

viduals which do not exceed the daily equivalent of the annual rate of basic pay payable for level V of the Executive Schedule under section 5316 of such title.

SEC. 1607. MISCELLANEOUS ADMINISTRATIVE PROVISIONS.

(a) **POSTAL AND PRINTING SERVICES.**—The Commission may use the United States mails and obtain printing and binding services in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(b) **MISCELLANEOUS ADMINISTRATIVE AND SUPPORT SERVICES.**—The Secretary of Defense shall furnish the Commission, on a reimbursable basis, any administrative and support services requested by the Commission.

SEC. 1608. FUNDING.

Funds for activities of the Commission shall be provided from amounts appropriated for the Department of Defense for operation and maintenance for Defense-wide activities for fiscal year 1998. Upon receipt of a written certification from the Chairman of the Commission specifying the funds required for the activities of the Commission, the Secretary of Defense shall promptly disburse to the Commission, from such amounts, the funds required by the Commission as stated in such certification.

SEC. 1609. TERMINATION OF THE COMMISSION.

The Commission shall terminate 60 days after the date of the submission of its final report under section 1603.

It was decided in the { Yeas 405
affirmative } Nays 14

¶68.16 [Roll No. 215]
AYES—405

- Abercrombie
- Aderholt
- Allen
- Andrews
- Archer
- Armey
- Bachus
- Baessler
- Baker
- Baldacci
- Ballenger
- Barcia
- Barr
- Barrett (NE)
- Barrett (WI)
- Barton
- Bass
- Bateman
- Becerra
- Bentsen
- Bereuter
- Berman
- Berry
- Bilbray
- Bilirakis
- Bishop
- Blagojevich
- Bliley
- Blumenauer
- Blunt
- Boehlert
- Boehner
- Bonilla
- Bonior
- Bono
- Boswell
- Boucher
- Boyd
- Brady
- Brown (CA)
- Brown (FL)
- Brown (OH)
- Bryant
- Bunning
- Burr
- Burton
- Buyer
- Callahan
- Calvert
- Camp
- Campbell
- Canady
- Cannon
- Capps
- Cardin
- Carson
- Castle
- Chabot
- Chambliss
- Chenoweth
- Christensen
- Clay
- Clayton
- Clement
- Clyburn
- Coble
- Coburn
- Collins
- Combest
- Condit
- Conyers
- Cook
- Cooksey
- Costello
- Cox
- Coyne
- Cramer
- Crane
- Crapo
- Cubin
- Cummings
- Cunningham
- Danner
- Davis (FL)
- Davis (VA)
- Deal
- DeFazio
- Delahunt
- DeLauro
- DeLay
- Dellums
- Deutsch
- Diaz-Balart
- Dickey
- Dicks
- Dingell
- Dixon
- Doggett
- Dooley
- Doolittle
- Doyle
- Duncan
- Dunn
- Edwards
- Ehlers
- Ehrlich
- Emerson
- Engel
- English
- Ensign
- Eshoo
- Etheridge
- Everett
- Ewing
- Farr
- Fattah
- Fawell
- Fazio
- Filner
- Flake
- Foglietta
- Foley
- Forbes
- Fox
- Frank (MA)
- Franks (NJ)
- Frelinghuysen
- Frost
- Furse
- Gallegly
- Ganske
- Gejdenson
- Gekas
- Gibbons
- Gilchrest
- Gillmor
- Gilman
- Gonzalez
- Goode
- Goodlatte
- Gordon
- Goss
- Graham
- Granger
- Green
- Greenwood
- Gutierrez
- Gutknecht
- Hall (OH)
- Hamilton
- Hansen
- Harman
- Hastert
- Hastings (FL)
- Hastings (WA)
- Hayworth
- Hefley

