

Mr. STEVENS. Mr. President, the amendment that is pending is the Byrd amendment.

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. This amendment now has been cleared on this side of the aisle. I am prepared to accept that on behalf of the committee, and I urge Senators to request its adoption.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from West Virginia.

The amendment (No. 2062) was agreed to.

Mr. BYRD. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, there are other Senators coming with amendments. I urge Senators to come and take advantage of today. It is the right period of time to clear an amendment that any Senator wishes us to agree to without debate.

Mr. BYRD. Mr. President, I ask unanimous consent that the name of Mr. SARBANES be added as a cosponsor to the amendment.

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

Mr. STEVENS. Will the Senator add my name?

Mr. BYRD. Mr. President, I ask that the name of the distinguished chairman of the committee, Mr. STEVENS, be added as a cosponsor.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. STEVENS. Mr. President, I understand Senator FEINGOLD is seeking the floor to speak as in morning business, which we do not object to, provided there would be no amendments introduced to this bill during that period. I ask the Senator how much time he would like to have.

Mr. FEINGOLD. Mr. President, I appreciate the chairman's remarks and respectfully request 30 minutes as in morning business. I have no intention of introducing any amendment on this bill at this time.

Mr. STEVENS. Under those circumstances, I ask unanimous consent the Senator be recognized for that period of time and that I regain the floor at that time.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Wisconsin.

THE NAVY'S F/A-18E/F SUPER HORNET PROGRAM

Mr. FEINGOLD. Mr. President, I rise today to tell a story that perhaps will intrigue and may be worthy of Tom Clancy's best novel. The story has a little bit of deception and what might be called good old-fashioned Government coverup. Maybe if we could get Alec Baldwin and Sharon Stone, we might even have a halfway decent movie to boot. But the unfortunate aspect of this story is that it is true and that the American people are the ones who I think are getting duped.

Mr. President, the Navy's F/A-18 E/F "Super Hornet" program is foundering and the Defense Department is doing everything in its power to keep it afloat. Last April I requested a review of this program by the General Accounting Office. Just this week the GAO finished its work on this report. The report itself raises numerous questions regarding the aircraft and also the Navy's judgment in developing, producing, and testing the aircraft. Perhaps even more telling, though, is the Navy aircraft's testing team's efforts to keep this wasteful and unnecessary program alive.

The new GAO report makes the following recommendations:

First, that the Department of Defense and the Navy adopt a more cautious approach as they make funding decisions and prepare for the operational testing of the Super Hornet;

No. 2, that the Department of Defense direct the Secretary of Navy not to approve contracting of additional F/A-18E/F aircraft beyond the first 12 for the first low-rate production phase until the Navy demonstrates through flight testing that these deficiencies that we are talking about are corrected; and,

No. 3, that the Navy not begin operational testing and evaluation of these planes until the corrections are incorporated into the aircraft used for operational testing and evaluation.

These GAO recommendations seem reasonable. Even DOD has agreed in part with the first two recommendations. But DOD resists agreeing to anything that could delay the development process. They are so adamant in ramming this program through that they decided to cut out valuable data-gathering requirements so they could still maintain their test schedule. As our first chart shows, the new report quotes the Navy's Program Risk Advisory Board, which states that the current F/A-18C is actually better than the E/F in some performance areas, including some acceleration and maneuvering. What that means is the current plane, the one the Navy says we have to switch from, from the current plan for the Super Hornet, actually may do better in some of these areas than the plane that would come in the future.

The report also states that the Navy will likely exceed the \$4.88 billion development cost cap on this program. This report falls on the heels of an-

other GAO report on this subject in late 1996 which concluded that the only marginal improvements of the F/A-18E/F are far outweighed by the much higher cost of the E and F planes as compared to the C/D planes. The revelation in these reports force us, the President, and the buyers of this aircraft to cast a wary eye on the Super Hornet program.

Let me back up for a minute to put this recent series of recommendations by the GAO into context. The Super Hornet, the F/A-18E/F, is just one of three costly new fighter programs that the Department of Defense has on the drawing board right now. In addition to the Super Hornet, there is the Air Force's F-22, and also the Joint Strike Fighter.

The Joint Strike Fighter is intended to perform virtually every type of fighter aircraft mission in today's force structure. The Joint Strike Fighter is expected to be a stealthy strike aircraft built on a single production line with a high degree of commonality of parts and cost. The Navy plans to procure 300 JSF's, with a projected initial operational capability beginning around the year 2007. Demonstration studies indicate that the JSF—this is as compared to the Super Hornet—will have superior or comparable capabilities in all Navy tactical mission aircraft areas, especially range and survivability, at far less cost than the Super Hornet or any other existing or planned carrier-based tactical aircraft.

