come to the Republican side. Help us help senior citizens.

SKYLAR BYRD, THE PRIDE OF THE D.C. PUBLIC SCHOOL SYSTEM

(Ms. NORTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. NORTON. Mr. Speaker, the District rarely gets the opportunity to tell the countless good stories of its residents and its children. After all, in this tabloid society, success is boring. Failure is news. But some successes shine so brightly, they both capture and captivate.

Skylar Byrd, a District of Columbia public school student, made the news recently and made some history as well. Her perfect score on her SAT's when she was 15 got the attention it deserves. Skylar is a student at Banneker High School in the District.

Skylar's smart all right. But Skylar has more than her considerable talent going for her. She has a capacity for hard work, and a loving family. She also has a public school system that deserves a lot more credit than it gets. Perhaps Skylar's success can help illuminate the accomplishments of Banneker and the District of Columbia public schools and its students as well.

WAITING FOR THE DETAILS

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Speaker, some of us in the freshman and sophomore classes this morning met with Ross Perot, really, I think, an inspiration for saying that we have got to move ahead and do the kind of things that we know are right.

Mr. Speaker, he mentioned that, if we took all of the Fortune 500 companies, and we took all of their assets, all of their money, and sold all of their investments, it would pay off a deficit spending for 1 year. I mean we have got a serious problem ahead of us.

Mr. Speaker, I think it is great that the President is now saying we should have a balanced budget. I am waiting for the details. I think it is important that he gets the details up here so our conferees on the budget can look at some of his suggestions, some of this administration's suggestions, on where he cuts. He is saying that it is going to take reductions in Medicare and in Medicaid.

I say to my colleagues, Let's work together to make sure we preserve those programs, that we save them not only for this generation, but for future generations.

□ 1100

TRANSFERRING WEALTH FROM MIDDLE CLASS TO WEALTHY

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, the concern with the cuts in the Medicare that are promised in the Republican budget that is now in the conference committee is that the simple fact is they are reaching into the Medicare system to make changes to slow the growth. They are using those changes and those savings that result from that to fund the tax cuts, half of which will go to the wealthiest people in this Nation.

Yesterday the Republican conference of House Members met and they reconfirmed their commitment to that tax cut. All that can tell us is they are willing to put at risk the health care of the senior citizens that are on that Medicare system today. For those families who are concerned about their own health care and the health care of their parents, it simply means that that system will not be shored up. But among the wealthiest people in this country, the savings from Medicare will be taken away from those people and transferred to those wealthy, just as they are taking away the earned income tax credit for low-income people who go to work but cannot get above the poverty line. They are going to reduce the earned income tax credit and give that to the wealthiest people.

This is the largest transfer of income and wealth from middle class to the wealthy in the history of this country, and it ought to be repudiated on Medicare and earned income tax credit.

PRESIDENT CHANGING COURSE, SEES NEED FOR BALANCED BUDGET

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, I would like to take this opportunity to sincerely congratulate the President on accepting the need for a balanced budget.

In fact, I will resolve for this day to forget any differences I may have had with the President in the past.

I will not talk about the fact that the President has constantly fought Republican proposals to downsize the Federal Government.

I will not focus on how the President has consistently bad-mouthed Republican plans to save the Medicare system—which we all agree is going broke.

And finally, I will not even think about how the President has repeatedly bemoaned Republican proposals to cut taxes for working Americans.

No, I am going to forget those things today. Because, I know that just as the President has accepted the need for a balanced budget, someday the President will change his mind and accept the need for a smaller Government, a revitalized Medicare system, and lower taxes.

SCARE MAIL ORGANIZATIONS DEFRAUDING SENIOR CITIZENS

(Mr. EHLERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EHLERS. Mr. Speaker, I rise to offer a few comments in a different vein. It arises because of concern for many of the senior citizens of this country, a group which I am on the verge of joining. Because I am on the verge of joining that group, I am beginning to get the mail which is often addressed to senior citizens, which I would call scare mail, but might more appropriately be called fraud mail.

It is mail that is intended to frighten them about what is happening in Congress and to encourage them to send these organizations money so that they can communicate to use the concern that senior citizens have about losing Medicare, about losing Social Security, about losing Federal pensions, or what have you.

It is a fraud. What brought this to mind is that recently a constituent sent me the $5 that was intended to go to the organization that was soliciting money from him.

I want every senior citizen in this country to know, and every person in this country to know, you do not have to send money to any organization in order to get your message to us. Simply write us directly. I do not add any extra weight to a communication sent to me by one of these organizations. Constituents can write us directly and let us know. They do not have to send money to these fraudulent organizations.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

The SPEAKER pro tempore (Mr. TORKILDSEN). Pursuant to House Resolution 164 and rule XXIII, the chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1530.

□ 1103

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 further consideration of the bill (H.R. 1530) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1996, and for other purposes, with Mr. EMERSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose on Wednesday, June 14, 1995, amendment 37 printed in part 2 of House Report 104–136 offered by the gentlewoman from New York [Ms. MOLINARI] had been disposed of.

It is now in order to consider amendment No. 1 printed in subpart F of part 1 of the report.

AMENDMENT OFFERED BY MR. MARKEY

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

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MARKEY: In section 3133:

Page 528, line 17, strike out ''Funds'' and all that follows through page 529, line 9, and insert in lieu thereof the following:

(1) Of the amounts authorized to be appropriated in section 3101(b), not more than $50,000,000 shall be available for a project to provide a long-term source of tritium, subject to paragraph (2).

(2) The amount made available under paragraph (1) may not be used until such time as the Secretary of Energy has completed a record of decision on a tritium production program and congressional hearings have been conducted to determine the appropriate option, in light of the national security needs and nonproliferation and environmental consequences, for establishing a long-term source of tritium.

Page 530, strike out lines 1 through 9.

The CHAIRMAN. Pursuant to the rule, the gentleman from Massachusetts [Mr. MARKEY] will be recognized for 20 minutes, and a Member opposed will be recognized for 20 minutes.

Mr. HUNTER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from California [Mr. Hunter] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. MARKEY].

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

Mr. Chairman, the amendment being considered right now is a quite technical one because once the word ''tritium'' is uttered, I can see minds and attention spans drifting off onto other subjects. But it is a very important subject, because tritium is a gas which is used in order to ensure that we can derive the maximum potential from our nuclear weapons.

It is a critical subject, in fact. It is so critical that this amendment has been put in order, because it is important that this Congress and this country select the best way, the most economical way, the best proliferation resistant way, of producing this very important gas.

Now, this body and all who listen to it should understand some very fundamental facts. No. 1, the National Taxpayers Union supports the Markey-Ensign-Vucanovich-Dellums-Skeen-Richardson amendment. This is bipartisan, and it is the National Taxpayer Union's blessing having been placed upon it because they have determined that this is nothing more than radioactive pork which has been built into this bill. Not because we do not want or need the tritium, we do. That is agreed upon by Democrat, Republican, liberal and conservative.

What is not agreed upon, however, is that the committee should be able to select a particular technology and to build from $50 million more than the Department of Energy wants, than the Department of Defense wants, than the National Taxpayers Union thinks is necessary.

The decision which has been made is one which runs completely contrary to the proposition that there should be no specific earmarking of technology or location, but rather each of these decisions should be open to full competition amongst all of those who are interested in providing the best technology for the defense of this country.

That is why we bring this amendment out on the floor. It cuts out $50 million that no one wants and cannot be justified. It is a specific earmark which benefits a Swedish company trying to get a specific earmark into this bill for South Carolina. I will have to say a word. But that is not good policy. This company ABB, the Swedish company, might as well be called, instead of ABB, just A Big Boondoggle. That is what ABB stands for. You are voting for $50 million for a Swedish company for a technology that neither the Department of Energy, the Department of Defense, nor the National Taxpayers Union can support.

So we are going to be out here having this debate. It will be bipartisan. But if you want to find money that you can vote for that is not justified in this budget, this is it. This cannot be justified on any basis, either defense, energy, budgetary, or proliferation. It violates every one of the principles that we are concerned with. But most of all, it violates the principle against earmarking specific technologies with extra money that cannot be justified technologically until the Departments of Energy and Defense have gone through the process of evaluating them.

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

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

Mr. Chairman, my colleagues, I am glad that the gentleman from Massachusetts has stated that there is no dispute as to the requirement for tritium. The ranking member of the full committee has mentioned during our debate on the ABM treaty that we still, at least with respect to the Soviet Union, rely on our deterrents, on our strategic arsenal, our nuclear arsenal, to deter nuclear conflict. Tritium is an important component of that arsenal, and it deteriorates. The half-life of tritium is 5½ years. That means you have to keep making it. So the Clinton administration agrees with the committee that you have to keep making tritium, and they themselves put some $50 million into this program.

The difference is, and my colleague has said you should never have earmarking of technology, the difference is for political reasons in my estimation, and this comes from conversations with many people in the administration, people who are pro-strategic weapons. The administration has decided already not to build a reactor.

Now, there are several ways to make tritium. The way that we have used in the past, the reliable, proven method, whereby we have made our tritium in the past for our strategic weapons, is a reactor, a nuclear reactor. there have been no invitations from Massachusetts. The gentleman has mentioned that South Carolina is the place where they make tritium, have made it, have had reactors, and presumably would invite reactors in the future. We have got so similar invitation from Massachusetts to build a nuclear reactor.

But nuclear reactors are the way you make tritium in a reliable fashion. There is a chance that you can make tritium with an accelerator, but it is risky, and it is not proven. Let me tell you that I personally relied on the word and the testimony of arguably the best authority in this country on the validity or the viability of reactors versus accelerators, and that is the former head of the Los Alamos Lab, who was in charge of Los Alamos during a large part of the accelerator program, who is very, very understanding of the accelerator program, a person who is on the various commissions, who has been asked to evaluate this. And let me recite to you the words of Harold Agnew, a former director of the Los Alamos Laboratory, which would get the accelerator work or a large part of it, and he is writing to the chairman of the Committee on the Budget of the other body, and he says this:

DEAR PETE: I have been serving as a member of the Joint Advisory Committee on Nuclear Weapons Surety. Recently we were asked to assess the feasibility of using an accelerator to produce the tritium required for our future nuclear weapons stockpile. Because the accelerator would presumably be designed at Los Alamos, I particularly wanted you to have my thoughts on the issue firsthand.

My concern is that while it is technically feasible, it is not economically rational. I fear that Los Alamos may come to rely on a full blown accelerator program to produce tritium only to be disappointed when the economic realities are better understood. In these days of severe budgetary constraints, a program of this magnitude will certainly receive heavy scrutiny.

Simplified, the reality is that an accelerator producing tritium would consume about $125 million per year in electricity . . . while a reactor producing tritium would produce for other purposes about $175 million per year. . . .

In other words, a reactor makes electricity, an accelerator uses electricity, and the difference, according to Mr. Agnew, is a difference of $300 million per year.

He continues:

Over a lifetime of 40 years, that's a $12 billion consideration. It is simply counter intuitive to believe a difference in energy consumption of this magnitude will be sustainable. This is particularly true when the cost of facilities—accelerator or reactor—are roughly the same. Given a projected capital cost of $3.2 billion for the accelerator and a declining requirement for tritium, the tritium imperative is a thin reed upon which to lean.

He concludes, and this is one of the paragraphs that I think is very critical for this House to consider. He talks about an accelerator having some value if you used it for other purposes. That is to consume plutonium when it is hooked up with a reactor. So an accelerator and a reactor hooked together could do the whole thing. He says:

The accelerator is unique and can totally destroy virtually all weapons plutonium. It can do so extremely economically when combined in tandem with a deep burn reactor. The deep burn reactor using a surplus weapons plutonium as fuel could consume 90 percent of the plutonium 239 in a once through cycle. The depleted fuel element with the remaining plutonium would then be transferred to a subcritical assembly irradiated with an accelerator. The accelerator would destroy the remaining plutonium. Because there are large amounts of electricity produced when the plutonium is destroyed, there is no cost for the plutonium destruction. In fact, it makes money. The same assembly would also be able to produce tritium at the same time and at no additional cost if tritium is needed.

□ 1115

The gentleman who cited the taxpayer groups, I wish they had had a chance to sit down with one of the leaders of the Manhattan Project, Harold Agnew, the director of the Los Alamos Nuclear Laboratory and a gentleman whose colleagues would benefit and profit from an accelerator, has looked at this thing and has said, listen, if you can build a triple play reactor, that is, you can build a system that not only makes tritium but consumes plutonium and makes electricity at the same time that you can sell, thereby mitigating your costs, why not do it?

He concludes: ''I could and would get firmly behind a reactor program with this objective in mind.'' That is, this combination with the reactor and an accelerator. ''I cannot support the accelerator for the sole purpose of producing tritium because it is too expensive, its need too uncertain and there is a better way to provide the requirement while satisfying the three needs, electricity, plutonium, and tritium production for the price of one.''

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

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

Mr. DELLUMS. Mr. Chairman, I have listened very carefully to the gentleman's argument and the gentleman and I have had an ongoing dialog on this matter. I understand that the gentleman believes that the Department of Energy at the end of the day will come out on the side of the accelerator.

My distinguished colleague from California believes very strongly in the superiority of the reactor approach. But let me read very briefly from the amendment of the gentleman from Massachusetts [Mr. MARKEY] because I think it addresses the gentleman's concern by placing the Congress in the loop to make a decision in the event that they disagree with the Secretary.

I will read very quickly. It says,

The amount made available under paragraph 1 may not be used until such time as the Secretary of Energy has completed a record of decision on the tritium production program and congressional hearings have been conducted to determine the appropriate option in light of the national security needs and nonproliferation and environmental consequences for establishing a long-term source of tritium.

So it provides the opportunity for my distinguished colleague, this gentleman, and others, to weigh in after the findings have been given by the Secretary.

Unless the gentleman feels that we are in some way impotent or incompetent to carry out our responsibilities, this is the way that we can address the gentleman's concern.

Mr. HUNTER. Mr. Chairman, I thank the gentleman for his contribution.

Let me just respond in this way before I yield to other Members. The administration, in my estimation, has already done the earmarking. Members of the administration, folks who are inside the administration, I think have made it fairly clear that they have already decided, this record of decision is down the road.

They have made the decision at this point to go with the accelerator. Let me cite to my friend the letter from the Assistant Secretary of Defense, Harold P. Smith, who basically sent us a letter that gave, in my estimation, the smoking gun.

He says, ''The funding request made by the Department of Energy was formulated in support of their production strategy,'' that is, an existing production strategy, ''of primary and backup—light water reactor.''

Well, if the backup is a light water reactor, what is the existing primary production strategy? It is an accelerator.

I would say to my friend, I have spent some time on this. I have had discussions with folks in the administration. The essence of it is, they do not think it is politically possible in this administration to come through with what Harold Agnew thinks is a scientifically meritorious decision, and that is a reactor.

My feeling is, they have already done the earmarking. I think this letter shows that. There has already been an earmarking by the administration. And because of that, I think we are going to waste valuable time, if we wait for them to come down with a paper decision that merely records a decision they have already made at this time, when the people that I rely on, and I think the committee justifiably relies on, like Harold Agnew, who was the director of the facility that would benefit from an accelerator, I think to go with what we see on the merits from a scientific way and not wait for this paper decision to come down months from now that has already been made. That is the point I would make to the gentleman from California.

Mr. DELLUMS. Mr. Chairman, if the gentleman will continue to yield, my first response is that I think it is hyperbole to refer to the Department of Energy's judgment as an earmark. All they can do is recommend. We can earmark in legislation. We write the laws.

So it is not earmarking. They may come to an option you do not agree with, but earmarking is hyperbole.

Mr. HUNTER. Mr. Chairman, I think there is an important political principle here. When you know that an agency of the Government, of the executive branch, is going to come out with what is on the face of it a decision made on the merits, but you know and you have been told has already been made and is a political decision, I think it is wrong to wait and have them utilize this decision that they have already basically broadcast to us, they telegraphed to us, it is going to be an accelerator, not for science reasons but for political reasons, to wait for that to come out months from now where that will then be used as an argument to try to weight this very important decision, where I think the scientists like Harold Agnew have already made a very clear and convincing case. That is my point.

Mr. DELLUMS. Mr. Chairman, I thank the gentleman for yielding to me. He has been very generous.

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

The CHAIRMAN. The gentleman from California [Mr. HUNTER] has 8 minutes remaining.

Mr. MARKEY. Mr. Chairman, I yield 3 minutes and 30 seconds to the gentleman from Nevada [Mr. ENSIGN].

Mr. ENSIGN. Mr. Chairman, I rise today in support of the Markey-Vucanovich-Ensign amendment. Let me also agree on the importance of maintaining tritium production in this country and how critical that is to our national security.

I come from a State that in the interest of national security was willing to allow bombs to be blown up underneath our ground because we care so much about national security. So I do not come at this as somebody who is antinuclear or anything. I am coming here in support of the amendment because I believe it is the right thing to do.

First of all, we are cutting out $50 million in earmarked spending that will go to a Swedish company. Second of all, we have enough tritium to last approximately the year 2011 with current supplies, and if we recycle those, we can get it out to about the year 2015, 2017. So we have enough time to be able to research some of the other options.

I think there are legitimate differences within the scientific community on whether a reactor or an accelerator is the best way to go here. And what I am saying is that we should take that time and research truly what is in the best interest of national security as well as with environmental concerns.

Everyone agrees an accelerator is the best for environmental because it does not produce high-level nuclear waste. It produces low-level nuclear waste. So we are talking about accelerator technology, clearly, it is the best from an environmental standpoint.

You also mentioned that when taken into effect, the reactor could downgrade plutonium and reuse that and that an accelerator needs a reactor. That is discounting that there is other technology on the drawing board out there that is possibly developable in the future. That is using the transmutator. And that would no longer produce the high-level nuclear waste as well. It would actually recycle a lot of the nuclear waste that is out there. So there are other options out there that we can explore.

The point is that we do have some time to explore this without taking the next few years and using those years just to raise money to build this reactor. We can actually take the years and develop the technology that we will need.

The other problem that I have with this is that we have not built a reactor and the reactor that you are talking about is just as theoretical as the accelerator is. We have never built a reactor like this that can produce the tritium in the quantities we need, just like we have not built the accelerator to produce the tritium in the quantities we need. We know an accelerator will produce tritium. There is no question about that. In Los Alamos they have proven that as far as on the bench there.

The other problem that I have is that we cannot store the nuclear waste that we are producing at this time. Obviously the whole issue on Yucca Mountain on a temporary interim nuclear storage facility is because the people that are producing the nuclear waste all want to ship it to my State because they cannot house it now. The linear accelerators are, there is no question, they are proven technology. They are out there and the x-ray machine is basically a linear accelerator. They use it with radiation technicians for cancer, and Stanford has a very large linear accelerator. The linear accelerator technology is there. It is just a question of applying this technology to what we need. And I think it is the right thing to do, and I think this is the right amendment.

I urge my colleagues on the Republican side to support it.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Hawaii [Mrs. MINK].

Mrs. MINK of Hawaii. Mr. Chairman, I rise in strong support of the Markey-Vucanovich-Ensign amendment that has been offered by our colleagues. As currently written, H.R. 1530 increases by 100 percent or by $50 million a program in the Department of Energy to develop a new source of tritium, a radioactive gas used to enhance the power of nuclear warheads and by doing so presumptively directs the Department of Energy to use the additional funds to not only pursue a specific technology but to award the contract to begin work on the reactor which will utilize the ABB combustion engineering concept to be built in Savannah River, Georgia to a particular contractor. This amendment eliminates these provisions and ensures that the decisionmaking process will remain open. That is the critical reason that I have come to the floor to urge that this amendment be adopted.

Secretary O'Leary noted that the Department of Energy is currently analyzing the technical, environmental, political, fiscal implications of this production technology and that, further, the analysis is nearing completion. As the previous speaker has indicated, the supply is not the issue. There is at least 15 or perhaps more years of available supply.

Therefore, it seems to me very, very persuading that we permit the Department of Energy to continue with this analysis and to come up with their recommendations.

The second aspect of the amendment, which is critical, is that rather than forestall the opportunity of Congress to have a critical role in making this decision, if we do not adopt this amendment, there will be a preemption of this opportunity by the selection of a contractor without due consideration of all of the aspects.

Furthermore, we are told that if this amendment is not approved, that the contractor, by provisions in the bill, will be allowed to spend 3 years to study the feasibility of raising the funds for this project. It seems to me, therefore, that this amendment should be passed to restore the decisionmaking to the Congress.

Mr. Chairman, I rise in strong support of the amendment to H.R. 1530 offered by Representatives ED MARKEY, BARBARA VUCANOVICH, and JOHN ENSIGN.

As currently written, H.R. 1530 increases by 100 percent—or $50 million—the program in the Department of Energy to develop a new source of tritium, a radioactive gas used to enhance the power of nuclear warheads and presumptively directs the Department of Energy to use the additional funds to not only pursue a specific technology to produce tritium, but to award the contract to begin work on a tritium-producing reactor that will utilize the ABB combustion engineering concept and be built in Savannah River, GA to a particular contractor. The Markey-Vucanovich-Ensign amendment eliminates these provisions and, ensures that the decisionmaking process related to tritium production will remain open.

WIth respect to H.R. 1530 directing the Department of Energy to pursue the ABB combustion engineering concept for tritium production, Energy Secretary Hazel O'Leary notes that the Department of Energy is currently analysing the technical, environmental, political, and fiscal implications of a range of new tritium production technologies. Secretary O'Leary also notes that the ongoing departmental analysis, including a programmatic environmental impact statement, is required under the National Environmental Policy Act. Secretary O'Leary further notes that the analysis in nearing completion and will support the selection of a preferred technology and site for tritium production.

H.R. 1530 selects the tritium-producing reactor utilizing the ABB combustion engineering concept and allows the contractor to spend 3 years to study the feasibility of raising $6 billion in private financing and concluding multiple power purchase agreements for the sale of power to be generated. Secretary O'Leary indicates that such a contract, with its 3-year feasibility study and business plan, will delay by 3 years the development of a new tritium production source.

I urge my colleagues to support the Markey-Vucanovich-Ensign amendment because it provides the funding level requested by the Department of Energy and withholds any funding for actual tritium production until the Department of Energy has completed its analysis and reached a decision on a tritium production program and, most importantly, ensures that the Congress will be able to hold hearings on any such Department of Energy decision.

Because the establishment of a long-term source of tritium touches upon various national security, nuclear nonproliferation, and environmental issues, the Congress must play a role in the debate on tritium production. The Markey-Vucanovich-Ensign amendment ensures such a role for the Congress.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Georgia [Mr. NORWOOD].

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

Mr. NORWOOD. Mr. Chairman, I suppose quickly we need to correct a couple of things. The gentlewoman from Hawaii should know that the Savannah River site is in South Carolina. This is not a discussion about where we will build tritium but how. I thank the gentleman from Massachusetts in recognizing that we in fact do need to build tritium, and we are going to do it, need to be doing it by 2001, not 2017.

Mr. Chairman, for many years the Department of Energy has commenced many projects, spent huge amounts of money and often has little, if anything, to show for it in many cases. A perfectly good example of that, a recent example includes the high level waste repository in Nevada.

□ 1130

Mr. Chairman, as some of my colleagues stated in a news conference last week in regards to a proposal of the elimination of DOE, the Department suffers from problems of communication and contracting and management and mission.

Their latest effort to determine the future tritium production technology

and siting has many of the same problems. This is a very complicated technical issue, but let us try to simplify it just a little bit.

We know how to make a reactor. We have been doing that now for 30 years. The technology is there. If we go with a triple play reactor, we know we can privatize the construction of it. In a country that has 5 trillion dollars' worth of cash flow problems, that is important.

We know for a fact that this reactor will burn plutonium and help get rid of waste. We also know it will produce electricity, which will help, indeed, cut the cots.

What we absolutely must consider here is that the cost of using an accelerator, technology that we do not know for sure will work, will be considerably more expensive, to the tune of about $10 billion. We talk about $50 million, and this is a $10 billion project, if we do not go with the triple play reactor.

Mr. Chairman, I urge all Members to vote against the Markey amendment.

Mr. Chairman, for many years the Department of Energy has commenced many projects, spent huge amounts of money and has little, if anything, to show for it in many cases. A recent example of this includes the high level waste repository in Nevada.

As some of my colleagues stated in a news conference last week regarding the proposed elimination of the DOE: The Department suffers from problems of communication, contracting, management, and mission. Their latest effort to determine the future tritium production technology and siting has many of the same problems.

I believe the action taken by the House National Security Committee to authorize funding for a privatized multipurpose reactor technology is the only logical approach for the success of the next tritium production mission. This reactor would consume our excess plutonium, produce tritium and generate electricity. The resale of this electricity would generate revenues that would directly reduce the total cost to the taxpayer. The logical siting of such a reactor is the Savannah River site in South Carolina. The site has been the leader in tritium production and other related missions for more than 30 years. The taxpayer has payed billions of dollars over these 30 years building the tritium infrastructure I speak of. Mr. Chairman, it would not be prudent to rebuild a new tritium infrastructure elsewhere at an even higher cost to the taxpayer, just to satisfy the political motives of DOE.

The action by the committee represents, Mr. Chairman, it represents sound judgment to reverse the poor decisions DOE has been making for years and to ensure we continue to maintain our nuclear weapons stockpile. It is imperative that we continue to produce tritium no later than the year 2011. If we do not, our nuclear weapons stockpile will not be maintained at the level necessary to maintain our nuclear deterrence.

Mr. Chairman, the committee's decision also represents one that will cost the American taxpayer far less money, and ensure we start producing tritium no later than the year 2011.

There is a general concern by many that disposing of excess weapons grade plutonium in this reactor is a proliferation concern. This concern is unwarranted. The nuclear non-proliferation treaty contains specific provisions which allow the use of this material in nuclear reactors for peaceful purposes. Ridding ourselves of excess plutonium is definitely a peaceful purpose.

