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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by Father Chad Hatfield, All Saints Orthodox Church, Salina, KS.

PRAYER

The guest Chaplain, Father Chad Hatfield, offered the following prayer:

Let us pray to the Lord.

O Lord, grant to the Members of this Senate peace in the coming day, helping them do all things in accordance with Your holy will. In every hour of this day, reveal Your will to them. Bless their dealings with one another. Teach them to treat all that comes to them throughout the day with peace of soul and the firm conviction that Your will governs all. In all their deeds and words, guide their thoughts and their feelings. In unforeseen events, let them not forget that all are sent by You. Teach every Member of this solemn assembly to act firmly and wisely without embittering and embarrassing others. Give them strength to bear the fatigue of the coming day with all that it shall bring. Direct them, teaching them to pray. And, Yourself, pray in all of us. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SAM BROWNBACK, a Senator from the State of Kansas, led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Alaska.

Mr. STEVENS. I thank the Chair.

Before making opening remarks, I yield to Senator BROWNBACK for such remarks he wishes to make.

Mr. BROWNBACK. I thank the Senator.

FATHER CHAD HATFIELD

Mr. BROWNBACK. I rise to thank Father Chad Hatfield of the All Saints Orthodox Church, Salina, KS, for his encouraging words. Today, it is appropriate to honor this man of God by describing his service to the people of Kansas.

Father Hatfield has served faithfully in the ministry for over 20 years and is presently the senior pastor of an Eastern Orthodox congregation. Before settling in Kansas, he lived in several places including South Africa during far more difficult days. His duties included ministering as well as editing a South African theological journal. He became an ordained Orthodox priest in January 1994, after several years in the Episcopal Church.

He is a respected theologian, as well as a man of deep faith whose talent lies in pointing people to a relationship with God. He is known for his special events for those exploring Christian Orthodoxy, and many in his congregation are new converts because of his witness.

I hope my words capture his strength and wisdom. This is a man who has dedicated himself to the people of his parish, not because it was his job but because they are his flock. His is the work of opening Godly mysteries, while serving the needs of those in his community. He is a servant to those in trouble involving the persecuted church overseas, youth violence at home, reducing teen pregnancy, preserving marriages, and helping promote such projects as Faith Works of Kansas which links needy families with churches to help people get back on their feet. His is the work of a true shepherd, and it is work which surely will remain.

The Bible says in Psalm 119:105, "Thy word is a lamp to my feet and a light

to my path." Mr. President, I hope you join me in thanking Father Hatfield for his prayer and lighting our path for this day.

I thank the Chair and I yield the floor.

SCHEDULE

Mr. STEVENS. Mr. President, on behalf of the majority leader, I wish to announce that today the Senate will debate the Defense appropriations conference report for 1 hour. By previous consent, that vote will be postponed to occur at 4 p.m. this afternoon. For the remainder of the day, the Senate will debate the campaign finance reform bill with amendments expected to be offered. Senators who intend to offer amendments are encouraged to work with the bill managers to schedule a time for debate on their amendments. Further, Senators can expect votes throughout the day. The Senate may also consider any other conference reports available for action.

The distinguished majority leader thanks all Senators for their cooperation on this day. It will be a difficult day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2000—CONFERENCE REPORT

The PRESIDING OFFICER. The Senate will now proceed to the consideration of the conference report accompanying H.R. 2561, which the clerk will report.

The bill clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill, H.R. 2561, have agreed to recommend and do

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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recommend to their respective Houses this report, signed by a majority of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of October 8, 1999.)

The PRESIDING OFFICER. Under the previous order, there will now be 50 minutes of debate equally divided, with an additional 10 minutes under the control of the Senator from Arizona, Mr. McCAIN.

The Senator from Alaska.

Mr. STEVENS. Mr. President, yesterday the House passed the conference report which is before the Senate which accompanies H.R. 2561, which is the fiscal year 2000 Department of Defense Appropriations Act. It passed by a vote of 372-55. All 17 Senate conferees signed this conference report which Senator INOUYE and I present to the Senate today.

This conference report reflects nearly 4 weeks of discussions and negotiations with the House committee. The conference report before the Senate is consistent with the bill passed by the Senate in June and the armed services conference report passed recently and signed by the President.

In most areas, we established a compromise figure between the House and Senate levels.

The excellent work undertaken by the Armed Services Committee provided an essential roadmap and guide for the work of our conference on most major programs.

The first priority of our conference was to ensure adequate funding for military personnel, including the 4.8-percent pay raise for the fiscal year 2000. Funding was also provided to implement the restoration of full retirement benefits for military personnel and new retention and enlistment bonuses to attract and retain military personnel.

The conferees worked to increase needed spending for military readiness and quality of life priorities. More than \$1 billion has been added to the President's request for operation and maintenance in the Department of Defense to make certain the Armed Forces are prepared to meet any challenge to our Nation's security.

The conferees faced wide gaps between modernization programs advocated by the House and Senate. This is the first year of many years we have had such major disagreements.

The Senate sustained the Department's request for several multiyear procurement initiatives which included the Apache, the Javelin, the F-18, C-17, and the M-1 tank. I am pleased to report each of these are included in the conference report before the Senate today. Those multiyear contracts, in our opinion, do give us better procurement at a lower cost.

The Senate included funds to meet the Marine Corps commandant's fore-

most priority, the LHD-8 amphibious assault ship. There is \$375 million provided for that vessel at the authorized level.

Considerable media attention was focused on the action by the House to delete all procurement funding for the F-22. Consistent with the decision in the defense authorization bill, Senate conferees insisted that adequate funding be appropriated for the F-22.

Also, legislative authority was provided to execute the existing fixed-price contract for the first eight preproduction aircraft.

The conference outcome provides funds to sustain the F-22 program at the proposed production rates, with full advanced procurement for the 10 aircraft planned for the fiscal year 2001.

Legislative restrictions on those funds do mandate that during the fiscal year 2000, the Department meet its planned review thresholds. We are confident that will take place.

Language concerning the fiscal year 2001 contract awards by necessity will have to be reconsidered as part of the fiscal year 2001 bill, as this act does not govern appropriations after September 30 of next year.

The most important research and development program supported in this act is the national missile defense effort. The successful intercept test last week validates the work since 1983 to build and deploy an effective national missile defense system.

This conference report before the Senate allocates an additional \$117 million from the 1999 omnibus bill to keep this program on track and to accelerate deployment as soon as practical.

The bill also provides funding for the Third Arrow Battery to assist our ally, Israel, in meeting its security needs. When the committee reported the defense bill to the Senate in May, Congress had just passed an \$11 billion supplemental bill to meet the costs of the conflict in Kosovo.

As a result of the exceptional performance of our air and naval forces during that campaign, hostilities ended months earlier than projected in the supplemental bill. That effort afforded the Senate the option to apply those funds from the supplemental bill appropriated for Kosovo to meet the fiscal year 2000 defense needs. This bill utilized \$3.1 billion in Kosovo carryover funds as it left the Senate. Based on extensive consultation with the Department of Defense, the conferees agreed to apply \$1.6 billion of that sum to meet vital readiness and munitions needs for the fiscal year 2000.

Finally, the bill includes two new general provisions that place new maximum averages on defense contract payments. These provisions do not reduce in any way the amount the Department will pay to meet its obligations but does change the maximum number of days by which such payments must be made.

The Department must remain fully compliant with the Prompt Payment

Act, and nothing was done in this act to extend payments beyond current legal limits.

As I have observed over the past 5 years, the work of presenting this bill and the conference report now before the Senate reflects a total partnership between myself and my great friend, the distinguished Senator from Hawaii. His wisdom, perseverance, and steadfast determination to work for the welfare of the men and women of our Armed Forces and the military preparedness of our Nation assured the nonpartisan result of this conference.

This bill also contains a provision to commence the formation of a commission to find a suitable national memorial to our former President, the distinguished general of the Army, President Eisenhower. I urge all Members become familiar with that process. It very much follows the commission that was established for a similar memorial to President Franklin Delano Roosevelt.

Following the statement of my good friend from Hawaii, to whom I now yield, I shall urge adoption of the conference report.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, I rise this morning to add my support to H.R. 2561, the Department of Defense Appropriations Act for fiscal year 2000. I believe the conference report presents an agreement that is very much in keeping with the bill that passed the Senate and I would encourage all my colleagues to support it.

This was a tough conference. That is an understatement. The recommendations of the House and the Senate were different in many areas. Both sides felt strongly about their respective views. As noted by my chairman, nowhere was this more evident than in the case of the F-22. For that reason, and because of the importance of this program, I would like to spend a few minutes discussing the situation facing the conferees and the final outcome.

