

which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF A CONCURRENT RESOLUTION FOR ADJOURNMENT OF HOUSE AND SENATE FOR INDEPENDENCE DAY DISTRICT WORK PERIOD

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 105-603) on the resolution (H. Res. 491) providing for consideration of a concurrent resolution providing for adjournment of the House and Senate for the Independence Day district work period, which was referred to the House Calendar and ordered to be printed.

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. 4103) making appropriations for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes, and that I may be permitted to include tabular and extraneous material.

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

There was no objection.

DEPARTMENT OF DEFENSE
APPROPRIATIONS ACT, 1999

The SPEAKER pro tempore. Pursuant to House Resolution 484 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. 4103.

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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. 4103) making appropriations for the Department of Defense for the fiscal year ending September 30, 1999, 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.

Mr. Chairman, we are happy to present the defense appropriations bill for fiscal year 1999. I believe we can expedite the program this evening and be out of here before it gets too late. It is an important piece of legislation that I think most Members will want to sup-

port. There will be several amendments that we would anticipate, but I think we can move rather expeditiously.

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

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

Mr. MURTHA. Mr. Chairman, I made all my comments on the rule, and I am prepared to yield back at any time.

Mr. YOUNG of Florida. Mr. Chairman, reclaiming my time, I think we will be prepared to do that very shortly. I think it would be in order to advise the Members of some of the highlights of the bill.

Before I do that, I want to recognize two members of this subcommittee. This will be the last time that they will serve on this subcommittee and be part of this bill, and that is our colleagues the gentleman from Pennsylvania (Mr. MCDADE) and the gentleman from North Carolina (Mr. HEFNER).

Mr. Chairman, these two gentlemen have served on this subcommittee for a long, long time, and many things have happened during their time here. The Berlin Wall came down during the time they were here, and we are going to give them credit for helping to make that happen.

The gentleman from North Carolina (Mr. HEFNER) wanted to know if he was going to get anything special in this bill. I said no; we would get together and buy him a watch or something, but he was not going to get anything special in the bill just because he was leaving.

Mr. Chairman, both the gentleman from North Carolina (Mr. HEFNER) and the gentleman from Pennsylvania (Mr. MCDADE) have been true patriots, they have been very strong on national defense, they have not been bashful in presenting their views on matters that came before the committee, and I think the House and their country owe a lot to the contributions they have made to the national security as members of this important subcommittee.

All of the members on this subcommittee, Mr. Chairman, have been extremely diligent and have worked many, many long hours, days and weeks, to prepare this bill, to go over the issues that we have to go over, the thousands of items that we have responsibility for.

Mr. Chairman, I would like to compliment the gentleman from Pennsylvania (Mr. MURTHA), the ranking member, and I want to say that as we present this bill, this is a bipartisan bill. It has been for many, many years, and it is for fiscal year 1999.

I would say to the Members that the gentleman from Pennsylvania (Mr. MURTHA) deserves a lot of credit as the leader on the minority side and former chairman. We have worked together in a partnership to make sure that the decisions that were made were in the interests of the security of our Nation, that they had a direct defense application and that there was a requirement for them.

So we bring a bill today that is slightly under the President's budget, and when we adjust for inflation, we are \$2.5 billion under where we were for fiscal year 1998. But we have been able to go through the various accounts. I would encourage Members to take a look at this report.

Mr. Chairman, we have talked so many times about waste, fraud and abuse in Federal agencies. In this report you will find page after page, example after example, of where we have gone through every contract and every program and we have found places where there was waste that we eliminated; we have found places where we can save money because of contract slips, and we did that. Because we did that, we were able to provide most of the things that the President asked for in his budget, and, at the same time, we were able to make some additions.

Mr. Chairman, I would like to tell the House what those additions are. I would like to say that we did fund the pay raise for members of the military and the civilian workers in the Department of Defense. We have been able to increase substantially real property maintenance so that we could do something about the poor living conditions that some of our soldiers, sailors, Marines and airmen have to live in. We have provided additional money for the spare parts and flying hours so that we do not go directly to a hollow force.

But one thing we did not do, Mr. Chairman, we did not provide enough money to adequately provide for the security of this Nation today and in the years to come. We are on a down slope. This will be the 14th year in a row that our investment in our own national security has been less than it was the year before, when inflation is considered.

We have ships at sea that are undermanned. We have men and women who are deployed more often than they should be. The deployments are excessive, the OPTEMPO is excessive, and you just cannot continue to do more with less.

The worst part about this bill is it does not meet the requirements of the services. The services themselves and the Reserve components have identified approximately \$12 billion in unbudgeted requirements for this year alone that they need to just maintain the infrastructure, not create some new weapons system, not to create something new and glamorous and dramatic, but just to do the day-to-day things that are required to keep the military functioning and to keep readiness up. So that is a major problem in this bill. It just does not have enough to take care of those problems.

Mr. Chairman, we will debate many of these issues as we go through some of the amendments. At this point, however, I would like to insert in the RECORD a table which summarizes the overall funding in this bill as it currently stands before the House.

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 1999 (H.R. 4103)

	FY 1998 Enacted	FY 1999 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE I					
MILITARY PERSONNEL					
Military Personnel, Army.....	20,452,057,000	21,002,051,000	20,908,851,000	+456,794,000	-93,200,000
Military Personnel, Navy.....	16,493,518,000	16,613,053,000	16,560,253,000	+66,735,000	-52,800,000
Military Personnel, Marine Corps.....	6,137,899,000	6,272,089,000	6,241,189,000	+103,290,000	-30,900,000
Military Personnel, Air Force.....	17,102,120,000	17,311,683,000	17,201,583,000	+99,463,000	-110,100,000
Reserve Personnel, Army.....	2,032,046,000	2,152,075,000	2,171,875,000	+139,629,000	+19,800,000
Reserve Personnel, Navy.....	1,376,801,000	1,387,379,000	1,427,979,000	+51,378,000	+40,600,000
Reserve Personnel, Marine Corps.....	391,770,000	401,888,000	403,513,000	+11,743,000	+1,625,000
Reserve Personnel, Air Force.....	815,915,000	856,176,000	850,576,000	+34,861,000	-5,600,000
National Guard Personnel, Army.....	3,333,867,000	3,404,595,000	3,413,185,000	+79,328,000	+8,600,000
National Guard Personnel, Air Force.....	1,334,712,000	1,376,097,000	1,372,997,000	+38,285,000	-3,100,000
Total, title I, Military Personnel.....	69,470,505,000	70,777,086,000	70,551,811,000	+1,081,306,000	-225,275,000
TITLE II					
OPERATION AND MAINTENANCE					
Operation and Maintenance, Army.....	16,754,306,000	17,223,063,000	16,936,503,000	+182,197,000	-286,560,000
(By transfer - National Defense Stockpile).....	(50,000,000)	(50,000,000)	(50,000,000)		
Operation and Maintenance, Navy.....	21,617,766,000	21,877,202,000	21,638,999,000	+21,233,000	-238,203,000
(By transfer - National Defense Stockpile).....	(50,000,000)	(50,000,000)	(50,000,000)		
Operation and Maintenance, Marine Corps.....	2,372,635,000	2,523,703,000	2,585,118,000	+212,483,000	+61,415,000
Operation and Maintenance, Air Force.....	18,492,883,000	19,127,004,000	19,024,233,000	+531,350,000	-102,771,000
(By transfer - National Defense Stockpile).....	(50,000,000)	(50,000,000)	(50,000,000)		
Operation and Maintenance, Defense-Wide.....	10,369,740,000	10,750,601,000	10,804,542,000	+434,802,000	+53,941,000
Operation and Maintenance, Army Reserve.....	1,207,891,000	1,202,622,000	1,201,222,000	-6,669,000	-1,400,000
Operation and Maintenance, Navy Reserve.....	921,711,000	928,639,000	949,039,000	+27,328,000	+20,400,000
Operation and Maintenance, Marine Corps Reserve.....	116,366,000	114,593,000	119,093,000	+2,727,000	+4,500,000
Operation and Maintenance, Air Force Reserve.....	1,632,030,000	1,744,696,000	1,735,996,000	+103,966,000	-8,700,000
Operation and Maintenance, Army National Guard.....	2,419,632,000	2,436,815,000	2,570,315,000	+150,683,000	+133,500,000
Operation and Maintenance, Air National Guard.....	3,013,282,000	3,093,933,000	3,075,233,000	+61,951,000	-18,700,000
Overseas Contingency Operations Transfer Fund.....	1,884,000,000	746,900,000	746,900,000	-1,137,100,000	
United States Court of Appeals for the Armed Forces.....	6,952,000	7,324,000	7,324,000	+372,000	
Environmental Restoration, Army.....	375,337,000	377,840,000	342,640,000	-32,697,000	-35,000,000
Environmental Restoration, Navy.....	275,500,000	281,600,000	281,600,000	+6,100,000	
Environmental Restoration, Air Force.....	376,900,000	379,100,000	379,100,000	+2,200,000	
Environmental Restoration, Defense-Wide.....	26,900,000	26,091,000	26,091,000	-809,000	
Environmental Restoration, Formerly Used Defense Sites.....	242,300,000	195,000,000	195,000,000	-47,300,000	
Overseas Humanitarian, Disaster, and Civic Aid.....	47,130,000	63,311,000	56,111,000	+9,881,000	-7,200,000
Former Soviet Union Threat Reduction.....	382,200,000	442,400,000	417,400,000	+35,200,000	-25,000,000
Quality of Life Enhancements, Defense.....	360,000,000		850,000,000	+490,000,000	+850,000,000
Total, title II, Operation and maintenance.....	82,895,461,000	83,542,237,000	83,942,459,000	+1,046,998,000	+400,222,000
(By transfer).....	(150,000,000)	(150,000,000)	(150,000,000)		
TITLE III					
PROCUREMENT					
Aircraft Procurement, Army.....	1,346,317,000	1,325,943,000	1,400,338,000	+54,021,000	+74,395,000
Missile Procurement, Army.....	762,409,000	1,205,768,000	1,140,623,000	+378,214,000	-65,145,000
Procurement of Weapons and Tracked Combat Vehicles, Army.....	1,298,707,000	1,433,808,000	1,513,540,000	+214,833,000	+79,932,000
Procurement of Ammunition, Army.....	1,037,202,000	1,008,855,000	1,099,155,000	+61,953,000	+90,300,000
Other Procurement, Army.....	2,679,130,000	3,198,811,000	3,101,130,000	+422,000,000	-97,681,000
Aircraft Procurement, Navy.....	6,535,444,000	7,466,734,000	7,599,968,000	+1,064,524,000	+133,234,000
Weapons Procurement, Navy.....	1,102,183,000	1,327,545,000	1,191,219,000	+89,026,000	-136,326,000
Procurement of Ammunition, Navy and Marine Corps.....	397,547,000	429,539,000	473,803,000	+76,256,000	+44,264,000
Shipbuilding and Conversion, Navy.....	8,235,591,000	6,252,672,000	5,973,452,000	-2,262,139,000	-279,220,000
Other Procurement, Navy.....	3,144,205,000	3,937,737,000	3,990,553,000	+846,348,000	+52,816,000
Procurement, Marine Corps.....	482,398,000	745,858,000	812,618,000	+330,220,000	+66,760,000
Aircraft Procurement, Air Force.....	6,480,983,000	7,756,475,000	8,384,735,000	+1,903,752,000	+628,260,000
Missile Procurement, Air Force.....	2,394,202,000	2,359,803,000	2,191,527,000	-202,675,000	-168,276,000
Procurement of Ammunition, Air Force.....	398,534,000	384,161,000	368,925,000	-9,609,000	+4,764,000
Other Procurement, Air Force.....	6,592,909,000	6,974,387,000	7,034,217,000	+441,308,000	+59,830,000
Procurement, Defense-Wide.....	2,106,444,000	2,041,650,000	2,055,432,000	-51,012,000	+13,782,000
National Guard and Reserve Equipment.....	653,000,000		120,000,000	-533,000,000	+120,000,000
Total, title III, Procurement.....	45,647,215,000	47,849,546,000	48,471,235,000	+2,824,020,000	+621,689,000
TITLE IV					
RESEARCH, DEVELOPMENT, TEST AND EVALUATION					
Research, Development, Test and Evaluation, Army.....	5,156,507,000	4,780,545,000	4,967,446,000	-189,061,000	+186,901,000
Research, Development, Test and Evaluation, Navy.....	8,115,688,000	8,108,923,000	8,297,986,000	+182,300,000	+189,063,000
Research, Development, Test and Evaluation, Air Force.....	14,507,804,000	13,598,093,000	13,577,441,000	-930,363,000	-20,852,000
Research, Development, Test and Evaluation, Defense-Wide.....	9,821,780,000	9,314,665,000	8,776,318,000	-1,045,442,000	-538,347,000
Developmental Test and Evaluation, Defense.....	258,183,000	251,106,000	263,606,000	+5,423,000	+12,500,000
Operational Test and Evaluation, Defense.....	31,384,000	25,245,000	35,245,000	+3,861,000	+10,000,000
Total, title IV, Research, Development, Test and Evaluation.....	37,891,324,000	36,078,577,000	35,918,042,000	-1,973,282,000	-160,535,000

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 1999 (H.R. 4103)

	FY 1998 Enacted	FY 1999 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
TITLE V					
REVOLVING AND MANAGEMENT FUNDS					
Defense Working Capital Funds.....	971,952,000	94,500,000	94,500,000	-877,452,000	.....
Transfer stockpile balances to working capital fund .....	.....	(350,000,000)	(350,000,000)	(+ 350,000,000)	.....
Reserve mobilization income insurance fund .....	.....	37,000,000	.....	.....	-37,000,000
National Defense Sealift Fund:					
Ready Reserve Force.....	302,000,000	311,266,000	311,266,000	+ 9,266,000	.....
Acquisition	772,948,000	106,900,000	362,100,000	-410,848,000	+ 255,200,000
Transfer out.....	.....	.....	(28,800,000)	(+ 28,800,000)	(+ 28,800,000)
Total	1,074,948,000	418,166,000	673,366,000	-401,582,000	+ 255,200,000
Total, title V, Revolving and Management Funds.....	2,046,900,000	549,666,000	767,866,000	-1,279,034,000	+ 218,200,000
(By transfer).....	.....	(350,000,000)	(350,000,000)	(+ 350,000,000)	.....
TITLE VI					
OTHER DEPARTMENT OF DEFENSE PROGRAMS					
Defense Health Program:					
Operation and maintenance.....	10,066,007,000	9,653,435,000	9,725,235,000	-369,772,000	+ 71,800,000
Procurement	274,068,000	402,387,000	402,387,000	+ 128,318,000	.....
Total, Defense Health Program	10,369,075,000	10,055,822,000	10,127,622,000	-241,453,000	+ 71,800,000
Chemical Agents & Munitions Destruction, Army: 1/					
Operation and maintenance.....	462,200,000	531,650,000	508,650,000	+ 46,450,000	-23,000,000
Procurement	72,200,000	140,670,000	124,670,000	+ 52,470,000	-16,000,000
Research, development, test, and evaluation	66,300,000	182,780,000	162,780,000	+ 96,480,000	-20,000,000
Total, Chemical Agents.....	600,700,000	855,100,000	796,100,000	+ 195,400,000	-59,000,000
Drug Interdiction and Counter-Drug Activities, Defense	712,882,000	727,582,000	764,585,000	+ 51,713,000	+ 37,013,000
Office of the Inspector General.....	138,380,000	132,064,000	132,064,000	-6,316,000	.....
Total, title VI, Other Dept of Defense Programs.....	11,821,037,000	11,770,568,000	11,820,381,000	-656,000	+ 49,813,000
TITLE VII					
RELATED AGENCIES					
Central Intelligence Agency Retirement and Disability System Fund	196,900,000	201,500,000	201,500,000	+ 4,600,000	.....
Intelligence Community Management Account.....	121,080,000	136,623,000	136,123,000	+ 15,043,000	-2,500,000
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.....	35,000,000	15,000,000	15,000,000	-20,000,000	.....
National Security Education Trust Fund	2,000,000	5,000,000	3,000,000	+ 1,000,000	-2,000,000
Total, title VII, Related agencies.....	354,980,000	360,123,000	355,623,000	+ 643,000	-4,500,000
TITLE VIII					
GENERAL PROVISIONS					
Additional transfer authority (sec. 8005).....	(2,000,000,000)	(2,000,000,000)	(2,000,000,000)	.....	.....
Indian Financing Act incentives (sec. 8024).....	8,000,000	2,000,000	2,000,000	-6,000,000	.....
Disposal & lease of DOD real property (sec. 8040).....	64,000,000	25,000,000	25,000,000	-39,000,000	.....
Overseas Military Fac Investment Recovery (sec. 8044)	30,000,000	38,000,000	38,000,000	+ 8,000,000	.....
Export loan guarantee PGM	1,000,000	.....	.....	-1,000,000	.....
Rescissions (sec. 8056)	-176,100,000	.....	-268,370,000	-92,270,000	-268,370,000
Flying Hour/readiness offset.....	-1,253,000,000	.....	.....	+ 1,253,000,000	.....
FFRDC's/consultants (sec. 8034)	-71,800,000	.....	-62,000,000	+ 9,800,000	-62,000,000
Advisory and assistance services	-300,000,000	.....	.....	+ 300,000,000	.....
RDT&E, Def-Wide dual-use program.....	2,000,000	.....	.....	-2,000,000	.....
Fisher Houses (sec. 8085)	1,000,000	1,000,000	1,000,000	.....	.....
Travel Cards (sec. 8086)	5,000,000	5,000,000	5,000,000	.....	.....
Warranties	-75,000,000	.....	.....	+ 75,000,000	.....
Excess inventory.....	-100,000,000	.....	.....	+ 100,000,000	.....
National Missile Defense Offset.....	-474,000,000	.....	.....	+ 474,000,000	.....
Intrepid	13,000,000	.....	.....	-13,000,000	.....
Expiring Balances.....	-100,000,000	.....	.....	+ 100,000,000	.....
National Security Strategy Study Group	3,000,000	.....	.....	-3,000,000	.....
Lexington Bluegrass	4,000,000	.....	.....	-4,000,000	.....
Ship Transfers (sec. 8102) .....	.....	.....	-636,850,000	-636,850,000	-636,850,000
Inflation Savings (sec. 8101).....	.....	.....	-204,100,000	-204,100,000	-204,100,000
Total, title VIII.....	-2,418,900,000	71,000,000	-1,100,320,000	+ 1,318,580,000	-1,171,320,000
EMERGENCY FUNDING					
Bosnia (Emergency Funding) .....	.....	1,858,600,000	.....	.....	-1,858,600,000
Supplemental (P.L. 105-174) (emergency funding).....	2,834,775,000	.....	.....	-2,834,775,000	.....
Total, Emergency funding	2,834,775,000	1,858,600,000	.....	-2,834,775,000	-1,858,600,000

