much to expect. I mean, as far as I know, there are only about four speakers against this. They are going to win the amendment. But it seems to me that we have a right to have a reason-

able amount of time to make the arguments against it.

The gentleman from California [Mr. DELLUMS] is only the ranking member on the authorizing committee. He only knows more about this than probably anyone else on the floor. And given the fact that we have spent hours and hours on the legislative appropriations bill and other appropriation bills, I see no harm in spending less time on this bill in the end than we would have spent on virtually every other appropriations bill.

Mr. YOUNG of Florida. I do not know. So I assume the gentleman's answer is negative on limiting time?

Mr. OBEY. If the gentleman will yield, I know of only one other speaker on our side of the aisle.

Mr. YOUNG of Florida. Mr. Chairman, I will not object to this time extension. But I think we need to make sure that both sides get fair treatment on time. And we want to say again, under our reservation, we have debated this over and over and over again. And the gentleman from California [Mr. DELLUMS] has spent at least half an hour himself during the last debate. And the gentleman is correct, he is very knowledgeable on the issues. Although he is wrong most of the time, he is very knowledgeable on these national defense issues.

Mr. Chairman, I may suggest this time limitation depending on how this plays out.

Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The gentleman from California [Mr. DELLUMS] is recognized for 5 additional minutes.

Mr. DELLUMS. Mr. Chairman, first of all, I appreciate the gentleman's gratuitous shot.

Second, one point on which I agree with the gentleman, we ought to all be paying attention. I have been in this Congress where we debated for days on emotional amendments, \$5 million amendments, \$1 million amendments. Here is an amendment that has a \$27 billion tail, and suddenly we do not have time to deal with it.

That is why I am getting paid. We ought to be debating these issues, rightly or wrongly. We talk out here about America being a place where different points of view clash with each other. I believe in the integrity of the process. We may have different politics. I accept your politics, and I accept my colleague's. That is how we got elected to be here. But one place where we ought to be all coming together is that the process ought to have integrity and we ought to be able to slow this train down to be able to debate.

The gentleman from Wisconsin [Mr. OBEY] pointed out, this is a multi-hundred-billion-dollar deal. So we want to rush it through for convenience because it is a nice and neat package?

And then we will run home to our town meetings and talk about how diligent we are as we carry out our fiduciary responsibilities. How obscene.

We need to slow this process down and debate each other, talk with these issues. I am prepared to debate. Five studies most recently did not make a case for the B-2. Five studies, all independent most recently. The B-1 bomber can fly as far as the B-2. We have gone through all of that.

The gentleman talks about crisis responsibility. Listen to this: This weapons system, these additional nine B-2's are going to be so important? Do my colleagues know how long it would take us to build nine B-2's to get them into the inventory? Ten years.

So my colleagues make this frightening, scary case to the American people, but they do not tell them it is going to take 10 years. So if this is such an important insurance policy, this is going to save so many people, then what do we do over the 10-year period? Do we pray?

Let us not be so disingenuous. Additional B-2's are going to take 10 years. Here is a plane in search of a problem. We have 21 of them. B-1's can reach any place in the globe without being locked out for want of a forward base. And look, we have 95 of them. Some of the 95 B-1 bombers are so brand new that the tires have maybe only hit the ground once or twice.

We spent \$20 billion, \$20.5 billion building 100 B-1 bombers. And all of a sudden, we do not want to talk about the B-1. That is the stealthiest plane in the inventory. Nobody wants to talk about them. We talk about the B-52 and the B-2, as if the B-1 is not there. My colleagues have argued and made the case and we bought 100 of them. We have 95 of them. It is not the platform, it is the weapon. It is not the platform, it is the weapon. We put smart weapons on a B-1, smart weapons on 21 B-2's. We do not need to buy additional expensive platforms that will cost each platform in excess of a billion dollars.

How many children can we educate for over \$1 billion? How many people can we save for over \$1 billion? What can we do with \$27 billion? It staggers the imagination to talk about the brilliance and genius and compassion of what we can do with \$27 billion. But, no, we want to sink it into nine B-2 bombers, as if that is God's gift to the planet. Bizarre and extreme.

Finally, some people say we need to build nine more B-2's, Mr. Chairman, because we must reserve the industrial base. An absurd notion. There is no such thing as a bomber industrial base. The people that built the B-2 did not build the B-1. The people that built the B-1 did not build the B-52. The people that built the B-52 did not build the bomber before that. All we have to do is be able to build a plane and we can build a bomber.

So what is all this about? This is about jobs. This is a restart, not an industrial base preservation. Air Force

sources have estimated that the production capability for the B-2 is no more than 30 percent today. Only 16 percent of the personnel, 16 percent of the personnel, required to produce nine B-2's are currently on the program. This is according to contractor data.

□ 1200

Finally, many vendors and suppliers began exiting this program in 1992. They are gone, they have left the place. This is to reassemble.

If we want to generate jobs in America, how many jobs could we generate with \$27 billion? Incredible. Absolutely extraordinary, Mr. Chairman. But we do not do it with nine more B-2's. I ask my colleagues to support this amendment, oppose nine additional B-2's. It is the rational, sane, and fiduciary thing to do.

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

Mr. Chairman, I served on the Committee on National Security my first three terms here and served with the gentleman from California [Mr. DELUMS]. He is an honorable man. We disagree on issues, but he has always been fair and he debates well. That is not my issue.

The issue is how I see it on why we need not only the B-2 but the defense structure that we have. I do not expect to change the opponents' minds by my 5 minutes. But I would like to express to them why I feel that it is important and at least have them have that understanding.

First of all, I think it is fair to say, why did we order the B-2 in the first place? Was there a perceived mission for it? Did the Air Force want the airplane? The answer is yes.

Second, is there still today a perceived mission for the B-2 and the B-1? The answer is yes. And is there one in the future? I also say yes. I will be specific in just a moment. I think if we take a look at what the threat is today in the areas that we could have gone into, whether it is Desert Storm, whether it is North Korea, whether it is different areas, without having to cost the additional expense of massing forces, when Saddam Hussein rattles his ugly sword and makes a strike, can we do that effectively and save billions of dollars by using a B-2 strike instead of having to mass all of our forces and then back away if nothing happens? The answer is yes.

Second, if we do not build the B-2 today, then what? The cost of then-year dollars, the R&D dollars out into the future is so expensive to build a new airplane and to invest in a new airplane, it would cost much more.

Russia today, I would say to my friend, not tomorrow, is building today a first strike nuclear site under the Ural Mountains the size of inside the beltway in Washington D.C. Why, when they already have one to the northeast? A nuclear threat to the United States, supposedly an ally. Anyone who

would think Russia is our ally or China is our ally is mistaken, in my opinion.

Second, let us look at what the real threat is to our aviators who are going to be asked to fly in those particular airplanes. I have some charts. These are the nations where fighters are proliferated. These airplanes right here, the SU-27, the SU-35, and the SU-37. Let us take a scenario of taking a Strike Eagle, an F-15 Strike Eagle. By the way, the Air Force has not bought a new fighter in 25 years, while the development of all of these countries are advancing their procurement and their R&D. They have advanced farther than we have, in stealth and in missile technology and airframe.

If we take a Strike Eagle or an F-14D, two of our best fighters, and match them up with an SU-27, an SU-35, or a -37 that has a big radar, their radar sees those airplanes first. They have big giant radars. They are very fast. They are very maneuverable. The AA-12 missile gets there faster and further than our AMRAAM. Our guys are going to die. That is why we need the F-22.

Let us take a F-22 that they do not see as well because it is more stealthy, or the B-2. We get inside that envelope, we get first shot, and the bad guys are going to die first. These are the countries that have those airplanes.

Let us take an F-22 flying with a B-2 or a B-1. This bad guy over here is going to tell exactly where our fighters are because that B-2 is going to tell him it is a big aluminum fog in the sky and he is going to see it, he is going to know where we are. Again, our pilots are going to die, not the bad guys. If we take the B-2 with an F-22, he gets in unobserved, can get to the target, can knock it out or the B-2 can get in there by himself and save billions of dollars.

These again are the countries that have the missiles, the AA-12. I have flown most of these airplanes. If Members want to talk about the maneuverability, go to the Paris Air Show and look at the SU-37 and take a look at the vector thrust. They are better than our fighters, the B-2's and the threat of the bombers are better than ours, and we need to know.

Mr. Chairman, I include the following material for the RECORD:

COUNTRIES WITH ADVANCED AAM IN 2005  
AMRAAM, MICA, AA-12

Russia	Netherlands	Denmark
Belgium	Sweden	Taiwan
France	UK	Finland
Malaysia	China	Japan
Spain	Israel	South Korea
Turkey	Norway	U.A.E.
Germany	Switzerland	

COUNTRIES WITH ADVANCED SAM'S IN 2005  
Patriot, SA-10, or SA-12 SAM's by 2005

Azerbaijan	Kuwait	Netherlands
Belarus	Italy	Japan <sup>1</sup>
China <sup>1</sup>	Iran	Saudi Arabia
Cyprus	Russia <sup>1</sup>	Serbia
Czech Republic	Ukraine <sup>1</sup>	South Korea
Kazakhstan	Germany <sup>1</sup>	Syria <sup>1</sup>
Bulgaria	Israel	Turkmenistan
India	Moldova	

<sup>1</sup>Countries projected to have more than one type. Source: Jane's, Aviation Week, DMS Market Intel.



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

Mr. Chairman, let me just give a little perspective on this. First of all, the gentleman from California says that nobody supports this. I do not quite agree with that. We have seven former Secretaries of Defense, Melvin Laird, Jim Schlesinger, Donald Rumsfeld, Harold Brown, Caspar Weinberger, Frank Carlucci, and Dick Cheney, who wrote the President a letter on January 4, 1995. In that letter they said this:

The B-2 was originally conceived to be the Nation's next generation bomber, and it remains the most cost effective means of rapidly projecting force over great distances. Its range will enable it to reach any point on earth within hours after launch while being deployed at only 3 secure bases around the world. Its payload and array of munitions will permit it to destroy numerous time sensitive targets in a single sortie and, perhaps most importantly, its low observable characteristics will allow it to reach intended targets without fear of interception. The logic of continuing low rate production of the B-2 thus is both fiscal and operational. It is already apparent that the end of the Cold War was neither the end of history nor the end of danger. We hope it will also not be the end of the B-2. We urge you to consider the purchase of more such aircraft while the options still exist.

Mr. Chairman, what bothers me about the administration's program is this: They want to invest \$300 billion for TAC air and zero for bombers. That just does not make any sense. The B-2 was just used in terms of operational testing using GATS/GAM, and they can hit targets day, night, all weather, without lasers, from 41,000 feet. That is a remarkable capability.

In the future when we get the smart submunitions like sensor-fused weapon, GATOR mine, et cetera, combined effects munition, I believe we will have the potential for conventional deterrence. I want to explain that. I think frankly nuclear weapons are only good for nuclear deterrence. We saw Saddam Hussein come south. We had 18 Trident submarines. He still came south. But if we have a bomber that can go a third of the way around the world with one aerial refueling and can be utilized immediately to stop the enemy from coming into, say, Kuwait, that is conventional deterrence. President Bush could have deployed the B-2's to Diego Garcia, they could have been operational immediately.

What does that mean? It means that we stop the enemy from achieving his objectives. That is what the halt phase is all about. If we can do that, then we could have saved the taxpayers the \$10 billion it cost us to move 500,000 troops out to the gulf and we could have saved the \$60 billion that we spent, we and our allies, on funding the war in the gulf. And the B-2, to purchase these additional nine airplanes will be somewhere between \$11 billion and \$13 billion. I think it is a wise, prudent investment.

The gentleman from California makes the strongest argument about

why we should do it now. He says that if we do now, it is going to take 10 years to build these aircraft. You just do not go out and immediately get additional B-2's. It takes a long time to do a new bomber R&D program and it is very, very expensive.

So we want to buy the right number of planes while the line is still open, and the line is still open in southern California. Sometimes the gentleman makes it sound like it is in Bremerton, WA, but it is not. It is in southern California. That is why I think that we ought to do it now. We can get the planes for less money, they will be less expensive and I think it is the right thing to do.

The gentleman also talks like the war in the gulf was a slam dunk. The war in the gulf was not a slam dunk. The gentleman from Pennsylvania [Mr. MURTHA] is sitting here, our ranking member. He saw an errant Scud missile kill a number of his constituents. Had they had accurate Scud missiles in the gulf, our 500,000 American troops would have been vulnerable. They would have been vulnerable to attack either by chemical, biological weapons, nuclear weapons; they could have been destroyed in the field.

The CHAIRMAN. The time of the gentleman from Washington [Mr. DICKS] has expired.

(By unanimous consent, Mr. DICKS was allowed to proceed for 5 additional minutes.)

Mr. DICKS. Mr. Chairman, the reason they could have been destroyed in the field is because of those Scuds. With the F-22 and the B-2, we finally will have a capability using Link-16 from space, from our satellites, to immediately target those Scud launchers. We will be able to go after them and we will be able to destroy them. We still need to do theater missile defense. That is the other critical component in order to protect our troops in the field.

I think this new revolution in stealth gives us an advantage. Why is 21 the wrong number? Twenty-one is the wrong number because in the early going, in that first 2 weeks of any war, it is sortie rate, it is how fast we can take that bomber, fly it in, drop those 16 smart bombs or those smart submunitions on the enemy and fly back out.

With 21 we simply cannot generate enough sorties to take advantage of the capability, and utilize the potential of this stealthy, long-range bomber with smart inexpensive weapons. So getting up to a higher level gives us more capability. We would be able to commit 20 to a major regional contingency; we would have 10 in reserve for a second major regional contingency.

I want to say something else. This Congress should never be ashamed to stand up to the Pentagon and say they are wrong. We did it on the F-117's. The gentleman says the B-2's were not there. General Hoerner said if they had been there, and it was because they were not ready to be deployed yet, if

they had been there, he would have used them just as he used the 117's.

We had 27 additional 117's because this Congress had the guts to stand up and do what was right for the country. Under the Constitution of the United States that is our responsibility, not to just take what they give us. We have stood up to them before. We made them buy additional Sealift. They would not have had any roll-on/roll-off ships to go to the gulf if it had not been for Congress and this committee. That is why we have to from time to time stand up and do what is right for the security of this country.

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

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

Mr. CUNNINGHAM. Let me even add to that point. When I worked in the Pentagon, the Navy never ordered A-6's. They prayed that Congress would add them just to keep the line on so we could perpetuate it. Members can talk to General Fogleman or the Air Force generals, they pray that we will add this.

Yes, there are budgetary constraints. They asked for the B-2 in the first place because it had a mission. With the White House and other constraints cutting defense, there are limited dollars. But they want the B-2 for the mission because they know it is applicable and it is going to save pilots' lives.

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

Mr. DICKS. I yield to the gentleman from California, the distinguished chairman of the Subcommittee on Military Procurement of the Committee on National Security.

□ 1215

Mr. HUNTER. Mr. Chairman, I think the point that we need to be able to have a large inventory of long-range aircraft is very, very essential in this debate. In 1962, we had 81 major overseas air bases that we could fly short-range aircraft out of. That 81 major overseas air base inventory is now down to 14.

Just a couple of weeks ago, the Japanese diplomats were hedging on whether they would allow us to use Japanese air bases for a second Korea contingency. Now if we overlay that fact, the shrinking bases overseas, with the fact that we are going to spend \$350 billion on short-range aircraft, and the administration zeroing B-2 has not a dime for long-range aircraft, it does not make any sense. We have got to have the ability to strike from the United States.

And last, I would say to my colleague I thought the most dramatic speech in the debate, the lengthy debate we had in the authorization process, was when SAM JOHNSON, POW in Hanoi, looked out through the Hanoi Hilton and saw three B-52's in Operation Linebacker. That is when we struck the North Vietnamese in 11 days and brought them to the negotiating table; he watched three

B-52's destroyed, blown up in midair. Those are the planes that the administration is going to rely on for the next 40 years. According to their plan, they are going to use aircraft that were vulnerable 30 years ago.

So we have to ask the question what is the alternative. There is not an alternative to the B-2.

The CHAIRMAN. The time of the gentleman from Washington [Mr. DICKS] has expired.

(By unanimous consent, Mr. DICKS was allowed to proceed for 2 additional minutes.)

Mr. DICKS. Mr. Chairman, I will not request any additional time, and I wanted to say to my colleague from California, both colleagues from California, this last statement is the most important one. What we really have here is a wonderful opportunity to save American lives in the future.

Again the gentleman from California makes the case when he says it was easy with air power in the gulf to defeat the enemy once we stopped them, but Saddam stopped himself. What if he had not stopped? We need a capability to stop him which the B-2 will give us because it can react and go anywhere in the world without having to have escort aircraft.

But when it gets right down to it, when those marines came in and the RPV's were there and the guys came running out to surrender to our RPV's, what it meant was they had been bombed into oblivion because we had total control of the air and we had the right bombers. The B-2's give us greater accuracy, they give us greater capability. It is a much more lethal bomber than the B-52 and the B-1 because it can operate by itself.

And so my point is what this is really about is saving American lives in the future, and that is why this is so important, and that is why this Congress cannot fold under pressure from a Pentagon that simply wants to take care of the services. We need some real thinking about the future. We need to take advantage of our technological advantage—the B-2 represents that advantage.

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

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

Mr. CUNNINGHAM. Small point: The gentleman from Texas, Mr. SAM JOHNSON, saw three B-52's blow up. Those were shot down by SA-2 Fansong radar in an old technology, post-Korean vintage. Today they have got SA-3 surface-to-air missile, all the way through about 19, and the advanced technology. We were successful in Desert Storm with the 117 because we could go over downtown Baghdad and not be seen. That is what the B-2 brings to this, instead of the loss of lives, much more efficiency, not only the cost of training pilots, but aircraft and our effectiveness in combat, and that is what we call national security.

Mr. DICKS. I thank the gentleman for his contribution.

Mrs. LINDA SMITH of Washington. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I was actually in my office listening to this debate, and it took me back to the research project I did when I was first in Congress about 2 years ago and then the request for briefing after briefing on all the technology, all the smart weapons, we might say, and I learned to admire many of my colleagues who had worked so hard to make sure that those smart weapons were there, smart weapons like the B-2, and the B-2 being one that does not risk as many American lives, gets in, gets the job done.

But then I got to the point of finding out how many are enough, and I have listened to the debate, and I think the important thing for me was I looked back to the original debate over how many B-2's would be enough from the beginning. It was 10, then it was 20. We have now 21 in some level of construction, not all of them done, most of them not ready for flight, and we are already starting to say we need 9 more. I have been told they are needed because we want to keep some of the construction on, and these will be the ones we begin in 2002.

As I look at the priorities before us, it has been real hard for me because I have since the early 1980's, unlike some of my colleagues arguing for this amendment, I have been a hawk; I am very strong, very strong pro defense. I was a Democrat turned Republican over the peace through strength movement in the early 1980's, came in because of Ronald Reagan. And so when I looked at this I thought is America going to be stronger, safer? Are we going to be able to save more American lives if we have 9 on top of the 21?

My briefings did not show me that we needed another nine; very hard when I stand here with people I admire so much who have fought so strong for a national defense, but I have to respectfully disagree.

When it comes to priorities and balancing the budget, I believe we have to have a strong America, but we have to balance the budget. I believe that this amendment simply says that some of the money, a very small amount, \$50 million, will be there for breast cancer research in the military department.

In looking at this particular program as someone that does not necessarily believe just because we give somebody money they are going to do something good with it, I found it is the most effective, the most efficient, good for the military families, and this is somewhere else I go. I believe that good strong military medical, good strong research for America, all ties together. It does not have to be more bombers.

So with that I would conclude and just say I support this amendment because I just have to respectfully disagree. I believe right now we are on the verge of discovering more about breast cancer and cancer, and the research has been sorely underfunded. This

could save lives immediately, not maybe after 2002; and by the way, it takes a long time to develop those planes. We are way into 2010 before we start talking about anything being used. If we had a war, it is many, many years before we would use them if we ever needed them, but breast cancer is killing people right now.

So with that, I would ask Members to support this amendment and support a strong national defense.

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that all time remaining in the discussion on this amendment be limited to 20 minutes, 10 minutes to be controlled by the gentleman from Wisconsin [Mr. OBEY] and 10 minutes to be controlled by myself.

The CHAIRMAN. Does the gentleman include all amendments thereto?

Mr. YOUNG of Florida. Including any amendments thereto.

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

Mr. SANDERS. Reserving the right to object, Mr. Chairman, if I might, I would just ask the gentleman from Wisconsin [Mr. OBEY] if he thinks that is enough time to accommodate this side to make their presentations.

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

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

Mr. OBEY. Mr. Chairman, I think it is enough time. I mean we cannot give everyone who wants to speak 5 minutes, but we can give them a good amount of time to speak. I think it is adequate. I only know of two people who want to speak on our side.

Mr. SANDERS. 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 gentleman from Florida [Mr. YOUNG] and the gentleman from Wisconsin [Mr. OBEY] each will control 10 minutes.

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

Mr. MILLER of California. Mr. Chairman, as I understand the amendment, the gentleman takes some of the money out of this account and makes it available for breast cancer research. I was just wondering does that prohibit other kinds of cancer research, in the case of prostate cancer research, and does the bill allow for that?

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

Mr. MILLER of California. I yield to the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I would point out the bill already contains a small appropriation for prostate cancer research as well, and I would certainly have no objection if in conference this is reallocated so we can provide additional funding for both breast cancer research and prostate research.

Mr. MILLER of California. Mr. Chairman, I thank the gentleman, and I rise in strong support of the amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I want to start by thanking the distinguished chairman of the subcommittee and thank him for the way he has conducted this debate.

Mr. Chairman, let me issue my dissent, my objection, to what I think is one of the cruelest tradeoffs that can ever be offered on the House floor, and it has been offered here, and that is the idea that if we do not build B-2's, somehow we are going to spend the money on a lot of happy areas like breast cancer research and other attractive areas that all of us, as Members of Congress, want to fund. That is a tradeoff of guns for butter.

As my colleagues know, I am reminded, when I visit my aunt and uncle's house in Fort Worth, TX; there is a picture on the mantle, and that picture is one of my second cousins who was killed in Korea, Son Stillwell. He was killed in Korea, one of some 50,000 KIA there in a war that we were not prepared to fight because a previous Congress, a Congress after World War II, did not want to spend the money for a strong national defense, and we had all the same answers that have been given here today as to why we do not need a robust B-2 force.

Things are going well. No enemy on the horizon. In those days we said we have a nuclear weapon, we will never see another military take us on, certainly the North Koreans and the Chinese would not take us on.

If my colleagues read the then Secretary of Defense's testimony a few months before the North Koreans invaded, we had all of the happy talk about a smaller downsized force; only Omar Bradley had the guts to come before Congress and say, "We can't win a major war."

Mr. Chairman, as my colleagues know, we do not serve our people well, all those people who are interested in breast cancer research, and a good life and educational opportunities, unless we defend them.

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

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

Mr. DICKS. Mr. Chairman, just in case somebody does not think there is money in this bill, there is \$125 million in this bill for breast cancer research already.

Mr. HUNTER. Mr. Chairman, I thank the gentleman for his point, and it is a good point. We have taken care of many of these other areas that have been discussed that have been offered up as an attractive alternative to having some bomber power.

But as my colleagues know, General Fogleman is going out. One of his sins in Washington, DC, I think, was being extremely candid. I asked him in a

hearing whether the B-2 was valuable because the word coming from the other side, from the political side, of the administration was we do not want B-2's, and being good soldiers, all of our chiefs then go down the line, they sit in front of us at the dais, and they stand behind the administration's political position on any particular weapon system. And he said this. He said:

"I didn't say the B-2 wasn't valuable. The B-2 is extremely valuable, especially in the halt phase of a war, that you stop the enemy before you have a lot of casualties, before you send home a lot of your people in body bags."

And then he hesitated, and he said: "In fact it is valuable in all phases of the war."

And I said, "General Fogleman, would it save American lives to have a robust B-2 force?"

And he said, "Yes."

So the point is there is not a body of military opinion over there that says this is not a valuable system. It is a valuable system. We need to support this important program.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from Vermont [Mr. SANDERS].

□ 1230

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

Mr. Chairman, I would urge the Members of Congress to take a hard look at reality, at what really is going on in this country. Do we want the United States to have the strongest military in the world? I think we do. Do we already have that capability? Have we already, along with our other NATO allies, greatly, greatly, many times overspent all of our potential enemies? And the answer is yes.

I ask my friends who are opposing the Obey-Dellums amendment to think about priorities. If they want the strongest military in the world, OK; but are they happy with the fact that we have by far the highest rate of childhood poverty in the industrialized world? Is that something that Members of this Congress should be proud of? Should we be talking about spending over a period of years \$27 billion more for B-2 bombers, and then telling millions of kids who are ill-fed, ill-housed, ill-educated, that in this great Nation we do not have the resources to help them, but we can build B-2 bombers? My answer is, no, those are absurd priorities.

There are people here who day after day talk about the national debt and our deficit. They say we have to cut back on Medicare and Medicaid and education. Let me tell them, spending \$27 billion for B-2 bombers also runs up the national debt. That is real money.

Recently we have been talking about major cutbacks in Medicare, \$115 billion. There are some who say we should charge low-income senior citizens \$5 for every home health care visit, which can amount to some \$700 a year for a

low-income senior citizen trying to get by on \$9,000 a year. People say, yes, that is what we have to do to balance the budget. Then the next thing, they come back and say, oh, yes, but we can spend \$27 billion for B-2 bombers. I think those are very false priorities.

Let us talk about job creation. All of us want job creation in America. Do Members know how we can do it? We can do it by putting more money into school construction. We can do it by building roads and bridges and protecting our infrastructure, which is falling apart all over America. We can do this by educating more people.

When we talk about national priorities, let us understand, there are millions of middle-class families who today cannot afford to send their kids to college. What we are saying to those people is no, we do not have enough money to make sure that your kids can go to college so they can make it into the middle class, but yes, no problem, over a period of time we can build nine more B-2 bombers that the Pentagon says they do not want, for a cost of \$27 billion.