For 16 years, the Air Force has been researching and developing a new generation air superiority aircraft, called the F-22. The administration's budget request called for the aircraft to enter production in fiscal year 2000.

The House was divided in its view on this matter. The Defense authorization bill, as passed by the House and the conference agreement which followed, supported the program without adjustment. The House Appropriations Committee took a different view.

The committee recommended, and the House concurred in the Defense appropriations bill, that production should be "paused" for at least 1 year to allow for additional testing. The House eliminated all production funding for the program—an amount in excess of \$1.8 billion—and reallocated these funds to other programs. Many of these were very meritorious, but they were lower priority in the view of the Defense Department.

The Senate fully supported the F-22 as requested and authorized. In conference, the House was adamant that production should not begin this year. The Senate understood the House's desire for additional testing on the program, but pointed out repeatedly that there was nothing in the initial phases of this program that would warrant slowing it down to await additional testing. In addition, the Senate voted that a pause would be very costly. Contracts would have to be renegotiated. Subcontractors expecting to begin production would have to stop work on the project. Restarting it would be costly even if the pause were only to last 1 year.

The F-22 is a highly sophisticated new aircraft with revolutionary capabilities. Those facts are not in dispute. But, these capabilities make it a very expensive program. The Senate conferees were concerned additional costs caused by delays would be so large as to force the Defense Department to cut or even cancel the program. It is ironic that after 16 years just when we are ready to begin production that some would now argue it was time to slow down the program. The differences between the two bodies were so strongly felt that it was extremely difficult to reach an agreement.

Finally, our chairman, acting with the advice of the leadership of the Defense Department, crafted a compromise that all parties embraced. The compromise provides \$1.3 billion for the F-22. I for one would like to have seen more provided for this program, but that was the maximum to which the House would agree.

We have been told by the Air Force that this sum is sufficient to allow for the program to stay on track in the coming year. The conferees understand that the funds will be merged with other research and development funding to allow the Air Force to purchase another six F-22 aircraft as planned. It will also allow the Air Force to buy materials to produce 10 additional aircraft in fiscal year 2001.

There is language in the agreement that requires the Air Force to get approval from the Defense Acquisition Board before proceeding to purchase these aircraft. There is also language that would require the Air Force to complete certain testing before it purchases aircraft in 2001. However, that language, as noted by our chairman, would not have any effect until after the expiration of this act.

The conferees believe the Air Force should conduct adequate testing of the aircraft before it goes into full rate production. The precise level of that testing is an issue to be reexamined at a later date.

The Senate owes a debt of gratitude—a great debt of gratitude—to our chairman, Senator STEVENS. This was a tough conference. Our chairman was up to the task of defending the positions of the Senate. At the same time, he was most respectful of the views of the

House. He worked tirelessly to try to reach an accommodation on this, as well as hundreds of other items.

A second matter that requires clarification is the overall spending in this bill. The Senate bill provided \$264.7 billion in budget authority, with the estimated outlays of \$255.4 billion. The House bill was nearly \$4 billion higher.

In conference, the Senate agreed to increase the spending by \$3.1 billion in budget authority and \$200 million in outlays. The conferees also agreed to label \$7.2 billion in budget authority as emergency spending. In so doing, the committee was able to reallocate \$4.1 billion more than the original Senate allocation and \$8.1 billion more than the House allocation for other discretionary domestic programs.

Many have stated that this bill is more than \$17 billion above the amount recommended in fiscal year 1999. However, it should be noted that the Congress added \$16.6 billion for Kosovo, Bosnia, and other emergency requirements in fiscal year 1999 that are not included in that calculation.

In comparing "apples to apples," this bill is a little over \$1 billion more than provided in fiscal year 1999. I, for one, would argue that this increase is very modest for the coming year. Especially when one realizes we have provided funding for an expanded pay raise, an enhanced retirement system, and additional target pay increases for many members of the military, this increase is very modest, indeed.

This is a good conference report. While one can find one or two things one might not support, on balance I believe it is a good compromise package. So I most respectfully urge all my colleagues to support it.

In closing, I would like to give a word of commendation for two members who are not Members of the Senate, but we think they are members of our family: Steve Cortese and, this man, Charlie Hous. So, Mr. President, with the help of these two special staff members, we were able to craft this agreement we present today.

I yield the floor.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I understand under the unanimous-consent agreement I have 10 minutes.

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCAIN. Mr. President, I voted in support of the Defense authorization bill for the fiscal year that began earlier this month. I would have liked to have been able to similarly support the Defense appropriations bill. Unfortunately, the unconscionable and noncredible budgeting procedures that are used in this bill are too pervasive, the level of wasteful spending of taxpayer dollars is too irresponsible for me to acquiesce in passage of this legislation.

I look at this bill that is larded with earmarks and set-asides for powerful defense contractors, influential local

groups and officials, and with other parochial interests. One can understand the distrust with which the average citizen views the Federal government. The use of gimmicks and budgetary subterfuge simply deepens the gulf that exists between those of us who toil within the confines of the Beltway, and Americans across the Nation who see large portions of their paychecks diverted by Congress for purposes they often do not support.

What kind of message are we sending American business men and women, especially the small businesses most affected by telling the Department of Defense to purposely delay paying its bills? When the Department of Defense fails to pay contractors on time, those contractors often have to tell their suppliers, subcontractors, and employees that they will have to wait for their check. The trickle-down effect is felt most by the employees and their families whose budgets often can't absorb a delay of a week in getting a paycheck, much less the 29-day delay mandated by this bill.

This provision simply pushes off until the next fiscal year the bills that come due in the last month of this fiscal year. Does anyone in this body believe that it will be any easier next year to live within the budget caps? It will be more difficult because, by approving this gimmick, we are spending \$2 billion of next year's available funding. In fact, we already pushed another \$6 billion into the next fiscal year by "forward funding" programs in the Labor-HHS Appropriations bill. In total, we will have already spent \$8 billion out of next year's budget cap before taking up a single fiscal year 2001 appropriations bill.

And how can we explain the categorization of \$2.7 billion for normal, predictable operations, training, and maintenance funding as "emergency" spending? Obviously, ongoing operations around the world cost money, as does necessary training as well as maintaining the admittedly bloated infrastructure of the Department of Defense. None of this should come as a surprise to the appropriators, and thus, in my view, cannot be justified as "emergency" spending, other than as a clear manifestation of an effort to evade budget caps.

This \$7.2 billion will come straight out of the budget surplus that the Congress promised just a few months ago to return to the American taxpayers. Together with the ever-increasing \$8.7 billion in "emergency" farm aid—some of which is admittedly justifiable—we will have already spent the entire non-Social Security surplus, and even a few billion of the Social Security Trust Fund. How can we vote—not once but four times—to put a "lockbox" on the Social Security surplus and then turn right around and spend it without blinking an eye?

At the same time, we are funding ships and aircraft and research programs that were not requested by the

military, and in fact do not even appear on the ever-expanding Unfunded Requirements Lists, the integrity of which have been thoroughly undermined by pressures from this body.

Mr. President, this bill includes \$6.4 billion in low-priority, wasteful spending not subject to the kind of deliberative, competitive process that we should demand of all items in spending bills. Six billion dollars—more than ever before in any defense bill in the 13 years I have been in this body.

Argue all you want about the merits of individual programs that were added at the request of interested Members. At the end of the day, there is over \$6 billion worth of pork in a defense spending bill at the same time we are struggling with myriad readiness and modernization problems. No credible budget process can withstand such abuse indefinitely and still retain the level of legitimacy needed to properly represent the interests of the Nation as a whole.

The ingenuity of the appropriators never ceases to amaze me. In this defense bill, we are spending money on unrequested research and development projects like the \$3 million for advanced food service technology and on activities totally unrelated to national defense, such as the \$8 million in the budget for Puget Sound Naval Shipyard Resource Preservation.

These items are representative of the bulk of the pork-barrel spending that is inserted into spending bills for parochial reasons: hundreds of small items or activities totaling hundreds of millions of dollars. Combine them with the big-ticket items in the bill—like the 11 Blackhawk helicopters at a cost of over \$100 million; the \$375 million in long-lead funding for another amphibious assault ship; and the \$275 million for F-15 aircraft above the \$263 million in the budget request—and you have a major investment in special interest goodwill at the expense of broader national security considerations. Two of these programs, the amphibious assault ship and the Blackhawk helicopters, are specifically mentioned in the Secretary of Defense's letter to the chairmen of the Senate and House Appropriations Committees as diverting funds from "Much higher priority needs * * *."