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 1999 (H.R. 4103)

	FY 1998 Enacted	FY 1999 Estimate	Bill	Bill compared with Enacted	Bill compared with Estimate
BUDGET SCOREKEEPING ADJUSTMENTS					
Adjustment for unappropri'd balance transfer (Stockpile)	150,000,000	150,000,000	150,000,000	.....	.....
Stockpile collections (unappropriated)	-150,000,000	-150,000,000	-150,000,000	.....	.....
Total adjustments .....	.....	.....	.....	.....	.....
Total, Department of Defense	247,708,522,000	250,998,803,000	250,727,087,000	+ 3,018,575,000	-271,706,000
Emergency funding	2,834,775,000	1,858,600,000	.....	-2,834,775,000	-1,858,600,000
Grand total (including emergency funding)	250,543,297,000	252,857,403,000	250,727,087,000	+ 183,800,000	-2,130,306,000
Allocation recap (sec. 302b):					
Mandatory	196,900,000	201,500,000	201,500,000	+ 4,600,000	.....
Discretionary:					
Domestic	27,000,000	27,000,000	27,000,000	.....	.....
Defense	250,319,387,000	252,828,903,000	250,498,587,000	+ 179,200,000	-2,130,306,000
Total discretionary	250,346,387,000	252,855,903,000	250,727,587,000	+ 179,200,000	-2,130,306,000
Grand total	250,543,297,000	252,857,403,000	250,727,087,000	+ 183,800,000	-2,130,306,000
RECAPITULATION					
Title I - Military Personnel	69,470,505,000	70,777,086,000	70,551,811,000	+ 1,081,306,000	-225,275,000
Title II - Operation and Maintenance	82,895,461,000	83,542,237,000	83,942,459,000	+ 1,046,998,000	+ 400,222,000
(By transfer)	(150,000,000)	(150,000,000)	(150,000,000)	.....	.....
Title III - Procurement	45,647,215,000	47,849,546,000	48,471,235,000	+ 2,824,020,000	+ 621,689,000
Title IV - Research, Development, Test and Evaluation	37,891,324,000	36,078,577,000	35,918,042,000	-1,973,282,000	-160,535,000
Title V - Revolving and Management Funds	2,046,900,000	549,866,000	767,866,000	-1,279,034,000	+ 218,200,000
(By transfer) .....	.....	(350,000,000)	(350,000,000)	(+ 350,000,000)	.....
Title VI - Other Department of Defense Programs	11,821,037,000	11,770,568,000	11,820,381,000	-656,000	+ 49,813,000
Title VII - Related agencies	354,980,000	360,123,000	355,623,000	+ 643,000	-4,500,000
Title VIII - General provisions	-2,418,900,000	71,000,000	-1,100,320,000	+ 1,318,580,000	-1,171,320,000
Total, Department of Defense	247,708,522,000	250,998,803,000	250,727,087,000	+ 3,018,575,000	-271,706,000
Emergency funding	2,834,775,000	1,858,600,000	.....	-2,834,775,000	-1,858,600,000
Grand total (including emergency funding)	250,543,297,000	252,857,403,000	250,727,087,000	+ 183,800,000	-2,130,306,000

1/ Included in Budget under Procurement title.

Mr. Chairman, I yield two minutes to the gentleman from New York (Mr. GILMAN), the distinguished chairman of the Committee on International Relations.

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

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding me time for the purpose in engaging in a colloquy relating to a provision in this bill on naval vessel transfers.

Mr. Chairman, as the gentleman from Florida knows, I appeared before the Committee on Rules yesterday to oppose making in order section 8102 of this bill. Section 8102 authorizes the transfer of naval vessels to certain foreign nations. It directly concerns the Foreign Assistance Act and the Arms Export Control Act, and thus falls squarely within the jurisdiction of the Committee on International Relations. In addition, it constitutes an item of authorization that directly violates clause 2 of rule XXI of the House.

This section should be subject to a point of order on this bill, but it is not, because the Committee on Rules and the leadership of this house chose to protect the provision.

Section 8102 also establishes a new military foreign aid program for two countries that we graduated from foreign aid just last year, and also uses a budget maneuver to fund this new foreign aid program, while providing another \$500 million in spending in this bill.

I would ask the gentleman from Florida (Mr. YOUNG) if it would be his intention to work with the Committee on International Relations and keep us fully informed during his conference with the Senate on the status of this provision?

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

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

Mr. YOUNG of Florida. Mr. Chairman, I would be happy to respond to the gentleman that I would be pleased to keep the chairman of the Committee on International Relations fully informed about the status of this provision during our conference committee. The gentleman from New York (Mr. GILMAN) and I have discussed this, and we have an understanding with each other that we will certainly do that.

Mr. GILMAN. Mr. Chairman, reclaiming my time, I want to thank the gentleman from Florida. Let me ask the gentleman, would he further agree that he would support a modification to this provision in the conference committee to make certain that subsections 8102(f) and 8102(g) are deleted?

Mr. YOUNG of Florida. Mr. Chairman, if the gentleman would yield further, I would assure the gentleman that I will work with my House and Senate colleagues in conference to develop the appropriate modifications to these subsections, and will continue to work with the gentleman from New

York to reach a mutually satisfactory outcome on this matter.

Mr. GILMAN. Mr. Chairman, reclaiming my time, I want to thank the gentleman from Florida for his assurance, and for yielding me time to engage in this colloquy.

□ 1830

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

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

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

Mr. MANZULLO. Mr. Chairman, I share the concern of my committee chairman. What we are doing is selling 48 ships for only \$13 million apiece.

About 3 years ago in a hearing in the Committee on International Relations, which has original jurisdiction over the sale of surplus ships, there was a move to give away 10 ships, to which I objected, and Senator BROWNBACK from Kansas and I passed legislation, subsequently called the Manzullo amendment. Those 10 ships were then sold for \$495 million.

Subsequent to that, every year that amendment has come up, and that money is kept back in the coffers in IR towards that bill. But this takes jurisdiction away from the Committee on International Relations. I do not know if this is a bargain sale or not, but I would like some type of assurance from whoever set this price at \$637 million that the United States is not giving away billions of dollars worth of ships for which we should be fully compensated.

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

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

Mr. YOUNG of Florida. Mr. Chairman, I would respond to the gentleman by saying first that I have given my assurance to the chairman of his committee; second, we do not set the price for these ships; third, without these transfers, these ships are going to be mothballed or cut up into scraps. Finally, who they are going to would primarily be to NATO allies for their own defense.

Mr. MANZULLO. I would like whoever set the price to furnish that.

Mr. YOUNG of Florida. I do not set the price. We do not set the price.

Mr. MURTHA. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon, Mr. DEFAZIO.

Mr. DEFAZIO. Mr. Chairman, I would like to engage the chairman for a moment in two very important programs in which I know the chairman has a great interest.

The first is the DOD-VA medical research account. Last year the chairman graciously accepted my amendment on the floor to lift the amount of money invested in this program, a tremendous program dealing with Gulf War syndrome, traumatic nervous system injury, and other combat readiness and combat-related injuries to \$15 mil-

lion. Eleven million dollars is in the House bill.

I would like to know the chairman's intention, if we can be assured that in the conference the chairman will strive to make the program whole so we at least can maintain current services.

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

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

Mr. YOUNG of Florida. Mr. Chairman, I hope the gentleman knows that we do support this program, despite the fact that it was not included in the President's budget. We did provide some \$11 million for the program. We intend to support this program in conference.

Mr. DEFAZIO. Mr. Chairman, there is a second program, and this is a little bit personal to my district. There is a program which the gentleman is familiar with, the National Guard Youth Challenge Program. It actually operates in Oregon in the district of the gentleman from Oregon (Mr. BOB SMITH).

But if the gentleman is aware of the tragic shooting that took place in the high school near my home in Springfield, rather sadly, the father of that youth was attempting on the day that he was killed to enroll the youth into the National Guard Youth Challenge Program, because it has such an incredible reputation in our State. They have put more than 500 at-risk youth through that program, and Major General Reese told me that only 4 of those youths out of 500 have committed crimes after going through that program.

I realize that the administration only requested \$28.5 million, and I certainly intend to put efforts into getting the administration to ask for more next year. I realize that the chairman has upped that by \$10 million during the committee process.

It is my great hope that the chairman can strive to reach, at least in conference, the \$50 million level, which would maintain the current services. There are States, including that of the gentleman from Pennsylvania (Mr. MURTHA) on the waiting list.

I would hope, I know the chairman supports the program, I would hope that we can strive to at least make the program whole and perhaps get to some of the States on the waiting list in the near future.

Mr. YOUNG of Florida. If the gentleman will yield, again I would respond in the affirmative that we do support this program and we did add money over and above the President's budget request.

We will do the best we can in conference, and I will be honest with my colleague and say that is the best commitment I can give him now. We will do the best we can. But understand that going into conference, we are going to be several billion dollars apart. We will do the very best we can to achieve what the gentleman would like to achieve.

Mr. DEFAZIO. I thank the gentleman. I would note that the Senate is at 62. If we did the usual sort of split the difference, we would come out a little over 50, which would make the program whole.

Mr. YOUNG of Florida. The gentleman is correct, and that happens a lot.

Mr. DEFAZIO. I thank the gentleman.

Mr. YOUNG of Florida. Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, Lyme disease is one of the Nation's fastest growing infectious diseases. This is an issue of great concern to military personnel and their families who serve and train in areas endemic for Lyme disease.

In New Jersey both Fort Dicks and Naval Weapons Station Earle have been indicated as having high levels of risk of Lyme disease during their latest known Lyme disease risk assessment.

As the chairman knows, as a result of an amendment that I had offered in 1994, the Department of Defense Lyme disease research programs ran out in February of 1997. According to the Army Surgeon General's office, a mere \$600,000 would be needed each year to optimally maintain the tick-borne disease program and the Molecular Biology Laboratory.

Can the chairman assure me that the conference report on this bill will contain the \$600,000 in funding that the U.S. Army needs to continue with this important work in the fight against Lyme disease, and tick-borne diseases?

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

Mr. SMITH of New Jersey. I yield to the gentleman from Florida.

Mr. YOUNG of Florida. Mr. Chairman, I agree with the gentleman from New Jersey that this important funding should and will be renewed. To that end, I will try to work during the conference and negotiations on this to ensure that it will contain the necessary resources to enable the Department of Defense, as well as the United States Army Center for Health Promotion and Preventative Medicine, to continue their work in the area of Lyme disease.

I also want to commend the gentleman for raising this issue with me and with the committee. The gentleman is correct that Lyme disease and tick-borne illnesses are a significant problem for our troops in many areas of our country. I want to make sure that we do everything we can to make sure American military personnel are protected against the risks of Lyme disease when they are deployed or training in endemic areas.

Mr. SMITH of New Jersey. I thank the distinguished chairman.

Mr. YOUNG of Florida. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. CUNNINGHAM), a member of the subcommittee.

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

What a good committee to serve on, Mr. Chairman. The gentleman from Pennsylvania (Mr. JACK MURTHA) has done nothing but been supportive and fought for the national security of this country. I would say that of every single subcommittee member on both sides of the aisle. There is no partisanship, it is for the national security of this country.

However, I would tell the Members, Mr. Chairman, that national defense, and I was a professional for 20 years, is at the lowest I have seen it in 30 years, the worst shape I have seen it in 30 years. We could survive with a low budget and a balanced budget amount that we put in, but what is killing national security are the deployments and the national security policy of the White House, 300 percent OP TEMPO deployments away from home above what we were in the Cold War. That money from Haiti and Somalia and Bosnia and all the other deployments comes out of defense budgets. It is killing us.

The effect is, it is driving our military out of the service. The gentleman from Pennsylvania (Mr. MURTHA) will agree. We only have 24 percent retention of our enlisted. That means our experience is going away. We are dealing with 1970s technologies in our F-14s, F-15s, F-16s.

There are only four up jets in Oceana today. They normally have 45 for training. Why is this? Because they are cannibalizing off the airplanes we have up and sending them to the front. Used parts on an old airplane with maintenance troops that are less and less qualified means that we are going to lose airplanes and air crew in massive numbers in the next 5 years, starting this year, Mr. Chairman. We have to do something about that.

Look at what the threat is. In my first chart, those that will come before this body and say the Cold War is over, this is what the threat is. All over the world, this is where the Fulcrum, the Flankers, and the enemy missiles are stationed. Our own President sent missile technology to China, and China has been shipping chemical and biological weapons and nuclear components to Iran, Iraq, Syria, and Pakistan; real threats to this country. The Cold War is not over.

I look at the next chart. This is just general equipment where the technology is above U.S. technology. I am alive today in combat because I had better training and better equipment. This edge is gone, Mr. Chairman.

This is the SA-5, this is the SA-11 surface-to-air missiles, this is the tanks, this is the quad and radar-directed fire. I can go on and on with how their technology—they are supposed to be broken, the Cold War is over, but take a look.

Look at this, Mr. Chairman. This is the AA-10 and AA-12 missile, that out-

ranges our best missiles. Our pilots are going to die if they face Russian technology.

Mr. Chairman, look at the F-14, F-15, F-16, F-18, today. If they meet an SU-27, an SU-27 they are at parity with, but an SU-35 or 37, with their technology and these missiles on board, if we come head to head and they can see us before we see them, their missiles out-range us and are better, better than our American Ram. The technology of the F-22 and the F-18E/F puts the Stealth where we can close inside those technologies, yet we do not have the procurement. This committee had to cut 3 F-18s. We also need C130s for transportation.

I think in conference we will get all of them, but the threat is there. The Cold War is not over. I would ask my colleagues that want to continue to cut defense, there is a hollow force today, my colleagues. It is in the worst shape I have ever seen it in my entire life in service in the military.

Do not let it happen, because it is going to be our sons and our daughters and our grandchildren that we are going to ask to serve. Do not ask them to serve and come back in a body bag.

Mr. YOUNG of Florida. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. ROEMER) for a colloquy.

Mr. ROEMER. Mr. Chairman, I thank the chairman for yielding time to me.

Mr. Chairman, I want to commend the chairman and the ranking member of the Committee on National Security for their work on the defense appropriations bill for FY 1999. I want to especially thank the gentleman from Pennsylvania (Mr. MURTHA) and the gentleman from Florida (Mr. YOUNG) for their help on the humvee and 2½ ton truck.

I am particularly grateful to the gentleman from Florida (Chairman YOUNG) for his sharing my concerns of the Navy's plans to procure a new target missile system. The current supply of Vandal missiles will run out in 2001, and the Navy must replace it with a new supersonic sea-skimming target missile.

Over 100 of my constituents work on the Sea Snake, and I am concerned about the potential willingness of the Navy to procure a Russian-made target missile to meet their long-term future needs. The Navy has spent a significant amount of foreign cooperative test program money developing the Russian MA-31. Furthermore, the Navy, on June 8, announced its intent to award a firm, fixed-price solo source contract to procure the MA-31 for target shooting purposes.

In the view of the pending RFP due out later this month, I am concerned about the Navy's procuring the MA-31 at this time, as it is a competitor in an open and fair competition. It is difficult for me to believe that will in fact be a truly open or truly fair competition. I would like to ask my colleague, the distinguished chairman, if he is

aware of this recent announcement, and if he shares my concern over this competition.

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

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

Mr. YOUNG of Florida. Mr. Chairman, I would respond to the gentleman and thank the chairman for raising this issue.

As he knows because of our numerous conversations about this, I want to assure him that we will do everything we can to guarantee that the Navy does what it is supposed to do and what the report of this subcommittee tells it to do, and that is to follow all the procedural requirements for an open and fair competition.

Mr. ROEMER. I thank the distinguished chairman. I thank my ranking member, the gentleman from Pennsylvania (Mr. MURTHA) for all his help, and I think both share in my puzzlement as to why the Navy would want to procure and rely upon a Russian-made target system at the expense of the only American-made source of target systems.

If the Navy continues on the present course American jobs could be lost, and the only source of target missiles will be lost as well.

Mr. MURTHA. Mr. Chairman, I yield 4 minutes to the gentleman from Texas (Mr. BENTSEN).

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

Mr. BENTSEN. Mr. Chairman, I had intended to offer an amendment in the general provisions section of this bill limiting the Navy from being able to expend funds for the disposal of napalm, which is currently stockpiled in Southern California.

□ 1845

Earlier this week, it came to my attention that the Navy's general contractor is very close to letting subcontracts to one or more disposal operations in Texas, including in my district in Deer Park, Texas, as well as San Leon, Texas, Port Arthur, Texas, and Andrews County, Texas.

My concern, and I think the concern of the regulators in my State, the Texas Natural Resource Conservation Commission, and the Governor of Texas, who was only notified yesterday, is that the Navy has not done a very adequate job of notifying the public of what their intention is. And this comes on the heels of their earlier intent to dispose in East Chicago.

If lieu of offering what would be a very broad amendment, in short order I am willing to withdraw it. But I would like to ask if the ranking member and the chairman of the subcommittee would help in encouraging the Navy, if they decide to go forward, to provide better notification.

Their intent is to award the contract July 6 through July 8 and start transporting product between July 15 and 16.

This is the same time we have an incredible bottleneck in rail with the Union Pacific/Southern Pacific merger, more than 300,000 cars blocked in the greater Houston area.

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

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

Mr. MURTHA. Mr. Chairman, let me say to the gentleman from Texas (Mr. BENTSEN), the Navy has really handled this badly as far as keeping people informed and it is unfortunate. I think the gentleman has taken a very reasonable position that they have not consulted with him or talked to him, barely notified him as they were about to move things through.

Mr. Chairman, I can assure the gentleman from Texas that we will watch this carefully. Any amendment offered would make it even more difficult to solve this problem. As a matter of fact, a couple of people came to me with ideas about how to solve the problem and they sent them to the Navy. Hopefully, we will be able to solve this problem quickly.

It is a very big problem in California because it is starting to leech out, so we have to do something about it. I assure the gentleman we will work with him and try to do something.

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

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

Mr. PACKARD. Mr. Chairman, I appreciate the gentleman from Texas (Mr. BENTSEN) yielding, and I deeply appreciate the gentleman not introducing his amendment.

Just to give a little background, the gentleman from Pennsylvania (Mr. MURTHA) has clearly outlined it, but for 25 years the napalm has been stored in my district at an ammunition depot. No one has been overly concerned about it until it started leaking out of the canisters into the soil and into the air, and then it became of great concern to the Navy and to some of the people in my district.