Mr. Chairman, I would urge my colleagues to understand that we are playing with a zero-sum game. We just cannot print more and more money. Let us get our priorities straight. Let us support the Dellums-Obey amendment.

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

Mr. MCKEON. Mr. Chairman, I want to thank the chairman for yielding time to me, and thank him for the good work he has done on bringing this bill to the floor and on this ongoing debate that we constantly have on the B-2 bomber.

I have not yet heard the other side, those in opposition, who are so strong in their opposition to this plane, what they figure we would use if we did not have this plane. I know there has been some talk of possibly another kind of bomber somewhere down the road, but there has been, what, \$15 billion, \$20 billion spent on R&D on this plane. I cannot see anyone here in this body that would begin to propose \$15 billion to \$20 billion R&D to build a new aircraft. This is the cheapest plane we could buy at this time.

This is the only plane that has a production line, even though it is now being closed up, that does have a production line, one that the manpower is there, the technology is there; and we are in the process of taking this apart, wasting all of that money that was spent. I think that is something that really, it would be wonderful if we could look into the future and say no, we will never need another long-range bomber. We need to stand up and defend this plane to defend our service people.

Mr. OBEY. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I thank my colleague for yielding time to me.

First, Mr. Chairman, let me say this: This has not been a debate. This is a very complex issue. It takes some time to lay the basis of the foundation of the arguments on either side. But once we spend enough time laying down the basis of our respective positions, allowing us to clash and debate with each other, someone jumps up and says we spent too much time. This has not been a debate. We end up with a triumph of process over substance. I think that is tragic. These are dark days in the Congress when we cannot engage each other in constructive and important debate.

Mr. Chairman, with the time that I have remaining, let me just make a few rebuttal arguments. First, I would like to remind my colleagues, we are building 21 of these planes. It is not zero. We are building 21 of these planes. For anyone to attempt to suggest to the American people that there is great magic in going from 21 to 30 is bizarre in the extreme, particularly when that step takes us \$27 billion down the road.

Do we have an inventory of bombers? Yes, sir. We have 95 B-1's, extraordinarily well equipped. In fact, they can take more of these precision-guided smart weapons than even the B-2 can, plus 21 B-2's, plus additional upgraded B-52 bombers. So we have a major bomber force out there. Where are we going to fly them? Who are we flying them against?

We talk as if we have zero. We are the greatest superpower standing. Our military budget equals the military budget of every other Nation on the face of the Earth combined. When we put our allies into that equation, America and its friends outspend the rest of the world 4 to 1. That is reality.

Mr. Chairman, another point. Former Secretary of Defense William Perry, the father of the B-2 bomber, opposed additional B-2's because he knew what we were giving up in order to purchase more B-2's. Former Secretary of Defense Cheney was the one that struck the deal on 20.

The next point, people keep walking up to the microphone saying, we have had this debate over and over. It was supposed to be over at 20. This gentleman did not start the debate. It is the people who represent the contractors who want to keep bringing this weapon system forward. The administration is not asking for it, the Joint Chiefs are not asking for it. Nobody is asking for it except the contractors and a few Members of Congress; so few willing to spend so much money, Mr. Chairman.

Finally, I would ask my colleagues to approach this matter with a degree of fiduciary responsibility that is required by the moment. This is a balanced budget environment. This is a zero-sum game. You cannot create money out here. If you push this program in, you are going to push something out. You are going to hurt some people. I urge my colleagues to support this amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. DICKS].

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, I appreciate the gentleman yielding to me. I would just like to respond by way of comment to the question of the gentleman from California [Mr. DELLUMS].

I, too, thought the question was over at 20, and then just before the election the President asked for the 21st. I thought he was getting a new understanding that a third squadron might be helpful, so it seems to me we ought to revisit this issue. I appreciate my colleague raising the question.

Mr. DICKS. Mr. Chairman, let me say this: This debate on the B-2 has been a long, difficult debate. I can understand my colleagues who think it is going to hurt something. But my view of this is that of everything we are doing at the Pentagon today, not one other weapons system has the potential capability to deter war as does the B-2. Take this platform that is stealthy, that can go one-third of the way around the world and stop the enemy from achieving their objectives, and that is a remarkable capability.

What are the weapons we are going to use on this? J-DAMS at \$13,000. If we do not have the B-2's, then we have to use the B-52's with standoff cruise missiles that cost \$1.2 million per weapon—16 times \$13,000 is \$208,000, versus \$1.2 million. You get 16 weapons on a B-2 for the cost of one-sixth of one cruise missile. It is ridiculous. This will save us money over time. And you can fly in over the target and knock out 16 separate targets in one sortie. In World War II, it took 3,000 sorties in order to be able to achieve that objective.

This is a revolution in technology. What it gives us is an asymmetrical capability to stop the enemy before they achieve their objective. What does that mean? It saves American lives. It saves American lives.

Unfortunately, Mr. Chairman, I say to my friend, the gentleman from California, I supported the B-1, but the B-1 is not stealthy. It has to have escort aircraft. It cannot go out the first day without being vulnerable to being shot down, just as the B-52's will be shot down. That is why we have to have some number of long-range stealthy bombers to stop aggression, whether it is North Korea, whether it is Iran, whether it is Iraq, whether it is something in China. We do not know what the future holds, but every time we have been weak before, we have gotten ourselves into trouble. Here is a capability that gives us an advantage that no other country possesses.

Yet, we are going to walk away from it and say well, we have enough. We do not have enough. Every expert who has looked at this, all independent studies,

Rand, Jasper Welch, all say 40 to 60 is the right number. We are saying 30 is all we can afford at this point. I urge the House to reject this amendment. This is a great moment for us to stand up and set our defense priorities for the future.

Mr. OBEY. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, let me simply say, in response to the last comment, keep in mind this is a weapon which is a cold war weapon. It was designed originally to drop nuclear weapons upon the enemy. There is a substantial question about whether or not, when it is converted to conventional use and you have to use it on repeated missions, whether or not the stealth capability of this weapon can be retained under those kinds of battle conditions. I think people need to remember that.

Second, let me simply summarize, this weapon is not being driven on the merits, in my view, it is contractor-driven. We have had a lot of comments about the necessity to make the right decision militarily for the country. Does anybody on this floor believe that the existing Secretary of Defense, an honorable Republican from the Senate, does anyone believe that he is not going to try to make the decisions which he believes will save the most American lives and meet the greatest defense needs of the United States? I do not know of anybody who believes that about him.

I simply want to read what his own summary said on this weapon: "First, the B-2 would not provide the full range of warfighting and shaping capabilities offered by the forces it would replace". It then goes on to say, "For example, missions such as air superiority, reconnaissance, and forward presence would suffer. Second, the additional B-2s did not provide the same weapons delivery capacity per day as the forces that would have to be retired to pay for the B-2s."

It then concludes by saying, " \* \* \* existing forces would have to be retired immediately to pay for the additional B-2s. Even then, the savings from retiring the forces are not enough to offset the large up-front investment for the B-2s \* \* \* and there would be a loss in warfighting capability during the decade or more between when the outgoing forces were retired and all the B-2s were delivered."

□ 1245

I think that is pretty clear. What we are simply asking Members to do is to save the \$331 million in this bill for nine planes which the Pentagon does not want because it wants other greater defense capability. By doing that, we avoid making a down payment on a \$27 billion expenditure that we cannot afford and instead we use that \$331 million, we use two-thirds of it to cut the deficit. We use 12 million of it to increase breast cancer research in the Pentagon medical operation, and we use \$105 million of it to strengthen the

tanker capability of our Armed Forces which, as everyone knows, needs upgrading. That is what we do with the money.

This amendment strengthens, not weakens, the defense of the country. It follows the recommendations of the Pentagon itself. It helps avoid a veto, which the Pentagon has indicated they will recommend if this amendment does not pass.

If Members are interested in the best possible defense for the country and the best use of taxpayer dollars at the same time, they will vote for this amendment.

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

Mr. Chairman, several questions have been raised that really have not been answered. The question about how many B-2's does the Pentagon want or did the Pentagon want, I remind my colleagues that in the beginning of the B-2 program, the Defense Department wanted 132 B-2's. When funding was obviously difficult, they reduced it to 75. And funding was even more difficult, they reduced it to 20. And as my colleague from California pointed out, when it became politically advantageous, the 20 went up to 21.

So the Department of Defense has been all over the board on how many B-2's they wanted. The Congress is of the opinion as we voted on the armed services authorization bill last month, that there should be nine additional B-2's to make it a three squadron force.

Where would the money go? The amendment would take this money from the B-2 line and put it into KC-135 reengining. In that account we are already \$152 million over the budget. The breast cancer program that most all of us support, the administration has never asked for it in the defense appropriations bill, but we have for years have funded it, and this year this bill is \$125 million over what the President's budget was. That was a big zero.

The gentleman from Vermont [Mr. SANDERS] talked about how we outspend everybody else in the world, and there is a lot of reason for that. One reason is we are an all-volunteer force. We do not have a draft. We do not require that people serve in the military of the United States. We believe that those who do volunteer and that those who do serve should have a decent quality of life, that they should not have to live in hovels, that they should not have to live on food stamps. So we include in this bill a pay raise. We include in this bill additional money to repair barracks. We include in this bill additional money for medical care for those who serve in the military and their families.

In fact about 70 percent of the money appropriated in this bill goes for those types of items, not to buy airplanes or ships or guns or tanks but to take care of our troops.

Then, Mr. Chairman, if I were Saddam Hussein or a would-be Saddam

Hussein, a would-be dictator and I saw that the United States has something as effective and powerful as a B-2, I would be very careful before I agitated or did something to bring the wrath of the United States against me.

It is difficult to prove a negative. But because of the effectiveness of the B-2 and the deterrent value that it brings to our force, how many wars, how many battles will we not have to fight?

It is hard to tell. But if we just did not have to fight one battle because we had something like the B-2, how many American lives would we save?

That is what we are talking about, accomplishing the mission and saving the lives of the Americans who do it.

Mr. DELAY. Mr. Chairman, I rise in opposition of this amendment.

It is no surprise that some Members would oppose a defense program that actually works to defend this Nation.

Some Members simply believe that our defense needs are secondary to social spending. I disagree.

I believe that the highest value this Federal Government has is defending our people against external threats.

Some Members believe that those threats to our Nation's survival are in permanent decline.

This is wishful thinking.

We live in an age when dictators are alive and well. They are busy stockpiling nuclear, biological, and chemical weapons.

We must prepare to defend ourselves against these very real threats, and the B-2 has proven time and again to be a potent and effective defensive weapon.

The notion that the B-2 is needlessly extravagant is simply wrong. The Air Force has estimated that a B-2 with two crewmembers could conduct an attack normally involving 75 tactical aircraft and 147 crewmembers.

The procurement and life-cycle costs of 75 tactical aircraft approaches \$7.5 billion. The comparable cost for one B-2 is \$1.1 billion.

Clearly, the B-2 provides us with the best opportunity to protect U.S. interests at the lowest cost and with the best possible technology.

I hope that my colleagues will make the right choice tonight.

A vote against keeping the B-2 line open and operational is shortsighted and we simply cannot afford to make such ill-considered, shortsighted choices.

I urge a "no" vote on this 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 House Resolution 198, further proceedings on the amendment offered by the gentleman from Wisconsin [Mr. OBEY] will be postponed.

The point of no quorum is considered withdrawn.

The Clerk will read.

The Clerk read as follows:

#### 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 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; \$2,320,741,000, to remain available for obligation until September 30, 2000.

#### 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; \$414,884,000, to remain available for obligation until September 30, 2000.

#### 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 196 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 \$232,340 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; \$6,588,939,000, to remain available for obligation until September 30, 2000; *Provided*, That of the funds appropriated in this paragraph \$14,843,000 shall not be obligated or expended until authorized by law.

#### 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 381 passenger motor vehicles for replacement only; 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; \$2,186,669,000, to remain available for obligation until September 30, 2000; *Provided*, That of the funds appropriated in this paragraph, \$349,680,000 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; \$850,000,000, to remain available for obligation until September 30, 2000: *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, \$154,895,000 shall not be obligated or expended until authorized by law.

## 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; \$4,686,427,000, to remain available for obligation until September 30, 1999.

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

Mr. Chairman, I claim this time for purposes of entering into a colloquy with the distinguished chairman, the gentleman from Florida, of the Subcommittee on National Defense.

I would like to bring the DRAGONFLY program to the gentleman's attention. The DRAGONFLY program will demonstrate the revolutionary flight potential of the canard rotor/wing or CRW high speed vertical take-off and landing concept and to assess and validate CRW's characteristics and capabilities using unmanned aircraft technology.

Details on this revolutionary program came to my attention too late to be included in the defense appropriations bill now under consideration. I understand that the Defense Department plans to pursue this technology. However, due to budgetary constraints, funds could not be included in this year's budget request.

Mr. Chairman, I respectfully request that the gentleman's subcommittee consider the funding requirements for the DRAGONFLY program during conference on the defense bill.

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

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

Mr. YOUNG of Florida. Mr. Chairman, I would say to the gentleman that I agree that the DRAGONFLY technology appears promising and that the committee will consider the gentleman's request during the conference and address this issue during that time.

Mr. HAYWORTH. Mr. Chairman, I thank the gentleman for his consideration and assistance.

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

## 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; \$7,907,837,000, to remain available for obligation until September 30, 1999: *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.

## 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; \$14,315,456,000, to remain available for obligation until September 30, 1999: *Provided*, That of the funds made available in this paragraph, \$4,000,000 shall be only for development of coal-derived jet fuel technologies.

## AMENDMENT NO. 5 OFFERED BY MR. NADLER

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows.

Amendment No. 5 offered by Mr. NADLER: Page 32, line 11, after the dollar amount, insert the following: "(reduced by \$420,000,000)".

Mr. YOUNG of Florida. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes and that the time be equally divided and controlled by the gentleman from New York [Mr. NADLER] and myself.

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

There was no objection.

The CHAIRMAN. The gentleman from New York [Mr. NADLER] and the gentleman from Florida [Mr. YOUNG], each will control 15 minutes.

The Chair recognizes the gentleman from New York [Mr. NADLER].

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

Mr. Chairman, I am offering an amendment to reduce the appropriation for the F-22 fighter plane program in an effort to demonstrate our concern over the continued cost growth for this program. This year the Air Force is requesting \$2 billion for research and development of the F-22. Last year the Air Force estimated that the 1998 cost would be \$1.65 billion, the amount set by my amendment. This amendment is a modest reduction in funding, not a cancellation of the costly F-22 program.

Many Members of Congress have expressed support for the F-22 program. I for one oppose it. But if we are going to spend tens of billions of dollars on it, if we are going to spend \$27 billion on it, we had better make sure the money is properly spent. Senator COATS of Indiana has recognized this and championed a similar amendment to this in the Senate defense authorization bill. This amendment therefore should enjoy at least some bipartisan support in both Houses.

The F-22 is one of three different types of tactical aircraft being developed for future deployment. The estimated total program cost of the three

tactical air programs in the President's budget, the F-22, the F/A-18E/F and the Joint Strike Fighter will be well over \$350 billion.

The Committee on National Security reports that, quote: "the long-term costs associated with DOD's modernization plan are staggering." At a time of fiscal restraint, developing three planes concurrently, three tactical airplanes at the same time seems duplicative and wasteful. While we are asking taxpayers to make sacrifices, we must be vigilant in our duty to guard against unnecessary spending. These dollars could be used to greater benefit.

We heard some of the better uses to which they could be put in the debate on the previous amendment. The F-22 program has been plagued by cost overruns and poor project management. Both the Air Force and the cost analysis and improvement group in DOD estimated increased cost for F-22 production above and beyond what was previously authorized. In testimony prior to the National Defense Act for Fiscal Year 1997, the Air Force informed the Senate Committee on Armed Services restructuring the program had been costly in the past and had resulted in future cost escalations.

This program is a poster child for Defense Department waste. We cannot allow these costs to keep creeping upward unchecked.

This year's request for a funding increase is based in part on the cancellation of four preproduction vehicles, foregoing production of 54 operational aircraft and transferring those funds into the engineering and manufacturing development account. So this transfer of funds means the number of planes produced will be decreased while the costs will continue to increase.

The Air Force therefore appears to be asking to do less with more rather than the opposite of what we usually hear that we ought to require government departments to do.

According to the GAO, the F-15E, which the F-22 is designed to replace, will continue to be the premier tactical aircraft in the world at least until 2010. Events in the Persian Gulf suggest that current tactical aircraft are more than able to counter any likely threat to United States forces. The U.S. may need one new fighter program for the years after 2010 but not three at the same time. We must reduce this program now and make it very clear that defense contractors will not be rewarded for high costs.

It is time we looked at our defense programs with a little more scrutiny. We must not simply rubber stamp a bloated defense budget that includes billions of dollars in excessive funding simply because we fundamentally believe, as we all do, in providing for a strong defense.

We must have the moral strength to reduce funding for defense projects even if they are built in Marietta, GA, and other reasons represented by powerful Members of the House. To ignore

these cost overruns and do nothing would be a gross disservice to the American people. To increase funding under such circumstances for an expensive program with a poor record of financial restraint would be an extreme case of protecting special interests at the expense of hard-working taxpayers.

It is a disservice to the American people that year after year we refuse to open the size and scope of our defense budget. I urge my colleagues to join me in fighting to keep costs under control even if those costs appear in a defense bill. The Defense Department should not be immune from our normal cost-sharing efforts.

Again, this amendment will simply reduce the R&D for this development of this fighter plane to the amount that the Air Force requested a year ago that they would request for this year. Again, in the situation in which we develop three tactical aircraft at the same time, I think this is a very modest request, a very modest amendment, and I urge my colleagues to support this amendment.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from California [Mr. CUNNINGHAM], who is from the Vietnam era, an aviation ace who has flown against these aircraft, who has had them fly against him. He has been shot at and he shot them down. I think he is an expert on this subject.

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

I understand part of the gentleman's amendment, that when we have a lot of different programs that we have to buy, then there is limited dollars. But I would also tell the gentleman that that has been created not artificially but by this very body. When we keep cutting defense, procurement, about 70 percent, when we have additional BRACC rounds and that takes, base closing rounds and that takes additional dollars, when we increase the operations tempo higher, higher than during the Vietnam conflict, which wears out our equipment, then we cannot put the money in research and development. We want to take money and advance the procurement for a carrier, which would save \$600 million. But if we take money out of that carrier from, say, the F-22, we take it from any of the other programs, then those costs go up.

□ 1300

So, eventually, we override the costs and we cannot even buy smart.

Those that are proponents of reducing defense, and they have that right, I disagree with that. But those that do, cost us not only national security but we cannot even buy smart because we cannot buy and keep a line open. We have to shut down a line, and we have to open it. We have to lay off workers and bring them back on. That is very costly.

But I want to talk tactically. These are some of the aircraft that the F-22 would have to go out and fight. I have flown most of what we have in the United States inventory and most of what the Soviets have. I can tell my colleagues their capabilities. I can tell my colleagues about their radars, their missiles, their maneuverability, what their electronic warfare equipment is, all the different tactical applications.

The F-22 will have a much different mission, say, than the FA-18EF. It will be more of a hunter-killer, flying with four to eight aircraft protecting B-2's, or actually on what we call a Mig cap, going in prior to going into a target and sweeping the area and having blue water and fleet air defense, as well as air superiority. As General Fogleman says, we need air dominance. We had air superiority in Desert Storm.

But as we go in, I would ask my colleagues to take a look at the reasons that we need these airplanes. The F-22, a lot of it is for the same reason that we needed the B-2. The F-22 is one of the new stealthy airplanes that we have to go in against a target and that the enemy, all those fighters that I showed my colleagues previously, do not know that they are there.

When we close in on a fighter and he does not know we are there, we get first shot, he does not. Right now, most of those airplanes on that other chart have missiles that will go farther than ours, they go faster and they detect us first. With the F-22, they do not detect us. It allows our shorter range missile to get inside so that we can fire and launch and leave, and now our guys are going to live. That is the value of the F-22.

Now, it is an Air Force airplane. I flew in the Navy. Why would I support an Air Force airplane? Because it is part of national security and it is part of the defense of this country. In this humble Member's opinion it is an aircraft that we need.

I agree there are not enough dollars to go around, and we could buy other programs, but when we take from one to give to the other, then the additional costs go up and that is not effective.

I would say to my friend that in this other chart, the aircraft of tomorrow are here today, only the United States does not have them. I am alive today because I had better training than the enemy. I am alive today because the airplane, the F-4 Phantom in Vietnam was better than the Mig-21. The missiles I had, the Sparrow and the Sidewinder, were better than the Aphid and the Apex, but that is no longer true.

This is the research and development. And I will be happy to take my colleagues up on the fourth floor where we can talk about the secure programs, the black programs that exist in this airplane, that are star wars technology that none of the other airplanes have and none of the other countries have. This will be an airplane for the future. This is an airplane that will mean the

difference between life and death for our aviators, our men and women.

Mr. NADLER. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I rise in support of the gentleman's amendment, and let me explain why.

I do not think there are many Members of this House who are more greatly respected than the gentleman from California [Mr. CUNNINGHAM]. I think he is respected both as a legislator and for his past service to this country in his military capacity, and because he is a genuinely nice person to know. But I want to say, nonetheless, that I think on the merits this amendment has the better of the argument.

I make that statement for this reason. The Pentagon is going to be buying three new tactical aircraft. One of them is the F-22. We are supposed to purchase them to replace the F-15. The F-15 is probably the finest fighter the United States has ever known. We have over 700 of them. The problem with this is that the cost of the F-22 has apparently been escalating by about 20 percent, if we take a look at the latest information, and that means it is going to cost about \$85 billion to buy 438 of these babies.

Now, the Congress hires the GAO, the General Accounting Office, to try to give us the best possible advice about how we ought to spend our money to get the biggest bang for it. And what they indicate is that the F-15, which is the plane that the F-22 is designed to replace, will last us at least until the year 2015.

They indicate, therefore, that they believe the purchase of the F-22, which is in this bill, is at least 7 years premature. They think there will be at least a 7-year overlap between the use of the F-22 and the F-15. So they, therefore, suggest that we slow down the purchase of the F-22's so that we do not run up the cost of this program any more than is necessary. I think that is the correct thing to do.

I would also point out that people say, "Well, we have a huge threat that we have to respond to." They do not point out that many of the countries that possess the planes that we are worried about are countries such as France, which the last time I looked was our ally. They do not point out that the Rand Corp. says this about the threat to the United States: "The air power forces of the former Soviet Union are fragmented and their recovery would take many years. The air fleets fielded by other potential adversaries are small and aging."

Another Rand study concludes that China will retire about half of its fighters and tac aircraft within the next 10 years and that they cannot afford to replace them. And if we ask the Defense Department, they will tell us that they believe that there will be few purchases of high performance fighter aircraft by any potential U.S. adversaries any time soon.

So I think the gentleman's amendment is a perfectly reasonable one. We all know we are going to have this plane some day, and it will, by all accounts, be a magnificent airplane. But the fact is we have competing needs in this defense budget and, once again, I tell my colleagues that this budget contains nothing but false promises if it continues to pretend that it can live under the existing 5-year budget ceilings that are established for it and still buy all of the new weapon systems, including tactical aircraft, which people are hoping to buy.

There just is not going to be enough room in that bag to buy everything that we are scheduled to buy. Sooner or later we will have to make a decision about which purchases we are going to eliminate, or else admit that the 5-year budget ceilings that are talked about in this new budget agreement are nothing but a public lie.

Now, that is the hard choice of it, and the sooner Congress faces up to it, the better off we will all be, and that is why I think the gentleman is correct in pursuing his amendment.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Washington [Mr. DICKS].

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

Mr. DICKS. Mr. Chairman, first of all, I want to rise in opposition to the Nadler amendment. As I understand it, we would be cutting \$420 million out of the F-22 procurement.

Now, what this would do would be to slow down this program.

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

Mr. DICKS. I yield to the gentleman from New York.

Mr. NADLER. Mr. Chairman, I would advise the gentleman it is \$420 million for the R&D, not procurement.

Mr. DICKS. Excuse me, Mr. Chairman, reclaiming my time, \$420 million from the R&D account, not the procurement account. I wish we were in procurement, but we are not there yet. We are still in R&D.

What that will do is to slow down this program rather substantially. I think this is a program that has already been stretched out to such an extent that one has to be concerned about how much money we are going to spend on R&D to get this program into procurement.

Now, the F-22 is the Air Force's No. 1 priority. Now, anyone who listened to the earlier debate, I might have a different set of priorities for the Air Force, but they believe that the F-22, the air superiority fighter, is absolutely essential for the United States to be able, as we did in the Gulf war, to be able to gain air superiority once a war starts.

Of course, this is the airplane that will be involved in coming in, attacking other aircraft, attacking surface-to-air missiles, Scud launchers, and it will be very, very important in the

early going in order to gain air superiority and to be able to cap the enemy so that they cannot get their aircraft off the ground.

Once we do that, then we can bring in all the nonstealthy assets that we currently possess, like the F-15's, the F-16's, the F-18's, et cetera. But it is the enabler. That is why stealth is so important, not just for bombers but also for our fighter aircraft. So I believe that this is one of the two or three most important programs we are involved in.

I think if we put together the F-22's and the B-2's, we get a tremendous synergism with an airplane that can give us air superiority and another one that can take advantage of that, to go in and knock out a variety of enemy targets and to ultimately allow us to win the war in such a way that we save American lives.

So I would argue strongly against slowing down the F-22, and that is what this amendment will do by cutting back R&D funding. I would assume it would slow it down for at least 1 year, maybe even more. It would have a devastating effect on the program itself.

Every time Congress gets up and does this, we adjust these programs, then the money is cut back, and then the contractors have to go back and readjust their entire schedule for developing the plane. So I feel very strongly that this program has already been interrupted and we should not do it again with this amendment.

Mr. Chairman, I urge a "no" vote on the Nadler amendment.

Mr. NADLER. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin [Mr. OBEY].

Mr. OBEY. Mr. Chairman, I would like to simply take this minute to say that I agree with one point the gentleman has just made. I think it is a mistake for us to stretch out the purchase time for every large weapon system that we buy because it does raise the per unit cost.