In conclusion, Mr. Chairman, if we allow the DOE to select an accelerator to produce this tritium; a decision I believe they have already made, we run a high degree of risk of not having a nuclear capability in the year 2011. Assuming it did work, and there is no evidence that an accelerator of the magnitude required will work, the lifecycle costs would amount to billions of dollars more than a multipurpose reactor. I am not prepared, and I am sure many of my colleagues are not prepared to take that risk.

I strongly urge my colleagues to oppose the Markey amendment.

Mr. MARKEY. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. DELLUMS].

Mr. DELLUMS. Mr. Chairman, I thank the gentleman for his generosity in yielding time to me.

Mr. Chairman, I rise in support of the Markey amendment. Before I go the arguments, let us define the term ''earmark'' so everyone understands, who is in this debate or observing this debate, what that is about.

The way the Congress of the United States earmarks is if it authorizes and appropriates dollars so it can only go to one place. Very simple. You do not have to be a brilliant rocket scientist to understand that you can write a piece of legislation in this legislative body in such fashion that there is no competition, that it goes specifically to one place. That is part of this.

Mr. Chairman, last year, as a matter of high principle, after negotiations with the other body we agreed as a group that we would move beyond the practice of earmarking, because we felt it so thoroughly distorted and perverted the legislative process that we need to be beyond that.

Mr. Chairman, I want to say very specifically this is the mother of all earmarks. The gentleman from California [Mr. HUNTER], who represents a district in southern California, has a firm that does reactor business. Whether I agree or disagree with reactor or accelerator, put that esoteric discussion for a moment off to the side. We are talking earmarking here.

The gentleman from California could not even get it modified so that there would be more than one reactor firm in the business, Mr. Chairman. this is a $14 million earmark to a Swedish firm in one district, ultimately to the tune of $50 million.

Mr. Chairman, I disagree with this approach on substance, because I have learned from some of my regional colleagues that ''I do not have a dog in this fight,'' so I can stand back objectively, at arms' length, and debate this matter with clean hands.

In working with the gentleman from California, back and forth, trying to figure out whether he and I could reach some accommodation that would allow the option to open up, so that his district could be represented in this matter, and this gentleman, who was raising broader issues that I will discuss a little later in my presentation, any effort that we had to try to dialog on this matter was resisted. The Committee on Rules did not even allow the gentleman on that side of the aisle to offer an amendment to open up competition just on the reactor side.

Mr. Chairman, we understand it has been stated that somewhere down the road, this is supposed to come down the pike in November from the Secretary of Energy, someone briefed somebody in the Congress and said ''We do not think it is going to be a reactor, we think it is going to be the accelerator.'' So suddenly there was a rush to judgment before we could hear from informed scientific, knowledgeable sources what are the options that are available which would still allow us to exercise our responsibilities to agree or disagree.

Apparently someone said ''Wait a minute, let us not wait until the Secretary gives us this informed judgment. Let us jump the gun. We are legislators. We are in control of the process.''

So what happened? Earmark, Mr. Chairman, the mother of all earmarks, $14 million to a Swedish firm to the tune ultimately of $50 million. Mr. Chairman, I would suggest that this is an obligation of the American taxpayer to tens of millions of dollars and potentially, down the pike, it could even achieve billions.

On that basis it ought to be rejected, just on the integrity of the process itself, having nothing to do with the substantive issues like nonproliferation and these kinds of things, just the fact that we ought to reject that approach to how we do our business.

We talk here about clean hands and fair play and openness and above board. This is inappropriate. With this gentleman in the last Congress, when I stood as chairman of the former Committee on Armed Services, we stood up publicly and said ''We will resist earmarking.'' We tried to legislate in the authorizing process to end that, because all of us in here at one time or another have been burned by the process of earmarking.

Our dignity and our self-respect and our integrity as legislators dictate that we do not go down this road, Mr. Chairman. It may be right at the end of the day, but let it be right because the process led us there, not because we exploited or manipulated it.

The CHAIRMAN. The time of the gentleman from California has expired.

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

Mr. Chairman, I think it should be rejected on that basis alone.

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

Mr. DELLUMS. I yield to the gentleman from Georgia.

Mr. NORWOOD. Mr. Chairman, I think it is important to say that this authorization defense bill does not earmark where we produce tritium. It does imply how we should produce tritium, and that is because the Department of Energy has made up their mind that they want to use a faulty process in the accelerator that may not let us have the tritium we need to have a nuclear proliferation.

Mr. DELLUMS. Reclaiming my time, Mr. Chairman, the report language specifically refers to location. Everyone in here, and I would say, sir, we may disagree politically, but I choose not to insult the gentleman's intelligence. I hope he does not choose to insult mine.

I have been on the Committee on Armed Services for 20-some-years. I think that I have enough experience to know an earmark when I see one. This is in the report. We all understand it. I would tell the gentleman to ask the gentleman standing next to him. He knows it is an earmark, because his reactor company has been left out of the process.

I am 59 years old and do not have my glasses, so it is a little difficult to read here, but let me just refer the gentleman to page 305 of the report dealing with section 3133, tritium production, and about a half of the way down the page, with the paragraph starting ''On March 1, 1995,'' there the gentleman will see the earmark.

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

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

Mr. HUNTER. Mr. Chairman, I thank the ranking member, the distinguished gentleman from California, for yielding to me.

Mr. Chairman, let me mention what the gentleman mentioned first, the gentleman from Massachusetts [Mr. MARKEY] mentioned. That was technological earmarking.

There is probably no bill that is a perfect bill, but my objection to the idea of having this record of decision come down on the technology is, to my colleague, and he is a realist and I am a realist, is it is politically impossible, in my estimation, for the Clinton administration to come down on behalf of anything except an accelerator. I think that is what they feel is politically doable, and even though everybody agrees we have to build tritium, they are nonnuclear enough to say that we do not want to be building it with a reactor.

I think the gentleman would be just as insulted by a record of decision that comes down this fall that will supposedly be based on scientific merit, but in fact it will not be based on scientific merit. It will be based on the decision that at least is implied as having already been made by the Assistant Secretary of Defense, Mr. Smith, in his letter, where he says ''Our program is to go with what is,'' and I am paraphrasing, ''the lead technology,'' and then there is a backup technology, which is the reactor, implying obviously the lead technology is an accelerator.

Of course I want to have my people participate and have a chance to participate in any work that is done, but I think there is an overriding goal here that in my estimation is very compelling. That is to continue to produce tritium, to do it in a reliable way, and I think everyone would agree that the only reliable way we have done it in large quantities is with a reactor.

Last, all of these arguments have been made about how scientifically we can do this with an accelerator. The director of the laboratory that would benefit from the accelerator said these words: ''I cannot support the accelerator for the sole purposes of producing tritium because it is too expensive, too uncertain, and there is a better way to provide for the requirement while satisfying 3 needs,'' and that is electricity, tritium, plutonium.

Mr. DELLUMS. The gentleman has made that point, Mr. Chairman. It is a little redundant.

Mr. HUNTER. My point is there is just as bad earmarking on the part of the administration, earmarking technology that flies in the face of what the scientists say is needed.

Mr. DELLUMS. Mr. Chairman, if I might reclaim my time, the bill reads ''$14 billion shall be made available to private industry to begin implementation of the private advertised multipurpose reactor program plan submitted by the Department of Energy,'' et cetera, et cetera, to the Department.

Mr. Chairman, with respect to the gentleman's major assertion, the amendment provides the opportunity for the Congress of the United States to weigh in. This is a triumvirate form of government. The executive branch will make an option. The gentleman may disagree with it, but the gentleman and I together can hold hearings, we can make judgments, we can make determinations, we can legislate in this area. I am simply saying when we read that and we read the report language, it is an earmark.

Mr. Chairman, let me finally conclude by saying, A, the Department of Defense opposes this provision in the bill. The Department of Energy opposes this provision in the bill. The Arms Control Agency opposes this provision in the bill. Why does it? It opposes it because part of our nonproliferation strategy has been that we would not breach the firewall between civilian and commercial use of nuclear power.

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

Mr. MARKEY. Mr. Chairman, I yield 1 minute to the gentleman from California.

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

Mr. Chairman, an important part of our nonproliferation strategy is that we would not breach the firewall that exists between commercial and civilian use of nuclear power and military use of nuclear power for the purposes of developing nuclear weapons. That is the moral high ground upon which we stand. That is the moral high ground that allows us to challenge North Korea and it allows us to challenge the Iranians: Do not breach that firewall.

How noble are we, then, if we embrace this approach in this bill, multipurpose reactor? It speaks to breaking that firewall. At that point, where is the high ground that allows us to say to the North Koreans, or to the Iranians, ''You are doing a bad thing?'' All they have to do is turn around and say ''Do as you say, don't do as you do,'' because this is exactly what we are doing.

This is too precious for our children, too precious for the future, for us to be violating this incredible approach to nonproliferation. That is our fundamental strategy. It is for those and many other reasons, Mr. Chairman, that I argue that my colleagues support the Markey amendment.

Mr. HUNTER. Mr. Chairman, would the Chair tell us how much time we have remaining?

The CHAIRMAN. The gentleman from California [Mr. HUNTER] has 6 minutes remaining, and the gentleman from Massachusetts [Mr. MARKEY] has 4½ minutes remaining.

Mr. HUNTER. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I would remark, the gentleman mentioned that a number of authorities in the Clinton administration are against this approach. Let me just say that in my estimation, the guy who was the leading authority on the validity of reactors versus accelerators endorses this approach, and the last of his letter says ''With respect to an accelerator, it is too uncertain, and there is a better way for the requirement, while satisfying three needs for the price of one.'' That is, the leading authority, in my estimation, on this technology endorses the idea of a triple play.

Mr. Chairman, I yield 2 minutes and 30 seconds to the gentleman from South Carolina [Mr. GRAHAM].

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

Mr. Chairman, this is probably one of the most important debates that I have followed in Congress, because I am from South Carolina, and the men and women of the Savannah River site have for the last 40 to 50 years produced tritium by reactor in my district to help win the cold war. We want to continue to do it for the country, not because I am from South Carolina, but because we have the infrastructure, we have the community commitment, we have the will to do it, and I want to do it in the most fiscally sound and conservative manner.

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I will tell you when this administration and DOE will prefer a reactor to do anything. That is when hell freezes

over. It will not be 2011. If you want to produce tritium to maintain a national defense structure, you need to start now. Not 2011 when START II is implemented.

What I am asking my colleagues who are fiscally conservative to do is look at the numbers. This is not about millions, it is about billions. The Clinton DOE will never prefer a reactor that we know will work, that will save the construction costs. The energy costs alone are $10 billion over the life of the reactor.

This is about politics and spending billions of dollars on technology that is pie in the sky and not going to something we know that works that can make plutonium that works and create energy and is privately financed. It is about politics.

The men and women of my district understand tritium. We understand politics and I hope my colleagues will call the National Taxpayers Union and talk to Mr. Paul Hewitt. I have. They have information about millions. That does not consider the billions. They will consider the billions.

This is politics at its worst. Let's get on with defending America. 2011 is here today. How long does it take to get any technology going? Never, with an accelerator, because it never produced tritium.

The reactor has produced tritium in this country. We need to start now because it takes a long time, because we want to be safe and we should be safe. But we need to start now to give our children a secure future financially by saving billions of dollars with technology that works.

And a secure future with the threat of Iran and Iraq is not looking at will they follow our lead, but will we have the resources to implement American policy? And not ask them to follow our lead, but we will be the biggest guy with the biggest stick on the block all the time. That is what this debate is about.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

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

Mr. RICHARDSON. Mr. Chairman, let me clear up one thing that my friend from San Diego mentioned. The Los Alamos Laboratory wants the accelerator made. The gentleman has been referring to Harold Agnew, an official of the labs.

Harold Agnew has been out of office for 15 years and he is now a contractor with one of the companies trying to get the contract. So let me be clear. The Los Alamos Laboratory, which is an expert in this area, would like to be involved in this process, as would the States of Texas, Idaho, Nevada, and Tennessee. And because of this specific earmark, all of these States are locked out and we have a Swiss-Swedish firm getting a benefit over American companies.

That is not right. These States, and my labs in Los Alamos, are experts. Why are we making decisions that scientists should be making?

These are thousands of scientists. Ph.D's at Los Alamos, at DOE, at Savannah River. They should be making these decisions. And I think a Swiss-Swedish firm, they may be very competent, I don't think they should be barred, but what this Markey amendment is doing, and I must say it is a bipartisan amendment. It is the gentleman from Nevada [Mr. ENSIGN] and the gentlewoman from Nevada [Mrs. VUCANOVICH]. My name is on it. We just want an open process.

We think that this process by which there was a specific mention, an earmark, is flawed. We are saving the taxpayers money, $50 million. But let me be absolutely clear. I represent Los Alamos. They are in my district. They are for the Markey-Ensign amendment because they want science and scientists to have a chance.

So, my good friend should not mention Harold Agnew who is a good public servant. But he was 15 years ago. He is a contractor now. Of course, he has an interest. We respect that.

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

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

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding.

Would the gentleman tell me what contracting firm Mr. Agnew is supposed to be working for now?

Mr. RICHARDSON. General Atomics.

Mr. HUNTER. General Atomics is excluded from being able to participate in this amendment.

I would ask how much time we have remaining, Mr. Chairman.

The CHAIRMAN. The gentleman from California [Mr. HUNTER] has 3 minutes remaining.

Mr. HUNTER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Kansas [Mr. TIAHRT] to whom we always give plenty of time.

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

Mr. TIAHRT. Mr. Chairman, I appreciate the additional time. With all due respect, I must rise in opposition to this amendment.

Since 1992, the Department of Energy has been working on this alternate source for producing tritium and they tell us they are 3 to 4 years away from doing that. It is going to cost taxpayers more money.

I want to remind the body that the Department of Energy is the same agency that the Vice President told us in the National Performance Review misses 20 percent of its milestones and is 40 percent inefficient. That means that their estimates could be longer than expected and overrun in cost.

But if we use the multipurpose reactor for the production of tritium, it represents a tried and true technology. This technology would also be the least cost to the American taxpayer and it would guarantee that we are going to produce tritium on time.

Mr. Chairman, I, along with my other colleagues on the Committee on National Security, are concerned—but not surprised—about the lack of progress that the Department of Energy has been making toward this long-term source of tritium and it is essential if we are going to maintain our nuclear weapons for nuclear defense.

But we cannot allow our nuclear weapons capability to diminish just to satisfy an antinuclear coalition in the administration and in the Department of Energy. We need to do what is right for the American people and for the national defense.

Time is running out. And we cannot afford to wait on the Department of Energy to get its act together. I urge my colleagues to defeat the Markey amendment.

Mr. MARKEY. Mr. Chairman, I yield 30 seconds to the gentleman from Nevada [Mr. ENSIGN].

Mr. ENSIGN. Mr. Chairman, just a couple of points. First of all the multipurpose reactor, that technology has not been developed as well. We have never produced with the reactor the amount of tritium that we are talking about developing today.

Also, the tritium, as far as technologically, has been produced from an accelerator. This is false when my colleagues say it has not. Granted, I will admit that the accelerator technology is not as far along, but we have the time to see whether we can develop this technology with an accelerator. No question about it. It is environmentally the safest thing to do.

Mr. HUNTER. Mr. Chairman, I understand we have the right to close the debate.

The CHAIRMAN. The gentleman from California [Mr. HUNTER] has the right to close.

Mr. MARKEY. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. BROWN].

(Mr. BROWN of California asked and was given permission to revise and extend his remarks.)

Mr. BROWN of California. Mr. Chairman, I rise in strong support of the amendment offered by the gentleman from Massachusetts.

Mr. Chairman, I rise in strong support of the Markey-Vucanovich-Ensign amendment. What this bipartisan amendment does is very simple: It allows the existing search for the best site and the best technology for the provision of tritium to go forward. The Department of Energy has been engaged in an evaluation of five different technologies and five different sites and a decision is expected in late summer or early autumn.

H.R. 1530 threatens to derail that process. It would add $50 million to the administration's request for tritium work and would choose a winning site—Savannah River—and a winning technology—the so-called triple play reactor proposal led by Ansea, Brown & Boveri. In choosing a winner, H.R. 1530 short-circuits

the process of technology and environmental evaluation that was intended to guarantee that the taxpayers get a tritium facility that minimizes its nuclear proliferation potential, is environmentally sound and cost effective.

I am not saying that I know that the ABB proposal is the most expensive or least attractive or that Savannah River is an inferior site. The fact is I don't know that. But that is precisely the point: No one in this body knows which technology, which consortia and which site offers the best deal for the taxpayer. There is no record of judgment by impartial experts that we can turn to for guidance because the experts are still doing their work. There are no hefty hearing volumes documenting the full and exhaustive review of this billion dollar deal to explain why we must intervene to stop that impartial review and pick or own winner.

Some of my friends on the other side of the aisle like to say that bureaucrats aren't good at picking winners and losers among technologies; I would suggest that when it comes to choosing winning technologies, Congress makes bureaucrats look like geniuses.

There is general agreement that we need a new tritium facility. But let us give our citizens a facility that is the best that their money can buy. To do that, we need to repudiate a pork-driven decision, we need to let the selection process go forward to let these technologies and sites compete. Support good government and a fair process. Vote for Markey-Vucanovich-Ensign.

Mr. MARKEY. Mr. Chairman, I yield myself my remaining time.

Mr. Chairman, let me conclude by saying this. Using the words of the gentleman from California [Mr. HUNTER], Massachusetts does not have a dog in this fight. This is not a battle that I certainly have any interest in.

My only problem with this whole debate is that after a day of sanctifying the whole concept of procurement reform just 2 days ago, we now come back out here on the floor and we allow for a single Member to earmark a specific technology that does not even exist to be the exclusive way that we are going to produce one of the most important defense technologies in our country.

Now, we keep hearing about a 3-in-1 technology. It is good for plutonium. It is good for electricity. It is good for this. It is good for that. It sounds like you are listening to an ad for a chopomatic at 3 a.m. in the morning on channel 43.

This technology does not exist. And, in fact, although we are talking about $50 million out here, the truth is it triggers $6 billion worth of reactor that has to be built. By the way, a reactor which has never produced tritium before.

The technology which they are selecting has never, in fact, performed this task before. Now, you hear the word linear accelerator. What does that mean? Well, it is just another fancy word for saying atom smasher. That is what a linear accelerator is.

Right now the National Academy of Sciences, the Department of Energy, the Department of Defense, are evaluating linear accelerators as opposed to this new reactor which has never been tested with regard to which is the better way of going to produce tritium in this country.

Now, I do not care which technology they select, but I do know that this bill should not have $50 million in it for a Swedish firm for a technology that ultimately triggers $6 billion worth of expenditures before we have had a technical evaluation. That is what this whole debate is about.

And the $50 million is opposed by the National Taxpayers Union, by the gentleman from Nevada [Mr. ENSIGN], by the gentlewoman from Nevada [Mrs. VUCANOVICH], and a cross-section of Democrats and Republicans that want a balanced budget, fairly done, with logical assessment done of each and every item. This provision violates every one of those principles.

Mr. HUNTER. Mr. Chairman, I yield such time as he may consume to the gentleman from Idaho the gentleman from [Mr. CRAPO].

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

Mr. CRAPO. Mr. Chairman, I rise in strong support of the committee's product. We in Idaho are doing some critical research under this proposal that will help us to develop this program.

Mr. HUNTER. Mr. Chairman, I yield our remaining time to the gentleman from Texas [Mr. THORNBERRY].

The CHAIRMAN. The gentleman from Texas [Mr. THORNBERRY] is recognized for 1½ minutes.

Mr. THORNBERRY. Mr. Chairman, the Texas panhandle is a long way from either Savannah River or from Nevada where the accelerator would be built, but I think it is very important to make these basic points.

We have no choice on tritium. Everyone has agreed with that. And we need it quickly. Now, this is a gas that deteriorates at a rate of approximately 5 percent a year. We have built none in this country since about 1988. And the longer we take, particularly with an unproven technology, the worse off it is for the security of this country.

I think the key point, however, that I want to make is this. The committee version advances both options. Currently, the Department of Energy is only looking at one option and that is an accelerator. They are not considering in any manner the sort of reactor that would be considered under this bill.

Now, I will tell my colleagues that in my district we have got a lot of excess plutonium that is building up as we dismantle weapons that we are bringing back from Europe. We have got to figure out what to do with that plutonium and the reactor is one option that we ought to consider as a way to dispose of that excess material.

The Department of Energy will not even consider it and there are no other technologies that are even close to being considered at the current time. The committee bill gives approximately the same amount of money toward the accelerator as the gentleman's amendment would do, but it adds to that. It doubles the amount of money because of how important this gas is and it gives us another option to look at.

We are not bound to any option forever, but it does push forward the process on both counts so that we can find the best, most economical, safest way to produce tritium and that can accomplish our other security goals as well.

Mr. SPENCE. Mr. Chairman, I rise in support of the committee position and in opposition to the Markey amendment which would cut funding for a new tritium production source by 50 percent. The Markey amendment would also erect additional barriers not in even the administration's request to achieving a low-cost, reliable supply of tritium.

Tritium is needed to ensure the safety and reliability of the U.S. nuclear weapons stockpile. Because tritium decays at a rapid rate, it must be regularly replenished. However, the United States currently has no capacity to produce tritium and therefore a new production source has been in the works for years.

H.R. 1530 directs the Department of Energy to pursue the lowest cost, most mature technology to accomplish this mission—and that is a reactor. Reactor technology has produced all of the tritium currently used in U.S. nuclear weapons.

The committee also endorsed using reactor technology to burn plutonium and to generate electricity. The prospect of private sector financing could also dramatically reduce the cost of the American taxpayer of this critically important undertaking.

The Markey amendment would cut the funds added by the committee for future tritium production, and would give the Department of Energy the final say over which tritium production technology should proceed. We fear that the Department is headed in the direction of actually selecting the less mature, more costly accelerator option.

Let us do what's right to most cost-effectively ensure our ability to maintain our nuclear weapons stockpile. Let's get on with this innovative cost-saving approach to producing tritium. The only way to do this is to support the committee and vote "no" on the Markey amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Massachusetts [Mr. MARKEY].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HUNTER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 214, noes 208, not voting 12, as follows:

[Roll No. 381]

AYES—214

Abercrombie	Andrews	Barcia
Ackerman	Baesler	Barrett (WI)
Allard	Baldacci	Becerra

Beilenson
Bentsen
Berman
Bevill
Boehlert
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Bunn
Camp
Cardin
Chabot
Christensen
Clay
Clayton
Coble
Coleman
Collins (IL)
Condit
Conyers
Costello
Coyne
Cramer
Crane
Danner
DeFazio
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Doyle
Duncan
Durbin
Edwards
Engel
Ensign
Eshoo
Evans
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Foglietta
Forbes
Ford
Fox
Frank (MA)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gallegly
Gephardt
Geren
Gibbons
Gordon
Green
Greenwood
Gutierrez
Hamilton
Hefner
Hinchey
Hoekstra
Holden
Hoyer
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy (MA)
Kennedy (RI)
Kildee
Klink
Klug
LaFalce
Lantos
LaTourette
Lazio
Leach
Levin
Lewis (GA)
Lincoln
Lipinski
LoBiondo
Lofgren
Lowey
Luther
Maloney
Manton
Manzullo
Markey
Martini
Mascara
Matsui
McCarthy
McDermott
McKinney
McNulty
Meehan
Menendez
Metcalf
Meyers
Miller (CA)
Mineta
Minge
Mink
Moakley
Moran
Morella
Myers
Nadler
Neal
Neumann
Ney
Oberstar
Obey
Olver
Orton
Owens
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pomeroy
Porter
Poshard
Rahall
Ramstad
Rangel
Reed
Regula
Reynolds
Richardson
Riggs
Rivers
Roemer
Rogers
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Shays
Skaggs
Skeen
Slaughter
Stark
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Thurman
Torkildsen
Torres
Torricelli
Towns
Tucker
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Ward
Waters
Watt (NC)
Waxman
White
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Zimmer

NOES—208

Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Canady
Castle
Chambliss
Chenoweth
Chrysler
Clement
Clinger
Clyburn
Coburn
Collins (GA)
Combest
Cooley
Cox
Crapo
Cremeans
Cubin
Cunningham
Davis
de la Garza
Deal
DeLauro
DeLay
Diaz-Balart
Doolittle
Dornan
Dreier
Dunn
Ehlers
Ehrlich
Emerson
English
Everett
Ewing
Flanagan
Foley
Fowler
Franks (CT)
Frisa
Funderburk
Ganske
Gejdenson
Gekas
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Goss
Graham
Gunderson
Gutknecht
Hall (OH)
Hall (TX)
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hilliard
Hobson
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Johnson (CT)
Johnson, Sam
Jones
Kelly
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Kim
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Kingston
Knollenberg
Kolbe
LaHood
Largent
Latham
Laughlin
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
Longley
Lucas
Martinez
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
Meek
Mica
Miller (FL)
Molinari
Mollohan
Montgomery
Moorhead
Murtha
Myrick
Nethercutt
Norwood
Nussle
Ortiz
Packard
Paxon
Pickett
Pombo
Portman
Pryce
Quillen
Quinn
Radanovich
Roberts
Rohrabacher
Ros-Lehtinen
Rose
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Shadegg
Shaw
Sisisky
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Tiahrt
Traficant
Upton
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)
Zeliff

NOT VOTING—12

Chapman
Collins (MI)
Dickey
Fields (TX)
Flake
Hastings (FL)
Kleczka
Mfume
Oxley
Shuster
Thornton
Yates

☐ 1220

Messrs. ROHRABACHER, GILCHREST, GONZALEZ, LATHAM, and WHITFIELD changed their vote from ''aye'' to ''no.''