The Navy's JSF variant is expected to have longer ranges than the Super Hornet to attack high-value targets without having to use external tanks. Unlike the Super Hornet, which would carry all of its weapons externally, the Navy's Joint Strike Fighter will carry internally at least four weapons for both air-to-air and air-to-ground combat. That, of course, would maximize its stealthiness.

Finally, the JSF would not require jamming support from the EA-6B Prowler aircraft as does the Super Hornet in carrying out its mission in the face of integrated air defense systems, and, while the Joint Strike Fighter is expected to have superior operational capabilities as compared to the Super Hornet, it is expected that it can be developed and procured at far less cost than the Super Hornet. However, there are few who look at this whole picture of how much we are talking about for all three of these new planes and who can honestly say we can afford all three tactical fighter programs.

This chart that we have up now shows the total estimated cost for all three of these planes—the F-22, the Super Hornet, and the JSF. That total figure is an astonishing \$397 billion.

That is enough to pay for the fiscal year 1998 appropriations for the Department of Defense plus Veterans Affairs plus Housing and Urban Development plus Treasury plus Energy plus Military Construction and the Legislative Branch Appropriations thrown in

as well. With the money we would spend on these three tactical fighter programs, we could pay for all of those things and we would still have \$1 billion change back in your pocket, as they might say at McDonald's.

The GAO, the CBO, the National Defense Panel, and many others agree that the likelihood that all three of these plane programs can be fully funded with the planned number of aircraft buys is virtually nil.

Interestingly, the Marine Corps has decided not to purchase any of the Super Hornets. The Marine Corps has decided that the E/Fs are too expensive and that the Super Hornets—the F/A-18Cs and Ds, the planes currently flown by marine aviators—are up to their mission. They know, and say, that the C/D is adequate for what they have to do now and so they have wisely opted to wait—not have the current C/D, then go to the Super Hornet, and then go to the Joint Strike Fighters. What the Marines are apparently saying is they will wait for that Joint Strike Fighter instead of putting us to the enormous expense of moving up to the Super Hornet. Given our fiscal constraints, we cannot afford to finance three separate fighter planes that accumulate to the final costs that these three programs involve. Over the next few minutes, I will just cite a few of the many reasons that we really ought to put an end to the Super Hornet E/F program.

The Navy and the planes' manufacturer, Boeing, base their argument for the need to develop and procure the Super Hornet on existing or projected operational deficiencies of the C/D plane in five different areas: strike range, carrier recovery payload, survivability, avionics growth space, and payload capacity.

The Navy and Boeing like to call these five points the "five pillars" of the Super Hornet program. But the new GAO report and my own review of the program show that these five pillars of the Super Hornet are actually weak and crumbling. GAO identifies problems with E/F in each of these five key areas, and the responses that the Navy has to each of these concerns are actually at odds with their own arguments in favor of the E/F program.

In the report, GAO identifies problems that could diminish the effectiveness of the plane's survivability improvements, problems that could degrade engine performance and service life, and dangerous weapons separation problems that do require additional testing. As recently as July 1997, the Navy's Program Risk Advisory Board stated that "operational testing may determine that the aircraft is not operationally effective or suitable."

In December, the board reversed its position and then said the following, that the E/F is potentially operationally effective and suitable, but also reiterated that it did have quality concerns with certain systems that are supposed to make the E/F Super Hornet superior to the current C/D.

Mr. President, these are not the words of a glowing review for any program, but they are downright awful for an aircraft program some estimate will cost over \$106 billion. We should not gamble with our pilots' lives. We should not gamble with more than \$100 billion of taxpayers' money. These stakes are too high.

Also, in the new report GAO asserts that the E/F doesn't accelerate or maneuver as well as the current C/D plane. DOD agrees with this point but says that this is an acceptable tradeoff for an E/F that is more capable in other respects. I wonder if the pilot flying the E/F would agree with that kind of a tradeoff.

It gets better—or, really, worse. The publication "Inside the Pentagon" reported in its February 19 issue that the Navy will not hold the Super Hornet to strict performance specifications in three areas. It published a copy of a memo written by Rear Adm. Dennis McGinn, the Navy's officer in charge of air warfare programs, that ordered the Super Hornet would not be strictly held to performance specifications in turning, climbing and maneuvering.

Everyone can agree that these are important performance criteria for a state-of-the-art fighter and attack plane.

It turns out that the memo was sent to the E/F test team after, Mr. President, after the team concluded that the E/F was, in some cases, not as proficient in turning or accelerating as the current C/D version of the plane.