How long are we going to continue to acquiesce in the forced acquisition of security locks just because they are manufactured in the state that was represented by a very powerful former member of this body? Making a bad situation worse, we have extended the requirement that one particular company's product be purchased for government-owned facilities to also include the contractors that serve them, and earmarked another \$10 million for that purpose. What's next? Are we going to mandate that these locks be used for the bicycles of children of defense contractors?

Another distasteful budget sleight of hand was the addition of 15 military construction projects totaling \$92 mil-

lion that were neither requested nor authorized. The Appropriations Conference took care of that, however. These projects are both authorized and fully funded in the Conference Report, calling into question the relevance of the defense authorizing committees in the House of Representatives and the Senate.

As someone who is concerned that the Navy, by design, will lack the means of supporting ground forces ashore with high-volume, high-impact naval gunfire for at least another 10 years, I am more than a little taken aback that the California delegation has placed a higher priority on accumulating tourist dollars than on preserving one of the last two battleships in the fleet. The \$3 million earmarked for relocating the U.S.S. *Iowa* represents a particularly pernicious episode of giving higher priority to bringing home the bacon than to national security interests. Simplistic platitudes regarding the age of these ships aside, no one can deny that they continue to represent one of the most capable non-nuclear platforms in the arsenal. But, yes, they do make fine museums.

Also discouraging is the growing use of domestic source restrictions on the acquisition of defense items. The Defense Appropriations Conference Report is replete with so-called "Buy American" restrictions, every one of which serves solely to protect businesses from competition. The use of protectionist legislation to insulate domestic industry from competition not only deprives the American consumer of the best product at the lowest price, it deprives the American taxpayer of the best value for his or her tax dollar. It undermines alliance relations while we are encouraging friendly countries to "buy American." As Secretary Cohen stated, such restrictions "undermine DoD's ability to procure the best systems at the least cost and to advance highly beneficial armaments cooperation with our allies."

Mr. President, our military personnel will not fail to notice that, while we are spending inordinate amounts of money on programs and activities not requested by the armed forces, we rejected a proposal to get 12,000 military families off food stamps. That is not a message with which I wish to be associated. This bill appropriates \$2.5 million, at the insistence of the opposition of the House, not one penny to get the children of military personnel currently on food stamps off of them. The cost of the provision I sponsored in the defense authorization bill was \$6 million per year to permanently remove 10,000 military families from the food stamp rolls. Yet those who fought hard to defeat that measure have no problem finding hundreds of millions of dollars to take care of businesses important to their districts and campaigns.

This conference report represents everything those of us in the majority were supposed to be against. We

weren't supposed to be the party that, when it came to power, would abuse the Congressional power of the purse because we couldn't restrain ourselves from bowing to the special interests that ask us to spend billions of dollars on projects that benefit them, not the nation as a whole.

We were supposed to be the pro-defense party, the party that gave highest priority to ensuring our national security and the readiness of our Armed Forces. We weren't supposed to be the party that wastes \$6.4 billion on low-priority, wasteful, and unnecessary spending of scarce defense resources.

Our Armed Forces are the best in the world, but there is much that must be done to complete their restructuring, retraining, and re-equipping to meet the challenges of the future. I support a larger defense budget but I know that, if we eliminate pork-barrel spending from the defense budget, we can modernize our military without adding to the overall budget. Every year, Congress earmarks about \$4 to 6 billion for wasteful, unnecessary, and low-priority projects that do little or nothing to support our military. Because Congress refuses to allow unneeded bases to be closed, the Pentagon wastes another \$7 billion per year to maintain this excess infrastructure. If we privatized or consolidated support and depot maintenance activities, we could save \$2 billion every year. And if we eliminated the anti-competitive "Buy America" provisions from law, we could save another \$5.5 billion every year on defense contracts. Altogether, these common-sense proposals would free up over \$20 billion every year in the defense budget that could be used to provide adequate pay and ensure appropriate quality of life for our military personnel and their families; pay for needed training and modern equipment for our forces; and pay for other high-priority defense needs, like an effective national missile defense system.

Instead, the Congress continues to squander scarce defense dollars, while nearly 12,000 of the men and women who protect our nation's security, and their families, must subsist on food stamps. It is a national disgrace.

Moral indignation serves little practical purpose in the Halls of Congress. In the end, we are what we are: politicians more concerned with parochial matters than with broader considerations of national security and fiscal responsibility. I do not like voting against the bill that funds the Department of Defense, not while we have pilots patrolling the skies over Iraq and troops enforcing the peace on the Korean peninsula and in such places as Bosnia, Kosovo and even East Timor.

However, I cannot support this defense bill. It is so full of wasteful spending and smoke and mirrors gimmickry that what good lies within is overwhelmed by the bad. It wastes billions of dollars on unnecessary programs, while revitalizing discredited budgeting practices. Those of us in the

majority correctly rejected the Administration's ill-considered attempt to incrementally fund military construction projects—but now we are proceeding to institutionalize budgeting practices that warrant even greater contempt.

I strongly urge my colleagues to vote against this bill.

Mr. President, the list of add-ons, increases, and earmarks that total \$6.4 billion, can be found on my web site.

I yield the remainder of my time.

Mr. STEVENS addressed the Chair.

The PRESIDING OFFICER (Mr. FRIST). The Senator from Alaska.

Mr. STEVENS. Mr. President, I know of nothing in this bill that deals with the food stamp issue. I don't understand the remarks of the Senator from Arizona. There is a 4.8 percent pay raise in this bill. We did exceed the President's request for the purpose of trying to make certain that all members of the armed services have sufficient funds with which to live. I know of no issue in this bill that deals with food stamps for service people. There are people in the service who are eligible for food stamps because of their own economic circumstances. That is very unfortunate. We are trying to work out a system whereby that will not happen. One of the ways to do that is to continue to increase the pay so they are comparable with people in the private sector and the jobs that they perform.

Mr. INOUYE addressed the Chair.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, I yield time to the Senator from Florida, Mr. GRAHAM.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. GRAHAM. I thank the Chair.

Mr. President, I rise to speak, as I did yesterday, on the latest appropriations conference report. Yesterday I expressed my concern about the Agriculture conference report, which contained within it \$8.7 billion of designated emergency spending. Adding that \$8.7 billion to \$7 billion, which has previously been designated as an emergency, we have now spent almost \$16 billion of the \$21 billion that was originally estimated to be available as the non-Social Security surplus.

We are clearly on the path of exhausting the non-Social Security surplus in a series of incremental decisions, without focusing on how we might use this opportunity of significant surplus for fundamental national policy issues. This legislation contains an additional expenditure of emergency funds in the amount of \$7.2 billion. With the adoption of this conference report, we will have fully exhausted the non-Social Security surplus and probably will also begin to lap into the Social Security surplus.

Mr. President, there was an interesting quotation in the press within the last 2 weeks by a leading figure in the German Government in 1991. He

talked about missed opportunities and said that Germany, in 1991, as part of reunification, had a national opportunity to deal with some of their fundamental problems which would have built a stronger nation for the 21st century. But he went on to say: We promised the nation we could do reunification without pain; therefore, we were unable or unwilling to ask the country to take those steps that would have built a stronger Germany for the 21st century.

I regretfully say that I believe we are "in 1991"; we are not in Germany, we are in the United States of America, and we are missing a similar opportunity to take some important steps that will strengthen our Nation, for precisely the same reason: We are unwilling to tell the American people the truth of what we are about, what the consequences are in terms of missed opportunities, and we are attempting to hide all of this under a cascading number of gimmicks and unique accounting. In my judgment, this Defense appropriations conference report adds to that book another significant chapter which will make it more difficult for us to deal with Social Security solvency, Medicare reform, and debt reduction—three priority issues challenging America.

What are some of the items in this Defense appropriations bill that raise those concerns? I have mentioned \$7.2 billion listed as an emergency. What are the emergencies? Things such as routine operation and maintenance. Since the Bush administration, we have operated under a definition of what an emergency is which states that an emergency shall be "spending which is necessary, sudden, urgent, unforeseen, and not permanent." Those five standards were developed by President Bush, not the current administration. Those are the five standards to which this Congress has adhered. How can anyone declare that operation and maintenance in the Department of Defense is not permanent, is unforeseen, and is a sudden and urgent condition?