Messrs. DICKS, LAZIO of New York, METCALF, MYERS of Indiana, ROGERS, PARKER, BUNN, JEFFERSON, KENNEDY of Rhode Island, and Ms. BROWN of Florida changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in subpart G of part 1 of the report.

AMENDMENT OFFERED BY MS. DE LAURO

Ms. DELAURO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. DELAURO: Page 311, strike out lines 1 through 13, relating to section 732 (expansion of existing limitations on the use of defense funds for the performance of abortions).

The CHAIRMAN. Under the rule, the gentlewoman from Connecticut [Ms. DELAURO] and a Member opposed each will be recognized for 20 minutes.

Does the gentleman from California [Mr. DORNAN] claim the time in opposition?

Mr. DORNAN. Yes, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentlewoman from Connecticut [Ms. DELAURO] for 20 minutes, and then the gentleman from California [Mr. DORNAN] will be recognized for 20 minutes.

Ms. DELAURO. Mr. Chairman, I yield myself 2 minutes.

(Ms. DELAURO asked and was given permission to revise and extend her remarks.)

Ms. DELAURO. Mr. Chairman, I offer this bipartisan amendment on behalf of myself, the gentlewoman from Colorado [Mrs. SCHROEDER], the gentlewoman from California [Ms. HARMAN], the gentleman from Massachusetts [Mr. TORKILDSEN], and the gentleman from Kentucky [Mr. WARD]. Our amendment strikes language in this bill that would prohibit privately funded abortions from being performed at overseas military hospitals.

Mr. Chairman, this amendment preserves the right to choose for female military personnel and dependents, and it insures that these women who serve our country in uniform are not denied safe medical care simply because they are assigned to duty in other countries.

I want to emphasize several points about our amendment:

First, it simply continues current policy that allows women to use their own funds. Let me repeat that: Their own funds to pay for abortions in overseas military hospitals. These patients are charged the full reimbursement rate for same-day surgery, more than the cost for abortion services at private facilities in this country, in order to insure that no Federal funding is involved.

Second, no medical providers will be forced to perform abortions. This amendment preserves the conscience clause that already exists in all branches of the military.

Third, this is not a new policy. Privately funded abortions were allowed at overseas military facilities from 1973 to 1988, including all but a few months of the Reagan administrations, and they have been permitted again since President Clinton's executive order of January 1993. The ban that existed from October 1988 to January 1993 was the exception.

This amendment involves no special treatment or taxpayer funding. It simply assures that women who served in the armed services have access to safe medical care.

I urge the support for this amendment.

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

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. DORNAN] for 20 minutes.

Mr. DORNAN. Mr. Chairman, I will have about 11 speakers, and do I understand correctly, sir, that there is 20 minutes on each side? I have come up with a strict time allocation, and I have several people from leadership. I have a medical doctor who is an Army major that will be my leadoff speaker, and I will ask the folks speaking to please understand my problem when I say I cannot yield any additional time to them. This is not one of the easiest things.

The CHAIRMAN. Does the gentleman from California [Mr. DORNAN] yield time to himself?

Mr. DORNAN. Yes, Mr. Chairman, I yield myself 1 minute, possibly 2.

The CHAIRMAN. The gentleman from California is recognized then for 1 minute.

Mr. DORNAN. Mr. Chairman, not only will I have an Army doctor, a major, one of our newest Members, the gentleman from Florida [Mr. WELDON], to speak, and those stalwarts who are all chairmen now like the gentleman from Illinois [Mr. HYDE] and the gentleman from New Jersey [Mr. SMITH]. Our whip is going to speak early on here, the gentleman from Texas [Mr. DELAY], the secretary of our conference, the gentlewoman from Nevada [Mrs. VUCANOVICH], some other freshmen, people who have been leaders in this issue, the gentleman from Missouri [Mr. VOLKMER], one of the great pro-lifers in this House on the other side of the aisle, and we are not going to have time even with all those great speakers to get into a fulsome abortion debate, but I missed the press conference this morning organized by our freshmen about, and this is what people who are pro-abortion or pro-choice do not want to discuss, called partial birth abortion, where they start the birth process, they bring the baby—it is not a fetus at this point—down into the birth canal, and then they suck its brains out. They do not want to talk about things like that. I do not want anything like that going on in military hospitals.

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

Mr. DORNAN. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I do not want this going on in military hospitals, nor does a single doctor, male or female, Army, Navy, Air Force, Marine Corps uses Navy doctors, want to do this. Our defense dollars are to save lives, not to flatline brain waves and not to snuff out little beating hearts.

So, with that I will just say there is going to be a lot of misinformation. These are military hospitals paid for with tax dollars, and so are the doctors.

Mr. Chairman, I yield 2 minutes to the gentleman from Florida [Mr. WELDON], an Army major, Army medical doctor.

Mr. WELDON of Florida. Mr. Chairman, I thank the gentleman from California for yielding this time to me, and I will try to make my comments brief so that perhaps some of the other speakers would have the time that they need.

I would just like to share with my colleagues on both sides of the aisle that, when the Reagan policy was initiated, I was in the Army Medical Corps. and I was practicing medicine. I was actually in my residency, and I was working with many ob/gyn residents, and the general consensus, at least amongst the people who are out there doing what we asked them to do, was that we very much appreciated the Reagan policy because the feeling amongst most physicians is that providing abortions is not medical care. Most physicians go to medical school because they want to help the sick and help the needy, and the idea of using those skills to snuff out the life of the unborn is directly in contradiction with the principles that drew them into medicine, and to have a military officer, a military medical officer of all people, involved in doing this procedure, the use of a military facility runs directly in contradiction with all of those principles that drew us, as physicians, into the Medical Corps, and we were very grateful for that policy, and I am very much wholeheartedly in support of the gentleman from California, Mr. DORNAN's, amendment. I believe that it will be upheld.

I believe the sentiment of this Congress has shifted in favor of our position, and I speak as a man of experience who has been out there taking care of military families, and speak with that experience, and I say to my colleagues that this policy is very, very much embraced by the officers in the Army Medical Corps, in the Air Force Medical Corps, who wholeheartedly support the belief that we should be in this business.

□ 1230

Ms. DELAURO. Mr. Chairman, I yield myself 10 seconds just to make a comment on what the prior speaker said.

Mr. Chairman, there is the conscience clause which is preserved, as in all branches of the military, as it is here. So there is no military personnel, professional personnel, who has to deal with performing a procedure.

Mr. Speaker, I yield 1½ minutes to a cosponsor of this amendment, the gentleman from Massachusetts [Mr. TORKILDSEN]. It is a pleasure to yield in the bipartisan spirit of this amendment.

Mr. TORKILDSEN. Mr. Chairman, I rise today in support of this amendment to protect the basic right of women to choose.

To reiterate, under the law now no military personnel can be forced to participate in an abortion if they do not choose to. There is a conscience clause which will still remain in effect if this amendment passes, and I hope this amendment passes.

We all understand, whether we agree or not, that safe and legal access to abortion is the law of the land. The provision in this bill which we are seeking to strike would deny that right to service women, to the spouses of service men, and to their dependents who are overseas.

Current defense policy does not contribute any funds for abortion services. As a supporter of the Hyde amendment, and I repeat that, I am a supporter of the Hyde amendment, I agree with that policy. Federal funding is not the issue here. This amendment will correct a provision in the defense bill that would discriminate against women in the military.

Passage of this amendment will only allow current policy to continue. If a woman seeks to have an abortion, she can do so, but only if she uses her own funds. Let us keep that basic right and vote yes for this amendment.

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

The CHAIRMAN. The gentleman yields back 15 seconds.

Mr. DORNAN. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas [Mr. DELAY], our leadership on this side, our whip.

Mr. DELAY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in very, very strong opposition to the DeLauro pro-abortion amendment. As many of you know, the majority of Americans oppose Federal funding for abortion. However, just 4 days after his inauguration, President Clinton issued an executive memorandum allowing military facilities to perform abortions.

The DeLauro amendment takes the President's memorandum even further, to codify the use of Federal tax dollars for abortions in U.S. overseas military facilities.

Make no mistake about it. When the taxpayers spend their money to open the clinics and open the hospitals, to build the facilities and pay for the doctors, taxpayers are paying for abortions that may be paid for by the woman, but that fee in no way covers the cost of these facilities.

The Dornan language now in the bill passed overwhelmingly in committee. The Dornan language simply restores the Reagan and Bush policy that prohibited overseas military facilities from performing abortions.

As my friends on the other side of the aisle will agree, this is a very emotional issue, so let me be very clear about what is happening here. President Clinton and supporters of the DeLauro amendment are obligating men and women who have taken the Hippocratic Oath, who may find abortion morally and professionally unconscionable, to perform abortions in federally funded facilities. It is not only morally offensible, but it is an abuse of Federal tax dollars. Vote no on the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield myself 10 seconds.

Mr. Chairman, this amendment in no way adds to current law. It simply strikes the new language in the bill. It does not go further than what current law is all about. Women pay for these costs, and it is a price determined by the military hospital, payable to the U.S. Treasury.

Mr. Chairman, I yield such time as he may consume 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 rise in strong support of this amendment.

Mr. Chairman, I rise in support of the DeLauro amendment to the Defense authorization bill. This amendment simply preserves the right for our female military personnel and their dependents stationed abroad to have the same constitutional rights guaranteed to women here in America.

Current policy allows women stationed overseas to use their own personal funds to obtain abortion services at military hospitals. This legislation seeks to reverse this policy and ban such privately funded abortions. This is wrong and contrary to public law. We should not discriminate against female military personnel just because they are stationed overseas.

The issue here is not taxpayer funding nor special treatment for these women. No military medical providers would be forced to perform abortions. No Federal funds would be used. This is just an issue of fairness to the women who sacrifice every day to serve our Nation. They deserve the same quality of care that women in America have access to each day.

American women here and abroad should have the right to choose. This right is protected by the Roe versus Wade Supreme Court decision and ultimately the U.S. Constitution. The DeLauro amendment simply reaffirms this right. It is an issue of fairness and equity. I urge my colleagues to support it.

Ms. DELAURO. Mr. Chairman, I yield 2 minutes to the gentlewoman from Colorado [Mrs. SCHROEDER].

Mrs. SCHROEDER. Mr. Chairman, I thank the gentlewoman from Connecticut for her leadership on this.

She is absolutely right. If we do not pass this amendment, what we are going to be doing is making the women who serve either as dependents, following their spouses around wherever they are ordered to go, or women in the military second class citizens.

We are sending them all over the world. They do not get to pick where they go, they are ordered where to go, all over the world to protect our freedoms, and then denying them the very same freedoms that they would be allowed at home.

Now, I think it is so important to say that their being able to exercise these freedoms impinges on no one in the military, because the conscience clause is there, alive and well, and any military medical personnel can exercise it.

Second, these fees are set the same way they are set in the private sector; that is, there is a pro rata share of the overhead assessed. So the people are paying the full cost of this.

Mr. Chairman, only 10 of these have happened since this was lifted. This is not something someone does lightly. But it is something when you are far away from home and something goes wrong with the pregnancy or something happens that the woman's life or health is in jeopardy, you would like to think they have the constitutional right and the backing of the U.S. Congress, that ordered them into this place way far away, to be able to exercise those rights and protect their health. That is what this is about.

Are we going to treat these people as full class citizens, or aren't we?

When we station military personnel we do not ask them to give up their rights to free speech, to exercise their religion, to assemble. We don't require them to give up their legal protections against illegal searches and seizures, the right to a speedy and public trial, a right to an attorney. This bill, as reported out of the subcommittee, asks military women and dependents to give up their legally protected right to choose.

Currently, active duty women stationed overseas, and dependents of military personnel stationed overseas are guaranteed the same rights that they would have if they were stationed stateside because they are allowed to pay the costs of an abortion in a military hospital out of their own pocket. Currently, no DOD funds can be used to fund abortions unless the life of the mother is in danger. Currently, no military medical personnel are required to perform an abortion if they object to doing so, unless the life of the mother is at risk.

The ban on privately paid abortions for military women overseas strips women of the very rights they were recruited to protect.

The ban on abortions at military hospitals is unfair, dangerous, and discriminatory to military personnel. Prohibiting women from using their own funds to obtain abortion services at overseas military health facilities endangers their health. Women will be forced to seek out illegal, unsafe procedures, or be forced to delay the procedure for several weeks until she can return to the States. The question for our House colleagues is whether they can justify limiting constitutionally protected rights and providing a lower standard of health care to military women and family members simply because of their geographical location. I cannot.

Mr. DORNAN. Mr. Chairman, I yield 1 minute to the gentlewoman from Nevada [Mrs. VUCANOVICH], part of our leadership.

(Mrs. VUCANOVICH asked and was given permission to revise and extend her remarks.)

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

Mr. Chairman, the men and women who serve as military doctors in our armed services take an oath to save and defend lives. Most do not want to participate in the destruction of human life. Despite the great reluctance of doctors to perform abortions—the Pentagon, under the direction of the Clinton administration, is insisting that a way be found to allow abortion on demand at our military facilities.

While women seeking an abortion must pay for the procedure—having the procedure take place at a military hospital raises concerns regarding the use of taxpayers money to subsidize abortion-related expenses.

Opponents of the Dornan provision may argue that many nations hosting U.S. military bases may have limits on abortions—making it difficult to obtain this procedure safety—however the military is bound to respect the laws of host countries including any restriction on abortions. Furthermore, U.S. women overseas may continue, as they have for years, to go to Germany and use facilities that are just as safe as anywhere in the United States. The DeLauro amendment would strike this provision in the bill despite the fact that military doctors want nothing to do with aiding the destruction of unborn children and that the majority of the American people do not want their tax dollars to subsidize abortion either directly or indirectly. I urge my colleagues to reject the DeLauro amendment and support this Dornan provision included in H.R. 1530.

Ms. DELAURO. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Texas [Ms. JACKSON-LEE].

(Ms. JACKSON-LEE asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Chairman, let me offer my unanimous consent in support of the DeLauro-Schroeder amendment to keep freedom among our American men and women in the military and to support the right of life of women.

Mr. Chairman, President Clinton had made a positive move in affirming the importance of women's health when he lifted the Department of Defense ban that prohibited women from obtaining abortion services at military facilities overseas, even if paid for with their own private funds. Today, the Republican majority of the National Security Committee believe the ban should be reinstated. This would be a tragedy.

I rise in support of the DeLauro amendment to H.R. 1530 that would strike this provision from the bill. A woman's right to choose is constitutionally protected, and such protection is still guaranteed for U.S. citizens who are serving their country on foreign soil. The issue at hand is not about who will pay for the abortion, or whether or not it is constitutionally right, but if women who serve overseas will have access to good medical care.

Getting a safe, legal abortion in the United States is relatively simple. However, living in a foreign nation where abortion is illegal or the blood supply may be unsafe creates a considerable burden for a woman seeking sensitive medical attention—attention that could be safely administered in a U.S. military facility. It would be of no advantage to our military forces for their female service members to be exposed to medical conditions that pose a substantial risk of infection, illness, or even death.

As a recent New York Times editorial proclaimed, by including this language in the bill, the National Security Committee is sending a clear message to America's military women: "They can fight for their country. They can die for their country. But they cannot get access to a full range of medical services when their country stations them overseas."

I urge my colleagues to oppose the committee's language by voting in favor of the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield such time as he may consume to the gentleman from California.

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

Mr. FARR. Mr. Chairman, I rise in support of the amendment.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Chairman, I rise in support of the DeLauro-Harman-Torkildsen amendment, which upholds current military policy to permit American troops and dependents stationed overseas to obtain privately funded abortion services in military facilities.

We should not look at this as a pro-choice or pro-life issue. It is really a discrimination issue. Abortion is legal in the United States, and servicewomen serving the United States at a base overseas should not be denied safe reproductive health services.

As my colleagues have pointed out, we are talking about privately funded abortions. Servicewomen and their dependents use their own money to obtain an abortion. No Federal funds are involved. Furthermore, and this is just to correct something that has been said a couple of times here, medical personnel have the option to opt out and not participate in an abortion procedure.

Servicewomen and their dependents deserve to know they will have access when they are overseas to safe reproductive health service. A woman's health should not be jeopardized because she is serving the U.S. military in a country where medical facilities are inadequate or an abortion is illegal. This Congress has made great strides to get government out of people's lives. We should not take a step back. I urge a ''yes'' vote on the amendment.

Mr. DORNAN. Mr. Chairman, I yield 2¼ minutes to the gentleman from New Jersey [Mr. SMITH], one of our great pro-life leaders in the House.

Mr. SMITH of New Jersey. Mr. Chairman, the largely untold story concerning Mr. Clinton's unethical order of January 22, 1993, to turn DOD health care facilities into abortion mills is that military obstetricians, nurses, and anesthesiologists around the world adamantly refused—and continue to refuse—to comply with the death order.

In so doing, these men and women in uniform from Europe to the Pacific have demonstrated to use all that they are healers first and always, and that they regard it as inconsistent and schizophrenic with the role of healers to be butchers of innocent children.

Because of their deep convictions and reverence for human life, no one will ever say of them, when the injustice of permissive abortion is finally exposed, that they were just following orders.

The military doctors' steadfast refusal to inject children with hypodermic needle dripping with poisons or to dismember unborn babies with razor tipped knives hooked up to suction machines, only underscores how seriously these physicians regard the value, dignity, and integrity of each and every human life.

These medical people are healers. They are defenders of vulnerable kids who have been put at risk by the abortion culture. They recognize that the highest calling of their profession is to protect, nurture, safeguard all of their patients, including unborn babies.

In like manner, under the Dornan language, DOD hospitals and health care facilities, will once again be institutions exclusively dedicated to healing.

Unless you construe an unborn child to be a tumor or cyst—and pregnancy itself a disease—abortion on demand as authorized by the DeLauro amendment has no place at these facilities.

With each passing day, Mr. Chairman, more Americans are peeling away the myths and euphemisms that cloak and sanitize abortion and are instead recognizing that abortion is child abuse.

The coverup of abortion methods is over.

Today, hearings began in the Judiciary Committee on outlawing the gruesome partial birth abortion. In this method the abortionist delivers most of the baby's body, however, the skull is cut while still inside the woman, and the brain sucked out.

Here's how Dr. Martin Haskell, who boasts of having performed over 700 partial birth abortions, described the procedure at a National Abortion Federation seminar on second trimester abortion:

The surgical assistant places an ultrasound probe on the patient's abdomen and scans the fetus, locating the lower extremities. This scan provides the surgeon information about the orientation of the fetus and approximate location of the lower extremities. The tranducer is then held in position over the lower extremities.

The surgeon introduces a large grasping forcep, such as a Bierer or Hern, through the vaginal and cervical canals into the corpus of the uterus. Based upon his knowledge of fetal orientation, he moves the tip of the instrument carefully towards the fetal lower extremities. When the instrument appears on the sonogram screen, the surgeon is able to open and close its jaws to firmly and reliably grasp a lower extremity. The surgeon than applies firm traction to the instrument causing a version of the fetus (if necessary) and pulls the extremity into the vagina.

By observing the movement of the lower extremity and version of the fetus on the ultrasound screen, the surgeon is assured that his instrument has not inappropriately grasped a maternal structure.

With a lower extremity in the vagina, the surgeon uses his fingers to deliver the opposite lower extremity, then the torso, the shoulders and the upper extremities.

The skull lodges at the internal cervical os. Usually there is not enough dilation for it to pass through. The fetus is oriented dorsum or spine up.

At this point, the right-handed surgeon slides the fingers of the left hand along the back of the fetus and ''hooks'' the shoulders of the fetus with the index and ring fingers (palm down). Next he slides the tip of the middle finger along the spine towards the skull while applying traction to the shoulders and lower extremities. The middle finger lifts and pushes the anterior cervical lip out of the way.

While maintaining this tension, lifting the cervix and applying traction to the shoulders with the fingers of the left hand, the surgeon takes a pair of blunt curved Metzenbaum scissors in the right hand. He carefully advances the tip, curved down, along the spine and under his middle finger until he feels it contact the base of the skull under the tip of his middle finger.

Reassessing proper placement of the closed scissors tip and safe elevation of the cervix, the surgeon then forces the scissors into the base of the skull or into the foramen magnum. Having safely entered the skull, he spreads the scissors to enlarge the opening.

The surgeon removes the scissors and introduces a suction catheter into this hole and evacuates the skull contents.

The coverup of the methods of abortion is over.

As included in the bill, Mr. DORNAN's language honors these doctors and their profession and above all, safeguards both patients—mother and child—from the exploitation of abortion on demand. By reinstating the Reagan-Bush policy of prohibiting the use of DOD facilities for abortion on demand, this Congress can save precious lives—always a laudable goal. The DeLauro amendment guts the Dornan language and will allow Mr. Clinton to force DOD facilities to get involved in the grisly abortion business.

Reject the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California [Ms. HARMAN], a cosponsor of the amendment.

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Mr. Chairman, I thank the gentlewoman and salute her.

Mr. Chairman, denying servicewomen the right to choose has no place in the defense authorization bill. During subcommittee and full committee markups, I repeatedly urged my colleagues not to include divisive social issues. Regrettably, a majority of the committee voted to repeal current policy and ban all privately funded abortions performed in military hospitals overseas. So now every woman on the committee, Democrat and Republican, rises today in support of striking this punitive and unconstitutional provision.

This is a matter of fairness. Servicewomen and military dependents stationed abroad do not expect special treatment, only the right to receive the same services guaranteed to American women by Roe versus Wade, at their own expense, that are available in this country. Under current policy, no Federal funds are used, and health care professionals who are opposed to performing abortions as a matter of conscience or moral principle are not required to do so.

Today's vote is part of a larger agenda to roll back a woman's right to choose. This agenda hurts military women overseas, and I urge my colleagues to depoliticize this issue and vote for equitable rights and health services for military women and military dependents serving patriotically overseas.

□ 1245

Mr. DORNAN. Mr. Chairman, I yield 1 minute to the gentleman from Florida, Mr. CLIFF STEARNS, another great pro-life leader and an Air Force officer.

Mr. STEARNS. Mr. Chairman, I thank the gentleman from California for yielding time to me.

Mr. Chairman, I rise in support of the language offered by the gentleman

from California [Mr. DORNAN], and strongly object to the language offered by the gentlewoman from Connecticut [Ms. DELAURO].

I might point out to her and others that this identical vote occurred in the Committee on National Security on May 24, and the existing language was overwhelmingly accepted. Both Democrats and Republicans supported it, mostly Republicans supported it, except for three. In a showdown on the committee, the Dornan language was overwhelmingly supported. I think it should be supported on the House floor.

Let me say, Mr. Chairman, abortion in a tax-supported hospital is the question, nothing else. Also, when we talk about the military, there is a propensity for a professional and ethical climate. We should not allow this amendment to win. Only a scant few military physicians want to perform abortions, so we should keep that in mind. Let us vote with the military today, and vote against the amendment of the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Chairman, I proudly, in the bipartisan spirit of this bill, yield 1 minute to the gentlewoman from Maryland [Mrs. MORELLA].

(Mrs. MORELLA asked and was given permission to revise and extend her remarks.)

Mrs. MORELLA. Mr. Chairman, I thank the gentlewoman for yielding time to me, and for introducing this amendment, which I strongly support.

Mr. Chairman, I rise in strong support of the DeLauro amendment, which would maintain the current policy guaranteeing that women serving in our Armed Forces can exercise their full range of constitutionally protected rights.

This amendment is not about using U.S. taxpayer dollars to finance abortion. Rather, it is an effort to assure that servicewomen based in Saudi Arabia or Guatemala, or other countries that do not allow abortion, will be able to access the medical facilities which we provide for them to attend to their own medical needs as they see fit. Even if women are serving in developing countries where abortion is legal, they are not likely to find the same high standards of cleanliness, safety, and medical expertise available at a U.S. facility.

The DeLauro amendment would simply allow servicewomen to obtain the same range of health services at those facilities that they can now obtain at home. This is not a complicated issue. The amendment would assure that women of our Armed Forces that they need not sacrifice their constitutional rights in order to serve their country. It would also assure our military men that their spouses would retain their full rights.

I urge members to support the DeLauro amendment.

Mr. DORNAN. Mr. Chairman, I yield 1 minute to the gentleman from Maryland, Mr. ROSCOE BARTLETT, one of the scientists who serves in the House, and another pro-life leader.

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Chairman, H.R. 1530 contains language that returns us to the policy that stood during the Reagan and Bush years that prohibited abortions from being performed on military hospitals. Today's amendment would codify in law the radical change to this policy by the Clinton administration.

Mr. Chairman, it boggles my mind that we are even here today debating such an amendment. The purpose of our military hospitals is to save lives not to take them. Most military doctors believe this so strongly that it is next to impossible to find a military doctor who will perform an abortion. But to get around this policy, the pro-abortion forces are attempting to bring civilians onto military facilities, who they will pay large sums of money, to perform abortions. Most members of the military medical corps are so outraged by this procedure that they do not feel comfortable being on the same base where abortions are being performed.

Let us save innocent life, not take it. Let us abort the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from Kentucky [Mr. WARD] who is a cosponsor of the legislation.

Mr. WARD. Mr. Chairman, I rise to speak in favor of this amendment. Women who serve our country in the military overseas should have the same rights as women who serve in this country. To deny abortion services to these women which they pay for themselves is discrimination. Women would be left with no alternative, and, in a desperate situation, could risk their health and maybe their lives by seeking to terminate their pregnancy any way they can.

Mr. Chairman, an administrative ban is all that existed from 1988 to 1993. Before 1988, Defense Department policy allowed privately funded abortions, no Federal funds used, proffered for them to be available for women in the military overseas, in accordance with the law of the land as set forth in the Roe versus Wade decision of the Supreme Court.

Mr. Chairman, this is an issue of providing health care services for women who are doing their duty and serving their country.

Mr. DORNAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky [Mr. BUNNING], the father of a full baseball team who is closing on 30 grandchildren.

(Mr. BUNNING of Kentucky asked and was given permission to revise and extend his remarks.)