Keep in mind that the C models used in these comparisons were not even the most advanced examples of the current C models. In its new report, the GAO said that the Navy board's program officials came to "the realization that the F/A-18 E/F may not be as capable in a number of operational performance areas as the most recently procured C model aircraft that are equipped with an enhanced performance engine."

The Navy's own test team has now stated that the new plane does not perform as well as the reliable version currently used in key performance areas. The Navy now is somehow apparently saying that these performance criteria are suddenly not important. This strikes me as a little shameful.

In its 1996 report, the GAO reached a number of conclusions. It found that the E/F Super Hornet offers only marginal—marginal—improvements over the C/D and that these are greatly outweighed by the far greater cost of the new plane, the E/F. It found that the current plane, the C/D, can be modified to meet every capacity that this new E/F is intended to fulfill. Let me just say it another way. A modified C/D would meet the performance specifications that the E/F was built to meet.

The GAO found and put a figure on this that was very troubling to me at the time and still is. They said that the Defense Department could save \$17 billion by purchasing more of the current

improved C/D planes instead of creating this entirely new plane that isn't clearly better than the C/D, a difference of 17 billion-taxpayer-dollars. The report also addressed other purported improvements of the Super Hornet over the C/D.

The GAO concluded that the reported operational deficiencies of the C/D that the Navy cited to justify the Super Hornet either have not materialized as projected or that such deficiencies can be corrected with nonstructural changes to the current C/D and additional upgrades to further improve its capability. In effect, the GAO has rebutted all of the Navy's claims about what disadvantages the current C/D plane supposedly has.

So, we have a plane that doesn't really do the things the Navy said it would do and, in some respects, it does not perform as well as the current older version, but we are supposed to pay double for these new planes anyway. Caveat emptor, indeed.

Mr. President, I now would like to address an additional newer problem that has come out, and that is the issue known as the wing-drop problem.

In its new review, the GAO reports a wing-drop problem that threatens this entire E/F program. This issue has garnered the most publicity recently and presents a major problem for the Navy. I want to reiterate, because I devoted most of my talk discussing all the problems that existed with this plane before this wing-drop problem came up, but this is a very serious problem indeed.

Wing drop causes the aircraft to rock back and forth when it is flying at the altitude and speed at which air-to-air combat maneuvers are expected to occur. Obviously, this is not a good situation for a fighter pilot.

GAO reports that the Navy and Boeing think wing drop is unacceptable and presents the program's most challenging technical problem.

DOD claims to have a variety of promising solutions that will mitigate the wing-drop problem, but it is very interesting to note what the Defense Department does not say. They are not saying that they will have a complete fix to the wing-drop problem. Additionally, these potential solutions will negatively affect the already very marginal benefits of the Super Hornet over the C/D.

The Navy's solutions affect the plane's speed, maneuverability and stealthiness, and I think these trade-offs are clearly unacceptable, given the Navy's position so adamantly adhered to that somehow this E/F is better than the C/D. It will be interesting to observe how DOD handles this situation given its past performance.

This chart shows the progression of the wing-drop problem from the flight test team to the Secretary of Defense.

On March 4, 1996, the Navy's test team first discovered the E/F's wing-drop problem.

In November of that year, the Navy classified the wing drop a priority problem.

On February 5, 1997, the test team noted wing drop in an official deficiency report.

On March 12, the Navy reported that wing drop "adversely impacts the minimum acceptable operational performance requirement."

Two weeks later, Secretary Cohen approved the recommendation of Paul Kaminski, the Navy's chief procurement officer, to go ahead and purchase the first dozen production versions of the E/F for a figure of \$1.9 billion.

Kaminski's decision followed a meeting with the Navy's test team in which this wing-drop problem apparently wasn't even mentioned.

On November 20, almost a year and a half after this wing-drop problem was first discovered, John Douglas, Assistant Secretary of the Navy for Research, Development and Acquisition, then informed Navy Secretary John Dalton of the wing-drop problem. This program-threatening wing-drop problem seems to have been kept, Mr. President, from the top Defense Department staff, including the Secretary, until after the decision was made to initially procure the first 12 aircraft.

If this sort of manipulation of the process is really taking place, it is obviously totally unacceptable. I have asked a full account of the discovery and progression of the wing-drop problem from the Secretary of Defense. In light of these allegations, I also urge the Department of Defense to fully consider the panel's findings and halt the purchase of any additional Super Hornet aircraft scheduled for this month until this wing-drop problem is fully understood and corrected. To do otherwise would compromise the safety of our Navy's pilots and the integrity of the Department of Defense.

Having mentioned a number of issues, including this very serious wing-drop problem, I want to briefly conclude my remarks by reemphasizing the exorbitant cost of this new Super Hornet aircraft.