But if we agree with that, then we have to face up to the choice that we have to cut out one or more of these weapon systems. And that is why, it seems to me, that the Congress is making a grave mistake if we do not eliminate one of the three tac air systems which the Pentagon is supposed to buy under this bill.

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

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

Mr. DICKS. Mr. Chairman, I would say to the gentleman that one area we did not look at, that was not looked at in the Quadrennial Defense Review, is our nuclear weapons. I would argue we could make a reduction ourselves in nuclear weapons and use that money to fund these conventional programs which are usable.

I am a believer that nuclear weapons are there for deterrence and only deterrence, and we really do not get a hell of

a lot of military capability out of them.

Mr. OBEY. Mr. Chairman, I do not argue with that, but unless we are willing to cut the number of systems we buy, then the only choice we have is to pursue what the gentleman is pursuing.

Mr. NADLER. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman from New York [Mr. NADLER] has 4 minutes remaining, and the gentleman from Florida [Mr. YOUNG] has 7 minutes remaining.

Mr. YOUNG of Florida. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Ms. GRANGER].

Ms. GRANGER. Mr. Chairman, I rise today in strong opposition to the amendment offered by the gentleman from New York. The F-22 will be the Air Force's air superiority fighter for the first part of the 21st century. The Air Force needs the F-22 as soon as possible.

Right now the Air Force relies on the F-15 to fly its air superiority missions. The F-15 has served our Nation well and has been critical to ensuring that no American ground troop has been killed by enemy aircraft in over 40 years. But the F-15 is aging. Much of its technology was developed back in the 1970's and even the 1960's.

□ 1315

Though it was far superior than anything in the world when it was introduced, the rest of the world has slowly but surely caught up with the F-15. We still might have an edge in air superiority, but it is a slight edge at best.

The effect of the adoption of the amendment of the gentleman from New York [Mr. NADLER] would be to continue to rely on this old technology for years to come and to just get by. We would keep on flying the aging F-15 and hope that the world does not completely catch up with us before we unleash the F-22 fighter wings.

Mr. Chairman, we cannot afford to compromise our national security interests, as well as the safety and security of the brave men and women who serve our country, by just getting by. Proponents of cutting the F-22 argue that the world is a safe place and that we face no imminent dangers that justify immediate production of the F-22. But one of the main reasons that we face no dangers today, and I stress today, is that any potential enemies recognize the superiority of American technology and fighting strength.

But the longer we delay incorporating 21st century technology into our military, the more we invite potential foes to take the chance that they can match us in battle. Investing in technology like the F-22 Raptor today will, therefore, save us in the long run. War will be much less likely to occur if our enemies and potential enemies understand that engaging our military in battle is a guaranteed losing proposition.

The costs of war, even the cost of a brief and successful war like Desert



Storm, are much greater than the cost of peace. But more important than the ultimate economic savings we will reap from preventing wars with investing in the F-22 are the lives of fighting men and women that will be saved. By preventing as many conflicts as possible and then by thoroughly dominating those few in which we might have to engage, the F-22 Raptor will minimize harm to our troops in the field. The mothers and fathers of our men and women in uniform will be able to sleep better at night knowing that their children are less likely to be in harm's way.

Mr. Chairman, the F-22 is needed, and it is needed without any additional delay in production.

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

Mr. Chairman, a number of arguments are made against this amendment. The argument is made by the gentleman from California, who we all respect, is that we have to have air superiority, which we all agree with, and that if we do not have the F-22, we will not have air superiority, and that American fighters in some future war, therefore, will, God forbid, die from lack of the superiority in the technical equipment.

The argument ignores two facts. First, we heard the gentleman from Wisconsin [Mr. OBEY] refer to the Rand Commission reports. The Rand Commission says the air fleets of potential adversaries are small and aging. They are not coming up with new technology fighters. We do not see the Russians doing the research and spending the money to produce the next generation of fighters. The Chinese Air Force is going to be retired and not replaced because they are not doing it either.

So with whom are we competing for this great new technology? The French, our allies? The Defense Department says they see few high performance aircraft any time soon anywhere else in the world, other than perhaps in France, our allies.

Second, we are not opposing the F-22. We are saying stretch out the time before the procurement, do not reduce the procurement time, stretch out the time before the procurement so that there is not a 7-year overlap with the F-15. We will have the aircraft when we need it. But we do not need three separate tactical aircraft programs at the same time.

Finally, let me say, again the gentleman from Wisconsin [Mr. OBEY] alluded to this, in this 5-year budget agreement that everyone is talking about today, we have Defense Department caps for each year. We are not going to be able to maintain them if we keep buying every weapon on system, if we need more B-2's, if we need three new tactical aircraft systems.

So what are we doing? We are penny pinching in operations and training and personnel, when we ought to be spending more money, instead of procuring large numbers of new weapons

systems which we cannot possibly afford in the future and which we do not need. Some of them we need. But we have to make choices. Governing is about making choices.

This amendment is about making a choice, about reducing the cost overruns in this program, and hopefully giving us time to reconsider whether we need three tactical aircraft programs as a follow-on to the F-15, which, last time I looked, was one aircraft.

So I urge the adoption of this amendment.

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

Mr. YOUNG of Florida. Mr. Chairman, I yield myself the balance of the time, and I rise in opposition to the Nadler amendment. I understand that it is well-intentioned. Even though the program has already been slowed down with the agreement of the Congress, it is the No. 1 priority for the United States Air Force.

The phrase "air superiority" has been used during this debate several times. Let me tell you what air superiority is. Air superiority is the ability of our pilots flying our airplanes to go into the war zone and to deny access to the air by the enemy planes, either to shoot them down or, as we did in Desert Storm, to scare them so that they run when they see our airplanes.

The other part of air superiority is the soldier on the ground. The soldier on the ground, when he looks up, he wants to see an American airplane in control of the sky, he wants to know that the airplane up there is not going to drop a bomb or some kind of munition on him. That is why air superiority is so important.

The F-22 will guarantee us air superiority and control of the skies in the world as we know it today. But as the gentleman from California [Mr. CUNNINGHAM] pointed out earlier, many other countries are building new and outstanding technology aircraft. We have got to be able to keep up with that.

In the year 2015, a date that has been mentioned when the F-22 might be fully capable, fully operational, the F-15, which is a tremendous airplane, will be 45 years old. My 10-year-old son has told me repeatedly that he wants to be a fighter pilot. Well, if that should happen and he cannot fly the F-22 until the year 2015, he can be flying a 45-year-old airplane. I do not want that to happen, and I do not want anybody else that is going to be flying a combat aircraft to have to fly a 40-year-old airplane.

It is just not right because it takes away his advantage, it takes away his edge over the enemy. All of us pray to God that we never have to send another pilot to war or another soldier to a ground war. But unfortunately that may not be the case. But we have got to go with the best equipment, the best technology, the best training that we possibly can so that our soldiers in the

air, on the ground, our sailors on the sea, under the sea have the best training, the best equipment, the best technology possible so that they can, No. 1, accomplish their mission, Mr. Chairman, but No. 2, give themselves some protection while they are at it.

That is what this F-22 will do. It will help accomplish the mission and give our pilots protection and the ability to come home in their airplane, rather than come home as a POW or come home in a body bag. That is why this investment is a good investment and we ought to deny this amendment and allow the F-22 program to continue.

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. NADLER].

The amendment was rejected.

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

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; \$9,494,337,000, to remain available for obligation until September 30, 1999: *Provided*, That not less than \$444,898,000 of the funds appropriated in this paragraph shall be made available only for the Sea-Based Wide Area Defense (Navy Upper-Tier) program: *Provided further*, That funds appropriated for the Dual-Use Applications Program under section 5803 of the Treasury, Postal Service, and General Government Appropriations Act, 1997 (Public Law 104-208), shall remain available for obligation until September 30, 1998.

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; \$268,183,000, to remain available for obligation until September 30, 1999.

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; \$32,684,000, to remain available for obligation until September 30, 1999: *Provided*, That of the funds appropriated in this paragraph, \$9,300,000 shall not be obligated or expended until authorized by law.

TITLE V

REVOLVING AND MANAGEMENT FUNDS  
DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds; \$971,952,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, 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); \$1,199,926,000, 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 ship-board 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, \$18,300,000 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; \$10,309,750,000, of which \$10,035,682,000 shall be for Operation and maintenance, of which not to exceed three percent shall remain available until September 30, 1999, and of which \$274,068,000, to remain available for obligation until September 30, 2000, shall be for Procurement: *Provided*, That of the funds appropriated in this paragraph, \$55,300,000 shall not be obligated or expended until authorized by law.

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, \$595,700,000, of which \$472,200,000 shall be for Operation and maintenance, \$67,200,000 shall be for Procurement to remain available until September 30, 2000, and \$56,300,000 shall be for Research, development, test and evaluation to remain available until September 30, 1999.

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; \$713,082,000: *Provided*, That 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, \$51,411,000 shall not be obligated or expended until authorized by law.

tion to any transfer authority contained elsewhere in this Act: *Provided further*, That of the funds appropriated in this paragraph, \$51,411,000 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; \$142,980,000, of which \$141,180,000 shall be for Operation and maintenance, of which not to exceed \$600,000 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 \$1,800,000, to remain available until September 30, 2000, shall be for Procurement: *Provided*, That of the funds appropriated in this paragraph, \$4,600,000 shall not be obligated or expended until authorized by law.

## 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; \$196,900,000.

INTELLIGENCE COMMUNITY MANAGEMENT  
ACCOUNT

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Intelligence Community Management Account; \$125,580,000, of which \$39,011,000 for the Advanced Research and Development Committee and the Environmental Intelligence and Applications Program shall remain available until September 30, 1999: *Provided*, That of the funds appropriated under this heading, \$27,000,000 shall be transferred to the Department of Justice for the National Drug Intelligence Center to support the Department of Defense's counter-drug intelligence responsibilities, and of the said amount, \$1,500,000 for Procurement shall remain available until September 30, 2000, and \$3,000,000 for Research, development, test and evaluation shall remain available until September 30, 1999.

PAYMENT TO KAHŌ'OLAWĒ 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.

## NATIONAL SECURITY EDUCATION TRUST FUND

For the purposes of title VIII of Public Law 102-183, \$2,000,000, to be derived from the National Security Education Trust Fund, to remain available until expended.

## 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: *Provided further*, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "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. (a) 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:

Family of Medium Tactical Vehicles.

(b) None of the funds provided in this Act and hereafter may be used to submit to Congress (or to any committee of Congress) a request for authority to enter into a contract covered by those provisions of subsection (a) that precede the first proviso of that subsection unless—

(1) such request is made as part of the submission of the President's Budget for the United States Government for any fiscal year and is set forth in the Appendix to that budget as part of proposed legislative language for appropriations bills for the next fiscal year; or

(2) such request is formally submitted by the President as a budget amendment; or

(3) the Secretary of Defense makes such request in writing to the congressional defense committees.

SEC. 8009. 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. 8010. (a) During fiscal year 1998, 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 1999 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1999 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 1999.

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

SEC. 8011. 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. 8012. 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. 8013. (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 receiv-

ing 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.

(TRANSFER OF FUNDS)

SEC. 8014. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé 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. 8015. 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 in the United States exceeds 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 procurement 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. 8016. 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. 8017. 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. 8018. 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 1999 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. 8019. 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, .30 caliber rifles, or M-1911 pistols.

SEC. 8020. 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. 8021. 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 congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8022. 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 10101 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 sections 331, 332, 333, or 12406 of title 10, or other provision of law, as applicable, or

(B) full-time military service for his or her 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. 8023. 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. 8024. 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. 8025. 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. 8026. 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. 8027. (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. 8028. 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. 8029. 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 appropriations or fund which incurred such obligations.

SEC. 8030. Of the funds made available in this Act, not less than \$27,200,000 shall be

available for the Civil Air Patrol, of which \$22,702,000 shall be available for Operation and maintenance.

SEC. 8031. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other non-profit 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 from any source during fiscal year 1998 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.

(d) Notwithstanding any other provision of law, the Secretary of Defense shall reduce the total amounts appropriated in titles II, III, and IV of this Act by \$55,000,000: *Provided*, That the total amounts appropriated in titles II, III, and IV of this Act are hereby reduced by \$55,000,000 to reflect savings from the use of defense FFRDCs by the Department.

(e) Within 60 days after enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report presenting the specific amounts of staff years of technical effort to be allocated by the department for each defense FFRDC during fiscal year 1998: *Provided*, That, after the submission of the report required by this subsection, the department may not reallocate more than five percent of an FFRDC's staff years among other defense FFRDCs until 30 days after a detailed justification for any such reallocation is submitted to the congressional defense committees.

(f) The Secretary of Defense shall, with the submission of the department's fiscal year 1999 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year.

(g) The total amounts appropriated to or for the use of the department in title II of this Act are hereby further reduced by \$86,300,000 to reflect savings from the decreased use of non-FFRDC consulting services by the department.

(h) No part of the reductions contained in subsections (d) and (g) of this section may be applied against any budget activity, activity group, subactivity group, line item, program element, program, project, subproject or activity which does not fund defense FFRDC activities or non-FFRDC consulting services within each appropriation account.

(i) Not later than 90 days after enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report listing the specific funding reductions allocated to each category listed in subsection (h) above pursuant to this section.

SEC. 8032. 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. 8033. 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. 8034. 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. 8035. (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 1998. 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. 8036. 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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8037. 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. 8038. 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. 8039. 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. 8040. Notwithstanding any other provision of law, funds available for "Drug Interdiction and Counter-Drug Activities, Defense" may be obligated for the Young Marines program.

SEC. 8041. 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 Authorization 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. 8042. 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. 8043. 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. 8044. (a) During the current fiscal year, none of the appropriations or funds available to the Defense Working Capital

Funds 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 Working Capital Funds 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 1999 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1999 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 1999 procurement appropriation and not in the Supply Management Activity Group or any other area or category of the Defense Working Capital Funds.

SEC. 8045. None of the funds provided in this Act and hereafter 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. 8046. 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, 1999.

SEC. 8047. 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. 8048. 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. 8049. 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. 8050. (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 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. 8051. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, 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. 8052. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency, or to increase the number of personnel assigned to a field operating agency of a headquarters activity; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the Department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to field operating agencies funded within the National Foreign Intelligence Program.

SEC. 8053. Notwithstanding section 303 of Public Law 96-487 or any other provision of law, the Secretary of the Navy is authorized to lease real and personal property at Naval Air Facility, Adak, Alaska, pursuant to 10 U.S.C. 2667(f), for commercial, industrial or other purposes.

SEC. 8054. Notwithstanding any other provision of law, for resident classes entering the war colleges after September 30, 1998, 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: *Pro-*

*vided*, 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.

(RESCISSIONS)

SEC. 8055. Of the funds provided in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts in the specified amounts:

"Aircraft Procurement, Army, 1997/1999", \$10,000,000;

"Procurement of Ammunition, Army, 1997/1999", \$5,000,000;

"Other Procurement, Army, 1997/1999", \$46,000,000;

"Aircraft Procurement, Navy, 1997/1999", \$24,000,000;

"Other Procurement, Navy, 1997/1999", \$2,200,000;

"Aircraft Procurement, Air Force, 1997/1999", \$27,000,000;

"Shipbuilding and Conversion, Navy, 1996/2000", \$35,600,000;

"Other Procurement, Navy, 1996/1998", \$3,300,000;

"Research, Development, Test and Evaluation, Army, 1997/1998", \$7,000,000.

SEC. 8056. 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. 8057. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians 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. 8058. 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. 8059. 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. 8060. 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. 8061. 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, 1997 level: *Provided*, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8062. 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. 8063. (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. 8064. 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. 8065. 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. 8066. Notwithstanding any other provision of law, funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to American Samoa: *Provided*, That notwithstanding any other provision of law, funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to the Indian Health Service when it is in conjunction with a civil-military project.

SEC. 8067. 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. 8068. Notwithstanding any other provision of law, the Naval shipyards of the

United States shall be eligible to participate in any manufacturing extension program financed by funds appropriated in this or any other Act.

SEC. 8069. Notwithstanding any other provision of law, each contract awarded by the Department of Defense during the current fiscal year for construction or service performed in whole or in part in a State which is not contiguous with another State and has an unemployment rate in excess of the national average rate of unemployment as determined by the Secretary of Labor, shall include a provision requiring the contractor to employ, for the purpose of performing that portion of the contract in such State that is not contiguous with another State, individuals who are residents of such State and who, in the case of any craft or trade, possess or would be able to acquire promptly the necessary skills: *Provided*, That the Secretary of Defense may waive the requirements of this section, on a case-by-case basis, in the interest of national security.

SEC. 8070. 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. 8071. (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. 8072. (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.—This section applies to—

(1) 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

(2) 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. 8073. 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. 8074. 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. 8075. 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. 8076. Notwithstanding 31 U.S.C. 1552(a), not more than \$14,000,000 appropriated under the heading "Aircraft Procurement, Air Force" in Public Law 102-396 which was available and obligated for the B-2 Aircraft Program shall remain available for expenditure and for adjusting obligations for such Program until September 30, 2003.

SEC. 8077. 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.

## (TRANSFER OF FUNDS)

SEC. 8078. Upon enactment of this Act, the Secretary of Defense shall make the following transfers of funds: *Provided*, That the amounts transferred shall be available for the same purposes as the appropriations to which transferred, and for the same time period as the appropriation from which transferred: *Provided further*, That the amounts shall be transferred between the following appropriations in the amount specified:

From:  
Under the heading, "Shipbuilding and Conversion, Navy, 1989/2000":  
SSN-688 attack submarine program, \$3,000,000;  
DDG-51 destroyer program, \$1,500,000;  
LHD-1 amphibious assault ship program, \$8,000,000;  
T-AO fleet oiler program, \$3,453,000;  
AOE combat support ship program, \$3,600,000;  
For craft, outfitting, and post delivery, \$2,019,000;  
To:  
Under the heading, "Shipbuilding and Conversion, Navy, 1989/2000":  
SSN-21 attack submarine program, \$21,572,000;  
From:  
Under the heading, "Shipbuilding and Conversion, Navy, 1991/2001":  
DDG-51 destroyer program, \$1,060,000;  
LHD-1 amphibious assault ship program, \$1,600,000;  
LSD-41 cargo variant ship program, \$2,666,000;  
AOE combat support ship program, \$7,307,000;  
For craft, outfitting, and post delivery, \$12,000,000;  
To:  
Under the heading, "Shipbuilding and Conversion, Navy, 1991/2001":  
SSN-21 attack submarine program, \$24,633,000;  
From:  
Under the heading, "Shipbuilding and Conversion, Navy, 1996/2000":  
LHD-1 amphibious assault ship program, \$5,592,000;  
To:  
Under the heading, "Shipbuilding and Conversion, Navy, 1996/2000":  
SSN-21 attack submarine program, \$5,592,000;  
From:  
Under the heading, "Shipbuilding and Conversion, Navy, 1994/1998":  
LHD-1 amphibious assault ship program, \$400,000;  
DDG-51 destroyer program, \$1,054,000;  
From:  
Under the heading, "Shipbuilding and Conversion, Navy, 1995/1999":  
For craft, outfitting, and post delivery, conversions, and first destination transportation, \$715,000;  
From:  
Under the heading, "Shipbuilding and Conversion, Navy, 1996/2000":  
LHD-1 amphibious assault ship program, \$17,513,000;  
For craft, outfitting, and post delivery, conversions, and first destination transportation, \$878,000;  
From:  
Under the heading, "Shipbuilding and Conversion, Navy, 1997/2001":  
For craft, outfitting, and post delivery, conversions, and first destination transportation, \$3,600,000;  
To:  
Under the heading, "Shipbuilding and Conversion, Navy, 1997/2001":  
DDG-51 destroyer program, \$24,160,000;  
From:

Under the heading, "Aircraft Procurement, Air Force, 1997/1999", \$73,531,000;

To:

Under the heading, "Research, Development, Test and Evaluation, Air Force, 1997/1998", \$73,531,000.

SEC. 8079. The Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees by February 1, 1998 a detailed report identifying, by amount and by separate budget activity, activity group, subactivity group, line item, program element, program, project, subproject, and activity, any activity for which the fiscal year 1999 budget request was reduced because Congress appropriated funds above the President's budget request for that specific activity for fiscal year 1998.

SEC. 8080. (a) None of the funds available to the Department of Defense under this Act may be obligated or expended to reimburse a defense contractor for restructuring costs associated with a business combination of the defense contractor that occurs after the date of enactment of this Act unless—

(1) the auditable savings for the Department of Defense resulting from the restructuring will exceed the costs allowed by a factor of at least two to one, or

(2) the savings for the Department of Defense resulting from the restructuring will exceed the costs allowed and the Secretary of Defense determines that the business combination will result in the preservation of a critical capability that might otherwise be lost to the Department, and

(3) the report required by Section 818(e) of Public Law 103-337 to be submitted to Congress in 1997 is submitted.

(b) Not later than April 1, 1998, the Comptroller General shall, in consultation with the Inspector General of the Department of Defense, the Secretary of Defense, and the Secretary of Labor, submit to Congress a report which shall include the following:

(1) an analysis and breakdown of the restructuring costs paid by or submitted to the Department of Defense to companies involved in business combinations since 1993;

(2) an analysis of the specific costs associated with workforce reductions;

(3) an analysis of the services provided to the workers affected by business combinations;

(4) an analysis of the effectiveness of the restructuring costs used to assist laid off workers in gaining employment;

(5) in accordance with section 818 of Public Law 103-337, an analysis of the savings reached from the business combination relative to the restructuring costs paid by the Department of Defense.

(c) The report should set forth recommendations to make this program more effective for workers affected by business combinations and more efficient in terms of the use of Federal dollars.

SEC. 8081. Funds appropriated in title II of this Act for supervision and administration costs for facilities maintenance and repair, minor construction, or design projects may be obligated at the time the reimbursable order is accepted by the performing activity: *Provided*, That for the purpose of this section, supervision and administration costs includes all in-house Government cost.

SEC. 8082. (a) The Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement to fully recover the costs for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project

and be available to defray all costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8083. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8084. In accordance with section 1557 of title 31, United States Code, the following obligated balance shall be exempt from subchapter IV of chapter 15 of such title and shall remain available for expenditure without fiscal year limitation: Funds obligated by the Army for contract number DAK F 40-92-H-5001 from funds made available in the Department of Defense Appropriations Act, 1992 (Public Law 102-172) under the heading "Operation and Maintenance, Army".

SEC. 8085. In accordance with section 1557 of title 31, United States Code, the following obligated balance shall be exempt from subchapter IV of chapter 15 of such title and shall remain available for expenditure without fiscal year limitation: Funds obligated by the Economic Development Administration for EDA Project No. 04-49-04095 from funds made available in the Department of Defense Appropriations Act, 1994 (Public Law 103-189).

SEC. 8086. None of the funds provided by this Act may be used to pay costs of instruction for an Air Force officer for enrollment commencing during the 1998-1999 academic year in a postgraduate degree program at a civilian educational institution if—

(1) the degree program to be pursued by that officer is offered by the Air Force Institute of Technology (or was offered by that institute during the 1996-1997 academic year);

(2) the officer is qualified for enrollment at the Air Force Institute of Technology in that degree program; and

(3) the number of students commencing that degree program at the Air Force Institute of Technology during the first semester of the 1998-1999 academic year is less than the number of students commencing that degree program for the first semester of the 1996-1997 academic year.

SEC. 8087. Of the funds provided in this Act under the heading, "Environmental Restoration, Air Force", \$10,400,000 shall be deposited into the Foreign Military Sales Trust Fund to the credit of the Canadian Government pursuant to the exchange of notes between the Governments of the United States and Canada concerning environmental clean-up at former United States' military installations in Canada.

SEC. 8088. During the current fiscal year, the amounts which are necessary for the operation and maintenance of the Fisher Houses administered by the Departments of the Army, the Navy, and the Air Force are hereby appropriated, to be derived from amounts which are available in the applicable Fisher House trust fund established under 10 U.S.C. 2221 for the Fisher Houses of each such department.

SEC. 8089. During the current fiscal year, refunds attributable to the use of the Gov-

ernment travel card by military personnel and civilian employees of the Department of Defense may be credited to operation and maintenance accounts of the Department of Defense which are current when the refunds are received.

SEC. 8090. During the current fiscal year, not more than a total of \$60,000,000 in withdrawal credits may be made by the Marine Corps Supply Management activity group of the Navy Working Capital Fund, Department of Defense Working Capital Funds, to the credit of current applicable appropriations of a Department of Defense activity in connection with the acquisition of critical low density repairables that are capitalized into the Navy Working Capital Fund.

SEC. 8091. Notwithstanding 31 U.S.C. 3902, during the current fiscal year interest penalties may be paid by the Department of Defense from funds financing the operation of the military department or defense agency with which the invoice or contract payment is associated.

SEC. 8092. At the time the President submits his budget for fiscal year 1999, the Department of Defense shall transmit to the congressional defense committees a budget justification document for the active and reserve Military Personnel accounts, to be known as the "M-1", which shall identify, at the budget activity, activity group, and subactivity group level, the amounts requested by the President to be appropriated to the Department of Defense for military personnel in any budget request, or amended budget request, for fiscal year 1999.

SEC. 8093. Notwithstanding any other provision in this Act, the total amount appropriated in this Act is hereby reduced by \$100,000,000 to reflect savings due to excess inventory, to be distributed as follows: "Operation and Maintenance, Army", \$15,000,000; and "Operation and Maintenance, Navy", \$85,000,000.

SEC. 8094. The amount otherwise provided in this Act for "Environmental Restoration, Army" is hereby reduced by \$73,000,000, to reflect funds carried by the Army as a result of shared cleanup costs.

SEC. 8095. Notwithstanding any other provision in this Act, the total amount appropriated in title III of this Act is hereby reduced by \$50,000,000 to reflect savings from repeal of Section 2403 of title 10, United States Code.