The Navy has carefully outlined a plan to recycle it. They have made no decision to this point as to what company they would offer a contract to. I know that Texas is being considered, but it is only one of the considerations.

But, Mr. Chairman, they have got to be able to process it and recycle it. It cannot stay the way it is. It would be a terrible hazard if it stayed the way it was. And so the gentleman's amendment would have really resulted in a situation that is unacceptable.

Mr. BENTSEN. Mr. Chairman, reclaiming my time, I appreciate the gentleman's response on that issue. The biggest concern we have, and yes, the Navy does have to do something with this, but they need to notify the public of this.

We are talking about, in the case of Deer Park, part of the third largest metropolitan area in the country, and we do have a lot of petrochemical in-

dustry. But to give us 2 weeks notification before it is transported, or 3 weeks, is insufficient.

Mr. PACKARD. Mr. Chairman, if the gentleman would continue to yield, I will do all I can to get the Navy to do a better job of communicating and working with us, but the fact is napalm under the plan is safer to ship than gasoline, and we ship gasoline on the streets of our communities all across America every day. But it is much safer than gasoline or many of the other products that they ship on a daily basis.

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

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

Mr. CUNNINGHAM. Mr. Chairman, I have talked to the Navy and regarding the problem of the backup of railroad cars, they would bring it as far as Texas and then off-load it onto trucks and bring it in. So it would not affect that kind of problem.

This was not a problem until the White House got involved with it in East Chicago, Indiana, and stopped it right just before the elections. Now Al Gore is going to Texas and all of a sudden it stopped because of the environmentalists.

Mr. Chairman, we will work hand-in-hand with the gentleman from Texas (Mr. BENTSEN), because there is no problem with it. As the gentleman from California (Mr. PACKARD) has said, this is safer than gas to ship. It will also be used to make cement. It is a useful product. The wood will be chewed up and go to Oklahoma and the metal, the aluminum, will be recycled. It is a win-win situation.

I agree the gentleman's constituents in Texas need to know what the positives are instead of the negatives.

Mr. BENTSEN. Mr. Chairman, again reclaiming my time, if the Navy can solve the rail problem, that would be a swift trick, but that is something they need to be concerned about.

I appreciate the comments of the gentleman from California and appreciate the help of the gentleman from Pennsylvania (Mr. MURTHA) on this issue.

Mr. MURTHA. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Chairman, I was going to offer an amendment. I will not be offering it. The lateness of the hour, frankly, makes me think it would not get the kind of attention that I would have hoped. But I do want to explain why I am going to vote against this bill.

Mr. Chairman, we are in a different situation post-Cold War, and I continue to be perplexed by those who argue that we are not safer. It seems to me people are denigrating the whole notion that we accomplished something significant by the dismantlement of the Soviet Union.

Yes, there are threats in the world today that exist other than the major

threat we had in the Soviet Union. Those threats, of course many of them existed then as well. There is a quantitative difference. For 50 years, beginning with the rise of Hitler and the emergence of the Soviet Union, the physical existence of this country was at risk. We had evil people who hated democracy who had the ability substantially to inflict physical damage on us.

That has been substantially changed. We do face dangers in the world today, but they are not of the order that they were during the Hitler and the Stalin years and their successors, yet we continue to spend at very high levels.

Mr. Chairman, we are in a zero sum situation. Money we spend on the military cannot be spent on keeping cops on the streets, fighting drugs here at home, providing necessary housing for people, fighting environmental hazards. And there is a way that we could make savings that the administration of this Congress has failed to take advantage of.

We continue to subsidize our wealthy allies, particularly in Western Europe, far beyond what is logical. We continue to bear the burden of defending Western Europe disproportionately, despite the fact that the threat to Western Europe has decreased and our allies' ability to defend themselves has increased.

Until and unless we end this policy, it is the greatest welfare policy yet left and the recipients are our European allies. They continue to drain tens of billions of dollars from us. If they were prepared to take primary responsibility for the defense of Western Europe, we would still have the responsibility in South Korea, in the Middle East and elsewhere.

Mr. Chairman, we could save money with no cost to anybody's security and free up funds for necessary purposes that are going undone at home. For that reason, I will vote against this bill.

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

(By unanimous consent, Mr. GILMAN was allowed to speak out of order for 1 minute.)

ANNOUNCEMENT OF THE DEATH OF PAUL
O'DWYER

Mr. GILMAN. Mr. Chairman, it is my sad duty to report to this body the passing of an outstanding constituent who is one of the most respected elder statesmen in New York State.

Paul O'Dwyer passed away this morning at the great age of 90. A native of County Mayo, Ireland, he came to America in search of a new life in the wake of the "troubles" in Ireland earlier in this century.

He worked on the docks while working his way through St. John's Law School. He became a champion of civil rights and justice in his homeland, and of independence for Israel.

Paul O'Dwyer sought election to this Chamber in 1946, but was defeated by Jacob Javits. Ironically, 22 years later Paul was the Democratic nominee for

the U.S. Senate in opposition to Senator Javits.

In between, Paul O'Dwyer served as Manhattan Councilman at Large and subsequently as President of the New York City Council. And in later years, Paul O'Dwyer remained a champion of peace and justice in the North of Ireland.

Although Paul and I were on opposite sides of the political aisle, I came to rely on his sage advice, his insightful knowledge and his distinguished concern for the future of our Nation.

Mr. Chairman, we extend our sympathies to Paul's widow, Pat, to his three sons, his daughter, his eight grandchildren and five great-grandchildren, and the many New Yorkers who for many years considered Paul O'Dwyer a hero.

Mr. WELDON of Florida. Mr. Chairman, I want to commend my colleague from Florida, the distinguished Chairman of the National Security Appropriations Subcommittee, for drafting a bill that maintains careful balance between our modernization priorities, our requirement for a trained and ready force, and the needs of our men and women in uniform and their families. This is no easy task. With each new crisis around the world, we ask for more and more from our fighting forces while the amount of money that we provide continues to shrink. So again, I applaud the Chairman of the National Security Appropriations Subcommittee for working hard to ensure that our military is prepared to meet ongoing and new challenges around the globe.

I would also like to commend the Department of Defense for working hard to put into place best business practices wherever possible to squeeze every penny out of its operations. Every penny saved by running the Defense Department better is a penny returned to much needed and underfunded modernization and readiness programs. In particular, I want to commend the National Reconnaissance Office (NRO) for its efforts to procure commercial-like launch services for the GeoLITE and NRO-1 satellite programs. By using existing commercial launch vehicles and commercial payload processing services, NRO can take advantage of cost savings and streamlined procurement schedules that are inherent to commercial purchases and operations.

I strongly encourage the NRO to continue and expand its outsourcing of commercial payload processing services. By lowering the costs while at the same time maintaining flexibility to implement its mission, the NRO is ensuring that it is ready to meet the great demands placed on it by our national security decision makers and our war fighting commanders in chief.

For several decades, even the initials NRO were classified and could not be used publicly. Now, with the end of the Cold War, not only can we talk about the once super secret NRO, we can give the agency credit for its activities, including its push to contract for services like commercial payload processing.

Mrs. FOWLER. Mr. Chairman, I rise to strongly support this amendment.

Yesterday, in a joint hearing by the National Security and International Relations Committees, we learned still more about efforts by China's People's Liberation Army to secure

advanced military technology from the United States. This information included revelations that Chinese officials apparently stole circuit boards containing safeguarded technology from a crashed U.S.-built satellite, as well as reports I brought forward that the administration has approved the sale of equipment to help the PLA encrypt military messages sent via U.S.-built satellites.

Now we hear that the Defense Department is purchasing critical parts for some of our most advanced weapons from the U.S. subsidiary of a Chinese state-owned firm. This is intolerable.

This amendment complements legislation I sponsored last year which passed the House 405-10, requiring the Defense Department to maintain an active list of PLA-owned firms doing business here. I commend the gentleman and strongly urge passage of this measure.

Mr. NETHERCUTT. Mr. Chairman, I rise in support of H.R. 4103. I am proud to serve on the National Security Subcommittee on Appropriations and would like to first acknowledge the outstanding work of Chairman YOUNG and Mr. MURTHA in putting together this legislation that meets so many needs while still falling under our budget limitations. The subcommittee staff also deserves recognition, having worked long hours scrubbing this bill to maximize every defense dollar.

This bill devotes substantial resources to improving the working conditions for our men and women in uniform. Increased funding for maintenance and spare parts has been a priority for our subcommittee and this year was no different. The Administration consistently underfunds these accounts and the Services always identify requirements that exceed the request. I was pleased that we were able to add more than \$200 million over the President's request for aviation spares, \$300 million for real property maintenance, and \$500 million for base operations and support.

This bill provides substantial funds for research and development which will rapidly move next generation technology into the field. Our combat forces will have a substantial edge over opponents in the future because of the investments this bill provides for weapons research as well as for medical research. Enhancing the survivability of those who serve should be our first priority, and I strongly support research which benefits this end. I am pleased that the Committee supported funding for promising ultrasound research, which may revolutionize trauma care by stopping battlefield hemorrhaging with ultrasound waves. The Committee also funded substantial research to address the growing threat posed by chemical and biological weapons. One innovative approach that is funded in this bill would utilize photoacoustic signatures to detect harmful toxins. I am proud that both of these projects will be conducted at the Spokane Intercollegiate Research and Technology Institute, an emerging regional leader in science and technology research.

Medical research also benefits military readiness and morale by ensuring that soldiers in the field stay healthy, while their families are taken care of at home. As the Co-Chair of the Congressional Diabetes Caucus, I support a research project in this bill which will contribute substantially to our understanding of diabetes. The legislation provides a \$6.4 million for the second year of a 2-year pilot demonstration project [PE# 630002] with the Joslin

Diabetes Center, a world leader in diabetes research. This joint project with the Army is pursuing critical research, and soldiers and their families will realize substantial benefits.

This Subcommittee has devoted significant attention to the issues of information security and the Year 2000 problem. The Administration has told the Services to take care of this problem out of hide and didn't request any additional funding, even though January 1, 2000 is only 17 months away. Despite optimistic projections from the services and reassurances from the Administration, reports from GAO, the Defense Science Board and Congressman STEVEN HORN have unanimously proclaimed that current progress is inadequate. Failure of defense systems could be catastrophic and I do believe that identifying funding for this situation is an emergency. But this bill also contains strong language which will contribute to a Y2K solution. No new funds can be spent on developing or modernizing any information technology system unless it is certified as Y2K compliant. The bill also requires the Department to develop contingency plans for Y2K failure and directs aggressive testing and simulation to ensure that we are ready in time.

This is an excellent bill, Mr. Chairman. While there are still many unfunded requirements facing our armed forces, this legislation does an outstanding job of addressing the highest priorities within the constraints of the Balanced Budget Agreement. I strongly urge my colleagues to support this legislation.

Mr. HARMAN. Mr. Chairman, I rise in support of this year's defense appropriations bill. It continues the trend of declining defense spending since the end of the Cold War, forcing the committee to make a lot of tough choices. As a member of the National Security Committee, I know that many of the choices in this bill reflect directions set in the authorization bill.

When I came to this House nearly 6 years ago, my district was reeling from defense cuts. Yet today it is thriving, and has recovered by using its expertise in commercial fields. California's 36th Congressional District demonstrates that there is life after defense downsizing.

Mr. Chairman, I fought to establish the Dual Use Science and Technology program so that we could build skills that would protect defense workers when defense spending shrinks. This is not just important for the defense industry and the workers in my district, but for the country and its defense industrial base. Commercial applications allow us to maintain critical technological expertise in the industrial base, so that we can call upon it in times of need. I was disappointed to see cuts made in dual-use programs in this bill. For the reasons I've just described, it's exactly the wrong thing to cut in a shrinking defense budget.

As defense spending ebbs, inefficiencies in the DoD also become more visible, and more harmful. Serious problems are emerging in modernization and readiness, but we still maintain excessive infrastructure. This House must tenaciously pursue cost-savings and eliminate bloated bureaucracies. We cannot afford to support waste when we have such urgent modernization and readiness needs.

Finally, let me raise one more efficiency issue. As our forces shrink, we must fully embrace women in the military—we need to fully

utilize all military talent in order to field a ready force. Secretary Cohen and the Service Chiefs feel it is crucial to "train the way we fight" and strongly advocate gender-integrated training. I'd urge Members not to substitute Congressional judgment for their expertise. As we learned many years ago, separate but equal is anything but equal.

I urge support of the bill.

Mr. BENTSEN. Mr. Chairman, I rise today to express my strong support for the inclusion of full funding for the Disaster Relief and Emergency Medical Services (DREAMS) telemedicine project in H.R. 4103, the Department of Defense Appropriations legislation. I wish to thank Chairman YOUNG and Ranking Member Murtha for their support of this project. This project is a cooperative effort of the U.S. Army Medical Research and Materiel Command, the University of Texas-Houston Health Science Center, and Texas A&M University. As the Representative for the University of Texas-Houston Health Science Center, I am pleased that this legislation includes sufficient funding for this critical medical research project.

DREAMS is an advanced telecommunications project designed to improve and speed emergency treatment for injured patients, especially in military battlefield and civilian disaster settings. The project aims to utilize computer, telemedicine, and satellite navigation technology (Global Positioning System) to improve patient transport, as well as on-site and in-transit diagnosis and treatment. It also aims to improve detection, diagnosis, decontamination, and treatment for chemical and biological warfare agents, and to develop new diagnostic methods and therapies for shock and injuries. DREAMS originated in Houston because Houston has a high incidence rate for penetrating and blunt trauma, industrial accidents, floods, and hurricanes.

The DREAMS project will demonstrate, in both military and civilian sectors, how to save lives and reduce costs. This project includes three interrelated components: (1) emergency medical services; (2) chemical and biological warfare defense; and (3) diagnostic methods and therapies for shock injuries. The emergency medical services will test interactive telemedicine technologies and treat patients in both urban and rural settings. DREAMS will also do extensive research to develop chemical sensors for on-site diagnosis of toxic substances and biological decontamination of chemical warfare agents. The third part of this project will research new treatments for patients who cannot get advanced care quickly and determine mechanisms to extend life beyond the "golden hour."

Congress provided \$8 million for this cutting-edge research in Fiscal Year 1997. I am pleased that this bill, H.R. 4103, would provide an additional \$9.985 million for this project. It is also important to note that the Senate Defense Appropriations legislation includes \$10 million for this project.

This project will also increase the survivability of America's soldiers wounded on the battlefield, as well as civilians injured in industrial and natural disasters. I strongly urge my colleagues to support the DREAMS project as part of Fiscal Year 1999 Defense Appropriations legislation.

Mr. BONILLA. Mr. Chairman I rise in support of the fiscal year 1999 Defense Appropriations bill. This legislation provides essential funding for our military. Chairman Young has

done a remarkable job addressing the most significant shortfalls confronting the armed services.

Today we are hearing criticism of this legislation from two quarters, the bean counters and the dreamers. The dreamers believe we live in an age when the lion lays down with the lamb and we should be the lamb. It is a beautiful vision, one we all wish was true. Unfortunately, the reality is that it is not. If we follow this path we will soon become the lamb chop and put our liberties at grave risk.

The bean counters keep telling us we can't afford to maintain our military. The bean counters tell us we can't afford weapons modernization, we can't afford to give our troops decent pay, we can't afford to maintain our bases. They couldn't be more wrong.

We can't afford not to provide for our defense. America's history tells us that the cost in lives of not being prepared is just too great. We are failing in our duty as congressmen if we fail to provide adequately for our military.

If there is any fault in this bill it is that we should do more. I hope some of you will work with me to fix our budget and insure the future security of our nation. The fact is we do not have sufficient resources to maintain short term and long term readiness. Please join me in supporting this excellent legislation and let's work together to increase the resources available to our military in the future.

Ms. GRANGER. Mr. Chairman, I rise today in strong support of this Defense Appropriations package. And let me publicly and personally thank Chairman BILL YOUNG for his hard work on this important National Defense bill.

It has been said that America will only remain the land of the free if it remains the home of the brave.

Mr. Chairman, a few weeks ago I saw some of our brave young soldiers who are defending American interests in faraway places like Bosnia. After talking to them, I am reaffirmed in my conviction that our soldiers and sailors are the best and the brightest in the world.

However, I believe that if we have the best troops, we should also have the best training, equipment, and benefits. After all, no first class nation can have a second class military.

Mr. Chairman, I do not believe that the budgetary constraints of last year's balanced budget provide the kind of support that our troops deserve and our interests demand.

When John F. Kennedy was President, 52 cents out of every Federal dollar spent was devoted to National Defense. Today, that number is 16 cents out of every dollar.

Now before I go any further, let me be perfectly clear—I support this bill even though I believe we must do much more to invest in our National Security. But at least this bill stops the ten year decrease in defense spending. And it does so in large part because of the outstanding leadership of Chairman YOUNG.

In particular, I am pleased that this bill funds important priorities that are manufactured in my home district in Texas. Products like the F-16, the V-22, and the Kiowa Warrior are indispensable to our national security.

Mr. Chairman, these projects are important for my district. But they are vital for our country.

Once, again, I want to thank the Chairman for his hard work on this issue. And I look forward to working with all of my colleagues to

do even more in the coming years for our national defense.

And I would close by responding to a perennial question that we hear so often during national security debates. We hear the question, "can we afford to pass this bill." Mr. Chairman, I would simply respond by saying, "we can't afford not to pass this bill."

Mr. VENTO. Mr. Chairman, the Republican led Appropriations Committee has once again produced a substantially increased military spending bill that reneges on the Balanced Budget Agreement of 1997. When all the accounting schemes are pushed aside, we find that it spends \$4.4 billion more for fiscal year 1999 than called for under the carefully crafted budget outlay cap enacted by Congress less than a year ago.

This bill illustrates that the House Republican Leadership has chosen to ignore the professional judgement of the CBO on how to account for the spending in this bill. The result is to simply not count billions in military spending that the CBO determined should be counted. I will remind my Colleagues that just two-and-a-half years ago this same Republican leadership went so far as to shut down the government over its insistence that the President and the Congress use no other spending blueprints than those made by the CBO.

Furthermore, this bill is filled with projects selected more based on the district in which the money will be spent, rather than how the product will be used by our fighting forces.

One pet project is \$432 million added in this bill for seven C-130J aircraft that were not even requested by the Pentagon. This continues past practices of adding substantial sums for these planes that are built in Georgia.