Beyond that, we are also slowing payments to contractors in order to move \$1.2 billion of those costs out of the fiscal year in which we are currently operating into fiscal year 2001. We are advance appropriating \$1.8 billion for the same purpose. We are offsetting \$2.6 billion of this bill's cost by assuming the same level of proceeds from spectrum auction sales. This bill relies upon a direction that has been given to CBO to change the manner in which CBO estimates outlays so that \$10.5 billion will occur after fiscal year 2000.

I am about to leave for a meeting of the Finance Committee, and there is going to be an effort made there to overturn a congressional statute by directing the administration, through the Department of Health and Human Services, to change the method by which Medicare providers are compensated in order to increase spending

to those providers by an excess of \$5 billion—a violation of congressional statute, a timidity of Congress to deal with changing that statute, with the consequence that we are going to take over \$5 billion off budget but directly out of Social Security surplus.

So I regret, as my colleague from Arizona did, I will have to vote "no" on this legislation. But while recognizing the extreme importance of the national defense that is funded through this legislation, I believe it is also important that we exercise fiscal discipline and that we not commit ourselves to a pattern of accounting and budgetary devices which obscures the reality of what we are doing, which denies us the opportunity to use this rare opportunity of surplus to build a stronger America for the 21st century, and which I think fails to face the reality of what our long-term commitments are going to have to be to secure our national defense.

So I regret my inability to support this legislation. I hope this will be a brief period in our American fiscal policy history and that before we complete the calendar year 1999, we will have an opportunity to revisit these issues with that higher standard of directness to the American people and a greater sense of importance of our protecting this rare period of fiscal strength and surplus, and we have to assure that America deals with its priorities as we enter the 21st century.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. While the Senator from Florida is here, I want to point out that we did use the spectrum concept in this bill. It was the administration that recommended that approach to the Congress, and we decided to use it in this bill.

Regarding the comments made both by the Senator from Florida and the Senator from Arizona about the payment schedule set forth in this bill, Congress had previously required the Department of Defense to pay sooner than required by the Prompt Payment Act. We have not reduced the amount of payments to be made to defense contractors; we have not changed, in any way, the contracts between those contractors and the United States. All we have said is the Department of Defense does not have to pay earlier than required by the Prompt Payment Act. It was the mandate to pay earlier that was causing a scoring problem, as far as the Department of Defense activities are concerned.

As a practical matter, what this does is deal with the average number of days within which payments are required under defense contracts. There is no reduction in the amount of money that would be spent, and there is no acceleration or deceleration of the rate at which it is to be spent; there is just no mandate that they have to pay sooner than is required by the Prompt Payment Act. Under the circumstances, we have not varied the

amount of money that would be spent for these contracts within fiscal year 2000; we have just not mandated that they be spent sooner than would otherwise be required by normal, sound business practices.

Having done so, we are dealing with the scoring mechanisms that apply to this bill, not how the payments are made to contractors. I do believe that the comments that have been made concerning the scoring mechanisms under this bill do not recognize the fact that it is extremely necessary for us to pursue ways in which we can assure the moneys are available to the Department of Defense, notwithstanding the extraordinary burdens we faced in this subcommittee on defense coming from the increased activities in South Korea, increased activities in the Persian Gulf, permanent personnel stationed in both Kuwait and Saudi Arabia, from the activities in Bosnia—and we still have forces in Bosnia, and now in Kosovo; we have permanent forces now in Kosovo. All of those forces and activities have required enormous funding. We still have forces in Haiti.

Under the circumstances, all of these extraordinary burdens on the Department of Defense require us to find ways in which we can assure money is there for modernization, maintenance, for increased pay to our people, and for assuring that we will continue with the research and development necessary to assure that this Nation will have a viable Department of Defense in the next century.

I do not deny that there are things in here with which people could disagree. I only wish they had tried to understand them. I would be perfectly willing to have any of them visit with us any time if they can show us that we have underfunded the Department of Defense. We have adequately funded the Department of Defense, and that was our intention. It was our intention to use every possible legal mechanism available to us to assure that there is more money available for the Department of Defense in the coming year in view of the strains that we have on the whole system because of these contingencies that we have financed in the past 3 to 4 years.

This has been an extraordinary period for the Department of Defense. I can think of only one instance where we received a request from the administration to budget for those extraordinary expenses. We have had to find the money, we found the money, and we have kept the Department of Defense funded.

I, for one, want to thank my good friend from Hawaii for his extraordinary friendship and capability in helping on that job. I say without any fear of being challenged on this, I would challenge any other two Members of the Senate to find ways to do this better than the two of us have done it.

I, without any question, recommend this bill to the Senate. Those who wish

to vote against it, of course, have the right to do so. But a vote against this bill is a vote to not fund the Department of Defense properly in the coming year. If you want to nitpick this bill, you can.

The process of putting it together was the most extraordinary process I have gone through in 31 years. I don't want to go through a conference like that again. And I assure the Senate that we will not.

COMMERCIAL SATELLITE IMAGERY AND GROUND STATIONS TO THE U.S. MILITARY

Mr. BURNS. Can the Senator from Michigan discuss the importance of this bill regarding commercial satellite imagery and ground stations to U.S. military?

Mr. ABRAHAM. The funding provided in this bill for Eagle Vision mobile ground stations enables reception of additional commercial high-resolution satellite imagery sources and is critical to supporting our military forces in peace time and in war. The currently deployed system has proven its worth in U.S. military activities in Bosnia and Kosovo. It has helped our pilots better prepare for critical missions, while providing an extra measure of safety and security for our fighting men and women as they head into harm's way.

Mr. BURNS. I have heard that the National Reconnaissance Office has recently completed an improved mobile ground station. I believe that it was built for receiving high-resolution commercial satellite imagery, such as the recently launched Ikonos satellite that is owned by Space Imaging. Is that correct?

Mr. ABRAHAM. Yes. The most recently deployed Eagle Vision II mobile ground station has been fielded by the National Reconnaissance Office for use by the U.S. Army. It is a much improved system with even greater capability than the original Eagle Vision System built in 1995. Its enhanced mobility ensures rapid deployment and survivability, which is critical in meeting the current threats facing our military around the world. I am proud that a company from my state (ERIM International) has been the leader in developing and building this Eagle Vision mobile ground station capability.

The funding in this bill has been sought and provided to ensure that additional Eagle Vision systems will be built with state-of-the-art mobile capabilities to meet the critical imagery needs of our warfighters in the future. This is an outstanding example of how American firms can effectively work in partnership with the U.S. military to provide state-of-the-art technology to protect our men and women in uniform.

Mr. BURNS. I thank the Senator from Michigan.

SECTION 8160

Mr. WARNER. Mr. President, I want to congratulate my dear friend, Chairman STEVENS, and the ranking member of the Appropriations Committee, Sen-

ator BYRD, for bringing to the floor a conference report that I know was reached through very difficult negotiations.

There is no doubt that the conference on the Fiscal Year 2000 Defense Appropriations Bill was the most contentious in recent history. As the Chairman of the Armed Services Committee, I am aware of the difficult decisions that had to be made to reach a consensus with the House, and I will vote in favor of the conference report.

Despite my over all support of this conference report, I must point out one provision in the bill that is fraught with danger. That provision is section 8160 which states: "Notwithstanding any other provision of law, all military construction projects for which funds were appropriated in Public Law 106-52 are hereby authorized." As all my colleagues are aware the Armed Services Committee has original jurisdiction for military construction and authorizes for appropriations each military construction project. In fact, the law requires that each military construction and military family housing construction project be both authorized and appropriated. The projects authorized in this conference report were not authorized in either the Senate or House Authorization Bills. The act of authorizing military construction projects in this conference report has a profound impact on the legislative process.

Senator STEVENS and I work closely in developing our respective bills. We have directed our staffs to share information and resolve differences in the bills before the Senate considers them. In fact, Chairman STEVENS commented in his floor statement on the Fiscal Year 2000 Defense Appropriations Bill that his bill mirrors closely the actions of the Armed Services Committee. This conference report is not consistent with that cooperation. It usurps the jurisdiction of the Armed Services Committee and may set a terrible precedent.

While the rules of the Senate do not allow us to correct this in this bill, I trust that Chairman STEVENS will acknowledge the jurisdiction of the Armed Services Committee over these matters and provide us his assurance that this conference report does not set a precedent and that military construction and military family housing projects will not be authorized in future appropriations bills.