SEC. 8096. None of the funds in this or any other Act may be used by the National Imagery and Mapping Agency for any mapping, charting, and geodesy activities unless contracts for such services are awarded in accordance with the qualifications based selection process in 40 U.S.C. 541 et seq. and 10 U.S.C. 2855: *Provided*, That an exception shall be provided for such services that are critical to national security after a written notification has been submitted by the Deputy Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8097. During the current fiscal year, the Secretary of Defense may award contracts for capital assets having a development or acquisition cost of not less than \$100,000 of a Working Capital Fund in advance of the availability of funds in the Working Capital Fund for minor construction, automatic data processing equipment, software, equipment, and other capital improvements.

SEC. 8098. The Secretary of Defense shall submit to the congressional defense committees not later than November 15, 1997 an aviation safety plan outlining an appropriate level of navigational safety upgrades for all Department of Defense aircraft and the associated funding profile to install these upgrades in an expeditious manner.



SEC. 8099. The Secretary of Defense shall submit to the Committees on Appropriations of the House of Representatives and Senate, not later than April 15, 1998, a report on alternatives for current theater combat simulations: *Provided*, That this report shall be based on a review and evaluation by the Defense Science Board of the adequacy of the current models used by the Department of Defense for theater combat simulations, with particular emphasis on the tactical warfare (TACWAR) model and the ability of that model to adequately measure airpower, stealth, and other asymmetrical United States warfighting advantages, and shall include the recommendations of the Defense Science Board for improvements to current models and modeling techniques.

SEC. 8100. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Foreign Intelligence Program: *Provided further*, 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 the Senate that it is in the national security interest to do so.

SEC. 8101. The budget of the President for fiscal year 1999 submitted to Congress pursuant to section 1105 of title 31, United States Code, and each annual budget request thereafter, shall include budget activity groups (known as "subactivities") in the operation and maintenance accounts of the military departments and other appropriation accounts, as may be necessary, to separately identify all costs incurred by the Department of Defense to support the expansion of the North Atlantic Treaty Organization. The budget justification materials submitted to Congress in support of the budget of the Department of Defense for fiscal year 1999, and subsequent fiscal years, shall provide complete, detailed estimates for the incremental costs of such expansion.

Mr. YOUNG of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of title VIII, through page 96, line 21, 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. TRAFICANT

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

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT:

Page 96, after line 7, insert the following new sections:

SEC. 8100A. It is the sense of the Congress that all member nations of the North Atlantic Treaty Organization (NATO) should contribute their proportionate share to pay for the costs of the Partnership for Peace program and for any future costs attributable to the expansion of NATO.

SEC. 8100B. None of the funds in this Act may be used to pay for NATO expansion not authorized by law.

Mr. TRAFICANT (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. TRAFICANT. Mr. Chairman, the amendment states that members of NATO should contribute their fair share for any expansion of NATO in Europe. It also states that funds in this bill shall be used for those which are authorized by the Congress. Very straightforward and simple.

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

Mr. TRAFICANT. I yield to the gentleman from Pennsylvania, the distinguished ranking member.

Mr. MURTHA. The chairman and I have discussed this at length, and we will fall on our sword trying to get what the gentleman from Ohio [Mr. TRAFICANT] wants. We will do everything we can to take care of the gentleman from Ohio.

Is that not right, Mr. Chairman?

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

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

Mr. YOUNG of Florida. I would say that we agree completely with what this amendment is trying to accomplish. We do have a little concern about how this language might fit in with the President's signing of the bill. But we do appreciate the gentleman making some changes in the language that were recommended.

With that, we prepared to accept the amendment with the understanding that if we hear from the administration, we may have to come back and see if there would be additional changes that the gentleman might be agreeable to.

Mr. TRAFICANT. Mr. Chairman, I yield to the gentleman from Washington [Mr. DICKS], the distinguished linebacker from the University of Washington.

Mr. DICKS. Mr. Chairman, I want to say to my friend, the gentleman from Ohio [Mr. TRAFICANT], I read his amendment. I think it is a good amendment. We will work hard with him with the administration, and I hope the House will support his amendment.

Mr. TRAFICANT. Mr. Chairman, reclaiming my time, in closing out here, we need not have a black sinkhole hole for money going to protect Europe folks. All we say is, let us go by which we authorize. The Congress and people govern. We do not have governance through the White House.

Mr. Chairman, I urge an "aye" vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. CLAYTON

Mrs. CLAYTON. Mr. Chairman, I offer an amendment, and I ask unanimous consent that it be considered at this time although it addresses a portion of the bill not yet read for amendment.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mrs. CLAYTON:

Page 100, after line 15, insert the following new section:

SEC. \_\_\_\_\_. The Secretary of the Army may reimburse a member of the Army who was deployed from the United States to Europe in support of operations in Bosnia and who incurred an out-of-pocket expense for shipment of a personal item to or from Europe during the period beginning on October 1, 1996, and ending on May 30, 1997, if the shipment of that item, if made after May 30, 1997, would have been provided by the Department of the Army through the Temporary Change of Station (TCS) weight allowance under the Joint Travel Regulation, as in effect after that date.

□ 1330

Mrs. CLAYTON. Mr. Chairman, I have spoken both with the ranking minority member and the chairman of the subcommittee, so they are aware what the basis of this amendment is. This is an equity issue. It is a fairness issue. By approving this amendment, we will authorize the Department of the Army to pay for the shipment of personal items which the Department itself has paid for before and which now, after some persuasion, are again providing for.

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

Mrs. CLAYTON. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, the gentlewoman came to us with this amendment today. We talked to the staff and we know there has been an injustice here. If the gentlewoman will withdraw her amendment, we will do everything we can to work this thing out in conference.

Mrs. CLAYTON. I do plan to withdraw it because we do have the commitment from both sides to work it out; but if I may proceed, just to give the equity reason for it. I wanted our colleagues to know what this committee will be doing to try to rectify this issue.

This is an issue that was caused because there was an administrative procedure change which meant that we did not reimburse the National Guard or the Army Reserve that went to Bosnia when we had before. So there were a number of individuals, National Guard Members who came to me saying they had no way of getting their moneys back because there was no authority to reimburse them for sending their personal items back home.

What this means: That those men and women serving in our military in Bosnia would have to pay it out of their own pockets unless the committee works this out. I am delighted that the committee sees the value and the equity of ensuring that those who serve us in our Armed Forces are not required to take on an extra burden. In the light of their cooperation, not only the 125 Reservists and National Guardsmen in my district, but some

4,280 throughout the Nation had to pay for it out of their pockets. With this committee correcting this, this will mean that more than 4,000 people will now be able to have these expenses reimbursed and they will not have to assume the obligation of the American people and defending our country out of their pocket. I want to thank both the chairman and the ranking member for providing the leadership.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

Mr. POMEROY. Mr. Chairman, I move to strike the last word. I rise to engage the gentleman from Florida [Mr. YOUNG], the chairman of the subcommittee, in a colloquy.

Mr. Chairman, I am deeply concerned about the Pentagon's plan to retire 23 B-52 bombers, roughly 25 percent of the B-52 fleet. In light of the uncertain prospects for Russian ratification of START II and the continuing need for long-range conventional airpower, I believe it would be unwise to make unilateral reductions in the only battle-tested, dual-capable bomber in the U.S. inventory. I would ask the subcommittee chairman if he shares my concerns about the proposed reduction in the B-52 fleet.

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

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

Mr. YOUNG of Florida. As the gentleman knows, in each of the last 4 years, the subcommittee has supported additional funding to maintain the full fleet of B-52's. But I am sure that he is also aware that the Senate has included additional funds to keep all 94 B-52's in the active inventory. Although the House authorization committee did not authorize this for this fiscal year, the action taken by the Senate is consistent with this subcommittee's recommendation in recent years.

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

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

Mr. DICKS. I rise to express my strong support for maintaining the full fleet of 94 B-52's. In the last decade, over \$4 billion has been invested to thoroughly modernize the B-52 bomber. The B-52 not only supports the air-leg of the nuclear triad, but it is also a potent conventional weapon able to carry the complete inventory of smart weapons. I assure the gentleman from North Dakota that I will work to see that the necessary funding is provided in conference to keep all 94 B-52's in the active inventory. I have discussed this with the gentleman from Pennsylvania [Mr. MURTHA] as well.

Mr. POMEROY. I thank the gentleman from Florida and I thank the gentleman from Washington. I look forward to working with them as this bill moves into conference.

AMENDMENT OFFERED BY MR. OBEY

The CHAIRMAN. Pursuant to House Resolution 198, 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 200, noes 222, not voting 12, as follows:

[Roll No. 336]

AYES—200

Abercrombie	Goodling	Pastor
Allen	Gordon	Paul
Andrews	Greenwood	Payne
Baldacci	Gutierrez	Pelosi
Ballenger	Hall (OH)	Peterson (MN)
Barrett (WI)	Hamilton	Petri
Barton	Hilliard	Pickett
Bass	Hoekstra	Porter
Becerra	Hooley	Portman
Bereuter	Houghton	Poshard
Berry	Jackson (IL)	Price (NC)
Blagojevich	Johnson (WI)	Pryce (OH)
Blumenauer	Kanjorski	Quinn
Boehlert	Kaptur	Rahall
Bonior	Kasich	Ramstad
Boswell	Kennedy (MA)	Rangel
Boucher	Kennedy (RI)	Regula
Boyd	Kennelly	Rivers
Brown (OH)	Kildee	Roemer
Burr	Kilpatrick	Ros-Lehtinen
Camp	Kind (WI)	Rothman
Capps	Klecza	Roukema
Cardin	Klug	Roybal-Allard
Carson	Kolbe	Rush
Castle	Kucinich	Sabo
Chabot	LaFalce	Sanders
Clay	Lampson	Sanford
Clayton	Lantos	Sawyer
Clement	Largent	Schumer
Coble	Latham	Scott
Coburn	Lazio	Sensenbrenner
Combest	Leach	Serrano
Condit	Levin	Shays
Conyers	Lewis (GA)	Shuster
Costello	Lipinski	Sisisky
Coyne	LoBiondo	Skaggs
Danner	Lofgren	Slaughter
Davis (FL)	Lowey	Smith (MI)
Davis (IL)	Luther	Smith, Adam
DeFazio	Maloney (NY)	Smith, Linda
DeGette	Markey	Snyder
DeLahunt	Mascara	Spratt
DeLauro	McCarthy (MO)	Stabenow
Dellums	McCarthy (NY)	Stark
Deutsch	McDermott	Stenholm
Doggett	McGovern	Stokes
Doyle	McHale	Strickland
Duncan	McKinney	Stupak
Edwards	McNulty	Sununu
Ehlers	Meehan	Tanner
Engel	Menendez	Tauscher
Eshoo	Miller (CA)	Tierney
Evans	Miller (FL)	Towns
Farr	Minge	Upton
Fattah	Mink	Velazquez
Flake	Moakley	Vento
Foley	Molinaro	Wamp
Ford	Moran (VA)	Watt (NC)
Frank (MA)	Morella	Waxman
Franks (NJ)	Nadler	Weldon (PA)
Furse	Neal	Weygand
Galleghy	Oberstar	White
Ganske	Obey	Wise
Gejdenson	Olver	Woolsey
Gephardt	Owens	Wynn
Goode	Pallone	Yates
Goodlatte	Pascrell	

NOES—222

Ackerman	Gilchrest	Nethercutt
Aderholt	Gillmor	Neumann
Archer	Gilman	Northup
Armey	Goss	Norwood
Bachus	Graham	Nussle
Baesler	Granger	Ortiz
Baker	Green	Oxley
Barcia	Gutknecht	Packard
Barr	Hall (TX)	Pappas
Barrett (NE)	Hansen	Parker
Bartlett	Harman	Paxon
Bateman	Hastert	Pease
Bentsen	Hastings (FL)	Peterson (PA)
Berman	Hastings (WA)	Pickering
Bilbray	Hayworth	Pitts
Billirakis	Hefley	Pombo
Bishop	Hefner	Pomeroy
Bliley	Hergert	Radanovich
Blunt	Hill	Redmond
Boehner	Hilleary	Reyes
Bonilla	Hinchee	Riggs
Bono	Hinojosa	Rodriguez
Borski	Hobson	Rogan
Brady	Holden	Rogers
Brown (CA)	Horn	Rohrabacher
Brown (FL)	Hostettler	Royce
Bryant	Hoyer	Ryun
Bunning	Hulshof	Salmon
Burton	Hunter	Sanchez
Buyer	Hutchinson	Sandlin
Callahan	Hyde	Saxton
Calvert	Inglis	Scarborough
Campbell	Istook	Schaefer, Dan
Canady	Jackson-Lee	Schaffer, Bob
Cannon	(TX)	Sessions
Chambliss	Jefferson	Shadegg
Chenoweth	Jenkins	Shaw
Christensen	John	Sherman
Clyburn	Johnson (CT)	Shimkus
Collins	Johnson, E. B.	Skeen
Cook	Johnson, Sam	Skelton
Cooksey	Jones	Smith (NJ)
Cox	Kelly	Smith (OR)
Cramer	Kim	Smith (TX)
Crane	King (NY)	Snowbarger
Crapo	Kingston	Solomon
Cubin	Klink	Souder
Cunningham	Knollenberg	Spence
Davis (VA)	LaHood	Stearns
Deal	Lewis (CA)	Stump
DeLay	Lewis (KY)	Talent
Diaz-Balart	Linder	Tauzin
Dickey	Livingston	Taylor (MS)
Dicks	Lucas	Taylor (NC)
Dixon	Maloney (CT)	Thomas
Dooley	Manton	Thompson
Doolittle	Manzullo	Thornberry
Dreier	Martinez	Thune
Dunn	Matsui	Thurman
Ehrlich	McCollum	Tiahrt
Emerson	McCrery	Torres
English	McDade	Traficant
Ensign	McHugh	Turner
Etheridge	McIntosh	Visclosky
Everett	McIntyre	Walsh
Ewing	McKeon	Waters
Fawell	Meek	Watkins
Fazio	Metcalf	Watts (OK)
Filner	Mica	Weldon (FL)
Fowler	Millender-	Weller
Fox	McDonald	Whitfield
Frelinghuysen	Mollohan	Wicker
Frost	Moran (KS)	Wolf
Gekas	Murtha	Young (FL)
Gibbons	Myrick	

NOT VOTING—12

Cummings	Gonzalez	Riley
Dingell	LaTourette	Schiff
Foglietta	McInnis	Wexler
Forbes	Ney	Young (AK)

□ 1355

Messrs. BRADY, BONO, PITTS, Ms. WATERS, and Mrs. JOHNSON of Connecticut changed their vote from "aye" to "no."

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

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GALLEGLY. Mr. Chairman, unfortunately on rollcall 336, I did not

verify the electronic vote. It was my intention to vote "no" on the Obey amendment as a strong supporter of the B-2 and I either inadvertently or incorrectly voted "yes."

PERSONAL EXPLANATION

Mr. LATOURETTE. Mr. Chairman, I was unfortunately detained for rollcall vote No. 336 to the Department of Defense Appropriations Act. Had I been present I would have voted "yes". As my voting record will reflect, I have consistently voted against additional B-2 funding.

I was not present for the vote because I was testifying before the National Capital Memorial Commission in support of my legislation, H.R. 1608, the Pyramid of Remembrance Act. As you know, H.R. 1608 would establish a memorial in the District of Columbia or its surrounding areas for soldiers who died in undeclared military conflicts and training exercises. I am proud to report that the idea for this bill came from high school students at Riverside High School in my district. Since its introduction, the bill has gained bipartisan support in the House of Representatives. I am looking forward to working with the leadership in moving the bill through the legislative process so that the lives of these brave and selfless soldiers are not forgotten.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 8102. (a) LIMITATION.—Funds appropriated or otherwise made available for the Department of Defense for any fiscal year may not be obligated for the deployment of any ground elements of the United States Armed Forces in the Republic of Bosnia and Herzegovina after—

(1) June 30, 1998; or

(2) such later date as may be specifically prescribed by law after the date of the enactment of this Act, based upon a request from the President or otherwise as the Congress may determine.

(b) EXCEPTIONS.—The limitation in subsection (a) shall not apply to the extent necessary to support (1) a limited number of United States diplomatic facilities in existence on the date of the enactment of this Act, and (2) noncombat military personnel sufficient only to advise the commanders North Atlantic Treaty Organization peacekeeping operations in the Republic of Bosnia and Herzegovina.

(c) CONSTRUCTION OF SECTION.—Nothing in this section shall be deemed to restrict the authority of the President under the Constitution to protect the lives of United States citizens.

(d) LIMITATION ON SUPPORT FOR LAW ENFORCEMENT ACTIVITIES IN BOSNIA.—None of the funds appropriated or otherwise made available to the Department of Defense for any fiscal year may be obligated or expended after the date of the enactment of this Act for the conduct of, or direct support for, law enforcement activities in the Republic of Bosnia and Herzegovina, except for the training of law enforcement personnel or to prevent imminent loss of life.

(e) PRESIDENTIAL REPORT ON POLITICAL AND MILITARY CONDITIONS IN BOSNIA.—(1) Not later than December 15, 1997, the President shall submit to Congress a report on the political and military conditions in the Republic of Bosnia and Herzegovina (hereafter in this subsection referred to as Bosnia-Herzegovina). Of the funds available to the Secretary of Defense for fiscal year 1998 for the operation of United States ground forces in Bosnia-Herzegovina during that fiscal year, no more than 60 percent may be expended before the report is submitted.

(2) The report under paragraph (1) shall include a discussion of the following:

(A) An identification of the specific steps taken by the United States Government to transfer the United States portion of the peacekeeping mission in the Republic of Bosnia and Herzegovina to European allied nations or organizations.

(B) A detailed discussion of the proposed role and involvement of the United States in supporting peacekeeping activities in the Republic of Bosnia and Herzegovina following the withdrawal of United States ground forces from the Republic of Bosnia and Herzegovina pursuant to subsection (a).

(C) A detailed explanation and timetable for carrying out the President's commitment to withdraw all United States ground forces from Bosnia-Herzegovina by the end of June 1998, including the planned date of commencement and completion of the withdrawal.

(D) The date on which the transition from the multinational force known as the Stabilization Force to the planned multinational successor force to be known as the Deterrence Force will occur and how the decision as to that date will impact the estimates of costs associated with the operation of United States ground forces in Bosnia-Herzegovina during fiscal year 1998 as contained in the President's budget for fiscal year 1998.

(E) The military and political considerations that will affect the decision to carry out such a transition.

(F) Any plan to maintain or expand other Bosnia-related operations (such as the operation designated as Operation Deliberate Guard) if tensions in Bosnia-Herzegovina remain sufficient to delay the transition from the Stabilization Force to the Deterrence Force and the estimated cost associated with each such operation.

(G) Whether allied nations participating in the Bosnia mission have similar plans to increase and maintain troop strength or maintain ground forces in Bosnia-Herzegovina and, if so, the identity of each such country and a description of that country's plans.

(3) As used in this subsection, the term "Stabilization Force" (referred to as "SFOR") means the follow-on force to the Implementation Force (known as "IFOR") in the Republic of Bosnia and Herzegovina and other countries in the region, authorized under United Nations Security Council Resolution 1008 (December 12, 1996).

□ 1400

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

This Act may be cited as the "Department of Defense Appropriations Act, 1998".

AMENDMENT OFFERED BY MR. SOLOMON

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

The Clerk read as follows:

Amendment offered by Mr. SOLOMON: Page 100, after line 15, insert the following new section.

SEC. 8103. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with a contractor that is subject to the reporting requirement set forth in subsection (d) of section 4212 of title 38, United States Code, but has not submitted the most recent report required by such subsection for 1997 or a subsequent year.

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 not take 5 minutes. Discrimination in America is wrong. It goes against everything we stand for as a nation. What is especially ugly is discrimination against disabled veterans, and Vietnam veterans, in particular. Mr. Chairman, we owe these men and women the best of the very best, fair and open consideration for employment.

A couple of years ago we passed a program called Vet 100, which requires contractors to report their hiring practices of veterans, disabled veterans and Vietnam veterans. Since that time, there were 25,000 contractors across this Nation that were either intentionally or unintentionally in non-compliance for this law. After an amendment we passed last year, we brought 8,000 of those contractors, simply because they were made aware of it, into compliance in the program.

We are asking now that this be attached to this particular bill so that it will bring notice to all of the contractors and make them aware so they can again comply with this law, so we can begin to hire these disabled American veterans, along with Vietnam veterans.

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

Mr. SOLOMON. I yield to the very distinguished gentleman from Florida [Mr. YOUNG], the chairman of the Subcommittee on National Security of the Committee on Appropriations.

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

Mr. Chairman, as the gentleman has stated, last year we did accept this amendment. We thought it would work fine. It has worked partially. I think it is important that we continue this language. The chairman of the Committee on Rules, the very distinguished chairman, has worked with us on writing the language in such a way I think as will be very effective. I am very, very happy to accept this amendment. I think it is something that ought to be done.

Mr. SOLOMON. I certainly thank the gentleman, Mr. Chairman. With him having said that, I am getting a signal from the very distinguished ranking member of the subcommittee, a great former marine.

Mr. Chairman, I ask consideration on my amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. SOLOMON]. The amendment was agreed to.

AMENDMENT OFFERED BY MR. OBEY

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

The Clerk read as follows:

Amendment offered by Mr. OBEY: Page 100, after line 15, insert the following new section:

SEC. 8103. None of the funds made available in this Act may be used to approve or license the sale of F-22 advanced tactical fighter to any foreign government.

Mr. OBEY. Mr. Chairman, this country is going to spend \$85 billion to build

a new generation of fighter aircraft, the F-22, and we are told that the reason we must do that is because we have sold so many of our F-16's around the world, and so many of our F-15's, that we now have to stay ahead of the capability of other countries. So we are told that in order to do that we have to make this large expenditure.

Mr. Chairman, all this amendment says is that if we are going to go ahead and spend that \$85 billion, that we ought not to make the same mistake we made in the past. That is why this amendment says that no F-22's can be sold abroad.

The reason I am urging that we adopt this amendment is that the contractor, Lockheed, has already been quoted several times saying that they fully plan to market the F-22 abroad, and the Air Force is also indicating they are looking at foreign sales as a means of reducing the overall cost of the program.

Everything that we know about this plane tells us it is going to be a technological marvel. I would like to know why on Earth we would even consider selling this plane abroad if the purpose of building it in the first place is to react to the fact that we have sold abroad so many sophisticated fighters in the past that we now have to build this new plane in order to stay ahead of the people we have sold it to.

Very simply, all I am saying is that we have to make a choice. We either stand up for America's interest and support this amendment, or stand up for the contractor's interest and oppose it, because this is an argument between those of us who believe that if we are going to spend \$85 billion, we ought to keep that technology at home, versus those who say, "Well, sorry, but we have not learned a thing from the last round. So even though we are being told we have to build this plane because we have sold so many sophisticated aircraft around the world, we are willing to ignore past history and do it all over again."

So I think the purpose of the amendment is self-evident. I cannot imagine, I cannot imagine any reason for turning down this amendment except that the contractor wants to sell these planes abroad, and has therefore convinced people that we ought to make the same mistake over again.

Anybody who is paid what we are being paid enough to avoid a stupid mistake like that. I would urge support for the amendment.

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

Mr. Chairman, this is the first I have heard of this amendment. I will probably vote for this amendment. I will tell the Members why. This will really fundamentally fall on a lot of deaf ears in this House, and maybe it will make a few people yawn. I have to tell the Members that I think one of the most serious things that is going on in the world today is the unregulated, the unprecedented level of arms sales that exists in the world today.

I support the F-22 because I think it is absolutely essential that we maintain air superiority in any time of trouble for the United States and our allies. I think the F-22 is essentially the next leap of technology that allows us to maintain air superiority. I, of course, do not share that view on the necessity of the stealth bomber, but I do share that view on tactical aircraft.

But frankly, if we are going to develop a sophisticated tactical aircraft, to develop the next level of sophisticated fighter aircraft designed to give the United States clear air superiority, then to turn around and sell that technology to other countries forces us into the next level of tactical aircraft at great cost.

Look, Republicans and Democrats on both sides of the aisle, do Members not understand what we are doing in the world with the sale of all this sophisticated weaponry, designed to a large degree to preserve assembly lines? What we do is we give enemies weapons with hair-trigger mechanisms that allow each side to have more lethality, to have more power, more quickness, less warning time. Whenever conflicts arise, it denies us the time we want in order to resolve those conflicts without death.

I also would point out that the greatest fear I have for our children in my lifetime is the proliferation of weapons of mass destruction. I worry that some day, at some point, some world leader or some group of terrorists will get their hands on these lethal weapons of mass destruction that can be used without the consideration of loss of flesh and blood of people on any part of this globe. I worry that at some point in our lifetime we will wake up one morning and find out that two brutal enemies have used these weapons against one another.

I do not know whether it is true, the article that was written in one of the magazines several years ago about the almost conflict between India and Pakistan. But I do not want to wake up one morning, having armed these enemies to the teeth with increasingly effective weapons with increased lethality, to find out that somehow we played a role in it. That does not mean we do not need to develop the sophisticated weapons to guarantee the national security of the United States and our allies, but it does mean we need to be careful with this technology.

I wish we would all step back for a second and think about what our policies are on arms sales, what our commitment is to protect those elements that contribute to the weapons of mass destruction, to deny them from individuals in this world who would use them against the cause of order and peace and humanity.

I would urge everybody to march to this floor today and deny the ability of the defense industry to begin to sell this weapon of sophistication that the United States needs. Let us protect

that technology. Let us slow down the arms race. Let us do it for our children. Let us not just do it for ourselves, let us also do it for our children.

I would hope that on a bipartisan basis, we could begin to get a handle on this problem of proliferation of weapons and of sky-high arms sales. There are better ways in this world to make money, to make profits, than to allow this seemingly free flow of technology. Let us stand up for national security, but let us also stand up for peace.

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

Mr. Chairman, my original thought was, and the gentleman from Texas Mr. MARTIN FROST was quite concerned about this amendment, but actually when we look at the facts, it really would not have any impact because this is a 1-year bill. Certainly we have to send a message that when we have a technological superiority, it is something we want to look at very closely.

Mr. Chairman, I would, with reservations, accept this amendment, and hope we could work something out in conference.

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

Mr. Chairman, we have talked to the gentleman from Wisconsin [Mr. OBEY] about this. He made several changes that we thought were important to make to this so it applied properly to the bill. Having done that, we have been prepared to accept this amendment, and we are happy to hear from the gentleman from Ohio, but we are prepared to accept the amendment.