The unit cost of the C-130J is an alarming \$60 million per plane. This is higher than the \$48 million cost for a modern, state of the art F-15E fighter plane that is essential for our national security. Of the reported 28 C-130J aircraft on order by the U.S. military, not one has been delivered due to development and mechanical problems. I ask my Colleagues how this program evolved from what was supposed to be a routine upgrade to a major budget busting development effort. At a time when it is incumbent upon Congress to deal responsibly with the budget for our national defense, the addition of seven C-130J aircraft is a frustrating and fiscally irresponsible maneuver to add pork to specific congressional districts.

The recommended rule outlined for this year's Defense Appropriations strikes a provision which provides \$1.6 billion in emergency funding for the Defense Department and the Intelligence Communities to handle the Year 2000 (Y2K) date change. The Y2K issue is a national security priority and should be addressed in this bill.

Similarly, the Department of Defense Appropriation measure provides no funding for the U.S. military role in Bosnia and ignores the Administration's request of \$1.9 billion.

In this bill, the Republican Leadership has reneged on its own budget policies and has increased defense spending nearly \$4.4 billion more than the total specified for 1999 under the Balanced Budget Act. Proponents of this bill apparently believe that our military is underfunded and unprepared to meet the challenges of the 21st Century. However, they should know that the President's defense budget is capped by the Balanced Budget Act

most of them voted for less than a year ago. Members knew voting for the agreement meant there would be a continued reduction in defense spending through 2002.

In addition to the \$4.4 billion, the \$1.6 billion for the Y2K computer problem and the \$1.9 billion for Bosnia, this total translates into a measure that is nearly \$8 billion over the 1997 Balanced Budget Agreement.

Proponents of this bill argue that a quarter of a trillion dollars of defense spending is just not enough, I disagree. This military budget is already much too high. The current level is approximately 82 percent of what was spent during the Cold War. Now it is appropriate to have a significantly lower budget with the global threat so much smaller. I will point out that Iran's military budget is less than \$5 billion. The new government in India recently raised its military budget 14 percent—to all of \$9.9 billion. Moreover, the United States spends more than twice as much on the military as the next six or eight likely adversaries (China, Russia, Iran, Iraq, Syria, Libya, North Korea and Cuba combined).

Even though the Cold War is over, there are still massive amounts of wasteful, inefficient and totally unnecessary military spending that should be eliminated first before consideration is given to additional funding. We still see reports of the Pentagon's wasteful inefficient spending. For instance: the Pentagon is still paying \$75 for 57-cent screws and \$38,000 for \$1,500 worth of aircraft springs and the military has far more infrastructure than it needs. Even after completion of several rounds of base closures, the Pentagon calculates that it still has a 23 percent excess base capacity, draining off billions in unnecessary expenditures.

Beyond the dramatic waste on common sense items is the loss of funds down the drain on the Ballistic Missile Defense Organization (BMDO) programs. Such programs are proven failures that are pegged for billions of dollars more than requested in this bill. Furthermore, four more New Generation Nuclear Attack Submarines that carry the D-5 missiles are appropriated. This represents yet another \$10 billion expenditure towards no justified positive purpose.

The numerous programs in this bill raise many questions. The problem is that the Department of Defense is not being held accountable by the Congress or the Administration. Every new mission explodes into programs that cost billions of dollars. Instead of inventing new missions, we should focus on the basics.

As our economy is booming and democracy spreads globally, Congress should look to advance resources in people's programs. I support a strong, efficient and prepared military force, but there is still much work to be done in cutting wasteful and unnecessary defense spending. We should invest in our children through adequate health care and education, prepare for the baby boomers retirement by protecting the solvency of the Social Security and Medicare Trust Funds, provide affordable housing for low-income persons and the elderly and protect our earth's natural resources. I urge my Colleagues to oppose this bill.

Mr. FRELINGHUYSEN. Mr. Chairman, I rise today in support of H.R. 4103, the Department of Defense Appropriations Bill for Fiscal Year 1999. I want to commend my colleague, the gentleman from Florida, Chairman BILL

YOUNG, for all his hard work on this bill. He has made tough decisions in order to provide funding for our armed forces and for the equipment they need to protect our Nation. I also want commend the staff of the Defense Appropriations Subcommittee who assisted Chairman YOUNG in putting this legislation together.

According to both the Defense authorizing and appropriations committees, spending on defense has decreased for the 14th straight year, in real terms. Despite the end of the cold war earlier this decade, we still find American troops deployed across the globe, from Eastern Europe to Asia to Africa. In fact, I was recently told by one Army officer that there has been a 300 percent increase in deployments at the same time there has been a 40 percent shrinkage in the size of the Army. As a result, troops are deployed longer, maintenance and repair work is delayed, and research and development initiatives are taking a substantial hit.

American companies are learning to do more with less, and our military has become more cost-efficient as well. However, there is a point at which we can only do less with less. If the President keeps committing our troops to peacekeeping missions overseas, and continues to freeze funding for the Department of Defense, we could begin to compromise the safety and readiness of our armed forces.

When the President sends our military overseas, money is diverted from other important initiatives, including research and development. As we try to prepare and equip our troops for the battlefields of the future, countless engineers are working in government labs and research facilities to develop the weapons, the ammunition, the vehicles and the technology our armed forces need to defend the United States. The military's research and development is critical to keeping our men and women in uniform safe and well-equipped wherever they serve, whether home or abroad.

Further compromising the military's, and especially the Army's, ability to provide our troops with the tools they need on the battlefield are the cuts proposed under the Quadrennial Defense Review, or QDR. These QDR cuts threaten the very fabric of our research and defense infrastructure. Not only will they decimate the current corps of engineers working on sensitive mission-critical projects, they also hamper the Army's ability to recruit and train the future engineering "brain trust" needed to help develop the next generations of military hardware and equipment.

If these QDR cuts are implemented, it would have a detrimental effect on mission-critical projects such as the Crusader field Artillery System. This reach and development effort will provide the Army of the future with much-needed heavy artillery support. I am pleased that the Committee has provided full funding for this program which is located at Picatinny Arsenal in my district.

The Crusader system, which will consist of both a self-propelled, fully automated 155m Howitzer and a resupply vehicle, will provide efficient, accurate and reliable fire support to our troops on the battlefield. Unlike the existing Paladin tank, the Crusader will have a fully-automated loading capability. The Crusader will be faster than the Paladin, and its guns are more accurate at a much farther distance. In recent tests, the Crusader's gun was

able to fire an impressive 10 rounds per minute for three to six minutes, without malfunctioning. And, furthermore, less military personnel are needed to man the Crusader.

I am especially pleased because much of the research and development work on the Crusader project is being done in the laboratories of Picatinny Arsenal in the 11th Congressional District. Since the Revolutionary War, Picatinny has been providing our armed forces with ammunition. Today, they may no longer manufacture conventional ammunition, but the dedicated and innovative workforce at Picatinny are developing other tools to meet the munition and firepower needs for both Army XXI and the Army After Next. From "smart ammunitions" to the soldiers' handheld weapon of the future, Picatinny has been recognized and awarded for their research and development efforts and contributions to our military capabilities. I was recently told that Picatinny is responsible for 1400 of the 3400 weapons systems developed under TACOM, the Tank Automotive And Armaments Command which oversees much of the Army's research and development initiatives.

Another important research and development project funded in this bill is the soldiers' weapon of the future, the Objective Individual Combat Weapon, or OICW. The lightweight OICW can, in the near future, replace three existing, divergent weapons currently in use by the military: M16A2 rifles, M4 carbines and M203 grenade launchers. It will have the ability to accurately shoot both hidden and moving targets. With the flip of a switch, soldiers will be able to change from the munitions-firing weapon to a conventional rifle. The two weapons can be separated, and the lower barrel can be used as a stand-alone gun. This work is done at Picatinny using the most advanced techniques and technologies, hence these dollars will continue this development.

Mr. Chairman, every day our men and women in uniform put their lives on the line to defend us. They deserve to have the tools they need to protect us, and should be compensated for their work. We cannot forget our debt to them, and we must work to provide them with the supply they need to do their jobs. We owe them nothing less.

Those in the civilian work force at Picatinny, likewise, do their part to keep our young men and women safe wherever they are stationed, where wars may be fought, with the best equipment and technology possible.

Today we vote to provide funds, support our soldiers and all those who prepare and equip them. An affirmative vote assures that this critical work continues.

Mr. YOUNG of Florida. 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 and the amendments printed in House Report 105-996 are adopted.

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 designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

Consideration of Section 8106 shall not exceed 1 hour. 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:

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, 1999, 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; \$20,908,851,000.

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; \$16,560,253,000.

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; \$6,241,189,000.

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; \$17,201,583,000.

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; \$2,171,675,000.

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; \$1,427,979,000.

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; \$403,513,000.

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; \$850,576,000.

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; \$3,413,195,000.

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; \$1,372,997,000.

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

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

There was no objection.

The CHAIRMAN. Are there any amendments to title I?

There being no amendments, the Clerk will read.

The Clerk read as follows:

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; \$16,936,503,000 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, \$596,803,000 shall not be obligated or expended until authorized by law.

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 \$5,360,000 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; \$21,638,999,000 and, in addition, \$50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund.

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; \$2,585,118,000: *Provided*, That of the funds appropriated in this paragraph, \$45,415,000 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 \$7,968,000 can be used for emergencies and extraordinary expenses, to be ex-

pendent 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; \$19,024,233,000 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, \$208,125,000 shall not be obligated or expended until authorized by law.

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; \$10,804,542,000, of which not to exceed \$25,000,000 may be available for the CINC initiative fund account; and of which not to exceed \$29,000,000 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, \$450,326,000 shall not be obligated or expended until authorized by law.

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; \$1,201,222,000: *Provided*, That of the funds appropriated in this paragraph, \$3,600,000 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; \$949,039,000: *Provided*, That of the funds appropriated in this paragraph, \$400,000 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; \$119,093,000: *Provided*, That of the funds appropriated in this paragraph, \$2,100,000 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; \$1,735,996,000.

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); \$2,570,315,000: *Provided*, That not later than March 15, 1999, the Director of the Army National Guard shall provide a report to the congressional defense committees identifying the allocation, by installation and activity, of all base operations funds appropriated under this heading: *Provided further*, That of the funds appropriated in this paragraph, \$105,500,000 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; \$3,075,233,000.

OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND

(INCLUDING TRANSFER OF FUNDS)

For expenses directly relating to Overseas Contingency Operations by United States military forces; \$746,900,000: *Provided*, That the Secretary of Defense may transfer these funds only to operation and maintenance accounts within this title, to the Defense Health Program, to procurement accounts, and to 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.

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; \$7,324,000, of which not to exceed \$2,500 can be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY (INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$342,640,000, 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 hazardous 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, \$281,600,000, 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, \$379,100,000, 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 Defense, \$26,091,000, 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, \$195,000,000, 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 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.

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); \$56,111,000, to remain available until September 30, 2000: *Provided*, That of the funds appropriated in this paragraph, \$8,800,000 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; \$417,400,000, to remain available until September 30, 2001.

QUALITY OF LIFE ENHANCEMENTS, DEFENSE

For expenses, not otherwise provided for, resulting from unfunded shortfalls in the repair and maintenance of real property of the Department of Defense (including military housing and barracks); \$850,000,000, for the maintenance of real property of the Department of Defense (including minor construction and major maintenance and repair), which shall remain available for obligation until September 30, 2000, as follows:

Army, \$219,688,000;
Navy, \$244,507,000;
Marine Corps, \$48,901,000;
Air Force, \$194,926,000;
Army Reserve, \$47,579,000;
Navy Reserve, \$21,055,000;
Marine Corps Reserve, \$7,600,000;
Air Force Reserve, \$9,871,000;
Army National Guard, \$37,535,000; and
Air National Guard, \$18,338,000:

Provided, That none of the funds appropriated in this paragraph shall be obligated or expended until authorized by law.

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

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

There was no objection.

The CHAIRMAN. Are there any amendments to title II?

There being no amendments, the Clerk will read.

The Clerk read as follows:

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; \$1,400,338,000, to remain available for obligation until September 30, 2001.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; \$1,140,623,000, to remain available for obligation until September 30, 2001.

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; \$1,513,540,000, to remain available for obligation until September 30, 2001: *Provided*, That of the funds appropriated in this paragraph, \$5,902,000 shall not be obligated or expended until authorized by law.

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 of 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; \$1,099,155,000, to remain available for obligation until September 30, 2001: *Provided*, That of the funds appropriated in this paragraph, \$45,700,000 shall not be obligated or expended until authorized by law.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of not to exceed 37 passenger motor vehicles for replacement only; and the purchase of 54 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed \$230,000 per vehicle; 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; \$3,101,130,000, to remain available for obligation until September 30, 2001.

Mr. YOUNG of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 23, line 7, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

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

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; \$7,599,968,000, to remain available for obligation until September 30, 2001: *Provided*, That of the funds appropriated in this paragraph, \$179,121,000 shall not be obligated or expended until authorized by law.

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

Mr. Chairman, I rise at this point to discuss a ludicrous priority which I find in this bill, and let me put it in context.

Last year, even though the Speaker described our intelligence budget as being inadequate, nonetheless, a Republican-controlled Congress cut the intelligence budget further, to a lower point than the level that the Speaker described as being inadequate.

The Congress did that for a number of reasons. One of those reasons was to pay for an additional destroyer that the majority leader in the Senate wanted built in his State. And another reason was to fund a number of C-130s built in the State of Georgia, a matter of some interest to the Speaker.

This year, the top priority request of the Navy was to replace its aging F-14 airplanes with the next generation F-

18A, E and F aircraft. Instead, this bill cut three of those aircraft in order to provide room for seven new C-130Js which the Pentagon did not ask for. Those C-130s happen to be built in the State of Georgia.

Mr. Chairman, the issue is not whether the C-130s, which would be going to various National Guard units by and large all around the country, the issue is not whether those planes are good planes. They are. The issue is not whether or not they would be used for good missions. They would be. The issue is whether or not giving the National Guard those seven additional planes, which were built by the contractor before anybody even asked them to build them, the issue is whether those planes are the best use of scarce taxpayers' dollars when we have an obligation to try to make certain that we spend those dollars in a way which will provide the greatest personal security for our military fighting personnel.

□ 1900

If this bill were responsible, it would use \$35 million of the money that was used for those 7 C-130s, it would use \$35 million to modernize some existing C-130s and give those to the National Guard units around the country, and then it would use the remaining dollars to provide the purchase of the replacements for the F-14s that the Pentagon asked for in the first place.

Now, replacing the F-14A is the Navy's number one priority for a very good reason. The F-14 has been involved in 138 class A flight problems in the last decade. Since 1991, 32 F-14s have gone down.

In my judgment, our front line flyers who use those planes are at risk. Even if we provided all of the funds that the Navy asked for for this plane, the first of these planes would not actually show up on carrier decks until the year 2002. So even with those funds, the Navy will need to live with their old F-14As for another 4 to 10 years minimum.

As the Navy said in its presentation, denying these three planes will, "have a direct negative impact on the warfighters in the fleet, hurting the fleet's operational capability, safety, readiness and maintainability."

Now, I had intended to offer an amendment today which would have eliminated these additional C-130s and moved that money back where it ought to be so that we can replace these aged F-14s.

The problem is that, under the rules, for technical reasons, that amendment would not be in order. And so I am not, under the rules of the House, in a position where I can offer that amendment and still respect the rules of the House. I am not going to offer it. But I would hope that the committee, when they go to conference, will recognize that this is a mistake, this is not where our dollars ought to go if we are going to do the best job possible of defending the

physical security of our military personnel.

We do not need more pork. We need more teeth. And it seems to me that the committee has made a major mistake in putting the money where they have. I would hope that the committee would change its judgment when it goes to conference. I think that is the least that the Congress can do.

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

Mr. Chairman, the gentleman from Wisconsin, distinguished ranking member of the Committee on Appropriations, has raised an interesting point about abuse in this process. And I want to talk about an abuse to the American taxpayer that is a part of this bill.

When I do this, I absolve the chairman, distinguished Member from Florida, and the ranking member, distinguished Member from Pennsylvania, for the problem in this bill, because it is not of their doing.

I had an opportunity to vote against the rule, and I did that because it protects this provision that ought to be stricken here from a point of order. I am referring to the transfer of 50 Navy ships, 50 Navy ships. It is an opportunity to raise \$637 million for the Defense Department, and I am in favor of that additional expenditure.

However, ordinarily when those ships are transferred, sold, leased, sold for a small amount of money, we are talking about 50 ships, \$637 million, so my colleagues know we are not getting much money for those ships, that money goes back to the Treasury.

What has happened in this instance, well, that is not happening. It is, for example, going directly to DOD, not only bypassing the authorizing committee, where we looked last year at some very inappropriate transfers, inappropriate in that we were not getting the money back for the Treasury that we ought to get, but we will not have that opportunity unless the chairman has worked out something in a colloquy which took place, I know, a few minutes ago between the chairman of the Committee on International Relations and the chairman of the Appropriations subcommittee. For anything that is worked out there, I express my appreciation to the gentleman.

Let me tell you where these ships are going. One to Argentina, 3 to Brazil, 2 to Chile, 2 to Mexico, 1 to the Philippines, 1 to Portugal, 2 to Spain, 10 to Taiwan, 1 to Venezuela. I will come back to a couple more. Interestingly, one that is going to Spain is the *Harlan County*. The *Harlan County* was that ship that went down to Port-au-Prince. It ought to be bronzed as a recognition of the Clinton administration's policy with respect to national security, because Members may remember a few thugs on the docks in Port-au-Prince turned back the American forces, not because of lack of courage of those forces, because they were pulled back by the Pentagon at the direction of the administration. That one ought to be bronzed.

But that is not really the point I want to make. What really is, I think, very dangerous about this provision is that 14 ships are going to Turkey and 11 are going to Greece. If you have not followed what is going on in Cyprus lately, with both sides bringing high performance aircraft, with the Greek Cypriots apparently about to bring in missiles from Russia with Russian technicians, you would wonder why our two NATO allies are behaving this way, and you certainly would wonder about providing them more firepower.

Now, I noticed that one of those ships and perhaps as many as three or four are *Kidd* class guided missile destroyers. This is not an ancient piece of equipment. This is a very sophisticated set of weaponry, very expensive. And I really do not think that the conduct of Greece and Turkey, our two good NATO allies, justifies sending that kind of firepower to them at this moment.

You can blame one side or the other and undoubtedly blame goes on both sides, but for us to make this transfer at this time, bypassing all the normal procedures, is not only bad for the taxpayer, it is a reflection of the archaic and convoluted budget process we have around here that is forcing us to do these end runs to put the resources where we need to put them, but you are actually building a dangerous arms race between Greece and Turkey. And that ought not happen.