Mr. STEVENS. Mr. President, I understand Senator WARNER's concerns and appreciate his support for the conference report. As the distinguished Chairman of the Armed Services Committee indicated, this was a very difficult conference. In order to assure the Senate's position on the most important national security issues, we agreed to other provisions that the Senate conferees would normally oppose. I assure my colleague that I respect the jurisdiction of the Armed Services Committee in these matters. I agreed to authorize the military construction projects only because it was

necessary to reach a final agreement. In my view, these actions do not set any precedent for future actions on appropriations bills. It is my hope and intention that this will not happen again in the future.

Mr. WARNER. I appreciate the assurance of my colleague and thank him for addressing this matter.

SECTION 8008

Ms. SNOWE. Mr. President, the National Defense Authorization Act for FY 2000 contains a provision allowing the Navy to apply up to \$190 million in FY 2000 advanced procurement funding to the DDG-51 multiyear procurement contracts renewed by Section 122 of the same legislation.

Are my colleagues, the Chairman of the Appropriations Committee, the Majority Leader, and the senior Senator from Mississippi, aware of any provision of the FY 2000 Defense Appropriations Conference Report that conflicts with Section 122 of the FY 2000 National Defense Authorization Act?

Mr. STEVENS. Mr. President, I can tell the senior Senator from Maine that no provisions of the FY 2000 Defense Appropriations Conference Report conflict with the DDG-51 multiyear procurement contracts extension or the \$190 million DDG-51 FY 2000 advance procurement provisions of Section 122 of the National Defense Authorization Act.

Mr. LOTT. Mr. President, I appreciate the efforts of the senior Senator from Maine initiating this colloquy, and I concur with the statement of the Chairman of the Appropriations Committee.

Mr. COCHRAN. Mr. President, I fully support the interpretation of my colleagues from Maine, Alaska, and Mississippi. The Navy has cost-effectively produced the DDG-51 destroyer program under a very successful multiyear procurement, and no provision of the Conference Report conflicts with Section 122 of the National Defense Authorization Act for Fiscal Year 2000.

Ms. SNOWE. I thank my colleagues for joining me in clarifying this critical shipbuilding matter.

INDIA/PAKISTAN SANCTIONS WAIVER

Mr. ROBERTS. Mr. President, I take this opportunity to thank Chairman STEVENS for his outstanding leadership during the long hours of debate leading to passage of the FY 2000 Defense appropriations bill. I especially thank the chairman for supporting Title IX of the act which permanently grants the President waiver authority over sanctions imposed on India and Pakistan. American business, workers, and farmers appreciate your efforts on this important economic and foreign policy provision.

Mr. STEVENS. Mr. President, I am very pleased this conference report provides the President permanent, comprehensive authority to waive, with respect to India and Pakistan, the application of any sanction contained in section 101 or 102 of the Arms Export Control Act, section 2(b)(4) of the Ex-

port-Import Bank Act of 1945, or Section 620E(e) of the Foreign Assistance Act of 1961, as amended. This authority provides needed tools for the United States to be in a position to waive sanctions as developments may warrant in the coming months and years.

DIGITAL MAMMOGRAPHY

Mr. BENNETT. Mr. President, I commend Senator STEVENS for his work on the Defense Appropriations bill, and will support the passage of this legislation. Before the final vote, I would like to get some clarification on the Defense Health Science program that is funded in this bill. In the conference report, the Secretary of Defense in conjunction with the Surgeons General is to establish a process to select medical research projects. I see that a number of possibilities are listed in the bill. Is it the Senator's intent that the Secretary of Defense and the service Surgeons General will consider the programs listed in the conference report?

Mr. STEVENS. The Senator is correct.

Mr. BENNETT. One of the projects listed is digital mammography technology development. Advancing second generation imaging technology has the potential of increasing efficiency, reliability and lower costs, but would not be considered basic research. However, it seems appropriate that this type of project be reviewed. Is it the intent of the committee that this type of research and development program be included in the selection process?

Mr. STEVENS. Since the Secretary and Surgeons General are charged with setting up a peer reviewed process, it is up to them to determine the specifics of the selection process. However, the Senator is correct that many health benefits are a result from technology development. I expect adjustments in the peer review process could be made, as appropriate, to delineate between basic research or technology development programs to account for differences as long as projects are in keeping with the "clear scientific merit and relevance to military health" requirement set forth in the report.

Mr. BENNETT. I thank the chairman for the clarification, and for his efforts to address military health issues.

Mr. CLELAND. Mr. President, I will vote for the Defense Appropriations Conference Report because there is much in it that I strongly support, especially including funding for the essential pay and benefit improvements for our service men and women which had been created by the Defense Authorization bill. I will also cast an affirmative vote as a measure of my admiration and respect for the fine work done by the Senate conferees, who were ably led by the distinguished senior Senator from Alaska and the distinguished senior Senator from Hawaii.

Without the hard work of Senator STEVENS and Senator INOUYE I would likely have had to oppose the final product of the conference.

The reason for my concern, and for my reluctant support for the Defense Appropriations Conference Report, is that, because of the adamant position of the House conferees, the conference report, in my judgment, seriously hampers the rational and cost-effective development and production of the Pentagon's highest-priority new weapons system, the F-22 aircraft. The slowdown in production will undoubtedly result in increased costs and the House conferees indeed have indicated that the final production level will likely have to be reduced to well below the currently planned 339 aircraft which would precipitously drive up the unit costs. The F-22, which has been under development for 16 years and has received close and ongoing testing and Congressional oversight, is absolutely critical to maintaining our air superiority into the 21st Century.

Once again, I would like to thank Senators STEVENS and INOUYE for producing the best result for the F-22 that could be obtained, given the position of the House. While the compromise is an impediment to the F-22 program, it is not fatal, and with some extra effort, plus some shifting of Air Force funding, the delays and higher costs can be minimized. Nonetheless, I think all Members of the Senate, especially the 56 other Senators who joined with Senator COVERDELL and me in writing to the conferees in support of the Senate's position on the F-22, must be on notice that we will face another, and perhaps even tougher, fight on the future of the F-22 next year and beyond.

In closing, I want to note that the work on this Defense Appropriations bill, and the preceding Defense Authorization bill has been marked by bipartisanship and pragmatism, resulting in the kind of national consensus and resolve which is perhaps the single biggest factor undergirding a nation's security. Unfortunately, this stands in stark contrast to what we saw yesterday, with the near-party line vote rejecting the Comprehensive Test Ban. I believe both parties bear some of the blame for that most unfortunate outcome. What I want to say today is that, beyond the Test Ban Treaty, beyond any specific dispute in national security policy, we in this body, as well as those in the House, and in the Executive Branch must, I repeat must, work to repair the partisan breach, and begin to recreate a bipartisan consensus on national security policy. I have some ideas along those lines which I will be sharing with my colleagues in the days ahead, but I think we can all take a lesson from the cooperative efforts of Senators STEVENS and INOUYE who have achieved that objective in the critical area of Defense Appropriations.

Mrs. BOXER. Mr. President, I oppose the large increase in defense spending called for under the fiscal year 2000 Department of Defense Appropriations bill. The final conference report increases defense spending by \$17.3 billion over last year's bill—\$7.2 billion of

which is declared as emergency spending and will come straight out of the surplus. At a time when Congress is slashing many important domestic programs, I cannot support an increase of this magnitude.

I do, however, want to express my strong support for the many good provisions that were included in this legislation. This bill includes funding for a needed pay raise of 4.8 percent for our military men and women and targeted bonuses to enhance recruitment and retention efforts. I was also pleased to see that the bill restores full retirement benefits for our personnel.

Nevertheless, I think it would have been possible to include these important provisions without substantially increasing the defense budget. The Department of Defense need only to look within to find these savings.

In January, the General Accounting Office found that auditors could not match about \$22 billion in signed checks with corresponding obligations: \$9 billion in known military materials and supplies were unaccounted for; and contractors received \$19 million in overpayments. In April, a GAO study found that the Navy does not effectively control its in-transit inventory and has placed enormous amounts of inventory at risk of undetected theft or misplacement. For fiscal years 1996-98, the Navy reported that it had lost over \$3 billion in in-transit inventory, including some classified and sensitive items such as aircraft guided missile launchers, night-vision devices, and communications equipment.

This bill also includes many unneeded items. In an effort to provide some fiscal responsibility to the defense budget, I offered an amendment to this bill that would have denied the Air Force the ability to lease six leather-seated Gulfstream executive jets for the regional commanders in chief (CINCs). Even though the military has hundreds of operational support aircraft, the main argument against my amendment was that leasing the Gulfstream jets would be cheaper than purchasing the jet favored by the CINC's—the more expensive Boeing 737s.