Mr. BUNNING of Kentucky. Mr. Chairman, I rise in the strongest possible opposition to the DeLauro amendment to H.R. 1530, the Department of Defense authorization bill.

By seeking to force U.S. military hospitals to perform abortions, the Clinton administration is in my view promoting elective abortions contrary to the Hyde amendment policy and Federal law.

Under Supreme Court precedent, public hospitals can choose to deny to perform elective abortions regardless of whether these abortions would be paid for with public or private funds.

But the DeLauro amendment would mandate that Government-run military hospitals have to perform this awful procedure. Period. They would have no choice in the matter.

It does not make sense to me to have one set of policies for our civilian hospitals and another for the medical installations on our military bases.

Proponents of the DeLauro amendment rely on the argument that under this proposal abortions would not be paid for with public funds. But I have to disagree with this.

These abortions would be performed on taxpayer-supported bases in taxpayer-supported medical facilities.

The DeLauro amendment might claim that these abortions would be paid for with private funds. But the inescapable fact is that whether one talks about the funds that pay the hospital utility bills or for leased land that the base occupies, taxpayer dollars do support facilities that would carry out these abortions.

This contradicts the clear, strict language of the Hyde amendment that says that no Federal dollars can be used for abortion. It's that simple.

The other side on this issue tries to get around the Hyde amendment policy with their proposal. But the fact of the matter is that no matter how hard they try, they cannot.

Mr. Chairman, section 732 of the base bill that the DeLauro amendment purports to strike is nothing new. It is simply a restoration of the pro-life policies that we had under Presidents Bush and Reagan.

It was wrongly overturned by Executive order by President Clinton, and I staunchly believe that it is time now for Congress to assert its prerogative and reinstitute the Reagan-Bush policy.

I urge my colleagues to vote against the DeLauro amendment. We should not have elective abortions in America, and we certainly should not permit them on our overseas bases. This is one thing we certainly do not need to export from America.

The National Security Committee easily defeated this amendment, and for 12 of the last 15 years our national policy has argued the exact opposite position. Now it is time to defeat the DeLauro amendment and eliminate the outrage of elective abortion from our military bases.

Mr. Chairman, I urge all of my colleagues to vote against this disturbing amendment.

Mr. DORNAN. Mr. Chairman, I happily yield 2 minutes to the distinguished gentleman from Kentucky, Mr. RON LEWIS, a member of my Subcommittee on Military Construction.

Mr. LEWIS of Kentucky. Mr. Chairman, I rise today in opposition to the DeLauro amendment, which would keep the military in the business of sanctioning the taking of innocent life.

Under the Reagan and Bush administrations, the U.S. military's fine medical personnel stationed overseas did not double as abortionists.

When Bill Clinton became President, that commonsense and family-friendly

policy was canceled by Executive order.

So much for making abortions rare.

Mr. Chairman, I believe with all my heart that abortion is wrong in every sense—unless the mother's life is threatened by her pregnancy.

A Navy commander who heads a surgical department said recently that he could not oversee an operating room that delivered babies in one room and killed them in the next.

Mr. Chairman, we should not put military doctors, who sacrifice many productive and lucrative years to serve our country, in this position.

Abortion is one of the issues that divide this Nation the most. People on both sides feel passionately about their position.

But I believe it is wrong and destructive to use the military as a wedge to divide the country further.

The fact is, our doctors and staff are overworked now, and their facilities overcrowded.

Military medical personnel are there to keep soldiers, sailors, airmen, and marines—and their families—alive and well.

They did not join the military to advance a liberal social agenda.

Mr. Chairman, the President's Executive order was wrong—and we have a chance to correct his mistake.

The military sometimes has to take a life in the defense of our country.

They should not have to take the life of an innocent baby.

I urge my colleagues to vote ''no'' on the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield such time as she may consume to the gentlewoman from California [Ms. PELOSI].

(Ms. PELOSI asked and was given permission to revise and extend her remarks.)

Ms. PELOSI. Mr. Chairman, I rise in support of the DeLauro amendment. I commend the gentlewoman for offering it and urge our colleagues to support it.

Mr. Chairman, I rise to add my voice to those in support of the DeLauro amendment to the Defense Authorization Act, to strike a provision which is a clear threat to the health of women military personnel and their families, as well as a threat to the constitutional rights of all American women.

Women stationed overseas in service to their country depend on base hospitals for medical care. These women are citizens ready and willing to sacrifice their lives for their country. Under the bill as it currently stands, however, these women are treated as second class citizens. Under this bill, these brave women would be denied access to safe medical care. These women are expected to serve without being served.

The issue here is not taxpayer funding. Women in the military currently must use their own funds to obtain abortion services at military hospitals.

The issue here is not forcing medical providers to perform abortion services. The DeLauro amendment maintains the conscience clauses already in effect.

The restrictive language in the defense authorization bill is obvious in its intent to deny women the right to choose. I urge my colleagues to have concern for the needs and safety of American women serving abroad and to support the DeLauro amendment striking the provision.

Ms. DELAURO. Mr. Chairman, again in the spirit of bipartisanship on this amendment, I yield 1 minute and 10 seconds, with pleasure, to the gentlewoman from New York [Ms. MOLINARI].

Ms. MOLINARI. Mr. Chairman, I rise today in strong support of the DeLauro amendment and the women who serve this country so diligently in the military. As James Madison once said, ''Equal laws protecting equal rights (are) the best guarantee of loyalty and love of country.'' This amendment before us today is about equal protection under the law for all American women serving this great country.

When American women volunteered to risk their lives in order to protect our country, they did not volunteer to give up their rights, or their family's rights, to access adequate medical services and medical services available under law in our country. Many countries hosting U.S. military personnel simply do not provide the same level of health care services which make it necessary for our men and women to use military medical facilities.

By singling out abortion services and making it a crime to use your own money to pay for these services, women will undoubtedly be placed in great medical danger. If a woman serving overseas makes a personal choice to have an abortion, which is her legal right as an American citizen, she will risk an unsafe or illegal procedure.

I urge my colleagues to vote in favor of this amendment and for freedom and fairness to our military women.

Mr. DORNAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri, Mr. HAROLD VOLKMER, another outstanding pro-life leader in this Chamber on the Democratic side.

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

Mr. VOLKMER. Mr. Chairman, I rise in strong support for the life of the unborn, and in strong opposition to the amendment offered by the gentlewoman from Connecticut [Ms. DELAURO].

Mr. DORNAN. Mr. Chairman, it gives me great pleasure to yield 2 minutes to the entire delegation of the State of Wyoming, Mrs. BARBARA CUBIN, a hard charging Member and another great pro-lifer.

(Mrs. CUBIN asked and was given permission to revise and extend her remarks.)

Mrs. CUBIN. Mr. Chairman, any women who has conceived a child, carried the child for 9 months, and then given birth to that child knows that life does begin at conception. Human life begins at conception.

I have heard it said several times over and over and over here today that a woman has a right to have an abortion. The fact is the Supreme Court declared that it was not unconstitutional to get an abortion, but it did not make abortion a right for anyone to have, although we know that everyone ought to have the right to live.

Federal funding for abortions and allowing abortions to be performed on U.S. military bases is just as wrong as taking the life of a small child. We depend upon the military might of this country to protect all its citizens, not just those who make it through the first 9 months of their life. We use the Armed Forces to protect the innocent, to protect the weak and the defenseless. Does that describe anyone that I have been talking about? That means children, Mr. Chairman. The military is there to protect the defenseless and the young from life to the grave.

We are also being asked to condone the taking of an unborn child's life on a U.S. military base, the very bases from which we are supposed to defend the lives of all Americans. That does not make much sense to me.

Mr. Chairman, as a matter of fact, the taking of an unborn child's life is totally senseless. When we consider that only 5 percent of the pregnancies that occur are a result of rape, incest, or failed birth control, that means people need to make responsible decisions about preventing pregnancies if they do not want to have a child. Mr. Chairman, I will vote ''no'' on this amendment, and I hope the rest of my colleagues will, too.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. NADLER].

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

Mr. NADLER. Mr. Chairman, without this amendment, the bill would prohibit abortions at Defense Department medical facilities abroad, even though no public moneys would be used to fund such abortions. It would deny American servicewomen the same constitutional rights, the same medical services available to women in the United States. The ignorant and incorrect statement of the preceding speaker notwithstanding, the Surpreme Court has declared the right to abortion a fundamental constitutional right.

Mr. Chairman, remember, we are not talking here of taxpayers' funds. The servicewomen would pay for their own abortions. No doctors would be forced to perform abortions. The conscientious clause remains. This bill is an assault. It is discrimination against our Nation's servicewomen abroad, not only because we would deny them a right they are entitled to on American soil, but because we would force them to risk their lives in often substandard foreign medical facilities if they wish to exercise their constitutionally guaranteed right to choose.

□ 1300

This attack on American women must not be allowed to stand. I urge

my colleagues to join me in supporting this crucial amendment.

Mr. DORNAN. Mr. Chairman, I yield myself 15 seconds.

Hold the fire on the word ''ignorant,'' folks. He says it was ignorant. Well, I think it is ignorant to use the word ''ignorant'' on this House floor.

I have a wife watching, three grown daughters who are all mothers, and folks, more than 50 percent of this country is female and they respect and treasure the sacred, precious life in their womb. This is assault-on-women garbage.

Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. HOSTETTLER], a member of my committee, one of the best new Members of this House.

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

Mr. HOSTETTLER. Mr. Chairman, I rise in strong opposition to the DeLauro amendment. Mr. Chairman, we who serve on the National Security Committee have placed limits on the use of U.S. military facilities to make it clear those facilities should not be used to provide abortions.

Those who oppose these limits argue that their position is simply a matter of fairness.

Despite my questioning whether we can have any discussion of fairness without including the preborn, and despite my profound disagreement with the Supreme Court's reasoning in the Roe versus Wade decision, I want to concentrate on what I see as the real issue at hand.

The Supreme Court has told us that we have to allow the killings of preborn children. It has not, however, told us that government has an obligation to provide this service. The DeLauro amendment, I believe, obligates the United States to make sure abortion services and facilities are available at U.S. military bases.

There are many reasons why we should not obligate the military to provide facilities and services for abortion. For example, despite the assurances from the other side, I believe it is hard to argue there is no subsidy of abortion by U.S. taxpayers in this case. I believe there is a subsidy, though it may be indirect, because everything in our military medical systems is taxpayer-funded—from the doctor's education and availability, to the electricity powering the facility's equipment to the very building itself.

In addition, abortion—while declared legal by the Supreme Court—remains a very divisive practice, and allowing abortions to be performed on military installations would bring that discord and dissension right onto our military bases, complete with pickets and the like.

Some would also argue that it is especially offensive to make the military—an institution dedicated to preserving innocent life by deterring aggression—the provider of a procedure that ends innocent life.

While it is offensive, I see the true issue here to be whether Government has an obligation to provide a right declared by the Supreme Court to be embedded in the Constitution. I think not. In addition, Congress has the clear responsibility and right, as outlined in article 1, section 8, to provide for the rules and regulations of the military.

But I think this general principle is true beyond the unique circumstances of the military. The freedom of the press guaranteed by the first amendment, for example, does not obligate the Federal Government to provide every interested American with a printing press. Pushing this notion further, I ask, should we allow military facilities to be used for prostitution where it is otherwise legal, such as Nevada or Thailand? I think not.

It should not be the policy of the U.S. military to use those facilities to destroy an innocent preborn life.

For this reason, Mr. Chairman, I will vote against the DeLauro amendment, and urge all my colleagues to also vote against it.

Ms. DELAURO. Mr. Chairman, I yield such times as she may consume to the gentlewoman from the District of Columbia [Ms. NORTON].

(Ms. NORTON asked and was given permission to revise and extend her remarks.)

Ms. NORTON. Mr. Chairman, I rise in strong support of the DeLauro amendment.

Mr. Chairman I rise in strong support of the DeLauro Amendment to the defense authorization bill.

One of the great landmarks in freedom for American women came when they won the right for reproductive choice. It is hard to think of a right more important, and it is unthinkable that an American women would have that right as a civilian, but lose it in the service of her country.

There has been a great deal of misrepresentation regarding this amendment. Let me take a moment to explain the truth about what this amendment does not do. With the DeLauro amendment only the current law would be retained, nothing new would occur. No taxpayer money would be used to perform abortions, only the private funds of individual women exercising their constitutional right. No military medical personnel would be forced to perform an abortion. The conscience clause that is currently in effect would be retained. Any person who feels unable or unwilling to perform an abortion would not be required to do so.

What this amendment does do, however, is to allow servicewomen to maintain their rights abroad while fighting to retain our rights here at home. It is crucial that as these brave women serve our country, they are allowed access to the identical safe health care that the Supreme Court has decided is a right of all American women.

Therefore, I urge my colleagues to vote in favor of the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield 45 seconds to the gentlewoman from Florida [Mrs. FOWLER], my colleague on the Committee on National Security.

(Mrs. FOWLER asked and was given permission to revise and extend her remarks.)

Mrs. FOWLER. Mr. Chairman, I rise in support of the DeLauro amendment.

I see this as a simple matter of fairness. The women who proudly serve in the U.S. military overseas, and the dependents of U.S. military men overseas, should have access to the same quality of services that are legally available in the United States. The DeLauro amendment ensures this without causing taxpayer funds to be spent for any abortion procedure, and without requiring any health care worker who conscientiously objects to such a procedure from being compelled to participate.

Some would contend that taxpayers are footing the bill just the same because hospital utilities, administrative overhead, and the like would still be financed by the taxpayer. I believe this is a specious argument: If this is the new interpretation of the law, then any hospital in the United States that receives Medicaid or Medicare payments should be held equally accountable and forbidden from providing such services. I would contend that is wholly unenforceable and inappropriate position.

I urge my colleagues to support the DeLauro amendment and restore fairness to those who are serving our Nation overseas.

Mr. DORNAN. Mr. Chairman, I yield 1 minute to the best aviator and pilot in either Chamber, in the House of Representatives, and it hurts for me to say that, the Navy Commander, DUKE CUNNINGHAM of California.

Mr. CUNNINGHAM. Mr. Chairman, if you wanted a liposuction or a tummy tuck or a nose job, and you were in the military, even if you paid for it yourself, you should not be allowed to do that at a military base under taxpayer dollars.

The nonavailability letter, we have retirees that live in Mexico, and just like a civilian or military retiree, if you are overseas, all you do is get a letter of nonavailability. No rights are taken away from you, and you have the same rights as you are protected under in this country as well. In emergency situations that is taken care of and provided, especially if it is in case of a life of a mother.

But where taxpayer dollars are involved in this kind of thing, we don't ask you to support our side. You should not be asking other people to pay their taxpayer dollars that don't support your agenda. I ask a ''no'' vote on the DeLauro amendment.

Ms. DELAURO. The gentleman knows that there are no taxpayer dollars involved in this effort.

Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, I thank the gentlewoman for yielding me the time.

Mr. Chairman, this is a very sensitive debate. I respect the positions of people on both sides. But I would say to the

people who oppose the DeLauro amendment, please stop trying to impose your morals on everyone else.

All we are saying is that each woman should be allowed to decide for herself. If she does not want to have an abortion, she does not have to have one. If she wants to have an abortion, then she ought to be entitled to the same things that all other American women are entitled to, that is, the right to choose.

Lipsosuction, tummy tuck, a nose job? Give me a break. How can you compare that, in all seriousness, to abortion?

People ought to have the right to choose. Let them make the decisions for themselves. No public money is being used. No taxpayer dollars are being used. Give women in the military the same choice as other women.

The people who talk about killing, have they ever voted for the death penalty? Let's stop the hypocrisy and let people have the right to choose for themselves.

Mr. DORNAN. Mr. Chairman, I yield 15 seconds to the gentleman from New Jersey [Mr. SMITH] for a response.

Mr. SMITH of New Jersey. Mr. Chairman, I am glad my good friend from New York brought up the death penalty and pointed out that there is killing involved in the taking of human life in abortion. I am one who has voted against the death penalty. I do not believe in it.

I would welcome and invite the gentleman and others who believe as he does to recognize that when chemical poisons and when dismemberment occurs on an unborn child, that is killing. We do not want to facilitate it. That is what this amendment is all about. This facilitates the killing of those babies.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Chairman, I rise in strong support of this amendment. Let's be very clear. This amendment does not commit the use of Federal funds for abortion. It simply allows American servicewomen to use their own money to pay for abortion services at military bases abroad.

This amendment is critical to preserving the basic rights of American servicewomen. The bill before us penalizes women who have volunteered to serve their country by prohibiting them from exercising their constitutionally guaranteed right to choose. This Congress should not limit the constitutional rights of the brave women who are serving our Nation.

The bill also puts the health and lives of our servicewomen at risk. It says to a 19-year-old American woman who has been raped, if you become pregnant, go back to the back alley, go back to that back alley in some foreign country for an unsafe, illegal abortion. It tells our brave servicewomen that in your hour of greatest need, your own country will abandon you.

I urge Members to vote for the DeLauro amendment.

Mr. DORNAN. Mr. Chairman, I yield 1 minute to the gentleman from California, DUNCAN HUNTER, a Congressman, Army officer, and another great pro-lifer in this House.

Mr. HUNTER. Mr. Chairman, unlike my own colleague, DUKE CUNNINGHAM, I was no hero in service to my country and did nothing special, but I think all of us served under an ideal, and that ideal was best articulated by Gen. Douglas MacArthur speaking before this Chamber and before the U.S. Army graduates at West Point when he talked about duty, honor, and country. He said that the American soldier had a reputation for having a character which was honest, and he used another word, stainless.

It seems to me, Mr. Chairman, that when we ask our medical people in the military to do something that is highly unusual with respect to their charter as military officers, we ask them to take two very healthy people who come into a hospital, a mother and a child, totally healthy when they come in, and they leave, one as a wounded person as a result of deliberate medical procedure, and the other person leaves without their life, that is a misuse of the American military.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentlewoman from Oregon [Ms. FURSE].

Ms. FURSE. Mr. Chairman, women in the military deserve the same civil rights as all American women, and they deserve the same civil rights as all servicemen. All medical treatment is available for servicemen at military facilities. Our military women should not have to risk their health nor their civil rights when they serve this country. I urge Members to vote ''yes'' to the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield 30 seconds to the gentlewoman from California [Ms. WOOLSEY].

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, I rise in strong support of the DeLauro amendment to H.R. 1530. H.R. 1530 tramples the rights of military women overseas by denying them their legal right to use their own funds to pay for abortion services.

Mr. Chairman, this body must not condone efforts to take away the legal rights of our female military personnel. The DeLauro amendment only corrects H.R. 1530's glaring violation of the rights of military women by simply preserving DOD's current policy on abortion.

I urge my colleagues to support the rights of our servicewomen and to support the DeLauro amendment.

Ms. DELAURO. Mr. Chairman, I yield 30 seconds to the gentlewoman from Georgia [Ms. MCKINNEY].

Ms. MCKINNEY. Mr. Chairman, it appears that some of my Republican colleagues are suffering from spring fever and can't wait to get their hands on women's bodies. In their rush to implement their neo-victorian social experiment, my colleagues are whittling away at the rights of women and minorities one chip at a time. If we are not careful, women will soon find themselves wearing chastity belts and baking cookies.

Ms. DELAURO. Mr. Chairman, I yield 45 seconds to the gentlewoman from New York [Mrs. MALONEY].

(Mrs. MALONEY asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY. Mr. Chairman, a large majority of the American people support a woman's right to choose. But the radical right in Congress wants to deny U.S. service people the same freedoms they enjoy in the United States, the freedom to pay out of their own pockets to have an abortion.

Legal or not, American women will exercise their right to choose. Don't force service people and their families into dangerous black market abortions overseas. This is senseless public policy. For the health, safety and freedom of those who serve our country, support the DeLauro amendment.

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Mr. DORNAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida [Mr. SCARBOROUGH].

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

Mr. SCARBOROUGH. Mr. Chairman, I rise in opposition to the Delauro amendment.

Ms. DELAURO. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. DURBIN].

Mr. DURBIN. Mr. Chairman, let me tell Members what this debate is really all about. Some of the most radical leaders in the new Republican majority are determined to end the right to choose for American women, and their first target is women in the military. Today they oppose the right of American women in the military to be treated with the same rights and dignity as every other American woman.

This is patent discrimination against American women who have volunteered to serve their country. While America applauds the courage and achievement of women in the military, the Dornan language treats them as second-class citizens. America's servicewomen are prepared to risk their lives in the service of their country. The antichoice forces now are prepared to ask them to also risk their lives in the legal termination of a pregnancy.

Support the DeLauro amendment and support those strong and courageous Republicans who have joined in support of her effort.

Ms. DELAURO. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Florida [Ms. BROWN].

(Ms. BROWN of Florida asked and was given permission to revise and extend her remarks.)

Ms. BROWN of Florida. Mr. Chairman, I rise in support of the women in the military's right to choice.

Ms. DELAURO. Mr. Chairman, I would ask how much time remains on both sides.

The CHAIRMAN. The gentlewomen from Connecticut [Ms. DELAURO] has 1 minute and 45 seconds, and the gentleman from California [Mr. DORNAN] has 1½ minutes remaining.

Ms. DELAURO. Mr. Chairman, I yield myself 1¾ minutes, the balance of my time.

Mr. Chairman, in closing, what I would like to do is to emphasize that this amendment in fact is not about public funding, it is not about special treatment, it is in fact about preserving the right to choose, a right to choose that American women have in the United States.

And it is about safe health care for American military women who serve this Nation and serve it proudly, who are far from home, and who sacrifice every single day for this country, such as women who served proudly and gallantly in the Persian Gulf. They should be able to expect the Federal Government to protect their liberties, both at home and abroad.

This amendment restores current law. There is not a shred of public funding involved in it, contrary to what my colleagues on the other side would like to portray.

The conscience clause is preserved for all branches of the military so that those health professionals who do not want to perform this procedure do not have to do that. This is very, very simply about maintaining and preserving what is the right of women in this country, and that is the right to choose.

Why are we singling out women who serve this country for discriminating treatment? I urge support for the amendment.

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

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

This is not a gender issue. Of my 14 offspring there are 7 of one gender, 7 of another, no confusion in between. This is about Federal taxpayer money. But I think I am willing to concede nobody in this Chamber is going to vote on that issue or should. The lights, the electric, the air-conditioning, the heat in winter, the maintenance of a facility, the pay of the military people who want to be protected from this burden of peer pressure or from a Clinton administration which says we are going to find a way to force this on them.

Mr. Chairman, we do live in a culture of death, and Clinton and his White House team are breathtaking pro-abortion, unlike any of the other preceding Presidents, not even close.

And, Mr. Chairman, one of my friends and colleagues on this side mentioned a Moslem country, the fringe of that country calls us the Great Satan, and this is the first thing they point to. They mentioned a Catholic country, and I think there has been a respectful debate on both sides except for the use of the word ignorant. He is good soul and he is probably sorry he did that. But it is tough when people use constitutional arguments, when I think this is the worst decision since the Dred Scott decision.

My ninth grandchild is one-quarter Jewish, proudly is going to be a baptized, christened on Sunday, and we will glorify his Jewish heritage and keep it in mind. The Nuremberg laws of the late thirties said my grandson Liam could not have served in that government. He was a non-person, and it was all legal under the German Constitution.

Vote ''no'' on the DeLauro amendment. Please support my language.

The CHAIRMAN. All time has expired.

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

Mr. Chairman, I have tried to listen to this entire debate, and tried to listen carefully to Members on both sides of the aisle. I would make several observations.

First, Mr. Chairman, I do not direct this in any sense of anger, but I would caution the Chair that I hope that it does not become a practice in this Chamber that we use the introduction of Members to extend the time. I think that is inappropriate. I think it is not within the confines of good and regular order on the floor of this Congress, and it is very time-consuming. I hope we do not slip down that slippery slope.

Having said that, let me make a couple of other comments.

PARLIAMENTARY INQUIRY

Mr. DELLUMS. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DELLUMS. Mr. Chairman, before I go forward let me propound a parliamentary inquiry so it does not come out of my time.

In introducing Members in this Chamber, is it appropriate to go beyond simply saying the gentlewoman or the gentlepersons from the location and their introduction? I would just like to know that.

The CHAIRMAN. Members should refer to other Members in the third person by State delegation.

Mr. DELLUMS. To proceed, there is one refrain, Mr. Chairman, that I have repeated on this floor, and that is that there ought to be integrity to the process. We all know that there are contentious issues that come to these Chambers, that are contentious issues that can be divisive and they can indeed be emotional. We all understand that.

But that is why we have a very delicate and very fragile and very deliberate legislative process; so that we hold hearings at the subcommittee and the full committee level so that we can deal with unintended consequences. We can try to define the issues as clearly and as precisely as possible so that when we get to the floor, we are indeed debating on the relevant issue that is before us.

Now, to take away a woman in the military's access to the legal procedure of abortion is obviously a contentious issue. I have listened to the debate here. There can be tremendous emotion, even divisiveness. But I would like to point out to my colleague that this provision in this bill that goes beyond current law did not result in 1 second, Mr. Chairman, of hearings at any level. It is a complete distortion of the legislative process.

That is why we are being paid, folks. To be legislators. This provision had no hearings; no opportunity to look into the consequences of this act. So, just on process alone, this provision in this bill should be rejected. We cannot continue to make a mockery of the process.

When we marched through this door the first day of the 104th Congress, there was a commitment to openness, a commitment to fairness, and a commitment to a deliberative process that respected everyone here. I would suggest that this is just one more in a long parade of processes, of measures, that have come to this floor without any deliberation, totally ignoring the nature of our process.

Now, to the substance, Mr. Chairman. I have been an elected official now for almost half of my life. One thing I know about elected officials is we tend to have the most creative minds on the planet Earth. We can work our way around in order to make a statement whether the issue fits that issue or not.