From the leadership of the subcommittee, we accept the amendment, Mr. Chairman.

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

Mr. Chairman, I will only speak for a short amount of time. Mr. Chairman, I understand what the gentleman from Wisconsin [Mr. OBEY] is attempting to do here. I would caution him, and I will support the amendment, one of the most troubling times I had in my military career was being outspoken about letting F-14's go to the Shah of Iran.

□ 1415

I made a statement that we were being blackmailed at the time. This was at a time when there was an oil embargo. We remember the long gas lines we had in this country because of the shortage. I said, now, Iran is not Arabic and it is the Arabs that were holding us hostage over oil. Iran is Persian. But yet they will not have to pay for one single one of those F-14's because all they have to do is raise the price of oil by a cent and they get them free.

I said the second point is that as a fighter pilot, I do not want to have to look down the barrels of those F-14's if the shah ever falls. Well, I felt like Billy Mitchell after that happened because we did look down the barrels of those F-14's.

So I understand the intent of the gentleman and support it. But in future language, I would ask the gentleman to be very cautious because there are countries that I have flown with, like South Korea, some of our allies that have F-16s, England, I would not give them to France, personal opinion. They sell arms to every one of our enemies. There are socialists and Communists there now, and I would not give them a dime or any weapons. But there are countries that I think that, if we are flying there in a conflict and some of the NATO countries that would ally, and I do not care if it is a British pilot taking a Mig off my tail or someone else, then I would like that support. But I support the gentleman's amendment and I understand the merit behind it.

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

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

Mr. OBEY. Mr. Chairman, let me thank the gentleman for supporting the amendment and say that I recognize that there are some countries I would not mind providing sophisticated weapons to, but I think we need a policy ahead of time before we build these systems so that we know exactly who is going to get them and that we are assured that they are going to be provided on as limited a basis as possible around the world.

Mrs. KENNELLY of Connecticut. Mr. Chairman, I rise in strong opposition to the Nadler amendment to cut important funding for the F-22 fighter. The F-22 is the Air Force's next generation premier fighter and is intended to replace the aging F-15 fighter which has been in use for nearly 30 years. The next generation aircraft will have both air-to-air and air-to-ground fighter capabilities and will ensure our air superiority in the 21st century.

A cut of the size proposed by this amendment would have a devastating effect on the development and production of the F-22. In fact, the Air Force estimates that a \$420 million cut in the program would result in a major program restructure and actually result in an increase of costs in the out years of \$7.7 billion because of the restructuring of the current development and production timeline.

Let me close by quoting Gen. Ronald Fogelman, the Chief of Staff of the Air Force:

The F-22 will continue to ensure our continued dominance of the aerial arena and protect our forces across the entire spectrum of conflict. No United States soldier has been lost to enemy air power on over 40 years, and the F-22 will continue to uphold that record.

I urge my colleagues to oppose this amendment, and support our continued aerial dominance.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COBURN

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

The Clerk read as follows:

Amendment offered by Mr. COBURN:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

UNITED STATES MAN AND THE BIOSPHERE  
PROGRAM LIMITATION

SEC. 8079. None of the funds appropriated or otherwise made available by this Act may be made available for the United States Man and the Biosphere Program, or related projects.

Mr. COBURN. Mr. Chairman, it is my hope that this will not take any time. The purpose of this amendment just simply to limit DOD funds to not be spent on a totally unauthorized, never approved program from this Congress or any other Congress. We have voted now four times in this body to uphold this policy. This is simply an amendment that would extend that policy to the Department of Defense. It is my understanding the chairman as well as the ranking member have accepted this amendment.

I yield to the gentleman from Florida [Mr. YOUNG].

Mr. YOUNG of Florida. Mr. Chairman, I would say that we are very familiar with this issue. We do support the amendment. We hope that it will be agreed to.

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

Mr. COBURN. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Chairman, just briefly, 47 of these biosphere reserves were established before the public even knew what was happening. One of these was established in the northern part of the congressional district I represent in the Adirondack Mountains without me or any local government officials ever knowing about it. That was outrageous. These biosphere reserves violate individual property rights, and they give executive branch political appointees the authority to make property decisions in place of these individual landowners or even local zoning ordinances. I think that is outrageous. I am so happy that the gentleman is offering the amendment.

Mr. COBURN. Mr. Chairman, I would ask the body to support the Coburn-Peterson amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. COBURN].

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 100, after line 15, insert the following new section:

SEC. 8103. (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.

(D) The use is approved by the Assistant Secretary of Defense (Health Affairs) after consultation with the Department of Defense General Counsel.

(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 rise to offer an amendment which simply aligns our funding priorities with the current Department of Defense policies that protect the information in its DNA data bank for soldiers. The Department of Defense operates the Armed Forces repository specimen samples for identification of remains.

This DNA data bank currently holds millions of blood samples for both active and inactive personnel. This pool of genetic data is one of the largest in the entire world. Health, life and disability insurers might soon try to flex some muscle in obtaining sensitive information. Heightened concerns have been raised over the last year about the many ways that people can be discriminated against based on their genetic profile. Soldiers were not free from those same worries regarding blood samples in this DNA data bank.

The Pentagon has always maintained that such information was collected only to identify the remains of soldiers killed in combat. But many of my colleagues may recall that last year two marines were court-martialed for refusing to provide blood samples to the DNA data bank. They were fearful of inadequate privacy protections for the sensitive information being obtained from their DNA. The Pentagon as a result took the proper steps to revise its

policy and instituted several new conditions on the use of DNA in the data bank, including limiting them to identify human remains, investigate crimes, purposes for which the donor and next of kin provide consent, plus an approved use by the Assistant Secretary of Defense and health.

I had spoken to the chairman of the committee, the gentleman from Florida [Mr. YOUNG], as well as to the ranking member. I believe that this amendment will be accepted. But I just would like to mention, the truth is that the current rules and regulations that determine how your DNA data is going to be utilized at the Department of Defense is really at the discretion of the secretary.

I would urge both the chairman as well as the ranking member to take actions, I hope, in the conference to make certain that this does not become an arbitrary policy. This kind of data can be used by private companies or others at the decision of the secretary that could have devastating consequences for any of the soldiers who happen to be ordered to provide those DNA samples.

I would hope that the chairman would be willing to institute a policy where no variation other than the specific purposes which are currently in this year's bill, could be varied without the consent of the Congress of the United States and the signing into law by the President. I think that this is an entirely, it is a new issue, but it is one that is very, very important for the personal privacy of the soldiers that choose to serve this country.

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

Mr. KENNEDY of Massachusetts. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, as the gentleman and I have discussed earlier, we are happy to accept this amendment as we did last year, and the new issue that he raises I think is a legitimate issue. We would be more than happy to address it during the conference.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY].

The amendment was agreed to.

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

Mr. Chairman, I rise to request a colloquy with the gentleman from Florida [Mr. YOUNG] regarding the fate of the Advanced Self Protection Jammer radar system.

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

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

Mr. YOUNG of Florida. Mr. Chairman, I am very happy to address the concerns of the gentleman from Maryland about this program.

Mr. CARDIN. Mr. Chairman, I am concerned that the bill does not in-

clude funding for the Advanced Self Protection Jammer which is recognized as the finest self-protection jamming system in production today. Following the 1995 shutdown of the Navy pilot Scott O'Grady in Bosnia, ASPJ were deployed in aircraft in the Bosnian theater to correct the self protection deficiency under which our pilots were operating.

Mr. Chairman, the ASPJ proved to be an effective tactical aircraft countermeasure in the Bosnian theater.

Additional purchases of the system were recently authorized by the Committee on National Security. Shortage of the ASPJ's means that the Navy cannot equip all of its F-14D and F/A-18C/D planes with this system widely demanded by the Navy and Marine Corps pilots. Most of these planes, which will be in the fleet well into the next century, are now vulnerable. The Navy can only equip 72 aircraft with the ASPJ, although it has a requirement for deployment of this system on over 500 F-14D's and F/A-18C/D's. I hope the chairman will consider providing the Navy and Marine Corps with the funds necessary to equip the forward-deployed F-14D and F/A-18C/D squadrons with this system.

Mr. YOUNG of Florida. Mr. Chairman, if the gentleman will continue to yield, I appreciate the gentleman's concern for the system and its potential benefits for the pilots. The ASPJ is a valuable system. I share the gentleman's concern and will work with my colleagues on the committee and with the Department of Defense on this issue as this bill moves forward.

Mr. CARDIN. Mr. Chairman, I thank the gentleman.

AMENDMENT OFFERED BY MRS. MALONEY OF NEW YORK.

Mrs. MALONEY of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. MALONEY of New York:

At the end of the bill add the following new section:

SEC. . In the paragraph entitled "Operation and Maintenance, Defense-Wide," after "\$10,066,956,000" insert "(increased by \$1,000,000) (reduced by \$1,000,000)."

Mrs. MALONEY of New York (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 gentlewoman from New York?

There was no objection.

Mrs. MALONEY of New York. Mr. Chairman, in 1988, Congress passed and the President signed into law a requirement that the Department of Defense report details of crimes, including rape and sexual assault, committed within their jurisdiction to the Federal Bureau of Investigation.

However, the Department of Defense has failed to comply with this law. That means that there are thousands of crimes committed on base and off

base by members of the armed services and others that are never reported to the FBI. I would like, Mr. Chairman, to put in the RECORD a letter from the general counsel of the Department of Defense and other press articles on this which state that they are looking at this, that they would like to proceed forward, but that there is a problem with funding.

My amendment provides \$1 million to the Department of Defense so that they could collect and report these statistics. The money comes from the operation and maintenance budget. I hope that my amendment will be considered in the conference report. I thank the gentleman from Florida and the gentleman from Pennsylvania for their support and their commitment to work on this in conference.

Mr. Chairman, I include for the RECORD the following:

GENERAL COUNSEL OF THE  
DEPARTMENT OF DEFENSE,  
Washington, DC, May 27, 1997.

Hon. CAROLYN B. MALONEY,  
House of Representatives,  
Washington, DC.

DEAR MRS. MALONEY: This further responds to your letter to the Secretary of Defense, dated February 26, 1997. In my interim reply, dated March 11, 1997, I informed you that I had asked the Judge Advocate General of the Army to provide me information on certain cases you mentioned in your letter. I now have this information and am prepared to respond to your questions.

On October 24, 1995, then-Representative Dornan wrote the Secretary of Defense requesting an investigation of allegations made by Mr. Russell Carollo in a series of articles in the Dayton Daily News. After review by the Service Judge Advocates General and my office, I replied to Mr. Dornan on April 23, 1996. Your February 26 letter asks follow-up questions based on my reply to Mr. Dornan. I will address your questions in the same order as I replied to Mr. Dornan's inquiry.

Do many accused sex offenders avoid prosecution or escape criminal punishment? You have asked whether the Department of Defense disputes the validity of the "hard facts or statistics" in Mr. Carollo's articles. Mr. Carollo was highly selective in the statistical data he chose to publish. Mr. Carollo's published figures on sex crime complaints included cases where the perpetrators were unknown and involving civilian suspects who were not subject to the jurisdiction of the military justice system. In those cases, it was not possible for a complaint to result in a court-martial conviction. Also, the offense "titled" on a complaint form or investigation report is often not the same offense that is formally charged. The decision on what title to use is made by an investigator at an early stage of the investigation. A formal charge, however, is preferred after full investigation and proof analysis by a military prosecutor. A formal charge is only referred to a court-martial after additional legal review, and this review may produce other changes. Even assuming that a court-martial charge reflects the same offense in the complaint, there may be a court-martial conviction for a lesser (but nonetheless serious) crime. For example, an accused may be acquitted of a rape charge, but found guilty of attempted rape or assault with intent to commit rape. Acquittal of a principal charge, but conviction of a lesser one, is a

process that goes on every day in every jurisdiction in the United States, where each element of any charged offense must be proven beyond reasonable doubt.

The military does not prosecute rape charges in "misdemeanor courts" or administrative hearings. If a complaint of rape is not prosecuted at a general court-martial, there is a reason and that reason is grounded in the evidence. A case may begin with a rape allegation, but end in another, lesser charge prosecuted at a special court-martial, nonjudicial punishment action, or other administrative action. In another case, the quality of the evidence may persuade military authorities to accept an accused's offer to separate from the Service (with an Under Other Than Honorable Conditions Discharge) rather than face a court-martial. If one of these actions happens, it is because particular circumstances make it appropriate. If a rape charge is supported by sufficient evidence for conviction, that charge is referred to a general court-martial as is fitting for a crime of that seriousness.

In Mr. Carolo's articles and associated correspondence, we have seen many comparisons of the military justice system with the "civilian judicial system" that reflect a misunderstanding of both. A monolithic "civilian judicial system" does not exist. There are fifty-one such systems in the United States, the Federal system (including the commonwealths and territories) and one for each state. In none of these systems does a complaint of rape automatically result in a trial, conviction, and long prison sentence for the defendant. In each of the civilian systems, just as in the military, prosecutors must make decisions based on the quality of the evidence before them. If a case is prosecuted as a rape, a civilian court must determine guilt based on the evidence before it. In doing so, the court applies a "beyond reasonable doubt" standard of proof, just like a court-martial. If there is a conviction for rape, or of a lesser offense, a civilian court then determines a sentence based on the particular circumstances of the crime and the offender, just as a court-martial does.

One significant difference between the military justice system and its civilian counterparts concerns the availability of alternative actions when there is insufficient evidence to prosecute in court. In any civilian jurisdiction, if a prosecutor or grand jury decides not to prosecute, nothing happens to the alleged offender. In the military, if the evidence is insufficient for a court-martial prosecution, commanders still have several options, any of which may result in significant sanction. The use of these options should not be cited as evidence that the military does not take crimes as seriously as in civilian jurisdictions, when these actions are not even available to civilian authorities.

In your February 26 letter, you discussed several Army cases at Fort Carson, Colorado, and Fort Leonard Wood, Missouri. According to information provided by the Judge Advocate General of the Army, much of what you have been told about these cases is incorrect. Moreover, these cases are excellent illustrations of how, in any system, each case must be judged on its own specific facts.

Your letter states that Army investigators at Fort Carson "found substantial evidence for claims of rape against 13 soldiers in 1995 and 1996," yet only two were tried and five others received nonjudicial punishment. According to the Army Judge Advocate General's information, this statement is not accurate. Of the thirteen cases, in one the subject was a civilian, over whom the military had no jurisdiction, and in another the perpetrator was never identified. Of the remaining eleven cases, the State of Colorado assumed jurisdiction of two. In one of these,

the State treated it as a domestic violence case. Of the remaining nine, in three cases the alleged victims either recanted their accusations or refused to cooperate after making an initial statement. In one of these, however, a soldier received nonjudicial punishment for consensual sodomy with another soldier's wife, an offense to which he confessed in his statement to investigators. The other two cases resulted in no disciplinary action. Of the remaining six cases, Army prosecutors determined the evidence was insufficient to go forward with trial in three cases, and three cases went to court-martial. Of the three soldiers who were tried, one was acquitted of rape, but convicted of consensual sodomy and indecent acts, and sentenced to hard labor without confinement. Two soldiers were convicted of rape. One of these was sentenced to 28 years. In the other, the accused (First Sergeant David Medeiros) received a sentence of only reduction to staff sergeant (two pay grades).

Of the thirteen Fort Carson cases, the only apparent anomaly is the Medeiros case. I will not speculate as to the reasons for such a light sentence for the crime of rape, as I was not at the trial and do not have detailed knowledge of the evidence. However, you should be aware that the alleged victim in the Medeiros case later recanted her trial testimony and claimed her sex with Medeiros was consensual.

Concerning the Fort Leonard Wood cases, your letter states that the post commander, Major General Ballard, reversed the "sexual assault" convictions of three soldiers, substituting administrative discharges. You asked "[w]hat right did [General] Ballard have to reverse convictions?"

General Ballard had the powers and duties of a general court-martial convening authority, conferred by Congress under several articles of the Uniform Code of Military Justice. As convening authority, General Ballard had "authority . . . to modify the findings and sentence of a court-martial [as] a matter of command prerogative involving [his] sole discretion. . . ." Art. 60(c)(1), UCMJ, 10 U.S.C. §860(c)(1). The Judge Advocate General of the Army informs me that General Ballard exercised his discretion in these three cases, after legal advice from his staff judge advocate, to reach what he thought was an appropriate result under unusual circumstances.

The three Fort Leonard Wood cases are connected. None involved "sexual assault." They involved three young soldiers dating, and having consensual sex with, three underage teenage girls. Two of the girls were not living at home, but had taken up with a local "biker gang." In the other case, the girl's mother had introduced her daughter to the soldier in a bar. All the sexual conduct occurred off-post, but the local Missouri prosecutor declined to prosecute. However, the Army prosecuted the soldiers at special courts-martial for "carnal knowledge," that is, consensual sex with a minor. See Art. 120(b), UCMJ, 10 U.S.C. §920(b). Each soldier's court-martial sentenced him to reduction in grade, forfeiture of pay, and restriction to post, but did not impose either confinement or a bad-conduct discharge. General Ballard, using his powers under law as a convening authority, determined the best interests of the Army would be served by approving administrative discharges in lieu of the court-martial convictions. In each case, the soldier received an Under Other Than Honorable Conditions Discharge, which deprives the soldier of entitlement to many benefits administered by the Department of Veterans Affairs. Such a discharge also carries a social stigma.

I also invite your attention to data available from the United States Disciplinary

Barracks at Fort Leavenworth, Kansas. The USDB is the central facility for long-term confinement for prisoners from all Services. Of the 1,023 inmates at the USDB, 495 are serving sentences for sex crimes—almost half the prison population and nearly double the next category (homicide, 256 inmates). The Army reports that 1,392 soldiers have been tried by courts-martial for sex crimes since 1991. Of these, 870 have been convicted, with an average confinement sentence of just over 6.5 years. Of these, 253 were convicted of rape, with an average confinement sentence of 12.2 years.

I hope this discussion has shown that statistics and anecdotes do not necessarily tell an accurate story, especially when the statistics are incomplete and the anecdotes are, at best, one-sided or, at worst, wrong. Mr. Carolo's fundamental premise is that the military lets an unacceptably high number of sex offenders off (either completely or with light punishment) out of apathy, investigative incompetence, and/or prosecutorial indifference. As I emphasized in my letter to Mr. Dornan, nothing could be further from the truth. The truth is that military investigators, prosecutors, convening authorities, judges, and court-martial members deal with real cases, in real time, involving real people as accused and alleged victims. Every case is different and every decision must be made on its own merits.

Does the military fail to report many criminal records to the FBI as required by law? In my letter to Mr. Dornan, I acknowledged that the Services' investigative arms had not consistently complied with Department of Defense Inspector General Memorandum 10, dated March 25, 1987, which requires submission of fingerprint cards to the FBI in certain cases. I also described an evaluation of Memorandum 10 compliance by the Inspector General, as mandated by section 555 of the National Defense Authorization Act for Fiscal Year 1996. That evaluation is now complete and the Inspector General's report is available. That study confirmed that the Services have not done well in complying with Memorandum 10.

In November 1996, the Inspector General replaced Memorandum 10 with another memorandum clarifying the Services' reporting requirements. Moreover, the Inspector General intends to replace this memorandum with a Department of Defense instruction. A draft instruction is presently in the coordination process within the Department of Defense. When issued, the instruction will clearly state required actions by Department of Defense law enforcement organizations.

In a related area, you have also asked about the Department's progress providing Uniform Crime Reports (UCR) statistics to the FBI. The UCR is part of the National Incident-Based Crime Reporting System (NIBRS). The Department is now implementing the Defense Incident-Based Reporting System (DIBRS). NIBRS information will be reported by DIBRS along with other information of special significance to the Department of Defense. On October 15, 1996, the Deputy Secretary of Defense signed DoD Directive 7730.47, Defense Incident-Based Reporting System. While many DIBRS issues are still under review, we expect the Services will begin reporting this year and hope to have the system fully on-line by early 1998.

Your letter also states that you "understand that the military can expunge criminal records from the FBI's database," and asks for information about such expungements. The military has no authority to "expunge" any record from the FBI database. However, a Military Department can correct an erroneous record and inform the FBI of that correction, causing a corresponding correction in the FBI database.

Department of Justice regulations permit a person, on request and verification of identity, to review his or her information in a Department of Justice criminal history record information system. If a person believes the system contains incorrect or incomplete information, he or she may submit a correction or update. An individual usually applies to the agency that contributed the questioned information. A person may also make a request for correction to the FBI Identification Division, which will forward the request to the concerned agency. If the agency agrees that the record should be corrected, it notifies the FBI and the FBI will make the necessary changes.

Do victims of violent crime continue to be victimized by the military justice system? As I described to Mr. Dornan, the process of a criminal trial in any court is a difficult one, especially for victims and their families. This is particularly true with respect to sex crimes, which often involve intensely personal facts. While no court system intentionally seeks to harm victims, such harm is often a regrettable result. Recognizing this, each Service has a victim assistance program that compares favorably with federal civilian and state programs.

Concerning your suggestion to create an "ombudsman" for servicemembers, comment at this time would be premature. As you know, one aspect of the Secretary of Army's pending inquiry into sexual harassment is the mechanism for reporting complaints. When the Army's inquiry is complete, the Department of Defense will review its recommendations for application to all Services.

Is the military's judicial system plagued by sketchy records, secret proceedings, and abuse of discretionary power given commanders? I respectfully disagree with your characterization of my reply to this question from Mr. Dornan as "terse" and "contradict[ing] the facts shown by the *Dayton Daily News*." As I explained to Mr. Dornan, a court-martial is a public trial unless closed for a specific lawful reason (such as to prevent public disclosure of classified information). I also reiterate that military law and Service regulations provide for records of trials. As for records of nonjudicial and administrative proceedings, there continues to be a misunderstanding that I hope I can resolve here.

The Privacy Act of 1974 prohibits disclosure of personnel records except under specified circumstances. This is not military "secrecy," but a law that the Department of Defense, including the Military Departments, is bound to follow just like other federal agencies. Nonjudicial and administrative actions are evidenced in personnel records covered by the Privacy Act and, unless an exception applies, may not be released under the Freedom of Information Act. As required by the Privacy Act, the Services did not disclose information about such actions to Mr. Carollo when he was researching his articles. It appears that Mr. Carollo then characterized these personnel records as "secret" as a literary device to imply that something sinister was going on in the military. Unless the Congress amends the Privacy Act to exempt military personnel records, such records may not be released except under the limited circumstances provided in the Privacy Act. As I emphasized in my reply to Mr. Dornan, it is wrong to label these personnel records as "secret" and imply that non-disclosure of personnel records is unique to the military.

Did the Navy fail to take appropriate action against personnel involved in the 1992 incident in Sitka, Alaska? In referring to my response to Mr. Dornan, you stated, "I agree with the DoD's response in that the Navy

[sailors] were not punished for their transgressions." You then declined further comment because the case was in litigation. I wish to clarify an apparent misunderstanding concerning my response and inform you of recent developments in the Sitka cases.

My reply to Mr. Dornan was not intended as an opinion that the sailors were not properly punished for misconduct. While I provided Mr. Dornan a summary of the incidents at Sitka involving sailors from the USS DUNCAN, I expressly reserved comment on whether the actions taken were justified. That was because there was an ongoing civilian prosecution against two DUNCAN sailors, one of whom was still in the Navy. That prosecution concluded in January 1997, when the Alaska Superior Court dismissed the indictments against both men.

The Sitka cases involved two separate incidents. In the first incident, two underage girls admitted lying to two enlisted sailors that they were over 16, the age of consent for sexual intercourse under both military law and Alaska law. After an investigation, the Alaska state's attorney declined to prosecute the sailors, as did the DUNCAN commanding officer. There has been no further action concerning this incident. The second incident, however, eventually produced state indictments.

As described in my letter to Mr. Dornan, the second incident involved sexual contact with two underage girls by two members of the DUNCAN crew. No intercourse occurred. A commissioned officer, although an ensign (the most junior commissioned officer grade), participated in these acts in the presence of an enlisted sailor. Both men knew the girls were underage. After the incident was reported and investigated, the girls' parents did not want to press charges, and the Alaska state's attorney declined to prosecute. Under the circumstances, the DUNCAN commanding officer determined that disciplining the enlisted sailor was inappropriate because his participation had been encouraged by a commissioned officer. The Navy took action against the ensign that eventually resulted in his separation from the Navy in lieu of trial by court-martial.

Although the ensign's request for separation in lieu of court-martial was approved, it resulted in an Under Other Than Honorable Conditions Discharge. As discussed previously, this character of discharge deprives the recipient of entitlement to any veterans' benefits to which he would otherwise be eligible and carries with it a significant social stigma. For the ensign's transgressions, he lost his job, any possibility of a military career, and present and future entitlements to veterans benefits. He will also endure the lifetime of disgrace associated with an Under Other Than Honorable Conditions Discharge. I am aware of no civilian authority that can impose administrative sanctions of such severity and permanence. I still decline to comment on the appropriateness of these actions, as I was not there and am not in a position to pass judgment on the officers who made these decisions. However, any perception that this ensign escaped punishment is not accurate.

You have concluded from Mr. Carollo's allegations and "recent military sexual misconduct scandals" that there is a need to re-examine the military justice system. The only things proven by Mr. Carollo's articles are that sex crime allegations make hard cases and the military justice system adjudicates them one at a time. It is ironic that recent "scandals" have been cited as evidence that the military justice system is failing in comparison to the civilian system. To the contrary, these events have proven the worth of the military justice system. Please examine Mr. Carollo's anecdotes and

find out how many were cases that civilian authorities declined to prosecute or had no interest in from the start.

In the military justice system, if a particular allegation has resulted in a lesser charge, conviction of a lesser offense, punishment that may seem lenient, or exoneration, that is because someone made a hard decision. The same is true if an allegation has produced a conviction as charged and a severe sentence. In all cases, the decisions are made by those who, under the law, have the power and duty to do so, based on the applicable law and the evidence before them.