- Hefner
- Herger
- Hill
- Hilleary
- Hilliard
- Hinchee
- Hinojosa
- Hobson
- Hoekstra
- Holden
- Hooley
- Horn
- Hostettler
- Houghton
- Hoyer
- Hulshof
- Hunter
- Hutchinson
- Hyde
- Inglis
- Istook
- Jackson-Lee (TX)
- Jefferson
- Jenkins
- John
- Johnson (CT)
- Johnson (WI)
- Johnson, E. B.
- Johnson, Sam
- Jones
- Kanjorski
- Kasich
- Kelly
- Kennedy (RI)
- Kennelly
- Kildee
- Kilpatrick
- Kim
- Kind (WI)
- King (NY)
- Kingston
- Klecza
- Klink
- Klug
- Knollenberg
- Kolbe
- Kucinich
- LaFalce
- LaHood
- Lampson
- Lantos
- Largent
- Latham
- LaTourette
- Lazio
- Leach
- Levin
- Lewis (CA)
- Lewis (GA)
- Lewis (KY)
- Linder
- Livingston
- LoBiondo
- Lofgren
- Ford
- Lowey
- Lucas
- Luther
- Maloney (CT)
- Maloney (NY)
- Manton
- Manzullo
- Markey
- Martinez
- Mascara
- Matsui
- McCarthy (MO)
- McCarthy (NY)
- McCollum
- McCreary
- McDade
- McDermott
- McHale
- McHugh
- McInnis
- McIntosh
- McIntyre
- McKeon
- McKinney
- McNulty
- Meehan
- Meek
- Menendez
- Metcalf
- Mica
- Millender-McDonald
- Miller (FL)
- Minge
- Mink
- Molinar
- Mollohan
- Moran (KS)
- Morella
- Murtha
- Myrick
- Nadler
- Nethercutt
- Neumann
- Ney
- Northup
- Norwood
- Nussle
- Obey
- Olver
- Ortiz
- Owens
- Oxley
- Packard
- Pallone
- Pappas
- Parker
- Pascarell
- Pastor
- Paul
- Paxon
- Payne
- Pease
- Pelosi
- Peterson (MN)
- Peterson (PA)
- Petri
- Pickering
- Pickett
- Pitts
- Porter
- Portman
- Poshard
- Price (NC)
- Pryce (OH)
- Quinn
- Radanovich
- Rahall
- Ramstad
- Rangel
- Redmond
- Regula
- Riggs
- Riley
- Rivers
- Rodriguez
- Roemer
- Rogan
- Rogers
- Rohrabacher
- Ros-Lehtinen
- Rothman
- Roukema
- Roybal-Allard
- Royce
- Rush
- Ryun
- Sabo
- Salmon
- Sanchez
- Sanders
- Sandlin
- Sanford
- Sawyer
- Saxton
- Scarborough
- Schaefer, Dan
- Schaefer, Bob
- Schumer
- Scott
- Sensenbrenner
- Serrano
- Sessions
- Shadegg
- Shaw
- Shays
- Sherman
- Shimkus
- Shuster
- Sisisky
- Skaggs
- Skeen
- Skelton
- Slaughter
- Smith (MI)
- Smith (NJ)
- Smith (OR)
- Smith (TX)
- Smith, Adam
- Smith, Linda
- Snowbarger
- Snyder
- Solomon
- Souder
- Spence
- Spratt
- Stabenow
- Stearns
- Stenholm
- Stokes
- Strickland
- Stump
- Stupak
- Sununu
- Tanner
- Tauscher
- Tauzin
- Taylor (MS)
- Thomas
- Thompson
- Thornberry
- Thune
- Thurman
- Tiahrt
- Tierney
- Towns
- Trafficant
- Turner
- Upton
- Velazquez
- Vento
- Visclosky
- Walsh
- Wamp
- Waters
- Watkins
- Watt (NC)
- Watts (OK)
- Waxman
- Weldon (FL)
- Weldon (PA)
- Weller
- Wexler
- Weygand
- White
- Whitfield
- Wicker
- Wise
- Wolf
- Woolsey
- Wynn
- Young (AK)
- Young (FL)

NOES—14

- Bartlett
- Borski
- Davis (IL)
- Evans
- Goodling
- Hall (TX)
- Jackson (IL)
- Kennedy (MA)
- McGovern
- Moakley
- Moran (VA)
- Neal
- Reyes
- Talent

NOT VOTING—15

- Ackerman
- DeGette
- Dreier
- Gephardt
- Kapture
- Lipinski
- Miller (CA)
- Oberstar
- Pombo
- Pomeroy
- Schiff
- Stark
- Taylor (NC)
- Torres
- Yates

So the amendment was agreed to.