However, the final conference report not only includes the authority to lease Gulfstream jets, it also includes a \$63 million Boeing 737 for the CINC of the Central Command. A recent article in Defense Week provides the details on how this unrequested jet was added to the bill.

Mr. President, I ask unanimous consent that this article be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mrs. BOXER. Mr. President, our men and women in the armed forces do a great job. From Kosovo to Korea, they prove that they are the best fighting force in the world. They deserve the pay raise and other important benefits that they have earned.

However, I cannot support the irresponsible spending that is included in

this legislation and it is with regret that I must vote against it.

EXHIBIT 1

SIDESTEPPING BOSSSES, FOUR STAR GENERAL LOBBIED FOR JETLINER

(By John Donnelly)

The U.S. commander in the Middle East recently went over the heads of his Pentagon bosses by persuading a key lawmaker to buy the military a \$63 million jetliner which the Pentagon not only didn't request but explicitly opposed, Defense Week has learned.

On several occasions over the last year, Marine Corps Gen. Anthony Zinni told Rep. John Murtha (D-Pa.) how U.S. Central Command needs a new, bigger aircraft to replace the aging EC-135 that now ferries Zinni and his staff between their Tampa, Fla., headquarters and places such as Saudi Arabia and Pakistan, according to Murtha's spokesman and several congressional aides.

As a result, Murtha—the top Democrat on the House Appropriations Committee's defense panel and, like Zinni, a Marine—made sure money for a new Boeing 737-300 ER was inserted in the fiscal 2000 funding bill the House passed last July, Murtha's spokesman, Brad Clemenson, confirmed.

A four-star's advocacy of his command's needs, and a congressman's generosity, may not be scandalous. In fact, Zinni will have retired before the new plane arrives; and the aircraft arguably may be needed. But the incident illustrates one way the Pentagon's budget bloats: a general personally lobbying for money—in this case one of the biggest boosts to this year's Air Force procurement request—to buy a jet his employers had already said costs too much.

No 737 for any commander was in the Senate-passed appropriations bill or either the House- or Senate-passed authorization bills. This month, a House-Senate conference is scheduled to reconcile the two appropriations measures and decide whether to buy the 737.

Zinni's spokesman said the general did not ask for the 737, but only recounted his requirements in response to congressional queries. But that picture of a passive Zinni contrasts with those painted by numerous House officials, including Clemenson, Murtha's spokesman.

"Zinni did ask for the help, and Mr. Murtha was supportive of the request" Clemenson said. "I don't know if he asked specifically for [a 737-300 ER], but he asked for help."

In the form of a bigger support aircraft? "Yes."

By sharp contrast, last March, Deputy Secretary of Defense John Hamre and Vice Chairman of the Joint Chiefs of Staff Air Force Gen. Joseph Ralston, in a study for Congress, said a Gulfstream V executive jet, not a 737, is "the single aircraft most capable of performing the CINC [Commander in Chief of unified combatant commands] support role at significantly reduced costs. . . ."

The Joint Staff study conceded that Boeing 737-300 ERs alone meet all the commanders' payload requirements, as the chiefs themselves state them. But the report advocated the Gulfstream V, designated C-37A, because the 737s cost twice as much.

"However," the study said, "on a one-for-one basis, the estimated 20-year total ownership cost . . . for the 737-300 ER is about double that of the C-37A."

If a commander needs a bigger airplane, the Joint Staff said, then one can be provided from "other DoD resources."

What's more, the Pentagon's Hamre told Defense Week last May how, in internal budget battles, he had fought hard to overcome the regional commanders' desire for

jets larger than Gulfstreams to replace their aging fleet of nine aircraft, mostly Boeing 707s. Hamre said he had to convince the 10 generals and admirals (including the boss of the U.N. command in Korea) that the Gulfstream Vs were adequate.

"The CINCs aren't happy they have to live with a 12-passenger aircraft," Hamre said of the Gulfstream Vs. Most of the 707s the CINCs now fly seat 45. By comparison, the 737-300 can fit up to 128 passengers, depending on the configuration.

"I'll be honest," Hamre said. "It was hard pulling this off. We said [of the Gulfstream, or G-V]: 'That's good enough: It can get you to the theater, it can get you back and you'll be in constant communication with your battle staff.' So we sent up a report this spring saying the right answer is a G-V."

Having lost the battle inside the Pentagon, Zinni appears to have sought to win it on Murtha's House panel. If Zinni made a similar case to the other three defense committees, he wasn't successful. If other commanders waged a similar campaign on Capitol Hill, no word of it has emerged.

RESPONSE TO QUERY

Lt. Cdr. Ernest Duplessis, a spokesman for the U.S. Central Command chief, or CINCCENT, said: "Gen. Zinni never made a request for a 737 or any specific aircraft. Nor did he ask to have his own individually assigned aircraft. Rather, he provided his requirements when asked. . . ."

"Gen Zinni has said he would accept the Gulfstream V with noted reservations about the suitability of the plane to the CINCCENT mission," Duplessis said. "His shortfalls were identified in response to questions from the House Appropriations Committee." Duplessis declined to name any lawmakers involved.

However, several congressional aides said that, if Murtha asked Zinni questions, they were likely to have originated as broad queries about overall needs, not questions about CINC-support aircraft. They said Murtha almost certainly didn't ask Zinni out of the blue if Zinni would like a new airplane.

According to Clemenson, last Christmas Eve Murtha and Zinni discussed U.S. Central Command's purported need for a larger support aircraft with Secretary of Defense William Cohen during a flight home from Saudi Arabia. In addition, aides said Zinni and Murtha also talked about it last February during a "courtesy call" Zinni paid to Murtha's office just prior to the general's annual testimony before the House defense-spending panel.

"It's something that's been talked about in a number of contexts for a number of years here," Clemenson said.

Regardless of how the subject first came up, Zinni's portrait of the shortfalls of the Gulfstream Vs and the advantages of a larger aircraft ran counter to the Pentagon's hard-fought policy favoring Gulfstream Vs for the commanders, whatever their personal misgivings.

NOT A STATED PRIORITY

The Joint Staff recommendation in favor of Gulfstreams came after the fiscal 2000 budget request went to Congress in February. The request contained no Gulfstreams, let alone 737s.

Nor were Gulfstreams or 737s included on any of this year's lists of "unfunded requirements" sometimes called wish lists—programs not in the budget request but ones that the service chiefs consider important.

Both the budget request and the wish lists are supposed to include the top requirements of chiefs such as Zinni, though some say the lists don't always include all key needs.

Nonetheless, Zinni and Murtha believe the U.S. Central Command chief, based at

MacDill AFB, Fla., has a unique requirement for a large aircraft to replace the current EC-135, which is a 1962 airplane. The CINCENT must travel 8,000 miles to his conflict-ridden theater and must have the communications gear, staff and combat equipment to be able to perform a "full contingency operation," Duplessis said. To avoid delays, the aircraft must be able to make it that distance without landing to refuel.

The Senate-passed defense-appropriations bill, though it did not fund Gulfstreams or 737s, did give the Air Force legislative authority to lease, not buy, support aircraft, which the Air Force has said means six Gulfstreams.

However, even the plan to lease the smaller, cheaper Gulfstreams triggered a controversy on Capitol Hill.

Several lawmakers have criticized the purchase or lease of luxury jets for four-stars while, at the same time, many in uniform subsist on food stamps, aircraft are short on spare parts and other needs go unmet.

In addition, some in Congress point out that the military already has hundreds of domestic "operational support aircraft," which the General Accounting Office in 1995 said exceed actual needs. In addition to the CINC fleet, the Air Force alone has 11 Gulfstreams, three 727-100s, two 747s, four 757s and 70 Learjets. The other services have their own, smaller fleets. The GAO said the services do not share these assets effectively.

Rep. Peter DeFazio (D-Ore.) believes some of these stateside aircraft, if not needed domestically, should be provided to the CINCs. If a plane's range is not sufficient for intercontinental flight, he says, it should be sold to corporate executives to finance the purchase of any new, larger jets for the four-stars.

Sen. Tom Harkin (D-Iowa), a member of the Senate Appropriations Committee's defense panel, told Defense Week recently that the need for the existing fleet must be demonstrated before Congress signs up for new aircraft, whether Gulfstreams or 737s.

"Before buying these jets, Congress needs to get a lot more information as to the military's requirements for executive aircraft," he said.

Mr. FEINGOLD. Mr. President, I rise today to voice my strong opposition to the fiscal year 2000 Department of Defense Appropriations conference report.