This issue is not an issue about abortion. But if you want to use it as that platform, then all of us have that creative capacity to swing around in midair and find ourselves landing on the issue of abortion.

This is a simple issue of fairness. We salute women in the military; pat them on the back and talk about the great job they do. But if they are overseas they find themselves in a crisis pregnancy, or their dependent, we say you are over there defending the great rights and liberties of America, but they cannot have it overseas. This is not about abortion. It is about whether any human being in this country has equal access to anything any other human being in this country has access to.

And if the issue is safe health care, if the issue is the procedure of abortion, then so be it. Why should a woman in a foreign country find herself caught up in trying to deal with numerous problems and options which may even be a risky, illegal abortion?

So this is about fairness, my colleagues. And I hope that on the basis of fairness and the integrity of the process you will support the DeLauro amendment.

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

The CHAIRMAN. The gentleman from South Carolina is recognized for 5 minutes.

Mr. SPENCE. I yield 5 minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Chairman, I say to my good friend, the gentleman from California [Mr. DELLUMS], that the gentleman will not get this opportunity too often out of me. I stand corrected. I stand corrected on the over-friendly, over-florid introductions of some of my speakers.

I have noticed some Members on both sides of the aisle do that. The friendliness is probably pushing comity, pushing the edge of the envelope, and I have been known to do that, as thee have, sir.

But if this means I can never introduce the gentleman again when I yield to him as one of the finest and fiery orators of this House.

Mr. DELLUMS. The gentleman may do that any time.

Mr. DORNAN. With that exception, I stand advised.

I made comment on one Member using the word ''ignorant'' and I was shocked when off microphone he said, it was ignorant. He was referring to a lady in this House, the entire delegation of the great State of Wyoming.

And I think it has been a pretty good debate. I am going to yield back most of this time. I think everybody know this is issue. I wanted to give a lot of our new Members a chance.

This is the first clear-cut, up-or-down issue on what you call choice, what we call it sacred life. And I am going to get tough on this next point, because it is my tribe, my particular denomination.

First, paraphrasing a great American patriot, Is $133,600 a year so dear and life in the Halls of Congress so precious to be bought at the price of loyalty? Or from the Good Book? What does it profit a person to gain the whole world, or a job in Congress or the Senate, and jeopardize their own soul?

I think this is an issue not of fairness, but of confusion, yes, of constitutionality. I pointed out the Nuremberg laws made my ninth grandchild, in the 1930's when I was born, in a great country that has been mentioned in this debate, unable to own property, go to medical school, or run for political office. I hope he runs for political office in this great country.

□ 1330

But we do live in not only a culture of death but an age of confusion, and I have got a caucus rattling around in my head called the ACFA Caucus, Another Catholic for Abortion, people who tell me they know more than Mother Theresa, ''and she ought to get out of our face.''

No, this is a sad issue. It is a confusing issue. It is an issue where people put it on the line and then cannot eat that vote or ever flipflop back, and it is sad. And it is strange friendships. It is too bad.

It is going to be with us forever because it does involve more than taxpayers' dollars. It involves human souls, partial birth abortions, and, by the lowest estimate of a liberal, pro-abortion group, the Guttmacher Institute of New York, there are at least 1 or 2 percent of the million and a half abortions in this country that are performed in the 7th, 8th, and 9th month, when that little baby in a car crash, when the mother is taken back to God, is viable and often lives.

That means every 2 years a Vietnam wall of deaths is recorded of viable babies who are beyond the fetus stage because they can survive outside their independent mother's life forces, and sometimes with the mother used as an extended placenta because she is brain-dead, and she is on an air machine, an oxygen machine, a heart machine, and in San Francisco one baby surviving like that is now 4½ years old, a little boy who lived over 68 days with his mother's dead body keeping alive his life force and his soul.

So we all know how we are going to vote, I think. Next time, I hope we have more new Members vote.

Mrs. COLLINS of Illinois. Mr. Chairman, I rise in strong support of the amendment being offered today by my colleague, Representative ROSA DELAURO. Her amendment would correct a grave inequity that is currently contained in H.R. 1530, the National Defense Authorization Act of fiscal year 1996.

H.R. 1530 singles out women who serve in the military overseas for a specific, unfair restriction. It prohibits overseas Department of Defense military facilities from providing privately funded abortions. The DeLauro amendment would eliminate this prohibition.

Mr. Chairman, American women have the right to obtain abortions in this country. So why shouldn't American military women who are serving this country overseas have this same right? Especially if they pay for the abortion with their own money? It is grossly unfair and unjustifiable.

Without the DeLauro amendment, H.R. 1530 will drive women into desperate situations in which they may have to seek abortions from unsafe or unsanitary hospitals in foreign countries. Clearly, a pregnant woman is the one and only person who knows what is best for her, and she, in consultation with her family, doctor, and/or clergy, is the one who should make the decision affecting her body, her health, and her life.

I strongly support the DeLauro amendment and urge my colleagues to do the same.

Mr. PACKARD. Mr. Chairman, I rise in opposition to Congresswoman DELAURO's amendment to the defense authorization bill which would nullify requiring the immediate discharge of HIV-positive personnel and banning abortions in military hospitals overseas.

Contrary to the arguments presented by the other side of the aisle, discharging servicemembers who have contracted the HIV–1 virus is not punitive nor discriminatory. The fact is, retaining HIV-positive personnel degrades unit readiness and creates a class of individuals who are unable to deploy if their units are called upon. Those infected often require reassignment and continued restrictions on future assignments because of health related concerns and their inability to serve in combat units. In addition, the military regards all personnel as potential blood donors. Since HIV-infected personnel may not give blood, they detract from available resources.

The opposition has also resorted to scare tactics on abortion. The issue at hand is abortion in facilities funded by the taxpayer. Servicewomen and military dependents will now be asked to utilize private facilities to obtain abortions overseas except in the instances of rape, incest, and the life of the mother. Women will not be forced to seek illegal, or unsafe procedures as propagated by the other side of the aisle.

However, American taxpayers should not be forced to subsidize clinics performing this practice when many of those taxpayers find this procedure abhorrent.

I urge my colleagues to not support the DeLauro amendment.

Ms. BROWN of Florida. Mr. Chairman, today women serve proudly in our military forces. They are often the best and the brightest in the classroom and excel in all aspects of military life. Women have served side by side with men in combat throughout our history; women in the military deserve to be treated with the highest respect.

As the House considers the fiscal year 1996 National Defense Authorization Act, I believe it is imperative that we aim for high morale and outstanding quality of life for our service personnel. A key component of such a goal must be to provide the very best health care for all men and women who serve our country. Therefore, without hesitation, I strongly support this amendment.

In many countries where our military forces are called upon to serve, women who make the difficult choice to have an abortion are unable to obtain a safe abortion locally. Without this health protection, a woman may be forced to face a local hospital in a foreign country where English may not be spoken and the culture is very different. There, in a lonely waiting room, she will wait until her turn comes to give her life over to strangers and hope for the best outcome. A civilized country such as the United States must not allow such a terrifying and degrading experience for any of its citizens.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Connecticut [Ms. DELAURO].

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Ms. DELAURO. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 196, noes 230, not voting 8, as follows:

[Roll No. 382]

AYES—196

Abercrombie	Bishop	Cardin
Ackerman	Boehlert	Castle
Baesler	Bonior	Clay
Baldacci	Bono	Clayton
Barrett (WI)	Boucher	Clement
Bass	Brewster	Clyburn
Becerra	Brown (CA)	Coleman
Beilenson	Brown (FL)	Collins (IL)
Bentsen	Brown (OH)	Collins (MI)
Berman	Bryant (TX)	Condit

Conyers
Coyne
Cramer
Danner
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Dunn
Durbin
Edwards
Ehrlich
Engel
Eshoo
Evans
Farr
Fattah
Fawell
Fazio
Fields (LA)
Filner
Foglietta
Foley
Ford
Fowler
Frank (MA)
Franks (CT)
Franks (NJ)
Frelinghuysen
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gonzalez
Gordon
Green
Greenwood
Gunderson
Gutierrez
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Horn
Houghton
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnston
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Klug
Kolbe
Lantos
Levin
Lewis (GA)
Lincoln
Lofgren
Longley
Lowey
Luther
Maloney
Markey
Martinez
Martini
Matsui
McCarthy
McDermott
McHale
McHugh
McInnis
McKinney
Meehan
Meek
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Molinari
Moran
Morella
Nadler
Obey
Olver
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Pickett
Pomeroy
Porter
Pryce
Ramstad
Rangel
Reed
Reynolds
Richardson
Rivers
Rose
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schiff
Schroeder
Schumer
Scott
Serrano
Shaw
Shays
Sisisky
Skaggs
Slaughter
Spratt
Stark
Stokes
Studds
Tanner
Thompson
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Velazquez
Vento
Visclosky
Ward
Waters
Watt (NC)
Waxman
White
Williams
Wilson
Wise
Woolsey
Wyden
Wynn
Zeliff
Zimmer

NOES—230

Allard
Archer
Armey
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehner
Bonilla
Borski
Browder
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Costello
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
de la Garza
Deal
DeLay
Diaz-Balart
Doolittle
Dornan
Doyle
Dreier
Duncan
Ehlers
Emerson
English
Ensign
Everett
Ewing
Fields (TX)
Flanagan
Forbes
Fox
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gillmor
Goodlatte
Goodling
Goss
Graham
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Hostettler
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kildee
Kim
King
Kingston
Klink
Knollenberg
LaFalce
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Lucas
Manton
Manzullo
Mascara
McCollum
McCrery
McDade
McIntosh
McKeon
McNulty
Metcalf
Mica
Moakley
Mollohan
Montgomery
Moorhead
Murtha
Myers
Myrick
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Ortiz
Orton
Oxley
Packard
Parker
Paxon
Peterson (MN)
Petri
Pombo
Portman
Poshard
Quillen
Quinn
Radanovich
Rahall
Regula
Riggs
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Seastrand
Sensenbrenner
Shadegg
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stenholm
Stockman
Stump
Stupak
Talent
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Tiahrt
Tucker
Upton
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Andrews
Bachus
Chapman
Dickey
Flake
Kleczka
Thornton
Yates

□ 1349

Mr. BUYER changed his vote from ''aye'' to ''no.''

Mr. BONO changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. BACHUS. Mr. Speaker, on rollcall vote No. 382, I was unavoidably detained while meeting with Alabama's delegation to the White House Conference on Small Business. Had I been present, I would have voted ''no'' on the DeLauro amendment.

AMENDMENTS EN BLOC, AS MODIFIED, OFFERED BY MR. SPENCE

Mr. SPENCE. Mr. Chairman, pursuant to section 3 of House Resolution 164 I offer amendments en bloc.

The CHAIRMAN. The Clerk will designate the amendments en bloc.

The text of the amendments en bloc, as modified, is as follows:

Amendments en bloc, as modified, offered by Mr. SPENCE:

Amendment No. 2, part 2, offered by Mr. Hoke: At the end of title XII (page 409, after line 18), insert the following new section:

SEC. 1228. SENSE OF CONGRESS CONCERNING UNILATERAL IMPLEMENTATION OF START II TREATY.

(a) FINDINGS.—Congress finds that—

(1) the START II Treaty has not entered into force; and

(2) the United States is nevertheless taking unilateral steps to implement the reductions in strategic forces called for by that treaty.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should not implement any reduction in strategic forces that is called for in the START II Treaty unless and until that treaty enters into force.

(c) DEFINITIONS.—For purposes of this section, the term ''START II Treaty'' means the Treaty between the United States of America and the Russian Federation on Further Reduction and Limitation of Strategic Offensive Arms.

Amendment No. 8, part 2 offered by Mr. Bateman: At the end of subtitle B of title II (page 31, after line 11), insert the following new section:

SEC. 217. DEVELOPMENT OF LASER PROGRAM.

(a) LASER PROGRAM.—The amount authorized for appropriation by section 201 is hereby increased by $9,000,000, to be used for the development by the Naval High Energy Laser Office of a continuous wave, superconducting radio frequency free electron laser program.

(b) OFFSET.—The amount authorized by section 201 is hereby reduced by $9,000,000, of which—

(1) $7,000,000 shall be derived from amounts authorized for experimental evaluation of major innovative technologies (PE 63226E); and

(2) $2,000,000 shall be derived from amounts authorized for the space test program (PE 63402F).

Amendment No. 9, part 2, as modified, offered by Ms. Harman: In section 257(e):

Page 55, line 1, insert after ''section 201'' the following: ''for federally funded research and development centers and university-affiliated research centers''.

Amendment No. 10, part 2, offered by Mr. Hansen: At the end of title II (page 61, after line 2), insert the following new section:

SEC. 263. FIBER OPTIC ACOUSTIC SENSOR SYSTEM.

(a) FIBER OPTIC ACOUSTIC SENSOR SYSTEM.—Of the amount appropriated pursuant to the authorization in section 201, $28,181,000 shall be available for fiscal year 1996 for the advanced submarine combat systems development program (PE 63504N). Of that amount, $6,900,000 shall be available for research and development of a fiber optic acoustic sensor system, including the development of common optical towed arrays.

(b) OFFSET.—The amount authorized in section 201 for the advanced submarine systems development program (PE 63561N) is hereby reduced by $6,900,000.

Amendment No. 12, part 2, as modified, offered by Mr. Cunningham: At the end of title II (page 61, after line 2), insert the following new section:

SEC. 263. JOINT TARGETING SUPPORT SYSTEM TESTBED.

(a) JOINT TARGETING SUPPORT SYSTEM TESTBED.—The amount authorized in section 201(2) for theater mission planning (project A1784) is hereby increased by $10,000,000, to be used to establish a joint targeting support system testbed (in PE 0204229N).

(b) OFFSET.—The amount authorized in section 201(2) for the Tomahawk (project A0545) is hereby reduced by $10,000,000.

At the end of subtitle B of title I (page 19, after line 20), insert the following new section:

SEC. 112. REPEAL OF REQUIREMENTS FOR ARMORED VEHICLE UPGRADES.

Subsection (j) of section 21 of the Arms Export Control Act (22 U.S.C. 2761) is repealed.

Amendment No. 16, part 2, as modified, offered by Mr. Duncan. Strike out section 367 (page 107, line 16, through page 108, line 2) and insert in lieu thereof the following:

SEC. 367. INCREASED RELIANCE ON THE PRIVATE SECTOR.

(A) GENERAL RULE.—The Secretary of Defense shall endeavor to carry out through an entity in the private sector any activity to provide a commercial product or service for the Department of Defense if—

(1) the product or service can be provided through a source in the private sector; and

(2) an adequate competitive environment exists to provide for economical accomplishment of the function by the private sector.

(b) APPLICABILITY.—(1) Subsection (a) shall not be construed to apply to any commercial product or service with respect to which the Secretary of Defense determines that—

(A) production, manufacture, or provision of that product or service by the Government is necessary for reasons of national security; or

(B) the product or service is so inherently governmental in nature that it is in the public interest to require production or performance, respectively, by the Department of Defense.

(2) A determination under paragraph (1) shall be made in accordance with regulations prescribed under subsection (c).

(c) REGULATIONS.—The Secretary of Defense shall prescribe regulations for the purposes of this section. Such regulations shall be prescribed in consultation with the Director of the Office of Management and Budget.

(d) REPORT.—(1) The Secretary of Defense shall identify all activities of the Department of Defense that are carried out to provide commercial products or services for the Department of Defense and that are carried out by personnel of the Department of Defense (other than activities specified by the Secretary pursuant to subsection (b)).

(2) The Secretary shall transmit to Congress, not later than April 15, 1996, a report on matters relating to increased use of the private sector for the performance of commercial functions for the Department of Defense. The report shall include a list of all activities identified under paragraph (1) and indicate, for each activity, whether the Secretary proposes to convert the performance of such activity to performance by the private sector and, if not, the reasons why.

(3) The report shall include—

(A) a description of the advantages and disadvantages of using contractor personnel, rather than employees of the Department of Defense, to perform functions of the Department that are not essential to the warfighting mission of the Armed Forces;

(B) specification of all legislative and regulatory impediments to contracting those functions for private performance; and

(C) the views of the Secretary of Defense on the desirability of terminating the applicability of OMB Circular A–76 to the Department of Defense.

(4) The Secretary shall carry out paragraph (1) in consultation with the Director of the Office of Management and Budget and the Comptroller General of the United States. In carrying out that paragraph, the Secretary shall consult with, and seek the views of, representatives of the private sector, including organizations representing small businesses.

Amendment No. 17, part 2 offered by Mr. Bateman: Page 120, line 22, insert after ''law enforcement'' the following: ''or emergency response''.

Amendment No. 19, part 2, offered by Mr. Lewis of California or Mr. Skeen: At the end of title III (page 153, after line 25), insert the following new section:

SEC. 396. EXPANSION OF SOUTHWEST BORDER STATES ANTI-DRUG INFORMATION SYSTEM.

Congress finds that the Southwest Border States Anti-Drug Information Systems program is an important element in the effort of the Department of Defense to support law enforcement agencies in the fight against illegal trafficking of narcotics.

Amendment No. 20, part 2, offered by Mr. Dornan: At the end of subtitle B of title V (page 189, after line 7), insert the following new section:

SEC. 519. ACTIVE DUTY ASSOCIATE UNIT RESPONSIBILITY.

(a) ASSOCIATE UNITS.—Subsection (a) of section 1131 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 106 Stat. 2540) is amended to read as follows:

''(a) ASSOCIATE UNITS.—The Secretary of the Army shall require—

''(1) that each ground combat maneuver brigade of the Army National Guard that (as determined by the Secretary) is essential for the execution of the National Military Strategy be associated with an active-duty combat unit; and

''(2) that combat support and combat service support units of the Army Selected Reserve that (as determined by the Secretary) are essential for the execution of the National Military Strategy be associated with active-duty units.''.

(b) RESPONSIBILITIES.—Subsection (b) of such section is amended—

(1) by striking out ''National Guard combat unit'' in the matter preceding paragraph (1) and inserting in lieu thereof ''National Guard unit or Army Selected Reserve unit that (as determined by the Secretary under subsection (a)) is essential for the execution of the National Military Strategy''; and

(2) by striking out ''of the National Guard unit'' in paragraphs (1), (2), (3), and (4) and inserting in lieu thereof ''of that unit''.

Amendment No. 24, part 2, offered by Mr. Hastings of Washington: Page 304, beginning on line 23, strike out ''September 30, 1995'' and insert in lieu thereof ''October 1, 1994''.

Amendment No. 25, part 2, offered by Mr. Moakley: Page 306, after line 5, insert the following new subsection:

(b) SENSE OF CONGRESS.—(1) Congress finds that the Uniformed Services Treatment Facilities provide quality health care to the 120,000 Department of Defense beneficiaries enrolled in the Uniformed Services Family Health Plan provided by these facilities.

(2) In light of such finding, it is the sense of Congress that the Uniformed Services Family Health Plan provided by the Uniformed Services Treatment Facilities should not be terminated for convenience under provisions of the Federal Acquisition Regulation by the Secretary of Defense before the expiration of the current participation agreements.

Amendment No. 27, part 2, offered as modified by Mr. Pickett: Page 307, strike out line 20 and all that follows through line 6 on page 308, relating to section 724 of the bill (equitable implementation of uniform cost sharing requirements for Uniformed Services Treatment Facilities), and insert the following new section:

SEC. 724. EQUITABLE IMPLEMENTATION OF UNIFORM COST SHARING REQUIREMENTS FOR UNIFORMED SERVICES TREATMENT FACILITIES.

(a) TIME FOR FEE IMPLEMENTATION.—The uniform managed care benefit fee and copayment schedule developed by the Secretary of Defense for use in all managed care initiatives of the military health service system, including the managed care program of the Uniformed Services Treatment Facilities, shall be extended to the managed care program of a Uniformed Services Treatment Facility only after the later of—

(1) the implementation of the TRICARE regional program covering the service area of the Uniformed Services Treatment Facility; or

(2) the end of the 180-day period beginning on the date of the enactment of this Act.

(b) SUBMISSION OF ACTUARIAL ESTIMATES.—Paragraph (2) of subsection (a) shall operate as a condition on the extension of the uniform managed care benefit fee and copayment schedule to the Uniformed Services Treatment Facilities only if the Uniformed Services Treatment Facilities submit to the Comptroller General of the United States, within 30 days after the date of the enactment of this Act, actuarial estimates in support of their contention that the extension of such fees and copayments will have an adverse effect on the operation of the Uniformed Services Treatment Facilities and the enrollment of participants.

(c) EVALUATION.—Except as provided in paragraph (2), not later than 90 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress the results of an evaluation of the effect on the Uniformed Services Treatment Facilities of the extension of the uniform benefit fee and copayment schedule to the Uniformed Services Treatment Facilities. The evaluation shall include an examination of whether the benefit fee and copayment schedule may—

(A) cause adverse selection of enrollees;

(B) be inappropriate for a fully at-risk program similar to civilian health maintenance organizations; or

(C) result in an enrolled population dissimilar to the general beneficiary population.

(2) The Comptroller General shall not be required to prepare or submit the evaluation under paragraph (1) if the Uniformed Services Treatment Facilities fail to satisfactorily comply with subsection (b), as determined by the Comptroller General.

Amendment No. 28, part 2, as modified, offered by Mr. Bateman: At the end of subtitle C of title VIII (as added by the amendment of Mr. Clinger), insert the following new section:

SEC. 845. COST REIMBURSEMENT RULES FOR INDIRECT COSTS ATTRIBUTABLE TO PRIVATE SECTOR WORK OF DEFENSE CONTRACTORS.

(a) DEFENSE CAPABILITY PRESERVATION AGREEMENT.—The Secretary of Defense may enter into an agreement, to be known as a ''defense capability preservation agreement'', with a defense contractor under which the cost reimbursement rules described in subsection (b) shall be applied. Such an agreement may be entered into in any case in which the Secretary determines that the application of such cost reimbursement rules would facilitate the achievement of the policy set forth in section 2501(c) of title 10, United States Code.

(b) COST REIMBURSEMENT RULES.—(1) The cost reimbursement rules applicable under an agreement entered into under subsection (a) are as follows:

(A) The Department of Defense shall, in determining the reimbursement due a contractor for its indirect costs of performing a defense contract, allow the contractor to allocate indirect costs to its private sector work only to the extent of the contractor's allocable indirect private sector costs, subject to subparagraph (C).

(B) For purposes of subparagraph (A), the allocable indirect private sector costs of a contractor are those costs of the contractor that are equal to the amount by which the revenue attributable to the private sector work of the contractor exceeds the sum of—

(i) the direct costs attributable to such work, and

(ii) the incremental indirect costs attributable to such work.

(C) The total amount of allocable indirect private sector costs for a contract in any year of the agreement may not exceed the amount of indirect costs that a contractor would have allocated to its private sector work during that year in accordance with the contractor's accounting practices.

(2) The cost reimbursement rules set forth in paragraph (1) may be modified if the Secretary of Defense determines that modifications are appropriate to the particular situation to facilite achievement of the policy set

forth in section 2501(c) of title 10, United States Code.

(c) RELATIONSHIP TO ACCOUNTING PRACTICE CHANGE.—The use of the cost reimbursement rules described in subsection (b) under such an agreement with a contractor and the implementation of such an agreement does not constitute a change in cost accounting practices of the contractor within the meaning of section 26(h)(1)(B) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(h)(1)(B)).

(d) CONTRACTS COVERED.—An agreement entered into with a contractor under subsection (a) shall apply to all Department of Defense contracts with the contractor either existing on the date on which the agreement was entered into or awarded during the term of the agreement.

Amendment No. 29, Part 2, as Modified Offered by Mr. Everett: At the end of title IX (page 345, after line 17), insert the following new section:

SEC. 909. AVIATION TESTING CONSOLIDATION.

(a) LIMITATION.—The Secretary of the Army may not consolidate the Aviation Technical Test Center, Fort Rucker, Alabama, with any other aviation testing facility until 60 days after the date on which a report containing the results of the evaluation of such consolidation described in subsection (b) is received by the congressional defense committees.

(b) INDEPENDENT EVALUATION.—The Secretary of the Army shall provide for an evaluation by the Institute for Defense Analyses (a Federal contract research center) of the proposal of the Test and Evaluation Command of the Army to relocate the Aviation Technical Test Center to Yuma Proving Ground, Arizona. The evaluation of such proposal shall include consideration of the following:

(1) A review and validation of studies conducted by the Army Materiel Command and the Army Test and Evaluation Command of the proposed relocation.

(2) The effect on, and cost of, maintenance and logistics capability (including maintenance of a parts inventory) to support the test evaluation fleet.

(3) The availability of facilities and infrastructure necessary to conduct the aviation testing mission at Yuma Proving Ground.

(4) The availability of engineers and maintenance technicians to support the aviation testing mission at Yuma Proving Ground.

(5) The effect on current and planned aircraft programs.

(6) Consistency with the efforts of the Army to become the Department of Defense leader for rotary-wing aircraft.

(7) Potential savings, including the time period over which such savings could be realized.

(8) Comparison of live-fire testing with computer-simulated testing.

(c) TIME REQUIREMENT FOR COMPLETION OF EVALUATION.—The evaluation under subsection (b) shall be completed not later than 120 days after the date of the enactment of this Act.

Amendment No. 31, Part 2, Offered by Mr. Traficant: At the end of title X (page 377, after line 19), insert the following new section:

SEC. 1033. APPLICATION OF BUY AMERICAN ACT PRINCIPLES.

(a) REINSTATEMENT OF PRINCIPLES.—(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) REPORT.—The Secretary of Defense shall submit to Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 1996. 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) DEFINITION.—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.).

AMENDMENT No. 34, part 2, as modified, offered by Mrs. Morella: At the end of title XII (page 409, after line 18), add the following:

SEC. 1228. SENSE OF THE CONGRESS REGARDING THE CHEMICAL WEAPONS CONVENTION.