If I had an opportunity to raise a point of order, if the rule did not prevent me from doing that, I would do that.

I hope that the American news media and the American people are looking at this situation and saying this is not only disgraceful, this is not only abuse of the taxpayers funds, this is not only abuse of the process around here, this is feeding a dangerous arms race between Greece and Turkey.

I thank my colleagues for listening. I regret the fact that we are doing this. It is outrageous.

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

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

Mr. OBEY. Mr. Chairman, I would like to say that I absolutely, totally agree with what the gentleman has just said. That is why I listed this as one of my concerns in the supplemental views that I filed with this bill.

Under the normal budget process, proceeds from the sale of an asset are not allowed to be spent again by an agency. They are credited to the general fund of the Treasury under normal circumstances to buy down the national debt. I think it is an incredibly ill-advised action to provide these ships to Turkey and Greece, given what is happening in the Aegean. I think it sends exactly the wrong signal to both sides.

I thank the gentleman for raising the point.

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

I take the floor to say that more often than not I agree with my good friend, the gentleman from Nebraska (Mr. BEREUTER). But when the gentleman stands up and talks about this outrageous action, I just have to question him on that.

We are in a period of time in our government when things are changing. Our military budget today is underfunded by probably \$30 or \$40 billion a year. Not over 5 years or 10 years, \$30 or \$40 billion a year. And there are those of us in this Chamber right now that are doing everything we can to find every nickel we can to try to keep our military preparedness such that we can defend the strategic interests of this country around the world.

Now I heard my good friend, the gentleman from Nebraska (Mr. BEREUTER) saying this is an outrageous situation. But he is criticizing this because the Treasury is not going to get the money. The DOD is going to get the money, the defense, the Pentagon.

That is the whole idea behind this thing, Mr. Chairman. Yes, they are going to get it. And we are going to keep it that way. We are going to keep trying to build it up so that we can, when we are sending young men and women into harm's way, God forbid that that should happen, that they have the best state-of-the-art equipment that money can buy.

Let me tell my colleagues something else. It seems to me the list of countries that Mr. BEREUTER just read off, seems to me they are all friends of ours. They are all NATO allies or other friends in the Western Hemisphere or in the Asian-Pacific area.

Now, what is wrong with selling our friends this kind of military equipment? Would he rather have them buy it from China or would he rather have them buy it from Russia? We have enough problems now with people buying them from Russia. This is expendable equipment that we do not need, and we need to sell it to our friends and we need to maintain that money in the defense budget.

Now, I do not know what all this argument is about. I know we have had a colloquy with my good friend, the gentleman from New York (Mr. GILMAN) and with others, but the point is that time is of the essence here. And maybe there will be a colloquy with the chairman of the Committee on International Relations, who is an outstanding leader in this body, and maybe we will get some kind of understanding. But let us not try to scuttle this. We need this right now.

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

Mr. SOLOMON. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I do not know if the gentleman heard this when I first started my remarks, but I said I am perfectly willing to put an additional \$600- to \$700 million in the Defense Department appropriations. I am for that. I admitted that right up front.

Mr. SOLOMON. Reclaiming my time, we tried and we could not get it. A number of us who were going to vote against the budget because the caps are so low on defense spending now, we were going to do something that we never do. We were going to go against our party. We could not get it.

Finally we got a commitment from the Speaker that when we do go to conference that the Speaker will stick up for us and will get us money beyond the scope, beyond what we are talking in the Senate version, beyond what was offered in the House version. We cannot even get \$200 million more, much less \$600 million more.

Mr. BEREUTER. Mr. Chairman, if the gentleman will continue to yield, I referred to the arcane and unfortunate procedures we have to go through with the budget process around here, I would say to the gentleman. But the gentleman remembers, as a former member of the Committee on International Relations, we have an opportunity to look at those sales ordinarily. And last year we had an opportunity to look at some proposed transfers, and we dramatically increased the funds coming to our Treasury as a result of our review. The Navy was underpricing them. That was good for the taxpayers.

I would ask the gentleman, does he think it is good to send either to Greece or Turkey *Kidd* class guided missile destroyers at this stage?

Mr. SOLOMON. Mr. Chairman, yes, I do. I think we need a strong foreign policy that will say to two of the strongest allies that we have had over the history of this Nation, and that includes Turkey and that includes Greece, although Greece has sometimes been under some kind of Communist leadership with a leader that had some very nasty things to say about America, but by and large they are good allies. If we have a foreign policy, if we have a strong foreign policy, we have nothing to worry about with those two allies.

Mr. BEREUTER. Mr. Chairman, the gentleman recalls how I stand side by side with him in the North Atlantic Assembly and support Greece and Turkey, and sometimes we protect Turkey alone among some of those charges, the gentleman and I.

Mr. SOLOMON. That is correct.

Mr. BEREUTER. And I think they are tremendous allies. Unfortunately, they seem to be at each other's necks too much. That is not good for the alliance. So my concerns are what we are doing at the immediate point, when we have this high degree of intense concern in the Aegean, particularly centered around Cyprus.

Mr. SOLOMON. Mr. Chairman, I respect the gentleman.

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

I first of all I want to commend the gentleman from New York (Mr. SOLOMON) for his rigorous and correct defense of an underfunded defense bill.

What bothers me more than anything is the manner in which this occurred. The Committee on International Relations, every year since I have been here, which has been going on 6 years, will be presented with a petition from the Department of the Navy in the form of a bill for the sale or exchange or gift of ships. And about four years ago there was a hearing going on and somebody came from the Department of the Navy with a list of 10 ships that they were going to give away. And I asked the Navy, I said, have you ever thought about selling or leasing these ships? And they said, well, you know, that is a pretty good idea.

□ 1915

So the Navy pulled the bill. A couple months later, they were back before the Committee on International Relations, this time with a bill that would sell or lease 10 ships with a net to the American people of \$485 million. That provision that occurred every year, I believe, in either the State Department authorization or the foreign ops bill became known as the Manzullo amendment.

The committee members would get together. They would take a look at these excess ships. Affix a value to them and show that as an accounting function in State Department authorization.

Though it is laudable that money be used to enhance our military, what bothers me is our committee was not allowed to have two hearings. The first hearing was on the advisability and the actual accounting methods and appraisal methods of the ships. The second hearing was on the advisability of the countries to whom they were sold under the present circumstances.

The government is selling 48 ships at an average price of \$13 million. That seems to be an awful, terrible bargain. I do not know what procedure can be done at this point, but if the Navy is listening, I am going to be demanding in some way or the other tomorrow a full and complete accounting and an appraisal as to each and every ship so we can demonstrate to the American people whether or not these ships are being appraised.

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

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

Mr. CUNNINGHAM. Mr. Chairman, I recently returned from Greece. And I met with the Prime Minister from Greece, and I also met with the Defense Minister. They bought German tanks. They have an alliance with Germany. It goes beyond what I think the gentleman is talking about, because, for us to sell U.S. product, for us to sell F-15s and the Strike Eagles to Greece and even F-18s, we had to throw into the package not only kits, but Corvettes as well, or they are going to buy other product.

So when you are talking about taxpayers, we are going to have people in

St. Louis working because we are going to sell extra aircraft. Those aircraft that we can buy cheaper, the U.S. military is going to benefit from that.

I am not sure about the process with the gentleman's committee, but I am just letting him know that the reasons for it is, if we can have cheaper airplanes for our services and provide, I am a little different on the issue, I want the Turks out of Northern Cyprus. They invaded in 1974, and they ought to get their rear ends out, and the Greeks ought to kick them out if they do not move.

Mr. MANZULLO. Mr. Chairman, if I can reclaim my time, the gentleman may be very well correct and probably is as to the reason these ships were thrown in; but at the minimum, the Committee on International Relations deserve notice and opportunity to have, at the minimum, a joint hearing on this issue.

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

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; \$1,191,219,000, to remain available for obligation until September 30, 2001.

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 of 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; \$473,803,000, to remain available for obligation until September 30, 2001: *Provided*, That of the funds appropriated in this paragraph, \$21,835,000 shall not be obligated or expended until authorized by law.

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; \$5,973,452,000, to remain available for obligation until September 30, 2003: *Provided*, That additional ob-

ligations may be incurred after September 30, 2003, 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 provided under this heading 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 provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of not to exceed 246 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 \$225,000 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; \$3,990,553,000, to remain available for obligation until September 30, 2001: *Provided*, That of the funds appropriated in this paragraph, \$21,046,000 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 37 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; \$812,618,000, to remain available for obligation until September 30, 2001: *Provided*, That of the funds appropriated in this paragraph, \$120,750,000 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; \$8,384,735,000, to remain available for obligation until September 30, 2001: *Provided*, That of the funds appropriated in this paragraph, \$165,658,000 shall not be obligated or expended until authorized by law.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and

related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and 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; \$2,191,527,000, to remain available for obligation until September 30, 2001.

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 of 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; \$388,925,000, to remain available for obligation until September 30, 2001: *Provided*, That of the funds appropriated in this paragraph, \$5,298,000 shall not be obligated or expended until authorized by law.

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 267 passenger motor vehicles for replacement only; the purchase of one vehicle required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed \$240,000 per vehicle; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; \$7,034,217,000, to remain available for obligation until September 30, 2001.

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 346 passenger motor vehicles for replacement only; the purchase of 4 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed \$165,000 per vehicle; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; \$2,055,432,000, to remain available for obligation until September 30, 2001: *Provided*, That not less than \$109,455,000 of the funds appro-

priated in this paragraph shall be made available only for the procurement of high performance computing hardware: *Provided further*, That of the funds appropriated in this paragraph, \$92,566,000 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; \$120,000,000, to remain available for obligation until September 30, 2001: *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.

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; \$4,967,446,000, to remain available for obligation until September 30, 2000: *Provided*, That of the funds appropriated in this paragraph, \$175,449,000 shall not be obligated or expended until authorized by law: *Provided further*, That of the funds made available under this heading, \$10,000,000 shall be available only to commence a live fire, side-by-side operational test and evaluation of the air-to-air Starstreak and air-to-air Stinger missiles fired from the AH-64D Apache helicopter: *Provided further*, That none of the funds specified in the preceding proviso may be obligated until the Secretary of the Army certifies the following, in writing, to the congressional defense committees:

(1) Engagement tests can be safely conducted with both Starstreak and Stinger missiles from the AH-64D helicopter at air speeds consistent with the normal operating limits of that aircraft;

(2) The Starstreak missiles utilized in the test will be provided at no cost to the United States Government;

(3) None of the \$10,000,000 provided will be used to develop modifications to the Starstreak or the Stinger missiles; and

(4) Both the Starstreak and Stinger missiles can be fired from the AH-64D aircraft consistent with the survivability of the aircraft and missile performance standards contained in the Army's Air-to-Air Missile Capability Need Statement approved by the Department of the Army in January 1997.

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; \$8,297,986,000, to remain available for obligation until September 30, 2000: *Provided*, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique requirements of the Special Operation Forces: *Provided further*, That notwithstanding 10 U.S.C. 2366, none of the funds made available under this heading may be used to conduct system-level live-fire shock tests on the SSN-21 class of submarines unless the Commander-in-Chief of the United States Atlantic Command certifies in writing to the congressional defense committees that such testing must be conducted to meet operational requirements for those submarines: *Provided further*, That not

more than \$50,000,000 of the funds made available under this heading for feasibility studies and component research and development for future aircraft carriers may be obligated until the Secretary of the Navy certifies in writing to the congressional defense committees that the Navy has a program in place to develop and install an infrared search and track device on CVN-77 upon its acceptance by the government: *Provided further*, That the restriction in the preceding proviso does not apply to funds requested in the fiscal year 1999 President's budget and provided in this Act for design of CVN-77: *Provided further*, That of the funds appropriated in title IV of Public Law 105-56 (Department of Defense Appropriations Act, 1998), \$213,229,000 is only for research, development, test and evaluation of cooperative engagement capability.

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; \$13,577,441,000, to remain available for obligation until September 30, 2000.

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; \$8,776,318,000, to remain available for obligation until September 30, 2000: *Provided*, That not less than \$340,446,000 of the funds made available under this heading shall be made available only for the Sea-Based Wide Area Defense (Navy Upper-Tier) program: *Provided further*, That funding for the Sea-Based Wide Area Defense (Navy Upper-Tier) program in this or any other Act shall be used for research, development and deployment including, but not limited to, continuing ongoing risk reduction activities, initiating system engineering for an initial Block I capability, and deployment at the earliest feasible time following Aegis Lightweight Exoatmospheric Projectile (LEAP) intercept flight tests.

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; \$263,606,000, to remain available for obligation until September 30, 2000: *Provided*, That of the funds appropriated in this paragraph, \$12,500,000 shall not be obligated or expended until authorized by law.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith; \$35,245,000, to remain available for obligation until September 30, 2000: *Provided*, That of the funds appropriated in this paragraph, \$6,000,000 shall not be obligated or expended until authorized by law.

TITLE V

REVOLVING AND MANAGEMENT FUNDS
DEFENSE WORKING CAPITAL FUNDS
(INCLUDING TRANSFER OF FUNDS)

For the Defense Working Capital Funds; \$94,500,000: *Provided*, That during the fiscal year 1999, in order to maintain adequate cash balances in the Defense Working Capital Funds, the Secretary of Defense may transfer up to \$350,000,000 from the National Defense Stockpile Transaction Fund to the Defense Working Capital Funds: *Provided further*, That the total of amounts so transferred during the fiscal year shall be transferred back to the National Defense Stockpile Transaction Fund not later than September 30, 1999.

NATIONAL DEFENSE SEALIFT FUND
(INCLUDING TRANSFER OF FUNDS)

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); \$673,366,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (that is; engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That notwithstanding any other provision of law, of the funds available under this heading, \$28,800,000 shall be transferred to "Alteration of Bridges": *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso 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, \$3,800,000 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; \$10,127,622,000, of which \$9,725,235,000 shall be for Operation and maintenance, of which not to exceed two per centum shall remain available until September 30, 2000, and of which \$402,387,000, to remain available for obligation until September 30, 2001, shall be for Procurement: *Provided*, That of the funds appropriated in this paragraph, \$62,200,000 shall not be obligated or expended until authorized by law.

CHEMICAL AGENTS AND MUNITIONS
DESTRUCTION, ARMY

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; \$796,100,000, of which \$508,650,000 shall be for Operation and maintenance, \$124,670,000 shall be for Procurement to remain available until September 30, 2001, and \$162,780,000 shall be for Research, development, test and evaluation to remain available until September 30, 2000.

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; \$764,595,000: *Provided*, That the funds appropriated under this head 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, \$37,013,000 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; \$132,064,000, of which \$130,764,000 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 \$1,300,000, to remain available until September 30, 2001, shall be for Procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System; \$201,500,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Intelligence Community Management Account; \$136,123,000, of which \$30,290,000 for the Advanced Research and Development Committee shall remain available until September 30, 2000: *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, 2001, and \$3,000,000 for Research, development, test and evaluation shall remain available until September 30, 2000.

PAYMENT TO KAHŌ'OLAWĒ ISLAND CONVEYANCE, REMEDIATION, AND ENVIRONMENTAL RESTORATION FUND

For payment to Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Fund, as authorized by law; \$15,000,000, to remain available until expended.

NATIONAL SECURITY EDUCATION TRUST FUND

For the purposes of title VIII of Public Law 102-183, \$3,000,000, 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. 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 30 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:

AV-8B aircraft;
E-2C aircraft;
T-45 aircraft; and
Medium Tactical Vehicle Replacement (MTVR) vehicle.

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 1999, 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 2000 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2000 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 2000.

(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 50 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 receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this subsection shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this subsection applies only to active components of the Army.

SEC. 8014. None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of enactment of this Act, is performed by more than ten Department of Defense civilian employees until a most efficient and cost-effective organization analysis is completed on such activity or function and certification of the analysis is made to the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That this section shall not apply to a commercial or industrial type function of the Department of Defense that: (1) is included on the procurement list established pursuant to section 2 of the Act of June 25, 1938 (41 U.S.C. 47), popularly referred to as the Javits-Wagner-O'Day Act; (2) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or (3) is planned to be converted to performance by a qualified firm under 51 per centum Native American ownership.

(TRANSFER OF FUNDS)

SEC. 8015. 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. 8016. 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. 8017. 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 persons with disabilities 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. 8018. 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. 8019. 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 2000 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 30 days prior to the conclusion and endorsement of any such agreement established under this provision.

SEC. 8020. 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. 8021. Notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to pay more than 50 per centum of an amount paid to any person under section 308 of title 37, United States Code, in a lump sum.

SEC. 8022. No more than \$500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Cap-

ital 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. 8023. A member of a reserve component whose unit or whose residence is located in a State which is not contiguous with another State is authorized to travel in a space required status on aircraft of the Armed Forces between home and place of inactive duty training, or place of duty in lieu of unit training assembly, when there is no road or railroad transportation (or combination of road and railroad transportation between those locations): *Provided*, That a member traveling in that status on a military aircraft pursuant to the authority provided in this section is not authorized to receive travel, transportation, or per diem allowances in connection with that travel.

SEC. 8024. The unobligated balance of the amounts appropriated by section 8024 of the Department of Defense Appropriations Act, 1998 (Public Law 105-56), shall remain available until September 30, 1999 for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That contractors participating in the test program established by section 834 of Public Law 101-189 (15 U.S.C. 637 note) shall be eligible for the program established by section 504 of the Indian Financing Act.

SEC. 8025. 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, United States Code, 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, United States Code, 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. 8026. 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 24 months after initiation of such study with respect to a single function activity or 48 months after initiation of such study for a multi-function activity.

SEC. 8027. 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. 8028. 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. 8029. 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. 8030. (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. 8031. 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. 8032. 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. 8033. Of the funds made available in this Act, not less than \$28,300,000 shall be available for the Civil Air Patrol Corporation, of which \$23,500,000 shall be available for Civil Air Patrol Corporation operation and maintenance to support readiness activities which includes \$3,800,000 for the Civil Air Patrol counterdrug program: *Provided*, That funds identified for "Civil Air Patrol" under this section are intended for and shall be for the exclusive use of the Civil Air Patrol Corporation and not for the Air Force or any unit thereof.

SEC. 8034. (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—Federally Funded Research and Development Center (FFRDC).—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 1999 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, of the funds available to the department during fiscal year 1999, not more than 6,206 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,105 staff years may be funded for the defense studies and analysis FFRDCs.