I will close by assuring you, as I did Mr. Dornan, that the military justice system is fair and efficient. I reaffirm my rejection of any allegation that service members live and work in a culture that officially condones sex crime or shelters sex offenders. To anyone who is genuinely familiar with the military and the military justice system, that notion is nonsense.

Thank you for your letter. I hope this reply has been helpful in addressing your concerns.

Sincerely,

JUDITH A. MILLER.

ARMY PROBE TO FOCUS ON TOP LEVELS; INQUIRY TO EXAMINE LEADERS' RESPONSIBILITY IN SEXUAL MISCONDUCT

(By Dana Priest, Washington Post Staff Writer)

The Army's civilian leader has ordered a wide-ranging investigation into the chain of command's responsibility in the sexual abuse scandal at Maryland's Aberdeen Proving Ground and into the management of the headquarters for all the Army's training centers.

The inquiry is the first high-level look at the possible role of senior officers in fostering the wrong atmosphere or otherwise contributing to a scandal that has so far mostly involved lower-level, noncommissioned personnel, such as sergeants.

In addition, the Pentagon acknowledged yesterday it does not know how many female service members are victims of sexual violence each year because it does not collect the information, even though Congress passed a law ordering it to do so in 1988.

"The department admits its deficiency," Defense Department spokesman Kenneth Bacon said.

Pentagon officials said Army Secretary Togo D. West Jr. plans to announce today that he has asked the Army's inspector general to find out what the commanders at the Aberdeen Proving Ground ordnance training center knew about the alleged incidents of sexual abuse, which include multiple rapes. The probe also will look at whether the commanders contributed to creating an atmosphere that permitted or fostered such misconduct.

West also has asked the inspector general to assess the management of the Training and Doctrine Command, which has control over Aberdeen and other Army training centers.

"It's an order to look top-to-bottom," a Pentagon official said.

West could not be reached for comment yesterday.

Asked the day the Aberdeen allegations became public whether the problem involved a few "bad apples" or was the result of more systemic problems, Maj. Gen. Robert D. Shadley, commander of Aberdeen, replied, "I think it's a combination of both."

Five drill instructors at Aberdeen are alleged to have had improper, and illegal, relationships with female trainees under their charge. Three of the five have been charged with criminal offenses and the other two



have received administrative punishment. Another 15 trainers still are under investigation. The more egregious offenses include assault, rape and threatening to kill or harm the victims if they disclosed the attacks.

Sexual misconduct, including assault by drill instructors, is not a new problem in the Army, but has come to public attention because of the gravity of the Aberdeen charges. The Army made the Aberdeen cases public because it did not want to be accused of a coverup.

Most of the Army's other major training posts report numerous cases of sexual misconduct by drill sergeants, who have near-complete control over their young recruits and trainees.

Holly Hemphill, a Washington attorney and chairwoman of a defense advisory panel on women in the armed services, known as DACOWITS, said Defense Secretary William J. Perry asked the group to visit Army training posts and conduct informal interviews with female soldiers.

Also yesterday, spokesman Bacon said the Defense Department had not complied with a 1988 federal law that required the Pentagon to create a uniform system for reporting all crimes, including sexual crimes, in the military.

Some of the services do not keep centralized statistics on sexual crimes such as rape and indecent assault, according to service officials interviewed recently.

Hemphill said the advisory committee had tried many times to get the services to give it information on sexual violence against female soldiers but "we kept getting the wrong information." She said the services collect statistics on spouse abuse, but not abuse of their female members. "We recommended in October that the department expand [its database] to include violence against military women. \* \* \* It detracts from productivity and readiness, which is a huge understatement."

Bacon said one problem was that Congress had not given the department any money to create the new database. Congress, he added yesterday, still had not come up with any new funds "but basically, after this hadn't been done for awhile, somebody decided that it was time to do [it], and we're in the process of doing that now." He said the directive was issued Oct. 15.

The information in the new Defense Incident Base Reporting System also will be shared with the Justice Department. Other federal agencies are under the same mandate to report crime in their ranks to the Justice Department, but many have not complied either, Pentagon officials noted yesterday. The Army also has set up a military-civilian panel to review its efforts to combat sexual harassment.

House Speaker Newt Gingrich (R-Ga.) sent a letter Wednesday telling Rep. Floyd Spence (R-S.C.), chairman of the House National Security Committee, that Congress should monitor closely all the military services' reviews of sexual harassment prevention programs.

Gingrich urged all House members to visit Aberdeen.

A group of congresswomen, mostly Democrats, plans to visit the base in mid-December.

#### DEFENSE INCIDENT-BASED REPORTING SYSTEM [DIBRS]

Potential Question: What is DIBRS?

The Defense Incident-Based Reporting System (DIBRS) is a data collection system and repository designed to meet the Department's needs for oversight of law enforcement activities. DIBRS collects and reports violations of the Unified Code of Military

Justice (UCMJ). It will permit the Department to respond to requests for statistical data on criminal offenses and other high-interest issues including suicide, sudden infant death syndrome, fraternization, and sexual harassment. When finished, DIBRS will provide a standard data system that tracks, criminal incidents from initial allegation to final disposition through the law enforcement, criminal investigation, command action, judicial and corrections phases.

Potential Question: What is DIBRS' relationship to the Uniformed Crime Reporting Act of 1988, the Victims Rights and Restitution Act of 1990, and the Brady Handgun Violence Protection Act of 1994?

Answer: Data requirements for the Uniformed Crime Reporting Act and the Brady Handgun Violence Protection Act are part of DIBRS. These data will be extracted from the DIBRS data base and transmitted to the FBI as required by statute. DIBRS also permits us to monitor and measure compliance with the Victims Rights and Restitution Act.

The Uniformed Crime Reporting Act established the National Incident-Based Reporting System (NIBRS), the national counterpart of DIBRS (see attachment). NIBRS collects and annually reports statistics on crime in the United States. At present only ten states and no federal agencies are fully compliant with the provisions of NIBRS.

Under the Victim Rights and Restitution Act, victims and selected witnesses must be notified of their rights at certain phases of a case from the time of initial contact by law enforcement through the investigation phase, prosecution phase, and if the case results in confinement, of change in confinement status. The confinement authority must advise the victim or witness of an inmate's status, to include length of sentence, anticipated earliest release date, place of confinement, the possibility of transfer, the possibility of parole or clemency, release from confinement, escape, and death.

Under the Brady Handgun Violence Protection Act, the DoD must report to the FBI:

Persons who are under indictment for, or have been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year;

Persons who are fugitives from justice;

Persons who are unlawful users of, or addicted to, any controlled substance;

Persons who have been adjudicated as mental defectives or who have been committed to a mental institution; and,

Persons who have been separated from the Armed Forces with a dishonorable discharge.

Potential Question: Will DIBRS report all instances of Sexual Harassment in the Services?

Answer: DIBRS will report only those incidents of sexual harassment that are reported to DoD law enforcement personnel or adjudicated via the UCMJ. This would include incidents investigated by equal opportunity advisors and subsequently referred for action under the UCMJ. Sexual harassment complaints that are reported to and investigated by equal opportunity advisors and determined to be unfounded would not necessarily be forwarded as DIBRS reportable incidents. This distinction between DIBRS reportable incidents is necessary to protect the identities of both alleged victims and alleged offenders, as well as preserving the integrity of service equal opportunity organizations as alternative means of reporting, investigating, and resolving interpersonal disputes.

Potential Question: How much does DIBRS cost?

Answer: Approximately \$30 million. This figure includes Army: \$3.9 Million, excluding Judge Advocate; Navy: \$11.5 Million; Marine Corps: \$5.5 million; and Air Force: \$5.1 million.

These figures are still approximate, as we are attempting to accelerate development of this much-needed system into this Fiscal Year.

Potential Question: When does the Department expect to have DIBRS completed?

Answer: DoD Manual 7730.47, which the USD(P&R) signed on November 29, 1996, directed the Air Force to begin reporting within 90 days of that date (March 1, 1997). The Navy and Marines were next at the 270 day point (August 26). The Army had 360 days to achieve compliance. The Defense Manpower Data Center, the DoD repository for DIBRS, has begun working with Air Force and Marine Corps data.

Potential Question: Why did it take so long to develop DIBRS?

Answer: Work on DIBRS began in FY 1994. The Directive for DIBRS was in coordination and revision for over one year. That Directive and its accompanying manual are now signed and implementation is underway. This year, we expect to be the first Federal agency to join the ten states who currently are reporting NIBRS data to the FBI.

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

Mrs. MALONEY of New York. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. Mr. Chairman, we will work out something that will force the Defense Department to adhere to what we suggested last year and what the gentleman is suggesting here. They should come up with figures which are reasonable. We will certainly try to work something out.

Mrs. MALONEY of New York. Mr. Chairman, I thank the gentleman.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The CHAIRMAN. The amendment is withdrawn.

AMENDMENT OFFERED BY MR. FILNER

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

The Clerk read as follows:

Amendment offered by Mr. FILNER:

Page 100, after line 15, insert the following new section:

SEC. . None of the funds provided in this Act may be used to transfer any of the Marine Corps helicopters and associated support personnel located at El Toro Marine Corps Base, California, and Tustin Marine Corps Base, California, to Miramar Naval Air Station, California.

Mr. FILNER. Mr. Chairman, this is a bill affecting the national security of the United States. I thank the Chair and the ranking member for all the work on this bill.

I have an amendment which pertains to my home town of San Diego, an amendment which I believe will protect the citizens of my city by preventing the serious negative impacts to their health, safety, and environment associated with the arrival of a Marine Corps helicopter fleet.

Mr. Chairman, the 1995 Base Realignment and Closure Commission, as we call BRACC, specifically eliminated the mention of Miramar Naval Air Station as a receiving base for the helicopters under discussion. That is to

say, this amendment has nothing to do with a BRACC decision. The BRACC Commission realigned Miramar Naval Air Station to Miramar Marine Corps Station, but said nothing about these helicopters. So we are not in this amendment interfering with any BRACC decision.

□ 1430

Miramar Air Station is situated in the middle of a populated area of San Diego, a populated area now scheduled to receive up to 163 of these helicopters, 163 huge 99-foot CH-53 Super Stallions, CH-46 Sea Knight transport helicopters.

Now, I have heard from some folks that such amendments should not micromanage what the Defense Department is doing.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

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

Mr. LEWIS of California. Mr. Chairman, I appreciate my colleague yielding to me.

My colleague mentioned that this was not designed to interfere with any base closure recommendation, and I agree with his position. But let me remind the gentleman as well as the House that in the initial base closure go-round where this recommendation was made, the commission actually recommended that the very helicopters the gentleman is talking about leave Orange County and go to 29 Palms, CA, to a marine base where they would welcome these helicopters. Frankly, I cannot understand why they shifted that decision, except maybe some people want to live near the beach.

In the meantime, if the gentleman would consider somewhere along the line amending this a bit to look at 29 Palms, I probably would not be offended.

Mr. FILNER. Mr. Chairman, reclaiming my time, I would be happy with a friendly amendment from the gentleman. I agree with the gentleman there seem to be better places for these helicopters.

I have been asked by several people why I am micromanaging a Defense Department decision. I do not call a decision which affects over 600,000 residents, thousands of businesses, and 154 schools micromanaging. These helicopters will fly at 1,500 feet or below. The potential for loss of civilian life and property is great.

Just recently, Mr. Chairman, in Okinawa, Japan, the Pentagon said to the Japanese, who had concerns about these helicopters in their area, they will build a floating heliport to separate the helicopters from jet fighters, saying it would be extremely difficult to control the traffic of the slower choppers with fixed wing aircraft. It was a safety concern.

If the Pentagon is willing to spend money in Japan to significantly reduce the burdens and threat to the people in Okinawa, why will they not do the

same thing for my constituents in San Diego? We are being treated differently, and I do not know for what reason.

These helicopters will discharge 1,600 tons of air pollutants per year. That significantly affects our quality of life but, even more importantly, may bring the city of San Diego into a worse classification in terms of our air quality and, therefore, bring restrictions which will slow our economic growth. We should not allow such environmental impacts to affect our economic growth.

Most of the residents near this Miramar Naval Air Station oppose the relocation of helicopters. They believe the Navy misrepresented the facts in their environmental impact statement. One resident said to me, "What is going on here? These marine helicopters are noisy, dangerous, polluting weapons of war. They have no business flying over densely populated areas. They are a disaster waiting to happen. The Pentagon's thinking is inexplicable."

Now, Miramar Naval Air Station is not directly in my own district, but my constituents will be affected by the pollution, by the potential slowing of economic growth because of that pollution and, equally important, I have in my district a naval helicopter station now. We understand that to somehow meet the concerns of the folks who live around the Miramar Naval Air Station, they might want to conduct some of their flight training in my district.

So bringing these helicopters in affects the noise levels of tens of thousands of people, it affects the quality of life, it affects our environment, it affects the safety. This is not a decision that ought to be ratified by this Congress, and my amendment would prevent any funds from being used to transfer those helicopters.

Mr. CUNNINGHAM. Mr. Chairman, I rise in opposition to the gentleman's amendment.

I do not disagree with anything my colleague from California has said. In the very first BRACC, before this was even a concern, this Member sought to try and put fixed-wing aircraft with fixed-wing aircraft at Miramar. It is much more efficient. We lost that fight.

During the second BRACC, when they decided to close El Toro and Hawaii and some other bases and move helicopters, I also opposed helicopters coming to Miramar for some of the same reasons my colleague from California mentioned.

We went through the study of noise, we went through environmental, we went through the Secretary of the Navy. They said no. We went to General Krulak. The Marine Corps said the helicopters are coming. We went to the Secretary of the Navy. They said the helicopters were coming.

My colleague and I even went to the White House to try to get support from then Chief of Staff Leon Panetta, and after an extensive study, the Chief of

Staff said the helicopters are coming. The President said the helicopters are coming.

It is my responsibility to my constituents in whose area these helicopters are coming to be truthful and to point out to them when there is, A, merit, which I think there is merit in the gentleman's amendment. But the chance of the amendment getting through is very, very small. It is like telling an MIA family that there are MIA's alive. We get their hopes up and then when it does not happen, it goes down. We have been through this year after year after year.

I would say, Mr. Chairman, I have gone back and asked General Krulak, I have asked Jay Johnson in the Navy, I have asked the Secretary of Defense, and all the way up to the President, and they said that, no, this does interfere with the BRACC decision and that it will not happen.

So instead of getting my constituents all in hopes that they are not coming, I would like to work with my colleague to make sure, first of all, the I-15 corridor that goes up and down, which has Scripts' Ranch and Rancho Bernardo, and a lot of the affected area. The FAA has been very forthcoming, and the administration has helped us with this, which I am very thankful for, but if it is IFR, under instrument flight rules, we have limited the number of flights that go up and down the I-15 corridor. If it goes to the east, over a certain departure, we have actually altered the departure route for that so it does not overfly much of the population.

I cannot tell the gentleman the difficulty it took or takes to change airways, because it affects everything.

The third thing we have done is change the altitudes. They were going to go out a thousand feet. I would also like to work with the chairman. I live out here at the marina, and those helicopters are coming by every morning and every night at 0-dark-hundred in the morning from the White House, and I want them stopped because they are noisy. And those things are about 200 feet over the top of my boat, and it is going to stop.

But I also want to point out that we have also lost, Mr. Chairman, six marines in car accidents that have been forced to travel up and down the corridor. Military construction for the base. And I think the helicopters are coming, I would say to my colleague, and we need to do everything that we can to make sure that, A, the military is welcome; that, B, we do everything we can to appease our citizens in South Bay and my district as well, and to work together on this issue.

But I do not think the amendment will pass and I think the actual potential of it ever making it through is zero. So for that reason I would oppose the gentleman's amendment.

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

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

Mr. FILNER. Mr. Chairman, I appreciate the gentleman's kind words. The gentleman has been fighting this for longer than I, and we have fought together. I would just suggest to the gentleman that with his support we could get it through.

Mr. CUNNINGHAM. Reclaiming my time, Mr. Chairman, I would say that I will support the amendment, but I do not think it will pass. The reason I am hesitant in doing that is because if it gets my constituents' hopes up, I think they will get dashed.

I will support the gentleman's amendment, but I do not think it will pass.

Mr. FILNER. Mr. Chairman, I would hope with the gentleman's support, he can get his side, I will get my side, and we will get it passed.

Mr. PACKARD. Mr. Chairman, I move to strike the last word, and to reluctantly oppose my friend, but very forcefully so.

The claim of the maker of the amendment is that this is not a BRACC issue. It really is a BRACC issue. It was in the BRACC in 1993 to make the transfer, to close El Toro and to transfer the helicopters. This was a fixed wing, and the noise has always been at Miramar. The helicopters replaced fixed wing but the noise will still be there. It will be a different noise, and I understand that, but that is not the real issue.

In 1988 we established the BRACC process specifically to prevent the President and the Congress from meddling in the closing of bases and from politicizing it. We have very, very carefully adhered to that purpose. We do not want to open up the process to where we can make changes in the BRACC.

It is my subcommittee that finances the closing of bases. We just completed voting on my bill that funds the final stage of closing El Toro and transferring the helicopters to Miramar and constructing the facilities to accommodate the transfer. \$375 million has been appropriated to close the base and to transfer the helicopters. All but \$48 million of it is being spent and has been appropriated.

The \$48 million final part is in this year's military construction bill. We voted on that just 3 weeks ago here on the floor of the House. All but 14 Members of the House voted for it, including the maker of this amendment, which had \$48 million to complete the transfer of the helicopters to Miramar. The gentleman has already voted on it and voted in favor of it.

Aside from that, let me read carefully the amendment. "None of the funds provided in this act," in this bill before us today. There are no funds in this bill today to transfer the helicopters. So the amendment really has nothing to do with this bill. It will not eliminate, add to, or change the allocation of this bill whatsoever.

So I would suggest that the gentleman withdraw the amendment, be-

cause it has absolutely no bearing upon this bill and, to be very honest with my colleagues, as the gentleman from California [Mr. CUNNINGHAM] outlined, it has gone through review after review after review, all the way to the President, and in every case the answer came back exactly the same, no change. No change in the BRACC.

The last thing this Congress ought to do today is open up the chance of changing BRACC, because that is what we established BRACC to do. I had probably half a dozen to a dozen requests to alter the BRACC process in my bill 3 weeks ago. I rejected every one of them. Because the moment we open that door, that is the moment that the whole BRACC process will unravel. And the last thing I want to do is to reject my colleagues in Florida and here and there throughout the country of making a change in BRACC, and then find one right next door to my district and say, well, I tend to agree that we should change that one. Absolutely not.

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

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

Mr. CUNNINGHAM. Mr. Chairman, I agree with the gentleman partially, except that I intentionally put in the language that would allow this to happen. The only problem is that every source we have gone to has said no, it will not happen.

The gentleman is correct, there is no money to make it happen. And we tried every effort, whether it was 29 Palms or whether it was March or what, we thought it was a better avenue. I still do. The language is in there that would allow it, but none of the sources that would allow us to do that at this time will allow it to happen.

Mr. PACKARD. Mr. Chairman, reclaiming my time, I appreciate the gentleman's comments. I urge my colleagues to vote against the amendment, primarily from the standpoint of not the parochial issue but the fact that we do not want to meddle in the BRACC process. That would be a precedent that I think would be unacceptable.

And I strongly urge my colleagues, if this comes to a vote, to vote against it. I would hope that the gentleman would withdraw the amendment.

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

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

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. FILNER. Mr. Chairman, I thank the gentleman for yielding to me. I do not want to prolong this debate beyond a couple more minutes. I want to point out to my good friend from California, Mr. PACKARD, here is a copy of the BRACC report. It specifically says, "and change a previous recommendation that says that these helicopters may be moved to other air stations

consistent with operational requirements."

That is, the BRACC report opens the door to several other alternatives. Those alternatives do exist. We have heard the gentleman from California [Mr. CUNNINGHAM] saying that was his change. My other colleague, the gentleman from California [Mr. LEWIS] has suggested other alternatives, and other communities who are negatively affected by base closures want these helicopters. It is not inconsistent with BRACC.

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

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. PACKARD. Mr. Chairman, I thank the gentleman from Massachusetts for yielding to me.

The point the gentleman from California [Mr. CUNNINGHAM] brought out, though, was that the very decision of transferring the helicopters, not any other part of the decision of transferring the helicopters to Miramar, was reviewed time and time again by every agency, all the way up to the President, and they all came back with the same decision: The helicopters should go to Miramar.

□ 1445

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

Mr. FRANK of Massachusetts. I yield to the gentleman from California.

Mr. FILNER. I understand that. But this authority has not yet passed on it. Many of those decisions were based on an environmental impact statement, which is being challenged in court right now as being, at the least, dishonest and, at the worst, deliberately misrepresenting the facts in terms of the environmental impacts. So other authorities have ruled. I would like this Congress to rule.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. FILNER].

The amendment was rejected.

AMENDMENT OFFERED BY MR. SHAYS

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

The Clerk read as follows:

Amendment offered by Mr. SHAYS:  
Page 100, after line 15, insert the following new section:

SEC. . The total amount obligated from new budget authority provided in this Act may not exceed \$244,415,000,000.

Mr. SHAYS. Mr. Chairman, this is a freeze amendment. This is an amendment that says we are going to spend no more next year than we spent this year on defense. It is a recognition on the part of this Congress that we are slowing the growth of entitlements, we are truly cutting parts of domestic spending, and we are saying that the defense budget, which constitutes basically half of what we vote out and appropriate, should be under the same basic scrutiny.

It is a recognition on the part of this Congress that we need to look at the fact that the cold war has ended and we are waging a different type of warfare. In many cases, it is an economic warfare. In many cases, it is a warfare against terrorism. This amendment is a recognition that we need to look at all our weapon systems and determine that some need to go forward and some need to be discontinued in terms of research and development but not deployment. It is a recognition that this Republican Congress will realize that a freeze is not a cut, as we have said when we have argued against domestic spending. It is a freeze. It is a recognition that we need to look at our defense budget with the same kind of scrutiny and desire that we have looked at other parts of the budget. It is a recognition that, if we are going to get our country's financial house in order, we cannot allow the defense budget to go up.

Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. FRANK], a cosponsor of this amendment. We have a number of cosponsors, but he is the primary partner.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentleman from Connecticut [Mr. SHAYS] for yielding.

Let me anticipate one argument. This is not an across-the-board cut. This would, if it passed, have the Subcommittee on Appropriations, in conference, have the authority to allocate where to reduce what they ask for. And if they have trouble fingering places, I will suggest some: Funds for Bosnia; the funds for the expansion of NATO beyond our fair share. Maybe they are even talking about not sending 100 officers over here to help us do our job.

The point is that we are talking about the largest single operational budget in the Federal Government, and we are saying, at a time of great austerity, at a time when we are admittedly cutting back on programs that are of great value in a number of areas, we would ask the Defense Department to participate.

A number of Members here have said that they think we are overextended. We have passed legislation in this House that has said to the administration, cut back, you are overextended here, you do not belong over there.

They will continue to ignore those with absolute impunity until this House does the one thing it can do to restrain excessive interventionism, and that is reduce the funding. We know that from our history. What this bill then says is to Members who think we are excessively engaged here or there, we will trust the appropriations subcommittee. They will tell us with false modesty that this will be a job much too hard for them. But I have more confidence in their ingenuity than that.

Given the mandate from this House to make this relatively small cut to bring it back to a freeze, they would have the option of restraining the ad-

ministration from entering into or continuing efforts which we do not think they should be in. They could crack down on waste. We could get serious about telling our allies in Europe that it is their turn to pick up some of the tab.

Indeed, if we forced the Europeans to do just a little bit of what they ought to be doing, we could easily afford this cut. This at this point, because we are in a fire wall situation, would not be available for domestic spending. I wish it would. In later years, it might be.

What we are talking about is another \$3-plus billion of deficit reduction. I must say, as I look at how that deal is working out, which I do not happen to be a fan of, some of my colleagues who are voting for it may need a little extra deficit reduction, because that deal is going to be a deficit increase for a while.

So those of my colleagues who are planning to vote for the deal and claim credit for getting the deficit down might want to borrow our \$3½ billion, because they are going to need it, as I do the arithmetic, in the next year.

But, in any case, it would be a very grave error to continue spending at the level that the committee asked for, increasing spending by a couple percentage points, continuing to fund excessive intervention, continuing to fund the subsidy of our Western European allies. All we do in this amendment is say to the Appropriations Subcommittee we have confidence that you, if you ask for a fair shake for America in the world, can make this small saving at a time when we are in fact putting the crunch to program after program after program.

I thank the gentleman from Connecticut [Mr. SHAYS] for his leadership, and I yield back to him.

Mr. SHAYS. Mr. Chairman, in conclusion, we urge adoption of this freeze amendment to the defense budget.

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

I reluctantly oppose my good friend, the gentleman from Connecticut [Mr. SHAYS], because he is such a gentleman and is always so accommodating when there are legislative matters before the House. But I have to respond to some of the comments he made.

He said we cannot allow defense spending to continue to go up. This, Mr. Chairman, is the 13th year in a row that defense investment has gone down. In the last 10 years, the active duty forces have declined by 714,000 uniform personnel. The civilian work force has declined 318,000 personnel. The Guard and Reserve have been reduced by 267,000 uniform personnel.

In constant fiscal year 1998 dollars, the defense budget has declined by \$120 billion in the last 10 years. In constant fiscal year 1998 dollars, the procurement budget has declined by \$65.7 billion, or 70 percent, in the last 10 years. The budget request for procurement is the lowest since before the Korean war.

So this defense budget has not been continuously going up. It has been continuously going down. And we are trying to level it off. This amendment would cut \$4 billion out of this bill.

The number in this bill is consistent with the defense numbers agreed to in the budget agreement. It is consistent with the House-passed budget resolution. It is consistent with the House-passed defense and intelligence authorization bills. This amendment, Mr. Chairman, would undermine all of those agreements that have been agreed to by the House.

Besides, this amendment would leave it to the administration or the Pentagon to determine where the cuts would be. I do not think the Members of the Congress want to allow that to happen. We are the ones that are supposed to make these kinds of decisions.