The Navy initially plans to procure 62 aircraft in three separate procurement lots. Secretary Cohen is delaying procurement of the second round of 20 aircraft pending identification of a solution to this wing-drop problem. The final aircraft buy is scheduled for late 1998 or early 1999.

DOD claims that failure to provide full funding for the second round of planes would result in a production break and then would involve considerable additional costs. The total cost, though, of these planes is already \$15 billion more than estimates that were given just 2 years ago—\$15 billion more from just 2 years ago. How much worse can this get?

The original cost estimates were based on unrealistically large projections of the number of aircraft to be purchased, low inflation assumptions for later years, and the Navy's failure to factor in the effect of its decision to buy more of the higher cost F models of the Super Hornets.

GAO estimates that the Navy could save almost \$17 billion if the Navy were to simply procure the F/A-18 C/Ds rather than the E/Fs. This savings alone could have easily paid for the fiscal year 1998 Transportation or Interior appropriations in their entirety.

I know that some of my colleagues will say that by halting production of the Super Hornet and instead relying on the current C/D, we will somehow be mortgaging the future of our naval aviation fleet, but GAO clearly states that this is not the case.

Given the program-threatening design problems and its enormous cost and marginal improvement in operational capabilities that the Super Hornet would provide, it seems that this new airplane is just not justified. Operational deficiencies in the current C/D aircraft either have not materialized or they could be corrected with nonstructural changes to the plane. The question is whether the current C/D can serve that function as it has demonstrated or whether we should proceed with an expensive new plane for a very marginal level of improvement.

The \$17 billion difference in projected costs does not seem to provide a significant return on our investment. The Super Hornet is, in effect, a solution in need of a problem. The Super Hornet program should be ended. The Defense Department and the Navy should also remain above board with the taxpayers when problems arise during the development of a new aircraft.

As a result, proceeding with the Super Hornet program is not the most cost-effective approach to modernizing the Navy's tactical aircraft fleet. In the short term, it has been made very clear the Navy can continue to procure F/A-18 C/D aircraft while upgrading it to further improve its operational capabilities. For the long term, the Navy can look forward to the next generation of strike fighters, the joint strike fighter, which will provide more operational capability at far less cost than this Super Hornet that they want to go through with right now.

The most efficient and fiscally appropriate bridge is an upgraded C/D. The question is whether we can afford a \$17 billion hit that can't be justified.

We should discontinue the E/F program before the American taxpayers are asked to shell out additional tens of billions of dollars for an unnecessary and flawed program.

I thank the Chair, and I yield the floor. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. GRAMS. Mr. President, what is the current order of business before the Senate?

The PRESIDING OFFICER. Senate bill 1768 is pending.

Mr. GRAMS. Mr. President, I ask unanimous consent to speak for up to 5 minutes as in morning business.

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

THE EDUCATION IRA BILL

Mr. GRAMS. Mr. President, as you know, the Senate has before it and is debating a very important bill to promote educational alternatives. It is a bill which advances educational options, one which would encourage families to be actively involved in their children's education.

It comes at a critical time. Test results released last month show that American high school seniors score far below their peers from other countries in math and science.

Education Secretary Riley called the scores "unacceptable," and indicated that schools are failing to establish appropriate academic standards.

S. 1133 is the Senate's version of the education-IRA which has already passed in the House. The bill, commonly referred to as the A+ savings accounts, would expand the college education savings accounts established in the Taxpayer Relief Act of 1997 to include primary and secondary students.

A+ accounts would also increase the maximum allowable annual contribution from \$500 to \$2,000 per child. The money could be used without tax penalty to pay for a variety of education-related expenses for students in K-12, as well as college expenses.

The Senate bill closely resembles what is currently happening at the state level in Minnesota. Our state is establishing itself as a leader in bringing educational opportunity, authority and choice to parents. Last summer, the Minnesota legislature approved Governor Carlson's two-year package of tax cuts valued at \$160 million. The package includes a 250% increase in educational tax deductions. Parents can now deduct between \$1,625 and \$2,500 each year per child, depending on the child's grade. These deductions may be used for all education expenses, including tuition.

Senate consideration of the A+ legislation comes at a notable time, a time of increasing focus on the future of America's children. Last October, the White House held a summit intended to bring children's issues into the forefront as a national priority.

Well, what better way to turn consensus-building into action than to give parents practical tools, such as the A+ accounts, which enable them to better provide for their children's education.

Unfortunately, tired, groundless attacks against the A+ accounts continue to hang on. The charge I hear most frequently is that "education savings accounts and tax breaks for parents would shift tax dollars away from public schools." That is simply not the case.