(e) Notwithstanding any other provision of law, the Secretary of Defense shall control the total number of staff years to be performed by defense FFRDCs during fiscal year 1999 so as to reduce the total amounts appropriated in titles II, III, and IV of this Act by \$62,000,000: *Provided*, That the total amounts appropriated in titles II, III, and IV of this Act are hereby reduced by \$62,000,000 to reflect savings from the use of defense FFRDCs by the department.

(f) 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 1999: *Provided*, That after the submission of the report required by this subsection, the department may not reallocate more than five per centum 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.

(g) The Secretary of Defense shall, with the submission of the department's fiscal year 2000 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.

(h) No part of the reductions contained in subsection (e) 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 within each appropriation account, and the reductions in subsection (e) shall be allocated on a proportional basis.

(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. 8035. 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. 8036. 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. 8037. 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. 8038. (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 1999. 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. 8039. 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. 8040. 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. 8041. 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. 8042. 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. 8043. 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. 8044. 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. 8045. 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. 8046. 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. 8047. (a) During the current fiscal year, none of the appropriations or funds available to the Department of 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 Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of 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 2000 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2000 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 2000 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8048. 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, 2000: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended.

SEC. 8049. 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. 8050. 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. 8051. 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. 8052. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

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

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

SEC. 8053. 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. 8054. (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

(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. 8055. 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.

(RESCISSIONS)

SEC. 8056. Of the funds provided in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts in the specified amounts:

"Missile Procurement, Army, 1998/2000", \$13,300,000;

"Procurement of Weapons and Tracked Combat Vehicles, Army, 1998/2000", \$6,700,000;

"Other Procurement, Army, 1998/2000", \$24,000,000;

"Weapons Procurement, Navy, 1998/2000", \$2,000,000;

"Procurement of Ammunition, Navy and Marine Corps, 1998/2000", \$12,000,000;

"Other Procurement, Navy, 1998/2000", \$28,500,000;

"Aircraft Procurement, Air Force, 1998/2000", \$15,000,000;

"Missile Procurement, Air Force, 1998/2000", \$19,840,000;

"Other Procurement, Air Force, 1998/2000", \$4,160,000;

"Research, Development, Test and Evaluation, Army, 1998/1999", \$18,000,000;

"Research, Development, Test and Evaluation, Navy, 1998/1999", \$17,500,000;

"Research, Development, Test and Evaluation, Air Force, 1998/1999", \$34,370,000; and

"Research, Development, Test and Evaluation, Defense-Wide, 1998/1999", \$73,000,000.

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 or counterintelligence support to Unified Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Foreign Intelligence Program (NFIP), the Joint Military Intelligence Program (JMIP), and the Tactical Intelligence and Related Activities (TIARA) aggregate: *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, 1998 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 \$1,118,000,000.

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 shall be obligated or expended to make a financial contribution to the United Nations for the cost of an United Nations peacekeeping activity (whether pursuant to assessment or a voluntary contribution) or for payment of any United States arrearage to the United Nations.

SEC. 8074. 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. 8075. (a) None of the funds appropriated or otherwise made available in this Act may be used to transport or provide for the transportation of chemical munitions or agents to the Johnston Atoll for the purpose of storing or demilitarizing such munitions or agents.

(b) The prohibition in subsection (a) shall not apply to any obsolete World War II chemical munition or agent of the United States found in the World War II Pacific Theater of Operations.

(c) The President may suspend the application of subsection (a) during a period of war in which the United States is a party.

SEC. 8076. 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.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8077. During the current fiscal year, no more than \$7,000,000 of appropriations made in this Act under the heading "Operation and Maintenance, Defense-Wide" may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8078. 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 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8079. 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 1 percent of the total appropriation for that account.

SEC. 8080. The Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees by February 1, 1999 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 2000 budget request was reduced because Congress appropriated funds above the President's budget request for that specific activity for fiscal year 1999.

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. The Secretary of Defense may waive reimbursement of the cost of conferences, seminars, courses of instruction, or similar educational activities of the Asia-Pacific Center for Security Studies for military officers and civilian officials of foreign nations if the Secretary determines that attendance by such personnel, without reimbursement, is in the national security interest of the United States: *Provided*, That costs for which reimbursement is waived pursuant to this subsection shall be paid from appropriations available for the Asia-Pacific Center.

SEC. 8083. (a) Notwithstanding any other provision of law, 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 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 the 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. 8084. 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. 8085. 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. 8086. During the current fiscal year and hereafter, refunds attributable to the use of the Government travel card by military personnel and civilian employees of the Department of Defense and refunds attrib-

utable to official Government travel arranged by Government Contracted Travel Management Centers may be credited to operation and maintenance accounts of the Department of Defense which are current when the refunds are received.

SEC. 8087. 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. 8088. 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. 8089. At the time the President submits his budget for fiscal year 2000 and any fiscal year thereafter, 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 that fiscal year.

SEC. 8090. 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, prototyping, 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. 8091. 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 1998 or a subsequent year.

SEC. 8092. None of the funds made available in this Act may be used to approve or license the sale of the F-22 advanced tactical fighter to any foreign government.

SEC. 8093. 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.

SEC. 8094. Notwithstanding 31 U.S.C. 1552(a), of the funds provided in Department of Defense Appropriations Acts, not more than the specified amounts from the following accounts shall remain available for the payment of satellite on-orbit incentive fees until the fees are paid:

"Missile Procurement, Air Force, 1995/1997", \$20,978,000;

"Missile Procurement, Air Force, 1996/1998", \$16,782,400.

SEC. 8095. 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. 8096. Funds made available to the Civil Air Patrol in this Act under the heading "Drug Interdiction and Counter-Drug Activities, Defense" may be used for the Civil Air Patrol Corporation's counterdrug program, including its demand reduction program involving youth programs, as well as operational and training drug reconnaissance missions for federal, state and local government agencies; for administrative costs, including the hiring of Civil Air Patrol Corporation employees; for travel and per diem expenses of Civil Air Patrol Corporation personnel in support of those missions; and for equipment needed for mission support or performance: *Provided*, That of these funds, \$300,000 shall be made available to establish and operate a distance learning program: *Provided further*, That the Department of the Air Force should waive reimbursement from the Federal, State and local government agencies for the use of these funds.

SEC. 8097. The Secretary of Defense shall undertake a review of all distributed learning education and training programs in the Department of Defense and shall issue a plan to implement a department-wide, standardized, cost-effective Advanced Distributed Learning framework to achieve the goals of commonality, interoperability, and reuse: *Provided*, That the Secretary shall report to Congress on the results of this review and present a detailed implementation and budget plan no later than July 30, 1999.

SEC. 8098. None of the funds in this Act may be available for the purchase by the Department of Defense of cross deck pendants for arresting aircraft on U.S. Navy aircraft carriers unless such cross deck pendants are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, 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 such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8099. None of the funds in this or any other Act shall be available to any Reserve Component to establish new activities to perform depot level maintenance and remanufacture of any equipment in the Department of Defense inventory unless the Secretary of Defense first certifies to the Committees on Appropriations of the House of Representatives and the Senate, on a case-by-case basis, that (a) insufficient workload capacity is available at existing government or private sector depot maintenance facilities currently used by the Reserve Components for similar work; and (b) an in-depth analysis has been performed comparing the cost of any proposed expansion of depot facilities versus the cost of performing the same work at existing depot facilities or by the private sector.

SEC. 8100. Notwithstanding any other provision of law, the TRICARE managed care support contracts in effect, or in final stages of acquisition as of September 30, 1998, may be extended for two years: *Provided*, That

any such extension may only take place if the Secretary of Defense determines that it is in the best interest of the government: *Provided further*, That any contract extension shall be based on the price in the final best and final offer for the last year of the existing contract as adjusted for inflation and other factors mutually agreed to by the contractor and the government: *Provided further*, That notwithstanding any other provision of law, all future TRICARE managed care support contracts replacing contracts in effect, or in the final stages of acquisition as of September 30, 1998, may include a base contract period for transition and up to seven one-year option periods.

SEC. 8101. Notwithstanding any other provision in this Act, the total amount appropriated in this Act is hereby reduced by \$204,100,000 to reflect savings from revised economic assumptions, to be distributed as follows:

"Aircraft Procurement, Army", \$4,000,000;
 "Missile Procurement, Army", \$4,000,000;
 "Procurement of Weapons and Tracked Combat Vehicles, Army", \$4,000,000;
 "Procurement of Ammunition, Army", \$3,000,000;
 "Other Procurement, Army", \$9,000,000;
 "Aircraft Procurement, Navy", \$22,000,000;
 "Weapons Procurement, Navy", \$4,000,000;
 "Procurement of Ammunition, Navy and Marine Corps", \$1,000,000;
 "Shipbuilding and Conversion, Navy", \$18,000,000;
 "Other Procurement, Navy", \$12,000,000;
 "Procurement, Marine Corps", \$2,000,000;
 "Aircraft Procurement, Air Force", \$23,000,000;
 "Missile Procurement, Air Force", \$5,200,000;
 "Procurement of Ammunition, Air Force", \$1,000,000;
 "Other Procurement, Air Force", \$4,900,000;
 "Procurement, Defense-Wide", \$5,100,000;
 "Chemical Agents and Munitions Destruction, Army", \$3,000,000;
 "Research, Development, Test and Evaluation, Army", \$10,000,000;
 "Research, Development, Test and Evaluation, Navy", \$18,500,000;
 "Research, Development, Test and Evaluation, Air Force", \$26,300,000; and
 "Research, Development, Test and Evaluation, Defense-Wide", \$24,100,000;

Provided, That these reductions shall be applied proportionally to each budget activity, activity group and sub-activity group and each program, project, and activity within each appropriation account.

SEC. 8102. (a) TRANSFERS OF VESSELS BY GRANT.—The Secretary of the Navy is authorized to transfer vessels to foreign countries on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) as follows:

(1) To the Government of Argentina, the NEWPORT class tank landing ship NEWPORT (LST 1179).

(2) To the Government of Greece—

(A) the KNOX class frigate HEPBURN (FF 1055); and

(B) the ADAMS class guided missile destroyers STRAUSS (DDG 16), SEMMS (DDG 18), and WADDELL (DDG 24).

(3) To the Government of Portugal, the STALWART class ocean surveillance ship ASSURANCE (T-AGOS 5).

(4) To the Government of Turkey, the KNOX class frigates PAUL (FF 1080), MILLER (FF 1091), and W.S. SIMMS (FF 1059).

(b) TRANSFERS OF VESSELS BY SALE.—The Secretary of the Navy is authorized to transfer vessels to foreign countries on a sales basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761) as follows:

(1) To the Government of Brazil, the NEWPORT class tank landing ships CAYUGA (LST 1186) and PEORIA (LST 1183).

(2) To the Government of Chile—

(A) the NEWPORT class tank landing ship SAN BERNARDINO (LST 1189); and

(B) the auxiliary repair dry dock WATERFORD (ARD 5).

(3) To the Government of Greece—

(A) the OAK RIDGE class medium dry dock ALAMAGORDO (ARMD 2); and

(B) the KNOX class frigates VREELAND (FF 1068) and TRIPPE (FF 1075).

(4) To the Government of Mexico—

(A) the auxiliary repair dock SAN ONOFRE (ARD 30); and

(B) the KNOX class frigate PHARRIS (FF 1094).

(5) To the Government of the Philippines, the STALWART class ocean surveillance ship TRIUMPH (T-AGOS 4).

(6) To the Government of Spain, the NEWPORT class tank landing ships HARLAN COUNTY (LST 1196) and BARNSTABLE COUNTY (LST 1197).

(7) To the Taipei Economic and Cultural Representative Office in the United States (the Taiwan instrumentality that is designated pursuant to section 10(a) of the Taiwan Relations Act)—

(A) the KNOX class frigates PEARY (FF 1073), JOSEPH HEWES (FF 1078), COOK (FF 1083), BREWTON (FF 1086), KIRK (FF 1087), and BARBEY (FF 1088);

(B) the NEWPORT class tank landing ships MANITOWOC (LST 1180) and SUMTER (LST 1181);

(C) the floating dry dock COMPETENT (AFDM 6); and

(D) the ANCHORAGE class dock landing ship PENSACOLA (LSD 38).

(8) To the Government of Turkey—

(A) the OLIVER HAZARD PERRY class guided missile frigates MAHLON S. TISDALE (FFG 27), REID (FFG 30), and DUNCAN (FFG 10); and

(B) the KNOX class frigates REASONER (FF 1063), FANNING (FF 1076), BOWEN (FF 1079), MCCANDLESS (FF 1084), DONALD BEARY (FF 1085), AINSWORTH (FF 1090), THOMAS C. HART (FF 1092), and CAPODANNO (FF 1093).

(9) To the Government of Venezuela, the medium auxiliary floating dry dock bearing hull number AFDM 2.

(c) TRANSFERS OF VESSELS ON A COMBINED LEASE-SALE BASIS.—The Secretary of the Navy is authorized to transfer vessels to foreign countries on a combined lease-sale basis under sections 61 and 21 of the Arms Export Control Act (22 U.S.C. 2796, 2761) and in accordance with subsection (d) as follows:

(1) To the Government of Brazil, the CIMARRON class oiler MERRIMACK (AO 179).

(2) To the Government of Greece, the KIDD class guided missile destroyers KIDD (DDG 993), CALLAGHAN (DDG 994), SCOTT (DDG 995), and CHANDLER (DDG 996).

(d) CONDITIONS RELATING TO COMBINED LEASE-SALE TRANSFERS.—A transfer of a vessel on a combined lease-sale basis authorized by subsection (c) shall be made in accordance with the following provisions, which the Secretary shall include in the terms of any agreement with the recipient country for such transfer of the vessel:

(1) The Secretary may initially transfer the vessel by lease, with lease payments suspended for the term of the lease, while simultaneously entering into a foreign military sales agreement for the transfer of title to the vessel.

(2) The Secretary may not deliver title to the vessel until the purchase price of the vessel under such a sales agreement is paid in full.

(3) Upon payment of the purchase price in full under such a sales agreement and deliv-

ery of title to the recipient country, the Secretary shall terminate the lease.

(4) If the purchasing country fails to make full payment of the purchase price in accordance with the sales agreement—

(A) the sales agreement shall be immediately terminated;

(B) the suspension of lease payments under the lease shall be vacated; and

(C) the United States shall be entitled to retain funds received under the sales agreement in such amounts as necessary to cover the amount of lease payments due and payable under the lease and all other costs required by the lease to be paid as of the date of the sales agreement termination.

(5) If a sales agreement is terminated pursuant to paragraph (4), the United States shall not be required to pay any interest to the recipient country on any amount paid to the United States by the recipient country under the sales agreement and not retained by the United States under the lease.

(e) FUNDING FOR CERTAIN COSTS OF TRANSFERS.—There is established in the Treasury of the United States a special account to be known as the Defense Vessels Transfer Program Account. There is hereby appropriated into that account such sums as may be necessary for the costs (as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a)) of the lease-sale transfers authorized by subsection (d). Funds in that account are available only for the purpose of covering those costs.

(f) WAIVER OF REQUIREMENTS FOR NOTIFICATION TO CONGRESS.—Section 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(f)), section 525 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1998 (Public Law 105-118; 111 Stat. 2412), and any similar, successor provision of law do not apply with respect to the transfers authorized by this section.

(g) INAPPLICABILITY OF AGGREGATE ANNUAL LIMITATION ON VALUE OF TRANSFERRED EXCESS DEFENSE ARTICLES.—In the case of the transfer of a vessel authorized by subsection (a) to be made by grant under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), the value of the vessel transferred shall not be included for purposes of subsection (g) of that section in the aggregate value of excess defense articles transferred to countries under that section in any fiscal year.

(h) COSTS OF TRANSFERS.—Any expense incurred by the United States in connection with a transfer authorized by this section shall be charged to the recipient.

(i) REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.—To the maximum extent practicable, the Secretary of the Navy shall require, as a condition of the transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed, before the vessel joins the naval forces of that country, performed at a shipyard located in the United States, including a United States Navy shipyard.

(j) EXPIRATION OF AUTHORITY.—The authority to transfer vessels under this section shall expire at the end of the two-year period beginning on the date of the enactment of this Act.

SEC. 8103. None of the funds in this Act may be used to compensate an employee of the Department of Defense who initiates a new start program without notification to the Office of the Secretary of Defense and the congressional defense committees, as required by Department of Defense financial management regulations.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8104. Of the funds made available under title II of this Act, the following

amounts shall be transferred to the Defense Working Capital Funds for the purpose of funding operations of the Defense Commissary Agency:

"Operation and Maintenance, Army", \$338,400,000;

"Operation and Maintenance, Navy", \$255,000,000;

"Operation and Maintenance, Marine Corps", \$86,600,000; and

"Operation and Maintenance, Air Force", \$302,071,000:

Provided, That the transfer authority provided in this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8105. Of the amounts made available in title II of this Act under the heading "Operation and Maintenance, Navy", \$20,000,000 is available only for emergency and extraordinary expenses associated with the accident involving a United States Marine Corps A-6 aircraft on February 3, 1998, near Cavalese, Italy: *Provided*, That these funds shall remain available until expended: *Provided further*, That notwithstanding any other provision of law, the funds made available by this section shall be available only for payments to persons, communities, or other entities in Italy only for reimbursement for damages resulting from the expenses associated with the accident involving a United States Marine Corps A-6 aircraft on February 3, 1998, near Cavalese, Italy: *Provided further*, That notwithstanding any other provision of law, funds made available under this section may be used to rebuild or replace the funicular system in Cavalese destroyed on February 3, 1998 by that aircraft: *Provided further*, That any amount paid to any individual or entity from the amount appropriated under this section shall be credited against any amount subsequently determined to be payable to that individual or entity under chapter 163 of title 10, United States Code, section 127 of that title, or any other authority provided by law for administrative settlement of claims against the United States with respect to damages arising from the accident described in this section: *Provided further*, That payment of an amount under this section shall not be considered to constitute a statement of legal liability on the part of the United States or otherwise to prejudice any judicial proceeding or investigation arising from the accident described in this section.

Mr. YOUNG of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 107, line 23, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

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

SEC. 8106. No funds appropriated or otherwise made available by this Act may be used to initiate or conduct offensive military operations by United States Armed Forces except in accordance with the war powers clause of the Constitution (article 1, section 8), which vests in Congress the power to declare and authorize war and to take certain specified, related decisions.

The CHAIRMAN. Pursuant to House Resolution 484, consideration of this section under the 5-minute rule shall not exceed 1 hour.