Back in June, I lamented the Senate's unwillingness to scrutinize the Pentagon's profligate spending. During the Senate's debate of the DoD appropriations bill, we had exactly two amendments worthy of extensive debate. Two amendments, Mr. President. Here we have a defense policy that perpetuates a cold war mentality into the 21st century, and the Senate gave the Defense Department a pass.

Now we come to the conference report. I took some satisfaction from the F-22 drama that played out in conference, but the final act was rather predictable. Other than the F-22 program, however, did anyone question the Pentagon's continuing failure to adapt its priorities to the post-cold-war era? Clearly not.

And who is left to pay for this \$268 billion debacle? Who else but the American taxpayers.

The Senate debated recently the wisdom of using across-the-board spending cuts as a budget tool.

This conference report is the best argument against that strategy. We need

look no further than this bill to find billions of dollars in wasteful spending that could be cut to avoid reductions in programs that are truly justified—including Defense Department programs.

As we did last year, we are again in danger of breaking the spending caps agreed to in 1997, and as the distinguished Chairman of the Appropriations Committee was reported to have said, military spending will be the force that breaks them.

This bloated bill contains billions of dollars in spending that is simply unjustified. It spends even more than was requested by the Pentagon, a level that was already too high.

Let me take just one example—the tactical aircraft programs.

My opinion on the Navy's F/A-18E/F program is well known. I have not been shy about highlighting the program's myriad flaws, not least of which are its inflated cost with respect to its capabilities.

I have to admit, though, that the Super Hornet program can claim to build on a solid foundation, in the form of the reliable, cost-effective Hornet. The Air Force's F-22 program, on the other hand, is a brand new program. It is the most expensive fighter aircraft in the history of the world and arguably the most complex, yet it completed just 4 percent, or about 183 hours, of its flight test program before the Pentagon approved \$651 million in production money. The completed flight test hours were about a quarter of the Air Force's own guidelines. In comparison, the F-15 flew for 975 hours before a production contract award; the F-16 for 1,115 hours; and even the much-flawed Super Hornet had 779 flight test hours before a production contract was awarded. Let me remind my colleagues that the flight test program hasn't even tested the aircraft's much-touted stealth or its electronics capabilities.

My primary concern with this program is its cost. This cold war anachronism will cost about \$200 million a copy. Add this program's cost to the E/F and the Joint Strike Fighter, and we have a \$340 billion fiscal nightmare on our hands. We cannot afford this. CBO knows it; GAO knows it; the CATO Institute knows it; the Brookings Institution knows it. The Congress, however, cannot seem to figure it out.

I know that some folks will talk about how this conference report puts the program under greater scrutiny and that it delays the aircraft's production, but let's be honest. Barring the discovery, and admission, of some enormous flaw, this conference report holds off the inevitable for just a year. This report postpones production of the Air Force's F-22 fighter plane until April 2001, but refrains from eliminating the program, as was done by the House.

The report provides \$1.9 billion to purchase up to six planes, under the scope of research and development and testing and evaluation. It even spends

\$277 for advanced procurement. That is something. The program is supposed to be under a microscope, but we still put up more than a quarter of a billion dollars for advanced procurement. If that is not a clear indication of the plane's future, I do not know what is. And just to cover both ends, the report establishes a \$300 million reserve fund to cover any liabilities the Air Force might incur as a result of terminating the program's contracts. That's an awfully generous insurance policy given the trouble we're going through to fund other important programs, like veterans health care and education.

As long as we are talking about money, I would like to take this opportunity to Call the Bankroll on the money that has poured into the coffers of candidates and political party committees from the defense contractors who have mounted a huge campaign to keep the F-22 alive.

First, we have defense contracting giant Lockheed Martin, the primary developer of the F-22. Lockheed Martin gave nearly \$300,000 in soft money and more than \$1 million in PAC money in the last election cycle.

During that same period, Boeing, one of the chief developers and producers of the F-22's airframe, gave more than \$335,000 in soft money to the parties and more than \$850,000 in PAC money to candidates.

Then there are the subcontractors for the F-22, who account for more than half the total dollar value of the project.

Four of the most important subcontractors, according to the F-22's own literature, are TRW, Raytheon, Hughes Electronics and Northrop Grumman.

And I guess it should come as little surprise to us to find that these major subcontractors also happened to be major political donors in the last election cycle.

Raytheon tops this list with nearly \$220,000 in soft money and more than \$465,000 in PAC money.

Northrop Grumman gave more than \$100,000 in soft money to the parties and more than \$450,000 in PAC money to candidates.

Hughes gave nearly \$145,000 in PAC money during 1997 and 1998, and last but not least, TRW gave close to \$200,000 in soft money and more than \$235,000 in PAC money.

The F-22 program, and TacAir in general, highlights the Defense Department's flawed weapons modernization strategy. And today I Call the Bankroll to highlight how the corrupt campaign finance system encourages that flawed strategy—by creating an endless money chase that asks this body to put the interests of a few wealthy donors ahead of the best interests of our national defense.

The flawed strategy makes it impossible to buy enough new weapons to replace all the old weapons on a timely basis, even though forces are much smaller than they were during the cold

war and modernization budgets are projected to return to cold war levels. Consequently, the ratio of old weapons to new weapons in our active inventories will grow to unprecedented levels over the next decade.

Subsequently, that modernization strategy is driving up the operating budgets needed to maintain adequate readiness, even though the size of our forces is now smaller than it was during the cold war. Each new generation of high complexity weapons costs much more to operate than its predecessor, and the low rate of replacement forces the longer retention and use of older weapons. Thus, as weapons get older, they become more expensive to operate, maintain, and supply.

Supporting the Defense Department's misguided spending priorities is not synonymous with supporting the military.

Mr. ROBB. Mr. President, I fully support a significant increase in defense spending, and I support the core of the defense appropriations bill we're considering today. Indeed, it includes many critical provisions—including pay and benefits changes—that I and my colleagues on the Senate Armed Services Committee worked hard to pass in the defense authorization bill. For that matter, this bill includes many projects important to the Commonwealth of Virginia that were included in the authorization bill. But this is simply not the way we should legislate. Tacking extraneous provisions onto necessary legislation is exactly what fuels the cynicism of the American people.

I have regularly supported Congressional increases to the defense budget. But this legislation is a perfect example of what's wrong with the Congress. And it reinforces the need for a line-item veto. The bill contains the usual billions of dollars of congressional spending not requested by the Department of Defense. My colleague from Arizona, Senator MCCAIN, observed earlier this morning that some \$6 billion in unrequested pork are part of this bill—perhaps the largest amount of unrequested pork ever. This is money that could have gone toward desperately needed improvements in our national defense, including more training, more spares and ammunition, more maintenance, and better quality of life for our soldiers, sailors, airmen and marines.

But beyond spending on unneeded projects, the bill employs some budget gimmicks that make a mockery of fiscal discipline. The bill designates—arbitrarily—\$7.2 billion as emergency spending just to avoid the pain of dealing with the budget caps. I believe we ought to make the tough decisions to keep our spending under control. But if the Congress cannot discipline its spending, it ought to be forthright and acknowledge what it is doing. Avoiding hard choices with smoke and mirrors, however, is not responsible governing.

The bill authorizes 15 military construction projects that the Armed

Services Committee decided not to authorize in its conference report. The authorization of military construction projects is the responsibility of the Senate Armed Services Committee. As a member of the Armed Services Committee, I serve as the Ranking Member on the Readiness Subcommittee, where military construction matters are considered. We have been successful in limiting military construction spending to projects that meet certain strict criteria—including whether the military plans to build these facilities at some point in their future years defense plan. The appropriations bill added 15 projects, of which at least half were not even on the Pentagon's books for eventual construction. Only the Armed Services Committee, with its longer-term, policy-oriented focus, can avoid this kind of spending that does little to improve the capabilities of our armed forces.

For these reasons, I will reluctantly vote against this bill knowing it will pass overwhelmingly. Since I know the bill will pass, my vote will not jeopardize national security. It will not preclude the Department of Defense from spending the additional funds included in the bill to provide more pay and benefits, more spare parts, increased training, and better maintenance. As I said before, I have fought long and hard to see those increases in the defense authorization bill. And if my protest vote would determine the outcome, I would act differently. But voting against this bill is one of the few means I have available to register my protest forcefully. I simply cannot acquiesce to a process which misdirects funds crucial to our national security to those who are seemingly more interested in their political security. No one should doubt my commitment to a strong national defense, but no one should doubt my commitment to fiscal responsibility as well. We cannot continue to squander so much of our scarce resources on unnecessary pet projects when our needs for improved readiness are so great. And as I stated when I voted against the pork-laden Kosovo supplemental earlier this year, just because we have troops in harm's way does not give us an excuse to go on a spending binge.