(a) FINDINGS.—The Congress finds that—

(1) events such as the March 1995 terrorist release of a chemical nerve agent in the Tokyo subway, the threatened use of chemical weapons during the 1991 Persian Gulf War, and the widespread use of chemical weapons during the Iran-Iraq War of the 1980's are all potent reminders of the menace posed by chemical weapons, of the fact that the threat of chemical weapons is unappreciated and not sufficiently addressed, and of the need to outlaw the development, production, and possession of chemical weapons;

(2) the Convention on the Prohibition of the Development, Production, Stockpiling, and Use of Chemical Weapons and on Their Destruction (here-after in this section referred to as the ''Convention'') would establish a comprehensive ban on chemical weapons, and its negotiation has enjoyed strong bipartisan congressional support, as well as the support of the last 6 administrations, both Republican and Democratic;

(3) United States military authorities, including Chairman of the Joint Chiefs of Staff General John Shalikashvili, have stated that United States military forces will deter and respond to chemical weapons threats with a robust chemical defense and an overwhelming superior conventional response, as demonstrated in the Persian Gulf War, and have testified in support of the Convention's ratification;

(4) the Congress in 1985 mandated the unilateral destruction of the bulk of the chemical weapons stockpile of the United States, and the Convention, which requires participating states to destroy their chemical arsenals and production facilities under international supervision, would accelerate progress toward the disarmament of chemical weapons in a majority of the states believed to harbor chemical weapons capabilities, as this majority is among the Convention's 159 signatories;

(5) the United States chemical industry was an important partner during the negotiation of the Convention, assisted in crafting a reasonable, effective verification protocol, participated in both United States and international trials to test provisions of the Convention during its negotiation, and testified in support of the Convention's ratification;

(6) the United States intelligence community has testified that the Convention will provide new and important sources of information, through regular data exchanges and routine and challenge inspections, to improve the ability of the United States to assess the chemical weapons status in countries of concern;

(7) the Convention will gradually isolate and automatically penalize states that refuse to join by preventing them from gaining access to dual-use chemicals and creating a basis for monitoring illegal diversions of those materials;

(8) the Convention has not entered into force for lack of the requisite number of ratifications;

(9) the United States played a leading role in drafting the Convention, and, as a global leader, must remain at the helm of this effort to deter further proliferation of chemical weapons and provide the legal framework that will minimize the threat posed by chemical weapons;

(10) Russia has signed the Convention, but has not yet ratified it;

(11) there have been reports by Russian sources of continued Russian production and testing of chemical weapons, including a statement by a spokesman of the Russian Ministry of Defense on December 5, 1994, that ''We cannot say that all chemical weapons production and testing has stopped altogether.''; and

(12) the Convention will impose a legally binding obligation on Russia and other nations that possess chemical weapons to cease offensive chemical weapons activities and to destroy their chemical weapons stockpiles and production facilities.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the United States should signify its commitment to reducing the threat posed by chemical weapons by promptly joining the 28 other nations that have ratified the Convention;

(2) both Houses of Congress should further demonstrate United States preparedness to adopt the Convention by acting expeditiously to pass the required implementing legislation as soon as the Senate gives its advice and consent to the ratification of the Convention;

(3) both Houses of Congress should continue to lend their full support for the indefinite future to programs that maintain, as the Convention allows and monitors, United States defense preparedness against chemical weapons;

(4) the United States must be prepared to exercise fully its rights under the Convention, including the request of challenge inspections when warranted, and to exercise leadership in pursuing punitive measures against violators of the Convention, when warranted;

(5) the United States should strongly encourage full implementation at the earliest possible date of the terms and conditions of the United States-Russia bilateral chemical weapons destruction agreement signed in 1990;

(6) understanding that Western assistance would be helpful to a successful Russian chemical weapons destruction program, the United States should encourage Russia to ratify promptly the Convention and implement a plan that will ensure full compliance with the Convention, including the destruction of chemical weapons stockpiles in accordance with the Convention's time lines; and

(7) the United States should seek to encourage other nations to ratify promptly the Convention and to implement faithfully all its terms and conditions.

Amendment No. 41, Part 2, as modified, Offered by Mr. Hall of Ohio: On page 532, after line 5, insert the following new section:

SEC. 3145. ACCELERATED SCHEDULE FOR ENVIRONMENTAL MANAGEMENT ACTIVITIES.

(a) ACCELERATED CLEANUP.—The Secretary of Energy shall accelerate the schedule for environmental management activities and projects for any specific Department of Energy defense nuclear facility site if, in the opinion of the Secretary, such an accelerated schedule will result in substantial long-term cost savings to the Federal Government and speed up release of land for economic development.

(b) SITE SELECTION.—In selecting sites for an accelerated schedule under subsection (a), the Secretary shall give highest priority to sites that are in close proximity to populated areas, that pose significant risk, and that have the greatest potential to result in privatization, commercialization, and economic development of unneeded facilities.

(c) ELIGIBILITY.—For purposes of subsection (a), environmental management activities and projects shall be eligible for an accelerated schedule under subsection (a) if the time for completion at the site of such activities can be reduced by 50 percent or more below the time established in the report of the Department of Energy Office of Environmental Management titled ''1995 Baseline Environmental Management Report'', March 1995.

(d) SAVINGS PROVISION.—Nothing in this section shall be construed as affecting a specific statutory requirement for a specific project or as modifying or otherwise affecting applicable statutory or regulatory environmental restoration requirements, including substantive standards intended to protect public health and the environment.

Amendment No. 43, Part 2, as modified, offered by Mr. Hunter: Page 326 (section 805), line 5, strike ''VESSEL COMPONENTS.—'' and insert in lieu thereof ''VESSEL COMPONENTS FOR ALL BRANCHES OF THE ARMED FORCES.—''.

Page 326 (section 805), strike lines 14 through 20 and insert in lieu thereof the following:

''(B) The following components of vessels, to the extent they are unique to marine applications: cable assemblies, hose assemblies, hydraulics and pumps for steering, gyrocompasses, marine autopilots, electric navigation chart systems, navigators, attitude and heading reference units, power supplies, radars, steering controls, pumps, engines, turbines, reduction gears, motors, refrigeration systems, generators, propulsion and machinery control systems, and totally enclosed lifeboards, including associated davits and winches.''.

Page 326, line 3, insert 3, insert ''(1)'' before ''Paragraph (3)''.

Page 326, line 20, insert the following:

(2) Section 2534 of such title is amended by adding at the end the following new subsection:

''(h) IMPLEMENTATION OF MARINE VESSEL COMPONENT LIMITATION.—In implementing subsection (a)(3)(B), the Secretary of Defense—

''(1) may not use contract clauses or certifications; and

''(2) shall use management and oversight techniques that achieve the objective of the subsection without imposing a significant management burden on the Government or the contractor involved.''.

Amendment No. 45, part 2, as modified, offered by Ms. Woolsey: At the end of subtitle C of title XXVIII (page 490, after line 2), insert the following new sections:

SEC. 2834. MODIFICATION OF EXISTING LAND CONVEYANCE, HAMILTON AIR FORCE BASE.

(a) AUTHORITIES IN EVENT OF PARTIAL SALE.—In the event that the purchaser purchases only a portion of the Sale Parcel and exercises its option to withdraw from the sale as to the rest of the Sale Parcel, the portion of the Sale Parcel that is not purchased (other than Landfill 26 and an appropriate buffer area around it and the groundwater treatment facility site), together with any of the land referred to in section 9099(e) of Public Law 102–396 that is not purchased by the purchaser, may be sold to the City of Novato, in the State of California, for the sum of One Dollar as a public benefit transfer for school, classroom or other educational use, for use as a public park or recreation area or for further conveyance as provided herein, subject to the following restrictions: (1) if the City sells any portion of such land to any third party within 10 years after the transfer to the City, which sale may be made without the foregoing use restrictions, any proceeds received by the City in connection with such sale, minus the demonstrated reasonable costs of conducting the sale and of any improvements made by the City to the land following its acquisition of the land (but only to the extent such improvements increase the value of the portion sold), shall be immediately turned over to the Army in reimbursement of the withdrawal payment made by the Army to the contract purchaser and the costs of cleaning up the Landfill and (2) until one year following completion of the cleanup of contaminated soil in the Landfill and completion of the groundwater treatment facilities, the sale must be at a per-acre price for the portion sold that is at least equal to the per-acre contract price paid by the purchaser for the portion of the Sale Parcel purchased under the Agreement and Modification, as amended, and thereafter must be at a price at least equal to the fair market value of the portion sold. The foregoing restrictions shall not apply to a transfer to another public or quasi-public agency for public uses of the kind described above. The deed to the City shall contain a clause providing that, if any of the proceeds referred to in clause (1) are not delivered to the Army within 30 days after sale, or any portion of the land not sold as provided herein is used for other than educational, park or recreational uses, title to the applicable portion of such land shall revert to the United States at the election of the Administrator of the General Services Administration. The Secretary of the Army shall agree to deliver into the applicable closing escrow an acknowledgment of receipt of any proceeds described in clause (1) above and a release of the reverter right as to the affected land, effective upon such receipt.

(b) SPECIAL CONVEYANCE REGARDING BUILDING 138 PARCEL.—The Secretary of the Army may convey the Building 138 parcel, which has been designated by the parties as Parcel A4 to the purchaser of the Sale Parcel. The per-acre price for the portion sold shall be at least equal to the per-acre contract price paid by the purchaser for the portion of the Sale Parcel purchased under the Agreement and Modification, dated September 25, 1990, as amended.

SEC. 2835. TRANSFER OF JURISDICTION, FORT BLISS, TEXAS.

(a) TRANSFER OF LAND FOR NATIONAL CEMETERY.—The Secretary of the Army may transfer, without reimbursement, to the administrative jurisdiction of the Secretary of Veterans Affairs a parcel of real property (including any improvements thereon) consisting of approximately 22 acres and comprising a portion of Fort Bliss, Texas.

(b) USE OF LAND.—The Secretary of Veterans Affairs shall use the real property transferred under subsection (a) as an addition to the Fort Bliss National Cemetery and administer such real property pursuant to chapter 24 of title 38, United States Code.

(c) RETURN OF UNUSED LAND.—If the Secretary of Veterans Affairs determines that any portion of the real property transferred under subsection (a) is not needed for use as a national cemetery, the Secretary of Veterans Affairs shall return such portion to the administrative jurisdiction of the Secretary of the Army.

(d) LEGAL DESCRIPTION.—The exact acreage and legal description of the real property to be transferred under this section shall be determined by surveys that are satisfactory to the Secretary of the Army. The cost of such surveys shall be borne by the Secretary of Veterans Affairs.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the transfer under this section as the Secretary of the Army considers appropriate to protect the interests of the United States.

Amendment No. 46, part 2, offered by Mr. Spratt: In the matter proposed to be added by section 805(c) (page 327, line 8), insert after ''bearings)'' the following: '', notwithstanding section 33 of the Office of Federal Procurement Policy Act (41 U.S.C. 429)''.

The CHAIRMAN. Pursuant to the rule, the gentleman from South Carolina [Mr. SPENCE] and the gentleman from California [Mr. DELLUMS] will each be recognized for 10 minutes.

The Chair recognizes the gentleman from South Carolina [Mr. SPENCE].

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

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

Mr. SPENCE. I yield to the gentleman from Missouri.

Mr. VOLKMER. Mr. Chairman, I notice that my count is right. We have about 20 of the No. 2 amendments in this en bloc amendment. I would ask the gentleman, does that leave any further amendments yet to be disposed of?

Mr. SPENCE. I do not think so.

Mr. VOLKMER. In other words, we are really getting to the end of this bill at this time?

Mr. SPENCE. The gentleman is correct.

Mr. VOLKMER. And when this amendment is disposed of we should be able to go right to the final action on the motion to recommit, or whatever?

Mr. SPENCE. That is right.

Mr. VOLKMER. Mr. Chairman, I thank the gentleman from South Carolina very much.

I would like to inquire of the gentleman, were there any other amendments, especially from the Democratic side, that were not included in the en bloc that some Members over here would have liked to have included?

Mr. SPENCE. No. The other amendments, some were offered and not debated because the author did not choose to pursue it.

Mr. VOLKMER. The gentleman says they did not want to pursue them, because I notice in this en bloc there are about 13 Republican and about 7 Democrat amendments, but I guess that is because Members pursued them.

Mr. Chairman, I thank the gentleman very much.

Mr. SPENCE. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, I would like to engage the distinguished chairman of the Military Research and Development Subcommittee in a colloquy.

First of all, I would like to thank the gentleman from Pennsylvania, the chairman of the full committee, the gentleman from South Carolina [Mr. SPENCE], and the former chair of the subcommittee, the gentlewoman from Colorado [Mrs. SCHROEDER] for their support for continuing development of reusable launch vehicles. This technology development will be pursued in cooperation with and support of NASA's Reusable Launch Vehicle Program. As you know, this activity will be managed by the same DOD team which has so capably run the DC–X project, which had another very successful flight on Monday.

Mr. WELDON of Pennsylvania. Mr. Chairman, will the gentleman yield?

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

Mr. WELDON of Pennsylvania. Mr. Chairman, I would just say that the innovative approach being used in the DC–X project to demonstrate reusable rocket technology overcame bureaucratic as well as technical challenges. The success of the DC–X is one of the reasons this committee believes that the Department of Defense should continue to play a strong role in reusable launch vehicle research.

Mr. ROHRABACHER. Mr. Chairman, reclaiming my time, it is my understanding that the committee is authorizing $100 million in fiscal year 1996 for developing and testing reusable launch vehicle technologies in support of the NASA-led X–33 advanced concept technology demonstration x-vehicle program.

Mr. WELDON of Pennsylvania. That is correct. This is pursuant to three administration policy plans: First, the President's space launch policy, which calls for the Department of Defense to cooperate with NASA in its Reusable Launch Vehicle Program; second, DOD's implementation plan for the President's policy, which calls for developing ''space launch technologies which support * * * DOD-unique interests in reusable launch vehicles;'' and third, General Moorman's space launch modernization plan, which calls for at least $120 million per year for a core space launch technology effort.

Mr. ROHRABACHER. Reclaiming my time, it is also my understanding, Mr. Chairman, that the committee's support for a cooperative DOD reusable launch technology effort is based on a clear set of policy goals, namely that: First, military space assets are increasingly vital to the warfighter, and therefore inexpensive, reliable, and frequent access to space is vital to national security; second, while an evolved expendable launch vehicle program will provide a near-term, incremental improvement in space access, foreseeable military and commercially competitive requirements for space launch can be best and most economically satisfied by fully reusable launch systems; and third, reusable rocket technologies also show great promise for space sortie and other global reach aircraft missions which could be performed by RLV-based transatmospheric vehicles.

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Mr. WELDON of Pennsylvania. Mr. Chairman, if the gentleman will yield further, the gentleman from California is indeed correct. The committee is funding DOD's cooperative involvement in the NASA-led X–33 reusable launch vehicle program first and foremost because of national security goals and requirements. The committee believes that the Air Force's Phillips Laboratory team brings unique expertise and talent to the challenge of reusable launch vehicle research generally, and to the NASA-led X–33 program specifically, a fact recognized by NASA in naming the Phillips Laboratory team as the X–33 deputy for flight testing and operations. The committee is not attempting to use DOD funds to subsidize a NASA program, but rather to fund DOD personnel to strengthen and improve a NASA-led national effort which is vital to DOD as well as commercial launch interests.

Mr. DELLUMS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Ohio [Mr. TRAFICANT].

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

Mr. TRAFICANT. Mr. Chairman, I appreciate the committee accepting the Buy-American amendment that I had offered on this bill. This is a different type of a Buy-American amendment. Just for the Members to understand this, the defense budget of the United States of America is larger than every country's budget except five total budgets in the world.

There are countries that will not allow our companies to bid on their government contracts. We for years have turned the other cheek and allowed them to come in here, and they do not reciprocate and give us the same opportunity. This amendment says if the Secretary of Defense, after consulting with the trade rep, determines that a nation, foreign nation, is not allowing American companies to bid on their products and goods, they are in turn subject to the Buy American Act and there cannot be a waiver of the Buy American Act once they make that violation.

Right now our Nation is at a battle stage with Japan. We have had Japan promising us from the Presidency of Richard Nixon now up through President Clinton that they are going to open their markets. ''Give us another year.''

Mr. Chairman, Japan is taking us to court, to the World Trade Organization, which I think is unconstitutional in the first place. God forbid if some bunch of individuals in the World Trade Organization rules against the United States of America. Beam me up. I mean that.

So I appreciate the fact that the Traficant amendment says look, if those foreign countries are denying America access, we cannot waive the Buy American Act, and they better get themselves in line.

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

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

Mr. HUNTER. Mr. Chairman, I want to thank the gentleman for his contribution and his many Buy American provisions that have resulted in a lot of American jobs. The average worker in this country puts $1,000 a year from his paycheck into our defense bill. Because of that, American workers ought to be able to participate in the work. We thank the gentleman for his contribution and for the provision he put in the bill.

Mr. TRAFICANT. I thank you, Chairman HUNTER, and the distinguished chairman and the ranking member, because I did not have to offer too many Buy American amendments. You basically took care of that yourself.

Mr. DELLUMS. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Pennsylvania [Mr. HOLDEN].

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

Mr. HOLDEN. Mr. Chairman, I would like to briefly discuss an issue which I believe is very important, the cost-effectiveness of Defense energy acquisition. Before doing so, may I say that I am sure that I speak for the vast majority of the Members of the House in congratulating the Members of the National Security Committee for their hard work on this important legislation. It is not an easy task, and my thanks go to all concerned.

Mr. Chairman, I have just completed a thorough on-site inspection of the Department of the Air Force's ongoing policy for the acquisition of required modern heating services for the U.S. facilities in the Kaiserslautern Military Community of Germany. Pursuant to previous authorization law, 10 U.S.C. 2690, and subsequent appropriations measures, the Department has only recently completed the first of three essential heating modernization agreements in this military region, this one being for American facilities in the city of Kaiserslautern.

I would like to make all of my colleagues and particularly the members of the National Security Committee, aware of this situation. I would like to add that the agreement between the city Kaiserslautern and the Air Force, for the acquisition of furnished heating services, meets the cost-effective criteria of the legislation, and likewise provides for the use of American coal as the base-load energy in the municipal heating system which will provide furnished heat to the U.S. facilities in Kaiserslautern West.

Acting under what it says are the guidelines of both the authorization and appropriations

legislation, Air Force-Europe is undertaking the various steps of procurement that will result in counter-cost-productive energy acquisition policy. I refer to the two other major installations in the same military community, the U.S. facilities in nearby Landstuhl, and Ramstein Air Base as well. The Air Force agreement for the city of Kaiserslautern stipulates the cost-effective use of American coal, but proposed agreements for these other two installations include the use of costly foreign natural gas as the base load energy. This development was made known to me, in spite of recent German energy statistics which clearly indicate over a 6-year period, natural gas and oil used in German central heating systems has increased in price at least twice as much as coal.

Mr. Chairman, it seems there are at least two very serious drawbacks on this policy. First, more efficient cost considerations are being laid aside by the Air Force; second, the interests of the U.S. energy industry are being once again put aside in favor of a policy that directs the benefit of U.S. Defense dollars to foreign economics. I feel this is a very serious matter.

I regret that the complete picture of the cost deficiencies of this energy acquisition matter was not available prior to the House committee adopting the fiscal year 1996 authorization act. In view of the most disturbing economic trends of this Air Force policy, I believe that these concerns should be expressed to the Committee on National Security and in turn to the Secretary of the Air Force, and that further, pending the outcome of an independent evaluation of cost effectiveness on the issues, that the Department should place all procurement in abeyance until this has been fully considered by the Committee.

I believe that the Department of the Air Force should suspend such procurement activity for the time being, while the cost effectiveness considerations are being evaluated.

Mr. SPENCE. Mr. Chairman, for the purpose of engaging in a colloquy, I yield 3 minutes to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding. I wish to engage now in a colloquy with my good friend, the gentleman from California [Mr. MCKEON].

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

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

Mr. MCKEON. Mr. Chairman, I thank the gentleman from California [Mr. HUNTER] for his courtesy.

Mr. Chairman, along with several other Members of this body, I am concerned that small, sea-skimming, antiship cruise missiles are today in the hands of more than 100 countries. Thousands of lives and an enormous investment in capital ships, equipment, and supplies are potentially at risk because of the proliferation of, and the threat posed by, these missiles.

While the Navy has improved its radar capabilities to detect small targets in open ocean sea clutter, clutter levels over typical littoral waters, relative to the open ocean, are far more severe. Consequently, in order to address the problem posed by these small, sea-skimming missiles, Congress has appropriated $30.3 million over the past 3 fiscal years to develop an upgrade to the primary radar used by aircraft carriers and big deck amphibious ships.

Unfortunately, due to lengthy delays in releasing these funds, the radar upgrade modification program was not initiated until February of this year—and then only $6 million was put under contract. Moreover, the Vice Chief of Naval Operations recently informed the Congress that only $3 million in additional funds have been allocated by the Navy for this program through the remainder of this fiscal year.

Despite the danger posed by these cruise missiles, the Navy did not fund continuation of this upgrade in its fiscal year 1995 budget. Recent communications with senior Navy officials have raised doubts as to whether Navy will request funds for this program in fiscal year 1997.

Mr. Chairman, I understand that seeking additional funds in fiscal year 1996 for production of the upgrade modification kit—given the fact that the Navy has only recently begun to develop it—may be premature. However, I believe this program is one that deserves our consideration. I would ask the chairman's assurance that he will look into the Navy's plans for this radar upgrade development and lend his support to its production and implementation as soon as is possible.

Mr. HUNTER. Mr. Chairman, I thank the gentleman for his concern. Let me say to my good friend from California that I share his concern about the sea-skimming cruise missile threat, and that he absolutely has my assurance that I will thoroughly review this radar upgrade development, together with other integrated ship defense programs, and support its production if warranted. I thank the gentleman for his contribution.

Mr. DELLUMS. Mr. Chairman, I yield myself such time as I may consume. Let me just say that there is an en bloc amendment before the body at this time. It encompasses several amendments. As has been the tradition over the years, these en bloc amendments have been a bipartisan effort to work out arrangements with various Members. This has indeed been done on a bipartisan basis. Our respective staffs have worked together carefully and diligently to work it out. I would urge my colleagues on this side of the aisle to support the en bloc amendments.

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

Mr. SPENCE. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. HUNTER].

Mr. DELLUMS. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. HUNTER].

The CHAIRMAN. The gentleman from California [Mr. HUNTER] is recognized for 3 minutes.

Mr. HUNTER. Mr. Chairman, I thank the chairman and ranking member of the full committee for yielding. Mr. Chairman, I want to take this time to thank the chairman for running this authorization in such an effective way, and I want to thank the ranking member for his excellent leadership. I think we have had some great debate, and some very close votes, I might add, votes that went the wrong way in some cases from this Member's perspective and others the right way. But also I think we have had an excellent debate.

Mr. Chairman, I have two gentlemen who wanted to engage in a colloquy with me about an issue that was very important to them. One was the gentleman from Maryland [Mr. EHRLICH], and the gentleman from Maryland [Mr. GILCHREST]. What they were concerned about is this year's Defense Authorization Act which contains a provision which expresses the concern of Congress that growth in the estimated cost of demilitarizing the U.S. stockpile of chemical agents is growing quite rapidly. That is correct. The cost of demilitarizing the existing stockpile of lethal agents, and incidentally a lot of Members are concerned about the fact that we are spending about 72 percent less in terms of modernizing our Navy and our Army and our Marine Corps with sufficient ships and planes and other systems. One reason is we have a lot of spending that is going to traditionally small areas, like the environment, that are growing rapidly, and one other reason is we are spending money on areas such as this demilitarization of chemical agents. That is a fact. It is taking quite a bit of money.

The cost of demilitarizing this existing stockpile that we are now cutting down has grown to about $11.8 billion, in comparison to an early estimate we made of about $1.7 billion. The act expresses the sense of Congress that the Secretary of Defense should consider measures to reduce the overall cost of this demilitarization of our chemical weapons.

Mr. Chairman, I just wanted to assure my colleagues, Mr. GILCHREST and Mr. EHRLICH, and all other Members who are concerned about this demilitarization of chemical weapons, that we will be having hearings in the Subcommittee on Military Procurement on this issue. We will explore all the issues thoroughly, especially this cost issue, and we look forward to having them come and testify, as we do all Members, on this very important issue.

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

Mr. Chairman, we are coming to the last portion of this bill. We will be probably maybe voting on a motion to recommit, final passage, maybe one additional vote.

But let me take this opportunity to say to my distinguished colleague from South Carolina [Mr. SPENCE] who is the chairman of the committee governing the legislation this afternoon, that while there have been times when this gentleman has questioned the process that brings us to the floor, and where

clearly because we have different politics we differ on the substance, I am reminded of the fact that 2 years ago I sat politically, spiritually, and intellectually where the gentleman stood, and that is coming to the closing moments on the floor of Congress for the first time bringing a monumental piece of legislation before this body. So I understand that.

I compliment the gentleman for his significant effort. This is an extraordinary undertaking. I compliment all of our colleagues who have functioned through this process, the give and take, the stress and the strain that has brought us to this floor.

Finally, I would like to compliment all of the staff people, the staff people on both sides of the aisle, Republican and Democrat and bipartisan, because there are very few people except us who know what goes into bringing this bill to the floor of Congress.

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Having reduced the staff by one-third, those remaining staff people, and I see some of them smiling, have had to work literally around the clock. We often talk about nameless, faceless bureaucrats. These are diligent, competent, brilliant young people who spend numerous hours dealing with legislation that speaks hopefully to the best interests of this country. Frankly I do not think they make enough money, given the kind of job that they have to do here. So in the full light of day, Mr. Chairman, I would like to compliment all of the staff for an incredible job that they do.