¶68.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. SPENCE:

Page 371, after line 20, insert the following:

SUBTITLE A—GENERAL MATTERS

At the end of title XII (page 379, after line 19), insert the following new section:

SUBTITLE B—MATTERS RELATING TO PREVENTION OF TECHNOLOGY DIVERSION

SEC. 1231. FINDINGS.

Congress finds as follows:

(1) There have been numerous reports of United States-origin supercomputers being obtained by countries of proliferation concern for use in weapon development programs.

(2) China is considered by the United States Government to be a country of proliferation concern.

(3) According to United States officials, China has acquired at least 47 United States-origin supercomputers.

(4) Recent reports indicate that China has purchased hundreds of supercomputers for use in its weapons programs and that the United States is unsure of the location of those supercomputers or the purposes for which they are being used.

(5) China has refused to allow the United States to conduct post-shipment verifications of dual-use items exported from the United States to ensure that those items are not diverted to military use.

(6) China has in the past diverted dual-use items intended for civilian use to military purposes.

SEC. 1232. EXPORT APPROVALS FOR SUPERCOMPUTERS.

(a) **PRIOR APPROVAL OF EXPORTS AND REEXPORTS.**—The President shall require that no digital computer with a composite theoretical performance of more than 2,000 millions of theoretical operations per second (MTOPS) may be exported or reexported to a country specified in subsection (b) without the prior written approval of the Secretary of Commerce, the Secretary of Defense, the Secretary of Energy, the Secretary of State, and the Director of the Arms Control and Disarmament Agency.

(b) **COVERED COUNTRIES.**—For purposes of subsection (a), the countries specified in this subsection are the countries listed as "computer tier 3" eligible countries in section 740.7(d) of title 15 of the Code of Federal Regulations, as in effect on June 10, 1997.

(c) **TIME LIMIT.**—The Secretary of Commerce, the Secretary of Defense, the Secretary of Energy, the Secretary of State, and the Director of the Arms Control and Disarmament Agency shall provide a written response to an application for export approval under subsection (a) within 10 days after the application is received. If any such Secretary or the Director declines to approve the export of a computer, the computer may be exported or reexported only pursuant to a license issued by the Secretary of Commerce under the Export Administration Regulations of the Department of Commerce, and without regard to the licensing exceptions otherwise authorized under section 740.7 of title 15 of the Code of Federal Regulations, as in effect on June 10, 1997.

SEC. 1233. REPORT ON EXPORTS OF SUPERCOMPUTERS.

(a) **REPORT.**—Not later than 30 days after the date of the enactment of this Act, the President shall provide to the congressional committees specified in subsection (d) a report identifying all exports of digital computers with a composite theoretical performance of over 2,000 millions of theoretical operations per second (MTOPS) to all countries

since January 25, 1996. For each export, the report shall identify—

- (1) whether an export license was applied for and whether one was granted;
(2) the date of the transfer of the computer;
(3) the United States manufacturer and exporter of the computer;
(4) the MTOPS level of the computer; and
(5) the recipient country and end user.

(b) ADDITIONAL INFORMATION ON EXPORTS TO CERTAIN COUNTRIES.—In the case of exports to countries specified in subsection (c), the report under subsection (a) shall identify the intended end use for the exported computer and the assessment by the executive branch of whether the end user is a military end user or an end user involved in activities relating to nuclear, chemical, or biological weapons or missile technology.

(c) COVERED COUNTRIES.—For purposes of subsection (b), the countries specified in this subsection are—

(1) the countries listed as "computer tier 3" eligible countries in section 740.7(d) of title 15 of the Code of Federal Regulations, as in effect on June 10, 1997; and

(2) the countries listed in section 740.7(e) of title 15 of the Code of Federal Regulations, as in effect on June 10, 1997

(d) CONGRESSIONAL COMMITTEES.—For purposes of subsection (a), the congressional committees specified in this subsection are the following:

(1) The Committee on Banking, Housing, and Urban Affairs and the Committee on Armed Services of the Senate.