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

Mr. Chairman, section 8106 in the bill really depends upon section 8 of Article

I of the Constitution. I would just like to refer my colleagues to that text which reads as follows:

The Congress shall have Power . . . to declare War, grant letters of Marque and Reprisal, and make rules concerning Captures on Land and Water.

What this amendment does is merely to say that no funds appropriated in this bill may be used for military operations of the United States except in accordance with that provision of the Constitution. In other words, we are transforming, by including this language, the abstract constitutional concept of the Congress' war powers authority and turning it into a real and concrete requirement bearing on the way this Nation will decide on military engagements at least during fiscal 1999.

This amendment represents the very simple proposition that we follow the Constitution and impose the limitation that the Constitution states and show that we really mean it. The question, of course, is: If you are just restating a Constitution, why is this really necessary?

I made a few observations during the debate on the rule referring back to statements by this administration and by the Bush administration that take an extraordinarily expansive view of the inherent authority held by the President to essentially define the national interests of the United States and use military force to implement that presidential definition of the national interest, which I think should give us some real pause.

In the Constitution's provision which I quoted, I think we in Congress, the legislative branch, have been given unequivocally and exclusively the power to decide questions of war for this country, even limited war. The framers put that power in Congress because they saw it as really an essential part of our democracy, expressly rejecting the idea, given their recent experience with the King of England, that the President should have that kind of power.

The Constitution rightly, I think, expects us as the representatives of the people to decide on questions of war.

There is always a lot of confusion because of that arcane phrase in the Constitution about declaring war. Let me just say that usage and dictionaries at the time the Constitution was drafted made it pretty clear that "declare" in the understanding of the drafters also meant "commence."

That was clear, for instance, from Alexander Hamilton's commentary in Federalist No. 25, noting that nations at the time went to war without formal declaration. James Madison, the real father of the Constitution, and Elbridge Gerry, during the Constitutional Convention, succeeded in substituting the words "declare" for "make" to make it clear that the President would have "the power to repel sudden attacks."

Very early in our republic, Chief Justice Marshall, with an understanding of

the contemporaneous thought of the drafters in a Supreme Court decision, made the following statement, and I quote:

The whole powers of war being, by the Constitution of the United States, vested in Congress, et cetera.

So there really should be no confusion about where this power lies.

At the time of the founding, it is also useful to understand what the drafters were getting at by the phrase "letters of marque and reprisal." Essentially at that time, these were ways of settling disputes short of all-out war.

Then-Secretary of State Thomas Jefferson wrote, "The making of reprisal on a nation is a very serious thing that is considered an act of war." And he goes on, "The right of reprisal is expressly lodged with Congress by the Constitution and not with the executive."

I elaborate a little bit on that because the action the President contemplated last spring with regard to Iraq, the actions being considered now with regard to Kosovo and Yugoslavia would best be considered as limited war under the marque and reprisal clause.

The Constitution clearly gives the President a very powerful role as commander in chief and as the maker of U.S. foreign policy.

The CHAIRMAN. The time of the gentleman from Colorado (Mr. SKAGGS) has expired.

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

Mr. SKAGGS. Mr. Chairman, but in recent years, we have allowed the President to usurp Congress' power in this area and far exceed, I believe, what the Constitution contemplated.

I just wanted to offer to my colleagues' attention what I hope will be a graphic representation to help understand what we are talking about. That is the gray area that exists concededly between the Constitution's grant to the President of foreign policy and Commander in Chief powers and what the Constitution grants to this Congress under the war-making clause.

At one end of the spectrum, we all recognize the President has the inherent power to act to repel an attack, acts of defense of the Nation. At the other end of the spectrum of possible military operations, it is also pretty clear that we are given the power to determine whether or not this country would invade another country, a pure offensive action.

No one really knows exactly where our power ends under the Constitution, and our exclusive power, I might add, nor where the President's exclusive powers as Commander in Chief end. There is a gray area. But whatever Congress' power extends, all this amendment does is to say, to that extent, funds in the bill cannot be spent without complying with the Constitution.

That is important, I think, because for among other reasons, the

antideficiency act gives real teeth, then, to this provision in restraining and informing the decisions that would be made by the executive, either to act on its own or more properly to come here and deal with Congress and in the way the Constitution intended.

I hear a lot of complaints around here about our not being consulted. Let me tell my colleagues, if they want to be consulted about these important decisions, make sure this stays in the bill, because this has gotten the administration's attention, as it should.

I mentioned during the debate on the rule the statement of administration policy which includes a veto threat on this provision. That would be, I think, comic if it were not so serious. The idea that the President would veto a bill because Congress asserts and reclaims its designated and exclusive constitutional responsibility under Article I, section 8, is a little dumbfounding. I cannot believe the President would really follow through on that, a veto because Congress says that it and the President should follow the Constitution. Give me a break.

I realize there is a practice that has been built up during the Cold War years in which we are very deferential to the President, but in reconsidering this, let me just call my colleagues' attention to one of the compelling statements that Madison made about this, and I quote:

In no part of the Constitution is more wisdom to be found than in the clause which confides the question of war or peace to the legislature and not to the executive department. The trust and the temptation would be too great for one man.

I think that serves to demonstrate, again, the need for this provision. It underscores the wisdom of the founders, as Madison said.

My colleagues, if we do not stand up for our responsibilities and progresses under the Constitution, nobody else is going to. I think the American people have a right to expect us to do our job. If we are, indeed, tired of being ignored in these very important decisions about sending our Armed Forces into harm's way, I hope we will not only retain this provision in this bill tonight, but that my friends, the chairman and ranking member of the subcommittee will do their utmost to see that it is also retained in conference.

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

Mr. Chairman, I was very favorably impressed at the learning shared by our colleague, the gentleman from Colorado, emphasizing the importance of section 8106 in the defense appropriations bill. I wish to add my own strong endorsement of this language and emphasize an additional reason why we should insist upon it.

The record of the President taking the authority away from Congress is a disappointing one in this century. On one recent occasion, one of our colleagues, joined by others, brought a lawsuit. That was former Congressman

Dellums who brought a lawsuit against former President Bush regarding his use of force.

The Court dismissed the case saying that the Congress itself had not spoken and that it required, in order for the case to be ripe, that the Congress speak.

It is my interpretation of section 8106 that it provides the ripeness for just such a challenge, should the President exercise the authority that he claims, to go to war without having an express approval in advance from the Congress of the United States. That, to me, is a very important purpose achieved here.

Secondly, the language refers to the War Resolution Authority, the authority to declare war in the Constitution. It does not in so many terms refer to the Commander in Chief authority.

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The power in the President vested as Commander in Chief includes the power to repel attacks, to respond to sudden attacks, and it is often that provision which is relied upon by Presidents when they choose to go to war without getting the approval of Congress, if they care to justify it at all. When we let that power slip from our fingers, we inch by inch approach tyranny, to give that much power to the President which our Founders wished not to see vested in a single person.

So this provision, in section 8106, does not refer to the Commander in Chief. I interpret the draftsman's intention to be, and all of us who are discussing this tonight, that the President in exercising authority under this appropriation act is to exercise authority specifically as 8106 says, and, that is, in compliance with the provisions of the war declaration authority. It is constitutional for us to impose this condition. If the President does not like it he may veto it. Indeed that is apparently what my colleague from Colorado informs us he has threatened to do.

But I lay down this legislative marker. The President, if he chooses to use force, must find the justification under the declaration of war authority, or he is violating the terms of this appropriation act and violating the antideficiency act. I would also say he is violating the Constitution, but that is the second issue. The first, the most immediate one, this is legislation and he would be violating the legislation.

Lastly, I wish to speak on the Constitution. It is very important not to forget that the Founders wanted all wars to be decided by the people's representatives. The gentleman from South Carolina (Mr. SANFORD) said it so eloquently when we debated this question once before. He said, "The bodies come home to Charleston, they don't come home to Washington." That is why the Founders intended to have this authority in the People's House and in the other body. All wars.

Mr. Chairman, I would like to conclude my remarks by a quotation from

"War and Responsibility" by Professor John Hart Ely, professor of constitutional law at Yale, then at Harvard, then dean of the Stanford Law School, now with the University of Miami.

"The power to declare war was constitutionally vested in Congress. The debates, and early practice, establish that this meant that all wars, big or small, declared in so many words or not—most weren't, even then—had to be legislatively authorized."

And in a footnote, Professor Ely then gives us the citations to Supreme Court cases at the time of the Founders from Justice Bushrod Washington:

"The early cases insisted on congressional authorization without pausing to evaluate the size of the conflict," citing the 1800 opinion in *Bas v. Tingy*: "Every contention by force, between two nations, in external matters, under the authority of their respective governments, is not only war, but public war." And similarly the Supreme Court opinions in *Talbot v. Seeman*, 1801, and *Little v. Barreme* in 1804.

Mr. Chairman, I conclude by commending the gentleman from Colorado for his insistence throughout this appropriation process on the constitutional prerogatives of the House and the other body, not for the sake of any one of us but for the sake of the people whom we represent that war not be fought without the express up-front approval of the Congress.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 8100. (a) ENSURING YEAR 2000 COMPLIANCE OF INFORMATION TECHNOLOGY AND NATIONAL SECURITY SYSTEMS.—(1) None of the funds appropriated or otherwise made available by this Act may (except as provided in paragraph (2)) be obligated or expended on the development or modernization of any information technology or national security system of the Department of Defense in use by the Department of Defense (whether or not the system is a mission critical system) if that system does not meet certification level 1a, 1b, or 2 (as prescribed in the April 1997 publication of the Department of Defense entitled "Year 2000 Management Plan").

(2) The limitation in paragraph (1) does not apply to an obligation or expenditure—

(A) that is directly related to ensuring that a system achieves year 2000 compliance;

(B) for a system that is being developed and fielded to replace before January 1, 2000, a noncompliant system or a system to be terminated in accordance with the May 1998 Department of Defense quarterly report on the status of year 2000 compliance; or

(C) for a particular change that is specifically required by law or that is specifically directed by the Secretary of Defense.

(b) UNALLOCATED REDUCTIONS OF FUNDS NOT TO APPLY TO MISSION CRITICAL SYSTEMS.—Funds appropriated or otherwise made available by this Act for mission critical systems are not subject to any unallocated reduction of funds made by or otherwise applicable to funds provided in this Act.

(c) CURRENT SERVICES OPERATIONS NOT AFFECTED.—Subsection (a) does not prohibit the obligation or expenditure of funds for current services operations of information technology and national security systems.

(d) WAIVER AUTHORITY.—The Secretary of Defense may waive subsection (a) on a case-

by-case basis with respect to an information technology or national security system if the Secretary provides the congressional defense committees with written notice of the waiver, including the reasons for the waiver and a timeline for the testing and certification of the system as year 2000 compliant.

(e) REQUIRED REPORT.—(1) Not later than December 1, 1998, the Secretary of Defense shall submit to the congressional defense committees a report describing—

(A) an executable strategy to be used throughout the Department of Defense to test information technology and national security systems for year 2000 compliance (to include functional capability tests and military exercises);

(B) the plans of the Department of Defense for ensuring that adequate resources (such as testing facilities, tools, and personnel) are available to ensure that all mission critical systems achieve year 2000 compliance; and

(C) the criteria and process to be used to certify a system as year 2000 compliant.

(2) The report shall also include—

(A) an updated list of all mission critical systems; and

(B) guidelines for developing contingency plans for the functioning of each information technology or national security system in the event of a year 2000 problem in any such system.

(f) CAPABILITY CONTINGENCY PLANS.—Not later than December 30, 1998, the Secretary of Defense shall have in place contingency plans to ensure continuity of operations for every critical mission or function of the Department of Defense that is dependent on an information technology or national security system.

(g) INSPECTOR GENERAL EVALUATION.—The Inspector General of the Department of Defense shall selectively audit information technology and national security systems certified as year 2000 compliant to evaluate the ability of systems to successfully operate during the actual year 2000, including the ability of the systems to access and transmit information from point of origin to point of termination.

(h) DEFINITIONS.—For purposes of this section:

(1) The term "information technology" has the meaning given that term in section 5002 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401).

(2) The term "national security system" has the meaning given that term in section 5142 of such Act (40 U.S.C. 1452).

(3) The term "development or modernization" has the meaning given that term in paragraph E of section 180203 of the Department of Defense Financial Management Regulation (DOD 7000.14-R), but does not include any matter covered by subparagraph 3 of that paragraph.

(4) The term "current services" has the meaning given that term in paragraph C of section 180203 of the Department of Defense Financial Management Regulation (DOD 7000.14-R).

(5) The term "mission critical system" means an information technology or national security system that is designated as mission critical in the May 1998 Department of Defense quarterly report on the status of year 2000 compliance.

SEC. 8101. (a) PLAN FOR SIMULATION OF YEAR 2000 IN MILITARY EXERCISES.—Not later than December 15, 1998, the Secretary of Defense shall submit to Congress a plan for the execution of a simulated year 2000 as part of military exercises described in subsection (c) in order to evaluate, in an operational environment, the extent to which information technology and national security systems involved in those exercises will successfully operate during the actual year 2000, includ-

ing the ability of those systems to access and transmit information from point of origin to point of termination.

(b) EVALUATION OF COMPLIANCE IN SELECTED EXERCISES.—In conducting the military exercises described in subsection (c), the Secretary of Defense shall ensure that at least 25 of those exercises (referred to in this section as "Year 2000 simulation exercises") are conducted so as to include a simulated year 2000 in accordance with the plan submitted under subsection (a). The Secretary of Defense shall ensure that at least two of those exercises are conducted by the commander of each unified or specified combatant command.

(c) COVERED MILITARY EXERCISES.—A military exercise referred to in subsections (a) and (b) is a military exercise conducted by the Department of Defense, during the period beginning on January 1, 1999, and ending on September 30, 1999—

(1) under the training exercises program known as the "CJCS Exercise Program";

(2) at the Naval Strike and Air Warfare Center, the Army National Training Center, or the Air Force Air Warfare Center; or

(3) as part of Naval Carrier Group fleet training or Marine Corps Expeditionary Unit training.

(d) AUTHORITY FOR EXCLUSION OF SYSTEMS NOT CAPABLE OF PERFORMING RELIABLY IN YEAR 2000 SIMULATION.—(1) In carrying out a Year 2000 simulation exercise, the Secretary of Defense may exclude a particular information technology or national security system from the year 2000 simulation phase of the exercise if the Secretary determines that the system would be incapable of performing reliably during the year 2000 simulation phase of the exercise. In such a case, the system excluded shall be replaced in accordance with the year 2000 contingency plan for the system.

(2) If the Secretary of Defense excludes an information technology or national security system from the year 2000 simulation phase of an exercise as provided in paragraph (1), the Secretary shall notify Congress of that exclusion not later than two weeks before commencing that exercise. The notice shall include a list of each information technology or national security system excluded from the exercise, a description of how the exercise will use the year 2000 contingency plan for each such system, and a description of the effect that continued year 2000 non-compliance of each such system would have on military readiness.

(3) An information technology or national security system with cryptological applications that is not capable of having its internal clock adjusted forward to a simulated later time is exempt from the year 2000 simulation phase of an exercise under this section.

(e) DEFINITIONS.—For the purposes of this section:

(1) The term "information technology" has the meaning given that term in section 5002 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401).

(2) The term "national security system" has the meaning given that term in section 5142 of such Act (40 U.S.C. 1452).

SEC. . During the current fiscal year and hereafter, no funds appropriated or otherwise available to the Department of Defense may be used to award a contract to, extend a contract with, or approve the award of a sub-contract to any person who within the preceding 15 years has been convicted under section 704 of title 18, United States Code, of the unlawful manufacture or sale of the Congressional Medal of Honor.

Mr. YOUNG of Florida (during the reading.) Mr. Chairman, I ask unani-

mous consent that the remainder of the bill through page 116, line 22, be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

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

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

Mr. Chairman, I had an amendment at the desk, but I am not going to offer that. Instead, I would like to enter into a colloquy with the gentleman from Florida (Mr. YOUNG), chairman of the Subcommittee on National Security.

Mr. Chairman, as the gentleman is aware, the National Guard Starbase program, which has reached almost 200,000 children, is a community-based National Guard program that helps kids in grades 4 through 6 learn hands-on with Guard pilots and technicians. This public school outreach program boosts kids' learning and test scores in math, science, and technology applications. At the same time, Starbase stresses the prevention of drug abuse and builds understanding of self-esteem, goal-setting and teamwork. Unfortunately, as the gentleman is aware, this important project did not receive funding in the Defense appropriations bill.

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

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

Mr. YOUNG of Florida. I would say to the gentleman that yes, I am aware of the program, and the gentleman from Vermont is correct that the committee was not able to fund the Starbase program in this bill, due to the lack of authorization.

Mr. SANDERS. This in my view is very unfortunate, but I am hopeful that the gentleman will work to support the National Guard Starbase program in conference and bring the funding level to the \$6 million appropriated in the other body.

Mr. YOUNG of Florida. If the gentleman will yield further, again I thank the gentleman from Vermont for his efforts to secure funding for this program and assure the gentleman that I will do my best to match the level appropriated in the Senate.

Mr. SANDERS. I thank the gentleman for his commitment. I see that the gentleman from South Dakota (Mr. THUNE), a strong supporter of the Starbase program, is also on the floor.

I yield to the gentleman from South Dakota.

Mr. THUNE. Mr. Chairman, I thank the gentleman from Vermont for bringing this important matter forward. I would also like to thank the gentleman from Florida (Mr. YOUNG), the chairman of the Subcommittee on National Security, for the excellent leadership

that he and the Committee on Appropriations have taken in matters regarding our Nation's defense. Additionally, I would like to thank the gentleman from Florida for his willingness to work with the gentleman from Vermont and me to ensure this important National Guard program is funded. I would just simply ask a question of the distinguished chairman. Am I correct in restating that the gentleman is committed to match the level of funding found in the Senate Defense appropriations bill for the Starbase program?

Mr. YOUNG of Florida. If the gentleman from Vermont will yield further, I would respond to the gentleman from South Dakota and thank him for his interest in this program and say yes, I am committed to working with both gentlemen to secure funding for the program. I would also like to thank the gentleman from South Dakota for his attention to defense of our Nation and also for his efforts in working with the gentleman from Vermont to bring this matter to the attention of the committee.

Mr. THUNE. Again I thank the distinguished gentleman. As the gentleman knows, the National Guard Starbase program is an important initiative in my State of South Dakota. This program is strongly supported by the South Dakota National Guard and teachers all across my great State. It has impacted the lives of students and Guard personnel alike. We all recognize the importance of encouraging students to enter into the fields of science and math in our country. This program bolsters those efforts by reaching over 200,000 students across this country. The \$6 million allocation would be a very small investment in a program that has shown great returns in the education of our Nation's youth. I am pleased that the gentleman from Florida and the gentleman from Vermont are working with me on this matter.