The gentleman has suggested that the defense bill should have the same scrutiny as all other budgets. Let me point out, most of the other budgets have gone up. The defense budget has gone down, as I just said. But if Members will read the report published by this subcommittee, they will learn that we have scrutinized every one of these budgets. We have killed off some of the programs. We have reduced some of the programs. And we have accelerated some of the programs, as the gentleman from Connecticut [Mr. SHAYS] has suggested. So we have done that.

This is a good bill. To cut \$4 billion out of this bill, let me tell my colleagues what it would take. This would take it down to the President's budget number, basically. We added \$60 million above the President's budget for housing allowances for members of the military. We added medical research and operations increases above the budget request for \$370 million, including \$125 million for breast cancer research that we talked about so much today. We provided \$79 million, a 25-percent increase over last year's level, for the DOD programs dealing with Gulf war illness. We provided \$99 million above the budget for combat training programs; \$622 million above the budget for Navy and Air Force shortfalls in flying hours and spare parts related to flying hours, training. We provided \$925 million above the budget for real property maintenance, including barracks repair and renovation.

We added \$184 million above the budget for the Guard and Reserve forces operation and maintenance programs; \$473 million above the budget request for depot maintenance. We provided \$713 million, \$60 million over the President's budget, or nearly 10 percent above the budget request, for DOD counterdrug and drug interdiction programs.

This list goes on and on, Mr. Chairman. Which of those programs do my colleagues want to cut? If the Shays-Frank amendment is agreed to, those will all have to be cut and a whole lot more. I just do not think the Members of this House want to do that.

As we prepared to go to markup, we had requests for adds above the President's budget of \$20 billion. By the time we found the duplications and where several requests included the same request, we got it down to about \$12 billion above the budget request. The subcommittee worked through this problem, and we bring a bill today that is above the President's budget request but it is in line with our budget resolution, the authorization bills.

We ought to defeat this amendment out of hand because it would make such a slash, a drastic meat ax cut in the defense funding for the next fiscal year. Oppose this amendment.

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

Mr. Chairman, I rise in support of the Frank-Shays amendment. This would make this year's Pentagon spending equal to that of last year's. This year we are accomplishing a very historic task, we are bringing the Federal budget into balance in the next 5 years. But what that means is that we have to now begin to set some sensible budget priorities.

I do not think it is sensible to continue cold war spending priorities. I think we have heard a lot of figures, but maybe I could simplify this by talking about the fact that there are in fact two budgets. One is a discretionary budget. The other is entitlements. I have a picture here of the discretionary budget so that the American people will understand what we are talking about because pictures really are probably easier than all these figures.

What it shows in this picture is that the discretionary budget of this historic agreement, 52 percent goes to the Pentagon and 48 percent of discretionary spending goes to everything else. Well, what does everything else include? Agricultural, commerce, community development, education, energy Federal retirement, health, international, justice, natural resources, science, transportation, and veterans. All those things are funded out of the 48 percent that is left over.

So I would say that these are misplaced priorities. It is time to change the focus of the priorities to reflect on the fact that national security means more than outdated cold war systems, it means providing our children with a quality education.

How wonderful it would be if national security would include access to health care for our families and for everyone a safer place to live and to learn. Now recent reports show that our children, the children of America, are at more risk than their contemporaries in any other industrialized nation in the world.

We are first, however, in military technologies in preparedness, in expenditures. But we are 18th in infant mortality, 17th in low birth weight babies, and we are the last in protecting our children against gun violence. We spend more on the military than do the next eight countries combined.

There are several weapons systems in this appropriations bill that were initiated during the cold war for the purpose of fighting the Soviet Union. If we were to cancel these, we would save over \$500 billion.

I would like to quote from an admiral of the U.S. Navy, Adm. Eugene Carroll, retired, who says, "For 45 years of the Cold War, we were in an arms race with the Soviet Union. Now it appears we are in an arms race with ourselves."

□ 1500

If we can go home and brag about balancing the budget when all the pain comes from non-Pentagon spending, I think our constituents have something to ask us about. I urge my colleagues, support this sensible amendment. Begin to set our priorities straight.

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

Mr. Chairman, I am delighted to hear those figures offered by the gentlewoman that just preceded me. I think she might be interested in looking at a chart that I have been carrying around for some time. We all remember the days of Camelot, the days of Jack Kennedy when all was good and peaceful and it never rained except at night. In those days, in the peak of the cold war, the United States spent half, not of the discretionary budget but of its entire budget on the defense of this Nation, because Jack Kennedy thought it was important to protect the American people against the onslaught of the Communist menace. Half of everything we spent is depicted in this lower yellow portion of the discretionary budget. I might add, the nondefense discretionary was roughly a third of that remaining.

In today's chart, which I do not have in front of us, the picture has entirely changed. Defense has dropped from half of the entire budget to roughly one-sixth of the entire budget. Yet the portion of nondefense discretionary stayed effectively the same. It has grown with the budget. The budget has grown from \$106 billion to \$1.6 trillion today and nondefense discretionary is roughly the same. Entitlements have grown from what was a quarter to about 55, 56 percent of what we spend today, and interest on the debt has grown from a mere 6 percent of the budget back in Jack Kennedy's day to as much as we spend on the defense of this Nation, within \$2 billion to \$5 billion. We spend as much on interest to service the debt that we have accumulated in the last 25 years as we spend on the defense of this Nation. The fact is the one big declining portion of the budget since Jack Kennedy's day has been defense. Defense has shrunk and everything else has grown astronomically. Since 1985 procurement for new weapons systems has declined between 75 and 80 percent.

This administration has troops deployed to more corners of the world than perhaps any other preceding

President, in peacetime. He did not want to pay for them because over the last 2 or 3 budgets he actually asked for between 7 to \$12 billion in cuts in the defense budget. We did not do it. We froze the defense budget in real dollars, but the fact was when we count inflation, the budget shrank. Each and every year after inflation, the budget for the Defense Department shrank. In fact it has shrunk consistently since 1985.

I want to commend the gentleman from Florida [Mr. YOUNG], the chairman, and the gentleman from Pennsylvania [Mr. MURTHA] for doing an outstanding job in putting together a bill that makes up for some of the shortfalls proposed by this administration. This bill pays for the Reserve forces pay accounts, makes up for the shortfalls in the Defense Health Program, pays for the Army's successful breast cancer research effort, pays and fully funds the Air Force and Navy flying hour and spare parts shortfalls, pays for the real property maintenance backlogs where we have young troops, young sailors, young marines, young airmen living in barracks that were built in World War II and are in deplorable condition. This bill pays for drug interdiction program, Guard and Reserve equipment, and missile defense program shortfalls.

If we agree to this amendment, the fact is that we would go from what used to be one-half of the full budget, now is one-sixth of the budget, to a significantly smaller portion of the budget and in fact we would leave our troops underfunded and our country underdefended. I think that is an appalling lapse and I just do not think we can do it any more. We have shrunk enough.

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

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

Mr. DICKS. Mr. Chairman, I want to associate myself with the gentleman's remarks. The height of the Reagan buildup ended in 1985. We have cut this budget in defense every single year. We have cut it by over \$100 billion. I believe that we are now down at a point if we cut it any further, we are going to cause real problems in the military which has been deployed more than any military during the cold war. These numbers are absolutely accurate and defense spending has been cut too far.

Mr. LIVINGSTON. Reclaiming my time, I appreciate the gentleman's comments. The fact is that between uniformed military and defense-related industry personnel, we have shrunk the whole defense establishment of this country by over 1 million people. If any portion of this budget has given since 1962, the defense portion of the budget has paid more than its share. I urge the defeat of this amendment.

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

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

Mr. RAMSTAD. Mr. Chairman, I rise today in strong support of the bipartisan Shays-Klug-Ramstad-Frank-Hinches-Luther amendment to freeze fiscal year 1998 defense spending at fiscal year 1997 levels.

As we continue our efforts to balance the budget and reduce the Federal debt, each and every Government program, including defense, must be scrutinized for potential savings.

By freezing the defense budget we force the Pentagon to cut wasteful and duplicative programs and to live within their means, like every American family and business must do every day.

This freeze is a modest reduction. In other words, this reduces the defense budget by only 1.7 percent or \$4.3 billion.

While I fully understand and strongly support the need for a strong national defense, I believe freezing defense appropriations at last year's level will produce further Pentagon cost savings reforms, without endangering our national security.

Above all, it will show the American people that Congress treats all parts of the Federal budget fairly when it comes to cutting programs, balancing the budget and reducing the deficit.

I strongly urge you to support this amendment.

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

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

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

Mr. FRANK of Massachusetts. I thank the gentleman for yielding.

Mr. Chairman, I want to congratulate the gentleman from Louisiana who just spoke. He managed to point out to the membership that since John Kennedy became President, we created the Medicare Program.

It is true in 1962 defense was a much higher percentage of the total spending. We had no Medicare Program. But that was not John Kennedy's fault. He wanted one. It is true that we had no environmental spending. So the argument from 1962 in terms of percentages is built on the fact that in 1962 we had no environmental program, we had no Medicare Program, we had no Medicaid Program, and it is true that they have now reduced the total percentage.

But it also has nothing to do with a rational decision about how much to spend. The point of defense spending is to be far stronger than your enemies. One thing has changed even more since 1985 than the defense number and that is the nature of our enemy in the world. No one I know of thought at the time that the Soviet Union and its allies in the Warsaw Pact were not the major focus of our defense spending. There were other enemies, there was North Korea, there was Iran, but the major focus of our defense in every way, shape and form in terms of nuclear and conventional was the Soviet Union and the Warsaw Pact. That has disappeared.

There is no area of government where the objective situation has changed so greatly in our favor. Yes, we do have a potential problem with China. We have Iran and Iraq and Libya. We had those then. So, of course, we have cut spending some since 1985. If what had happened to the Soviet Union between 1985 and now had happened to cancer, we would not have a National Cancer Institute. There has been a total collapse, a disappearance of the major enemy.

The question is, do we need to spend at the current level to be secure against Iraq and Libya, et cetera? The answer seems to me to be clearly no. Of course, we should be the strongest Nation in the world. It is much cheaper to be. The gentleman from Florida, the chairman of the committee, said this is what the budget agreement called for, this is what the authorization called for. The gentleman knows that those are ceilings, not floors. The budget resolution, the authorization, they set ceilings. We are told at the time, this is the ceiling, this is the maximum. The notion that we always must appropriate up to every penny of the authorizing and budget resolutions is clearly one this House rejects.

The gentleman also inaccurately stated that this amendment would give the President the authority to make the changes. Nothing could be clearer. If this amendment were to pass, the bill would go to conference and the conferees would have entire authority to change the spending priorities.

The gentleman says, well, we would have to cut breast cancer, we would have to cut this. No. How about enforcing this House's vote that said we should be withdrawing from Bosnia? This bill funds, and let us be clear about this, this bill funds a full 12 months in Bosnia despite the fact that this House voted that the Bosnia enterprise should end June 30. This bill is inconsistent because it gives the administration the money to keep the troops in Bosnia in July and August and September over the vote of the House.

This bill continues the practice of saying to France and Germany and England and Norway and Italy and Belgium, "You are objects of our charity." The worst example of cultural lag in the history of the world is that the United States taxpayers through this bill will be continuing to subsidize our NATO allies. We have voted several times to say they do not do enough. Their percentage of their spending of their GDP on defense far lags ours.

Yes, defending Western Europe is in our interest, but let me make a statement that I hope is accepted. While defending Western Europe is in our interest, it is at least as much in the interest of the Western Europeans. Let me make it a 50-50 proposition. It is at least as important to Belgium and France and Italy that we defend Belgium and France and Italy as it is to the United States. But we would not know that from looking at the figures

or from looking at the appropriations, because while people in those countries have health care, people in those countries have much better unemployment compensation, their American equivalents may find themselves without health care, without unemployment compensation, without other things that we could use because we are subsidizing their defense, because we spend in many cases twice as much of our gross domestic product on defending them.

So I say to the Committee on Appropriations, work a little at it. Tell the administration that we are serious about withdrawing from Bosnia on June 30. We would save a billion or two there. They can do it if they put their minds to it.

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

Mr. Chairman, I did want to mention that it has been my privilege as a member of this subcommittee to sit for endless hours in the hearings of the appropriations subcommittee that handles our national security, and I rise simply to express my deep appreciation to the gentleman from Florida [Mr. YOUNG] and to the gentleman from Pennsylvania [Mr. MURTHA] for the phenomenal job that the two together have done in developing a highly bipartisan product that reflects the broad needs of our country.

To say the least, even though it involves \$4 billion or so, an across-the-board cut, the very authors of this amendment know, is the worst way to govern. You do not take a machete and go across the board. You end up in that process by hurting the very people you say you support, the young men and women who live in conditions that are considerably less than we would have them live in, the circumstances that impact the quality of life in terms of housing on the bases that are involved. Across-the-board cuts are the wrong way. Indeed, defense has paid the price over a number of years of shrinking budgets. This indeed is a very, very well-developed, well-balanced bipartisan, almost nonpartisan measure. I commend the committee for its work.

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

Mr. Chairman, I rise in opposition to the amendment presented by the gentleman from Connecticut [Mr. SHAYS]. We have the highest standard of living in the world and have had for generations now not only because we have wonderful people in this country working hard every day but because of our military and because of the strength of our Defense Department. To propose a cut in spending on our military at this time would be a huge mistake. This money does not just provide the necessary weapons we need to maintain our freedom and liberty around the world but it provides money for training, very important training that must go on regardless of whether we are in

peacetime or war. It also provides for the maintenance necessary to keep our planes running and keep the tanks running, keep the trucks going, keep all of those things ready in the event we do have a problem. All of this affects readiness.

The reason that we are at peace right now is because the strength of the military through these processes keeps us at a level where no one wants to mess with us and threaten our quality of life. Quality of life is what I started out talking about a moment ago. In this country regardless of our income bracket, whether we are at the top or bottom, the biggest concern we generally have these days is whether or not we are going to be able to watch the video of our choice this weekend or what clothes we are going to be wearing this Saturday night or whether or not we are going to be able to get a cell phone to use in our car. All of those things are a great, great accomplishment and a great testament to our quality of life in this country because our military allows us to maintain that standard of living. We are also talking about health care for our military troops and for retirees. There are situations in this country right now where retirees cannot get in to see a doctor when necessary because of the funding cuts over the years.

□ 1515

This bill tries to address all of these needs.

It is a crime in this country when a military retiree has to wait 5 weeks to see a doctor. We are talking about people who saved the world in situations like World War II and saved the country. How can we not provide them the funds necessary to see a doctor?

This also includes money for pay raises, very important. We have still too many people serving in the military that are on food stamps, and it is a sad commentary on having that occur in this country in this day and age when our quality of life is so high in the civilian sector.

The other thing that this affects greatly for those who support peacekeeping missions, and I do not, it threatens the ability for our military to serve in peacekeeping missions around the country and for situations like Haiti. Haiti has turned out to be a fiasco. Whether we had a peacekeeping mission there or not, the government is about to fall apart, and we have wasted probably \$3 billion in Haiti.

Mr. Chairman, those who support peacekeeping on the other side ought to be able to stand up and say, "Well, we can't be gutting the military at this time because we need to pay for these peacekeeping missions as well."

So all of these things make a big difference. To stand up here and say that the military ought to be the first place we ought to look to make cuts are very misguided. Let us enjoy our peacetime. Let us continue to enjoy it providing the military the funds that they need

to do the job right not only for this generation, but for generations to come.

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

Mr. Chairman, I am delighted to see other Members here to join this debate. We are talking about the largest single appropriation. It seems to me appropriate that we ought to fully air it.

First of all, I was disappointed my friend from California had to rush off the floor and could not yield to me because he, I do not think, and he is back, good; he did not perhaps read the amendment when he said it is an across-the-board cut. It simply is not. An across-the-board cut, as we all know, means we cut every item by the same percentage. This amendment does not do that, and I am flattered that he apparently thinks the real amendment would be hard to criticize so he criticized a nonexistent amendment. And I would join him in opposing that nonexistent across-the-board amendment, if offered.

This amendment clearly says the total amount obligated cannot exceed X, and if it passes without question it is then within the province of the appropriations subcommittee in conference to comply with it. It would be entirely their choice. The President would have nothing to say. He would get a bill that would have to be this total, but what the components were would be entirely up to them. And so they would not have to cut these other things.

They could, as I have said before, enforce this House's view about Bosnia, and let us be clear we had a large majority that said we want to pull out of Bosnia by June 30. Why then is the Committee on Appropriations fully funding them to stay there for 12 months?

We have had the House say that we are picking up a disproportionate share in Europe. My friend from Massachusetts who yielded to me noted we ought to compare what the average worker gets in health benefits and unemployment compensation and tuition for higher education. In every case they get a better deal than the American because the American gets to pay for Germany's defense and Belgium's defense and France's defense because the percentage that we pay far exceeds theirs, and this appropriations bill funds a continuation of that inequitable pattern.

That is what we are telling the Committee on Appropriations: Instead of all this talk about burden sharing you are the ones who can enforce it because you are the ones who can say to our European allies, "You will have to pay some more on your own."

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

Mr. FRANK of Massachusetts. Mr. Chairman, I yield now to a man who has been genuine in his consistent interest in reducing the deficit, the au-

thor of the amendment, the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, could I just inquire how much time the gentleman is yielding to me?

The CHAIRMAN. The gentleman had 5 minutes, and he has 2½ minutes remaining.

Mr. SHAYS. Mr. Chairman, the gentleman from Massachusetts [Mr. FRANK] has been totally consistent for years on the fact that we need to get our Defense budget in line with the other parts of our budget, and that is why I am more than happy to participate in this bipartisan amendment to have this Congress, this Republican Congress, realize that we have waste, fraud, and abuse, believe it or not, in Defense budget as much as we have it in domestic programs.

We have had hundreds of hearings on the waste and the fraud and the abuse and mismanagement that we see in domestic programs. We have hardly had any hearings on the waste and fraud and abuse that exists in the Defense budget. The gentleman from Massachusetts [Mr. FRANK] and I and the sponsors of this amendment want a strong national defense. We want in fact a stronger national defense than we have now. We do not feel though we can commit to so many programs, spread ourself so thinly and then come back to Congress and say we have to keep spending more.

This is truly a freeze amendment. We are going to be spending about \$244.4 billion this year, and we are saying that we should spend about that amount next year. We are not cutting, we are not increasing; we are freezing. It is very disingenuous for people, particularly my own side of the aisle, to start talking about the fact that adjusting for inflation in this amendment is actually a cut and not a freeze. Well, if we say that, then let us be consistent with all the other programs that we say we are not cutting.

Mr. Chairman, I am asking that we treat the Defense budget like we would treat any other budget.

Mr. FRANK of Massachusetts. Reclaiming my time, Mr. Chairman, to say the gentleman made a very good point. When we find fraud or waste in other programs, our impulse is to cut those programs to penalize them. Where we have found in the intelligence budget, which is part of this appropriation; remember, this includes the intelligence budget, the people who have the disappearing \$4 billion that they got to keep. Our approach is when we find a waste in the national security area to give them more money to make up for what they wasted. The incentive for efficiency in this area is zero, the incentive to cut back in over-extended interventions is zero, and the incentive this budget gives the administration to make our allies, our wealthy allies, pay a fairer share is also zero. That is what the freeze would accomplish.

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

and I rise in opposition to the amendment, and I just wanted to say before I will yield, and I am going to yield to my distinguished chairman; but before I yield, I just want to say that as my colleagues know, we have always had in this House a bipartisan coalition of Democrats and Republicans who have supported national defense and national security throughout the years.

One of the reasons we won the cold war: Because Congress steadfastly stood behind the administration, whether it is Democrat or Republican, and we continued to fund an adequate program for national security. We have cut that budget by \$100 billion since 1985. I think that is too deep. The Chairman of the Joint Chiefs, all the Joint Chiefs, wrote a letter to Perry saying we are \$60 billion short. We need to get up to a level of \$60 billion a year in procurement. We are well below that still.

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

Mr. DICKS. I yield to the gentleman from Florida [Mr. YOUNG], who has done a great job, he and the gentleman from Pennsylvania [Mr. MURTHA], in bringing this bill to the floor.

Mr. YOUNG of Florida. I just wanted to say, Mr. Chairman, that it is obvious to me that the sponsors of this amendment, as well meaning as they are, have not read our report because in this report we explain how we cut over 200 programs from this bill, which is, by the way, the 13th appropriations bill for national defense, 13th one in a row that is less than the year before in actual purchasing ability. We cut over 200 programs. They are described in this report, and we targeted the Pentagon bureaucracy and their overhead. The QDR recommended certain reductions for next year; we took them for this year, \$325 million worth. Other headquarters reductions, we took \$149 million; civilian personnel overbudgeting, we took \$245 million; for consultants and advisory services, we took \$210 million; for defense dual use and commercialization programs, we took \$188 million. We stopped certain programs. JASSM; \$140 million, we took out of the program. In appropriating budgeting and working capital funds, we took out \$111 million; automated data processing programs, excess growth in the programs, we took out \$110 million; excess defense supply inventory, we took out \$100 million, the Joint Aerostat Program, we could not find anybody that supported it so we terminated it, \$93 million; the improper use of RDT&E funding for using RDT&E money for procurement, we stopped that, \$71 million we took out; growth in federally financed research centers, \$55 million we took out; growth in civilian employee travel, \$52 million we took out.

The list goes on and on. We took out a lot of money that we did not think was being spent wisely. We have scrutinized this bill probably better than any other appropriations bill that has been

on this floor. We have scrutinized every section of it, and we have come up with a bill that has been agreed to by the authorizers, both intelligence and the House Committee on National Security, a bipartisan coalition of the appropriation subcommittee, the Committee on Appropriations, all of the votes on the House. This is a good bill, and to try to cut it by \$4 billion just takes away things that are important to those who serve in our military.

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

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

Mr. FRANK of Massachusetts. Mr. Chairman, let me say the gentleman noted that the defense budget had gone up to 385, as I understand it, which I thought was too high then, but he said we have cut it \$100 billion. That is what; about a 30-percent cut? I would ask the gentleman from Washington this:

Given the collapse of the Soviet Union and the switch of sides of so many leading nations in the Warsaw Pact to where they are now about to join NATO, would he say there has been at least a 30 percent reduction in the physical threat faced by the United States since 1985?

Mr. DICKS. Regaining my time, I would say this to the gentleman from Massachusetts.

The CHAIRMAN. The time of the gentleman from Washington [Mr. DICKS] has expired.

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

Mr. DICKS. Mr. Chairman, I would say to the gentleman that what we have in the Soviet Union today is in many respects a more dangerous situation than we faced before.

Mr. FRANK of Massachusetts. Would the gentleman yield, because I want to congratulate him for keeping a straight face?

Mr. DICKS. I cannot yield because I want to finish my statement. I would say that when we look at their nuclear weapons, when we look at the instability in their society, when we look at the organized crime and the Mafia, I worry about the future of Russia, and they still have nuclear weapons, and those nuclear weapons are not pointed at anybody else. We may have them off target for 5 minutes.

All I would say is and then we look at Iran, Iraq, we look at North Korea, look at emerging China, and I would tell the gentleman I think, and if he looks at the program we are trying to fund and sending these kids everywhere in the world, to Haiti, to Bosnia, and to everything else, we are, the military today is more deployed than it has been, and we have cut the money by \$100 billion.

Now we cannot have it both ways. We cannot ask these kids to go out there and not adequately train them, adequately equip them, and I think it would be a great mistake to cut this \$4

billion out in a meat ax approach here on the floor when we have got people who have always been opposed to defense, who were opposed to it during the cold war.

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

Mr. Chairman, I just wanted to make a couple comments since we are talking about the changes, and I have to say to the gentleman who is a gentleman that I do not reluctantly oppose, I strongly oppose the gentleman's amendment.

But in review of the Department of Defense program on breast cancer research, an advance copy that we received from the Institute of Medicine; now, as the Soviet Union declined, we in the defense subcommittee, the Subcommittee on National Security, tried to change the emphasis in the Defense Department.

□ 1530

We tried to initiate programs which were important to quality of life. One of them was breast cancer. I personally started the breast cancer research program with \$35 million several years ago. It must have been 5 years ago. Since that time, we have spent \$500 million in breast cancer research. There have been questions on both sides of the aisle whether this was a good program, whether NIH should be handling the program and not the Defense Department.

Here are the conclusions of the National Academy of Sciences:

The committee concluded that USAMRMC has succeeded in establishing a fair peer review system, a broad-based research portfolio, by stimulating scientists from a wide range of disciplines to participate as applicants, reviewers, and advisors.

We are talking about the cancer program in the Department of Defense.

The committee commends the Army for developing such a program under the serious time constraints and fluctuations in funding that have characterized the program to date. Moreover, the program fills a unique niche among public and private funding sources for cancer research. It is not duplicative of other programs and is a promising vehicle for forging new ideas and scientific breakthroughs in the Nation's fight against breast cancer. Among the most outstanding features of the program are the flexible approaches for setting priorities annually, the involvement of breast cancer advocates and the consumers in the giant peer review process, and the level of commitment and diligence of the individuals who serve the program in various capacities.

Mr. Chairman, this program started because of women, spouses, dependents in the Defense Department who came to me. I presented the program to the subcommittee. They agreed wholeheartedly something ought to be done. When we first presented it to the Department of the Army, they could not figure out what to do with the money. Finally, they started the program, which has received these rave reviews.

We have started also an ovarian cancer program. We started a program on



ovarian cancer, on prostate cancer. The chairman of the committee, the gentleman from Florida [Mr. BILL YOUNG], started a bone marrow program which has had a phenomenal success in indexing people who have had the possibility of being able to transfer bone marrow from one person to another.

We have tried over the years to expand the programs away from the past and to take care of quality of life, because the tempo of operations has been so high and because we know quality of life is so important. We have troops that have spent three or four Christmases away from home. We have troops that have to get out of the service because the families have been left alone so much. We have a real recruitment problem. We have tried to put money in those resources.

Mr. Chairman, there is no question in my mind, the cuts that have been made in defense have been so severe with the tempo of operations that we are talking about, that we are having a real problem with attracting the kind of people we want into the service.