Any Member of Congress who thinks they can function without competent staff is a person that has taken a flight off into fantasy. You are only as good as the people around you, and we are blessed with very bright and very competent people. I hope that we continue to praise them for the diligent work that they have done.

Mr. DUNCAN. Mr. Chairman, I want to thank Chairman SPENCE of the full committee, and all the managers of the bill on both sides for their efforts.

My amendment is simply a common sense, pro small business amendment. It enacts in the Department of Defense a bill In introduced earlier this year, H.R. 28, the Freedom from Government Competition Act.

The Government should be helping small businesses survive and grow—not trying to put them out of business by competing against them.

My amendment simply says that the Department of Defense should not provide any produce or service that can be obtained by the private sector.

This carries out a policy that, since the Eisenhower administration in 1955, has said ''the Federal Government will not start or carry on any commercial activity to provide a service or product for its own use if such product or service can be procured from private enterprise through ordinary business channels.''

Every administration, Republican and Democrat, for the past 40 years, has endorsed this policy, but unfortunately, they have never implemented it.

In fact, I hear estimates that as many as 1 million Federal employees are now doing commercial activities that could and should be done by private businesses.

Recently, a report released by the Commission on the Roles and Missions of the Armed Forces, known as the White Commission, stated that in the Department of Defense ''at least 250,000 civilian employees are performing commercial-type activities that do not need to be performed by governmental personnel.''

The Commission went on to say that they ''recommend that the Government in general, and the Department of Defense in particular, return to the basic principle that the Government should not compete with its citizens.''

That principle is what we are trying to put into law with this amendment.

This amendment is the right thing to do. More than $3 billion per year could be saved without cutting services or hurting national defense.

It is needed because the experience of the past 40 years has shown that without specific instructions from Congress, agencies will not take this action on their own.

The amendment requires the Secretary to review commercial activities now being performed by DOD and make a report to Congress by April 15 of next year.

The report will include a schedule for moving commercial activities to the private sector, or give reasons why certain activities should not be performed outside the Department of Defense.

When we look for ways to cut the size of Government, we should look first at those activities which can be done by the private sector.

It is particularly appropriate that we adopt this amendment this week, since some 2,000 small business owners are meeting here in Washington for the White House Conference on Small Business. When this meeting of America's small business men and women last met in 1986, one of their top issues was the importance of contracting out. Now, almost a decade later, contracting out is still one of their top priorities.

There is no reason why the Federal Government should operate golf courses and recreational facilities when those services can be done by private business. There is no reason for Federal employees to design roads and buildings when there are architecture-engineer firms that can do this work.

There is no reason for agencies to operate motor pools when maintenance of cars can be done by private contractors.

There is no reason for taxpayers to pay the salaries of Federal employees to operate cafeterias, perform janitorial services, paint, print, do electrical work, operate testing labs, and engage in scores of other activities that can be done by the small businesses.

This amendment will begin to eliminate government competition with private businesses and create a government that works better and costs less. It is time to give back DOD's commercial activities to the private sector. It is the right thing to do. It is what America's small businesses need to survive. It is what we are doing with this common sense amendment today.

I urge a ''yes'' vote from my colleagues on this en bloc amendment.

Ms. FURSE. Mr. Chairman, on of the major reasons I am voting against this en bloc amendment because of the inclusion of a very troubling amendment by Representative HOKE. This provision directs the Secretary of Defense not to implement any reduction in strategic nuclear forces called for in the START II Treaty unless and until the treaty enters into force.

Mr. Chairman, the cold war is over and everyone else has figured it out. An April nationwide poll shows that 82.3 percent of Americans believe that the United States and Russia should agree to negotiate deep reductions in their nuclear weapons arsenals. This amendment flies in the face of the desire for those reductions. The current practice is that as long as the Russians are dismantling their weapons, we continue to do so as well. I see no reason to stop that practice.

Following last fall's conclusion of the Nuclear Posture Review, Secretary of Defense Perry advocated a policy he called leading and hedging, explaining by saying, ''By leading I mean providing the leadership for further and continuing reductions in nuclear weapons, so that we can get the benefit of the savings that would be achieved by that. At the same time, we also want to hedge, hedge against the reversal of reform in Russia . . . We do not believe that reversal is likely, and we are working with Russia to minimize the risk of it occurring.''

If we were to actually honor the provisions of Representative HOKE's sense-of-Congress amendment and keep all our unclear weapons, it could require the additional expenditure of hundreds of millions of dollars a year. These funds would be required for such activities as maintaining more B–52 bombers and the possible purchase of additional D–5 missiles for *Trident* submarines.

Mr. Chairman, in this post-cold-war era, we have more important things to do than continue to maintain ridiculously high levels of nuclear weapons. I hope that the other body does not adopt this provision.

Mr. EVERETT. Mr. Chairman, I rise in support of this en bloc amendment package, which includes my amendment that would prohibit the Army from consolidating the Aviation Technical Test Center [ATTC] to any other facility until the Institute for Defense Analyses has completed an independent review of an Army proposal to transfer the ATTC from Fort. Rucker and Edwards AFB to Yuma Proving Ground.

I want to make it perfectly clear that this is not a base closure issue. This proposal has been brewing within the Army's Test & Evaluation Command for more than 2 years, and in my opinion, is based on a flawed and incomplete analysis with a predetermined outcome.

Last year, the House-passed defense authorization bill contained report language requiring the Army to submit a report to Congress which substantiates their interest in moving the ATTC to Yuma. To date, we have not received such a report.

Mr. Chairman, I would not be here questioning the Army's motives unless I thought this proposal was ill conceived. The idea of recreating the aviation testing operation at considerable expense, and moving it from one location to another just doesn't pass the commonsense test. This amendment gives both the Army and the Congress the opportunity to review this proposal from an independent source. This is a prudent course of action for

the House to make, and I urge my colleagues to support the amendment.

CONSOLIDATION OF THE ARMY'S AVIATION TECHNICAL TEST CENTER

The Army's Test & Evaluation Command has submitted a proposal to the Secretary of the Army to consolidate the Aviation Technical Test Center, currently located at Fort Rucker, AL and Edwards AFB, CA, at Yuma Proving Ground [YPG], AZ. In order to accommodate this consolidation at YPG, substantial infrastructure—$10 million—and logistics investments will be necessary. In the best of circumstances, the funding for these infrastructure investments are not planned by the Army until fiscal year 1998, which is well after the planned October 1996 stand-up date at Yuma. The Army has failed to adequately address the following concerns:

Enhanced synergy of Army aviation at Fort Rucker.

The vast pool of pilots and aircraft from the training center allows ATTC to meet any testing demand without additional cost.

Large maintenance, logistics, and supply facility at Fort Rucker enables ATTC to keep aircraft flying consistently and inexpensively—this would need to be refabricated at Yuma. The parts inventory alone could cost as much as $1.6 million.

The $10 million needed for hangar and maintenance facilities at Yuma will not be requested until fiscal year 1998, the workarounds to leave these aircraft in the open, exposed to the harsh desert climate, seem short-sighted and ill advised.

Of the 97 tests conducted by ATTC, only 2 required the Yuma range, 1993; last two armament tests were conducted at China Lake and Eglin.

Armament and aviation testing trends are moving toward computer-simulated tests, rather than live-fire tests.

Mr. KIM. Mr. Chairman, I rise today in strong support of the Duncan amendment to H.R. 1530 which will require the Secretary of Defense to make more extensive use of the private sector to obtain necessary products and services. I believe it is time this Government take a good look at how the private sector can help save taxpayer dollars by allowing for a more open and fair competitive buying process. We can no longer afford to pay $500 for a hammer which could have been purchased in an open market for $5.99 at a local hardware store.

The Duncan amendment will go beyond addressing this Government's buying practices however. It will also rectify an important concern that I have with respect to the Department of Defense's apparent efforts to transfer a significant amount of maintenance and repair work away from capable and efficient private contractors to military depot installations. Specifically, recent events have convinced me that the Department of Defense is actively looking for ways to shore up its own depot facilities, even though the functions they preform can be done as effectively, at lower cost, by private business.

A stark example of this problem is the case of Loud Engineering and Manufacturing, Inc., a small business in my district. This independent business could be a vibrant contributor to the C–130 maintenance and repair effort. Yet, DOD consistently gives such work to its own depots or to foreign contractors in Canada, even though Loud could do the work for a competitive price. My attempts to get a straight answer from the DOD, as to why its own depots and Canadian firms get this business have been frustrating. I am concerned that such policies perpetuate the decline in our own military infrastructure and results in the loss of jobs in California—which needs such work at this time of continued recession. How can we continue to keep a dependable private-sector military-industrial base if it is not given a chance to compete for such contracts?

Unfortunately, Loud Engineering is not the only business being cast aside by the DOD. The repair and maintenance work for F404 engines, currently being done by General Electric Services in Ontario, and the transfer of the MC–130E Combat Talon I program workload, currently being done by Lockheed-Martin, are two other examples of DOD's efforts to hamper private sector involvement in defense contracts. The Department of Defense has proposed to transfer these functions to the Naval aviation depot in Jacksonville, FL and to the depot at Warner Robins Air Logistics Center [WR–ALC], respectively. I believe these efforts are unnecessary because these contractors have repeatedly received high praise by the DOD itself, which raises legitimate questions as to why such functions are being transferred expect to justify the continued operations of these depots.

While I am concerned about these specific cases, I believe the Duncan amendment will go a long way toward ensuring that DOD works, in accordance with congressional intent, toward providing our own defense industry suppliers with a fair and open chance at obtaining valuable contracts that promote job growth and our national security interests. It is with that in mind that I support the Duncan amendment and I call on all of my colleagues to vote in support of American businesses by passing this important amendment to H.R. 1530.

Mr. MOAKLEY. Mr. Chairman, I rise today to urge my colleagues on both sides of the aisle to support an amendment I am offering to the Defense authorization bill. I would first like to take a moment to thank both the Members and the staff of the Subcommittee on Military Personnel for working with me and coming up with language that was acceptable to all sides. My amendment is a sense of Congress that recognizes how invaluable the Uniformed Service Treatment Facilities [USTF's] have been to the 120,000 military retirees who utilize the health care provided at these facilities. My amendment also states that although USTF's will now be subject to the Federal acquisition regulation [FAR], USTF's should not be terminated for convenience by the DOD before their current participation agreements with the DOD expire.

Since the creation of the USTF program, many of my colleagues from both parties have recognized the importance of this program to their constituents. USTF's are unique and have been able to implement innovative, cost-effective ways to provide health care to DOD beneficiaries.

Unfortunately, in the past there have been those at the DOD who have not shared my enthusiasm for USTF's. For whatever reason, there have been people at the DOD who have tried to put insurmountable hurdles in front of the USTF's to try to make it impossible for the USTF's to continue to operate. My amendment clarifies this. I am pleased that the National Security Committee has acknowledged the USTF's and intends to make them a permanent program by including them in the TRICARE system. I know my constituents who utilize Brighton, ME, which is a USTF in the Boston area that I represent, would be quite upset if they thought the DOD could close their medical center. My amendment gives Brighton, ME and the other USTF's around the country that assurance. Mr. Chairman, don't we owe at least that much to the fine American men and women and their families who have served this country so well? I think so, and I urge my colleagues to support my amendment.

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

The CHAIRMAN. The question is on the amendments en bloc offered by the gentleman from South Carolina [Mr. SPENCE].

The question was taken; and the Chairman announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HUNTER. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 411, noes 14, not voting 9, as follows:

[Roll No. 383]

AYES—411

Abercrombie	Chambliss	Evans
Ackerman	Chenoweth	Everett
Allard	Christensen	Ewing
Andrews	Chrysler	Farr
Archer	Clay	Fattah
Armey	Clayton	Fawell
Bachus	Clement	Fazio
Baesler	Clinger	Fields (LA)
Baker (CA)	Clyburn	Fields (TX)
Baker (LA)	Coble	Flanagan
Baldacci	Coburn	Foglietta
Ballenger	Coleman	Foley
Barcia	Collins (GA)	Forbes
Barr	Collins (IL)	Ford
Barrett (NE)	Collins (MI)	Fowler
Barrett (WI)	Combest	Fox
Bartlett	Condit	Franks (CT)
Barton	Cooley	Franks (NJ)
Bass	Costello	Frelinghuysen
Bateman	Cox	Frisa
Bentsen	Coyne	Frost
Bereuter	Cramer	Funderburk
Berman	Crane	Gallegly
Bevill	Crapo	Ganske
Bilbray	Cremeans	Gejdenson
Bilirakis	Cubin	Gekas
Bishop	Cunningham	Gephardt
Bliley	Danner	Geren
Blute	Davis	Gibbons
Boehlert	de la Garza	Gilchrest
Boehner	Deal	Gillmor
Bonilla	DeLauro	Gilman
Bonior	DeLay	Gonzalez
Bono	Dellums	Goodlatte
Borski	Deutsch	Goodling
Boucher	Diaz-Balart	Gordon
Brewster	Dicks	Goss
Browder	Dingell	Graham
Brown (CA)	Dixon	Green
Brown (FL)	Doggett	Greenwood
Brown (OH)	Dooley	Gunderson
Brownback	Doolittle	Gutierrez
Bryant (TN)	Dornan	Gutknecht
Bryant (TX)	Doyle	Hall (OH)
Bunn	Dreier	Hall (TX)
Bunning	Duncan	Hamilton
Burr	Dunn	Hancock
Burton	Durbin	Hansen
Buyer	Edwards	Harman
Callahan	Ehlers	Hastert
Calvert	Ehrlich	Hastings (FL)
Camp	Emerson	Hastings (WA)
Canady	Engel	Hayes
Castle	English	Hayworth
Chabot	Ensign	Hefley

Hefner
Heineman
Herger
Hilleary
Hilliard
Hinchey
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jacobs
Jefferson
Johnson (CT)
Johnson (SD)
Johnson, E. B.
Johnson, Sam
Johnston
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Klink
Klug
Knollenberg
Kolbe
LaFalce
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lightfoot
Lincoln
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Longley
Lowey
Lucas
Luther
Maloney
Manton
Manzullo
Markey
Martinez
Martini
Mascara
Matsui
McCarthy
McCollum
McCrery
McDade
McDermott
McHale
McHugh
McInnis
McIntosh
McKinney
Meehan
Meek
Menendez
Metcalf
Meyers
Mfume
Mica
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murtha
Myers
Neal
Nethercutt
Neumann
Ney
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pombo
Pomeroy
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Rahall
Ramstad
Rangel
Reed
Regula
Reynolds
Richardson
Riggs
Rivers
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Salmon
Sanders
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Schroeder
Schumer
Scott
Seastrand
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Studds
Stump
Stupak
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thompson
Thornberry
Thurman
Tiahrt
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Upton
Velazquez
Vento
Visclosky
Volkmer
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Ward
Waters
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Williams
Wilson
Wise
Wolf
Woolsey
Wyden
Wynn
Young (FL)
Zeliff
Zimmer

NOES—14

Becerra
Beilenson
Cardin
Conyers
DeFazio
Eshoo
Filner
Frank (MA)
Furse
LaHood
Miller (CA)
Myrick
Nadler
Stockman

NOT VOTING—9

Chapman
Dickey
Flake
Kleczka
McKeon
McNulty
Thornton
Yates
Young (AK)

□ 1436

Mr. FILNER and Mr. BEILENSON changed their vote from ''aye'' to ''no''.

Mr. REED changed his vote from ''no'' to ''aye.''

So the amendments en bloc, as modified, were agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Chair understands that the amendments numbered 1, 2, 4, 5, and 26 and printed in part 2 of House Report 104–136 will not be offered.

If there are no further amendments, the question is on the committee amendment in the nature of a substitute, as modified, as amended.

The committee amendment in the nature of a substitute, as modified, as amended, was agreed to.

Mr. SMITH of Michigan. Mr. Chairman, I rise today to thank National Security Chairman SPENCE and Subcommittee Chairman BATEMAN for their support of my amendment regarding the Defense Reutilization and Marketing Service [DRMS] based at the Federal Center in Battle Creek, MI.

In the last several years, DRMS has vastly improved the efficiency of its operations, which involve the reuse and sale of military surplus goods. In the 1994 fiscal year, DRMS increased its revenues by 85 percent and its profits by 11 percent, while cutting its costs by 4 percent. These improvements have continued into the 1995 fiscal year. In fact, the Michigan Legislature recognized and commended the achievements of DRMS in a resolution passed on May 31, 1995.

This week, a provision of H.R. 1530 proposed the total privatization of DRMS, ignoring the fact that some areas of privatization would actually cost taxpayers money. My amendment proceeds with privatization in those areas where savings are likely in DRMS. Fortunately, with the help of many fine people connected with DRMS at Battle Creek, MI, we were able to document the selective privatization program and those areas run by DRMS employees that have, for the first time, started making money.

I would like to take this opportunity to recognize and thank some of those who took leading roles in the effort to amend H.R. 1530. I would like to thank the leaders of DRMS and DLA, Navy Captain Hempson [DRMS] and Admiral Straw [DLA]. I also want to express my appreciation for the support of Dan McGinty, DLA's congressional liaison.

I want to thank the employees of DRMS both for the excellent work they have done and their efforts working with me on this amendment. In particular, I would like to recognize the efforts of Gary Redditt and Angie Disher, the union representatives at DRMS.

Mr. Chairman, our goal is to increase the efficiency of all Department of Defense operations and privatize in those areas where taxpayer dollars can be saved. DRMS is meeting this goal. Similar efforts must be made across the whole Government. Once more, let me say once more to DRMS and its employees, job well done.

Mr. CUNNINGHAM. Mr. Chairman, I rise today to express my appreciation to the distinguished chairman of the committee, Mr. SPENCE, for his understanding of the tremendous pressures which are placed on military families today and the need for programs to assist families in coping with these pressures. I also want to thank and commend my colleague from California, Mr. DELLUMS, for his longstanding support and advocacy for our military families.

In particular, I also want to thank Chairman SPENCE for his leadership for helping to ensure that the necessary funding has been provided to continue a very important program aimed at preventing child and spouse abuse within the military. In fiscal year 1992, Congress appropriated funds to expand the New Parent Support Program [NPSP], a pilot program aimed at preventing child and spouse abuse at Camp Pendleton, CA. That program operated in direct collaboration with the Center of Child Protection at Children's Hospital in San Diego.

Today, the NPSP has been operating at all 18 major Marine bases worldwide for 2 years, reaching the families where child and spouse abuse are most likely to occur. The reports from the Marine Corps, at all levels, indicate the program is operating successfully and that the appropriate families are being reached.

I am also happy to report that in 1994, the Army began the NPSP in direct collaboration with the USMC and Children's Hospital in San Diego. Currently, Army families at 14 installations worldwide are participating in the NPSP and 8 additional sites will be operating by the end of this year.

Advocacy programs of this nature play an integral role in military readiness by ensuring the stability of military families during uncertain times and should receive priority consideration by the leadership of all branches of the services and by the Congress.

Tragically, this pains and disasters of abuse reach families of all branches of the military. A review of existing DOD programs shows that most other programs focus on this problem react to the incident after it occurs. The NPSP is aimed at preventing the abuse and providing family support for families at risk. In light of the Marine Corps and Army programs' continued demonstrated value and success, I would like to continue to work with Chairman SPENCE and the distinguished gentleman from California [Mr. DELLUMS] to ensure that the benefits of this model program reach the risk families in all the branches of the armed services.

Again, I want to recognize the outstanding leadership that Chairman SPENCE has provided in fostering military family advocacy programs. Our service members and their families have two committed and effective champions in both the chairman and ranking member of the National Security Committee.

I look forward to working with the leadership of the committee to provide all military families the tools they deserve to assist them in dealing with stressful and uncertain times.

Mr. REED. Mr. Chairman, it is with regret that I rise in opposition to the bill before us today.

It is regrettable because this is the first time I plan to vote against passage of the defense authorization bill, which establishes our military policies and priorities.

While I support the Congress' desire to bring attention to the importance of military readiness as well as many of their initiatives, I must oppose this supposed prodefense bill because it fails to clearly support the Navy's top priority—the third *Seawolf* submarine.

This bill adds billions for items not requested by the Department of Defense, but

fails to clearly support the third *Seawolf* as requested by the Navy and outlined in the Joint Chiefs of Staff force requirements.

This bill provides some resources aimed at preserving our submarine industrial base, and Chairmen SPENCE and HUNTER have attempted to craft a plan that seeks to maintain two nuclear submarine capable shipyards.

However, in authorizing a level of funding that is close to the Navy's request for the third *Seawolf,* this bill would not direct completion of a new submarine. Instead, the bill would go back and retrofit the second *Seawolf* with a design that is not even yet designed.

In addition, the proposed next class of attack submarines, now known as the new attack submarine, in the bill would be a technology demonstrator or R&D submarine, rather than a militarily capable submarine that meets the Navy's needs.

Moreover, the Navy's new attack sub design and mission underwent an intensive Congressional review last year. It was also subjected to evaluation by an independent group as well as standard Navy and DOD review. But, again the committee bill with good intentions has dramatically altered the Navy's well-thought-out plan.

There is a better submarine plan that unlike many in Washington is uncomplicated and cost-effective—complete the third *Seawolf* and capitalize on the almost $1 billion already invested in the third *Seawolf.*

This option preserves the submarine industrial base. This option uses designs that are completed. This is the option endorsed by the Navy, the Defense Department, the Joint Chiefs force requirements, the Bottom-Up Review, an independent review commission, the Rand Corp., President Clinton, Speaker GINGRICH, and Majority Leader DOLE.

There are also a number of items in this bill that concern me that are not related to submarines. These include the bill's excessive emphasis on a national missile defense or star wars system; the gutting of the bipartisan Nunn-Lugar plan which reduces the nuclear threat by dismantling the weapons of our former Soviet enemies; the prohibition on choice for female soldiers, and the majority's decision to abrogate the ABM Treaty.

In addition, there are some items in this bill that are worthy of support, such as Navy undersea warfare research and procurement. But in the final analysis. the failure to endorse the Navy's attack submarine plan compels me to oppose the bill.

Mr. Chairman, I urge the leadership of the House National Security Committee to reconsider its stance on the Navy's plan for the third *Seawolf* when House and Senate negotiators meet in the coming months. Until this bill reflects the Navy's plan or endorse a more reasonable submarine procurement plan that provides for continued construction at all components of the industrial base, I will be hard pressed to support it.

Mr. ABERCROMBIE. Mr. Chairman, I will vote today for final passage of H.R. 1530, the National Defense Authorization Act for fiscal year 1996 with serious reservations. I strongly support the efforts of the committee in the areas of quality of life improvements for our service members and the provisions which were passed to rebuild the foundation for a vital merchant marine which is essential to our Nation's status as a world power.

However, I am deeply troubled with the direction of the bill's retreat from previous commitments to arms control and nonproliferation of weapons of mass destruction. Even more distressing is the tremendous increase in the defense budget for excess weapons inventory. The authorization today includes over $1.2 billion in adds for the down payment on two more B–2 bombers and increases in the ballistic missile defense accounts. It commits us to initial expenditures on weapons systems which we will never be able to procure in the outyears. Today's excessive expenditures in these areas will only make it harder to allocate funds for the weapon systems and equipment which our troops need to fight and win at the front lines in future conflicts.

Having said that, the bill makes significant strides in its effort to alleviate the severe military family housing problem. Currently, two-thirds of the families living on base are housed in unsuitable quarters. This bill allows for a 5-year pilot program which will allow for creative solutions to replace a huge inventory of military family housing which has been neglected for decades. I am especially pleased with the private-sector financing alternative. In the past, Hawaii has been very successful in its implementation of this type of arrangement to provide for housing. The housing crisis in Hawaii is one that affects the civilian populace as well as military families. Suitable and affordable properties for rent or purchase are few and far between. This new housing initiative will be a great step toward reducing the tremendous strain on the lives of military and civilians in my State and many others with regard to affordable housing.

The committee has also been very supportive of the serious concerns of the Merchant Marine Panel with regard to our diminishing fleet of American-built, American-crewed merchant ships. The provisions in this bill establish a foundation for revitalization of the American merchant fleet. This is a first step, but we must do more.

I implore all Members of the House to stand together on this solidly bipartisan issue and help us to rebuild the American merchant fleet which is so vital to the national defense and economic security of our Nation. We must bring this issue to the forefront and demand a policy which will encourage the revitalization and growth of this industry before we lose it completely to foreign competition. We cannot and must not become dependent on foreign carriers and crews for the strategic sealift needs of our Nation.

On the issue of impact aid, I applaud the committee for taking the initiative to provide for costs of educating the children of military families in local school districts across the Nation. The areas of the Nation which are heavily impacted by the presence of Federal facilities would bear a tremendous burden if this program had not been funded. This program, while not enjoying as high a profile as the many debates on procurement issues, is of extreme importance to our all volunteer military force. Today's service members have put education for their children high on their list of concerns. Our troops must know that we are as concerned about the education of their children as we are of the funding of ballistic missile defenses. There is a direct correlation to the well-being of military families and troop readiness. Everything possible must be done to ensure that these concerns are not pushed aside in the welter of media-hyped and politically charged issues.

The National Guard Civil-Military Cooperative Action Program, which was repealed in this bill, deserves a reexamination in conference. This program enables the National Guard and Reserve to exercise their training in realistic settings while providing valuable assistance to communities across the Nation. It provides training which may not otherwise be available or affordable. This is a dual-benefit program which increases readiness and helps our local communities, rather than foreign communities, receive assistance in health care or infrastructure development. This program provides funding for the military personnel, and the missions performed generally have low or no incremental costs for operations. Congress must act to restore this program for the benefit of the Guard, the Reserve, and our communities.