(2) The Committee on International Relations and the Committee on National Security of the House of Representatives.

SEC. 1234. POST-SHIPMENT VERIFICATION OF EXPORT OF SUPERCOMPUTERS.

(a) REQUIRED POST-SHIPMENT VERIFICATION.—The Secretary of Commerce shall conduct post-shipment verification of each supercomputer that is exported from the United States, on or after the date of the enactment of this Act, to a country specified in subsection (c).

(b) COVERED SUPERCOMPUTERS.—Subsection (a) applies with respect to a digital computer with a composite theoretical performance in excess of 2,000 millions of theoretical operations per seconds (MTOPS).

(c) COVERED COUNTRIES.—For purposes of subsection (a), the countries specified in this subsection are the countries listed as "computer tier 3" eligible countries in section 740.7 of title 15 of the Code of Federal Regulations, as in effect on June 10, 1997.

(d) ANNUAL REPORT.—The Secretary of Commerce shall submit to the congressional committees specified in subsection (f) an annual report on the results of post shipment verifications conducted under this section during the preceding year. Each such report shall include a list of all such items exported from the United States to such countries during the previous year and, with respect to each such export, the following:

- (1) The destination country.
(2) The date of export.
(3) The intended end use and intended end user.
(4) The results of the post-shipment verification.

(e) EXPLANATION WHEN VERIFICATION NOT CONDUCTED.—If a post-shipment verification has not been conducted in accordance with subsection (a) with respect to any such export during the period covered by a report, the Secretary shall include in the report for that period a detailed explanation of the reasons why such a post-shipment verification was not conducted.

(f) CONGRESSIONAL COMMITTEES.—For purposes of subsection (a), the congressional

committees specified in this subsection are the following:

- (1) The Committee on National Security and the Committee on International Relations of the House of Representatives.
(2) The Committee on Armed Services and the Committee on Banking, Housing, and Urban Affairs of the Senate.

It was decided in the affirmative { Yeas 332 Nays 88

¶68.18 [Roll No. 216] AYES—332

- Abercrombie Doyle Lampson
Aderholt Duncan Lantos
Allen Dunn Largent
Andrews Edwards Latham
Archer Ehrlich LaTourrette
Armey Emerson Lazio
Bachus Engel Leach
Baesler Ensign Lewis (CA)
Baker Evans Lewis (GA)
Baldacci Everett Lewis (KY)
Ballenger Ewing Linder
Barcia Fattah Livingston
Barr Fawell LoBiondo
Barrett (WI) Flake Lowey
Barton Foglietta Lucas
Bass Foley Maloney (CT)
Bateman Ford Maloney (NY)
Becerra Fowler Manton
Berman Fox Markey
Berry Franks (NJ) Martinez
Bilirakis Frelinghuysen Mascara
Bishop Gallegly McCollum
Blagojevich Ganske McCrery
Bliley Gekas McDade
Blunt Gibbons McHale
Boehert Gilchrist McHugh
Boehner Gonzalez McInnis
Bonilla Goode McIntosh
Bonior Goodling McIntyre
Bono Gordon McKeon
Borski Goss McKinney
Boswell Graham McNulty
Boyd Granger Meek
Brown (CA) Greenwood Menendez
Brown (FL) Gutierrez Metcalf
Brown (OH) Hansen Mica
Bryant Hastert Millender-
Bunning Hastings (FL) McDonald
Burr Hastings (WA) Miller (FL)
Burton Hayworth Mink
Buyer Hefley Molinari
Callahan Hefner Mollohan
Calvert Herger Moran (KS)
Camp Hill Morella
Campbell Hilleary Murtha
Canady Hilliard Nadler
Cannon Hinchey Nethercutt
Cardin Hinojosa Neumann
Carson Hobson Ney
Castle Hoekstra Northup
Chambliss Holden Norwood
Chenoweth Horn Nussle
Christensen Hostettler Ortiz
Clay Hoyer Owens
Clayton Hulshof Oxley
Clement Hunter Packard
Clyburn Hutchinson Pappas
Coble Hyde Parker
Coburn Inglis Pascrell
Collins Istook Pastor
Combust Jackson-Lee Paxon
Condit (TX) Payne
Conyers Jefferson Pease
Cook Jenkins Pelosi
Cooksey John Peterson (MN)
Costello Johnson (CT) Peterson (PA)
Cox Johnson, E. B. Pickering
Coyne Johnson, Sam Pickett
Cramer Jones Pitts
Crane Kanjorski Porter
Crapo Kaptur Portman
Cubin Kasich Poshard
Cummings Kildee Pryce (OH)
Cunningham Kilpatrick Quinn
Danner Kim Radanovich
Davis (IL) King (NY) Rahall
Deal Kingston Rangel
DeLay Kleczka Redmond
Dellums Klink Regula
Deutsch Klug Reyes
Diaz-Balart Knollenberg Riggs
Dickey Kolbe Riley
Dicks Kucinich Rodriguez
Dingell Roemer
Dixon LaHood Rogan