A couple of years ago I reported to the committee that I did not have the number of people applying to the academies that I had had in the past. As a matter of fact, we had to have a couple hundred. Now it is down to 40 or 50. That is disappointing and discouraging. I realize the economy is in competition. I recognize the fact that many, many people can make more money on the outside but are not willing to make the sacrifices. The quality of the troops is absolutely essential to the success of the military and the success of these deployments.

I would hope the Members of Congress would oppose this amendment to cut 1 percent, or \$4 billion, out of the defense budget. I would hope they would have confidence that we have already passed a distribution which we do not think is enough but which we are abiding by, and that they will support the committee in our transition, in moving away.

We cut procurement from \$120 to \$40 billion over the last few years. We have a problem in modernization, so we are trying to keep readiness up. We ask the support of the House so we can go forward with these quality-of-life programs.

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

Mr. Chairman, first, I would like to indicate that I rise in support of the Shays-Frank amendment. The practical effect of this amendment is that it would freeze military expenditures to last year's level, deriving \$3.9 billion in cuts. In supporting that amendment, I would like to make a few comments.

First, the gentleman from Washington, in the context of his remarks, used the term "those people who are always opposed to defense."

Mr. Chairman, our position has been over the years, without fail, that we need to spend what is necessary on de-

fense, but let us have an honest, rational, intelligent debate over what is, indeed, necessary. There is nothing very bright, very intelligent, very intellectual, to use phrases like "I am strong on defense."

What does that mean? It is a bumper sticker slogan. We are supposed to be here to rationally and intelligently engage each other. Just because people rise to cut the budget does not mean they are opposed to defense. That is bizarre and extreme, and I challenge anyone to come to the mike and really make that case.

Mr. Chairman, having said that, let me go to the second point. A number of my colleagues have marched into the well and argued that we have already cut the budget, we have already cut defense. Let us put that in its proper context. In the heyday of the height of the cold war, during the period of the 1980's, we spent in excess of \$300 billion per year, during the decade of the 1980's, which means in that 10-year period we spent over \$3 trillion on the military budget.

The cold war is now over, Mr. Chairman. During the period we were spending \$300 billion a year, 70 percent, extrapolating mathematically, that means \$210 billion per year of that \$300 billion, was designed to prepare us to fight a war either with the Soviet Union or the Warsaw Pact. Like magic, Mr. Chairman, the Soviet Union no longer exists. Communists cannot be elected President of the Soviet Union. It no longer exists. A democrat is now President of Russia. The Warsaw Pact no longer exists.

Do Members have to be brilliant rocket scientists to understand that if we are spending \$300 billion a year, 70 percent of that money designed to fight two enemies that no longer exist, that we certainly can reduce the military budget? No, we do not have to be very bright, just to have what my grandmother used to call mother wit, street sense, modest intelligence, and we can understand that we can bring down the military budget.

Mr. Chairman, I would assert that we are much more likely to be engaged in the Haitis, the Somalias, the Rwandas, and the Bosnias of the world than we are to engage in major war; peacekeeping, as opposed to warfighting. That has enormous implications.

For those who argue that now that the Soviet Union no longer exists, the Warsaw Pact no longer exists, suddenly the world is more dangerous, that is making an extreme and bizarre set of arguments. There are dangers there, but we ought to be intelligent enough to talk about the reality of those dangers and the parameters of those dangers, not on 30-second sound bites, not on bumper sticker comments, and not on comments that do not challenge people to think, to be rational, and to be intelligent, like "I am strong on defense," as if that suddenly means something. We are strong on defense, but we ought to have a debate on what that means.

Mr. Chairman, one of my colleagues got up and talked about how far this budget is cut. If Members listen very carefully to all the lists of the things that were cut, what did we cut? Consultant fees. Big challenge when you are cutting consultant fees. Everybody in here can cut consultant fees. Or we are going to cut bureaucrats. Gee, it takes great courage to cut bureaucrats. It takes great courage to cut an agency. But have Members seen anybody stand up and say, we have cut somebody's weapons system? No. In here, we buy each other's toys, no matter how many billions of dollars it costs to buy those toys.

Just a few moments ago, we rejected an effort that would have saved \$27 billion. We walked away from that. But we can cut consultant fees and we can cut a few bureaucrats.

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

(By unanimous consent, Mr. DELLUMS was allowed to proceed for 3 additional minutes.)

Mr. DELLUMS. Mr. Chairman, let us talk about where we can cut. First, our whole approach to our force structure, our readiness levels, our modernization schedule, et cetera, are all based on a bible that was generated as a result of the Persian Gulf War. Remember, Mr. Chairman, when Saddam Hussein went into Kuwait, we did not within 48 hours suddenly put our troops out there and start to wage war. We built up troops. The first thing we did was we put 4,000 troops in Kuwait to show resolve. Secondly, we put an aircraft carrier in the area, and then for several months, about 7 months, we built up forces, 500,000 troops. Then we said, now we are going to fight Saddam Hussein.

After that was all over, we then created a Bible that said, you have to be on location to wage a war within 48 hours. Now, stop and think about the implications: for the forward deployment, billions of dollars; force structure, billions of dollars; inventory, billions of dollars.

All Members have to do is slow down the response time from 48 hours to a more reasonable amount of time and they can save billions of dollars; no radical idea, just sound planning and thoughtful tactical and strategic approaches. We can bring down the readiness level, we can gear the readiness. Everyone does not have to be at level one, so it costs billions of dollars for that. We can bring down the level of the force structure, the deployment schedule becomes different. We can save tremendous amounts of money.

Second, Mr. Chairman, if we got rid of cold war weapons, weapons that were designed to fight the cold war, and now that the cold war is no longer with us, we are now in this new post-cold-war environment, we can stop weapons designed to fight in a cold war situation that no longer exists. Again, we do not have to be too bright to get to that position. If we designed weapon

□ 1545

systems for an area that no longer exists, take the weapons system off the table and generate weapon systems that are designed, that are much more purposeful for the era that you are evolving yourselves into.

The B-2 is the classic example. This was a weapon that was supposed to drop nuclear weapons in the Soviet Union and rearrange the rubble after a nuclear war started. But look, Mr. Chairman, that weapons system gets built in somebody's district, built in somebody's State, so they have to try to find a mission to solve the problem of building more of these planes. But that era is over, so now we are trying to find a conventional environment to fly a plane that was designed for the cold war.

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

Mr. DELLUMS. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

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

Mr. YOUNG of Florida. I have to object to that, Mr. Chairman. The gentleman has used a lot of time today. He has extended his time numerous times. I am constrained to object.

The CHAIRMAN. Objection is heard.

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

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

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

Mr. YOUNG of Florida. Mr. Chairman, I thank the gentleman for yielding to me, and I rise to close the debate on this amendment today.

I would like to say to my friend, the gentleman from California [Mr. DELLUMS], who has spent a lot of time telling us what the world is like today but obviously spent very little time listening to some other things that were said on the floor, he said, no one has said—

Mr. DELLUMS. Point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Florida [Mr. YOUNG] has the time.

Mr. DELLUMS. Mr. Chairman, I am making a point of order.

Mr. Chairman, I move that the gentleman's words be taken down. I am listening. I have tried to listen here as much as anyone in these Chambers.

Mr. YOUNG of Florida. Is the gentleman through?

Mr. DELLUMS. I would ask the gentleman to withdraw that comment about listening, because I am one person that is prepared to listen all day, Mr. Chairman.

Mr. YOUNG of Florida. If the gentleman would let me continue, I would like to clarify that statement.

The CHAIRMAN. The gentleman from Florida will suspend. The Clerk will report the words.

Mr. DELLUMS. I ask to withdraw that request, Mr. Chairman.

Mr. YOUNG of Florida. Mr. Chairman, what I was trying to say was the gentleman stood there just a few minutes ago and said no one came to the floor to talk about any weapons systems that were terminated or cancelled or stopped. That is not true. Because just a few minutes before that, I talked about Aerostat, a program that we stopped. I talked about JASSM, a program that we stopped despite the fact that there were many in the outside world who wanted to have these programs go forward. We did stop the programs. We made many cuts in the requests that we had received from all sources. I apologize to the gentleman if he is offended by my comment, but his comment offended me somewhat because we have made a list of numerous cuts and they are all listed in this report. I referred to it several times.

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

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

Mr. DELLUMS. Mr. Chairman, the gentleman knows for over a decade, the quarter of a century I have been here, I have never tried to impugn anyone's integrity. It was not designed to challenge the gentleman. I am always prepared to debate on the substance. I thank the gentleman for his apology. My effort was not designed to challenge him in any personal way. I think everyone in this Chamber knows me by my reputation in that regard.

Mr. YOUNG of Florida. Mr. Chairman, if the gentleman will continue to yield, I think they know both of us in that regard, I would say to my distinguished friend from California.

Mr. Chairman, the arguments about how much we spend and invest in our national security versus the rest of the world, that argument has been made many, many times today. What is not mentioned in those debates is that we have an all-volunteer force. Unlike the Russians, unlike the Soviets had, unlike the Iranians, unlike the Chinese, unlike the North Koreans, we have an all-volunteer force.

We pay the Members of our military far more substantially than these other nations pay theirs. They pay theirs almost as if it is slave labor. In fact at one point we were asked to provide funding to provide housing for Russian soldiers, which we did not do, by the way, but we were asked to do that. The point is that an all-volunteer service is very costly.

Approximately 70 percent of the money appropriated by this bill does not go to buy weapons. It does not go for RDT&E or things of that nature. It goes to provide salaries and allowances and clothing and housing and medical care and training for the members of the military and their families. We are trying to do a better job in that regard. We are trying to take those lower ranked people who live in barracks that really are not fit, in my opinion, I would not want one of my children to

live there. We are trying to repair those and renovate them and make the quality of life better.

We are trying to get to the point that, if a mother brings her daughter into a military hospital while the husband is overseas on deployment, they do not have to wait four or five hours with a child in pain from an infected ear or something like that. Those are the things that we are trying to do in this bill. The dollars for procurement, the Joint Chiefs, the war fighters will tell you that even this bill does not provide anywhere near the modernization or procurement dollars that they, the war fighters, think that they need. I am not talking about the folks in the Pentagon. I am not talking about the budget office. I am talking about the war fighters who are deployed around the world, the commanders of those units that understand what the shortages are.

There are real shortages. I know some Members get tired of me rolling out this scroll. I will not roll it out today. But it could go from one side of this well to the other listing items that are never written about in the news media or reported on radio or television. They are never the subject of some great committee hearing. But what they are are items like flashlights and compasses and small arms ammunition and things of this nature, communications gear, communications cable that need to be purchased to keep the infrastructure working. They are listed here. On this scroll it is hard to tell, but some of them have been outlined in blue ink that means we have taken care of those items that are essential.

The ones that have not been outlined in blue still need to be taken care of. We do not need to cut this budget by this bill by \$4 billion. We ought to go ahead and defeat this amendment and then pass the bill and get onto other business.

Ms. WOOLSEY. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I thank the gentlewoman for yielding to me. I would like to finish my remarks with respect to where we can save money. I mentioned about the time factor slowing that down, save billions of dollars, not a radical idea. Moving away from cold war weapons, saving billions of dollars, not a radical idea.

Mr. Chairman, the third place where we can save money is to reduce our nuclear forces, our nuclear weapons and reduce the inventory that supports our nuclear weapons. We all know that we are going to move to Start III. We ought to anticipate moving to Start III. None of us in this room would put money in a base that is going to be closed. We know that we are going to Start III. Why do we put money in this budget for D-5 missiles for the deployment on Trident submarines when we know eventually we are going to reduce the number of submarines, reduce

the number of weapons, thereby saving billions of dollars?

By reducing our nuclear arsenal for our children and our children's children, and reducing the infrastructure designed to support those nuclear weapons, we can indeed reduce, save billions of dollars.

Fourth, on the question of presence, we deploy nuclear aircraft carrier task force around the world for the purposes of presence. I have asked on numerous occasions, why do you need a task force as muscular as a nuclear carrier task force in order to simply show presence? Can you not show presence with a task force that is much less muscular than a nuclear task force? That can save you billions of dollars. In terms of the ships you deploy, in terms of the personnel, in terms of the planes, et cetera, et cetera. Billions of dollars.

Finally, we cannot talk, Mr. Chairman, about the intelligence budget, but there are many of us here who have intimate knowledge about the intelligence budget. I can assure you that there are places that the intelligence budget can be cut. At the end of the day, what we are saying with this amendment is that the committee can determine where they want to make these cuts. This simply says, go back to last year. What I tried to lay out for Members is that there are clearly places where we can save billions of dollars; \$3.9 billion does not suddenly throw the United States from being the only peg standing, the only superpower in existence at this point into some Third World position. We are an extraordinary military power with extraordinary military capability.

I would ask this rhetorical question. If we had the mightiest military force on the face of the earth and our cities were deteriorating, our children not being adequately educated, people who need to work not able to work, drugs creating problems in our various communities, violence overtaking some of our communities, what are we out there defending? What this budget, what this does is save us some money. At the end of the day I think that redounds to the benefit of the country.

Finally, on a personal note, I would say to the gentleman from Florida, he and I walked in the door together. I have never objected to the gentleman's comments. Here it is very difficult to make complex arguments on multibillion-dollar amendments in 5-minute segments. It is just difficult to do. I have never, I have sat there in a position of chair of the committee and have never ever once objected to anyone standing up debating, because I think that is why we get paid here, is to debate.

Sometimes we get upset when people are debating who have something to say and are prepared to challenge them in a fundamental way. I am not trying to challenge anyone's intellect here. I am simply saying, let us rise to a level that allows us to understand these is-

sues at a profound enough level to make us make the right decision.

I think the Shays-Frank amendment is the proper decision. I think that is what we can do. I believe that we can cut money from the military budget and the world goes on. The Nation goes on. Our children do not die. Our children's children are not threatened. I think that is hyperbole and overstatement, Mr. Chairman.

I appreciate the opportunity that the gentlewoman gave me to conclude my remarks. I am simply saying that I think we ought to support this amendment, and exaggerated comments to the contrary notwithstanding, I think this is a reasonable amendment. I think it can be accomplished and I would urge my colleagues to support it.

Ms. WOOLSEY. Mr. Chairman, I would like to say that I support also the Shays-Frank-Klug-Hinchey-Ramstad-Luther amendment. It makes sense. Let us cut wasteful defensive spending and let us invest in our children and their education.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. SHAYS].

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

## RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 137, noes 290, not voting 7, as follows:

[Roll No. 337]

AYES—137

Ackerman	Frank (MA)	Mink
Baldacci	Franks (NJ)	Morella
Barcia	Furse	Nadler
Barrett (WI)	Ganske	Neal
Becerra	Green	Neumann
Bentsen	Greenwood	Nussle
Berman	Gutierrez	Oberstar
Berry	Gutknecht	Obey
Blumenauer	Hastings (FL)	Olver
Boniior	Hilliard	Owens
Brown (CA)	Hinchev	Paul
Brown (OH)	Hoekstra	Payne
Camp	Hooley	Pelosi
Campbell	Jackson (IL)	Peterson (MN)
Capps	Jackson-Lee	Petri
Carson	(TX)	Porter
Castle	Kanjorski	Portman
Chabot	Kelly	Poshard
Clay	Kennedy (MA)	Ramstad
Clayton	Kilpatrick	Rangel
Conyers	Kind (WI)	Riggs
Costello	Klecza	Rivers
Coyne	Klug	Rohrabacher
Cummings	Kucinich	Roukema
Danner	LaFalce	Roybal-Allard
Davis (IL)	Lantos	Royce
DeFazio	Leach	Rush
DeGette	Levin	Sabo
Delahunt	LoBiondo	Sanders
Dellums	Lofgren	Sanford
Doggett	Lowe	Schumer
Doyle	Luther	Sensenbrenner
Duncan	Maloney (NY)	Serrano
Ehlers	Markey	Shays
Engel	Matsui	Skaggs
English	McCarthy (MO)	Slaughter
Ensign	McDermott	Smith (MI)
Eshoo	McGovern	Stabenow
Farr	McKinney	Stark
Fattah	McNulty	Stokes
Filner	Meehan	Stupak
Foley	Metcalf	Tierney
Fox	Miller (CA)	Upton
	Minge	Velazquez

Vento	Watt (NC)	Woolsey
Waters	Waxman	Yates
	NOES—290	
Abercrombie	Gilman	Northup
Aderholt	Goode	Norwood
Allen	Goodlatte	Ortiz
Andrews	Gooding	Oxley
Archer	Gordon	Packard
Armey	Goss	Pallone
Bachus	Graham	Pappas
Baesler	Granger	Parker
Baker	Hall (OH)	Pascrell
Ballenger	Hall (TX)	Pastor
Barr	Hamilton	Paxon
Barrett (NE)	Hansen	Pease
Bartlett	Harman	Peterson (PA)
Barton	Hastert	Pickering
Bass	Hastings (WA)	Pickett
Bateman	Hayworth	Pitts
Bereuter	Hefley	Pombo
Bilbray	Hefner	Pomeroy
Bilirakis	Hergert	Price (NC)
Bishop	Hill	Pryce (OH)
Blagojevich	Hilleary	Quinn
Bliley	Hinojosa	Radanovich
Blunt	Hobson	Rahall
Boehler	Holden	Redmond
Boehner	Horn	Regula
Bonilla	Hostettler	Reyes
Bono	Houghton	Riley
Borski	Hoyer	Rodriguez
Boswell	Hulshof	Roemer
Boucher	Hunter	Rogan
Boyd	Hutchinson	Rogers
Brady	Hyde	Ros-Lehtinen
Brown (FL)	Inglis	Rothman
Bryant	Istook	Ryun
Bunning	Jefferson	Salmon
Burr	Jenkins	Sanchez
Burton	John	Sandlin
Buyer	Johnson (CT)	Sawyer
Callahan	Johnson (WI)	Saxton
Calvert	Johnson, E. B.	Scarborough
Canady	Johnson, Sam	Schaefer, Dan
Cannon	Jones	Schaffer, Bob
Cardin	Kaptur	Scott
Chambliss	Kasich	Sessions
Chenoweth	Kennedy (RI)	Shadegg
Christensen	Kennelly	Shaw
Clement	Kildee	Sherman
Clyburn	Kim	Shimkus
Coble	King (NY)	Shuster
Coburn	Kingston	Sisisky
Collins	Klink	Skeen
Combest	Knollenberg	Skelton
Condit	Kolbe	Smith (NJ)
Cook	LaHood	Smith (OR)
Cooksey	Lampson	Smith (TX)
Cox	Largent	Smith, Adam
Cramer	Latham	Smith, Linda
Crane	LaTourette	Snowbarger
Crapo	Lazio	Snyder
Cubin	Lewis (CA)	Solomon
Cunningham	Lewis (GA)	Souder
Davis (VA)	Lewis (KY)	Spence
Deal	Linder	Spratt
DeLauro	Lipinski	Stearns
DeLay	Livingston	Stenholm
Deutsch	Lucas	Strickland
Diaz-Balart	Maloney (CT)	Stump
Dickey	Manton	Sununu
Dicks	Manzullo	Talent
Dingell	Martinez	Tanner
Dixon	Mascara	Tauscher
Dooley	McCarthy (NY)	Tauzin
Doolittle	McCollum	Taylor (MS)
Dreier	McCrery	Taylor (NC)
Dunn	McDade	Thomas
Edwards	McHale	Thompson
Ehrlich	McHugh	Thornberry
Emerson	McInnis	Thune
Etheridge	McIntosh	Thurman
Everett	McIntyre	Tiahrt
Ewing	McKeon	Torres
Fawell	Meek	Towns
Fazio	Menendez	Trafficant
Flake	Mica	Turner
Ford	Millender-	Visclosky
Fowler	McDonald	Walsh
Frelinghuysen	Miller (FL)	Wamp
Frost	Moakley	Watkins
Gallely	Molinari	Watts (OK)
Gejdenson	Mollohan	Weldon (FL)
Gekas	Moran (KS)	Weldon (PA)
Gephardt	Moran (VA)	Weller
Gibbons	Murtha	Wexler
Gilchrest	Myrick	Weygand
Gillmor	Nethercutt	White

Whitfield Wise Wynn  
Wicker Wolf Young (FL)

NOT VOTING—7

Davis (FL) Gonzalez Young (AK)  
Foglietta Ney  
Forbes Schiff

□ 1612

Mr. BILBRAY and Mr. CHRISTENSEN changed their vote from "aye" to "no."

Ms. CARSON and Mr. PORTER 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. NEY. Mr. Chairman, on rollcall Nos. 336 and 337, I was unavoidably detained in Columbus, OH, at an Elections Hearing. Had I been present, I would have voted "yes" on 336, and "yes" on 337.

The CHAIRMAN. Are there any further amendments?

If not, under the rule, the Committee rises.

□ 1615

Accordingly, the Committee rose; and the Speaker pro tempore [Mr. MCHUGH] having assumed the chair, Mr. CAMP, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2266), making appropriations for the Department of Defense for the fiscal year ending September 30, 1998, and for the other purposes, pursuant to House Resolution 198, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore [Mr. MCHUGH]. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? 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 third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

REDUCING TO 5 MINUTES VOTES ON POSTPONED SUSPENSIONS

Mr. STEARNS. Mr. Speaker, I ask unanimous consent that following passage of H.R. 2266, the DOD appropriations, the two votes on suspensions debated Monday, July 28, 1997, House Concurrent Resolution 735 and H.R. 1348, be 5 minutes each.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. The question is on 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 322, nays 105, not voting 7, as follows:

[Roll No. 338]

YEAS—322

Abercrombie Fox  
Aderholt Frelinghuysen  
Allen Frost  
Andrews Gallegly  
Archer Gejdenson  
Arney Gekas  
Bachus Gibbons  
Baesler Gilchrest  
Baker Gillmor  
Ballenger Gilman  
Barcia Goode  
Barr Goodlatte  
Barrett (NE) Goodling  
Bartlett Gordon  
Barton Goss  
Bass Graham  
Bateman Granger  
Bentsen Green  
Bereuter Greenwood  
Berman Gutknecht  
Bilbray Hall (OH)  
Bilirakis Hall (TX)  
Bishop Hamilton  
Blagojevich Hansen  
Bliley Harman  
Blunt Hastert  
Boehkert Hastings (FL)  
Boehner Hastings (WA)  
Bonnilla Hayworth  
Borski Hefley  
Boswell Hefner  
Boucher Herger  
Boyd Hill  
Brady Hilleary  
Brown (FL) Hinojosa  
Bryant Hobson  
Bunning Holden  
Burr Horn  
Burton Hostettler  
Buyer Houghton  
Callahan Hoyer  
Calvert Hulshof  
Canady Hutchinson  
Cannon Hyde  
Capps Inglis  
Carson Istook  
Castle Jackson-Lee  
Chabot (TX)  
Chambliss Jefferson  
Chenoweth Jenkins  
Christensen John  
Clayton Johnson (CT)  
Clement Johnson, E. B.  
Clyburn Johnson, Sam  
Coble Jones  
Collins Kanjorski  
Combest Kaptur  
Condit Kasich  
Cook Kelly  
Cooksey Kennedy (RI)  
Costello Kennelly  
Cox Kildee  
Cramer Kim  
Crane King (NY)  
Crapo Kingston  
Cubin Klink  
Cunningham Knollenberg  
Davis (FL) Kolbe  
Davis (VA) LaHood  
Deal Lampson  
DeLauro Lantos  
DeLay Largent  
Deutsch Latham  
Diaz-Balart LaTourette  
Dickey Lazio  
Dicks Leach  
Dixon Levin  
Dooley Lewis (CA)  
Doolittle Lewis (GA)  
Dreier Lewis (KY)  
Duncan Linder  
Dunn Lipinski  
Edwards Livingston  
Ehrlich Lucas  
Emerson Maloney (CT)  
Ensign Manton  
Etheridge Manzullo  
Everett Martinez  
Ewing Mascara  
Farr Matsui  
Fawell McColium  
Fazio McCrery  
Flake McDade  
Foley McHale  
Ford McHugh  
Fowler McInnis

Stump Thurman Weldon (PA)  
Sununu Tiahrt Weller  
Talent Tierney Wexler  
Tanner Trafficant Weygand  
Tauscher Turner White  
Tauzin Visclosky Whitfield  
Taylor (MS) Walsh Wickler  
Taylor (NC) Wamp Wise  
Thomas Waters Wolf  
Thompson Watkins Woolsey  
Thornberry Watts (OK) Wynn  
Thune Weldon (FL) Young (FL)

NAYS—105

Ackerman Furse Oberstar  
Baldacci Ganske Obey  
Barrett (WI) Gephardt Olver  
Becerra Gutierrez Owens  
Berry Hilliard Paul  
Blumenauer Hinchey Payne  
Bonior Hoekstra Pelosi  
Bono Hoolley Peterson (MN)  
Brown (CA) Jackson (IL) Rahall  
Brown (OH) Johnson (WI) Ramstad  
Camp Kennedy (MA) Rangel  
Campbell Kilpatrick Riggs  
Cardin Kind (WI) Rivers  
Clay Kleczka Roukema  
Coyers Klug Royce  
Coyne Kucinich Rush  
Cummings LaFalce Sabo  
Danner LoBiondo Sanders  
Davis (IL) Lofgren Sanford  
DeFazio Lowey Sawyer  
DeGette Luther Sensenbrenner  
Delahunt Maloney (NY) Serrano  
Dellums Markey Shays  
Dingell McCarthy (MO) Smith (MI)  
Doggett McCarthy (NY) Stabenow  
Doyle McDermott Stark  
Ehlers McGovern Stupak  
Engel McKinney Torres  
English McNulty Towns  
Eshoo Miller (CA) Upton  
Evans Minge Velazquez  
Fattah Morella Vento  
Filner Nadler Watt (NC)  
Frank (MA) Neal Waxman  
Franks (NJ) Neumann Yates

NOT VOTING—7

Coburn Gonzalez Young (AK)  
Foglietta Hunter  
Forbes Schiff

□ 1632

Ms. STABENOW changed her vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2266, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 1998

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that in the engrossment of H.R. 2266, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other conforming changes as may be necessary to reflect the actions of the House today.

The SPEAKER pro tempore [Mr. MCHUGH]. Is there objection to the request of the gentleman from Florida?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2200

Mr. ROHRABACHER. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor from H.R. 2200.