There is a need for further improvements to this bill. I look forward to working with my colleagues through the conference process to ensure that the final product meets the needs of this Nation for a strong national defense which includes trained and ready Armed Forces, economic security, proper education for all our citizens, and a sound foreign policy that promotes democracy and human rights.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore. (Mr. HAYWORTH) having assumed the chair, Mr. EMERSON, 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. 1530) providing for consideration of the bill (H.R. 1530) to authorize appropriations for fiscal year 1996 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 1996, and for other purposes, pursuant to House Resolution 164, he reported the bill back to the House with an amendment 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 to the committee amendment in the nature of substitute, as modified, as amended, adopted by the Committee of the Whole?

If not, the question is on the amendment.

The amendment was 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.

MOTION TO RECOMMIT OFFERED BY MR. DELLUMS

Mr. DELLUMS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DELLUMS. I am, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DELLUMS moves to recommit the bill H.R. 1530 to the Committee on National Security with instructions to report the same

back tot he House forthwith with the following amendments:

Page 38, line 18, insert ''(a) IN GENERAL.—'' before ''Of the amounts''.

Page 38, after line 22, insert the following:

(b) NMD REDUCTION.—The amounts provided in subsection (a) and in section 201(4) are each hereby reduced by $100,000,000, to be derived from amounts for the National Missile Defense program.

At the end of title III (page 153, after line 25), insert the following new section:

SEC. 396. DEPARTMENT OF DEFENSE DEPENDENT EDUCATION ASSISTANCE (IMPACT AID) FOR SCHOOL-AGED DEPENDENTS OF CERTAIN MILITARY PERSONNEL.

(a) PROVISION OF DEPENDENT EDUCATION ASSISTANCE (IMPACT AID).—(1) In the case of students described in section 8003(a)(1)(D) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)(D)), the Secretary of Defense shall provide funds to local educational agencies that received payments for these students from the Department of Education in fiscal year 1994 or 1995 under the Act of September 30, 1950 (Public Law 874, 81st Congress) or title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.).

(2) Subject to the availability of appropriations for this purpose, funds shall be paid under this section in fiscal year 1996. However, the Secretary of Defense may use the authority provided by this section only in the event that payments under section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) for a fiscal year on behalf of students described in subsection (a)(1)(D) of such section are not made in a total amount equal to at least the level of funding for fiscal year 1995 under such section for such students.

(b) COMPUTATION OF BASIC PAYMENT.—Each local educational agency described in subsection (a) shall be eligible for basic payments, which shall be computed for each year by multiplying—

(1) the amount determined by dividing—

(A) the amount of funds received by the local educational agency in the second preceding fiscal year under this subsection, section 3(b)(3) of the Act of September 30, 1950 (Public Law 874, 81st Congress), or section 8003(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)); by

(B) the number of students described in section 8003(a)(1)(D) of such Act in average daily attendance in the second preceding fiscal year; and

(2) the number of such students in average daily attendance of the local educational agency in the fiscal year preceding the fiscal year in which the payment is being made.

(c) COMPUTATION OF DISABILITY PAYMENT.—Each local educational agency described in subsection (a) shall also be eligible for disability payments for students described in section 8003(d)(1)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(d)(1)(B)). The payment required by this subsection shall be computed for each year by multiplying—

(1) the amount determined by dividing—

(A) the amount of funds received by the local educational agency during the second preceding fiscal year under this subsection, section 3(d)(2)(C) of the Act of September 30, 1950 (Public Law 874, 81st Congress), or section 8003(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(d)); by

(B) the number of students described in section 8003(d)(1)(B) of such Act in average daily attendance in the second preceding fiscal year; and

(2) the number of such students in average daily attendance of each local educational agency in the fiscal year preceding the fiscal year in which the payment is being made.

(d) HEAVILY IMPACTED ASSISTANCE.—(1) Each local educational agency described in subsection (a) shall also be eligible for heavily impacted assistance if—

(A) the local educational agency—

(i) had an enrollment of students described in subparagraphs (B) and (D) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)) during the previous fiscal year, the number of which constituted at least 40 percent of the total student enrollment of such agency; and

(ii) has a tax rate for general fund purposes which is at least 95 percent of the average tax rate for general fund purposes of comparable educational agencies in the State; or

(B) the local educational agency—

(i) had an enrollment of students described in subparagraphs (B) and (D) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)) during the previous fiscal year, the number of which constituted at least 35 percent of the total student enrollment of such agency; and

(ii) has a tax rate for general fund purposes which is at least 125 percent of the average tax rate for general fund purposes of comparable educational agencies in the State.

(2)(A) For each local educational agency described in paragraph (1), payments for each year shall be computed by first determining the greater of—

(i) the average per-pupil expenditure of the State in which the agency is located; or

(ii) the average per-pupil expenditure of all the States.

(B) The Secretary shall next subtract from the amount determined under subparagraph (A) the average amount of State aid per pupil received for that year by each local educational agency described in paragraph (1).

(C) For each local educational agency described in paragraph (1), the Secretary shall multiply the amount determined under subparagraph (B) by the total number of students described in subparagraphs (B) and (D) of section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)) in average daily attendance for that year.

(D) Finally, the Secretary shall reduce the amount determined under subparagraph (C) for a local educational agency for a fiscal year by the total amount of—

(i) all payments the local educational agency receives under subsections (b) and (c) for that year; and

(ii) any payments actually received under section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) for that year.

(3) Notwithstanding any other provision of this section, a local educational agency that actually receives funds under section 8003(f) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(f)) for a fiscal year shall be eligible to receive funds under this subsection only after the full amount computed under paragraph (2) has been paid to all local educational agencies described in paragraph (1) that do not receive funds under such section for that fiscal year.

(4) For purposes of providing assistance under this subsection, the Secretary shall use student and revenue data from the local educational agency for the fiscal year for which the agency is applying for assistance.

(5) For purposes of this subsection, the Secretary shall determine the current year State average per-pupil expenditure by increasing or decreasing the per-pupil expenditure data for the second preceding fiscal year by the same percentage increase or decrease reflected between the per-pupil expenditure data for the fourth preceding fiscal year and the per-pupil expenditure data for the second preceding fiscal year.

(6) For purposes of this subsection, the term ''average per-pupil expenditure'' means the aggregate current expenditures of all local educational agencies in the State, divided by the total number of children in average daily attendance for whom such agencies provided free public education.

(e) PROHIBITION ON MULTIPLE PAYMENTS.—(1) Amounts received by a local educational agency under subsection (d) in a fiscal year, when added to amounts actually received under section 8003(f) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(f)) for that year, may not exceed the amount the agency would have received under such section had assistance under such section been fully funded.

(2) Amounts received by a local educational agency under subsection (c) in a fiscal year, when added to amounts actually received under section 8003(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(d)) for that year, may not exceed the amount the agency would have received under such section had assistance under such section been fully funded.

(3) Amounts received by a local educational agency under subsection (b) in a fiscal year, when added to amounts actually received under section 8003(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)) for that year, may not exceed the amount the agency would have received under such section had assistance under such section been fully funded.

(f) PRORATION OF AMOUNTS.—If necessary due to insufficient funds to carry out this section, the Secretary shall ratably reduce payments under subsections (b), (c), and (d).

(g) COOPERATION.—The Secretary of Education shall assist the Secretary of Defense in gathering such information from the local education agencies and State educational agencies as may be needed in order to carry out this section.

(h) FUNDS FOR FISCAL YEAR 1996.—The amount provided in section 301(5) for operation and maintenance for Defense-wide activities is hereby increased by $100,000,000. Of the funds corresponding to such increase—

(1) $50,000,000 shall be available for payments under subsection (b) in fiscal year 1996;

(2) $10,000,000 shall be available for payments under subsection (c) in fiscal year 1996; and

(3) $40,000,000 shall be available for payments under subsection (d) in fiscal year 1996.

Mr. DELLUMS (during the reading). Mr. Chairman, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California [Mr. DELLUMS] is recognized for 5 minutes in support of his motion to recommit.

Mr. DELLUMS. Mr. Chairman, I ask unanimous consent to allow my distinguished colleague, the gentleman from Texas [Mr. EDWARDS], to control the 5 minutes that are authorized to this gentleman.

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

There was no objection.

Mr. EDWARDS. Mr. Speaker, just for a moment I would like the Members to

imagine what it is like to be a child of a military family. For just a moment, Members, imagine being 8 years old and wondering why your mother cannot attend school functions because she has been deployed to a place called Somalia.

Imagine being a 10-year-old and not seeing your father for 6 to 12 months because he is serving our Nation in Korea. Imagine being a 12-year-old boy, and wondering why dad can seldom come to your little league games. Imagine being a 14-year-old daughter and wondering whether your father or mother in uniform will even be alive to come to your high school graduation. Sadly, many never do.

Members, it does not take imagination to realize the sacrifices of our military children. Those sacrifices are real. Military children are the unheralded partners, the unsung heroes, the young patriots in our fight for a strong national defense. How can we adequately say thank you for the sacrifices of our military children? How can we adequately express our sorrow to the child whose father or mother died in service to our Nation?

The answer is we cannot. We cannot replace the time spent away from one's parent. We cannot replace the father or mother that will never know his small child, but there is one thing today that you and I can do, one thing we must do for our military children. We must say to them that if their parents are willing to fight and die for our country, our country, you and I, accept the responsibility to see that they, the children, receive a quality education. That is the least this Congress can do. To do any less would be wrong.

For this Congress to gut education funding for military children would not only be wrong, it would be terribly unfair and immoral. To gut education funding for our military children would send an uncaring message to the young parents serving in our Nation's Armed Forces. To say to a soldier that ''While you are serving in Korea or in Europe or some other faraway land, that we in Congress will be gutting your children's education back home'' would be a slap in the face to every father, to every mother proudly wearing our Nation's uniform. Such a callous act would hurt our military morale, retention, and readiness.

□ 1445

Mr. Speaker, our service men and women love our Nation but they love their children, too. To force them to choose between serving their country and caring for their children's education would be unconscionable. Yet that is exactly what this Congress is doing.

The Committee on the Budget and every Republican on it voted to zero out $120 million in impact aid funding that the Department of Education for years has provided for military children whose parents are living next to a military base. That money goes to the military children's schools to help make up for lost school revenues due to commissary sales that are not taxed or lost income taxes from military families. Many of those districts are already taxing their school districts at the maximum allowable rate.

With the sincere and dedicated leadership of the gentleman from Virginia [Mr. BATEMAN] and a bipartisan effort, the Committee on National Security did vote to spend $58 million in DOD money for impact aid. Our military families owe Chairman BATEMAN a debt of gratitude.

I regret, though, that 12 Members of our Committee on National Security on the Republican side voted against even that funding for education for our military children and their families. Fifty-eight million dollars is a positive step forward for our children's education, but cutting education funding for those special children by 50 percent is simply not right. Those children deserve more than a half a loaf.

Mr. Speaker, this motion to recommit would take $100 million out of the $450 million added on for national missile defense and have that money used to support our children. If in conference committee we can find another source to help provide present-day funding for impact aid, that is fine with me. But we need to set the standard and make the commitment right here and right now, today.

Surely, in a $267 billion defense budget that was added up by $9.7 billion, we can find $100 million to say to our children in the military and their families, ''We are committing to see that you get a good education.''

Members, this should not be a partisan vote. Let Republicans and Democrats alike show our military families we care about them and we care about their children. Vote for this motion to recommit.

The SPEAKER pro tempore (Mr. HAYWORTH). The Chair recognizes the gentleman from South Carolina [Mr. SPENCE].

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

Mr. SPENCE. Mr. Chairman, we all know what recommit motions are and the reason for them.

In this particular motion to recommit, I strongly oppose it on behalf of the committee. There was consideration of this matter in the committee. The gentleman was accommodated.

The other committees in this Congress are doing something to help in impact aid. I myself personally am a big supporter of impact aid. My district depends on it, and it is not a matter of impact aid or not, it is just the wrong way to do it.

Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. GOODLING], the chairman of the Committee on Economic and Educational Opportunities.

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

Mr. GOODLING. Mr. Speaker, first of all I must say following the first part of that speech is very, very difficult. The second part, of course, was partisan, but the first part was very difficult to follow.

But I would please ask you not to legislate on a motion to recommit on something as complicated as impact aid. We will guarantee you as a committee that we will take up this issue.

At the present time, we have $631 million as current funding. That is for children whose parents live and work on Federal property, children whose military families do not live on a base, and for low-income housing. You have added $58 million extra in this particular piece of legislation.

I would encourage you, let us do it through the authorizing process so that we do not open any loopholes, that we do not make changes that we are going to wish we had not made. Let us do it through the proper channels.

Mr. SPENCE. Mr. Speaker, I yield to the gentleman from Texas [Mr. ARMEY], the distinguished majority leader.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this is the 11th year in which I have watched this Congress do a defense authorization bill. I think we must all agree that in all this time, never have we brought a defense authorization bill to the floor and moved it so smoothly and so congenially through the House in such a short period of time.

Mr. Speaker, I would like to commend both the gentleman from South Carolina [Mr. SPENCE], the chairman of the committee, and the gentleman from California [Mr. DELLUMS], the ranking member of the committee, and all the members of the committee for the collegiality they have shown on their committee, both in the committee room and on the floor, in respect to this bill and this legislation. Rarely do we have an opportunity to see a bill as complex as this come to a complete work on the floor ahead of schedule, and I think both of these two gentlemen deserve our appreciation along with the other members of the committee.

Mr. Speaker, I would like to commend the gentleman from Texas [Mr. EDWARDS] for his motion to recommit. I understand the sincerity with which he offers it. It is a serious matter, one that we all have a concern about, and the children, of course, of our military men and women are important to us. Their education is important to us.

I appreciate the fact that the gentleman from Texas [Mr. EDWARDS] brings that before the body, and I appreciate also the expression of commitment that is made by the gentleman from Pennsylvania [Mr. GOODLING], the chairman of the Committee on Economic and Educational Opportunities. These children will not be left behind. These children's education will not be neglected. We need not concern ourselves about that.

I would recommend to my colleagues that we have a good piece of work here. It is a good bill. It is respectful of the children's future, both with respect to their education and their national security, and I encourage all my colleagues, vote no on this motion to recommit and vote yes on the bill and have a good sense of understanding that we have done our duty within the confines of our budget to keep our children safe and secure and well-educated.

PARLIAMENTARY INQUIRIES

Mr. TAYLOR of Mississippi. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. TAYLOR of Mississippi. Mr. Speaker, if my memory serves me correctly, one of the very first measures to pass this body——

Mr. SOLOMON. Regular order. That is not a proper parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. TAYLOR of Mississippi. Mr. Speaker, one of the first measures to pass the body this year was a bill doing away with unfunded Federal mandates. If we are going to require local school districts like Biloxi, MS, to educate children on these bases as we do, and we are going to cut the funds we give to communities like Biloxi, MS, to educate these children, does this not then become an unfunded Federal mandate?

The SPEAKER pro tempore. The gentleman is not stating a proper parliamentary inquiry.

Mr. TAYLOR of Mississippi. I am asking a question, sir. It is a parliamentary inquiry. Did we pass the bill?

The SPEAKER pro tempore. The gentleman is not stating a proper parliamentary inquiry.

Mr. TAYLOR of Mississippi. Mr. Speaker, did that bill become law?

The SPEAKER pro tempore. The gentleman from Mississippi will suspend. The gentleman did not state a proper parliamentary inquiry.

Mr. OBEY. Would the Chair yield for another parliamentary inquiry?

The SPEAKER pro tempore. The gentleman from Wisconsin will state his parliamentary inquiry.

Mr. OBEY. Mr. Speaker, if this motion before us is not passed, how does the authorizing committee, which does not appropriate a dime, assure us that impact aid will not be cut, since the Committee on Appropriations is most certainly going to have to cut it substantially?

The SPEAKER pro tempore. The gentleman is not stating a parliamentary inquiry.

Mr. KENNEDY of Rhode Island. Mr. Speaker, I rise today in support of the motion to recommit.

H.R. 1530 while it restores funding for heavily impacted school districts in the Impact Aid Program, ignores the special needs of those children classified as "B" students.

In my State of Rhode Island it is the "B" student who will suffer most without this funding. Last year, the public schools of Newport and Portsmouth received nearly $330,000 in funding for these children.

Without this funding, over 3,500 Rhode Island "B" students will receive less than an adequate education and be left unprepared and undefended in the harsh climate of the new global economy. This is a cost America simply cannot bear.

I support the motion to recommit so we may pass a bill that fully funds Impact Aid and supports the future of America's children.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. DELLUMS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 188, noes 239, not voting 7, as follows:

[Roll No. 384]

AYES—188

Abercrombie
Ackerman
Andrews
Baesler
Baldacci
Barcia
Barrett (WI)
Becerra
Beilenson
Bentsen
Berman
Bishop
Bonior
Borski
Boucher
Brewster
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant (TX)
Cardin
Christensen
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Condit
Conyers
Costello
Coyne
Cramer
Danner
de la Garza
DeFazio
DeLauro
Dellums
Deutsch
Dicks
Dingell
Dixon
Doggett
Dooley
Durbin
Edwards
Engel
Eshoo
Evans
Farr
Fattah
Fazio
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Geren
Gibbons
Gonzalez
Gordon
Green
Gutierrez
Hall (OH)
Hamilton
Harman
Hastings (FL)
Hefner
Hilliard
Hinchey
Holden
Hoyer
Jackson-Lee
Jacobs
Jefferson
Johnson (SD)
Johnson, E. B.
Johnston
Kaptur
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Klink
LaFalce
Lantos
Levin
Lewis (GA)
Lincoln
Lipinski
Lofgren
Lowey
Luther
Maloney
Manton
Markey
Martinez
Matsui
McCarthy
McDermott
McHale
McKinney
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Montgomery
Moran
Nadler
Neal
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Porter
Poshard
Rahall
Rangel
Reed
Reynolds
Richardson
Rivers
Roemer
Rose
Roybal-Allard
Rush
Sabo
Sanders
Sawyer
Schroeder
Schumer
Scott
Serrano
Sisisky
Skaggs
Skelton
Slaughter
Spratt
Stark
Stenholm
Stokes
Studds
Stupak
Tanner
Taylor (MS)
Tejeda
Thompson
Thurman
Torres
Torricelli
Towns
Traficant
Tucker
Velazquez
Vento
Visclosky
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wyden
Wynn

NOES—239

Allard
Archer
Armey
Bachus
Baker (CA)
Baker (LA)
Ballenger
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Chrysler
Clinger
Coble
Coburn
Collins (GA)
Combest
Cooley
Cox
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
Deal
DeLay
Diaz-Balart
Doolittle
Dornan
Doyle
Dreier
Duncan
Dunn
Ehlers
Ehrlich
Emerson
English
Ensign
Everett
Ewing
Fawell
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Franks (NJ)
Frelinghuysen
Frisa
Funderburk
Gallegly
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goodlatte
Goodling
Goss
Graham
Greenwood
Gunderson
Gutknecht
Hall (TX)
Hancock
Hansen
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Horn
Hostettler
Houghton
Hunter
Hutchinson
Hyde
Inglis
Istook
Johnson (CT)
Johnson, Sam
Jones
Kanjorski
Kasich
Kelly
Kim
King
Kingston
Klug
Knollenberg
Kolbe
LaHood
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Livingston
LoBiondo
Longley
Lucas
Manzullo
Martini
Mascara
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McKeon
Metcalf
Meyers
Mica
Miller (FL)
Molinari
Mollohan
Moorhead
Morella
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Oxley
Packard
Parker
Paxon
Petri
Pombo
Portman
Pryce
Quillen
Quinn
Radanovich
Ramstad
Regula
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Roth
Roukema
Royce
Salmon
Sanford
Saxton
Scarborough
Schaefer
Schiff
Seastrand
Sensenbrenner
Shadegg
Shaw
Shays
Shuster
Skeen
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Stearns
Stockman
Stump
Talent
Tate
Tauzin
Taylor (NC)
Thomas
Thornberry
Tiahrt
Torkildsen
Upton
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NOT VOTING—7

Chapman
Dickey
Flake
Kleczka
McNulty
Thornton
Yates

□ 1513

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. HAYWORTH). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WELDON of Pennsylvania. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 300, noes 126, not voting 8, as follows:

[Roll No. 385]

AYES—300

Abercrombie
Ackerman
Allard
Andrews
Archer
Armey
Bachus
Baesler
Baker (CA)
Baker (LA)
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Bevill
Bilbray
Bilirakis
Bishop
Bliley
Blute
Boehlert
Boehner
Bonilla
Bono
Boucher
Brewster
Browder
Brown (FL)
Brownback
Bryant (TN)
Bunn
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chabot
Chambliss
Chenoweth
Christensen
Chrysler
Clement
Clinger
Coble
Coburn
Coleman
Collins (GA)
Combest
Condit
Cooley
Costello
Cox
Cramer
Crane
Crapo
Cremeans
Cubin
Cunningham
Davis
de la Garza
Deal
DeLauro
DeLay
Diaz-Balart
Dicks
Dixon
Dooley
Doolittle
Dornan
Dreier
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Ensign
Everett
Ewing
Fawell
Fazio
Fields (TX)
Flanagan
Foley
Forbes
Fowler
Fox
Franks (CT)
Frelinghuysen
Frisa
Frost
Funderburk
Gallegly
Gejdenson
Gekas
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Graham
Green
Greenwood
Gutknecht
Hall (OH)
Hall (TX)
Hamilton
Hancock
Hansen
Harman
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hefner
Heineman
Herger
Hilleary
Hobson
Hoekstra
Hoke
Holden
Horn
Hostettler
Houghton
Hoyer
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson-Lee
Jefferson
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (RI)
Kennelly
Kildee
Kim
King
Kingston
Knollenberg
Kolbe
LaHood
Lantos
Largent
Latham
LaTourette
Laughlin
Lazio
Leach
Lewis (CA)
Lewis (KY)
Lightfoot
Linder
Lipinski
Livingston
LoBiondo
Longley
Lucas
Manton
Manzullo
Matsui
McCollum
McCrery
McDade
McHale
McHugh
McInnis
McIntosh
McKeon
Meek
Metcalf
Meyers
Mica
Miller (FL)
Mink
Molinari
Mollohan
Montgomery
Moorhead
Moran
Murtha
Myers
Myrick
Nethercutt
Neumann
Ney
Norwood
Nussle
Ortiz
Orton
Oxley
Packard
Parker
Pastor
Paxon
Payne (VA)
Peterson (FL)
Pickett
Pombo
Porter
Portman
Poshard
Pryce
Quillen
Quinn
Radanovich
Regula
Richardson
Riggs
Roberts
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Royce
Salmon
Sanford
Sawyer
Saxton
Scarborough
Schaefer
Schiff
Scott
Seastrand
Shadegg
Shaw
Shuster
Sisisky
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Solomon
Souder
Spence
Spratt
Stearns
Stenholm
Stockman
Stump
Talent
Tanner
Tate
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas
Thornberry
Thurman
Tiahrt
Torkildsen
Torres
Traficant
Tucker
Upton
Visclosky
Vucanovich
Waldholtz
Walker
Walsh
Wamp
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
White
Whitfield
Wicker
Wilson
Wolf
Young (AK)
Young (FL)
Zeliff

NOES—126

Barrett (WI)
Becerra
Beilenson
Berman
Bonior
Borski
Brown (CA)
Brown (OH)
Bryant (TX)
Cardin
Clay
Clayton
Clyburn
Collins (IL)
Collins (MI)
Coyne
Danner
DeFazio
Dellums
Deutsch
Dingell
Doggett
Doyle
Duncan
Durbin
Engel
English
Eshoo
Evans
Farr
Fattah
Fields (LA)
Filner
Foglietta
Ford
Frank (MA)
Franks (NJ)
Furse
Ganske
Gunderson
Gutierrez
Hastings (FL)
Hilliard
Hinchey
Jacobs
Johnson (SD)
Johnston
Kanjorski
Kennedy (MA)
Klink
Klug
LaFalce
Levin
Lewis (GA)
Lincoln
Lofgren
Lowey
Luther
Maloney
Markey
Martinez
Martini
Mascara
McCarthy
McDermott
McKinney
Meehan
Menendez
Mfume
Miller (CA)
Mineta
Minge
Moakley
Morella
Nadler
Neal
Oberstar
Obey
Olver
Owens
Pallone
Payne (NJ)
Pelosi
Peterson (MN)
Petri
Pomeroy
Rahall
Ramstad
Rangel
Reed
Reynolds
Rivers
Roemer
Roth
Roukema
Roybal-Allard
Rush
Sabo
Sanders
Schroeder
Schumer
Sensenbrenner
Serrano
Shays
Skaggs
Slaughter
Stark
Stokes
Studds
Stupak
Thompson
Torricelli
Towns
Velazquez
Vento
Volkmer
Ward
Waters
Watt (NC)
Waxman
Williams
Wise
Woolsey
Wyden
Wynn
Zimmer

NOT VOTING—8

Chapman
Conyers
Dickey
Flake
Kleczka
McNulty
Thornton
Yates

□ 1532

The Clerk announced the following pair:

On this vote:

Mr. McNulty for, with Mr. Yates against.

Mr. SCHUMER changed his vote from ''aye'' to ''no.''

Ms. JACKSON-LEE changed her vote from ''no'' to ''aye.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SPENCE. 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 just passed.

The SPEAKER pro tempore (Mr. HAYWORTH). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1530, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1996

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill, H.R. 1530, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make such other technical, clerical, and conforming changes as may be necessary to reflect the actions of the House in amending the bill, H.R. 1530.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1817, MILITARY CONSTRUCTION APPROPRIATIONS ACT FOR FISCAL YEAR 1996

Mr. QUILLEN, from the Committee on Rules, submitted a privileged report (Rept. No. 104–140) on the resolution (H. Res. 167) providing for consideration of the bill (H.R. 1817) making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PERMISSION TO FILE PRIVILEGED REPORT ON BILL MAKING APPROPRIATIONS FOR FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS FOR FISCAL YEAR 1996

Mr. CALLAHAN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on a bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes.

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

There was no objection.