- Rogers Skeen Thurman
Rothman Skelton Tiahrt
Roukema Slaughter Towns
Roybal-Allard Smith (NJ) Traficant
Royce Smith (OR) Turner
Rush Smith (TX) Upton
Ryun Smith, Linda Velazquez
Salmon Snowbarger Visclosky
Sanders Snyder Walsh
Sandlin Solomon Wamp
Sanford Souder Waters
Sawyer Spence Watkins
Saxton Spratt Watts (OK)
Scarborough Stearns Waxman
Schaefer, Dan Stenholm Weldon (FL)
Schaffer, Bob Stokes Weldon (PA)
Schumer Strickland Weller
Scott Stump Wexler
Sensenbrenner Stupak Whitfield
Serrano Sununu Wicker
Sessions Talent Wise
Shadegg Tanner Wolf
Shaw Tauzin Wynn
Shimkus Taylor (MS) Young (AK)
Shuster Thompson Young (FL)
Sisisky Thornberry
Skaggs Thune

NOES—88

- Barrett (NE) Gejdenson Moakley
Bartlett Gillmor Moran (VA)
Bentsen Gilman Myrick
Bereuter Goodlatte Neal
Billbray Green Obey
Blumenauer Gutknecht Olver
Boucher Hall (OH) Pallone
Brady Hall (TX) Paul
Capps Hamilton Petri
Chabot Harman Price (NC)
Davis (FL) Hooley Ramstad
Davis (VA) Houghton Rivers
DeFazio Jackson (IL) Rohrabacher
Delahunt Johnson (WI) Ros-Lehtinen
DeLauro Kelly Sabo
Doggett Kennedy (MA) Sanchez
Dooley Kennedy (RI) Shays
Doolittle Kennelly Sherman
Dreier Kind (WI) Smith (MI)
Ehlers Levin Smith, Adam
English Lofgren Stabenow
Esho Luther Tauscher
Etheridge Manzullo Thomas
Farr Matsui Tierney
Fazio McCarthy (MO) Vento
Filner McCarthy (NY) Watt (NC)
Forbes McDermott White
Frank (MA) McGovern Woolsey
Frost Meehan
Furse Minge

NOT VOTING—14

- Ackerman Oberstar Taylor (NC)
DeGette Pombo Torres
Gephardt Pomeroy Weygand
Lipinski Schiff Yates
Miller (CA) Stark

So the amendment was agreed to.

¶68.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Ms. HARMAN:

At the end of subtitle A of title VII (page 267, after line 19), insert the following new section:

SEC. 703. RESTORATION OF POLICY AFFORDING ACCESS TO CERTAIN HEALTH CARE PROCEDURES FOR FEMALE MEMBERS OF THE ARMED FORCES AND DEPENDENTS AT DEPARTMENT OF DEFENSE FACILITIES.

Section 1093 of title 10, United States Code, is amended—

- (1) in subsection (a), by striking out "(a) RESTRICTION ON USE OF FUNDS.—"; and
(2) by striking out subsection (b).

It was decided in the negative { Yeas 196 Nays 224

¶68.20 [Roll No. 217] AYES—196

- Abercrombie Andrews Baldacci
Allen Baesler Barrett (WI)