Mr. SANDERS. Mr. Chairman, I thank the gentleman from South Dakota for his comments.

Mr. Chairman, the Starbase program is a chance for Members in the House to support their National Guard and to fund an educational program that represents just the kind of policy initiatives we need in this country. It is endorsed by the National Guard Association of the United States and cosponsored by the gentleman from South Dakota (Mr. THUNE), the gentleman from Michigan (Mr. BONIOR) and the gentleman from Texas (Mr. BENTSEN). I would just conclude by thanking the gentleman from Florida very much and the other Members for their support for this important initiative.

AMENDMENT OFFERED BY MR. BENTSEN

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

The Clerk read as follows:

Amendment offered by Mr. BENTSEN:

At the end of the bill (preceding the short title), insert the following:

SEC. ____ None of the funds appropriated or otherwise made available by this Act may

be used for the transportation into the United States of polychlorinated biphenyls manufactured outside the United States and owned by the Department of Defense except as provided for in section 6(e) of the Toxic Substances Control Act (15 U.S.C. 2605(e)).

Mr. BENTSEN (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 Texas?

There was no objection.

Mr. BENTSEN. Mr. Chairman, I rise to offer an amendment to ensure that the Department of Defense complies with all the rules and regulations of the Toxic Substances Control Act. This amendment prohibits the Defense Department from using any funds appropriated by this act to transport into the United States polychlorinated biphenyls manufactured outside the United States and owned by the Department of Defense, except as provided for in section 6(e) of the Toxic Substances Control Act.

This amendment is necessary because the Department of Defense (DoD) has had language inserted in the Senate Defense Authorization bill that would allow for the unfettered importation of PCBs into the United States. Similar language was initially inserted in the House version of the bill, but it was subsequently deleted. This amendment prohibits the DoD from turning our nation into the world's chemical wastebasket through the transportation of foreign-produced PCB waste into the United States for permanent disposal.

Because of serious environmental and public health hazards associated with PCBs, Congress in 1976 banned both their manufacture and importation under TSCA. PCBs are a dangerous class of chemicals that collect in the body and cause a range of adverse health effects including cancer, reproductive damage, and birth defects. When incinerated, PCBs release dioxin—one of the most toxic chemicals known. PCBs accumulate in the environment and move towards the top of the food chain, contaminating fish, birds, and ultimately humans. They are the only chemicals Congress designated for phase-out under TSCA.

The language in Section 321 of the Senate Defense Authorization bill, S. 2060, would overturn over twenty years of sound environmental law recently affirmed by the 9th Federal Circuit Court and jeopardize the health and safety of Americans by allowing the importation of foreign-produced PCBs. Further, this change has never been reviewed by the Commerce Committee, which has jurisdiction over TSCA. The DoD has demonstrated a clear lack of good environmental judgement as underscored by several recent articles in the Baltimore Sun documenting the hazardous and environmentally unsound techniques being used to dismantle decommissioned U.S. Navy ships. The DoD allowed unscrupulous salvage operators to dismantle U.S. Navy ships without proper environmental controls or worker protections. Asbestos was removed by workers who were not provided respirators and then disposed of by heaving it over the side of ship into the water. I believe it is unwise to allow the DoD to continue to make or alter environmental policy without proper oversight from Congress.

My amendment also reaffirms the unanimous 1997 ruling by the Ninth Circuit U.S. Court of Appeals that a similar attempt by EPA to allow the importation of PCBs had violated TSCA. Chief Judge Proctor Hug wrote, "EPA lacked the statutory authority to promulgate the Import Rule, which violates the PCB manufacture ban contained in the Toxic Substances Control Act."

It is important to note that current law already provides an exemption that allows the DoD to return PCB waste to the United States if such PCBs were purchased in the United States, shipped to an overseas military base, have been continuously under U.S. control, and now need to be returned for disposal. This exemption ensures that any PCBs exported from the United States to one of our military installations abroad can be returned.

Mr. Chairman, the DoD does not have any legitimate reasons for wanting to overturn the ban on the importation of PCBs. They are trying to slip in this change without prior Congressional review and approval. I urge my colleagues to support my amendment so that the House can express its position on this issue and the United States can be protected from becoming a toxic waste dump for the world.

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

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

Mr. MURTHA. Mr. Chairman, we are anxious to accept the gentleman's amendment and appreciate his work in this area.

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

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

Mr. YOUNG of Florida. Mr. Chairman, we agree that the Department of Defense should follow the law and obey the law. We appreciate the gentleman calling this to the attention of the House. We accept the amendment.

Mr. BENTSEN. Mr. Chairman, I want to thank the chairman and the ranking member both for this and for their work on the DREAMS project which they have funded in this bill which is in my district.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. BENTSEN).

The amendment was agreed to.

AMENDMENT NO. 1 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. 1 offered by Mr. SANDERS: At the end of title VIII (page ____, after line ____), insert the following new section:

SEC. ____ None of the funds appropriated or otherwise made available by this Act may be used to enter into or renew a contract with any company owned, or partially owned, by the People's Republic of China or the People's Liberation Army of the People's Republic of China.

Mr. SANDERS. Mr. Chairman, my amendment sponsored by the gentleman from New Jersey (Mr. SMITH), the gentleman from New York (Mr. HINCHEY) and the gentlewoman from

Florida (Mrs. FOWLER) is very simple and straightforward. It bans the Department of Defense from buying products from Chinese state-owned companies as well as companies owned by the People's Liberation Army.

Mr. Chairman, I think that it might come as a surprise to many Members of this body that the Defense Department now builds the B-2 bomber with parts made by a company owned by the People's Republic of China.

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

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

Mr. MURTHA. Mr. Chairman, I know the gentleman has discussed this with me and a number of members of the subcommittee. We appreciate his bringing this to our attention. We certainly accept it on our side of the aisle.

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

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

Mr. YOUNG of Florida. Mr. Chairman, I appreciate the fact that the gentleman discussed this amendment with me several days ago. We agree and accept the amendment.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from New Jersey.

(Mr. SMITH of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Chairman, I want to commend the gentleman, and I am proud to be a cosponsor of the amendment. We should have nothing to do with the oppressive PLA. Making them part of the defense procurement process in this country is patently absurd. I thank the gentleman for his amendment.

I would like to thank my good friend, Representative SANDERS, for taking the initiative in preparing this amendment, of which I am a proud cosponsor. This amendment simply requires that companies owned by the People's Republic of China and its People's Liberation Army not be allowed to profit from contracts with the United States Department of Defense.

Over the past several years, the Chinese dictatorship and its military enforcer, the People's Liberation Army, have begun turning a profit using a vast web of state-owned companies and surrogate entities. These commercial entities are involved with everything from arms sales to hotel management, and are an important source of clandestine revenue for the Beijing regime.

The billions of dollars and technological know-how gained by these commercial ventures are helping to underwrite a massive, surreptitious modernization of the Chinese armed forces. Although the Chinese government claims that it spent only \$11 billion on its armed forces last year, the U.S. Arms Control and Disarmament Agency estimates that the actual figure is nearly six times that amount. Because the revenue generated by PRC and PLA-owned enterprises is not publicly disclosed or included in the Chinese government's declared budget, we cannot be certain of its extent. But responsible estimates by

international experts reach into the billions of dollars.

The Sanders-Smith amendment is important to the struggle for human rights. The People's Republic of China and the PLA still defiantly refuse to face the truth about their massacre of hundreds of peaceful democracy advocates in Tiananmen Square nine years ago this month. The PLA is engaged in the brutal occupation of Tibet, the repression of religious free exercise, and the sale of human organs from executed prisoners. The Chinese government uses forced abortion and sterilization as an officially sanctioned component of its population control program. According to testimony provided by my Subcommittee on numerous occasions, state-owned entities are also exploiting slave labor in the Chinese loagai. Our Defense Department must not enrich and empower the repressive forces of the Chinese government.

The Sanders-Smith amendment is also justified by strategic concerns:

Chinese state-owned companies routinely engage in destabilizing activities, such as the sale of weapons—sometimes including weapons of mass destruction—to countries such as Iran, Burma, Pakistan, and Saudi Arabia. And PLA-owned companies have been caught smuggling weapons into the United States. A 1996 FBI sting operation intercepted 2,000 AK-47 machine guns apparently intended for use by terrorists or other violent criminals.

PLA and PRC-owned enterprises are also procuring cutting-edge technology—such as supercomputers and advanced telecommunications equipment—that can be put to military use. Because these companies ostensibly use such technology for commercial purposes, they are often not subject to the export controls that would be imposed on military transfers. An essay by Chinese General Ding Henggao [DING heng-GOW], translated by the Pentagon, confirms that China is actively pursuing "possible transfers from commercial technology to defense use."

Against this background, the Sanders-Smith amendment deserves universal, bipartisan support. It merely states that the United States Department of Defense must take care not to subsidize the Chinese military by awarding contracts to PLA and PRC-owned enterprises. American security and American ideals demand no less.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the final lines of the bill.

The Clerk read as follows:

This Act may be cited as the "Department of Defense Appropriations Act, 1999".

The CHAIRMAN. If there are no further amendments, under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SMITH of New Jersey) 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. 4103) making appropriations for the Department of Defense for the fiscal year ending September 30, 1999, and for other purposes, pursuant to House Resolution 484, he

reported the bill, as amended pursuant to that rule, back to the House with further sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. 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.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 7 of rule XV, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 358, nays 61, not voting 14, as follows:

[Roll No. 266]

YEAS—358

Abercrombie	Combest	Green
Ackerman	Condit	Greenwood
Aderholt	Cook	Gutknecht
Allen	Cooksey	Hall (OH)
Andrews	Costello	Hall (TX)
Archer	Cox	Hansen
Armey	Cramer	Harman
Bachus	Crapo	Hastert
Baker	Cubin	Hastings (FL)
Baldacci	Cummings	Hastings (WA)
Ballenger	Cunningham	Hayworth
Barcia	Danner	Hefley
Barr	Davis (FL)	Hefner
Barrett (NE)	Davis (VA)	Herger
Bartlett	Deal	Hill
Barton	DeGette	Hilleary
Bass	DeLauro	Hilliard
Bateman	DeLay	Hinojosa
Bentsen	Diaz-Balart	Hobson
Bereuter	Dickey	Holden
Berman	Dicks	Horn
Bilbray	Dixon	Horstettler
Bilirakis	Dooley	Houghton
Bishop	Doolittle	Hoyer
Blagojevich	Doyle	Hulshof
Bliley	Dreier	Hunter
Blumenauer	Duncan	Hutchinson
Blunt	Dunn	Hyde
Boehlert	Edwards	Inglis
Boehner	Ehrlich	Istook
Bonilla	Emerson	Jackson-Lee
Bonior	Engel	(TX)
Bono	English	Jefferson
Borski	Ensign	Jenkins
Boswell	Eshoo	John
Boucher	Etheridge	Johnson (CT)
Boyd	Evans	Johnson, E. B.
Brady (PA)	Everett	Johnson, Sam
Brady (TX)	Ewing	Jones
Brown (FL)	Farr	Kanjorski
Bryant	Fawell	Kasich
Bunning	Fazio	Kelly
Burr	Foley	Kennedy (MA)
Burton	Forbes	Kennedy (RI)
Buyer	Ford	Kennelly
Callahan	Fossella	Kildee
Calvert	Fowler	Kilpatrick
Camp	Fox	Kim
Canady	Frost	King (NY)
Cannon	Gallegly	Kingston
Capps	Ganske	Klink
Cardin	Gedden	Klug
Carson	Gekas	Knollenberg
Castle	Gephardt	Kolbe
Chabot	Gibbons	LaHood
Chambliss	Gilchrest	Lampson
Chenoweth	Gillmor	Lantos
Christensen	Gilman	Largent
Clay	Goode	Latham
Clayton	Goodlatte	LaTourrette
Clement	Goodling	Lazio
Clyburn	Gordon	Leach
Coble	Goss	Levin
Coburn	Graham	Lewis (CA)
Collins	Granger	Lewis (GA)

Lewis (KY)	Pelosi	Smith (MI)
Linder	Peterson (MN)	Smith (NJ)
Livingston	Peterson (PA)	Smith (OR)
LoBiondo	Pickering	Smith (TX)
Lowey	Pickett	Smith, Adam
Lucas	Pitts	Smith, Linda
Maloney (CT)	Pombo	Snowbarger
Maloney (NY)	Pomeroy	Snyder
Manzullo	Porter	Solomon
Martinez	Portman	Souder
Mascara	Poshard	Spence
Matsui	Price (NC)	Spratt
McCarthy (MO)	Pryce (OH)	Stabenow
McCarthy (NY)	Quinn	Stearns
McCollum	Radanovich	Stenholm
McCrery	Rangel	Stokes
McHale	Redmond	Strickland
McHugh	Regula	Stump
McInnis	Reyes	Stupak
McIntosh	Riggs	Sununu
McIntyre	Riley	Talent
McKeon	Rivers	Tanner
McNulty	Rodriguez	Tauscher
Meehan	Roemer	Tauzin
Meek (FL)	Rogan	Taylor (MS)
Menendez	Rogers	Taylor (NC)
Metcalfe	Rohrabacher	Thomas
Mica	Ros-Lehtinen	Thompson
Millender-	Rothman	Thornberry
McDonald	Roukema	Thune
Miller (FL)	Roybal-Allard	Thurman
Mink	Ryun	Tiahrt
Moakley	Sabo	Tierney
Mollohan	Salmon	Torres
Moran (KS)	Sanchez	Trafficant
Moran (VA)	Sandlin	Turner
Murtha	Sawyer	Visclosky
Myrick	Saxton	Walsh
Neal	Scarborough	Wamp
Nethercutt	Schaefer, Dan	Waters
Neumann	Schaffer, Bob	Watkins
Ney	Schumer	Watts (OK)
Northup	Scott	Waxman
Norwood	Serrano	Weldon (FL)
Nussle	Sessions	Weldon (PA)
Ortiz	Shadeegg	Weller
Oxley	Shaw	Wexler
Packard	Sherman	Weygand
Pallone	Shinkus	White
Pappas	Shuster	Whitfield
Parker	Sisisky	Wicker
Pascrell	Skaggs	Wise
Pastor	Skeen	Wynn
Paxon	Skelton	Young (AK)
Pease	Slaughter	Young (FL)

NAYS—61

Barrett (WI)	Hoekstra	Owens
Becerra	Hookey	Paul
Berry	Jackson (IL)	Payne
Brown (CA)	Johnson (WI)	Petri
Brown (OH)	Kind (WI)	Rahall
Campbell	Klecza	Ramstad
Conyers	Kucinich	Royce
Coyne	Lee	Rush
Davis (IL)	Lofgren	Sanders
DeFazio	Luther	Sanford
Delahunt	McDermott	Sensenbrenner
Deutsch	McGovern	Shays
Doggett	McKinney	Stark
Ehlers	Meeks (NY)	Towns
Fattah	Miller (CA)	Upton
Filner	Minge	Velazquez
Frank (MA)	Morella	Vento
Franks (NJ)	Nadler	Watt (NC)
Furse	Oberstar	Woolsey
Gutierrez	Obey	
Hinchey	Olver	

NOT VOTING—14

Baessler	Hamilton	Markey
Crane	Kaptur	McDade
Dingell	LaFalce	Wolf
Frelinghuysen	Lipinski	Yates
Gonzalez	Manton	

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Mr. HOEKSTRA changed his vote from "yea" to "nay."

Mr. PICKERING and Ms. RIVERS changed their vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. FRELINGHUYSEN. During the vote on final passage of H.R. 4103, the National Security Appropriations Act, I was on the floor and intended to vote but the machine failed to register my vote. Had it been registered, I would have voted yes on final passage of the bill.

APPOINTMENT AS MEMBERS TO COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of Section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5616) as amended by Section 2(d) of Public Law 102-586, the Chair announces the Speaker's appointment of the following members on the part of the House to the Coordinating Council on Juvenile Justice and Delinquency Prevention:

Mr. William Robert Byars, Jr., South Carolina, to a one year term;

Ms. Adele L. Grubbs, Georgia, to a three year term.

There was no objection.

APPOINTMENT AS MEMBERS TO NATIONAL SKILL STANDARDS BOARD

The SPEAKER pro tempore. Without objection, and pursuant to the provisions of Section 503(b)(3) of Public Law 103-227, the Chair announces the Speaker's reappointment of the following members on the part of the House to the National Skills Standards Board for four year terms:

Mr. James D. Burge, Washington, D.C.;

Mr. Kenneth R. Edwards, Rockville, Maryland.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON SCIENCE

The Speaker pro tempore laid before the House the following resignation as a member of the Committee on Science:

HOUSE OF REPRESENTATIVES,

Washington, DC, June 24, 1998.

Hon. NEWT GINGRICH,

Speaker, House of Representatives, Washington, DC.

DEAR SPEAKER GINGRICH: I am writing to resign my position on the House Science Committee in exchange for a position on the House National Security Committee. Thank you for your assistance with this matter and please contact me if you have any questions.

Sincerely,

ELLEN O. TAUSCHER,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore laid before the House the following resigna-

tion as a member of the Committee on Small Business:

HOUSE OF REPRESENTATIVES,

Washington, DC, June 24, 1998.

Hon. NEWT GINGRICH,

Speaker of the House, House of Representatives, U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: I hereby resign as a member of the Committee on Small Business.

With kind regards, I am

Sincerely yours,

VIRGIL H. GOODE.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. FAZIO of California. Mr. Speaker, at the direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 492) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

HOUSE RESOLUTION 492

Resolved, That the following named Members be, and they are hereby, elected to the following standing committees of the House of Representatives:

To the Committee on Banking and Financial Services, VIRGIL GOODE of Virginia.

To the Committee on National Security, ELLEN TAUSCHER of California, ROBERT BRADY of Pennsylvania.

To the Committee on Small Business, ROBERT BRADY of Pennsylvania.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GRANTING MEMBERS OF THE HOUSE PRIVILEGE TO EXTEND THEIR REMARKS IN THE CONGRESSIONAL RECORD ON THURSDAY, JUNE 25, 1998

Mr. MCINNIS. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks and to include extraneous material in that section of the RECORD entitled "Extension of Remarks" on Thursday, June 25, 1998.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

□ 2015

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. LAHOOD). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

CONTROVERSIAL ARTICLE REGARDING KENNETH W. STARR, INDEPENDENT COUNSEL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. CONYERS) is recognized for 5 minutes.