Hope springs eternal. Hopefully next year we can stem the pork, avoid the gimmicks, and respect long-standing committee jurisdictions.

Mr. LAUTENBERG. Mr. President, as a member of the Defense Appropriations subcommittee and the conference committee which produced this bill, I am prepared to join with most of my colleagues in voting for its adoption.

However, I feel I have a responsibility to raise several serious concerns and reservations about this conference report.

First, I am concerned that we as a nation are not allocating our defense dollars as effectively and efficiently as we could to meet future needs.

Defense programs sometimes seem to take on lives of their own. They are

sustained and even expanded year after year, even if we would not include them in a truly zero-based budget designed to address our top priorities.

The Pentagon, and we in Congress, need to ensure that we are giving due priority to real national security needs, particularly opportunities to reduce the risk of conflict, the growing scourge of terrorism, and emerging threats like chemical and biological weapons and cyberwarfare.

We need to ask the tough questions, like whether it makes sense to devote billions to accelerating multiple missile defense programs which can be circumvented.

My second concern is what I can only describe as budget sleight of hand.

This bill is within its allocations, but it would not be if the Congressional Budget Office was simply allowed to do its job. But the political maneuvering forced arbitrary changes to paint a prettier, but fictional picture. The Budget Committees simply directed CBO to revise the numbers downward. This is far more than a minor accounting issue.

CBO indicates that its estimates include a \$2.6 billion reduction in Budget Authority—the adjustment for spectrum sales—and reductions totaling \$13 billion in outlays at the forced direction of the Budget Committees' leadership. We should not fool the public about whether that \$13 billion will actually be spent this fiscal year—it will be!

We should not be blind-sided by these or other gimmicks through which the majority will claim not to be spending the social security surplus.

Earlier this year, many of my colleagues questioned whether certain funding has properly been declared "emergency" spending, which means it's a unique expenditure not subject to the budget caps that are supposed to control our spending. How do these cynics feel about the \$7.2 billion in Operations and Maintenance funds which this conference report would declare an emergency?

This year's Budget Resolution adopted by the majority party which is now in charge even included a requirement that any emergency spending be fully justified in the accompanying report. But the conference report before us simply ignores that requirement. Can anyone with a straight face answer the questions the Budget Resolution would pose? Would they say it in front of a group of accountants or financial analysts? Would they tell their sons or daughters to run their finances that way?

Is this Operations and Maintenance spending, much of it requested by the President and funded in prior years, "sudden, quickly coming into being, and not building up over time"? Is it "unforeseen, unpredictable, and unanticipated"?

An emergency designation such as this in another appropriations bill would be subject to review by the Senate which could only be waived with 60

votes. However, the majority apparently anticipated this emergency because they exempted defense spending from the point of order.

My third major concern is what we call the top-line, though most Americans would call it the bottom line. This bill weighs in at \$263 billion in new budget authority. That is over \$3 billion more than the Defense Appropriations bill passed by the Senate and over \$17 billion more than we spent on defense last year. These numbers come straight out of the conference report.

I would not deny that we need to address readiness concerns and modernize our armed forces. We live in an uncertain world, a world which has become more dangerous through this body's rejection of the Comprehensive Test Ban Treaty last night.

Can the dramatic increase in defense spending stand at this level while we starve other pressing needs in education, crime prevention, health care, and so many other areas?

I am not sure we can. So while I am prepared to vote for this bill today, I would urge President Clinton not to sign it into law until and unless other appropriations bills have reached his desk with sufficient funding levels to meet America's needs.

If this can be accomplished without simply resorting to more budgetary sleight-of-hand—and I sincerely hope we can do this—then I hope this bill will become law.

Mr. STEVENS. Mr. President, to my knowledge, there is no further Senator seeking time on the bill. I ask that we have a quorum call for a slight period to confirm the report that there are no other Senators wishing to speak. But if there are none within the next 5 or 6 minutes, I will ask the Senate to defer this matter according to the previous order. I will do that at 10:30, unless someone seeks time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I want to join my good friend from Hawaii in thanking our staff. Again, I can't remember in the time that I have served on the Appropriations Committee a more difficult period in terms of getting this bill to where it is in order to send it to the President. We fully expect it to be signed.

Without Steven Cortese and Charlie Houy and the people who work with them, both Republican and Democratic staffs on our committee, this would not have been possible. They have worked weekends. They have worked into the night. They have been on call at the oddest hours I think we have ever had in terms of dealing with this bill.

I sincerely want to thank them all and tell the Senate that this staff is

primarily responsible for this bill being before the Senate today because of their hard work and their determination to make it come out right.

I thank them all.

I am now told that it has been confirmed there are no requests for time; therefore, I ask unanimous consent that there be no further time on this bill until the matter is called up for a vote by the leader according to the previous order.

The PRESIDING OFFICER. Without objection, the time is yielded.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BIPARTISAN CAMPAIGN REFORM ACT OF 1999—Resumed

The PRESIDING OFFICER. All time on H.R. 2561 having been yielded back, the Senate will now return to the pending business, which the clerk will report.

The legislative assistant read as follows:

A bill (S. 1593) to amend the Federal Election Campaign Act of 1971 to provide bipartisan campaign finance reform.

Mr. MCCAIN. Mr. President, we now begin debate again on an issue which is important to the American people. Before I begin my opening statement, it is my understanding that the Senator from Kentucky will manage on his side and I will manage on this side, along with the Senator from Wisconsin; is that correct?

Mr. REID. What is the request? Our side will be managed by the ranking member of the Rules Committee.

Mr. MCCAIN. In support or opposition?

Mr. REID. We have the bill up and we are going to be managing for the minority, the ranking member of the Rules Committee.

Mr. MCCAIN. Mr. President, it is customary with a piece of legislation when the sponsors of the bill are on the floor they manage the conduct of the legislation and the opposition manages the other. If the Senator from Nevada has other desires, I guess we can worry about it later on, but that is the way it has been in this debate.

Before I begin my remarks, I recognize a very unusual, incredible and great American, a true patriot, an incredible woman who is 89 years of age, named Doris Haddock.

Doris, known to all of us, and now millions of Americans, as "Granny D," began her walk months ago, beginning in the State of California. She has now arrived in the State of Tennessee. I believe she represents all that is good in America. She, at the age of 89, has

taken up this struggle to clean up American politics. We are honored by her presence. She is in the gallery today, and we thank her for her commitment to open, honest government of which the American people can be proud.

So, "Granny D," you exceed any small, modest contributions those of us who have labored in the vineyards of reform have made to this Earth. We are grateful for you. We ask you not to give up this struggle because we know that we will prevail.

Mr. President, on December 6, 1904, Theodore Roosevelt, addressing the people of the United States, said:

The power of the government to protect the integrity of the elections of its own officials is inherent and has been recognized and affirmed by repeated declarations of the Supreme Court. There is no enemy of free government more dangerous and none so insidious as the corruption of the electorate. No one defends or excuses corruption, and it would seem to follow that none would oppose vigorous measures to eradicate it. The details of such law may be safely left to the wise discretion of the Congress.

So said President Theodore Roosevelt in his fourth annual message delivered from the White House on December 6, 1904.

On August 31, 1910, Theodore Roosevelt said:

Now this means that our government, national and State, must be freed from the sinister influence or control of special interests. Exactly as the special interests of cotton and slavery threatened our political integrity before the Civil War, so now the great special business interests too often control and corrupt the men and methods of government for their own profit. We must drive the special interests out of politics.

That is one of our tasks today.

And he goes on.

Some things obviously never change, such as the cycles of American politics. In 1907, thanks to the efforts of Theodore Roosevelt, a law was passed in Congress that banned corporate contributions to American political campaigns. I do not pretend to be as eloquent as Theodore Roosevelt was in that campaign against the influences of special interests on American politics. Suffice it to say, he succeeded. He succeeded in getting through Congress a law, which still remains on the statutes, that outlaws corporate contributions to American political campaigns.

In 1947, the Republican-controlled Congress of the United States outlawed union contributions to American political campaigns. And after the Watergate scandal of 1974, further limitations were placed on the influence of special interests in American political campaigns.

It is now legal in America for a People's Liberation Army-owned corporation in China, with a subsidiary in the United States of America, to give unlimited amounts of money to an American political campaign. That is wrong. It is wrong and it needs to be fixed.

The pending legislation is very simple. It does only two things: first, it bans Federal soft money and, second, it